



**THE REVENUE AUTHORITY**  
**of**  
**PRINCE GEORGE'S COUNTY**

**REQUEST FOR EXPRESSIONS OF INTEREST**

**NO. RA-10192021-A**

**For Development of a Mixed-Use Transit Village  
at the Bowie State University MARC Station**

**Special accommodations for persons with disabilities may be made by calling  
(301) 883-6400 or TDD: (301) 925-5167**

ISSUE DATE: Monday, November 8, 2021

DEADLINE FOR QUESTIONS: Thursday, December 9, 2021

SUBMISSION CLOSING: Wednesday, January 19, 2022; 3:00 p.m. EST

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## **I. OVERVIEW**

The Revenue Authority of Prince George's County (**RAPGC and/or Revenue Authority**), on behalf of Prince George's County, Maryland ("**County**"), and Bowie State University ("**BSU**"), is requesting expressions of interest for the development of a mixed-use, transit-oriented village, which may encompass housing, commercial/retail, recreational and/or institutional uses ("**Project**") on both the County-owned and the Bowie State University-owned properties adjacent to the Bowie State University Maryland Area Regional Commuter (MARC) train station ("**MARC station**") located adjacent to 13900 Jericho Park Road in Bowie, Maryland, 20720.

RAPGC encourages qualified developers with creative vision, demonstrated experience, organizational skill and financial capacity to plan, develop, and manage projects of similar type and scope ("**Respondents**") to reply to this Request for Expressions of Interest ("**RFEI**").

The Bowie State University MARC train station was recently designated as a transit-oriented development site by the Maryland Department of Transportation. Prince George's County, in collaboration with Bowie State University, have a shared vision to develop the area surrounding the MARC station into a walkable community consisting of housing, office space, university related uses and community amenities. By way of this RFEI, the County is soliciting interest from the development community to develop up to 94 acres of County owned land adjacent to the MARC station and within the TOD designation. In addition, there are approximately 3.5 acres controlled by BSU on the east side of the MARC Station that is also being offered in this RFEI. Though the sites are not contiguous (separated by the train tracks) these two parcels of land should be considered in the overall conceptual planning for a phased development.

At this point the RAPGC is seeking expressions of interest to develop both the County owned site and the adjacent 3.5 acres controlled by Bowie State University, or a portion thereof of either property. Detailed design work or financial proformas are neither expected nor desired at this stage. Respondents to this RFEI who are able to satisfactorily demonstrate their vision for the site and experience with similar projects will be invited to participate in a formal Request for Proposals (RFP), after which a developer partner will be selected to enter into an agreement with the County and/or Bowie State University.

## **II. PROJECT OBJECTIVES**

The goal of this solicitation is to gather feedback and interest from the private market on developing all, or a portion of, the 97.5 acre combined site. When considering development plans for the site, Respondents should strive to meet the following objectives:

- Promote land use and development patterns that are able to be supported, with minimal subsidy, by the private market;
- Include connectivity and urban design principles that embrace the transit-oriented nature of the site;
- Include land uses that will increase ridership on the public transportation networks in proximity close to the site;
- Incorporate mixed-use spaces throughout the site, with a particular focus on active ground floors;
- Respect the environmental features on site and their required buffers;
- Engage the community and major stakeholders, including Bowie State University and the Maryland Transit Administration, in the development process;
- Address the County's economic development platform goals, found on the County's [website](https://www.princegeorgescountymd.gov/DocumentCenter/View/36074/26120_SOCA_FINAL) ([https://www.princegeorgescountymd.gov/DocumentCenter/View/36074/26120\\_SOCA\\_FINAL](https://www.princegeorgescountymd.gov/DocumentCenter/View/36074/26120_SOCA_FINAL)), namely the goals of increasing the number of people who live and work in the County; increasing commercial tax collections by the expansion of commercial square footage; increasing density in transit-oriented areas to promote a mix of incomes, housing options, amenities and job growth; and by preserving housing affordability and diversifying the County's housing stock.

### **III. SITE LOCATION & DESCRIPTION**

#### **a. Site Descriptions**

##### **The County Controlled Site**

The 94-acre site is wholly owned by Prince George's County and though the property has a Bowie address, it is outside of the limits of the incorporated City of Bowie. The site consists of 94 acres of undeveloped, wooded land off of Laurel Bowie Road (MD-197) and adjacent to the BSU MARC station.



