

**ADDENDUM 1  
BROADWAY PROPERTIES RFQ**

**SUBMITTED QUESTIONS AND ANSWERS**

August 25, 2020

1) Q: *Must each parcel contain 40% affordable housing, or can the distribution vary (i.e. all affordable on one of the two blocks)?*

A: Per Gov't Code Section 25539.4 states that "not less than 40 percent of those housing units developed on any parcel pursuant to this section shall be affordable....". Each of the two blocks thus must meet this requirement.

2) Q: *Are there any existing buildings that must be preserved?*

A: The County assumes that all the existing structures will need to be demolished to meet the County's development objectives.

3) Q: *Are any of the existing buildings historically significant?*

A: The City of Oakland DEIR for the draft Downtown Oakland Specific Plan shows no buildings of historic significance on the County properties. However, in recent correspondence with City staff, they indicated that the 1920's era Coroner's Building on 5<sup>th</sup> Street is classified as "C-3" – and therefore considered "potentially historically significant". The other existing buildings, all of which date to the early 1960's, were not considered significant when that portion of the City was surveyed in the 1980's because at that time they were less than 50 years old. Now that the 1960's era buildings are over 50 years old, City staff believes they will need an updated evaluation as to their potential significance.

The County will continue to work with the City to get more clarity on the historic status of the existing buildings. However, given the condition, layout and lack of functionality of the existing structures, the County still believes that they will all need to be demolished and cleared for the County's development objectives to be reached.

4) Q: *Is an electronic (CAD-based) version of the ALTA survey included in Appendix I available?*

A: Not at this time.

5) Q: *Does the 80% parcel area required for the development of housing include open space that would be developed with that housing? In other words, is there an 80% minimum lot coverage requirement?*

A: Any private open space provided that meets the City's minimum requirements for residential development can be considered towards the 80% requirement.

6) Q: *Is a community engagement consultant desired for this project to facilitate remote community engagement?*

A: Community engagement will be an important component of consideration during the RFP phase of the selection process, when proposers will be asked for detailed community engagement plans. This information is not necessary for responding to the RFQ – although community engagement experience should be detailed.

7) Q: *If the final Downtown Oakland Specific Plan adoption is delayed will there be a process for adopting the DOSP Land Use and Maximum Intensity allowances during the Entitlement process? If so, what is this process?*

A: As stated in the RFQ, City staff anticipate that the DOSP will be adopted in early 2021. If that process is significantly delayed, the County will work with the City and the selected developer(s) on a suitable entitlement process. It should be noted that under existing zoning there is considerable height and density permitted, especially if bonus density from the provision of affordable housing is factored in.

8) Q: *Can the anticipated 15-20% of new units for formerly homeless individuals be grouped together or is there a desire for units to be dispersed throughout the project(s)?*

A: There is no specific requirement that units be provided for “formerly homeless individuals”. There is a requirement that at least half of the affordable units provided (on each parcel) be offered at rents affordable to very low income households. Per the RFQ, this translates into a minimum of 20% of the total units on each parcel be affordable to very-low income households –and another 20% minimum of the total units on each parcel be affordable to low-income households. The County is open to any configuration that meets these requirements, is financially feasible, and meets the other goals and objectives laid out in the RFQ.

9) Q: *Is there a notion as to which site will be developed first?*

A: No.

10) Q: *Have there been any studies on the proximity of the BART tunnel and its effect on future building?*

A: We recently received BART’s right-of-way map for the BART tunnel, which indicates that a small portion of the 401 Broadway property is affected by the tunnel adjacent to the intersection of 5<sup>th</sup> and Washington. A copy of the BART map and BART’s requirements for the design of structures near cut-and-cover tunnels can be found in the **RFQ ADDENDUM 2**.

11) Q: *Is there a desire for the proposal to focus on providing the highest number of units possible or on providing a mixed-use and mixed-income community?*

A: As stated in the RFQ, the County's major objective is to provide as much housing as possible, as affordable as possible, and as quickly as possible – while meeting the specific requirements of Gov't Code Section 25539.4 and the other design and financial objectives.

12) Q: *Are there any proposed amenities or community benefits for neighborhood?*

A: Please refer to page 9 of the RFQ regarding Site-specific issues. The Jack London neighborhood has indicated a strong desire for street activation along Broadway and activation and improvement of the pedestrian experience along Broadway, including the freeway underpass.

13) Q: *What uses are allowed in the east portion of the site designated as "Mixed-Use, Flex" in the DOSP Land Use Character Map? The DOSP allows "light industrial, supporting mixed-use", does that mean this portion of the site can include residential uses?*

A: According to the Oakland staff working on the DOSP, this map mislabeled that portion of the County property. The entire property should be labeled "Mixed-Use Pedestrian Corridor III (highest intensity)".

14) Q: *What are the open space requirements for new housing development? Should the City of Oakland requirements be used or will guidelines be provided that adhere to the DOSP objectives?*

A: Since the City has not issued open space guidelines for the DOSP, proposers should use the existing City requirements. It should be noted that only conceptual plans are necessary for RFQ submittals.

15) Q: *What are the required setbacks, including any revision to the zoning in the DOSP?*

A: The DOSP (page 131) states that there are no required front or side setbacks. Oakland staff has indicated a strong desire for no setbacks, especially along the Broadway frontages.

16) Q: *Is the County able to expand on the anticipated Ground Lease revenue it expects?*

A: The RFQ does not require (or recommend) that submittals contain any ground lease revenue proposals. The RFPs will address this issue in more depth.

17) Q: *Is the County able to expand on any desire to have office as a use on the two sites?*

A: While the County is not opposed to office as a use, it's unclear to us how office space could be provided while meeting the other criteria and objectives laid out in the RFQ.

18) Q: *With the understanding 40% of the total number of housing units developed be affordable to households – can the County expand on the desired level of affordability on the two sites?*

A: We refer you again to the County's stated main objective.

19) Q: *Will the project(s) be subject to a Project Labor Agreement?*

A: Currently, the County does not have a policy of requiring Project Labor Agreements for the construction of privately-owned development on County-leased property. However, it should be noted that many recent private developments in Oakland have independently negotiated Project Labor Agreements. In addition, use of public funds, less-than-market ground leases, or use of permit streamlining legislation could trigger requirements for prevailing wage and compliance with Labor Code Section 1771 et. seq. In addition, use of affordable housing funds provided by local, state or federal agencies often come with specific labor requirements.

This issue will be addressed in more detail in the subsequent RFPs.

20) Q: *Does the City of Oakland have any priority right to purchase the Broadway buildings where I hear they might want to relocate the police station?*

A: The City of Oakland does not have any priority right to purchase the Broadway Properties. We have checked with Oakland Real Estate staff and they are unaware of any plans to relocate the police station. There was an inquiry several months ago for the Oakland Police Department to temporarily rent a portion of 430 Broadway to create more socially-distanced space during the pandemic, but there has been no follow-up by Oakland.