

West Seattle Stadium RFP –Summary and Prospectus

Issue and what is being Proposed?

The City of Seattle Department of Parks and Recreation (“Department”)’s West Seattle Stadium (“Stadium”), located at 4432 35th Avenue SW, Seattle, WA. has been and continues to be a great public resource and asset for Seattle Citizens for over 70 years. It has been home to countless high school football games, track and field meets, and other public events. It is however an aging facility with many structural and support systems nearing its useful life. The north stand and its bleachers, locker rooms, restrooms, fire sprinkler system, the existing field, and other structures that are currently non-compliant with ADA and other building codes require major upgrades and renovation.

The Department does not currently have funding to make these improvements and is issuing a Request for Proposal (RFP) to seek Proposals from interested parties to make improvements and operate and maintain the Stadium including the track and field areas, but not the parking areas. The RFP process is a standard tool which the department uses to provide open and competitive opportunities to prospective parties who are interested in doing business with us. This process will result in a contract with an operator that requires the operator to make capital investments to the facilities at no cost to the city and make a monetary payment to the city during the term of the contract. In exchange, the operator is afforded a multi-year contract that allows it to recoup its capital investment and support its own business.

RFP Process and Project Description

Interested parties are asked to provide formal proposals for the development of this Stadium for public use as described herein. To ensure the proposed development constitutes a “public use”, the development plan will require management oversight control of the property(s) and their activities by the Department. The Department anticipates entering into a long term agreement with the operator who submits the best acceptable proposal. The Department will maintain authority to stop or alter the operation of the Stadium if the agreement is breached. The development and operating agreement will require approval by the Mayor and City Council prior to final execution.

Public Involvement Process

Department staff welcomes your feedback on this RFP proposal for the West Seattle Stadium and included an initial draft of the RFP prospectus to you. The prospectus contains the key elements of the final RFP packet which the Department plans to complete and make available to interested parties on November 17, 2008. Staff will be briefing the Park Board on October 23rd about this RFP proposal and a public hearing is scheduled at this meeting as well. The Park Board will then make a recommendation to the Superintendent of the Department at its November 13th meeting. You can either email your feedback about this RFP proposal to the Park Board directly or attend the October 23 meeting and make a public testimony. Information about the Park Board Meetings can be found at <http://www.seattle.gov/parks/parkboard/default.asp>. If you have other questions please contact Charles Ng, Manager, Magnuson Park and Business Resources at 206-684-8001 or charles.ng@seattle.gov.

RFP Prospectus and Summary

Attached.

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Key terms and requirements

1. Project description and capital investment requirements:

Operator will make improvements to the Stadium that is estimated to cost at least Four Million Dollars (\$4,000,000) and include, but is not limited to, the following scope of work:

- a. North Grandstand:
 - New Bleachers with a capacity seating that will include seating that is ADA accessible.
 - Walkways. ADA improvements; renovate stairs & walkways.
 - Locker Room. Upgrade, including new HVAC.
 - Bathroom Fixtures. Renovate fixtures.
 - Fire Suppression/ Sprinkler. Renovate to current Fire Code requirements.
 - Press Box. Replace flooring.
 - Painting. Scrape, caulk, seal and paint exterior surfaces.
 - Concession Building. Complete proposed restrooms.
- b. South Bleachers.
- c. Improving Overall Circulation And Layout.
 - Better access is needed between main track area and west area.
 - Better circulation for all activities.
 - Perimeter Fence. Replace.
- d. Playing Field. Turf replacement.

The above scope of work is identified in the Department's capital asset plan.

Consideration will be given to the Operator(s) that proposes improvements that are above and beyond the scope of work noted in this RFP. All improvements must be designed to Department Standards.

2. Proposed contract terms:

- a. Non-City Capital Investment:
 - 100% Capital funding provided by Operator to complete the scope of work, including assurances for covering cost overruns.
 - Operator to certify to City, and City to verify that 100% of construction funds are secured prior to start of construction.
 - The Operator is required to expend at least \$2,000,000 toward improvements to the stadium by the end of the fifth year of the term of the proposed contract.
- b. Ownership of Improvements. City will own improvements immediately once improvements are amortized or upon termination of the agreement.
- c. Agreement Term:
 - Proposed to be 10 years (can be renegotiated to be commensurate with level of capital investment and life of building improvements).
 - City reserves right to terminate for default and breach of contract and other non-compliances.

