



Request for Developer Interest (RFDI)

NORTH APRON KEN JERNSTEDT AIRFIELD (4S2) Hood River, Oregon



Proposals Due: March 10, 2023

Project Contact

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PORT OF HOOD RIVER
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DEVELOPMENT OPPORTUNITY

The Port of Hood River (“Port”) is seeking to identify a qualified developer or business to propose a development plan at the Ken Jernstedt Airfield (4S2) in Hood River, Oregon. An expansion project for the North Apron at Ken Jernstedt Airfield was recently completed in preparation for future development. The Port will consider approaches that develop all or part of the 74K square foot, shovel ready site through a long-term ground lease.

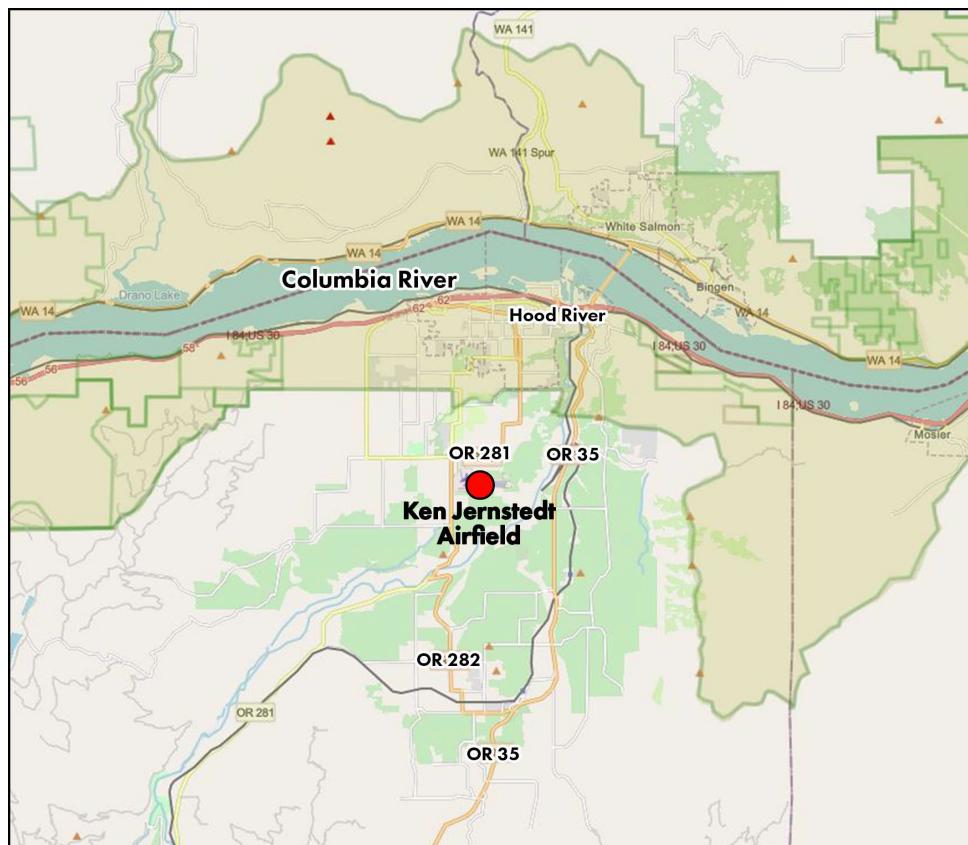
This RFDI describes the development requirements and objectives of the Port pertaining to the development of the North Apron at the Ken Jernstedt Airfield, and the information to be submitted to the Port by a developer or business (“Developer”) interested in leasing and developing the site. Following a Port decision to proceed with a proposal, the Port would engage in negotiations with the selected developer intended to reach agreement on the terms and conditions of a memorandum of understanding, ground lease and, if applicable, public-private partnership agreement.



Subject property highlighted above. View to the north.

