



Request for Proposals #2014-03

Leasehold Improvement and Commercialization of the Fueling Pier and Tank Farm at Former Naval Station Roosevelt Roads, Ceiba, Puerto Rico

May 8, 2014



Bidder Registration Forms available on: **Thursday, May 8, 2014**
Mandatory Pre-submittal Meeting and Property Tour: **Thursday, May 22, 2014 at 10:00 AM AST**
Proposals Due: **Tuesday, July 8, 2014 at 3:00 PM AST**

For more information, visit www.rooseveltroads.pr.gov or email lradepvelopment3@lra.pr.gov

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Acronyms and Abbreviations

API	American Petroleum Institute
bbbl.	Oil barrel
BRAC	Base Realignment and Closure
Commonwealth	the Commonwealth of Puerto Rico
DFM	Diesel Fuel Marine
FNSRR	Former Naval Station Roosevelt Roads
ft.	Feet
ft ²	Square Feet
FTZ	Foreign Trade Zone
gal.	Gallon
IBC	International Building Code
LRA	Local Redevelopment Authority
m	Meter
m ²	Square Meter
n.m.	Nautical Mile
NFPA	National Fire Protection Association
PR	Puerto Rico
PRASA	PR Aqueduct and Sewer Authority
PREPA	PR Electrical Power Authority
PRIDCO	PR Industrial Development Company
PRPA	PR Ports Authority
RFP	Request For Proposals
SWMU	Solid Waste Management Unit
Tank Farm or Terminal	Roosevelt Roads Tank Farm



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1 Overview

The Commonwealth of Puerto Rico (the “Commonwealth”), through the Local Redevelopment Authority for Naval Station Roosevelt Roads (“LRA”), is issuing this Request for Proposals (“RFP”) to obtain general business plans and economic proposals from highly qualified entities (the “Proponents”) that have the expertise and ability to improve and operate the Former Naval Station Roosevelt Roads (“FNSRR”) fuel storage facility by means of a lease agreement. The FNSRR fuel storage terminal (the “Tank Farm” or “Terminal”) is composed of a fueling pier, eight storage tanks, a pumping facility, a laboratory building and their containing parcels and easements.

This RFP presents a unique opportunity for any company to operate a fuel storage terminal of regional importance with a dedicated deep water fueling pier and with direct links to the Ceiba airport (officially known as “Jose Aponte de la Torre Airport” or “RVR”) and its 11,000 ft. runway, and to highway PR-53 in eastern Puerto Rico. This 59-acre facility (with more industrial land available if requested), which was built following military standards within the last two decades, has capacity to store more than 34,150,000 gal. (813,000 bbl.) of various kinds of fuels.

The Roosevelt Roads Tank Farm may apply to establish and maintain a Foreign Trade Zone (FTZ No. 7) if so elected by the facility operator. This process shall be coordinated between the Proponent, the LRA and PRIDCO and should take less than one year to complete.

The RFP will accept lease proposals from highly qualified entities authorized to do business in Puerto Rico. The LRA will evaluate and score all proposals based on its professional and financial qualifications, and on its proposed economic terms. The LRA expects the Leasing Agreement to be executed during the fourth quarter, 2014.

The LRA will narrow down the proponent list based on their respective evaluation scores and nominate one Preferred Proponent and no more than two Alternate Proponents. The process will enter in a Negotiation Phase when the LRA will give the Preferred Proponent additional time to finish its technical due diligence before executing a final Lease Agreement. In the event that the negotiation between the Preferred Proponent and the LRA is unsuccessful, then the next Alternate Proponent, after written request by the LRA, will be considered a Preferred Proponent and start the Negotiation Phase again. A US\$50,000 non-refundable Bid Security Deposit will be paid by the Preferred Proponent after being notified of its Preferred Proponent status and before starting the Negotiation Phase. The amount of the Deposit will be credited as part of the rent fees after the Lease Contract is executed.

The LRA plans to commence a separate procurement process to obtain a master developer for all portions of the FNSRR owned or leased by the LRA in the summer of 2014. Preferred and Alternate Proponents, as well as all other interested parties, are welcome to participate in this separate procurement process. In the event that a Proponent is selected both to execute a lease for the Tank Farm and to be the master developer, the LRA may elect to execute one master lease agreement with such Proponent.



2 LRA Background

Property History. FNSRR was used as a military installation since its acquisition and development by the Navy in the 1940s until its closure on March 31, 2004. Pursuant to Section 8132 of the Department of Defense Appropriations Act for Fiscal Year 2004 (Public Act No. 108-87), the Navy was directed to close FNSRR pursuant to the procedures and authorities contained in the Defense Base Closure and Realignment Act of 1990, as amended (title XXIX of Public Law No. 101-510, 10 U.S.C. § 2687 note) (“BRAC”). The Navy closed FNSRR on March 31, 2004, and all industrial and commercial operations on FNSRR with a significant potential for environmental contamination were ceased.

Since the 2004 closure, the Navy has transferred land at FNSRR to the LRA for economic development purposes, the Puerto Rico Ports Authority for airport purposes, the Commonwealth's Department of Natural and Environmental Resources for conservation purposes, the Municipality of Ceiba for municipality purposes, and to a non-profit entity for use as a hospital. In addition, there are other federal owners (the Army Reserve, Coast Guard, and Department of Homeland Security) of small parcels at FNSRR. **Table 1** summarizes the FNSRR total acreage.

FNSRR Development and Conservation Zones	
Development Parcels I, II, III	3,409
Conservation Zones	3,340
Ceiba Airport	1,646
Other development areas (federal, Ceiba properties, hospital)	325
TOTAL FNSRR LANDS	8,720

Table 1 FNSRR Development and conservation zones



Environmental Remediation of Leased Property. The Navy is performing environmental remediation on approximately 478 acres leased to the LRA pursuant to the *Lease in Furtherance of Conveyance* (LIFOC) terms. Uses on the portions of the Property subject to the LIFOC may be limited until the environmental remediation is completed.

The remediation parcels and clean-up schedule proposed by the Navy that may affect this RFP are included as attachments to this document. **Section 3.2.3** shows the solid waste management units (“SWMUs”) affecting this RFP while the “*Land Use Control (LUC) – Status Report 2014*” provided to the LRA by the Navy is included as **Exhibit 8.1.5** This LUC schedule shows the Navy’s clean-up schedule for the aforementioned areas. In the event that the clean-up schedule enters in conflict with the Proponent’s development schedule, the agreement with the Navy provides for early transfer negotiations. In such event, the LRA and Navy would negotiate an environmental services cooperative agreement where the selected Proponent provides a plan for accelerating the environmental remediation of such property.



3 Project Description



The Roosevelt Roads Tank Farm is part of the 100-acre fuel storage facility for former US Naval Station Roosevelt Roads. The Project is composed of three parcels totaling 59 acres and contains a deep-draft fueling pier, eight storage tanks, a pumping facility and a laboratory building. Fuel pipelines (currently decommissioned) run from the fueling pier, through the eight tanks and to the Ceiba airport, arriving at a large above-ground jet fuel steel tank.

Purpose. This RFP pursues a long term lease agreement between the LRA and the selected Proponent for the commercialization of the Roosevelt Roads Tank Farm. This agreement will grant the eventual operator exclusive use (in “as-is, where-is” condition) of the Tank Farm components. The uses for the Terminal facility will be centered on the exclusive use of Pier 1A (a 1,600-foot long, 40-foot deep fueling pier) and eight steel tanks that in aggregate can hold over 34 million gallons of liquid fuels. If so requested by the Proponent, this facility may be included as part of a Foreign Trade Zone (FTZ) as defined by the Foreign Trade Zone Act of 1934, as amended, for the storage and blending of petroleum products or similar activities, making it the attractive for the storage/commercialization of imported



fuels for Puerto Rico and international markets. A pipeline connection to the Ceiba airport (José Aponte de la Torre or RVR) is another viable option.

3.1 General Location

Puerto Rico, a territory of the USA, is located right within a major oil shipping lane that links the Virgin Islands in the Eastern Caribbean to the US Gulf Coast to the West and the African and Middle Eastern oil producers to the East. It also coincides with the freight shipping lane linking the western US and Asia through the Panama Canal and Western Europe. To many ships, Puerto Rico is the first major port west of the Atlantic available on trips from Europe to the Panama Canal (see **Figure 1**).

