



Donna Drozd
Senior Procurement Specialist
City of Hamilton
Corporate Services Department
Procurement Section
Phone: (905) 546-2424, ext.: 4831
Fax: (905) 546-2327
E-Mail: Donna.Drozd@hamilton.ca

Date Issued: February 20, 2018

City of Hamilton

REQUEST FOR PROPOSALS

Contract Number: C11-66-17

**Request for Proposals
Pier 8 Development Opportunity**

ADDENDUM 12

The following queries and responses, issued by the Procurement Section shall form part of the **Request for Proposals** documents for the above, and the revisions and additions noted herein and any attachments shall read in conjunction with all other documents. This Addendum shall, however, take precedence over all previously issued **Request for Proposals** documents where differences occur.

Included in this Addendum are: 7 Pages for Addendum 12

1.0 UPDATE TO RFP APPENDIX B: PROPONENT AND RESERVE PROPONENT TEAMS

Subsequent to the Commitment Date and the consequent events in accordance with the RFP Appendix D: Reserve Proponent Protocol, the City would like to amend the List of Proponent and Reserve Proponent Teams as follows:

DELETE: "Daniels" from the List of Proponents; and
DELETE: "West Harbour Development Limited Partnership" from the List of Reserve Proponents

Furthermore, the Reserve Proponent Protocol is no longer in effect.

Proponents are reminded that any Material Change to their team, which includes the addition or substitution of Core Team Members must be approved in advance by the City. The addition of Adjunct Team Members does not require City approval; however, the substitution of any Adjunct Team Members previously named in response to RFQ C14-02-17 requires only notification to the City.

2.0 ADDITIONAL SUBMISSION REQUIREMENT – PUBLIC PRESENTATION MATERIALS

The City has added a new submission requirement related to the Public Presentation Materials:

- Ten (10) printed and bound copies of the User Stories produced in accordance with the guidelines outlined in City Response #141 (below).

Additionally, the ten (10) hard copies of the presentation panel reductions in 11” x 17” format are no longer a Technical Proposal submission requirement, but instead must be submitted with the other Public Presentation Materials by the Public Presentation Materials Closing Time.

3.0 CLARIFICATION OF DEADLINES TO SUBMIT REQUESTS FOR INFORMATION

Further to Addendum 5, Item 1.0 which outlines changes to Closing Date, the City would like to clarify the relative deadlines for Proponents to submit formal Requests for Information and for the City to issue corresponding addenda:

- The final date for Proponents to submit Requests for Information pertaining to the Technical Proposal is **February 23, 2018**;
- The final date for the City to issue addenda pertaining to the Technical Proposal is **February 27, 2018**;
- The final date for Proponents to submit Requests for Information pertaining to the Financial Proposal or the Public Presentation Materials is **March 26, 2018**; and
- The final date for the City to issue addenda pertaining to the Financial Proposal or the Public Presentation Materials is **March 29, 2018**.

4.0 QUESTIONS AND RESPONSES

Question #135	Can you provide any clarity around how the future FMV will be determined (and presumably discounted) for the purposes of valuing our bid now? Same question for the Gross Sales Revenues or percentage or FMV of income producing properties? Will the same values be used for all of the Proponents' bids?
City Response #135	Please see Addendum 11, Item 1.1
Question #136	Can the City share its financial model it will use to evaluate Financial Proposals and/or what information can the City share with respect to how future values will be determined for both the FMV Share and VAS calculations?