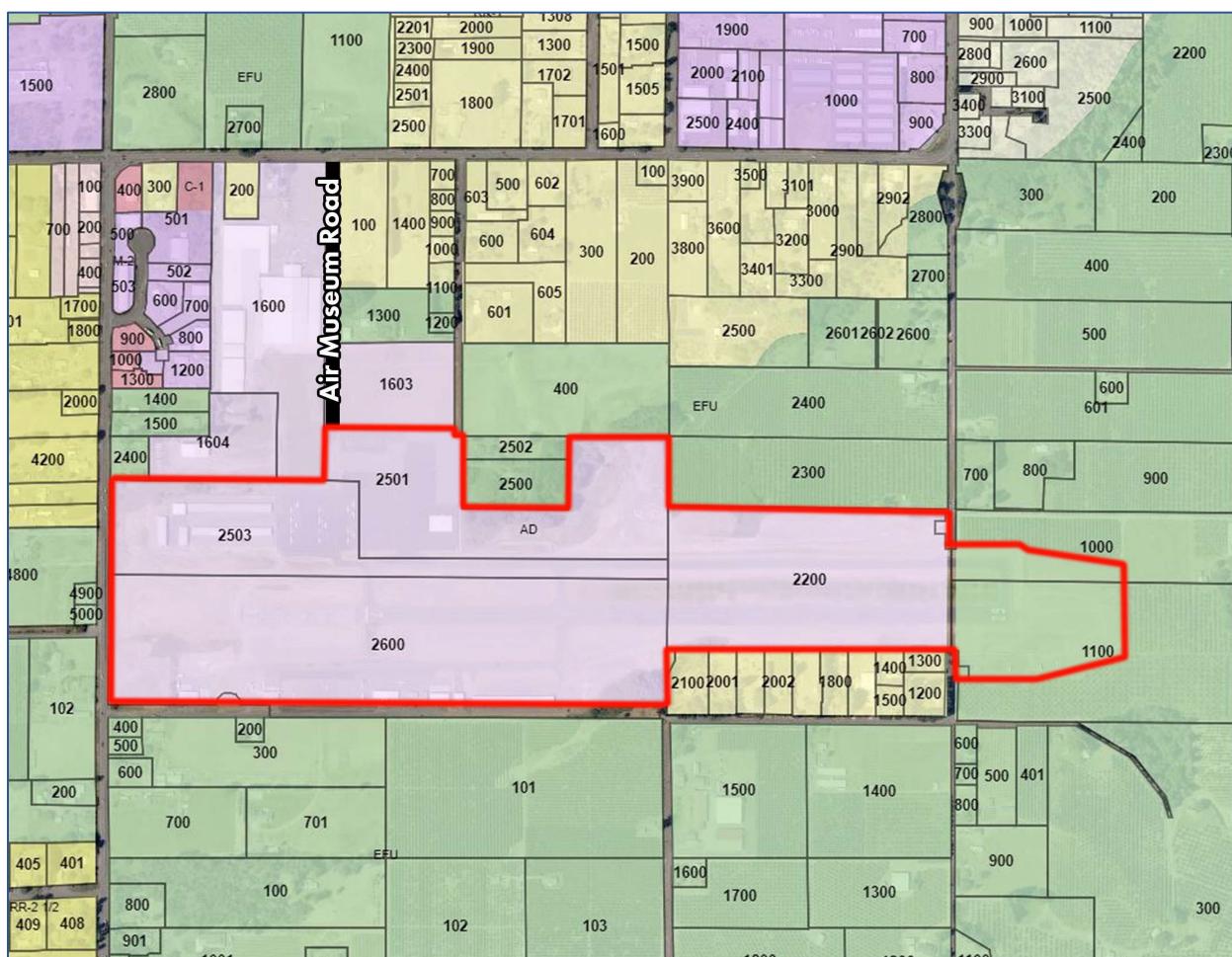
PROPERTY DESCRIPTION

- **Location/Context** – The Ken Jernstedt Airfield is located approximately 3 miles southwest of Hood River, beyond the City of Hood River city limits and urban growth boundary (UGB), in unincorporated Hood River County. Surface access to the airport is provided via Tucker Road (State Highway 281) with connections to Airport Drive (south side of airport); and Air Museum Road (north side of airport). A location map for Ken Jernstedt Airfield is provided below.
- Elevations within the county range from 51 feet above mean sea level (MSL) along the Columbia River to 10,239 feet MSL at Mt. Hood, located approximately 22 miles to the southwest of the airport. A review of the Seattle Sectional aeronautical chart identifies Maximum Elevation Figures (MEF), representing the highest terrain in the vicinity of the airport. The MEFS in the four quadrants surrounding the airport are 5,600 feet (NW); 4,600 feet (NE); 11,600 feet (SW); and 6,300 feet (SE). The elevation of Ken Jernstedt Airfield is 638 feet (MSL).
- The Port of Hood River recently completed an expansion project on the North Apron of the airfield. The expansion included a new AVGAS fuel tank pad and two shovel ready pads at 41,346 SF (#1) and 32,621 SF (#2), respectively.



Ken Jernstedt Airfield Location Map

Zoning:	Airport Development (AD)
Height Limit:	Consult Article 33 Airport Development Zone in the HRC Community Development Zoning Ordinance.
Access:	North Apron only accessible for vehicles from Air Museum Road.
Setbacks:	No building shall be constructed closer to a residential or farm zone than the height of the building. Please consult ORD 33.35 of HRC Community Development Zoning Ordinance for further guidance.
Allowed Uses:	Must be directly dependent upon and directly associated with the airport.
Special Conditions:	Enterprise Zone



Zoning Map

DEVELOPMENT GOALS AND REQUIREMENTS

The Port of Hood River, in partnership with local citizens, developers and businesses, has made great strides to maintain a vital, active airfield. A recent expansion project on the North Apron prepared two shovel ready sites for development.

Proposed uses must be aviation related. Respondents should consider approaches that are responsive to the overall vision for the airfield, including the following key goals:

- High quality design & construction
- Environmental sustainability
- High job quality and density