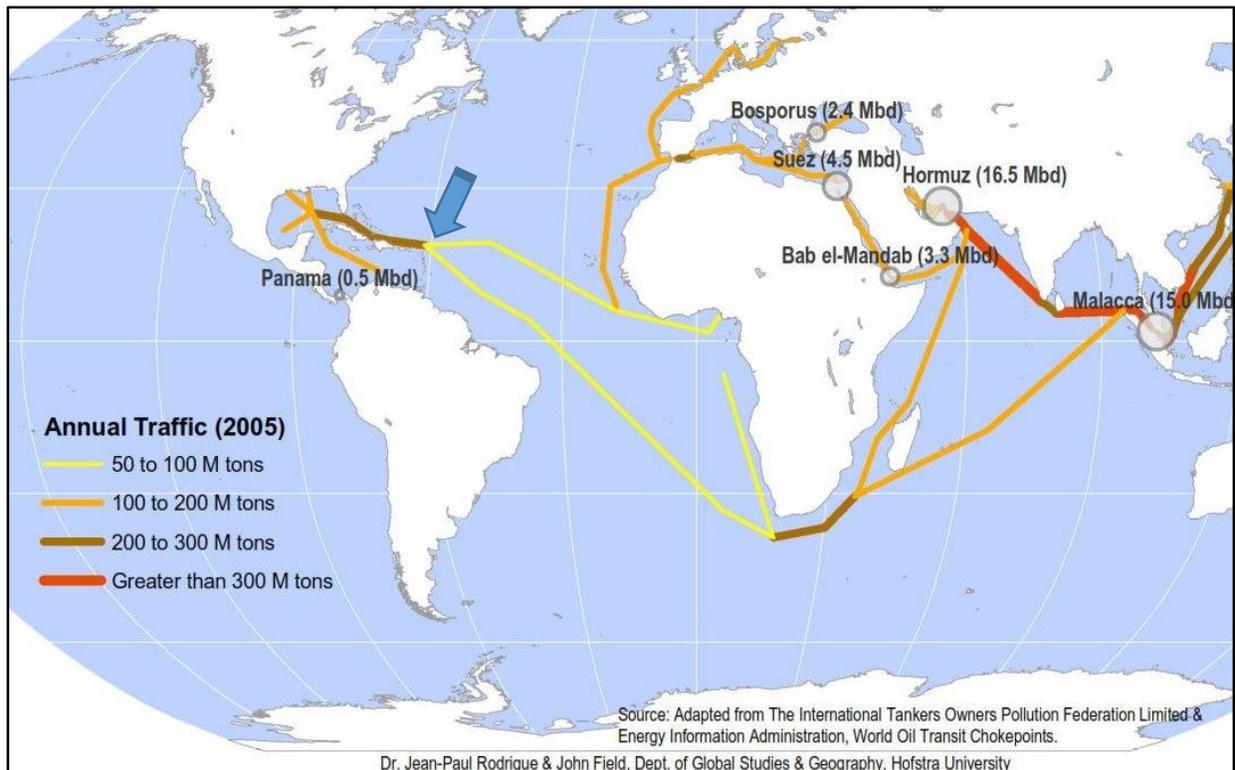


Figure 1 Major global oil routes and choke points

FNSRR is located in Puerto Rico’s easternmost corner (18.2381° N, 65.6278° W), in the municipalities of Ceiba and Naguabo. Its two deep ports are located less than 20 n.m. of the port of Yabucoa, PR (the former Shell refinery), 60 n.m. from the port of San Juan and 70 n.m. from the former Hovensa Refinery in St. Croix, USVI (see **Figure 2**).

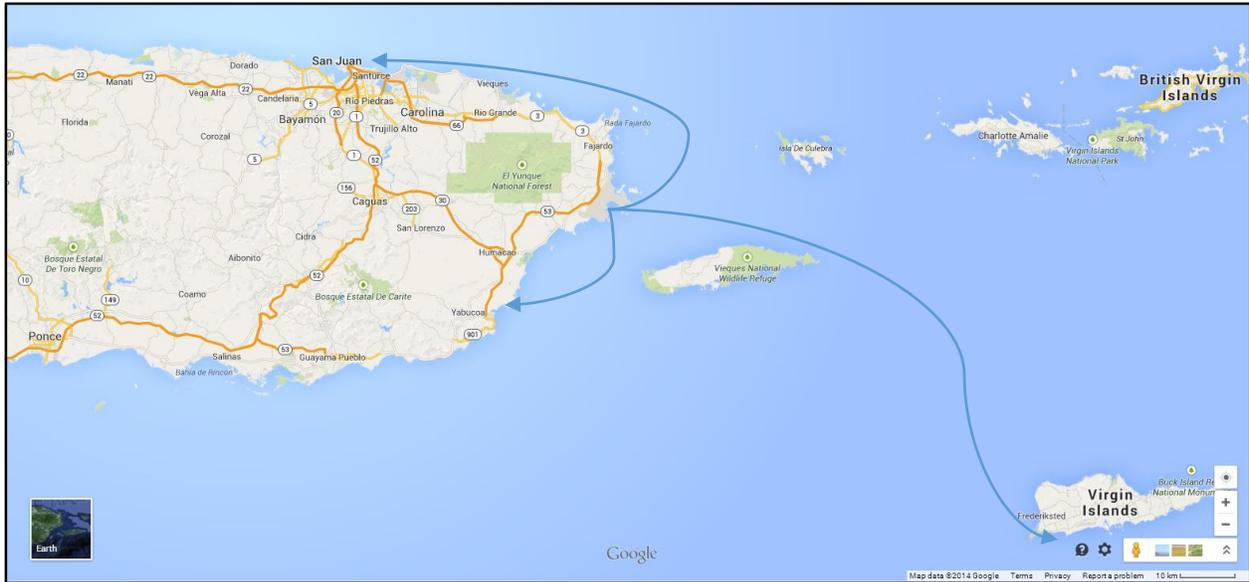


Figure 2 Puerto Rico and the US Virgin Islands

Maritime access to the Tank Farm is reached through Ensenada Honda, one of Roosevelt Roads’ two deep ports (see **Figure 3**). It was dredged to around 40’ in the 1990’s and was used by the US Navy in part to supply jet fuel to the Atlantic Fleet’s airplanes during training exercises in nearby waters. Its pier infrastructure, proximity to the Ceiba airport, highways and to major international shipping channels makes this area an attractive fuel storage location.

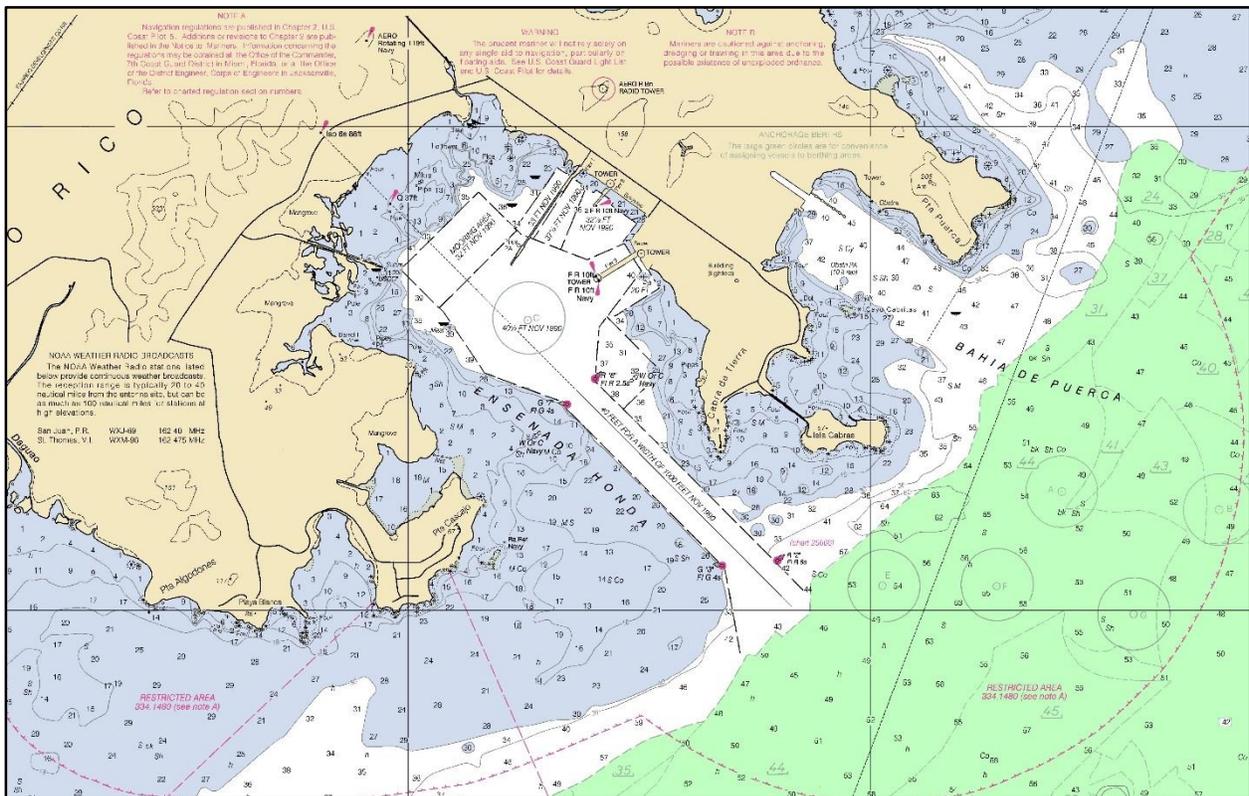


Figure 3 Ensenada Honda and Bahía de Puerca, Roosevelt Roads



FNSRR has been the subject of various master plans, the result of being a former military base transferred by the Navy to the Commonwealth of Puerto Rico through BRAC. These include a Redevelopment Master Plan, an Infrastructure Master Plan, a Biological Assessment and a Land Use (zoning) Plan. There is also a master plan for the redevelopment of the Ceiba airport.