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- City reserves the right to terminate for other municipal purposes and will repay the portion of any capital improvements not amortized.
- d. Rent:
 - Operator is required to propose in its response to the RFP a base rent to the Department for its use of the stadium that is comparable to market rent paid to public agencies that own similar facilities.
- e. Utilities:
 - Operator is responsible for Leasehold Excise Tax and King County Surface Water Tax (SWT) or other applicable fees.
 - Operator to separately meter and be responsible for all utility costs.
- f. Allowable Rent Offsets—the Department may allow the following offsets:
 - Capital Improvement Costs.
 - Programming offered for free of charge, or at substantially reduced rates, to the general public.
- g. Design, Construction and Project Management:
 - Operator manages design and construction.
 - Operator sponsors public review process.
 - Department approves concept design.
 - Department subsequently approves final design and construction management team and schedule prior to commencing construction.
 - Department reserves the right of inspection during construction.
 - All work must be approved by Department Engineer prior to start of use by Operator.
- h. Estimated Project Schedule to be reviewed:
 - Concept design approval by second quarter 2009.
 - Final design approval by 3rd quarter 2009.
 - Permit applications submitted by the end of 2009.
 - Construction underway by July 2010.
- i. Major Maintenance And Ongoing Janitorial / Grounds Maintenance.
 - Operator at its sole cost and expense shall maintain the facility in accordance with Department standards to the sole satisfaction of the Superintendent.
- j. Funding Shortfalls / Liability:
 - Operator is responsible for 100% of construction cost overruns
 - City retains environmental liability for pre-existing conditions, but not for any conditions arising from Operator use.
- k. City Use. Right for City to continue historic uses (see section 3. below).
- l. Public Use /Access. Operator will ensure park areas adjacent to premises remain free and clear of obstructions to park use.
- m. Parking And Access:

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- City will not demolish or block access to existing parking during park hours.
 - Operator will maintain access to parking lot and existing parking at all times.
 - Operator will participate in joint parking management plan to be developed with the West Seattle Golf Course – expecting that certain amount of parking may be signed for golf course parking only.
- n. Relationship To Golf Course. Operator recognizes City’s right to develop, modify and expand operation of golf course.
- o. Prevailing Wages. The Operator will be required to pay prevailing wages for capital improvements, not for operations.
- p. Dispute Resolution. Parties agree to resolve disputes outside of court if possible.

3. HISTORIC USES.

The operator will honor and support historic programmatic uses by the City, Seattle Parks and Recreation, Seattle Public Schools, and Seattle private schools, including but not limited to the following current Stadium users:

- O’Dea High School, Private All Boys School – Approx 500 students. Use is for track, football and meets (practice & games).
- Seattle Lutheran High School – Private coed school – Approx 150 students. Use is for track, football and meets (practice & games).
- Holy Names Academy, Private Catholic college preps All Girls School – Approx 650 students. Use is for track and meets (practice & games)
- Northwest School, coed Private Middle & High College Prep Day & Boarding School. Use is for track and meets (practice & games).
- Seattle Academy, coed independent private middle and high school, Approx 560 students. Use is for track and meets (practice & games).
- Seattle Preparatory School, a Private coed Jesuit high school. Use is for football (practice & games).
- Seattle School District, Public City-Wide coed school system. Use is for track, football and meets (practice & games).
- West Seattle High School, Public Seattle coed High School. Use is for track, football and meets (practice & games).
- Citywide Athletics, Parks Department Division. Use is for track, football and meets (practice & games).
- Pacific Northwest track and Field Association, a group committed to the development of USA Track and Field. Use is for track and meets (practice & games).
- Club Northwest, Club involved in the Pacific Northwest running community, and nationally with USA Track & Field

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- Use is for track and meets (practice & games).
- ACA Relay for life, American Cancer Society coordinates runs to raise money for research and programs. Relay runs to raise money for research.
- UW – University of Washington. Use is for track and field events (practice & games).
- Van Asselt CC Youth – Parks Department Community Center. Use is for track and field events (practice & games).
- Southwest Athletic Club - teaches personal and social responsibility through sports and health-related activities. Use is for football (practice and games).
- Seattle Speed Track Club – Their goal is to assist young people ages 8-18 with a path way to success both athletically and educationally through the development of their athletic talents. Use is for track and field events (practice & games).