Prior completed plans, Airport Layout Plan, and background information pertaining to the site and the overall vision for the Ken Jernstedt Airfield can be found at <https://portofhoodriver.com/airport/>. Proposers will benefit from reviewing this website in preparation for responding to this RFQI. Any information the Port makes available to proposers is as a convenience to the proposer and without representation or warranty of any kind.

APPROACH

Following the Port's decision to proceed with a proposal, the Port and the selected Developer will undertake the following:

- Developer and Port will negotiate and, if mutually acceptable, execute a binding Memorandum of Understanding (MOU) that defines respective roles, general development program, and timeframe for leasing and development. The MOU will provide the Developer an exclusive period for its due diligence and require certain deliverables from the Developer within specified time periods.
- Developer completes its due diligence within required time period, and prepares for the Port's review a refined scope, concept level plan, cost estimate, and financing plan for the proposed development program, including any material financial or other terms, conditions, and arrangements proposed between the Port and Developer. In conjunction with these plans, Developer must provide evidence that it has or is reasonably anticipated to have the financial commitments to undertake the development.
- Port will review the refined development proposal and evidence of funding and determine whether to proceed with the proposal.
- If the Port accepts the refined development proposal, the Port will prepare, and the Port/Developer will negotiate and, if mutually acceptable, execute a long-term lease agreement that includes specific design, permitting, financing and construction

milestones and requirements; and any other documents required to complete the transaction (for example, a Public-Private Partnership Agreement if part of the program).

- Subject to the terms and conditions of the lease and other agreements between the Port and developer, Developer will:
 - Prepare all necessary site, design, and construction documents required for City permits and approvals.
 - Secure all necessary permits and land use permits. The Port will establish a Project Management Group (PMG) of public staff and consultants to provide technical review for the Port and, if requested by the developer, to assist the developer with the regulatory and entitlement process.
 - Finance and construct the development program.

The Port reserves the right to adjust the sequence of steps described above.