3.2 Project Site

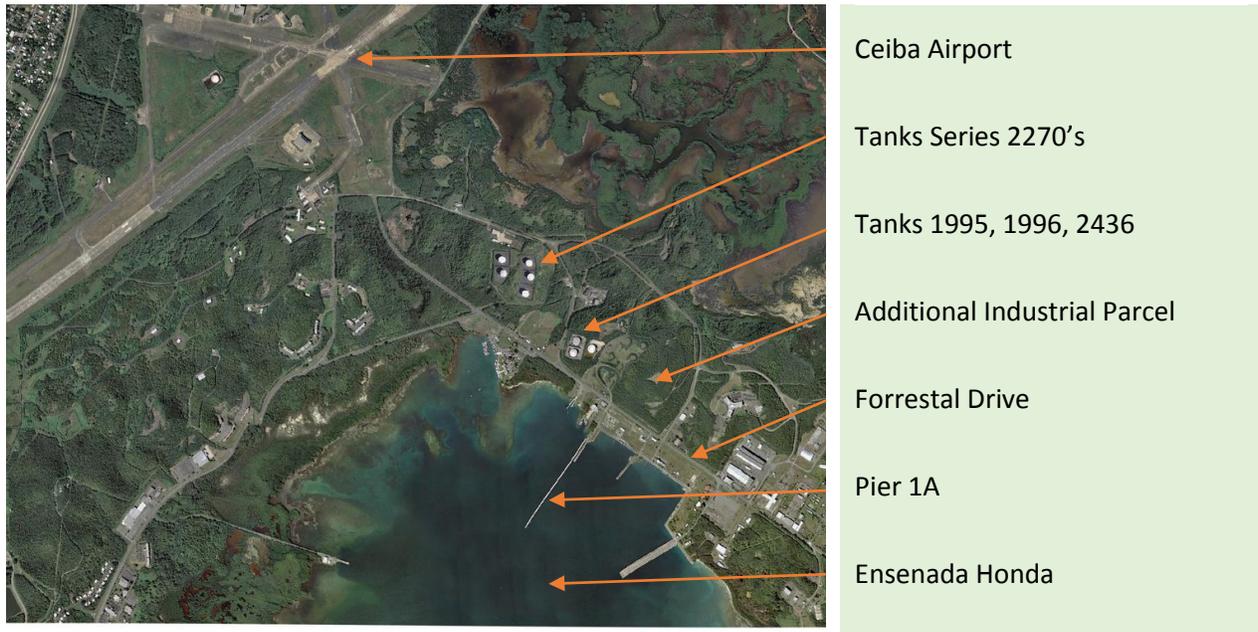


Figure 4 Tank Farm Overview

3.2.1 Tank Farm Parcels

The Tank Farm area totals around 238,115 m² (58.8 acres) and is divided in three main areas: (i) parcel TFP1 containing the former test lab building, (ii) parcel TFP2 that contains the pump station building and three tanks, and (iii) parcel TFP3 that contains five tanks. A summarized description of each parcel is included in **Figure 5** and a detailed proposed survey plan is included as **Appendix 8.1.3**. Additionally, various right of ways have been defined for the fuel lines linking these three lots. There is an option to link the Tank Farm to the Ceiba airport fuel tanks, which are property of the Puerto Rico Ports Authority (“PRPA”). This last alternative is optional and its use is left at the discretion of the Proponent. This possible connection has to be negotiated directly with the PRPA and is not part of this RFP

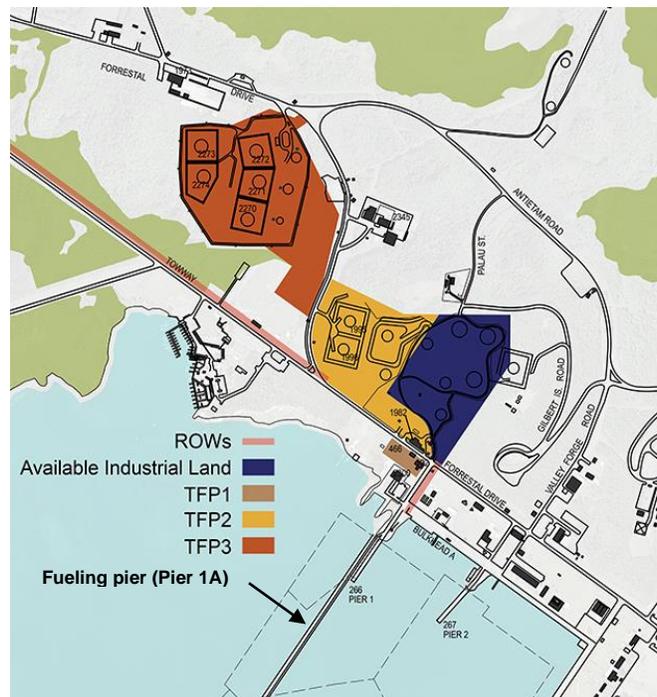


Figure 5 RFP Parcels



document. A description of the suggested right of ways is included in **Table 4**.

The fueling pier and laboratory building (parcel TFP1) is physically separated from parcels TFP2 & TFP3 by Forrestal Drive, a major public road inside Roosevelt Roads linking the eastern corner of the former base to the Ceiba airport and Gates 1 & 3.

The LRA owns additional land (around 20-30 acres) adjacent to the Tank Farm that may be used for similar or compatible industrial uses. This land, however, is subject to environmental remediation and will be made available at a later date or may be requested as part of an Early Transfer negotiation with the Navy. For these reasons, the lease of any additional land may be requested as part of a separate, future negotiation.

DESCRIPTION OF TANK FARM PARCELS			
Parcel ID	Approx. Lot Size (m ²)	Approx. Lot Size (acres)	Remarks
TFP1	5,606.2	1.385	Parcel TFP1 is totally flat and close to sea level. It contains building 192 (Field Test Lab) and is accessed via Forrestal Drive. This corner lot is the most accessible from Forrestal Drive and thus can accommodate administrative offices, employee facilities, parking, a basic testing laboratory and other uses. Building 192 can be improved and expanded to handle additional uses. This lot is not fenced and presents flooding risks from surface water coming from Forrestal during exceptional rain events.
TFP2	83,165.7	20.550	Parcel TFP2 is on hilly topography, accessed from Forrestal Drive, with a rising slope from there. Its perimeter is fenced and contains building 1982 (pump room facing Forrestal) and three tanks (1995, 1996 and 2436). The lot has internal roads and also contains segments of oil piping, valves and electrical/control features. Building 1982 houses the main existing pumps and valves and an electrical control room. It also houses the former electrical backup generator and a small office space in a second level. Building 1982 can be upgraded to serve as the control and pump building and also can house other support mechanical and electrical spaces.
TFP3	149,343.1	36.903	Parcel TFP3 is semi-flat and higher in elevation than TFP1 and TFP2. Its perimeter is partially fenced and contains tanks 2270, 2271, 2272, 2273 and 2274. The lot can be accessed via Forrestal Drive; it has internal roads and segments of oil piping, valves and electrical/control features. This parcel can accommodate additional tanks for future growth in an open area that used to contain underground tanks and is currently unused.
	238,115.0	58.838	TOTAL AREA