City Response #136	Please see Addendum 11, Item 1.0 for an explanation of the Financial Proposal evaluation approach and model. At this time, the City is not proposing to share its financial model or any of its baseline market assumptions.
Question #137	The 3.5% discount rate-doesn't align with timely absorption and allow development to site on project to meet price escalator. Would the City of Hamilton reconsider an alternative rate that is more in line with the interests of both of the City and the successful Proponent?
City Response #137	Please see Addendum 11, Item 1.2
Question #138	With respect to the Financial Proposal structure, how will the City treat the situation where the Fair Market Valuation which takes place after development permits are issued, ends up being lower than the Minimum Purchase Price?
City Response #138	Please see Addendum 11, Item 1.3
Question #139	Is there any in-person presentation by Proponent teams to accompany the 6 presentation panels?
City Response #139	<p>There will not be an in-person presentation requirement or opportunity associated with the Public Presentation Materials.</p> <p>It is the City's intent to display the presentation panels at a central, public location (e.g., City Hall, central Hamilton Public Library branch) for a period of approximately 2 weeks. Printed and bound copies of User Stories may also be available for viewing at the same location where the presentation panels are also being displayed.</p> <p>The public will also be encouraged to visit the City's project website at www.hamilton.ca/westharbour to view the accompanying video and download digital versions of the presentation panels and User Stories.</p>
Question #140	What format will the video presentation be presented? I.e. will it accompany an in-person presentation? Will it be displayed on a screen? Will it be shared online only?
City Response #140	<p>There will not be an in-person presentation requirement or opportunity associated with the Public Presentation Materials.</p> <p>Each Proponent's video will be posted to the City's project website at www.hamilton.ca/westharbour. Additionally, the video may also be displayed in a public location where the presentation panels are also being displayed. Proponents may include an audio channel</p>

	<p>that provides a narrative to their video. Audio and video channels must be executable within the same digital file. The file format of a video must also be supported by YouTube.</p> <p>Digital versions of the presentation panels and User Stories will also be available at the project website for online viewing and download.</p>
Question #141	Are there any technical specifications for the 10 hard copies submitted of the Technical Report?
City Response #141	<p>Please submit Technical Proposals in accordance with the following guidelines:</p> <ul style="list-style-type: none"> • Paper format: Minimum 8.5” x 11”, and up to 11” x 17” permitted; • Minimum 10 point font for readability. Arial font preferred but not required; • Double-sided printing encouraged to reduce paper usage; • No page limits; and • Bound (cerlox, binder, or other commercial binding method).
Question #142	To what extent must Proponents provide advance notice to the City of extended project team members being added?
City Response #142	<p>Please see Item 1.0 of this Addendum 12 which clarifies the circumstances under which Proponents must either receive approval from or notify the City of any change in team members.</p> <p>Furthermore, RFP Evaluation Process subsection 2.1.3.2(1)(a) does outline a requirement for Proponents to identify extended team members within their Technical Proposal.</p>
Question #143	With the extension of deadlines for the Financial Proposal and the Public Presentation Materials, will there also be an extension to the deadline for Proponent questions and corresponding deadline for City responses?
City Response #143	The City agrees with this request. Please see this Addendum 12, Item 2.0 for clarification.
Question #144	Given that the Technical Proposal is now due earlier than the Public Presentation Materials, can the presentation panels and video depict images that were not included in the Technical Proposal submission?
City Response #144	Yes, provided that all new depictions continue to be consistent with the specifications of the Development Plan concept that was submitted in the Technical Proposal.
Question #145	Are there any minimum or maximum balcony size requirements?

City Response #145	No.
Question #146	Are the additional setbacks indicated in By-law 17-095 Figure 11 Column (e) considered minimums or maximums?
City Response #146	The Additional Setback requirements are minimums.
Question #147	Are the Maximum Residential Unit Floor Areas indicated in By-law 17-095 Figure 14 Column (c) to be measured in the same manner as Gross Floor Area?
City Response #147	Yes.
Question #148	Can the City advise the height at which the noise is generated by the pile-driver (the hammer noise source) used by Bermingham Foundation Solutions? To clarify, we are not looking for the height of the entire apparatus.
City Response #148	The noise is being generated at ground level.
Question #149	Are there minimum requirements or allocation ratios to provide amenity areas for residential units?
City Response #149	There are no minimum amenity area allocation requirements prescribed in the applicable zoning by-law.
Question #150	Confirm that the "Maximum Residential Unit Floor Areas" listed in Fig.14 are the maximum allowable GFA.
City Response #150	Yes, "Maximum Residential Unit Floor Areas" listed in Fig.14 are to be measured in the same manner as Gross Floor Area. Please see City Response #106 (Addendum 7) for further clarification regarding the definition of Gross Floor Area.
Question #151	Could we start the site plan approval process before we acquire a block?
City Response #151	Assume that the City will consent to the Successful Proponent commencing the site plan approval process via formal consultation with the City's Development Planning section, prior to formally acquiring ownership of (i.e. taking title to) a particular block.
Question #152	Are Additional Setbacks found in By-law 17-095 Figure 11, Column (e) to be interpreted as minimum or maximum setbacks?
City Response #152	For further clarity, the setbacks found in in By-law 17-095 Figure 11, Columns (a) through (d) are maximum guidelines, while those found