FAA REQUIREMENTS, LAWS, AND RULES

The Ken Jernstedt Airfield regularly receives grant funding from the U.S. Federal Aviation Administration (“FAA”) and therefore, the following FAA requirements will be included in any future lease agreement:

- *Lessee for Lessee, Lessee's, agents, contractors, employees, licensees, invitees, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree that in the event facilities are constructed, maintained, or otherwise operated on or at the Leased Premises for a purpose for which a United States Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits (“facilities”), Lessee shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, and as said Regulations may be amended.*
- *Lessee for Lessee, Lessee's agents, contractors, employees, licensees, invitees, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree, as a covenant running with the land, that: (1) no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under the premises and the furnishing of services thereon, no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that imposed by or pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, and as said Regulations may be amended*

- *Lessee agrees to comply with all existing and future laws, ordinances and government rules and regulations applicable to Lessee's occupancy and activities at the Leased Premises, including any related to FAA Port airport grant requirements and other FAA requirements, and to comply with reasonable rules adopted by Lessor.*

Anticipated Schedule

The following approximate schedule shows key events and deadlines for this procurement. The schedule is subject to change.

January 16, 2023	Issue RFDI
March 10, 2023	Responses Due
May 10, 2023	Respondent Interviews (if necessary)
July 18, 2023	Commission Decision

SUBMISSION REQUIREMENTS

To be considered, developers and businesses interested in leasing and developing property at the Ken Jernstedt Airfield must submit all the “Required Materials” and any “**Optional Materials**” to the Port by the due date. These categories are described as follows:

Required Materials

- A letter of introduction, including name and address of the business entity, the name and address of the principal contact. If applicable, include the name, contact information, and role of any partners, shareholders, or other entities or persons with significant involvement in the proposed development program.
- Written description of the developer’s interest in pursuing a project on this property, including any assumed or required terms, conditions, and financial arrangements between the business/developer and the Port that pertain to the business/ developer’s interest.
- Written description of the proposed development type and programmatic elements, the size and scale of proposed project and responses to the Required and Preferred Elements listed above. If a business, provide a description of business service or product and employee types and number.
- Summaries of key personnel to execute the project and their experience.
- A description of 3-5 projects completed by developer, or its principals, that best illustrates developer’s experience and capabilities.

- A completed Organizational Disclosure Form attached as Exhibit A. The Form should be marked TRADE SECRET AND/OR CONFIDENTIAL INFORMATION and submitted in a separate sealed envelope as described below.

Optional Materials

- Conceptual site plan indicating building footprint.
- Preliminary building elevations with sufficient detail to convey building scale character, materials, etc.

TRADE SECRET AND/OR CONFIDENTIAL INFORMATION

If necessary or beneficial to submit trade secrets or other confidential information in response to this RFDI, the trade secret or other confidential information must be submitted in a separate, sealed envelope marked “TRADE SECRET AND/OR CONFIDENTIAL INFORMATION.” Additionally, each page within the envelope containing the trade secret or other confidential information must be marked “TRADE SECRET AND/OR CONFIDENTIAL INFORMATION.”

By submitting the TRADE SECRET AND/OR CONFIDENTIAL INFORMATION to the Port, the proposer agrees to indemnify and hold harmless the Port, its commissioners, officers, employees, and agents from all costs, damages, and expenses incurred in connection with refusing to disclose any material that the proposer has designated as a trade secret and/or as confidential information.

The Port must comply with public disclosure requirements under ORS 192.311, et seq. ***Only information that is a trade secret or otherwise exempt from public disclosure under Oregon law can be kept confidential.*** When responding to a public records request, the Port will independently assess if the requested information is exempt from public disclosure, and, unless otherwise reversed by judicial action, the Port’s determination will be final.

The Port may disclose trade secret or other confidential information contained in the proposal under the following circumstances:

- The Port may reveal any trade secret or other confidential information to any Port or City of Hood River staff, outside consultant, or third party engaged with in reviewing proposals or negotiating agreements pursuant to this RFDI;
- The Port may publicly disclose any trade secret or other confidential information used by the Port Commission to select the Developer, and any proposed or final MOU, lease, or other agreement with the Developer, each of which may include information designated in the proposal as exempt from public disclosure; and
- As required by the Hood River District Attorney or a court of law.

SELECTION PROCESS

The Port will use the responses to select a business or developer to potentially lease land for a commercial development that achieves Port and community objectives for the Ken Jernstedt Airfield. The Port will select a proposal, if any, that is most advantageous to the Port based on the following objectives:

- Facilitate the development of the site in a manner that increases aviation related operations at the airfield.
- Maximize the revenues made available to the Port for its programs.
- Minimize the risk to the Port associated with the successful development of the site.