Table 2 Descriptions of Tank Farm parcels

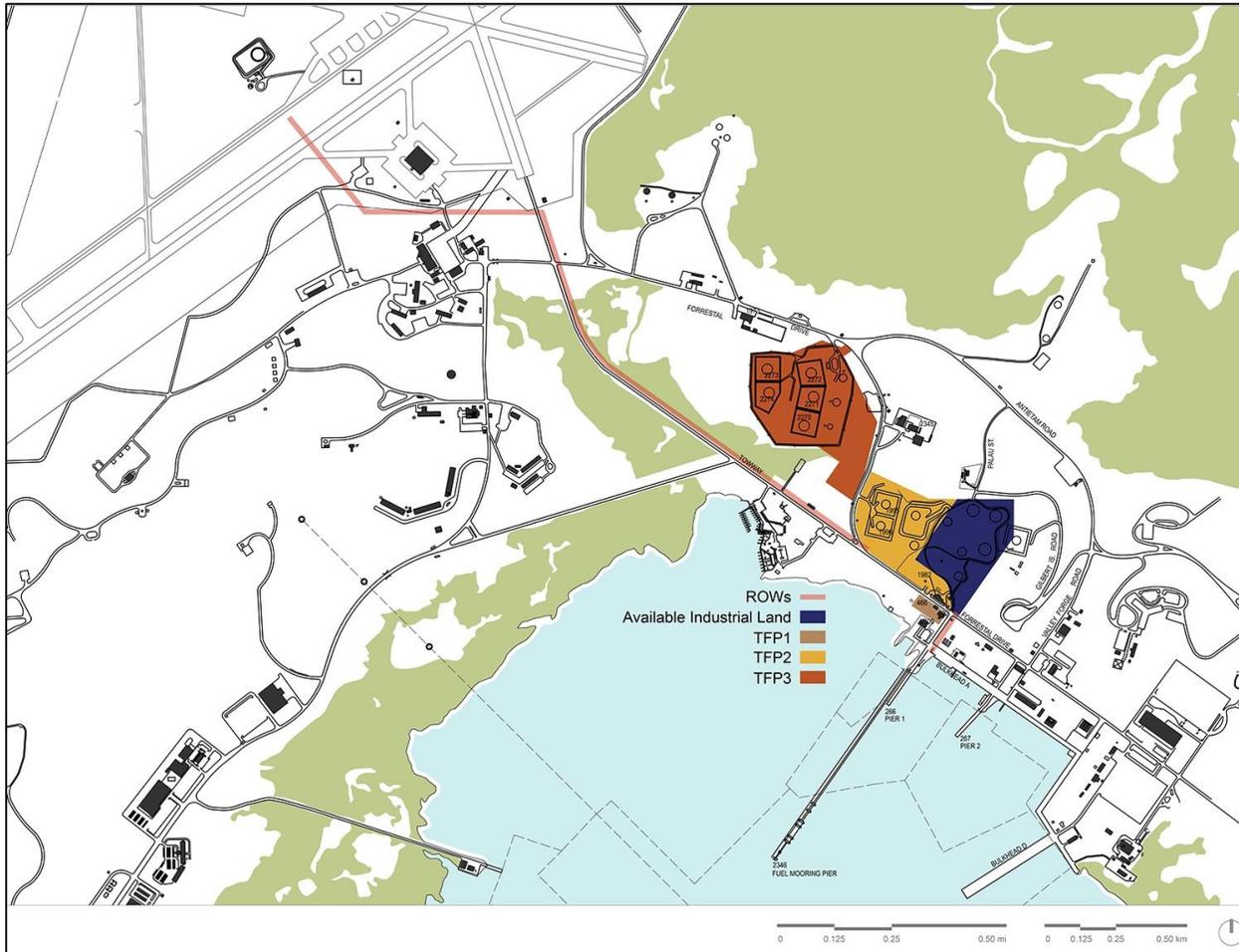


Figure 6 Tank Farm Parcels and ROWs

3.2.2 Zoning

The Tank Farm is zoned Heavy Industrial (I-P), thus allowing the operation of fuel storage and other manufacturing uses directly related to the presence of the Tank Farm. The definition of this zoning district is detailed in the Puerto Rico “Reglamento Conjunto” and in the Roosevelt Roads Land Use Plan (included as **Appendix 8.1.4**).



3.2.3 Environmental Restrictions

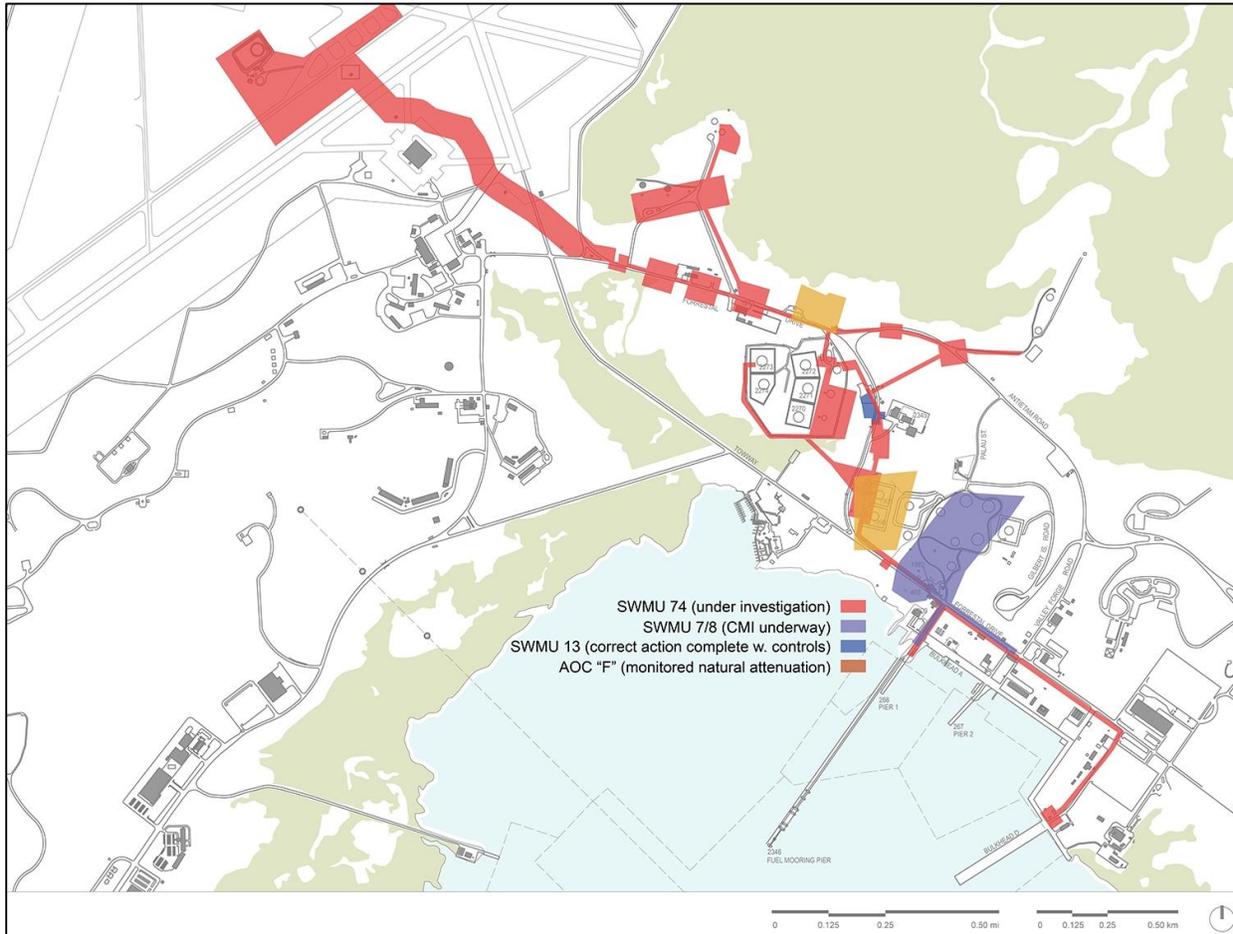


Figure 7 Environmental Remediation in progress

The Navy is carrying out an environmental remediation process at FNSRR, following EPA rules, as part of its BRAC land conveyance agreements. It identified areas of land that were known to be contaminated or suspected to have soil or groundwater contamination, classifying these areas as either a *Solid Waste Management Units* (SWMUs); or *Areas of Concern* (AOC). For information about these permanent restrictions see *the Land Use Control (LUC) schedule in Exhibit 8.1.5.*

The Tank Farm premises contain portions of SWMUs and AOC's that need to be addressed and taken into consideration when designing the terminal operation. Among the parcels with restrictions due to environmental remediation are:

3.2.3.1 SWMU 7/8

SWMU 7 and 8 is an area affected by releases from numerous large, partially in-ground, concrete fuel storage tanks and their connecting pipelines. The oldest fuel storage tanks date from the 1940s. Over the years, spills have occurred and tanks have leaked. A Corrective Measures Implementation (CMI) Plan for SWMUs 7/8 was submitted to the EPA on June 15, 2012.



The portion of SWMU 7/8 that incides on the RFP Parcels affects building 1982 and a portion of the building 192 parcel. It is currently being cleaned up; the approved CMI is currently underway.

3.2.3.2 SWMU 74

SWMU 74 consists of specific portions of the JP-5 and diesel fuel marine (DFM) fuel pipelines, and the aircraft hydrant refueling pits. Past evaluations identified leaks at locations along the fuel line and valve pits. The pipelines which served the valve pits were decommissioned. A Draft Phase II of the CMS Investigation and CMS final Report for SWMU 74 was submitted to the EPA on July 13, 2012.

The portion of SWMU 74 affecting the RFP Parcels has been declared as clean with a Finding Of Suitability to Lease (FOSL).

3.2.3.3 SWMU 13

SWMU 13 includes the Old Pest Control Shop Area where Building 258 was demolished and the surrounding area. Pesticides were dumped into the soil and into a drainage ditch behind the building. The ditch discharges into the nearby bay (Ensenada Honda). The Revised Final Project Closeout Report - Remedial Action for Soil Remediation at Various Sites (including SWMU 13) was submitted to the EPA on March 24, 2011 in accordance with EPA comments dated September 16, 2010.

SWMU 13 has been declared as clean with a Finding Of Suitability to Lease (FOSL) with the restriction of no residential construction on it.