Other uses: The stadium is located in a Single Family Residential Zone (SF 5000) and as such must adhere to the allowable uses and regulations included in this zoning. The operator is responsible for applying for and securing any zoning changes with the City of Seattle for any use that is not currently authorized in this zoning. It is expected that the Operator will accommodate other uses at times when they themselves do not have performances. Extra consideration and evaluation scores will be given for proposals that demonstrate that the Operator will encourage and accommodate ongoing interesting and accessible activities. The Department welcomes proposals that include coordination between one or more organizations that currently use the stadium and that would increase year-round use.

4. **PROJECT DESIGN AND CAPITAL INVESTMENT**

The successful Operator (“Operator”) selected by the Department is expected to be responsible for all planning, design, permitting, construction, operation and maintenance costs relating to the development as agreed upon with the Department. It is expected that the Operator will make (fund) the investment necessary to have a functional stadium with amenities that could include, but not limited to, concessions operations, locker rooms, seating, new synthetic turf, track and field areas (more), scoreboard, lighting, sound system, fencing, landscaping and other improvements that they deem necessary.

5. Fair market rent may be partially offset by the capital improvements and maintenance activities that are a Public Benefit to the extent that the use of the stadium supports the public mission.
6. The operator shall be responsible for all licenses, taxes and permits.
7. The Operator will be responsible for the payment of all water, sewer, electrical and refuse removal charges and expenses.

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8. The Department has programs within separate areas of the Stadium and will provide structural insurance for the entire Stadium. The Operator will provide liability insurance and insurance for its personal property within the Stadium. Please be aware that the West Seattle Sportsman’s Club is an authorized tenant under contract by the Department and is located below the South stadium seating area and has its own liability insurance coverage for its authorized Premises.

9. Please be aware that there are restrictions on exterior signage, directional signage within the park and aesthetic considerations that apply to the exterior of the Stadium. Proposals should clearly set forth the exterior signage package as part of the proposal. The proposed signage must respect the historic nature of the Stadium and be consistent with the base zoning (SF 5000) sign standards. The Operator will install and maintain any signs that it installs to the satisfaction of the Department.

10. The Department will be responsible for major maintenance, include maintaining the exterior of the Stadium, the structural elements of the Stadium, parking lot and driveways, below grade utilities and landscaped area around the Stadium. The Operator will provide routine maintenance and preventative maintenance for all Stadium components such as painting, plumbing, fixtures, fencing, lighting, scoreboard, the new turf, track and field fixtures, electrical and HVAC that are part of the Stadium development and operation.

PROPOSED WEST SEATTLE STADIUM OPERATOR

RFP SCHEDULE

The Department’s proposed schedule for review of the proposals and final selection of a West Seattle Stadium Operator is as follows:

REQUEST FOR PROPOSALS

Oct 3, 2008	Complete Draft of RFP Packet
Oct 8, 2008	Meeting with Community Councils, NE District Council and W. Seattle High School with Prospectus - request any feedback by Oct 17 th . They can also provide feedback via Park Board process
October 23, 2008	Park Board Briefing and Public Hearing
****	Evaluate public response; make necessary adjustments in RFP schedule if needed
Oct 29, 2008	Publish Ad in news media locally
Nov 13, 2008	Park Board discussion and recommendation to Superintendent

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Nov 17 2008	Final RFP Packages available for pick up or mailed out to potential proposers and interested parties
Nov 21, 2008	Deadline for written questions to the Dept. from proposers
Dec 2, 2008	Deadline for Dept. responses to proposers questions
Dec 9, 2008	RFP Submittal Deadline
Dec 11-12	Evaluation Panel reviews and scores proposals
Dec 18, 2008	Oral interviews – Optional by Department
Jan 5, 2009	Recommendation to Supt of successful proposer
Jan. 16, 2009	Superintendent decision, successful proposer notified
Feb 2009	Agreement negotiation
Feb. 2009	Law Dept. and Dept. of Finance review of Agreement/Legislation
Mar 2009	Proposed Ordinance is submitted to the City Council
April 2009	Agreement commencement date