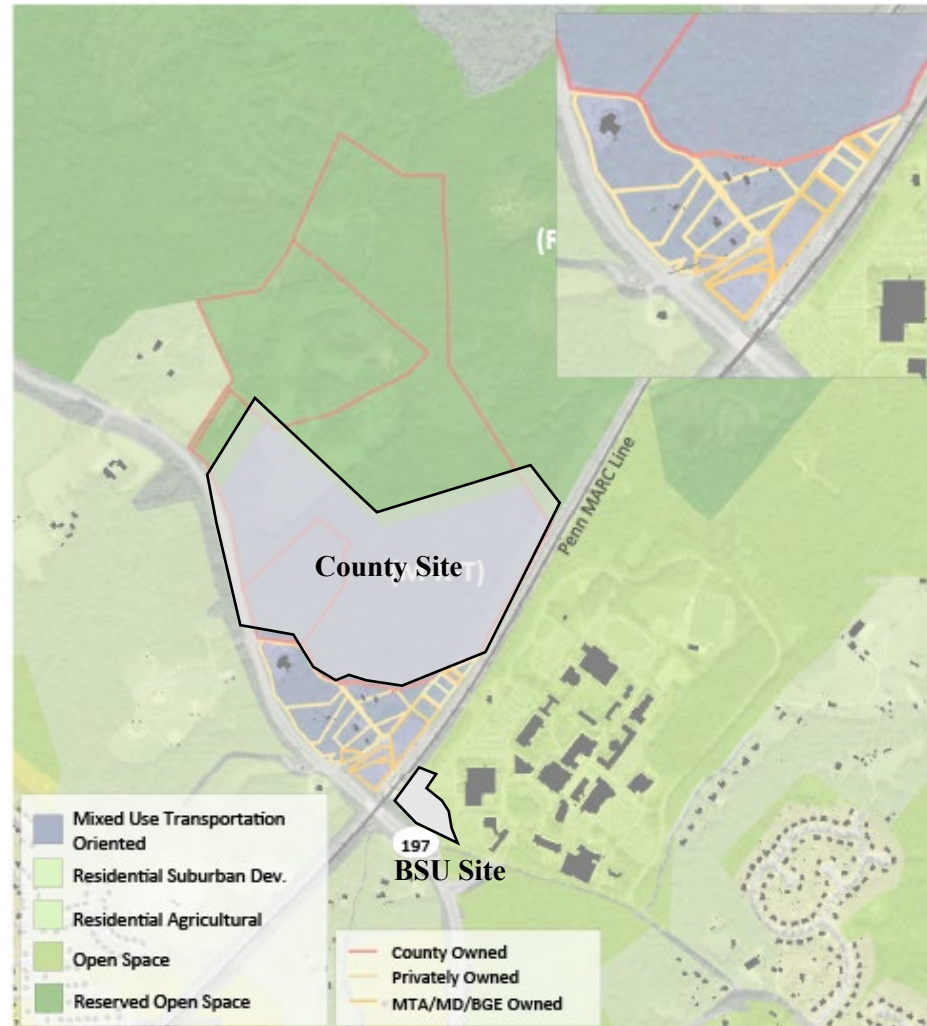
##### **The BSU Controlled Site**

The ~3.5-acre site, off of Laurel Bowie Road (MD-197) and adjacent to the BSU MARC station, is owned by BSU, formerly known as Maryland State Teachers College. As is the case with the County owned land, the property is outside of the limits of the incorporated City of Bowie. The site consists of ~3.5 acres of surface parking lot, which currently supports commuter parking for the MARC train station. There is an easement on the property issued by the Maryland Transportation

Administration (MTA) to reserve the parcel for commuter parking. RAPGC and BSU have been in conversation with MTA about removing the easement, which can be done in conjunction with replacement parking being provided in proximity to the station. BSU and RAPGC will work with the selected developer and MTA on the process to remove the easement once a development partner has been identified.

BSU is anticipated to be a major stakeholder in the development of both sites, and this RFEI is being released in coordination with BSU, which lies to the southeast of the MARC Station. Established in 1865, BSU is Maryland's oldest Historically Black College and University (HBCU). With over 6,000 students and nearly 1,000 employees, BSU is a liberal arts college known for its education, nursing and cybersecurity programs, as well as its focus on innovation and entrepreneurship. Under the leadership of President Aminta Breaux, BSU is rapidly growing its enrollment and its campus, with several recently completed buildings and a planned pipeline of projects to elevate the status and offerings of the university. As BSU continues to grow, it is anticipated that there will be demand for some institutional uses on the site. Such uses could include, but are not limited to, undergraduate student housing, graduate student housing, administrative office space, incubator and accelerator space and/or a convocation center or other large facility to hold events and sports competitions.