3.2.3.4 AOC F

AOC F consists of eight individual sites from which underground storage tanks were removed. Following the removal of the USTs and investigations, the sites were recommended for remedial action by monitored natural attenuation (MNA). The MNA included separate protocols for each of the sites, which included soil sampling and/or groundwater sampling on a quarterly or annual basis depending upon the site. A Draft Monitored Natural Attenuation AOC F Year 9 Quarter 3 Report was submitted to the EPA on February 27, 2012.

The portion of AOC F (1995) affecting the RFP Parcels has been declared as clean with a Finding Of Suitability to Transfer (FOST-Clean).

3.2.4 Other Restrictions

In addition to the land use controls presented for the SWMUs there are other permanent environmental restrictions imposed on the Tank Farm land due to the protection of endangered species habitats. These are detailed in the *Roosevelt Roads Biological Assessment* (see **Exhibit 8.1.6**) and have to do mostly with protecting the habitats of the yellow-shouldered blackbird, the manatee and certain species of sea turtles.

It is the responsibility of the Proponents to take into account any restrictions on the land when preparing the Proposal and its financial terms. These may include –among others- the LUC restrictions, the Roosevelt Roads Biological Assessment (included as **Exhibit 8.1.6**) and the Roosevelt Roads Land Use Plan (**Exhibit 8.1.4**).



3.2.5 Utilities

The Commonwealth is providing water, sanitary sewer and electrical connections to the Tank Farm facility. These connection points are located on Forrestal Drive, close to Building 1982. The hookup process as well as payment for any installation and service fees must be in charge of the Proponent and coordinated with the utility providers. The actual design and construction of the internal distribution of utilities must be approved by the LRA and paid by the Proponent.

3.2.5.1 Electrical

The Puerto Rico Electrical Power Authority (PREPA) provides the electrical service. The service drop will be located on Forrestal Drive, within 50 meters of building 1982, close to its existing substation. It is the responsibility of the Proponent to bring that connection through an underground installation into the Tank Farm premises and to build and maintain the remaining necessary infrastructure as part of the internal terminal operations.

3.2.5.2 Potable Water

Presently, the LRA serves as the potable water service provider. The long-term service provider will be defined later during this year after a Request For Proposal process for that purpose is completed. The potable water connection point will be located in Forrestal Drive, within 50 meters of building 1982. It is the responsibility of the Proponent to coordinate with the utility provider and to bring that connection through an underground installation into the Tank Farm premises and to build and maintain the remaining necessary infrastructure as part of the internal terminal operations. The available water capacity does not consider any major fire suppression demands for this industrial area.

3.2.5.3 Sanitary Sewer

Presently, the LRA serves as the sanitary sewer utility provider. The long-term service provider will be defined later during this year after a Request For Proposal process for that purpose is completed. The area planned for the sanitary sewer tapping is located in Forrestal Drive, within 50 meters of building 1982 and Building 192. It is the responsibility of the Proponent to coordinate with the utility provider and to bring that connection through an underground installation into the Tank Farm premises and to build and maintain the remaining necessary infrastructure as part of the internal terminal operations.

3.3 Tank Farm Components

The Roosevelt Roads Tank Farm presently contains eight steel tanks built between 1979 and 1988. These were part of a group of about 19 tanks (mostly older underground, concrete tanks) originally interconnected via underground fuel pipelines and managed from a pump room. From this control area, pipelines continued to Pier 1A and to other destinations, such as the Ceiba airport and additional piers. The whole tank farm system allowed the US Navy to run a large-scale military fueling operation that required the coordinated flow of jet fuel and diesel to and from barges, warplanes, tankers and war ships during training exercises that occurred for a couple of weeks various times per year. During its operating peak, the tank farm facility was able to –simultaneously- serve over 6,000 bbl. and receive 11,000 bbl. per hour.



Today all of the large concrete underground and smaller steel tanks have been decommissioned and/or demolished; only the largest eight steel tanks were kept. This was due to the fact that these eight tanks were the only ones capable of operating under modern codes and regulations.

Following is a definition of the Tank Farm's main elements:

3.3.1 Pier 1A (Fueling Pier)



Figure 8 Pier 1A

The dedicated fueling pier is Pier 1A. This is a concrete pile and concrete deck pier, approximately 2,650 ft. (503m) long by 16 ft. (5m) wide. It has the capacity to handle six top-loading arms (three on each side). Pier 1A will be dedicated exclusively for the Tank Farm operator. The pier facility has capacity to handle two fuel pipes (16" dia.), discharge of sanitary waste from the ships and supply potable water.

Fire suppression systems for Pier 1A could not be identified.

3.3.2 Building 192 (Test Field Lab)



Figure 9 Building 192 and Forrestral Drive

Building 192 (built in 1956) is a one-story concrete building containing office space, employee facilities and laboratory space. It is rectangular in shape with an area of 4,923 ft². It is located south of Forrestral Drive, between the fueling pier and building 1982. The area where the building is located (parcel TFP1) can accommodate future parking and equipment storage. A fence and exterior lighting must be built to secure the parcel's perimeter.

Fire suppression systems for building 192 could not be



identified.

3.3.3 Building 1982 (Pump Station)

Building 1982 is located north of Forrestal Drive and houses the pumps, controls and piping valves. It includes an electrical substation and a small office space on a second level.



Figure 10 Building 1982 covered machine room

The existing pump system includes six main pumps (centrifugal), powered by electric motors. Each one of these six pumps is associated with one of the six loading/unloading arms on Pier 1A. Additionally, two secondary pumps perform other duties such as draining and fire suppression.

All pumps are interconnected by means of a system of manually-operated manifolds and valves, allowing for multiple combinations of tanks and pier loading (or unloading) points.

The working condition of this manifold and valve system is unknown given that most of the pipelines were rendered unusable during the environmental cleanup process.

Building 1982 also houses an electrical backup generator (currently unusable), a transfer switch and additional controls that managed the power loads for all the pumps. An outdoor transformer handled the conversion of primary voltage down to 480 VAC.



Figure 11 Series 2270 tanks

Fire suppression systems for building 1982 could not be identified.

3.3.4 Tanks (8)

The Roosevelt Roads Tank Farm presently contains eight steel tanks (Table 3) divided in two clusters: (i) five fixed-roof tanks totaling 21,168,699 gal.; (ii) two fixed-roof tanks and one internal floating roof tank with total



capacity for 12,982,572 gal.

Based on an exterior, visual inspection, all eight tanks can be put in operational condition with maintenance work and minor repairs. Their surrounding spill prevention ponds (dikes) are in need of major maintenance given the vegetation outgrowth during years of inactivity. These works would include cleaning and grubbing, replacement of construction joints and replacement of damaged concrete pads. Asphalt-lined dikes may need complete replacement or lining due to vegetation overgrowth and erosion.

Tank Farm Existing Tanks						
Tank Number	Diameter (ft.)	Height (ft.)	Known Uses	Storage Cap. (gal.)	Year Built	Remarks
1995	135'	40'	JP5, DFM	4,200,000	1979	
1996	135'	40'	DFM	4,382,572	1979	
2436	138'	40'	NA	4,400,000	NA	Estimated Cap.; Internal floating roof
2270	125'	48'	JP5	4,200,000	1987	Asphalt dikes; tank built by Alonso & Carus
2271	125'	48'	JP5	4,167,226	1987	Asphalt dikes; tank built by Alonso & Carus
2272	125'	48'	JP5	4,270,610	1988	Asphalt dikes; tank built by Alonso & Carus
2273	125'	48'	JP5	4,265,627	1987	Asphalt dikes; tank built by Alonso & Carus
2274	125'	48'	JP5	4,265,236	1987	Asphalt dikes; tank built by Alonso & Carus
TOTAL CAPACITY				34,151,271		

Table 3 Roosevelt Roads Tank Farm tanks schedule

3.3.4.1 Fire Suppression

All tanks are built inside individual containment dikes lined with concrete or asphalt. A manual, truck loaded foam injection system is present in the five tanks of series 2270s. This system couples the truck foam supply to fittings at the exits of each tank's dike. This foam-chamber system has been without maintenance for over ten years and replacement is recommended. Fire suppression systems for tanks 2436, 1995 and 1996 could not be identified.

3.3.4.2 Pipelines

Most of the Tank Farm's pipelines were decommissioned by the Navy as part of their environmental remediation program. Also, existing pipeline easements running throughout FNSRR are part of on-going remediation procedures, with its uses currently restricted.

The Proponents must consider the installation of new fuel pipes from the existing pump facility to the fueling pier, each of the eight existing tanks and possibly to the Ceiba airport. **Table 4** shows the distances of possible pipeline easements that fall outside the Tank Farm premises.



Pipeline Easements		
ROW ID	Length range (M)	Remarks
ROW01	150-250	From fueling pier (Pier 1A) to pump station (building 1982)
ROW02	2500 to 3500	From pump station to Ceiba airport tanks

Table 4 Tank Farm suggested pipeline easements



4 The RFP Process

The objective of this RFP is to receive general business plans and economic proposals conducive to a long term lease agreement for the best use of the Roosevelt Roads Tank Farm. Upon receipt of the proposals, the LRA will evaluate the submitted business ideas, together with each Proponent's professional qualifications and select –based on a best value proposition- one Preferred Proponent together with up to two Alternate Proponents. The Preferred Proponent will be given enough time to complete a technical due diligence and negotiate with the LRA the economic terms and other contract provisions before executing an agreement; **Table 5** shows a more concrete idea of the due diligence and negotiation periods.