	in Column (e) are minimum guidelines.
Question #153	Is the maximum height of the building calculated from the <u>average</u> grade level at the lot line? If not, how are significant changes in grade on the same lot accounted for?
City Response #153	<p>To calculate building height, the grade shall be calculated as the average level of the proposed or finished ground adjoining a building calculated along the perimeter of all exterior walls.</p> <p>Please see definition of 'Building Height' in Zoning By-law 05-200 for a list of additional inclusions and exclusions.</p>
Question #154	Are mezzanine levels permitted (that do not count towards the maximum number of storeys) as long as overall building height (in meters) is compliant?
City Response #154	<p>The City's zoning by-laws do not contain a definition of 'mezzanine', only 'Storey' which is defined as:</p> <p style="padding-left: 40px;">“that portion of a building or structure, other than a cellar, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it, except an attic storey.”</p> <p>All permit applications will be reviewed against this definition at the time of site plan application.</p> <p>For the purposes of the RFP, Proponents may include a mezzanine level within buildings provided that the overall building height limit in metres is not exceeded. However Proponents are advised that should they become the Successful Proponent, a mezzanine level proposed within a site plan application may be deemed unacceptable without design revision, minor variance, amendment to the zoning by-laws, or the complete removal should it be considered contrary to the secondary plan storey limitation requirements.</p> <p>If the inclusion of a mezzanine level is critical to fulfilling your Development Plan and/or Proposal, please detail the degree of conditionality in accordance with RFP Evaluation Process subsection 2.1.3.2(4).</p>
Question #155	Notwithstanding the RFP requirements (i.e., assume at-reception noise mitigation measures), would the City expect and encourage us to interact with the industries to try to resolve the noise concerns in a cooperative manner, including the implementation of source mitigation where warranted?

City Response #155	Please see Condition #49 within the Special Conditions of Draft Plan Approval (Appendix C to Report PED17074), which does require interaction with adjacent industry with specific regard to their ongoing operations. The City may wish to be party to, or even lead, these conversations. This interaction shall be limited only to the Successful Proponent – current Proponents to this RFP are directed to not contact these industries and/or purport to act on behalf of the City as the current owner of the Subject Lands.
Question #156	Is Pier 8 currently connected to, or anticipated to be connected to, a district energy system?
City Response #156	<p>Pier 8 is not currently, nor anticipated to be, connected to a district energy system. However, Hamilton Utilities Corporation (HUC) through its subsidiary HCE Energy Inc., is building a natural gas powered co-generation plant at Pier 10 to add 2 megawatts of electrical power to the City’s grid while supplying hot water and steam to nearby industrial users. HUC is wholly-owned by the City of Hamilton.</p> <p>Current municipal servicing plans for Pier 8 do not anticipate connecting to the Pier 10 co-generation plant. Proponents are not mandated to propose district energy, but are not precluded from it either. Furthermore, proposed district energy schemes do not need to be provided through HUC.</p>

END OF ADDENDUM 12

Proponents providing a signed Form of Proposal have made any necessary inquiries with respect to addenda issued by the City and have provided for all addenda in their Proposal submission.

**All addenda will be posted on the City’s bid portal at:
hamilton.bidsandtenders.ca**

and at

www.hamilton.ca/westharbour

Procurement Section, City of Hamilton, Ontario