In making this determination, the Port will consider those factors that it considers applicable, including:

- The proven ability of the developer to successfully finance, develop, and implement the proposed development program.
- The extent to which the proposed development program includes the required and preferred elements and achieves the goals set by the Port for the Ken Jernstedt Airfield and site.
- The extent to which any major financial concepts, including any assistance requested of the Port, terms, and conditions that the developer assumes or requires for its interest in the site appear potentially reasonable and appropriate.
- The allocation of risk in the proposed terms and conditions for the proposal, lease, and other agreements with the Port.

Port staff will evaluate each response and present both that evaluation and the submitted materials to the Port Commission in Executive Session for review and comments. The Port Commission may not take any formal action with regard the selection of the Developer while in Executive Session. However, the Port Commission could at this time direct staff to, for example, seek additional information from one or more proposers, schedule presentations to the Commission by respondents, and/or schedule a final decision at a future regular meeting of the Commission.

The Commission may take no action or may direct staff to arrange a time for one or more respondents to present their development ideas directly to the Port Commission. The Commission will determine whether to seek additional information, direct staff to initiate MOU negotiations with a single respondent or terminate the project entirely. If the Commission

decides to proceed with MOU negotiations and those efforts are unsuccessful, the Commission may direct staff to pursue negotiations with another respondent.

Proposals may be submitted to the address below in person or by a postal, messenger or delivery person. Proposals may also be submitted electronic mail. Proposals will be time-stamped upon receipt by the Port.

Proposals submitted after the due date and time will not be accepted.

The Port may cancel, suspend, or delay this solicitation or procurement, or reject any or all proposals in whole or part, in accordance with ORS 279B.100. If the procurement is cancelled, proposals will be returned to proposers upon request. The Port reserves the right to, at any time, extend, or modify proposal due date and/or submission requirements.

Responses Due 5:00 p.m., March 10, 2023

Address Responses to:

Greg Hagbery, Development & Property Manager
Port of Hood River
1000 E. Port Marina Dr.
Hood River, OR 97031

Email: ghagbery@portofhoodriver.com

Exhibit A
Required Developer Disclosure Form

Has the Developer, or Developer's parent corporation, LLC, or partnership, subsidiary or affiliated corporation, LLC, or partnership, if any, or any of the Developer's officers, principal members, major shareholders or investors been adjudged bankrupt, voluntary or involuntary, within the past ten years?

Yes _____ No _____

If yes, give date, place and under what name and, describe the circumstances:

Has the Developer or Developer's parent corporation, LLC, or partnership, subsidiary, or affiliated corporation, LLC, or partnership, if any, or any of the Developer's officers, principal members, major shareholders, or investors been convicted of a felony within the past ten years?

Yes _____ No _____

If yes, for each case give: person, date, place, charge, court, circumstances, and action taken.

Has the Developer, or Developer's parent corporation LLC, or partnership, subsidiary or affiliated corporation, LLC, or partnership, if any, or any of the Developer's officers, principal members, major shareholders or investors been adjudged to be in breach of contract or involved in the settlement of a breach of contract dispute within the past ten years?

Yes _____ No _____

If yes, give date, place and under what name and, describe the circumstances:

The proposer and each party identified in the proposal accepts all risk of adverse public notice, damages, financial loss, or criticism, that may result from any disclosure or publication of any material or information in this form. The proposer and each party identified in the proposal expressly waives, on behalf of itself, its

partners, joint venturers, officers, employees, representatives, and agents, any claim against the Director, the Commission, the Port, and their officers, representatives, agents, and employees for any damages that may arise therefrom.

Certification:

If the Developer is a corporation, the form should be signed by the President and Secretary of the Corporation; if an individual, by such individual; if a partnership, by one of the partners if an entity not having a president or secretary, by one of its chief officers.

I (we) _____, certify that this Developer's Statement and the attached evidence are true and correct to the best of my (our) knowledge and belief.

Date:

Date:

Signature:

Signature:

Title:

Title:

Address:

Address: