

**UNIVERSITY OF CONNECTICUT
REQUEST FOR EXPRESSIONS OF INTEREST
DEVELOPMENT OF A HOCKEY ARENA
IN STORRS, CONNECTICUT**

Responses due by 4:00 p.m. on Thursday, November 16, 2017

Overview

The University of Connecticut ("University") is seeking innovative solutions to development of a hockey arena on its main campus in Storrs, Connecticut. The University has identified two potential sites that are owned by the University for the development or the Respondent may propose their own property for the development. By this Request for Expressions of Interest (this "Request" or "RFEI"), the University requests submissions of proposed terms, conditions and site plan design ("Responses") from parties ("Respondents") who will be considered to provide such development and construction, and possible operation, of the facilities.

The University will consider proposals to: (a) develop a facility to be owned and operated by the University, (b) a facility to be built, owned and operated by a private party which it would then lease to the University, (c) a combination of a and b, or (d) other innovative solutions, including but not limited to incorporating the existing University facilities into a development. Respondents may submit more than one Response, however each such Response must be submitted separately.

Prospective Respondents who wish to be informed when answers to questions, supplemental information, or amendments are posted should so notify the University by sending an email to Robert.Corbett@uconn.edu. Please include "Hockey RFEI" in the subject line of any correspondence.

1.0 Introduction

The University currently owns and operates a hockey arena with 1,650 seats (aka Mark Edward Freitas Ice Forum), which was constructed in 1998. The current hockey arena is reaching the end of its useful life. Additionally, in 2014, the University's Division I Men's and Women's ice hockey team joined the Hockey East conference, and the current arena became too small to host most of the University's Men's hockey games. The University has played almost all its Men's hockey games in the XL Center in Hartford for the last three years, but desires to have an arena constructed in close proximity to its main campus to host some of its games. The new arena would also host all of the Women's ice hockey games and support the University's robust recreational ice hockey program. Additionally, a new arena could also be utilized by the University or a private party to support community needs and as a potential revenue generator.

2.0 Minimum University Need

The final facility requires, at a minimum, the following:

- A minimum of 3,500 seats, with at least 25% of the seats being seat-back chairs and the balance can be bleachers.
- The arena facilities and ice will need to meet all NCAA Division I Ice Hockey requirements, all Hockey East conference standards and all University guidelines and requirements.

- A permanent locker room for both the UConn Men's and Women's ice hockey team, a Division I ice hockey team visitor's locker room, two (2) other mid-sized locker rooms, and a small official's locker room.
- Five (5) offices dedicated to the University
- A scoreboard with video replay capability
- Parking for at least 750 automobiles

Optional amenities for the hockey arena and site development which can be proposed at the Respondent's discretion and may include additional sheets of ice, added parking, concession areas and other site development or buildings as required to make the development financially viable.

3.0 University Use

The University's expected use of a new ice hockey facility is as follows:

- Practice for both the UConn Men's and Women's ice hockey teams (2 hours daily each from mid-July to the end of April)
- Up to eight (8) home games for the UConn Men's ice hockey team
- Up to eighteen (18) home games, plus playoff games as applicable, for the UConn Women's ice hockey team, mostly on Friday or Saturday nights
- Up to four (4) hours daily for the UConn Recreational ice programs (from September to April)
- One (1) hour daily for UConn open skating (from September to March)

These hours are intended to be weekly averages, and may vary from day-to-day and week-to-week. The ice arena is not intended to be solely supported by the University, so when the arena is not being utilized by the University, there will be the opportunity to rent the facility to other third parties.

4.0 Potential Sites

The University has identified two potential parcels for development of an arena and other buildings on University property.

The first property is on the North side of its Storrs campus and is located on Discovery Drive in an area commonly known as the University's "Tech Park". The parcel has a gross area of approximately 25.8 acres, but due to wetlands restrictions and environmental conservation areas, has a developable area of approximately 16.4 acres. The parcel, also known as Parcel B, is located approximately 5,000 feet north of the intersection of Storrs Road (Route 195) and North Eagleville Road, and has potential vehicular access from both Route 195 on the east side of the site and Discovery Drive on the west side of the parcel. The preference on this parcel is to have the new ice arena and any other facilities be oriented towards Discovery Drive.

The second potential location for a new arena is adjacent to the existing Mark Edward Freitas Ice Forum. The existing ice surface, locker rooms and other facilities can be included in the development plan, and if renovated, could be included to meet some of the University Need described in Section 2.0 of this RFEI. Since the University has plans to utilize the land to the North of the existing facility for other athletic facilities, expansion of the building would generally be limited to the South. Expansion to the South will require removal and likely relocation of existing trees and wetlands. The existing parking lot to the Southwest of the building currently has 340 spaces and would need to be expanded as well.

Examples of possible developments for University sites are provided as Exhibits to this RFEI and are for informational purposes only. Regardless of what property the Respondent chooses to use, the Respondent shall in its Response provide descriptions and graphics of the proposed improvements, a site plan showing the layout of the development, and the estimated budget for the capital improvements to attain same. The Respondent may propose to phase or sequence its site development, but must construct the arena and parking in the first phase.

The University will also consider proposals for development on non-University land provided that it is contiguous or reasonably proximate to the main campus

5.0 Financial Consideration

The Respondent should propose a development and project structure that is financially viable and meets the University's minimum needs. Examples of development structures that may be acceptable to the University include a turn-key development, a long-term ground lease and operating agreement, or an equity partnership. In its Response, the Respondent should outline any expected commitments and obligations of the University, both monetary and non-monetary. The Response should also clearly identify the party that will bear the financial risk if the budget projections for operations and maintenance are not met. Note that the University's preference is to keep its equity investment to a minimum and is seeking flexible and creative financing alternatives.

6.0 Other Considerations and Requirements

6.1 Existing Conditions: Existing utility services and capacity for its development on either parcel should be confirmed by the Respondent. Regardless of what site is chosen for the Response, the Respondent will be responsible for conducting a traffic study and undertaking traffic mitigation measures as required.

6.2 Advertising/Licensing: The Respondent should assume that the University will control and receive all revenue from any advertising of athletic events or the facility, and all licensing of athletic merchandise. The University shall have the exclusive right to install permanent or temporary advertisements or marketing materials within the arena, including the ice, boards and walls, with no consideration to the Respondent or operator. With the University's prior written approval, the developer or operator may use images and descriptions of the facility in marketing material or brochures.

6.3 Parking and Transportation: The University will consider proposals that include the development of new parking and/or concessions or to operate parking facilities around the arena. For such proposals, the University will retain the right to approve parking rates, policies, and to enforcement policies for users. For proposals that require parking not proximate to the facility, the University will be responsible for transportation of students, faculty or staff to and from parking areas.

6.4 Land/Building Ownership: The University will maintain fee ownership of the existing University property and buildings. Respondent shall specifically outline its expectations concerning the duration and terms of any ground lease or other conveyance of less than a fee interest in its Response.

6.5 Design Reviews: The University will retain approval rights at various stages of the design development (ie. concept design, schematic design, design development and construction documents) over the building aesthetics and appearance, floor plans, signage, materials and details to assure adherence to University standards.

6.6 Zoning: Modifications to existing buildings or new buildings on University property are not subject to local zoning requirements, but are subject to the Connecticut Environmental Policy Act (CEPA), which will require an Environmental Impact Evaluation (EIE). The Respondent shall prepare the EIE documents, but the University shall be the submitting and sponsoring agency.

6.7 Taxes: The operation of an arena and any other improvements on University property is most likely subject to all regulatory taxes. As a private development on public land, sales tax on construction materials apply and the project will not be exempt.

6.8 Permits: Respondent shall be responsible for securing all permits for the work, including the general building permits and any environmental permits. Demolition permits, if necessary, are always issued by the local municipality. If a development on University property meets the threshold requirements identified in CGS 29-276b, the Office of State Building Inspectors have jurisdiction on the issuing of construction and occupancy permits on the development. Otherwise, the authority having jurisdiction on University property is the UConn Office of Public Safety and Fire Marshalls Office.

7.0 Qualification and Evaluation Criteria

The University will use both qualitative and quantitative criteria to evaluate the Responses. Amongst the criteria, the University will consider a Respondent teams experience, potential financing structure and financial capacity, proposed development schedule, aesthetics and quality of the building designs and site plan, expected obligations of the University (both monetary and non-monetary), and the extent to which economic development is promoted and the Response complements the University's on-going educational mission.

After the University receives the RFEI Responses, it will evaluate the Responses and determine the Respondents that demonstrate, at the sole discretion of the University, compliance with the requirements and may engage with one or more Respondents to review Responses in more detail.

9.0 Delivery of Responses

Written responses can be submitted in either hard copy or e-mail to the following:

University of Connecticut
Office of University Planning, Design and Construction (UPDC)
31 LeDoyt Road, Storrs, Connecticut 06269-2048
Attention: Robert Corbett
Robert.Corbett@uconn.edu

Responses that are received by 4:00 p.m. local time on **Thursday, November 16, 2017** will receive preference in review, but Respondents may submit Responses to this RFEI at any time before or after the deadline. If the Respondent has any questions, please submit them to Robert.Corbett@uconn.edu. The University will endeavor to post answers to relevant questions within three business days of receipt.

10.0 Legal Provisions

10.1 The University reserves the right to unilaterally and without cause accept or reject any or all Responses, and to withdraw this Request at any time before or after the submittal period has closed. The University may at any time in the process of evaluating Responses seek written clarification and supporting information for a Response. Further, the University reserves the right, in its sole and absolute

discretion, in order to obtain facilities and terms in the best interests of the University, (i) to discuss a submission or enter into negotiations with any Respondent without notice to other Respondents; (ii) to enter into discussions or negotiations with respect to the subject matter herein with parties not responding to the Request without notice to the Respondents; (iii) to discuss, negotiate and enter into agreements relating to the subject matter of the Request with more than one respondent or any other party with respect to different responsibilities; (iv) to suspend or discontinue any such discussions or negotiations at any time; (v) to extend, reopen, modify, cancel and/or reissue this Request; and (vi) to use the Responses as a basis for negotiation and to negotiate with one or more Respondents on terms other than set forth in this Request.

10.2 All Responses are to be the sole property of the University and response documents will not be returned to the submitting Respondent. Each Respondent, and not the University, shall be responsible for all of its costs associated with its participation in this process, including, but not limited to, costs incurred in the preparation of its Response and submittals, investigation and other due diligence activities, and its participation in any discussions or meetings or negotiations. The University shall in no way be liable for any cost or expense incurred by any Respondent in preparing a Response.

10.3 This RFEI does not constitute an offer by the State. The Respondent waives any right it may have to bring any claim, whether in damages or equity, against the University, its agents and employees, with respect to any matter arising out of any process associated with this RFEI.

10.4 Upon receipt by the University, all Responses are considered a public record or file, subject to the Freedom of Information Act ("FOIA"), and to public disclosure unless otherwise protected. The University may withhold from disclosure the Responses until the completion of the procurement process, pursuant to § 1-210(b) (24) of the Connecticut General Statutes. The Respondent is responsible for identifying any and all information it considers a trade secret, commercial or financial information submitted in confidence and not subject to release by statute, unless such earlier claims were already adjudicated by the Freedom of Information Commission.

10.5 No member of a Respondent's team may communicate with members of another Respondent's organization to give, receive, or exchange information, or to communicate inducements, that constitute anti-competitive conduct in connection with this RFEI process. Should the Respondent team include subcontractors or team members that are common to another Respondent team(s), the Respondents and common subcontractors or team members must ensure that communications between the parties do not violate this provision.

10.6 Responses made to the University shall constitute acceptance of all of the terms and conditions set forth in this Request by the Respondent.

10.7 Respondents are hereby noticed that at the conclusion of the selection process and successful negotiation, the selected Respondent will be required to enter into a written agreement with the University. No agreement shall be binding and effective upon the University until such time as such agreement is approved by the University's Board of Trustees and the Attorney General's Office. At the time such agreement is executed, respondents shall be required, if applicable, to sign certain affidavits and/or certificates, including but not limited to the Certificate of Authority, OPM Ethics Form 1, and the Nondiscrimination Certification. Copies of the affidavits and certificates can be obtained at the following link: <http://www.attorneygeneral.uconn.edu/contracts.html>

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