On the west side of the train tracks there are a series of smaller property parcels between the MARC station and the site that are not part of this RFEI. Approximately 19 acres of land are privately held, primarily utilized for very low density, single family housing. In addition to the housing, there is an event center that is used for weddings, parties and other celebrations in the vicinity of the site. There is approximately 7.6 acres of land in the vicinity held by public agencies and utility providers, with the majority owned by the Maryland Transit Administration to be used as surface parking for MARC station passengers. It is possible this land could be developed if adequate replacement parking is provided to serve the MARC station within the vicinity.



## b. Zoning

All parcels that are a part of the County owned site are currently zoned M-X-T - mixed use transit oriented. M-X-T is a flexible zone that provides for a variety of residential, commercial and employment uses and requires the mix of at least two of the following uses: 1) retail businesses; 2) office/research/industrial; and 3) dwellings or hotel/motel. The M-X-T zone encourages a 24-hour environment, ensuring that a community is vibrant and activated at all times of the day.

Prince George's County is in the process of updating its Zoning Ordinance, which is currently anticipated to be up for adoption by the Prince George's County Council in late 2021. Once the new Ordinance is in effect, this land will be located in the Neighborhood Activity Center (NAC) zone. The NAC zone provides for "lower-density, small-scale, mixed-use centers that are attractive to employers and



employees are well connected to transit and serve the surrounding neighborhood; incorporate walkable and bikeable areas that are well-connected to a regional transportation network through a range of transit options; and provide a mix of uses that serve local neighborhood needs.” More information about the NAC Zone can be found on the County’s [website](https://gisdata.pgplanning.org/files/projects/ZR/Subtitle27/Division4_ZONES_AND_ZONE_REGULATIONS/Section200_BASE_ZONES/NAC.pdf) ([https://gisdata.pgplanning.org/files/projects/ZR/Subtitle27/Division4\\_ZONES\\_AND\\_ZONE\\_REGULATIONS/Section200\\_BASE\\_ZONES/NAC.pdf](https://gisdata.pgplanning.org/files/projects/ZR/Subtitle27/Division4_ZONES_AND_ZONE_REGULATIONS/Section200_BASE_ZONES/NAC.pdf)).

As state owned land, the BSU site is not subject to the same zoning rules and ordinances as those of the County owned parcel mentioned above. Instead, development on BSU property goes through a streamlined “Mandatory Referral” process before the Prince George's County Planning Department within the Maryland-National Capital Park and Planning Commission.

The sites currently fall within the *2010 Approved Bowie State MARC Station Sector Plan and Sectional Map Amendment* area, however that plan is in the process of being updated with new guidelines for land use and development. Additional information on the master plan update can be found in Section IV.

#### **c. Site Infrastructure**

As the County owned site is a greenfield development, existing utility infrastructure is limited. The BSU owned site also has limited on site infrastructure.

Water and sewer service to the site falls into categories W-5 and S-5 respectively, indicating future community systems will be required to serve the site. Properties within Category 5 will require a re-designation to Category 4 prior to the approval of a preliminary plan of subdivision. This re-designation can occur through demonstrating that the site meets the criteria for re-designation outlined in the County’s *Adopted 2018 Water and Sewer Plan*. The property falls within two Washington Suburban Sanitary Commission grids, 212NE12 and 213NE12.

The electric utility service provider for the site is Baltimore Gas and Electric (BGE). The site is adjacent to a BGE substation, which can likely be tapped into to provide power to the site. Underground fiber also runs along the BGE right of way. The gas utility service provider is Washington Gas.

The site is located just east of Laurel-Bowie Road (MD-197), a major roadway with a planned side path for bicycle facilities. The development site itself is currently accessed via Lemons Bridge Road or Jericho Park Road, both local roads. There are currently no roads traversing the site.



**d. Transportation Network**

Public transportation serving the sites is primarily accessed through the BSU MARC station. The Penn line of the MARC system serves the station, providing easy and affordable access from Perryville, Maryland into Washington DC at Union Station. Key stops along the Penn Line include Penn Station in Baltimore, Baltimore-Washington International Airport, and New Carrollton, which connects to WMATA's Metro system and the future Purple Line light rail system. Before the Covid-19 pandemic, the Penn Line saw average weekday ridership of ~22,000, and the BSU MARC station saw an average of 700 boardings per week. WMATA operates MetroBus service to the station on lines B21, B22 and B27.

The area has a robust trail network connected to Prince George's and Anne Arundel Counties, most notably the Washington, Baltimore & Annapolis (WB&A) Trail and segments of the Bowie Heritage Trail. Though these are primarily used as a recreational asset, the trails also serve as a commuter route for dedicated cyclists. Connections into this trail network are a great amenity to the site and bring with it opportunities for increased visibility.

The sites are located just off of Laurel Bowie Road, known as MD-197. Classified as an arterial and operated by the Maryland Department of Transportation, Laurel Bowie Road saw 20,000 daily vehicles, pre-pandemic. Laurel Bowie Road connects to the Baltimore Washington Parkway (I-295), providing convenient access to Baltimore and Washington DC.

**e. Environmental Constraints**

The sites are within the Upper Patuxent River watershed; however, they do not fall within the floodplain. There is a network of small streams throughout the County owned site, which will need to be preserved with the appropriate buffer.

The sites fall within Environmental Strategy Area 2, which is the "developing tier." The sites are within the Evaluation Area of the Prince George's County Green Infrastructure Plan, indicating that the site contains environmental features such as wildlife habitats and woodland conservation areas that are not regulated during development. There are two Type II Tree Conservation Plans on the County owned site, demonstrating that the site provides off-site woodlands for a benefitting property.

**f. Recreational Amenities**

Abundant recreational amenities can be found in close proximity to the sites. Immediately to the northeast of the sites is the Fran Uhler Natural Area, a protected, wooded area with five miles of woodland trails for hiking, bicycling and nature study. Further east lies the Patuxent River Park.

North of the site along Laurel Bowie Road is the Patuxent Research Refuge, the nation's only national wildlife refuge established to support wildlife research. The refuge consists of nearly 13,000 acres of natural habitat and is operated by the U.S. Fish & Wildlife Service. Directly west of the site, across Laurel Bowie Road, is Jericho Park, a 64-acre park with baseball and softball fields operated by the City of Bowie.

**g. Economic Incentive Zone Designations**

The sites are located in the following incentive zones:

- Priority Funding Area
- Transit Oriented Development Area

Depending on the characteristics and uses of the proposed development project, these programs may be combined into a package of incentives. Participation in any of these programs is subject to meeting their respective eligibility requirements.

**IV. RECENT PLANNING EFFORTS**

**a. Urban Land Institute Technical Assistance Panel (TAP)**

In July 2020, the Urban Land Institute (ULI) hosted a Technical Assistance Panel (TAP) to study the County owned land proffered in this solicitation. The TAP was sponsored by the RAPGC and the Metropolitan Washington Council of Governments. The TAP program brings together experts in the real estate field to advise on land use planning and development projects, programs and policies with the goal of providing leadership in the responsible use of land and in creating and sustaining thriving communities. After the TAP is completed, a TAP report is published to provide objective advice to promote the responsible use of land to enhance the environment.

The TAP report envisions a “University Village” that acts as a unique destination for BSU students and staff, area residents and local visitors. Specific recommendations within the report include:

- Expanding on existing parks and trails;
- Celebrating the rural and agricultural character of the surrounding area through food and beverage producers;
- Prioritizing University needs, such as housing or administrative offices; and
- Prioritizing pedestrian and bicycle access through the site and to the MARC station.

The full TAP Report, chronicling what the panel found to be the challenges and opportunities of the site, can be found on the ULI Washington [website, located at](#)

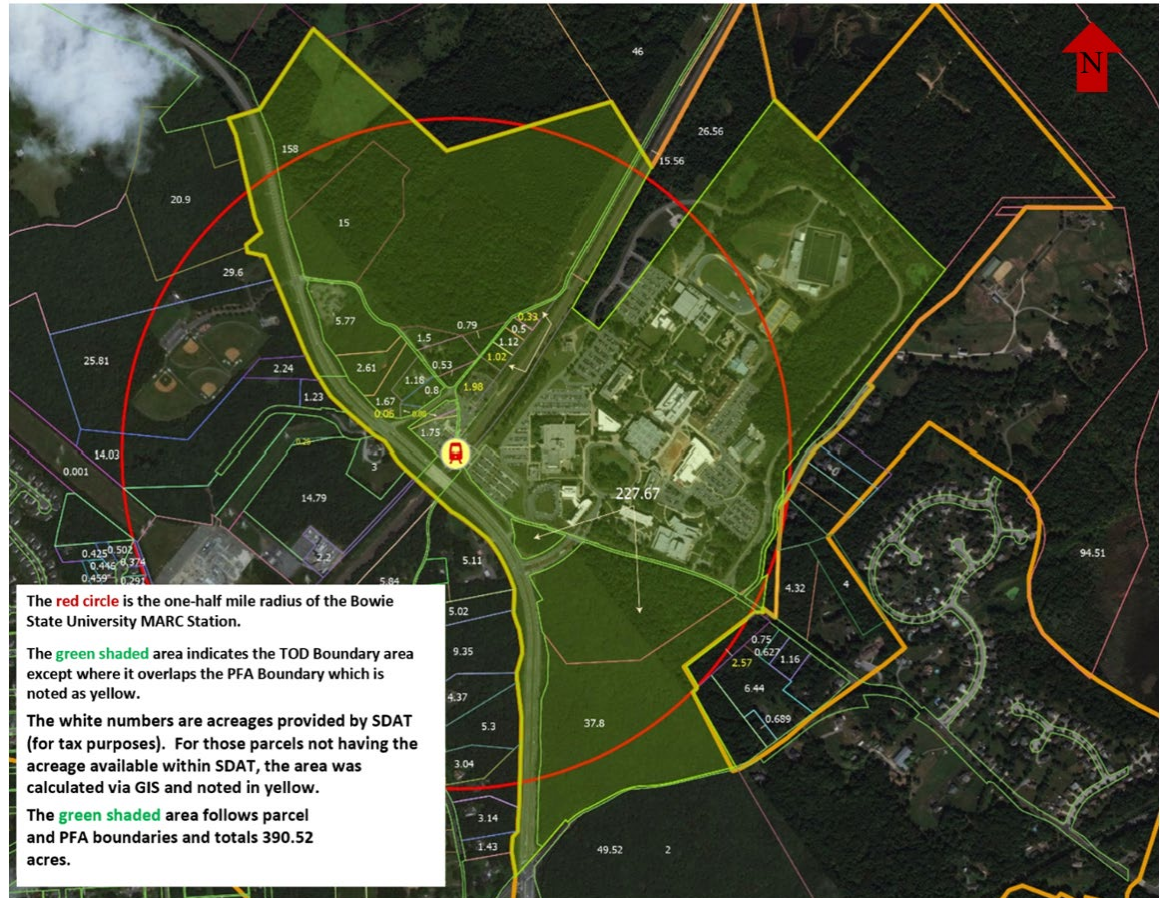
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**b. State of Maryland Transit Oriented Development (TOD) Designation**

In June 2021 Prince George's County and the Maryland Department of Transportation (MDOT) jointly designated the area within ½ mile surrounding the BSU MARC station as a transit-oriented development site as defined by Section 7-101 of the Transportation Article. As part of this designation agreement, the parties agreed to work together to attract mixed use development that maximizes the use of transit, walking and bicycling.

A TOD designation allows the state, County and local developers access to a toolbox of resources to assist with the planning and development of TOD sites, including technical assistance, discretionary program funding, financing tools and priority for locating state office facilities. MDOT also features certain TOD opportunities on their website for increased visibility. Additional information about the TOD program and its benefits can be found on MDOT's [website \(https://maryland.maps.arcgis.com/apps/Cascade/index.html?appid=e4e81f4f629e4bed914b66cb6c15ad38\)](https://maryland.maps.arcgis.com/apps/Cascade/index.html?appid=e4e81f4f629e4bed914b66cb6c15ad38).

Nearly the entire site proffered in this RFEI falls within the TOD designation boundary. A map of the TOD area is provided below.

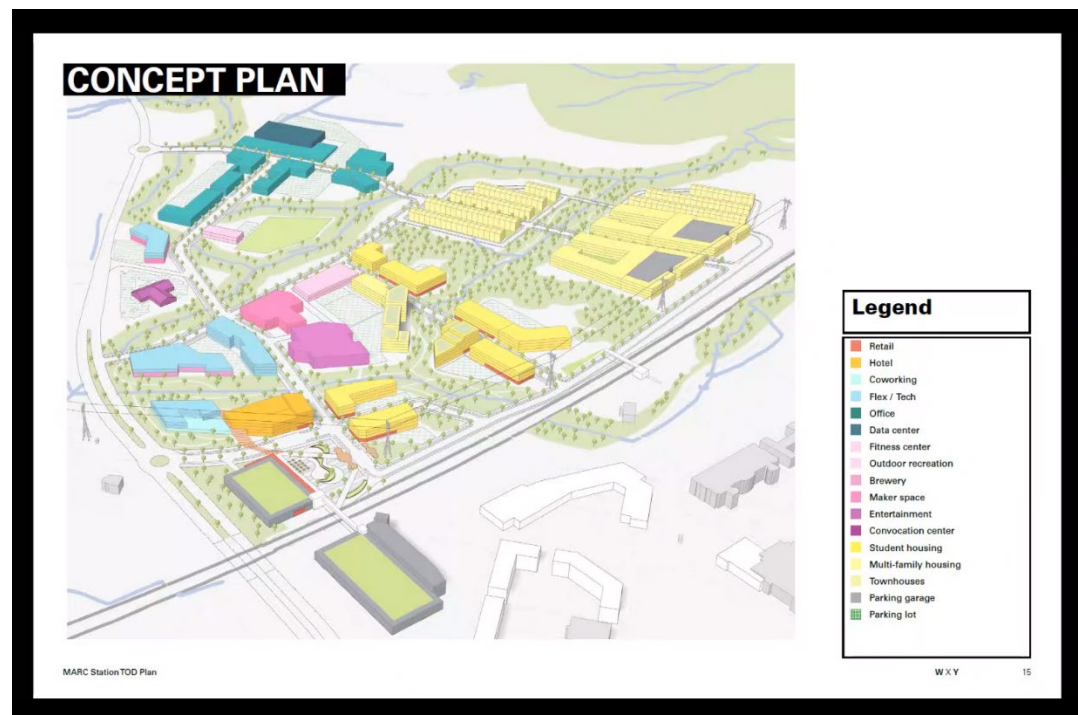


**c. Bowie-Mitchellville and Vicinity Master Plan Update**

The Prince George's County Planning Department within the Maryland-National Capital Park and Planning Commission is in the process of updating the Bowie-Mitchellville and Vicinity Sector Plan. This document, based on the County's General Plan, [Plan Prince George's 2035 \(http://www.planpgc2035.org/\)](http://www.planpgc2035.org/), will replace the *2010 Approved Bowie State MARC Station Sector Plan and Sectional Map Amendment* and the *2006 Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity*.

The master plan covers 59 square miles of land, including the entirety of the Project site. The document will lay out a shared vision for the area, along with policies and strategies governing land use and development that will be intact for the next 20-25 years. BSU and the MARC station collectively create one of the four focus areas within the plan. The process was initiated in February 2020 and is anticipated to be complete and have County Council approval in May 2022.

Though the Master Plan is not yet adopted, the planning process has resulted in a concept and vision for the site that has buy in from major stakeholders, including RAPGC, BSU and MDOT. The concept plan envisions three distinct “villages” dedicated to university related uses, housing and office and research facilities. Of critical importance in the concept plan is connectivity throughout the site ensuring the development is friendly for pedestrians and cyclists, along with the creation of a transit plaza to serve the public transportation network in the area. Potential uses contemplated in the concept plan include technology/lab/office space either associated with BSU or the private sector, data centers, outdoor recreation opportunities and medium density housing in the form of apartments and/or townhouses. As this is a transit-oriented site, the concept plan imagines a more urban development pattern as opposed to suburban sprawl.



*Proposed, not yet adopted, concept plan for the MARC station area.*





*Proposed, not yet adopted, phasing for the MARC station area.*

It should be noted that the concept plan produced by M-NCPPC includes planning for land that is not included in this solicitation, such as the privately owned land southwest of the site and some land on the BSU campus.

It should also be noted that this document is conceptual in nature and represents one vision for the site, but it not necessarily driven by market forces or feasibility. RAPGC encourages Respondents to use this conceptual plan for inspiration, but Submissions will not be assessed based on how closely they align with the conceptual plans.

Additional information about the planning process can be found on the Project's [website located at https://www.mncppc.org/3390/Bowie-Mitchellville-and-Vicinity-Master-](https://www.mncppc.org/3390/Bowie-Mitchellville-and-Vicinity-Master-).

## **V. SUBMISSION REQUIREMENTS**

**FAILURE OF A RESPONDENT TO SUBMIT ALL REQUIRED INFORMATION MAY RENDER THE SUBMISSION INCOMPLETE AND INELIGIBLE FOR FURTHER CONSIDERATION.**

A submission to the RFEI must include the following elements (“**Submission**”):

- a. **Cover** – The cover should contain the RFEI title, the Respondent’s name and the submission date.
- b. **Transmittal Letter** – The transmittal letter should not exceed two pages and should contain:
  - The name, title and contact information of the individual with authority to bind the Respondent. This person should also sign the transmittal letter.
  - The address and legal formation of the Respondent. If a Respondent is a business entity, the business entity must be registered with the State Department of Assessments and Taxation to conduct business in the State of Maryland.
  - If the RFEI is amended as provided in Section VII of this RFEI, the Respondent must include a statement acknowledging each addendum.
  - A statement acknowledging that Respondent is aware that one firm will not be selected to proceed as a result of this RFEI, but rather selected respondent(s) will be invited to participate in the next phase of the solicitation.
  - A statement that the Submission is valid for a minimum of 240 days from the date it is submitted to the County.
- c. **Statement of Qualifications** – In Section II is a list of the County’s objectives for the Project. In evaluating each Respondent’s qualifications, the County is looking for solid experience that demonstrates a proven record of delivering projects that reflect the Respondent’s ability and experience to achieve these objectives.



- **Background Information:** Provide a description of the Respondent, including its organization's structure, identification of principals, length of time in business and overview of the Respondent's portfolio. For key members of the proposed project team, provide a resume or description of the team members' relevant experience in completing projects of the scale and complexity envisioned in this RFEI, as well as education and professional licensing.
  - **Project Experience:** Provide a description of up to three examples demonstrating the Respondent's experience in managing large, complex projects that required interaction with a broad range of interested parties from both the public and private sectors that are comparable to the Project envisioned in this RFEI. Projects included for reference are to be described only once and the description must include project size in total land and building area; project scope; project location; development value; and project length from inception to completion. Photos, site plans and renderings may be included, but are not required.
  - **References:** Provide the names, phone numbers and email addresses of references for completed development projects for which the proposed project team acted as a developer and that are comparable to the Project envisioned in this RFEI. For each reference, indicate the contact person's role in the Respondent's completed projects and the time of his/her involvement in each.
- d. **Financial Capacity** - Provide a description of the Respondent's experience in obtaining private equity and debt for public/private developments similar in scale to the site described in this RFEI. Provide examples with indication of the source(s) of both debt and equity financing for each referenced project.
- e. **Project Interest and Vision** – This section must describe the Respondent's understanding of the RFEI, its vision for the project and how this vision meets the County's objectives. This strategy must identify the following:
- Respondent's vision for the site, including land uses and estimated densities that can be supported by the market. If multiple land uses are being envisioned, estimate the average needed for each use (example: approximately 20 acres will be development into townhouses, etc.);

- Approach and methodology for working with and engaging the community and stakeholders, including Bowie State University, the Maryland Transit Administration, adjacent property owners and local community groups;
  - The potential need for and use of public funds, assistance or subsidies in developing the project.
  - How the proposed vision for the site helps meet Prince George’s County’s economic development goals, as described in Section II.
- f. Transaction Structure** – At this point in time the transaction structure between the County and the respondent selected in the second phase has not been determined. If the Respondent has a preferred transaction structure(s), please state the preferred structure(s) with an explanation as to why it is preferable. Additionally, Respondents should provide examples of structures used in similar projects. The actual structure of the transaction will be determined during the RFP process, using feedback from the RFEI Submissions to inform decision making.
- g. Additional Requested Information** – Given that this solicitation is for expressions of interest only, detailed information on all aspects of the site have not been provided. If there is any additional information the Respondent believes would be critical to know if/when selected for the second phase, provide a list of that requested information in the Submission.
- h. Acknowledgement of Mandatory Requirements** – Include a statement that acknowledges the mandatory requirements outlined in Section IX below. Describe any experience complying with similar requirements in other projects.

## **VI. EVALUATION CRITERIA AND PROCESS**

Upon receipt of submissions, the RAPGC’s Qualification and Selection Committee (“QSC”) will evaluate the Submissions in accordance with the criteria listed below. Interviews may be conducted with the Respondents.

The County’s goal is to produce a “short list” of development partners who will be invited to participate in a Request for Proposals (RFP) to develop the property or a portion thereof. The following evaluation criteria will be used to determine those Respondents who will be invited to participate in the next phase:

### **Evaluation Criteria**

1. Statement of Qualifications	30 points
2. Project Interest and Vision	50 points
3. Financial Capacity	20 points
<b>TOTAL:</b>	<b>100 points</b>

## **VII. ADMINISTRATION OF THE RFEI**

**a. Submissions are due by 3:00 p.m. EST on January 19, 2022.**

Any amendments to the RFEI will be posted on RAPGC's website, which can be located through the County's website at <https://www.princegeorgescountymd.gov/1148/Revenue-Authority>

**b. The RAPGC expects the RFEI process to meet the following schedule, but reserves the right to amend this schedule or, in its sole discretion, to cancel the RFEI or RFP at any time.**

RFEI Release	November 8, 2021
Pre-Proposal Conference (virtual)	November 18, 2021
Deadline for Questions	December 9, 2021
<b>Submissions Due</b>	<b>January 19, 2022, 3:00 p.m. EST</b>
Notification of Short List	1Q2022
RFP Release (to Short List)	1Q2022

**c. Point of Contact** - Donny R. James at [drjames@co.pg.md.us](mailto:drjames@co.pg.md.us).

## **VIII. SUBMISSION INSTRUCTIONS**

To be considered, an electronic copy of the Submission must be submitted via email to the following email: [REDevelopment@co.pg.md.us](mailto:REDevelopment@co.pg.md.us). Questions should also be submitted to the same email address.

Submissions must be received at [REDevelopment@co.pg.md.us](mailto:REDevelopment@co.pg.md.us) by no later than 3:00 p.m. Eastern Standard Time on January 19, 2022. The subject of the email must be "Submission of [insert your firm's name and remove brackets] in Response to RFEI NO. (RA-10192021-A)."

Late Submissions will not be considered. Respondents whose emails are delivered after the Submission closing time will not be considered.

Unless requested by the RAPGC, additional information cannot be submitted by the Respondent after the deadline set for receipt of the Submissions.

By tendering a Submission in response to this RFEI, the Respondent acknowledges and agrees that the Submission may not be modified by the Respondent.

Prior to the time and date designated for receipt of Submissions, Submissions may be withdrawn only by written notice to the County.

Withdrawn Submissions may be resubmitted up to the time designated for the receipt of Submissions, provided they are then in full conformance with the RFEI.

## **IX. CONDITIONS, LIMITATIONS AND MANDATORY REQUIREMENTS**

The RAPGC reserves the right to accept any Submission deemed to be in its best interest. A Submission in response to this RFEI does not constitute a contract and does not indicate or otherwise reflect a commitment of any kind on behalf of the RAPGC. Furthermore, this RFEI does not represent a commitment or offer by the RAPGC to enter into an agreement with a Respondent or to pay any costs incurred in the preparation of a Submission to this RFEI. Furthermore, this RFEI does not commit the RAPGC to pay for costs incurred in the negotiation or other work in preparation of, or related to, a final agreement between the selected Respondent and the RAPGC. All costs related to responding to this RFEI are the sole responsibility of the Respondent.

Submissions are to be held valid for 240 calendar days following the closing date for this Request for Expressions of Interest. This period may be extended by mutual agreement between the Respondent and the RAPGC.

Any commitment made by the RAPGC will be subject to the availability of funds to carry out any such commitments and the execution of a contract acceptable to the RAPGC.

All questions from prospective Respondents must be made via email to, Donny R. James at [drjames@co.pg.md.us](mailto:drjames@co.pg.md.us).

All questions and the RAPGC's responses to each question will be posted on the RAPGC's website. The Submissions and any information made a part of the

Submissions will become a part of the Project's official files. The RAPGC is not obligated to return the Submissions to the Respondents. This RFEI and the selected Respondent's Submission to this RFEI may, by reference, become a part of any formal agreement between the Respondent and the County.

The RAPGC reserves the right, in its sole and absolute discretion, to reject all Submissions received in response to this RFEI and/or to cancel this RFEI at any time, for any or no reason, prior to entering into a formal agreement for the development of the Project. The RAPGC further reserves the right to request clarifications from any number of Respondents on information provided in Submissions, which clarifications shall not change the terms of this RFEI.

If a Respondent contends that any part of its Submission is proprietary or confidential and, therefore, is limited to disclosure under the Maryland Public Information Act, Md. Code Ann. General Provisions §§4-101 *et seq.* ("**MPIA**"), the Respondent must identify all such confidential or proprietary information and provide justification for why such materials should not be disclosed by the County pursuant to requests for disclosure made under the MPIA. The RAPGC, as custodian of the Submissions, reserves the right to determine whether material deemed proprietary or confidential by the Respondent is, in fact, proprietary or confidential as required by the MPIA, or if the MPIA permits nondisclosure. The County will favor disclosure of all Submissions in response to any request for disclosure made under the MPIA.

Respondents must familiarize themselves with the Property designated for the Project and form their own opinions as to the Property's suitability for proposed development. The RAPGC makes no representations concerning the Property. The County assumes no responsibility for site conditions including, but not limited to, environmental and soil conditions.

Respondents are responsible for their own background investigation as to restrictions, if any, bearing upon title, zoning, subdivision, transportation, developability, utilities, and physical conditions at the Property. Soils tests and other invasive tests may not be conducted on the Property during the RFEI stage.

Respondents are subject to the RAPGC's ethics law in public contracting, including but not limited to, the provisions of Prince George's County Code ("**Code**").

**X. SUPPLIER DIVERSITY AND PARTICIPATION**

RAPGC will require the selected Respondent from the subsequent RFP to comply with the CBSB requirements of Section 10A-161, et seq. of the Prince Georges County Code, which will be incorporated into any Agreement negotiated with Respondent. Implementation of these requirements as applicable, is a legal obligation, and failure to comply with such terms shall be treated as a material breach of the Agreement that may result in suspension, debarment or cancellation of the Agreement. When looking at supplier diversity and participation, the Respondent should address the developer equity stake, contracting and subcontracting and local hiring.