In the event that the Preferred Proponent and/or the LRA declines or withdraws from the negotiation process, the LRA retains the right to keep the Bid Security Deposit and continue with the same process with next best proposal. The LRA also retains the right to keep and reuse the information produced by the Proponent –i.e. copies of all non-proprietary information, field studies and market data- as part of this due diligence/negotiation phase. The US\$50,000 Bid Security Deposit is non-refundable unless certain conditions occur (see **Section 5.1.1** for details).

Proponent Registration Form. Interested Proponents must submit the **Proponent Registration Form** attached hereto as **Exhibit 8.1.1** to the LRA by e-mail at **lradevelopment3@lra.pr.gov** no later than the deadline set in **Table 5**.

Mandatory Pre-Submittal Meeting and Property Tour. The LRA will host a mandatory pre-submittal meeting and Property tour on the date and time set in **Table 5**. The meeting will be held at FNSRR, Building 1205, second floor. Only those Proponents who submitted the Bidder Registration Form by the set date may attend. During such visit, the LRA will provide an overview of this RFP, provide a tour of the Property, and receive questions. Any handouts and written responses to questions (which are the only binding responses) will be posted on **www.rooseveltroads.pr.gov/rfp** section following the meeting. This mandatory pre-submittal meeting and property tour will be the only opportunity for Proponents to view the Property in company of LRA staffers; additional visits prior to the submission of Proposals cannot be guaranteed.

RFP Questions and Additional Information. All exhibits, additional information, and any questions/answers received on this RFP will be posted on **www.rooseveltroads.pr.gov/rfp**. Questions can be submitted via e-mail only to **lradevelopment3@lra.pr.gov**; no telephone or facsimile inquiries will be accepted. The deadline for submitting questions is established in **Table 5**.

Deadline and Contents of Proposals. All Proposals must be received by the LRA prior to the date and time set in **Table 5**. All Proposals must contain one (1) signed original, seven (7) copies, and one (1) electronic copy (CD-ROM or USB thumb drive). Each page of the Original Proposal must be properly initialed or signed by the authorized representative.



The Proposal materials must be submitted in sealed packages and addressed to:

Malu Blázquez, Executive Director
Local Redevelopment Authority for Naval Station Roosevelt Roads
Fomento Industrial Building
#355 Roosevelt Ave., Suite 106
San Juan, PR 00918

The sealed package should be labeled with the Proponent's name, address, and contact person, and will be time-stamped upon receipt. Electronic, telegraphic and facsimile offers and modifications will not be considered without express prior written authorization. Any Proposal received after the time and date specified above may be rejected and may be returned to the sender unopened.

RFP TIMELINE	
Milestone	Date
RFP published	Thursday, May 8, 2014 via www.rooseveltroads.pr.gov/rfp
Mandatory Pre-submittal Meeting and Site Visit; Proponent registration deadline	Thursday, May 22, 2014, 10:00AM at FNSRR
Final day for submitting questions	Tuesday, July 1 st , 2014 via lradevelopment3@lra.pr.gov
RFP proposal deadline	Tuesday, July 8, 2014 at 3:00PM AST
Evaluation period: optional interviews, questions to Proponents	To Be Determined
Preferred and Alternate(s) Proponents are announced	On, or about Friday, August 8, 2014
Initial (exclusive) negotiation with Preferred Bidder ends	On, or about Friday, August 29, 2014
Due Diligence & final negotiation with Preferred Bidder ends	On, or about Friday, November 21, 2014
Agreement executed (approximate date)	First week of December, 2014

Table 5 RFP Timeline

Communications Restrictions. From the date this RFP is issued to the date the Preferred and Alternate Proponents (if any) are selected and announced, all contact related to this RFP between the Proponents and LRA staff (except via the email address set forth in **Table 5**) is prohibited. No information about the evaluation process will be provided after the proposals are submitted until the selection, if any, is made.

4.1 RFP Phases

After the Proposals are received, the LRA will evaluate all packages and select no more than the three most responsive ones. This post-submittal stage is explained below.

4.1.1 Evaluation Period

All the qualifying proposals (the ones that comply with the minimum requirements set forth in this RFP) will be evaluated by a committee within the LRA and assigned a scoring based on the parameters established in **Section 4.2**.

During the evaluation phase the LRA, at its sole discretion, may require all or a short-listed group of the Proponents to participate in oral presentations to the LRA. Details regarding the date, format, and other



logistics for oral presentations will be provided to Proponents at a later date if the LRA decides to schedule oral presentations.

4.1.2 Selection of Preferred Proponent

After the established evaluation period ends (see **Table 5**), the LRA will publish the names of a Preferred Proponent and not more than two Alternate Proponents. The LRA will immediately begin a negotiation and due diligence process with the Preferred Proponent with the goal of executing the lease agreement during calendar year 2014.

4.1.2.1 Exclusive Negotiation Phase

The LRA team will initiate discussions only with the Preferred Proponent in all technical, administrative and financial matters and assist the Preferred Proponent with its due diligence effort. The LRA will procure access to the Terminal site and make available all the related documentation that would help the Preferred Bidder confirm and refine its Proposal. These discussions will be properly scheduled to allow for a diligent and timely process and to put both the LRA and the Preferred Proponent in the position to negotiate a lease agreement.

The next highest scoring Alternate Proponent (Alternate Proponent #1) will be released from the RFP process upon the execution of the lease agreement, unless: (i) the LRA and the Preferred Proponent cannot agree on all contractual provisions before the end of this exclusive negotiation phase, (ii) the Preferred Proponent decides to retire its Proposal for any reason, (iii) the LRA decides to cancel negotiation with the Preferred Proponent for any reason. In this case, the exclusive negotiating period with the Preferred Proponent ends and a new negotiating period begins with the next highest-scoring Alternate Proponent.

4.1.3 Execution of Lease Agreement

After a satisfactory due diligence and negotiation process is complete, the selected Proponent must sign a written Lease Contract with the LRA. The Lease Contract will supersede any and all other agreements, either oral or written, between the parties with respect to the Project, and shall contain all covenants and agreements applicable to the development objectives and requirements herein described on this RFP, and those applicable to any governmental contract.

Insurance Requirements. The selected Proponent must furnish all applicable insurance and bonds when requested by the LRA as part of the execution of the Lease Contract.



4.2 Evaluation Criteria

The RFP’s main objectives are to (i) create new economic development opportunities for Puerto Rico’s Eastern region and (ii) to generate long-term, recurrent income for the LRA in the form of rent fees. The LRA will evaluate the proposals and make its selections based on these objectives and according to the criteria shown on **Table 6**:

EVALUATION CRITERIA		
Selection Criteria	Weight	Relevant RFP Sections
Related Experience of the Entity	15%	6.2.1, 6.2.2
Financial Capacity of the Entity	15%	6.2.3
Demonstrated Experience of the Key Staff	10%	6.2.4
Business Plan feasibility	20%	6.3.1, 6.3.2
Development timeframe	10%	6.3.3
Financial benefits to the LRA	30%	6.4
TOTAL	100%	

Table 6 Evaluation Criteria Schedule



5 Proposal Requirements

The LRA expects to lease the Roosevelt Roads Tank Farm in “as-is, where-is” condition by means of a long-term lease agreement to one single tenant. It is the responsibility of the Proponent to thoroughly inspect and assess the current condition of the Tank Farm’s elements and determine the investment and time needed to bring the Project into an operational condition. The LRA is not responsible for unrealized business due to Tank Farm elements that cannot be brought up to operational conditions provoked by structural damage, age, obsolescence, technical elements or any other cause.

It is the prerogative of the selected Proponent to sub-lease storing capacity or use of the pier to other parties, although the RFP Proposal must clearly disclose such business approach. **The Proponent’s business plan must be self-sufficient and not require financial assistance, subsidies and/or capital contribution from the LRA or the Commonwealth.**

All RFP Proponents must comply with the following proposal requirements. The LRA reserves the right to reject any proposal that is deemed incomplete or unresponsive to the RFP requirements. The LRA also reserves the right to reject any and all proposals for any reason or for no reason, and to proceed (or not to proceed) with the leasing of the Tank Farm without completing this RFP process.

In evaluating the capabilities of the Proponent, LRA may utilize any and all information available to them (including information not provided by the Proponent). Proposals should clearly and concisely state the unique capabilities, experience, and advantages of the Proponent, and demonstrate the Proponent’s capability to satisfy the requirements of this RFP.

5.1 Minimum Requirements

The Proposal must include at the very minimum a concrete plan to:

- Procure the safety and integrity of all Tank Farm parcels and its containing and/or essential elements;
- Develop a maintenance plan for the fueling Pier and associated structures;
- Promote the employment opportunities of local communities by hiring people and services from the vicinity of Ceiba and Naguabo;
- Protect the environment and promote safety and welfare of workers;
- Improve accessibility to the Tank Farm parcels and pipeline easements;
- Develop a proper grounds keeping program to maintain the Tank Farm parcels, immediate access roads and pipeline easements;
- Design and build the improvements and/or new construction necessary for the optimal operation of the Terminal, including new fuel pipelines;
- Test and certify the tanks, pipelines and any other structure that needs regular inspections to comply with the API, NFPA, IBC, Coast Guard and any other federal and local regulatory agencies;



- Ensure a safe operation of the Terminal during all project phases;
- Ensure the financial sustainability of the project and prompt lease payments to the LRA.

The Proposal must include at least the lease, improvement and operation of the basic Tank Farm elements (8 tanks, fueling pier, pump room and connecting pipelines). The Proposal must include the costs of improving the Tank Farm elements to put them up to all applicable codes and regulations.

Payment of Rent. It is expected that the Lease Contract will define and require payment of at least the following rent: (i) Minimum rent; (ii) Throughput fee; (iii) Fixed Building rent; (iv) Fixed Pier rent. All RFP Proposals must include suggested rents and fees according to the Terminal facility uses established by each Proponent.

5.1.1 Bid Security Deposit

A Bid Security Deposit of US\$50,000 is a requirement of this RFP. This payment –in the form of a certified or manager’s check- will be required from the Preferred Proponent within five calendar (5) days after the selection announcement date. This deposit (bid bonds are not acceptable substitutes) is non-refundable and acts as a guarantee of the Proponent’s good faith intention to negotiate and execute a Lease Contract with the LRA. The amount of the Deposit will be credited as part of the rent fees after the Lease Contract is executed.

In the event that the negotiation between the original Preferred Proponent and the LRA is unsuccessful and upon notification from the LRA, the next Alternate Proponent will be considered as a Preferred Proponent and be required to submit its own Bid Security Deposit.

The Bid Security Deposits can be returned to a Preferred Bidder only if the following justifiable reasons occur: (i) act of god that changes the physical conditions of the Tank Farm elements, (ii) discovery of a previously unknown condition of environmental or legal nature that makes the Tank Farm premises unusable, (iii) in the event that the RFP process is cancelled unilaterally by the LRA, or (iv) by the sole discretion of the LRA.

5.2 Optional Proposal Elements

There are some activities that are made available for the benefit of the Proponent but are optional in its implementation. These optional elements include the following:

- Use Parcel TFP3 for expansion of storage tanks or related industrial uses;
- Serve fuel to the Ceiba airport via a fuel pipeline;
- Operate as part of a Foreign Trade Zone (FTZ);
- Sub-lease the tank storage capacity or the use of the Pier for related (and approved by the LRA) industrial uses.

The decision as to make use of any or all of these optional activities must be clearly defined in the Proposal application.



6 Proposal Format

Each Proposal shall be structured as close as possible to the format described below. While there is no page limitation for the Proposals, Proponents are strongly encouraged to be concise in their responses. Any additional information such as marketing materials or other volumes that a Proponent considers as important for the evaluation of its Proposal can be added as appendix.

Each submitted Proposal must be clearly divided in sections following as closely as possible the following format:

6.1 Presentation (Cover) Letter

Proponents should submit a standard business letter on company letterhead containing at least:

- A statement that the person signing the Proposal is authorized to make commitments and legally bind the Proponent;
- A statement recognizing that the Proponent has read, understood and agreed to all provisions of this RFP and that the Proposal contents are accurate;
- Include a brief executive summary of the Proposal, including a summary of any alterations to the RFP's terms and conditions;
- Recognition of all the RFP addenda, if any; and
- A stipulation that the Proposal will remain valid for 180 days starting at the RFP due date.

6.2 Proponent Qualifications

Each Proposal should address the following items, in the order listed below:

6.2.1 Proponent Corporate Structure

Name and type of ownership of the Proponent's corporation. Joint ventures or partnerships must describe and include the legal structure of each member of the venture. The successful Proponent must be a legal entity authorized to conduct business in Puerto Rico.

Include name, address, phone number and email of the Proponent's authorized contact person. Include the legal name and the federal EIN number of the Proponent's entity. Include the same information for each partner or venture member, if the Proponent is a joint venture or partnership.

6.2.2 Proponent's Related Experience

A narrative of the Proponent's experience in managing large, complex projects of a similar nature to the Roosevelt Roads Tank Farm. To the extent possible, this narrative should specifically describe how the Proponent's experience demonstrates that it has the skills and experience necessary to operate the Tank Farm and any other related activity proposed as part of the Proposal.



Include a history and background of the Proponent's entity (or partner entities), focusing on how it relates to the operation of the Tank Farm.

6.2.3 Proponent's Financial Information

Attach the Proponent's current financial statement and the audited financial statements from the previous three (3) years showing the Proponent's net worth and current financial status, including all statements of changes in financial position and identifying any operations with negative cash flows. In the event funds are to be borrowed to finance any portion of the total investment made by the Proponent, include a letter of intent from a bank or other lending institution. Include the same information for each partner or venture entity, if the Proponent is a joint venture, special purpose entity or partnership.

Provide the contact information for at least two banking/investment references that have provided the Proponent with financing of a magnitude similar to what is required for the Project.

Include any additional documentation evidencing the financial capability needed to operate the Tank Farm.

6.2.3.1 Insurance and Bonding Capacity

Include specific information about the insurance and bonding capacity of the Proponent, specifically related to the operation of similar ventures. A letter of intent from an insurance company (authorized by the Puerto Rico Insurance Commissioner) stating the insurer's intention to issue the necessary insurance to the Proponent is strongly suggested.

6.2.4 Key Personnel

The proposal Key Staff must demonstrate experience in the development, administration and technical operation and maintenance of a similar project. Include a description for each key staff describing the role to be played and any obtained qualifications (including certifications). Attach a Curriculum Vitae of every key staff.

6.2.4.1 Relevant Experience

For each Key Staff, identify any involvement within the last ten (10) years in projects or jobs that demonstrate relevant experience. For each example, identify (i) the role the key staff played in the project, (ii) the period of performance, and (iii) reference contact information.

Where basic functions will be performed by outside consultants, this RFP must present the professional qualifications of such external resources.

6.2.4.2 Org. Charts

Include an organizational chart showing the proposed relationships between the LRA and the Proponent's organization(s). A second org chart must show all the key staff and its relationships within the Proponent's organization(s) to be involved in the Roosevelt Roads Tank Farm development and operation.



Org charts must clearly define specific roles dealing with the Terminal's operational safety, management of the pier, reporting and compliance, and other basic roles. Where basic functions will be performed by outside consultants, the org charts must include such external resources.

6.3 Technical Proposal

6.3.1 Project Narrative

RFP Proponents should provide information that will enable the LRA to evaluate the Proponent's ability to timely and competently redevelop and operate the Project. At a minimum, the following items should be addressed in this section of the Proposal:

- Detailed Narrative of the proposed business plan, including
 - Provide a summary of how the Proponent will re-develop and operate the Tank Farm in accordance with the LRA's goals and objectives outlined herein.
 - Describe the business lines that the Proponent will pursue (bulk storage, blending, serving the Ceiba airport, sub-leasing capacity, etc.)
 - Provide a narrative description and illustrations of the Proponent's proposed new construction and improvements that are needed to attain the Proposal's business goals. Such description should identify the permitted uses on the premises and whether any existing buildings will be renovated or removed as part of the operation. This overall master plan should convey any phasing that is proposed.
- Proposed economic benefits to the Ceiba-Naguabo area; include estimates for direct and indirect investments in construction, taxes and any other quantifiable economic benefits.
- Include an estimate of new direct, indirect and induced jobs created by the Project during its different development phases.
- Number and explain any sustainability measures proposed, including green buildings and any other sustainable business practices.
- Expressions of Interest from proposed sub-tenants, clients, suppliers, etc., as applicable.
- Define the project risks and ways to mitigate them.
- Technical narrative detailing how the Proponent will re-develop the existing Tank Farm facility and convert it to a state-of-the-art terminal.
- Include a master plan render(s) with development stages and proposed uses.
- Include in the narrative any other fact that will enhance the proposal and make the LRA clearly understand the Proposal's objectives and technical terms.

6.3.2 Management of Due Diligence Expectations

Include as part of the Proposal a narrative describing the due diligence and pre-development activities needed prior to executing a Lease Contract. Explain the costs and time associated to testing, site investigations and any other effort needed during this phase. Include the expected results of these pre-development efforts and outcomes in the event that any such expectation fails to materialize.



6.3.3 Project Development Timeframe

Provide a realistic timeline for the development. Timing for phases and any milestones that must be satisfied before beginning a phase should be addressed. Clearly present the proposed Project phasing, including: (i) due diligence and pre-development, (ii) construction and (iii) operation. Include a Gantt chart illustrating the phasing of the project, starting at the Preferred Proponent selection date and ending after the last phase (operation) has started. Include expected dates for equipment inspections, new construction projects, and any other important and material dates.

6.3.4

6.4 Economic Proposal

Information should be provided that will enable the LRA to evaluate the Proponent's financial offer and ability and willingness to finance the needed improvements and subsequent operation.

6.4.1 Financial Conditions

At a minimum, the following items should be addressed in this section of the Proposal:

- A preliminary description of project economics and financing, including the following: (i) a narrative statement explaining the economic feasibility of the proposed development; (ii) total development costs, including hard and soft costs and fees; (iii) financing, including anticipated debt and equity amounts, sources and costs; (iv) ownership structure including percentage of ownership by principal members; and (v) economics of sharing arrangements between principal members or investors including identification of sources of return to the owners and investors.
- A description (and attach in an appendix its supporting documentation) that demonstrates the Proponent's strategy for financing the project, including anticipated financing terms and costs, discussion of the risks and benefits of the financing structure, and why this strategy is the most advantageous for the Project. Proposals should address timing for execution of financing, including whether the Proponent currently has the financial capacity to undertake the first phase of re-development and operation.
- In an appendix, attach a 10-year financial pro-forma spreadsheet depicting the projected cash flow, key assumptions, and sources and uses of funds for the Project. The LRA reserves the right to ask during the evaluation period for the electronic MS Excel file with fully functioning formulae and linkages.
- Identify any proposed equity commitment to the project and the timing of disbursement of that commitment, including letters of commitment from each equity investor for its Proposal, stating the full terms and conditions under which such amounts will be provided to the Project and with a schedule of disbursement consistent with the Proponent's requirement for construction and operating financing.



6.4.2 Proposed Lease Structure

Define an economic proposal including the proposed payments, initial investment and any proposed special conditions. The economic proposal must include at least:

- The Proponent’s financial offer to compensate the LRA for the long-term lease of the Tank Farm. The offer must include proposed fees for: (i) Minimum rent; (ii) Throughput fee; (iii) Fixed Building rent; (iv) Fixed Pier rent
- Proposed Lease Conditions (including detailed terms, conditions, renewal periods, etc.)

The Proposals must include the basis for the suggested rents and fees according to the Terminal’s proposed uses as established by each Proponent. It must also state the expectations that the Proponent assumed about the Terminal’s current condition and how any deviation from these expectations may affect the rents and/or any other financial terms of the Proposal. This information about assumptions and rent “conditioning” will be considered during the evaluation of the Proposals. The Proponent must take into account the expenses it will incur regarding –among others- utilities, state and municipal taxes, employee benefits, etc.



7 General Conditions

Legal Requirements. Proponents are responsible for complying with all legal requirements set forth in **Exhibit 8.1.7.**

Reference Documents. To assist Proponents in preparing to respond to this RFP, the LRA has created a website at www.rooseveltroads.pr.gov. The website contains all exhibits and other documents which will be of assistance in the development of the Proposals.

Questions and Information. Any questions, requests for clarification, and general information requests must be sent by e-mail to the LRA at lradevelopment3@lra.pr.gov in accordance with the deadlines set forth above; no telephone inquiries will be accepted. The LRA will provide all prospective Proponents with copies of any questions it receives and any answers, clarifications and/or information it provides in response thereto. Such information will be posted in the RFP Section of www.rooseveltroads.pr.gov on a rolling basis. Only written responses posted on the website will be considered binding.

Amendments to this RFP. This RFP may be amended by formal amendment, document, letter, or facsimile. If this RFP is amended, then all terms and conditions that are not amended remain unchanged. Any amendments will be posted on www.rooseveltroads.pr.gov in the “RFP Section”.

Authorizations by Submission of a Proposal. Any and all information provided by a Proponent and its team members may be used by the LRA to conduct credit and background checks. The Proponent agrees to execute any additional documentation requested by the LRA to evidence this consent. At its discretion, LRA staff may contact references and industry sources, investigate previous projects and current commitments, interview some or all of the proposed development team members, and take any other information into account in its evaluation of the responses. The LRA reserves the right to request clarifications or additional information and to request that Proponents make presentations to the LRA, community groups, or others.

Teaming Arrangements and Special Purpose Entities. Multiple Proponents may form a joint venture for the purpose of submitting a Proposal in response to this RFP. A special purpose entity may be created for the purpose of submitting a Proposal. The LRA may require that financial and performance guarantees be provided by these and other Proponents as well as team members (note: the LRA will not be involved in facilitating partnering or teaming arrangements.). When a joint venture will be utilized, please present information for both entities and include with your Proposal a copy of the legal documentation establishing the joint venture.

Hold Harmless. By participating in this RFP process, each Proponent agrees to indemnify and hold harmless the LRA and its officers, employees, contractors and advisors from and against any and all real estate and other brokerage fees or commissions, finder's fees, and any other forms of compensation related in any way to activities undertaken by any person as a result of such person's efforts towards and/or participation in this RFP process or the submission by such person of a proposal, and liabilities, losses, costs, and expenses (including reasonable attorney's fees and expenses) incurred by any



indemnified party as a result of, or in connection with, any claim asserted or arising as a result of, or in connection with, this RFP process. This includes any and all activities related to the LRA's exclusive negotiations with the selected Proponent(s).

Public Information. All information submitted in response to this RFP becomes property of the LRA. The documents and other records submitted to the LRA are part of the public record and subject to public disclosure; accordingly, information submitted should be expected to be subject to public availability. Therefore, any response submitted which contains confidential information must be conspicuously marked on the outside as containing confidential information, and each page upon which confidential information appears must be conspicuously marked as containing confidential information.

Organizational Conflicts of Interest. Each Proponent should clearly identify in its Submission any person or entity that has assisted the Proponent to prepare its Submission that has advised, or is currently advising, the LRA on any aspect of the redevelopment at NSRR.

Other Terms and Conditions. Law No. 508 and its regulations, as well as all applicable Puerto Rico and Federal laws and regulations, will govern this RFP and all agreements entered into in connection with this RFP.

Not a Contract. This RFP does not constitute an offer to enter into a contract with any individual or entity, thus no contract of any kind is formed under, or arises from, this RFP.

Confidentiality of Information Associated to LRA. Information associated to the LRA or a government entity obtained by the Proponents as a result of participation in this RFP is confidential and must not be disclosed without prior written authorization from the LRA.

Reservation of Rights. The LRA reserves the right, in its sole and absolute discretion, to:

- Change or amend the business opportunities described in this RFP;
- Cancel or suspend this RFP process or any or all phases, at any time for any reason (or for no reason);
- Accept or reject any Proposal based on the selection criteria and as determined by the discretion of the LRA;
- Waive any defect as to form or content of this RFP or any response thereto;
- Not accept any or all Proposals;
- Select one or multiple Proponents that will best meet the LRA's needs and objectives, regardless of differences in fees and expenses among responders to this RFP;
- Reject all or any Proposals without any obligation, compensation or reimbursement to any Proponent or any of its team members; and
- Extend any date, time period or deadline provided in this RFP, upon notice to all Proponents.

Restriction of Damages. Each Proponent agrees that in the event that any or all Proposals are rejected, or this RFP is modified, suspended or cancelled for any reason, neither the LRA nor any of its officers, employees, contractors or advisors will be liable, under any circumstances.

Disclosures.



- As required by Law No. 508, information related to the contract to be awarded as the result of this RFP will be published on the Internet once it is properly executed.
- All public information generated in relation to the process, including communications with the media and the public, must be coordinated with, and is subject to prior approval of the LRA.

No Obligation to Accept Proposals. The LRA is not obligated to accept Proposals where, at the discretion of the LRA, it is not in compliance with the requirements of this RFP; or it includes a false or misleading statement, claim or information; or background checks reveal any false statements in the Proposal.

Cost of Proposal Preparation and Due Diligence Process. Proponents will bear the entire cost of preparation of their proposals and related presentations; Proponents will not receive reimbursements or payments in the event of the cancellation or non-award of this RFP.

Use of Ideas. Proponents must specifically designate all, if any, proprietary information, trademarks or systems in their proposals. The Proponents, by submitting a Proposal, expressly grant the LRA the right to use any or all ideas and concepts presented in any proposal received in response to this RFP. In no event will the LRA be precluded from the use of non-proprietary ideas, which were known to the LRA before submission of the proposal or become properly known to the LRA thereafter through other sources or through acceptance of the Proposals.

No Collusion or Fraud. Each Proponent is held responsible to ensure that its participation in this RFP process is conducted without collusion or fraud.



8 Appendix

8.1 List of Appendix

- 8.1.1 Proponent Registration Form
- 8.1.2 Existing Conditions of Tanks Farm Components
- 8.1.3 Proposed Parcels Survey Schematics
- 8.1.4 Roosevelt Roads Land Use Plan (Zoning)
- 8.1.5 Land Use Control (LUC) - Status Report
- 8.1.6 Roosevelt Roads Biological Assessment (Environmental Restrictions)
- 8.1.7 Legal Requirements