HOTEL & CONFERENCE CENTER PROJECT

DEVELOPMENT OPPORTUNITY

REQUEST FOR PROPOSAL #90003331

WEST VIRGINA UNIVERSITY
IN PARTNERSHIP WITH WVU ALUMNI ASSOCIATION, INC.

AUGUST 26, 2014
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Ladies and gentlemen:

Thank you for your interest in this solicitation process, which is expected to culminate in a negotiated agreement between West Virginia University (“University” or “WVU”), in partnership with WVU Alumni Association, Inc. (sometimes referred to as “WVU Alumni”), and a qualified Developer (Developer) for the financing, design, development and operation of a state-of-the art and first-class hotel and conference center (Project). The site of this Project will be located on the Evansdale Campus of West Virginia University and directly linked to The Erickson Alumni Center.

The University is seeking an integrated package of services from the private sector consisting of financing, planning and design, construction, leasing, and management of the proposed development. Such services are expected to be directly linked to and incorporated into the WVU Alumni conference and dining operations as part of the overall Project. As an important contributor and in partnership with the University, the WVU Alumni will be involved throughout all services and selection of the successful Developer.

Please carefully review all of the enclosed documents. Proposals must comply with all submission requirements detailed in the RFP to be eligible for consideration. All information and materials submitted will be thoroughly analyzed and independently verified. Proposals must present a definitive development program, including, among other things, completion schedules, financial plans, conceptual designs, programming commitments, operation plans, management plans, and other necessary information which fully respond to all requirements of the RFP to form the basis for selection by the University and the WVU Alumni Association.

All potential Developers should carefully consider all information contained in this RFP in formulating a response to this RFP. I look forward to considering your responses in relation to the overall goals established by the University and the WVU Alumni Association.

The University, in partnership with WVU Alumni, will conduct a Proposal Pre-Submission Conference on Thursday, September 11, 2014. Attendance at the Pre-Submission Conference is mandatory; all prospective Developers are required to attend. Information on the time and location of the conference is provided in this RFP.

Proposals are due no later than Thursday, November 13, 2014, by 4:00 PM and must be delivered in accordance with the requirements of this RFP.

On behalf of the Board of Governors of West Virginia University, President E. Gordon Gee, and the WVU Alumni Association, Inc, I welcome responsive development proposals and look forward to working with a development team to realize the full potential of this Project.

Sincerely,

Narvel G. Weese, Jr.
I. EXECUTIVE SUMMARY.

DEVELOPMENT OPPORTUNITY.
Propose, finance, plan, design, develop, construct, lease and manage a state of the art, high-quality, hotel & conference center.

REQUIRED USE.
The development team will finance, design, construct and operate a first-class hotel/conference center with approximately 400 rooms, an events space, a restaurant, and other amenities (“Project”).

REQUIRED MANAGEMENT AGREEMENT.
The Developer will immediately commence management of the Project, at its sole cost, during any period of time between the commencement date of the negotiated agreement and when any hotel and/or conference center facility is placed into operation by the Developer.

FINANCIAL REQUIREMENTS.
Proposals shall offer lease, rental, profit sharing, or other similar market revenue streams to the University and WVU Alumni Association as such may pertain to this Project.

MAXIMUM LEASE TERM.
It is contemplated that WVU will execute a ground lease not to exceed 40-year initial term, subject to possible renewals, with Developer responsible for all financing, construction, leasing, maintenance and management of the Project. Notwithstanding the above, WVU shall negotiate the final comprehensive development deal, and various terms and conditions of such are at this time unknown and should be offered by the Developer.

DEVELOPER SELECTION PROCESS.
One Developer shall be selected for exclusive negotiations following a review and selection process as set forth in this RFP.

HOW TO OBTAIN RFP UPDATES & ADDENDUMS.
All inquiries, requests for information, notices, and correspondence concerning this RFP shall be submitted in writing. Any interpretation, correction, or change in the RFP will be made by formal addendum by WVU. Interpretations, corrections, or changes to this RFP made in any other manner will not be binding, and no Developer may rely upon any such interpretation, correction, or change.

All inquiries, notice, correspondence, and/or official formal addendums may be emailed directly to the Developer, may be downloaded at the following website: http://wvubids.finance.wvu.edu or may be obtained by contacting:

West Virginia University  
Procurement, Contracting and Payment Services  
c/o: Eva Hajian  
One Waterfront Place, Third Floor  
PO Box 6024  
Morgantown, West Virginia 26506
PRE-SUBMITTAL CONFERENCE & SITE VISIT.
Developers are required to attend a mandatory pre-submittal conference and site visit which is tentatively scheduled for 11:00 a.m., Thursday, September 11, 2014. The meeting will be at The Erickson Alumni Center, One Alumni Dr., Morgantown, WV 26504-4269.

PROPOSAL DUE DATE ND LOCATION.
Thursday, November 13, 2014, 4:00 PM (EDT)

West Virginia University
Procurement, Contracting and Payment Services
c/o: Eva Hajian
One Waterfront Place, Third Floor
PO Box 6024
Morgantown, West Virginia 26506
II. THE OPPORTUNITY

It is anticipated the private partner/Developer will plan, finance, build and operate the hotel and conference center and the other amenities. The hotel/conference center will have approximately 400 rooms; an events’ space sufficient to accommodate 750 guests and yet divisible into smaller rooms; a restaurant; and other amenities. In addition, it is expected that the private partner/Developer will manage The Erickson Alumni Center’s existing conference and food service operation that has 48,000 square feet of event space and other amenities.

The hotel/conference center should be recognized as offering the very best amenities and services of any hotel or meeting venue in the Morgantown area and, as such, it should be embraced by the University community as the best option to project the University image through conducting University meetings, special events, educational offers, etc. In a tangible or visible way, it reflects the quality for which the University stands and showcases WVU as a leader in the community.

The hotel/conference center will meet many diverse needs of West Virginia University and the WVU Alumni Association. The hotel/conference center will serve as an experiential training environment for the new hospitality degree program; an entrepreneurial revenue stream; and offer a venue for academic and cultural events. Development of the hotel will contribute to the “Goals” and “Realizations” of WVU 2020: Strategic Plan for the Future by engaging students in a challenging academic program, enabling innovation, enhancing the quality of life in West Virginia, improving the process and efficiency of student services, and developing additional financial and facility resources.

WVU and WVU Alumni Association would expect that a key component to any proposed transaction structure would be a description of how net margin is shared among the various parties to the transaction and how the assets are disposed at some point in the future.

WEST VIRGINIA UNIVERSITY

West Virginia University (“WVU” or the “University”) is West Virginia’s only comprehensive land-grant research university. Since its founding in 1867, WVU has evolved into the center of graduate and professional education and research and extension programs in West Virginia. With over 30,000 enrolled students, WVU fosters basic and applied research and scholarship and engages in and encourages creative and artistic work. WVU offers 191 degree programs at the undergraduate, graduate and first-professional levels through 15 colleges and schools on its main campus and is the home of West Virginia’s only law school. A wide range of health science programs are taught at the WVU Robert C. Byrd Health Sciences Center through the schools of medicine, dentistry, nursing and pharmacy, including allied health programs and graduate programs in basic health sciences. WVU has produced 25 Rhodes Scholars, 36 Fulbright Scholars, 22 Truman Scholars, 36 Goldwater Scholars, 9 Boren Scholars, two Morris K. Udall Scholars and two British Marshall Scholars.
WVU’s Main Campus is located in Morgantown, Monongalia County, West Virginia. The City of Morgantown has a permanent population of approximately 30,000, and Monongalia County has a population of approximately 102,000. With over 6,600 employees, WVU is the largest single employer in the County.

WVU also has several Divisional Campuses – Potomac State College of WVU in Keyser, West Virginia University Institute of Technology (“WVUIT”) in Montgomery, The Robert C. Byrd Health Sciences Center - Charleston and The Robert C. Byrd Health Sciences Center - Eastern Division in Martinsburg. Potomac State College is a two-year residential college awarding associate degrees in 56 majors and bachelor degrees in three programs and allows a seamless transfer of credits to the WVU Main Campus or most other four-year colleges. WVUIT is a regional four-year institution offering 32 degree programs in engineering, technology, health care, business, humanities and the social sciences.

WVU is classified as a High Research Activity University by the Carnegie Foundation. The Morgantown area is a major research center in the Appalachian region. Four federal agencies have research facilities in the area, including The Department of Health and Human Service’s Appalachian Laboratory for Occupational Safety and Health, the Forest Service’s Forestry Sciences Laboratory, the Department of Energy’s Morgantown Energy Technology Center, and the Soil Conservation Service’s West Virginia headquarters. Coal and energy have been and continue to be a major focus of WVU research because of the institution’s location in the heart of the nation’s eastern coalfields. WVU has recently been able to expand its research foci into other areas of study including national security technology, environmental sciences, health and biomedical sciences, biometrics, biotechnology, and nanotechnology. WVU has also received support from the State of West Virginia (the “State”) for its research activities including a recent joint initiative, the Research Trust Fund, to enhance Science, Technology, Engineering and Mathematics (“STEM”) activities at the University.
WEST VIRGINIA UNIVERSITY HEALTHCARE OPERATIONS.

West Virginia University Hospital (WVUH) is a 531-bed hospital in Morgantown, West Virginia, which serves as a teaching hospital for West Virginia University. Clinical facilities include Ruby Memorial Hospital, Jon Michael Moore Trauma Center (Level One Adult and Pediatric Trauma Center), WVU Children's Hospital, Chestnut Ridge Center, and the Mary Babb Randolph Cancer Center. WVUH exists to provide a quality healthcare system, including tertiary services, to the citizens of West Virginia and the surrounding region. Equally important, WVUH is committed by law and philosophy to be the primary clinical site for the education and research programs of the West Virginia University Robert C. Byrd Health Sciences Center (“WVUHSC”).

WVUHSC includes a diverse group of healthcare facilities, providing a training group for patient care and research for students in the health professions. West Virginia University Hospitals, Physician Office Center, Mary Babb Randolph Cancer Center, Chestnut Ridge Psychiatric Hospital, and Health South Regional Rehabilitation Hospital are modern facilities that advance medical research and accommodate the demands of contemporary medical, dental, nursing, and pharmacy care. WVUH offers a full range of medical, dental and optical services ranging from primary care to sophisticated specialty services. WVUH employs more than 500 faculty physicians and dentists and 318 residents and other health professionals.

WVU’s Schools of Dentistry, Medicine, Nursing, Pharmacy, and Public Health at the WVUHSC offer a comprehensive range of undergraduate, graduate, and professional degrees in healthcare and biosciences. The 29 degree programs offered by the WVUHSC provide West Virginia with a strong group of professionals prepared to meet the varied healthcare needs of the state and region.

WVU ALUMNI ASSOCIATION, INC.

WVU Alumni Association, Inc. is a nonprofit organization dedicated to keeping more than 190,000 alumni connected to and engaged in the life of WVU.

Our 28,000 dues-paying members support programs and activities such as Homecoming, the WVU Academy of Distinguished Alumni and dozens of other social and philanthropic programs that enhance the mission of WVU. We have more than 100 registered chapters and constituent groups. Additional information about The Erickson Alumni Center can be found at http://alumni.wvu.edu/eac/.

FACILITIES.

WVU’s mix of historic and modern facilities includes 189 buildings on 1,099 acres in Morgantown. The Morgantown campus is comprise of three sub-campuses. The Downtown Campus is in the Monongahela River valley on the fringes of Morgantown and includes eight academic buildings on the National Register of Historic Places. The Evandsdale Campus, a mile and a half north-northwest, was developed in the 1950s and 1960s to accommodate a growing student population, since space for expansion was limited at the Downtown Campus. The Health Sciences Campus, in the same outlying area as the Evandsdale Campus, includes the WVU Robert C. Byrd Health Sciences Center, the Blanchette Rockefeller Neurosciences
Institute Building, and the Erma Byrd Biomedical Research Facility, and is adjacent to Ruby Memorial Hospital, Chestnut Ridge Hospital, Mary Babb Randolph Cancer Center, WVU Healthcare Physicians Office Center, WVU Eye Institute, and the WVU Children’s Hospital.

Five library facilities, the Downtown Library Complex, the Evansdale Library, the Health Sciences Library, the Law Library and the Libraries Depository, contain 1.7 million volumes, 130 databases and more than 10,000 online full-text journals, with access to 26 million volumes through a book-sharing consortium. For more information, visit: http://libraries.wvu.edu.

WVU operates eight experimental farms in Hardy, Jefferson, Monongalia, Monroe, and Preston Counties; four experimental forests in Monongalia, Preston, Randolph, and Wetzel Counties; a geology camp in Greenbrier County; a Lifelong Learning Center near Weston, and the State 4-H Camp and a museum of mid-nineteenth century life at Jackson’s Mill, West Virginia.

In addition to campuses in Morgantown and its Divisional Campuses, WVU operates six regional extended learning centers in the cities of Charleston and Clarksburg, as well as at WVU at Parkersburg, Potomac State, Shepherd University and West Liberty State University.

Over the past 10 years, WVU has spent approximately $800 million on capital projects. During this period, the University has purchased and developed for academic use a major land parcel adjacent to the Main Campus, constructed the Life Sciences Center and a Student Recreation Center in Morgantown, constructed two new residence halls in Morgantown, built a residence hall at Potomac State College and renovated several major academic buildings in Morgantown. In addition, WVU has recently built the Blanchette Rockefeller Neurosciences Institute Building, the Erma Byrd Biomedical Research Facility, a health sciences learning library and made major investments in the Robert C. Byrd Health Sciences Center at the Charleston Area Medical Center complex.

In addition to the above project listing and as part of implementation of the WVU Ten-Year Campus Master Plan 2012 (the “Master Plan”), which is available at http://assets.slate.wvu.edu/resources/358/1355500097.pdf, the University issued bonds in 2011 and 2013 to finance several projects on the Evansdale campus. The bonds issued in 2011 financed, in part, the Student Health Facility and the College of Physical Activity and Sport Sciences Building and continue to finance the Advanced Engineering Research Building and the Agricultural Sciences Building. The Student Health Facility and the College of Physical Activity and Sport Sciences Building are now complete. The Advance Engineering Research Building is anticipated to be completed in January 2015, and the Agricultural Sciences Building is anticipated to be completed in December 2015. The bonds issued in 2013 will finance, in part, the Animal Facility Annex connection to the existing Animal Facility at the Robert C. Byrd Health Sciences Center. For additional information regarding projects currently under construction or recently completed, visit: http://construction.wvu.edu/.
STUDENT ENROLLMENT AND PROFILE

The diversity of the student body is evident in the Fall 2013 enrollment of 29,466 students at the Main Campus representing all 55 counties of West Virginia, the 49 other states and the District of Columbia, as well as 102 other countries. The following table shows fall headcount enrollments at the University’s Main Campus, WVUIT and Potomac State College for the five academic years listed.

<table>
<thead>
<tr>
<th></th>
<th>2009-10</th>
<th>2010-11</th>
<th>2011-12</th>
<th>2012-13</th>
<th>2013-14</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main Campus Undergraduate</td>
<td>21,720</td>
<td>22,303</td>
<td>22,711</td>
<td>22,827</td>
<td>22,757</td>
</tr>
<tr>
<td>Main Campus Graduate &amp; Professional</td>
<td>7,178</td>
<td>7,003</td>
<td>6,906</td>
<td>6,880</td>
<td>6,709</td>
</tr>
<tr>
<td>Total Main Campus</td>
<td>28,898</td>
<td>29,306</td>
<td>29,617</td>
<td>29,707</td>
<td>29,466</td>
</tr>
<tr>
<td>WVU Institute of Technology</td>
<td>1,244</td>
<td>1,209</td>
<td>1,316</td>
<td>1,107</td>
<td>1,222</td>
</tr>
<tr>
<td>WVU Potomac State College</td>
<td>1,810</td>
<td>1,836</td>
<td>1,800</td>
<td>1,781</td>
<td>1,660</td>
</tr>
</tbody>
</table>

The following table shows fall enrollments on a full-time equivalent (“FTE”) basis for the five academic years listed.

<table>
<thead>
<tr>
<th></th>
<th>2009-10</th>
<th>2010-11</th>
<th>2011-12</th>
<th>2012-13</th>
<th>2013-14</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main Campus Undergraduate</td>
<td>21,512</td>
<td>22,075</td>
<td>22,339</td>
<td>22,358</td>
<td>22,323</td>
</tr>
<tr>
<td>Main Campus Graduate &amp; Professional</td>
<td>5,700</td>
<td>5,629</td>
<td>5,606</td>
<td>5,590</td>
<td>5,551</td>
</tr>
<tr>
<td>Total Main Campus</td>
<td>27,212</td>
<td>27,704</td>
<td>27,945</td>
<td>27,948</td>
<td>27,875</td>
</tr>
<tr>
<td>WVU Institute of Technology</td>
<td>1,104</td>
<td>1,056</td>
<td>1,104</td>
<td>946</td>
<td>1,057</td>
</tr>
<tr>
<td>WVU Potomac State College</td>
<td>1,468</td>
<td>1,524</td>
<td>1,489</td>
<td>1,511</td>
<td>1,381</td>
</tr>
</tbody>
</table>

The following table shows the geographic distribution of WVU’s Main Campus total student headcount for the fall of the past five academic years.

<table>
<thead>
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<th>Fall</th>
<th>WV</th>
<th>Primary Market*</th>
<th>Other States</th>
<th>International</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>14,941</td>
<td>10,485</td>
<td>2,220</td>
<td>1,820</td>
</tr>
<tr>
<td>2012</td>
<td>15,388</td>
<td>10,479</td>
<td>2,193</td>
<td>1,647</td>
</tr>
<tr>
<td>2011</td>
<td>15,788</td>
<td>10,220</td>
<td>2,129</td>
<td>1,480</td>
</tr>
<tr>
<td>2010</td>
<td>16,040</td>
<td>9,924</td>
<td>1,939</td>
<td>1,403</td>
</tr>
<tr>
<td>2009</td>
<td>16,222</td>
<td>9,553</td>
<td>1,786</td>
<td>1,337</td>
</tr>
</tbody>
</table>

*Primary market includes Maryland, New Jersey, New York, Ohio, Pennsylvania and Virginia.
The following table shows specific targets of the 2020 enrollment plan:

<table>
<thead>
<tr>
<th>Target</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>Goal</th>
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<tbody>
<tr>
<td>Total Headcount</td>
<td>29,306</td>
<td>29,617</td>
<td>29,707</td>
<td>29,466</td>
<td>32,000</td>
</tr>
<tr>
<td>Undergraduate Headcount</td>
<td>22,303</td>
<td>22,711</td>
<td>22,827</td>
<td>22,757</td>
<td>24,256</td>
</tr>
<tr>
<td>PhD Graduates (all fields)</td>
<td>141</td>
<td>166</td>
<td>162</td>
<td>158</td>
<td>400</td>
</tr>
<tr>
<td>STEM PhD Graduates</td>
<td>71</td>
<td>69</td>
<td>67</td>
<td>69</td>
<td>200</td>
</tr>
<tr>
<td>Graduate On-line Students</td>
<td>1,790</td>
<td>1,749</td>
<td>1,799</td>
<td>1,646</td>
<td>2,500</td>
</tr>
<tr>
<td>Undergraduate On-line Students</td>
<td>1,047</td>
<td>1,182</td>
<td>1,281</td>
<td>1,334</td>
<td>2,000</td>
</tr>
<tr>
<td>International Undergraduate Students</td>
<td>426</td>
<td>584</td>
<td>719</td>
<td>906</td>
<td>1,000</td>
</tr>
<tr>
<td>International Graduate Students</td>
<td>911</td>
<td>896</td>
<td>928</td>
<td>914</td>
<td>1,000</td>
</tr>
<tr>
<td>Diverse Undergraduate Students</td>
<td>9.3%</td>
<td>10.7%</td>
<td>12.0%</td>
<td>12.7%</td>
<td>15.0%</td>
</tr>
<tr>
<td>Diverse Graduate Students</td>
<td>8.3%</td>
<td>9.2%</td>
<td>9.7%</td>
<td>9.8%</td>
<td>12.0%</td>
</tr>
<tr>
<td>Undergraduate Retention Rate</td>
<td>80.0%</td>
<td>78.0%</td>
<td>77.0%</td>
<td>77.1%</td>
<td>85.0%</td>
</tr>
<tr>
<td>Undergraduate Graduation Rate (6 year)</td>
<td>58.0%</td>
<td>58.8%</td>
<td>57.1%</td>
<td>56.2%</td>
<td>66.0%</td>
</tr>
<tr>
<td>First-Year Class ACT</td>
<td>23.6</td>
<td>23.7</td>
<td>23.6</td>
<td>23.6</td>
<td>24.0</td>
</tr>
<tr>
<td>First-Year Class HS GPA</td>
<td>3.3</td>
<td>3.4</td>
<td>3.4</td>
<td>3.4</td>
<td>3.5</td>
</tr>
</tbody>
</table>
III. THE SETTING.

The hotel/conference center will be located adjacent to the WVU Alumni Association/Erickson Alumni Center on the corner of Medical Center Drive and state route 705. The selected Developer will be expected to include in the response a pedestrian connector bridge over Medical Center Drive that will link the hotel/conference center and the WVU Alumni Association facility. The hotel/conference center will be located between the WVU Healthcare and Evansdale Campuses at West Virginia University, less than 400 yards from Milan Puskar Football Stadium; an easy walk to WVU’s Ruby Memorial Hospital, Robert C. Byrd Health Sciences Center, Coliseum (WVU’s Basketball Arena) and other student and academic facilities on the Evansdale Campus.

The City of Morgantown is the County seat of Monongalia County located along the Monongahela River and close to the Pennsylvania border in the north central part of West Virginia. Monongalia County, with a population of over 100,000 people, is located in the north central part of West Virginia, Morgantown, the county seat, is the educational, medical, cultural and commercial hub of the region. Morgantown is the home to West Virginia University, the largest institution of higher education in the State with an annual enrollment of 29,466 students (Fall, 2013); and is the medical, cultural, and commercial hub of the region.

2014 Community Profile.

Morgantown and Monongalia County offer "Mountains of Opportunity" for business development and expansion. This is one of the major growth areas in the State. Monongalia County was the only north central county to realize population growth for the last 20 years, and it was one of the fastest growing counties in the State during the 1990's.

Morgantown has a population of 30,293 (US Census Bureau, 2011), was rated “No. 1 Small City in America” by BizJournals.com. Business Insider named Morgantown the ninth best college town in America. Within easy traveling distance of Washington, D.C., to the east, Pittsburgh, Pa., to the north, and Cleveland and Columbus, Ohio, to the northwest. Other recent rankings: Kiplinger.com included Morgantown in their 10 great places to live list; one of “Best Sports Cities” by Sporting News; 5th “Best Small Metro” by Forbes; 12th overall “Hottest Small City” by Inc.; one of “50 Smartest Places to Live” by Kiplinger’s; and the second-ranking “Best College Town for Jobs” by Forbes.

Morgantown and Monongalia County have consistently seen some of the lowest unemployment rates in the state. Some of the major employers in the area include the National Institute of Occupational Safety and Health, Mylan Pharmaceuticals, and the University. Morgantown’s Metropolitan Statistical Area population is 118,506.

Hometown Legends include: Don Knotts, David Selby, Lawrence Kasdan, and Jerry West (WVU Student).

Downtown Morgantown is a mixture of small retail businesses, professional services, restaurants, and residential units. Most buildings have been in place since the turn-of-the-century. As the City grew, the historic downtown remained the focal point of the City and County.

Morgantown Area Economic Partnership: 2013 Economic Outlook for the Morgantown Statistical Area
Morgantown Area Economic Partnerships: 2013 Monongalia County Community Profile
Downtown Morgantown includes:
• 100 Retailers
• 35 Restaurants, Cafes, Clubs, & Taverns
• 100 Professional Businesses
• An 88-room Historic Hotel
• Historic Metropolitan Theatre
• Over 1,675 public parking places
• an award winning Main Street Organization

For more information visit:
http://www.morgantown.com/ - City of Morgantown
http://www.plantoghter.org/ - Greater Morgantown MPO
http://www.mgnchamber.org/about-morgantown.php - Morgantown Area Chamber of Commerce
http://www.morgantown.org/ - Morgantown Area Economic Partnership

NEIGHBORING DESTINATIONS

<table>
<thead>
<tr>
<th>North</th>
<th>South</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pittsburgh, PA ... 77 miles</td>
<td>Charleston, WV ... 155 miles</td>
</tr>
<tr>
<td>Cleveland, OH ... 208 miles</td>
<td>Richmond, VA ... 322 miles</td>
</tr>
<tr>
<td>Toronto, Canada ... 384 miles</td>
<td>Charlotte, NC ... 385 miles</td>
</tr>
<tr>
<td>New York, NY ... 393 miles</td>
<td>Norfolk, VA ... 407 miles</td>
</tr>
<tr>
<td>West</td>
<td>East</td>
</tr>
<tr>
<td>Columbus, OH ... 205 miles</td>
<td>Washington, D.C. ... 218 miles</td>
</tr>
<tr>
<td>Chicago, IL ... 528 miles</td>
<td>Baltimore, MD ... 225 miles</td>
</tr>
</tbody>
</table>

Philadelphia, PA ... 327 miles
V. **THE SITE.**

**PARCEL.**
Under negotiated terms and conditions, West Virginia University will provide properties to support the construction of a hotel/conference center. The properties will be available June 1, 2015, when the current residential hall facility currently located on the property is closed and torn down. Attachment A provides a general layout of the properties being committed to the Project.

**BOUNDARIES.**
The parcel described on Exhibit B “Land”, comprises the Property being offered to the successful development team for redevelopment under terms and conditions to be negotiated between the parties.

**EXISTING CONDITIONS.**
The Property and its improvements are offered “as is, where is” by the University for development and long-term management. Existing improvements and facilities located on the Property are not to be retained as part of the proposed redevelopment of the site.

**ENVIRONMENTAL CONDITIONS.**
The University is providing the Property “as is, where is” without any representation regarding the environmental condition of the site. The University does not warrant or make any representation as to the accuracy or completeness of the information being provided to the proposer. The selected Developer will have an opportunity to inspect the Property prior to taking possession. During the “due diligence” period, the Developer shall be required to conduct environmental site assessments, including sampling and testing of the soils, sediments and possibly the groundwater. The Developer shall be responsible for the removal or remediation of hazardous materials that are required by law to be removed or remediated for the Project, if any.

Requirements for removal and remediation, if any, will depend on the construction plans proposed.

**UNIVERSITY BRANDING.**

The WVU “brand” inspires fierce loyalty among the University’s students, alumni, and friends. Attaching the WVU brand to the hotel complex will greatly enhance its stature and profitability. The University will designate the hotel as “WVU’s official hotel and event center,” which will allow the University to steer room night sales and conferencing activities into the complex. In addition, WVU will benefit by the ability to maintain greater control over the costs and quality of their events, further strengthening the WVU brand. The University will further support hotel and conference activities by sponsoring entertainment, cultural and educational events.

**UNIVERSITY MARKETING RESOURCES.**

The use of WVU marketing resources will facilitate “branding” the hotel and will greatly increase the hotel’s visibility with minimal expense. For example, the hotel complex will be promoted through WVU’s main web page by displaying a “hot button” link to the hotel’s website. The WVU website, which is accessed over 2 million times per year by unique visitors, will drive out-of-town visitors, guests, alumni, and friends to the hotel website as well. In addition, the University will promote the hotel and events center through its numerous communication platforms. West Virginia University’s brand recognition, alumni
base, friends, visitors, numerous colleges and departments are resources that will contribute to the hotel’s financial performance.

**MARKETING AND ADVERTISING.**

In addition to using WVU web resources to advertise the University’s new hotel complex, it will be marketed to internal and external audiences through the WVU Alumni Association and WVU Conference and Event Scheduling. Adding the WVU “brand” to the facility and using University-based marketing strategies will result in world-wide exposure for the facility.

**UNIVERSITY’S HOSPITALITY PROGRAM.**

WVU will serve the State by enabling access for its students to high-quality academic programming in hospitality services, one of the state’s leading economic drivers. WVU’s new hospitality program in the College of Business and Economics will educate students for employment and leadership in the leisure and hospitality industry. Preparation for leadership in this industry requires the opportunity for students to develop skills through hands-on work. Acquisition of the hotel and related assets will enable WVU to provide students with internship experiences and experiential learning opportunities which are critical for the success of the students and the program as a whole.

**DIVERSIFYING REVENUE STREAMS.**

The integration of the hotel/conference center into WVU will also create new sources of revenue to support The Erickson Alumni Center and the University’s strategic priorities and ongoing operations. From a financial perspective, WVU has grown increasingly dependent on student fees as a source for its general operating budget. While this strategy has allowed the University to achieve a high level of success to date, it cannot be relied upon as the core strategy for maintaining financial stability (or funding new priorities) in the future. WVU and its affiliated partners must look for other entrepreneurial sources of revenue to support its mission.

**CONNECTING TO UNIVERSITY’S RUBY MEMORIAL HOSPITAL.**

The hotel/conference center could provide rooms and services to WVU’s Ruby Memorial Hospital’s patients in order to reduce costs associated with reimbursement restrictions on the number of days insurers are willing to pay for certain medical procedures. The hotel/conference center will provide rooms where patients/guests are monitored until they are released from the hospital, at a significantly lower cost than staying in the hospital. The hospital could reserve five (5) to ten (10) beds to provide these services at the hotel. Additionally, the hospital will attract significant numbers of guests who want to be close to relatives or friends who are patients in the hospital.

**BENEFITING UNIVERSITY AND THE LOCAL COMMUNITY AND ECONOMY.**

WVU Alumni Association, Inc. and West Virginia University will benefit in many ways from the hotel/conference center through an excellent experiential learning environment for academic programs. Entrepreneurial activities will enable the University to develop a new revenue source to meet future operating requirements. The hotel/conference center will provide valuable space for intellectual, academic
and cultural events for the WVU community and the broader community. The City of Morgantown will be better able to attract sports, entertainment and cultural events. This increase will not only benefit the University but all hospitality-related businesses and other retail operations in the City of Morgantown and the region, furthering economic development in the community. Establishing a vibrant events’ center with diverse programming will draw visitors from across the region to Morgantown, resulting in additional clients and revenue for restaurants, stores, and other services in the area. This space must be accessible, attractive and provide the types of cultural, intellectual, and civic engagement activities that are necessary for our continued academic excellence. This role aligns closely with the University’s land-grant mission and strategic plan.

The hotel/conference center will provide a tremendous opportunity to facilitate the development of a world-class hospitality program at WVU. According to the U.S. Department of Labor, the leisure and hospitality industry employs more than 12 million individuals, approximately 10.3 percent of the country’s workforce. In West Virginia, 9.97 percent of those employed are employed in the leisure and hospitality industry, near the national level but revealing capacity for additional growth. This industry is expected to continue growing over the next decade. This industry has been a critical component of West Virginia’s economy and its importance will remain.

**UNIVERSITY CONFERENCING SERVICES.**

WVU Conference and Event Scheduling and University’s Arts and Entertainment units will be expanded and closely aligned with hotel/conference relations. The hotel complex will be strategically marketed for specialized conference functions and provide a consolidated scheduling function to benefit all parties. These units will allow for a consolidated scheduling function to make maximum (and efficient) use of the hotel and conference center, the events’ center, The Erickson Alumni Center, and WVU’s other entertainment and conferencing facilities.

**A GATEWAY FOR STUDENT AND PARENT SERVICES.**

A WVU-branded hotel will create a seamless gateway to the University because of its close proximity to the Evansdale and WVU Healthcare Campus. WVU is also reallocating its student recruitment, financial aid, admission and records units to its new Evansdale Crossing building, located in the center of the Evansdale Campus. These units will create a one-stop shop for students and their families. The hotel provides an excellent venue for students and their families when they visit. They can stay or visit the hotel, eat in the hotel’s restaurants, and enjoy the wide variety of other services.

**STUDENT WORKFORCE.**

WVU has access to an extensive student workforce, including student interns enrolled in the hospitality program. Federal funds can be used to support a significant portion of the workforce’s labor costs through the Work Study Program. WVU student interns engaged at the hotel and event center will learn to operate a high-end hotel and event center and will gain valuable real-life work experience. They will perform as professional hotel staff. Students will also staff and support desk services, reservations, food service, events and other functions. In addition to a lower overall wage cost, many of these students may qualify for Federal Work Study assistance, and a portion of their wages may be paid through external federal funds. The
numerous student employment opportunities will greatly increase WVU’s ability to offer employment to all students who qualify for Federal Work Study funding. Since students receiving this funding are economically disadvantaged, these employment opportunities are often important to the students’ decisions to attend WVU and their financial security once they arrive.

TECHNOLOGY.

The technology resources at WVU can be integrated to benefit the complex in both its service and costs. Allowing the hotel and event center complex to utilize the WVU T1 line system and share other technologies will eliminate the complex’s expensive “stand alone” system and allow it to stay on the cutting edge of technology. As a research institution with numerous technology classrooms, WVU has significant technology expertise and support structures.
IV. TERMS AND CONDITIONS OF OFFERING.

UNIVERSITY’S COMMITMENT.
The University's participation in the proposed development is, but may not necessarily be limited to, the contribution of the Property under negotiated terms and conditions at a later date. The University may assist the Developer in obtaining the pertinent documentation for the financing of the development contemplated by this RFP, as may be determined appropriate during negotiations. Proposals that are contingent on receiving financial assistance in any form from the University shall not be considered.

The selected Developer shall be required to provide all financing for the construction of improvements and operating expense and to provide deposits or surety to guarantee required performance.

UNIVERSITY’S COMMITMENT OF PROPERTY.
The Property and its improvements are offered “as is, where is” by the University for development and long-term management. No representations or warranties whatsoever are made as to its condition, state or characteristics. Expressed warranties and implied warranties of fitness for a particular purpose or use and habitability are hereby disclaimed. Existing improvements and facilities located on the Property will not be retained as a part of the proposed redevelopment of the site.

Testing, audits, appraisals, inspections, or other non-invasive testing that is necessary or desired to submit a proposal, shall be at the sole expense of the prospective respondent. University-owned property is held in public trust and cannot be mortgaged, pledged, liened or subordinated in any way as a part of a lease agreement; however, the leasehold interest may be mortgaged if such contracting method is utilized for this Project. If a leasehold interest is the preferred method of development, leasehold improvements shall become the sole property of the University no later than the expiration of the lease agreement.

The selected Developer will be required to identify construction staging areas that do not interfere with the ongoing operation of any University and WVU Alumni property currently being utilized. The University and WVU Alumni does not guarantee the availability of additional land for construction staging. Additional University and WVU Alumni-owned lands, if located, may be offered, through a short-term construction easement agreement, for use in construction staging at an additional cost.

FORM OF LEASE PAYMENTS, ESCALATION.
Proposals shall include any and all financial incentives including, but not limited to lease payments, revenue sharing, or other remuneration by Developer to the University and WVU Alumni during the term of this Project.

DEVELOPMENT AGREEMENT.
Upon the selection of a development proposal by the Selection Committee, the University and WVU Alumni shall attempt to negotiate a Commitment Letter with the designated respondent to detail the conditions that must be met prior to delivery of possession of the property to the Developer and proceeding with all statutory approvals, if applicable. These conditions include, but are not limited to, review by Developer of University's title to the property, receipt and approval by the University and WVU Alumni of financing commitment(s) for construction of the Project, receipt by the University and WVU Alumni of an environmental condition acceptance notice, and approval by the University and WVU Alumni of the
development plans for the Project. Collectively, these requirements shall be referred to as Conditions Precedent. The Commitment Letter shall require the Developer to conduct an environmental site assessment, including sampling and testing of the soils, sediments and possibly the groundwater. The Developer shall be responsible for the removal or remediation of hazardous materials that are required by law to be removed or remediated for the Project, if any. Requirements for removal and remediation, if any, will depend on the construction plans proposed.

**MANAGEMENT AGREEMENT.**
The University will require a Management Agreement. The agreement will provide for the successful proposer to immediately commence management of the Project, at its sole cost, during any period of time between the commencement date of the negotiated lease and when any Project facility is placed into operation by the Developer. Developers should submit their standard management agreement for review and consideration by the University. In addition, separate management agreements may be entered into with the WVU Alumni where appropriate.

The Project shall be in operation to the maximum extent possible during the development and construction. The Management Agreement is not a leasehold and shall not convey ownership interest.

**PROPOSED USES.**
All proposed uses shall be consistent with and responsive to this RFP.

**MAINTENANCE/REPAIRS.**
During the agreement term, the Developer shall be responsible for all expenses associated with the property, including, but not limited to, maintenance, repairs, replacements, and operating expenses.

**LEASEHOLD MORTGAGE.**
The Developer, if granted a leasehold, shall have the right during the lease term to encumber its leasehold estate by leasehold mortgage for the sole purpose of securing financing for construction of the leasehold improvements and/or for long-term financing or refinancing of any such leasehold improvements. The lessee shall have no right to encumber the fee simple title of the University in and to the Property or to the University and WVU Alumni's remainder or residual interest in the leasehold improvements.

**SUBORDINATION.**
The University and WVU Alumni’s fee ownership and income streams, if applicable, shall not be subordinated.

**TAXES AND IMPOSITIONS.**
The Developer shall be required to pay all governmental assessments, including assessments imposed by the University and WVU Alumni, franchise fees, excises, license and permit fees, levies, parking surcharge, fire fee, charges and taxes, including ad valorem real estate taxes on the property under the completed Project and the improvements, general and special, ordinary and extraordinary properly levied against the Property and its improvements and/or the lessee's leasehold estate which may constitute a lien on the Property or its improvements, if such taxes are legally required to be paid. The Developer shall also be required to pay other applicable sales, parking and payroll taxes.
INSURANCE.
During the lease term, the Developer shall be required to maintain insurance typical for the approved Project (in amounts and with limits determined appropriate by the University and WVU Alumni in a form and with carriers acceptable to the University and WVU Alumni), including, but not limited to, comprehensive general liability, workers' compensation, all risk property insurance, automobile liability, personal property, business interruption, builder's risk, food and products liability, and any other insurance required by law. The University and WVU Alumni must be named as an additional insured.

BOND REQUIREMENTS.
The Developer shall provide, or cause to be provided, to the University a performance bond issued by a responsible surety company licensed to do business in West Virginia and satisfactory to the University, in the University’s reasonable discretion, or such other instrument satisfactory to the University. Such bond shall guarantee construction of the improvements at the Property and shall be in an amount not less than 100% of the cost of said improvements.

NON-EXCLUSIVE USES.
All uses provided shall be non-exclusive uses. Development of the Property into a mixed-use commercial venture shall not preclude the development of similar or the same uses by the University and/or WVU Alumni on any of its other properties.

COMMUNITY BENEFITS.
The Developer will be asked to provide benefits to the community in a manner that is suitable to the proposed development.
V. **PROJECT SPECIFIC REQUIREMENTS.**

**REGULATORY PROCESS.**
The specific plans for the site will require various permits and approvals, and each respondent to the RFP is responsible for determining which permits and approvals will be required for the construction and operations of the Project. The selected respondent, at its sole cost and expense, shall be responsible for acquiring any required permits, licenses, and approvals from any agencies with jurisdiction, which may include, but not be limited to, the University, City of Morgantown, Monongalia County, the State of West Virginia, federal agencies and all public utilities. Additionally, all improvements must comply with any applicable building, fire, zoning, health and other code requirements.

The following information is intended to help the respondent determine the applicable requirements and is not meant to be an exhaustive summary of all permits, licenses and approvals required. The University and WVU Alumni will assist the selected development team through review procedures for University and WVU Alumni, City, County and State issued permits and approvals, to the extent permitted by law and regulations.

**DESIGN REVIEW.**
The design of the Project shall be subject to review and approval by appropriate University and WVU Alumni departments and/or agencies until such time that final plans and approvals are issued by the University and WVU Alumni.

**REVIEW AND SELECTION PROCESS.**
The University and WVU Alumni will appoint a Review Committee from recommendations submitted by the University and WVU Alumni to evaluate submitted proposals. In addition, the University and WVU Alumni may elect to hire additional consultants as deemed necessary to appropriately evaluate and analyze proposals.

**ADMINISTRATIVE REVIEW.**
University and WVU Alumni shall initially review proposal submissions for completeness and compliance with all formatting and content requirements set forth in the RFP. During this initial review, and prior to the start of deliberations by the Review Committee, respondents may be contacted to cure proposals that contain non-material, non-substantive defects as determined solely by staff. If notified of such a deficiency, the respondent shall correct such deficiency within five (5) consecutive calendar days of receipt of notification. Those submissions that comply with requirements will be deemed responsive.

**REVIEW COMMITTEE.**
Subsequent to staff review, the Review Committee shall evaluate each proposal deemed responsive. In this process, the Review Committee shall rely primarily on the documentation submitted in the proposal, but may also obtain critical information through a presentation by and interview of the development team.

The Review Committee shall use specific evaluation criteria for purposes of rating and ranking the proposals. Each Review Committee Member shall review each proposal specifically noting the level of detail given to criteria of critical importance to the University and WVU Alumni and assign a numerical score accordingly. Each Review Committee Member shall determine a rank order based upon the numeric
score achieved. The Review Committee shall then have the option to group score each proposal after individual Committee Member reviews to arrive at a group score and rank order of proposals based on the group consensus vote.

The Review Committee has the authority to recommend one, or none, of the proposals as it deems to be in the best interest of the University and WVU Alumni.

The University and WVU Alumni encourage all respondents to form appropriate development teams in order to assemble the requisite expertise, experience, financial and management capability to meet the evaluation criteria. As such, where applicable, these standards shall be applied to the development team as a whole, in a manner that is commensurate with the allocation of responsibility within the team. Each respondent is expected to address the evaluation criteria in the proposal submission.

**SUBMITTAL REQUIREMENTS**

**REQUIRED PROPOSAL FORMAT**

**Table of Contents**

Introduction:

I. Executive Summary
II. Project Vision, Goals and Objectives
III. University/WVU Alumni/Community Benefits
IV. Development Entity

Design:

V. Project Plan
VI. Development Schedule

Operation, Marketing, Feasibility:

VII. Management/Operating Plan
VIII. Marketing Plan
IX. Market and Economic Feasibility

Finance:

X. Financing Plan
XI. Financial Feasibility
XII. Financial Return to University and WVU Alumni
XIII. Financial Capacity

Miscellaneous:

XIV. Attachments
The reduced drawings shall also be submitted electronically and may be used on WVU Alumni’s website to inform the community about the proposals.

**REQUIRED PROPOSAL CONTENT.**

**Table of Contents.**
Table listing sequential page location of Contents, Charts, Graphs and Illustrations.

**Cover Letter and Executive Summary.**
Shall serve as a Certificate of Authority and must be signed by the Chief Officer or managing partner of the respondent. The letter shall identify the construction and design entities within the development team and provide the name, title, address, and telephone number of the contact person(s) for the development team. Provide highlights of the submittal materials and identify reasons that your team should be selected. Not to exceed two (2) pages.

**Vision, Goals and Objectives of Proposed Project.**
Respondent must summarize the vision, goals and objective of the proposed Project.

**University/WVU Alumni/Community Benefits.**
Respondent must summarize the range and quality of programs to be offered as a benefit to the local community, the University, and the WVU Alumni.

**Development Entity.**
Respondents must have a development entity that assembles the requisite expertise, experience, financial and management capability to develop a high quality mixed use hotel and conference center with amenities. For the purpose of this RFP “development entities” are defined as the legal entity submitting the proposal and with whom the University and WVU Alumni would enter into agreements for the property or the Project, if awarded. The University and WVU Alumni reserve the right to conduct a complete background investigation of the development entity and all involved principals, consultants, and subconsultants prior to the final selection or execution of any agreements.

Development teams are to be comprised of the Developer, construction contractor or construction manager, and an architect(s) with hotel and convention/ conference center experience, and may also include a hotel operator. If a franchise is included, the WVU Alumni Association reserves the right to select another brand if it determines it to be more advantageous to the project. The development team must demonstrate experiences in projects of similar scope. The development team must demonstrate the ability to design, acquire permits and other approvals, construct, and deliver the project for a guaranteed maximum price (GMP) or a fixed price.

1. **Developer, Construction Contractor, Architect, and Hotel Operator Information.**
   - Describe the role of each firm on the development team and the composition, legal form, and organizational structure of the development team. Joint ventures should provide all requested information for each member.
   - Identify role, and experience of personnel proposed for the project.
   - Provide a listing of the present workload and capacity of each firm on the development team.
   - Provide most recently available financial statements for the Developer, construction manager, general contractor and hotel operator. If so desired, this information may be submitted in a separate envelope marked as “Privileged and Confidential Information”. The WVU Alumni Association and
the University will protect such information from disclosure, to the greatest extent allowable by law.

2. Development Experience and References.

Provide complete project history for at least three (3) projects from the Developer and construction contractor, and two (2) projects from the architect, completed within the last ten (10) years, illustrating each entity’s ability to execute projects of this nature. Team members may use the same project(s), if applicable. At a minimum, the information provided must include:

- Project name and location.
- Name, address and telephone number for project owner, owner’s project manager and/or owner’s contact person.
- Description of the project, including type of facility, initial project budget, and initial project schedule.
- Listing of services provided.
- Project design and delivery method.
- Project start and completion dates, and adherence to project schedules.
- Project costs versus budget.
- Listing of claims, if any, that impacted the owner, and resolution of those claims.
- Specific type and amount of incentives used to support the project’s feasibility, provided by various jurisdictions.
- Amount of equity provided, by source and target return on equity hurdle used in structuring the financing.

3. References for All Development Team Members.

Respondents shall provide not less than four (4) current references for each principal development team member who can attest to the members’ relevant capability and experience. These references shall be contacted by the University and WVU Alumni.

4. Licenses and Corporate Registrations.

Individual Engineers, Architects and Landscape Architects must submit current Certificates of Registration or Licenses, and corporations or partnerships in those fields must submit current Certificates of Authorization. Proposals shall also include for each firm a copy of the firm's current corporate registration.

5. Other Documentation as to Experience and Capability.

Proposals shall include a narrative or outline that provides sufficient detail to describe the development teams and consultants' considerable past experience in the development and management of projects of similar scope and complexity within the same or clearly similar sphere of endeavor. Demonstrate that the team members have experience in the operation of hotel/conference center projects. Describe the level of team member involvement in similar types of facility operations, including the ability to market and promote the facility. If a certain franchise is identified, clearly and succinctly demonstrate why this brand is preferred.

The development team must demonstrate the ability to operate or cause the hotel/conference center property to be operated in a professional manner consistent with the standards of a state-of-the-art, high quality, first
class, limited service hotel properties in the U.S. The University may use a public-private partnership format for the development.

6. Project Plan.
The Project plan shall be prepared by a team of specialized, registered design professionals. The design professionals must strive to create a development with a meaningful sense of place. The respondent may submit multiple project plans based upon Exhibit B “Land” that can, but is not required, to take into account all available land or any combination thereof as identified on Exhibit B. The utilization of the available land shall be subject to evaluation by the Review Committee. The Project plan shall take into account the Urban Design Principles and Guidelines that focus on a mixed-use hotel and conference complex development. The plan and alternate plans shall include:

1. Narrative Description.

2. Land Use Plan.
Plan should illustrate the relationship and connectivity of the proposed Project to the adjacent roadways, residential neighborhood, Morgantown, and other University and WVU Alumni owned property.

- Building Locations
- Parking lots with parking counts
- Stormwater management
- View corridors
- Architectural and landscape features
- Vehicular/Pedestrian Access

Plan should illustrate the type and quantity of hotel and conference structures.

- Type of construction and description of proposed hotel and conference structures.
- Number and use of buildings, square footage
- Height and number of floors for each proposed structure.
- Typical floor plans
- Size and layout of each type of hotel and conference room configuration.
- Highlight lobbies and main entrances
- Size and layout of each of the amenities
- Parking

Plan should illustrate landscaping, tree diameters, planting beds, parking islands, gateways, signage, etc. With planting material listed in the legend.

5. Renderings.

- 5-7 renderings of the site, they can be in perspective, so more than one building is shown within the rendering.
- Rendering of key buildings, pedestrian flow, roads, access, etc.
- Rendering of key amenities
- Also include any renderings you deem necessary to enhance your presentation

Respondent must provide a narrative accompanied by a graphic time line or schedule detailing all phases of the development including Developer due diligence, planning and design, permitting, construction, and operations. The schedule must include an explanation of how the phasing of the Project was determined.
The proposal shall further provide a brief narrative on the management and operation of the Project during the term of the Management Agreement and a list of any and all fees proposed to be charged for use of the Project by the University, WVU Alumni, and general public during the time that the successful proposer manages the Project. Proposers should include in their response a standard form of management agreement they would propose for consideration by the University and WVU Alumni.

The proposal must include a narrative describing the management and operation of the entire proposed development. Respondents are reminded that the University and WVU Alumni intend that the Property be maintained and operated in a manner consistent with the highest industry standards for facilities of its type.

The description shall include, at minimum, mission statement, an organizational chart, brief outline of operating procedures, indication of which portions of the development responsibilities are intended to be operated by development team and which are intended to be subcontracted or to be operated under a management contract, sublease requirements (if any), operating schedule, and maintenance program, including planned major maintenance schedule. If independent management services are to be involved, then the information required by this section must be completed by any management contractor on behalf of Developer and included in this RFP.

- Mission Statement
- Organizational Chart
- Operating Procedures
- Management Plan
- Management Team
- Staffing Plan
- Operating Schedule
- Maintenance Program
- Affirmative Action Program

Respondent must provide a narrative accompanied by a graphic time line or schedule detailing how expeditiously a management team will be assembled and positioned to manage operations at the Project.

Proposals shall include a marketing plan that shall identify primary and secondary markets for each type of facility and/or service proposed and a description of the strategies to be utilized for attracting and strengthening those markets such as how and where the activities/operations will be advertised, branding concepts, and potential co-marketing opportunities. Specific discussion shall be presented as to marketing strategies to attract the general public market, University market, and WVU Alumni market population. Similarly, the Marketing Plan should be specifically linked in relation to the feasibility study to provide the rationale for the proposed mix of hotel and conference complexes and amenities.

Proposals shall include the following elements allowing an understanding of their likely market and economic feasibility:
- A market analysis sufficient to establish the market support for the Project based upon analysis of demand generators, competitive supply, market pricing, competitive position and anticipated
market share/capture. The analysis should specifically provide the rationale for the proposed mix of hotel, conference center and amenities

- A projected development phasing schedule encompassing the whole development of the Project.

Proposals shall include a description of the financing plan for the Project, including a description and estimation of all sources of construction and permanent debt and equity funds to be used in the Project. Target returns and other financing considerations should be presented. Prior to execution of an agreement, the University and WVU Alumni shall require written evidence that the successful respondent has received a firm and irrevocable commitment of all funds necessary to construct, equip, and initiate operation of the proposed Project for a stabilization period determined by the University and WVU Alumni. The University and WVU Alumni reserve the right to further evaluate and/or reject financing commitments when the term, the identity of the financing source or other aspect of such financing is deemed not in the best interest of the University and WVU Alumni or the Project.

Proposals shall include a cash flow analysis(es) integrating revenues, operating expenses, development costs, and debt service for a minimum of the development period and first ten years of the Project's operation. Analysis(es) shall be presented in a fashion so as to enable a clear understanding of financial feasibility and financial inflows and outflows both on a building by building basis and an integrated total basis over any phased development schedule, and shall also enable a clear understanding of the projected rents and any other financial returns to the Developer over the projection period.

- An analysis of projected revenues and operating expenses broken out for each major component covering at a minimum the first ten years of operation. The analysis shall specify the bases for these estimates.
- A written statement indicating the total dollar amount to be spent on permanent physical improvements to the property, including building improvements, site improvements, and program requirements associated with the development, including public spaces and amenities, as well as that required for all start up costs and initial operating expenses. The development cost estimates shall be itemized to include significant line items within the major categories of hard, soft (including development fees), and financing costs, and allocated by Project component and building and phase.

12. Financial Return to the University and WVU Alumni.
Developer should clearly describe and analyze all offered financial returns to the University and WVU Alumni, including but not limited to, rent and revenue sharing.

Prove financial capacity so that a determination can be made that the development entity is capable of undertaking the Project. Additionally, provide documentation as to what resources will be utilized to provide equity for the Project. If a single-purpose entity or joint venture provide all information on any and all individuals or entities that will be involved.

A minimum of 3 financial references that have provided the development entity or members thereof with development financing shall be provided, including a loan officer name or other specific contact. Additionally, evidence of possession of or access to equity capital and financing resources to carry out the proposed Project shall be provided by submittal of the following:
1. **Company Stability and Credit Worthiness.**
The most recent available Dun & Bradstreet, Moody’s, or other nationally recognized corporate rating services indicating credit worthiness.

2. **Portfolio.**
Composition of current real estate portfolio, listing the following for each project: project name, type location (city, state), date completed, project size (rentable area), value, debt, role (Developer, operator, property manager, etc.), ownership interest, and occupancy rate.

3. **Financing History.**
The Developer’s recent history, preferably within the last 2-3 years, in obtaining financing commitments, detailing type of project, financing source, amounts committed, etc. Respondents may submit a written statement(s) from their financing source(s) describing past projects which said source has financed for said respondent, detailing the amount of capital, the size of the project and any other pertinent information that will assist the University and WVU Alumni in determining the availability of equity or subordinate capital to fund the project.

4. **Current Projects.**
List and description of all projects in the pipeline including status, development schedule and financial commitment required of Developer/operator, a detailed description of the project financing methods, sources and amounts, and any working relationship (on other projects) with members of the proposed team (on this project).

5. **Financial Relationships.**
Identification of specific relationships (and contact information) with sources of equity/debt capital and their indication that the project outlined by the University and WVU Alumni and the respondent is consistent with their investment criteria for a project of this size and type.

6. **Legal History.**
Address whether the respondent or any participating team members have been involved in any litigation or other legal dispute regarding a real estate venture during the past five years, including any disputes with contractors, subcontractors, or other entities contracted by the Developer. In the explanation, include information regarding the outcome of any material litigation or dispute.

Also, indicate if the respondent or any participating team members have ever filed for bankruptcy, or have owned or controlled projects that have been foreclosed, or have had fines levied by governmental agencies. Include the date of occurrence, contact person, telephone number and address.

7. **Equity Commitment.**
A commitment of Developer’s equity necessary to finance the Project.

8. **Financial Certification.**
A statement by a bank, financial institution or certified public accountant certifying that the Developer(s) has a net worth in excess of the amount necessary to complete the Project.

9. **Financial Statements.**
Respondents must submit the below specified financial statements in their submittal in order to establish their capability.
Audited financial statement for the past four years of each principal and joint venture participant, including statement of changes in financial position and statements of any parent organizations and any materially relevant subsidiary units, identifying any projects with negative cash flows, amount of Developer's resource debt, any non-performing loans, and the amount of guarantees and/or contingent liabilities. If a development entity has been in business for more than ten (10) years, corporate financial statements will be accepted.

10. Attachments
Respondents may attach additional information as required. Tabs should be utilized as needed.

VI. EVALUATION CRITERIA.

OVERALL PLAN AND DESIGN OF THE PROPOSED DEVELOPMENT.

I. Design.
• Fulfillment of the University and WVU Alumni’s established development objectives, design guidelines and program requirements.
• Range and mix of uses and amenities; extent of public access and amenities.
• Appropriateness and quality of the design.
• Quality of the hotel and conference center design.
• Appropriateness and relationship of a hotel and conference center design to University and WVU Alumni atmosphere.
• Harmonious and/or complementary integration of uses into the site.
• Imaginative and creative treatment of: public spaces, exterior space, circulation, view corridors, landscaping, graphics and lighting.
• Quality and sound principles of urban design in a University and WVU Alumni setting.
• Efficiency of site design and organization, and compatibility of uses feasibility, management and operation of the proposed Project.
• Integration of concepts to University 2020 Strategic Plan.

OPERATION, MARKETING, AND FEASIBILITY OF THE PROPOSED DEVELOPMENT.

II. Development, Operation, Management, and Marketing.
• Viability, practicality and comprehensiveness of management plan, including such elements as mission, operating parameters, operating budget, revenue projections, cash flow analysis, personnel organization and staffing plan.
• Extent and feasibility of marketing plan, familiarity with primary and secondary markets for proposed facilities and services, and appropriateness of strategies to be utilized for attracting and strengthening those markets.
• Management approach to ancillary operations and businesses, particularly relative to stated experience and capabilities, and to the University and WVU Alumni’s objectives.
• Extent and quality of programs for maintenance, security, public access, community/educational programs, and public and customer services, as applicable.
• Appropriateness and practicality of proposed Project fees in furthering the effort to expand hotel and conference center services.
• Developer experience and capability to fulfill the commitments stated in proposal.
• Timeliness of proposed development plan.
• Integration of concepts to University 2020 Strategic Plan.

UNIVERSITY AND WVU ALUMNI BENEFITS.

III. Considerations of Benefits to University and WVU Alumni.
   • Management fees, including a guaranteed monthly minimum payment during the term of the Management Agreement.
   • Payment of percentage of gross revenues during the Management Agreement term.
   • Lease payments during the lease term.
   • Payments of a percentage of gross revenues during the lease term.
   • Dollar value, extent, and timing of capital improvements.
   • Any additional financial benefit to the University and WVU Alumni.
   • Other non-financial benefits to the University and WVU Alumni.
   • Likelihood and timing of receiving financial and other benefits.
   • Co-Marketing Strategies.

FINANCE.

IV. Financial Considerations.
   • Extent of Developer’s stability and credit worthiness to construct and operate the Project over the term of the lease.
   • Extent and quality of Developer’s current real estate portfolio and operational agreements relating thereto.
   • Extent and historical ability of Developer to obtain capital construction, investment, and operational financing.
   • Extent Developer’s financial capacity is tied up in any current projects being constructed.
   • Quality and extent of Developer’s financial relationships.
   • Prior or current history of any legal suits, liens, bankruptcy proceedings, payment, credit, or other similar issues.
   • Extent of dedicated equity commitment by Developer.
   • Quality and results of analysis of Developer’s financial statements and other corporate documents showing capacity, stability, and strength of organization.
   • Integration of concepts to University 2020 Strategic Plan.
VII. SUBMITTAL PROCEDURES, DEADLINES, SCHEDULE, AND INFORMATION.

Submissions received in response to the RFP shall meet all requirements specified within this RFP. Submissions deficient in providing the required information shall be determined non-responsive by the University and WVU Alumni and shall be ineligible for further consideration. A complete proposal submission package shall be delivered to the University and WVU Alumni as follows:

Proposal submissions must be marked Development Project Proposal for “HOTEL AND CONFERENCE CENTER DEVELOPMENT” and addressed to:

West Virginia University
Procurement, Contracting and Payment Services
c/o: Eva Hajian
One Waterfront Place, Third Floor
PO Box 6024
Morgantown, West Virginia 26506

The time deadline and proposal receipt location shall be strictly adhered to by the University and WVU Alumni. No proposals shall be received or accepted after 4:00 PM Thursday, November 13, 2014 or at any other office location.

RFP SCHEDULE

This schedule is subject to change.

RFP Available to Public:  **Tuesday, August 26, 2014**
Proposal Pre-Submission Conference and Site Tour:  **Thursday, September 11, 2014**
Mid-Review Conference:  **Mid October to be determined**
Last Day for RFP Questions:  **Thursday, November 6, 2014**
Proposal Submission Deadline:  **Thursday, November 13, 2014**

MANDATORY PRE-SUBMISSION CONFERENCE

A mandatory “Proposal Submission Conference” and tour of the site shall be held on **Thursday, September 11, 2014**. The meeting will be at The Erickson Alumni Center, One Alumni Dr., Morgantown, WV 26504-4269.

Questions from potential Developers may be addressed to University and WVU Alumni at this meeting. Any questions answered at the meeting shall also be answered in writing. All written responses shall be made available to all potential pre-qualified Developers.
COMMUNICATIONS.

Throughout the procurement process, Proposers may “only” have contact with the WVU’s Procurement Officer identified below. Discussions or communications regarding this solicitation with any other individuals associated in any capacity with the University or the WVU Alumni, its consultants, contractors or members of its Board of Governors or Board of Directors, or members of any Evaluation Panel or Committee are prohibited, unless otherwise approved in writing by the WVU Procurement Officer.

Discussions or communications with any other person, regardless of the format, could result in disclosure of proprietary or other competitive sensitive information or otherwise create the appearance of impropriety or unfair competition and, thereby, compromise the integrity of this selection process.

“Proposers” includes subcontractors at all levels and joint venture members, where applicable.

Proposers shall provide immediate written notice to the WVU Procurement Officer any time contact has not been limited to the WVU Procurement Officer concerning this solicitation, whether initiated by the Proposer or by other University and WVU Alumni employees, consultants, contractors or members of its Board of Governors.

Any violation of this prohibition may result in the disqualification of the Proposer from further participation in this procurement, and from award of any contract or subcontract under this solicitation. Proposers shall be required to include in its Proposal response a certification associated with this communication requirements (See Appendix 1).

PRE-PROPOSAL MEETING.

There will be a Mandatory Pre-Proposal meeting on Thursday, September 11, 2014 at 11:00 am. The meeting will be at The Erickson Alumni Center, One Alumni Dr., Morgantown, WV 26504-4269.

The WVU Procurement Officer for this procurement is:

West Virginia University
Procurement, Contracting and Payment Services
c/o: Eva Hajian
One Waterfront Place, Third Floor
PO Box 6024
Morgantown, West Virginia 26506

Phone Number: (304) 293-5152
Email: eva.hajian@mail.wvu.edu

EXPLANATIONS AND CLARIFICATIONS.
Any explanation or clarification desired by a Proposer regarding the meaning or interpretation of any part of this solicitation must be submitted in writing (by mail, email or facsimile) by an authorized representative of the Proposer with a clear cross-reference to the relevant RFP section to the WVU Procurement Officer with sufficient time to prepare an appropriate response.

Written Requests for explanations or clarifications can be submitted at any time; however, must be submitted on or before the date/time above. Requests for clarification received after this deadline may not be considered and the University is under no obligation to address them.

Written Explanations or clarifications provided to a Proposer concerning an interpretation of the solicitation will be furnished to all Proposers in an addendum to the solicitation, if such information is necessary in submitting Proposals or if the lack of such information would be prejudicial to uninformed Proposers.

Oral explanations or clarifications given before the award of any contract, at any pre-Proposal conferences or otherwise, do not serve to modify the solicitation and will not be binding on the University and WVU Alumni.

**MODIFICATION/ACKNOWLEDGMENT OF SOLICITATION ADDENDA.**

The University reserves the right to modify the solicitation. If it is amended, then all terms and conditions which are not modified remain unchanged.

When the solicitation is modified, the WVU Procurement Officer shall post a solicitation “addendum” at [http://wvubids.Finance.wvu.edu](http://wvubids.Finance.wvu.edu) or otherwise ensure its distribution to all known potential respondents. The University is under no further obligation to ensure that Proposers receive addenda.

Proposers shall acknowledge receipt of any addendum to this solicitation to the WVU Procurement Officer: (i) by signing and returning the addendum; or (ii) by identifying the addendum number and date in the space provided for this propose on the form for submitting a Proposal (see Exhibit A); or (iii) by letter or by electronic means.

The WVU Procurement Officer must receive acknowledgment of addenda by the time and at the place specified for receipt of Proposals.

Failure of a Proposer to acknowledge receipt of material addenda may result in rejection of the Proposal as non-responsive.

**PREPARATION OF PROPOSALS—GENERAL.**

**Examine the Entire Solicitation.** Prior to submission of Proposals, Proposers are expected to thoroughly examine all provisions of and Attachments/Appendices to the solicitation, whether incorporated by reference or otherwise. Failure to do so will be at the Proposer's risk and will not be a basis for the Proposer to request relief of any kind prior to or after contract award.

Exceptions to Solicitation. If the Proposer cannot accept WVU’s terms, conditions or requirements, the Proposer shall raise their exceptions in writing as specified in the “Explanations & Clarifications” provision,
above, and the University will address them in the form of an addendum to the RFP. It is the University’s sole discretion as to whether or not it will accept or deny any exceptions raised by Proposers.

**Furnish Information.** Proposers shall furnish all information required by the Solicitation. Unnecessarily elaborate Proposals or lengthy presentations are not desired or required; however, Proposals should be clear, concise, and include sufficient detail for effective evaluation. The Proposer is cautioned that it is the Proposer's sole responsibility to submit information related to the evaluation categories, and that WVU is under no obligation to solicit such information if it is not included in its Proposal. Failure by the Proposer to submit such information may cause an adverse impact on the evaluation of its Proposal.

**General Format.**

A. Erasures or other changes must be initialed by the person signing the Proposal. Proposals signed by an agent of the Proposer (other than an officer or a partner) should be accompanied by evidence of the agent's authority (unless such evidence has been previously furnished to the University and WVU Alumni).

B. Proposal documents shall be prepared in single-spaced type, on 8-1/2" x 11" pages. Pages shall be numbered to show the page number and total number of pages in the Proposal (e.g., Page 1 of 15, Page 2 of 15, etc.).

C. To provide uniformity and to facilitate comparison of Proposals, all information submitted should clearly refer to the page number, section, or other identifying reference in this RFP. All information submitted must be noted in the same sequence as its appearance in this RFP.

D. All names and applicable titles shall be typed and printed where indicated on the various documents. Required entries on all Proposal documents shall be typed using black ribbon, printed using dark printer ink, or legibly written in dark ink (no pencil).

**Required Signatures.** All Proposals must be signed by an individual authorized to extend a formal Proposal. Proposals that are not signed may be rejected. By signing the Proposal, the Proposer certifies compliance with the signature authority required. If the Proposal is submitted on behalf of:

A. an individual, sole proprietorship, or a Proposer operating under a trade name, the Proposal shall be signed by that individual;

B. a partnership, the Proposal shall be executed in the partnership name and signed by all partners or by a managing partner accompanied by evidence of that partner’s ability to sign for the partnership. The official address of the partnership shall be shown below the signatures;

C. a corporation, the Proposal shall be executed in the corporate name by the president or vice-president (or other corporate officer accompanied by the evidence of that officer’s authority to sign for the corporation); or

D. a joint venture or other type of teaming arrangement, the Proposal shall list the names of all of the joint venture or teaming arrangement members, and each member’s official mailing
address. It shall be executed by all of the members in the same manner as if they were individually submitting a Proposal. The signature portion of the Proposal form shall be altered as appropriate for execution by the joint venture or teaming arrangement.

Alternate Proposals. Proposers may submit more than one Proposal. All Proposals must comply with the requirements of the RFP except that additional Proposals may incorporate, by reference, repetitive information which is provided in the original Proposal.

Trade Secrets or Other Confidential Information. Proposers may clearly mark each page of the Proposal that contains trade secrets or other confidential commercial or financial information, which the Proposer believes should not be disclosed outside the University and WVU Alumni. However, disclosure of requested information can only be protected to the extent permitted under West Virginia law.

Use of Subcontractors. If the Proposer intends to use subcontractors to perform any portion of the work described in this RFP, the Proposal must clearly state so. The Proposer’s response must include a description of which portion(s) of the work will be sub-contracted out and the names and addresses of potential subcontractors under the Contract.

Proposal Preparation Costs. The University and WVU Alumni shall not be liable for any costs incurred by a Proposer in responding to this RFP, regardless of whether the University and WVU Alumni awards the Contract through this process, cancels this RFP for any reason, or contracts through another RFP or another process.

Errors and Omissions. The Proposer is expected to comply with the true intent of this RFP taken as a whole and shall not avail itself of any errors or omissions to the detriment of the services. Should the Proposer suspect any error, omission, or discrepancy in the scope of work or other portions of the RFP, the Proposer shall immediately notify the University and WVU Alumni, in writing, and the University and WVU Alumni shall issue written instructions to be followed. The Proposer is responsible for the contents of its Proposal and for satisfying the requirements set forth in the RFP.

Firm Offer Period. Offers must be kept firm for acceptance by the University and WVU Alumni for at least one hundred twenty (120) days after the date that Proposals are due. Proposals with acceptance periods of less than one hundred twenty (120) days may be considered non-responsive. The Proposer may specify a longer period than indicated here. If the Proposer indicates no time period for acceptance, the Proposal will be considered firm for one hundred twenty (120) days and thereafter until written notice to the contrary is received.

SUBMISSION OF PROPOSALS.

Deadline for Receipt of Proposals. The deadline for receipt of Proposals is Thursday, November 13, 2014.
**Proposer’s Agreement.** By Proposal submission, Proposers agree to all requirements, terms and conditions contained in the RFP.

**Packaging and Delivery.**

A. Proposals and modifications thereof shall be enclosed in sealed envelopes or sealed cartons and submitted to the WVU Alumni Manager at the address specified below.

B. The Proposer shall show the hour and date specified in the solicitation for receipt of Proposals, the solicitation number, and the Proposer's name, address, and telephone number on the face of the envelope or carton.

C. Telegraphic Proposals and modifications (i.e., facsimile or email) will not be considered; however, Proposals may be withdrawn by written or telegraphic notice, provided such notice is received prior to the hour and date specified for receipt of Proposals.

D. The delivery address is:

   West Virginia University  
   Procurement, Contracting and Payment Services  
   c/o: Eva Hajian  
   One Waterfront Place, Third Floor  
   PO Box 6024  
   Morgantown, West Virginia 26506

The Proposer remains solely responsible for insuring that its Proposal is received before the time and date due, at the appropriate deliver address. Late Proposals will be returned unopened (see the Late Submission and Modifications of Proposal paragraph, below).

**PROPOSAL MATERIALS.**

The Proposal material submitted in response to the RFP becomes the property of the University upon delivery to the WVU Procurement Officer and may be appended, if necessary, to any formal document which would further define or expand the contractual relationship between the University and the Developer. All of the material will be considered as part of this RFP.

**LATE SUBMISSION AND MODIFICATIONS OF PROPOSALS.**

Any Proposal received after the exact time specified for receipt will not be considered unless:

A. it was sent by registered or certified mail not later than the fifth calendar day prior to the date specified for receipt of Proposals (e.g., a Proposal submitted in response to a solicitation requiring receipt of Proposals by the 20th of the month must have been mailed by the 15th or earlier); or

B. it is determined by the University that the late receipt was due solely to mishandling by the University after receipt at the WVU Procurement Officer’s office; or
C. it was sent by US Postal Service Express Mail Next Day Service - Post Office to Addressee, not later than 5:00 p.m. at the place of mailing two (2) working days prior to the date specified for receipt of Proposals. The term "working days" excludes weekends, State of West Virginia and US Federal holidays; or

D. it is the only Proposal received.

Any modification of a Proposal should be prepared on company letterhead, signed by an authorized representative, and state that the new document supersedes or modifies the prior Proposals, and resubmitted to the WVU Procurement Officer as required pursuant to this RFP.

A modification resulting from the WVU’s Procurement Officer’s request for a "best and final" offer received after the time and date specified in the request will not be considered unless received before award, and the late receipt is due solely to mishandling by the University and WVU Alumni.

The time of receipt at WVU is the time-date stamp of WVU on the Proposal wrapper or other documentary evidence of receipt maintained by the WVU Alumni.

The only acceptable evidence to establish:

A. the date of mailing of a late offer or modification sent either by registered or certified mail is the U.S. Postal Service postmark on either the envelope or wrapper and on the original receipt from the U.S. Postal Service. If neither postmark shows a legible date, the Proposal, modification or withdrawal shall be deemed to have been mailed late. The term "postmark" means a printed, stamped, or otherwise placed impression, exclusive of a postage meter machine impression, that is readily identifiable without further action as having been supplied and affixed on the date of mailing by an employee of the U.S. Postal Service. Therefore, Proposers should request the postal clerk to place a hand cancellation bull's-eye "postmark" on both the receipt and the envelope or wrapper; and

B. the time of receipt at the WVU Alumni is the time-date stamp of the WVU Alumni’s Manager on the Proposal wrapper or other documentary evidence of receipt maintained by the WVU Alumni.

C. the date of mailing of a late Proposal, modification, or withdrawal sent by U. S. Postal Service Express Mail Next Day Service - Post Office to Addressee is the date entered by the post office receiving clerk on the "Express Mail Next Day Service - Post Office to Addressee" label and the postmark on the envelope or wrapper and on the original receipt from the U. S. Postal Service. "Postmark" has the same meaning as defined in paragraph (d)(1) of this provision. Therefore, Proposers should request the postal clerk to place a legible hand cancellation bull's-eye "postmark" on both the receipt and the envelope or wrapper.

D. Notwithstanding (A), (B), and (C) of this provision, a late modification of an otherwise successful Proposal which makes its terms more favorable to the University and WVU Alumni may be considered at any time it is received and accepted.

WITHDRAWAL OF PROPOSALS

Proposals may be withdrawn by written notice to the WVU Procurement Officer before the deadline established for receipt of Proposals. If withdrawn in writing, withdrawals must be made on company letterhead and signed by an authorized representative of the Proposer. Proposals may only be withdrawn by the Proposer’s authorized representative, provided the identity of the person requesting withdrawal is established and the person signs a receipt.
PROPOSAL EVALUATION.

No Public Opening. Proposals shall not be publicly opened. Upon receipt of Proposals, the WVU Procurement Officer will initiate the evaluation and selection process, to include a general review to determine if Proposals comply with the solicitation provisions and contain the required information and submittals. If they do not, the WVU Procurement Officer may reject them.

Selection Committee. A Selection Committee shall be appointed to evaluate Proposals. Appointments are at the sole discretion of the University and WVU Alumni.

Substantiation of Proposals. The University reserves the right to require each Proposer to substantiate any aspect of the Proposal, its own qualifications for providing the services required, and any other area of interest relative to the Proposal response.

Paring Down Process. Proposals will be evaluated to determine if they are “Acceptable”, “Potentially Acceptable” (that is, susceptible of being made “Acceptable”), or “Unacceptable”. Proposals evaluated as technically “Unacceptable” shall be rejected, and will receive no further consideration for award. For Proposals determined to be technically “Acceptable” or “Potentially Acceptable” the University and WVU Alumni may:

A. Proceed directly to award of contract; or

B. Request clarifications and/or require oral presentations, and proceed to award of contract; or

C. Reject Proposals determined to be “Unacceptable”, request clarifications and/or require oral presentations, and/or hold substantive discussions/negotiations with Proposers determined to be within a “competitive range” and request “best and final offers” following discussions/negotiations.

Discussions/Negotiations. If discussions/negotiations occur, they may include both the technical and financial aspects of the Proposals.

Best and Final Offers. At the conclusion of any discussions/negotiations, the WVU Procurement Officer will set a firm date and time for the submission of best and final offers.

A. If a Proposer chooses not to submit a best and final offer, its initial Proposal, to include financials, shall be evaluated for award.

B. If the University and WVU Alumni choose to invoke this option, Proposals would be re-evaluated by incorporating the information requested in the best and final offer. The specific format for the best and final offer would be determined during discussions/negotiations.

C. Turnaround time for responding to a best and final offer(s) request is usually brief (e.g., not more than five (5) business days).

Post Selection Review. After a final selection has been made and a contract successfully negotiated, the University and WVU Alumni will name an apparent successful Proposer. Identification of an apparent successful Proposer is procedural only and creates no right in the named Proposer to award of the Contract. Competing Proposers shall be notified in writing of the identity of the apparent successful Proposer.

Right of RFP Cancellation. The University may cancel this RFP at any time without liability to any party, including but not limited to, any respondent to this RFP.
No contract commitment. The University does not guarantee any contract or agreement to arise from this RFP and may, at any time and in its sole discretion, end negotiations prior to execution of any contract or agreement.
EXHIBIT A
MANDATORY PROPOSAL SUBMISSION FORM

West Virginia University
Request for Proposal # 90003331
Hotel and Conference Center Development Opportunity

Return Proposals to:
West Virginia University
Procurement, Contracting and Payment Services
One Waterfront Place, Third Floor
PO Box 6024
Morgantown, West Virginia 26504

Publication Date: Friday, August 26, 2014

PROPOSAL DUE DATE: 11/13/2014
PROPOSAL DUE TIME: 4:00 p.m. EST.
RFP IDENTIFICATION NUMBER: 90003331

Name of Firm: Enter Firm Full Name (“Proposer”)
Firm Contact: Enter Firm Contact Responsible for this RFP
Phone: Enter Firm Phone Number Fax: Enter Firm Fax Number
Email: Enter Email Address
Mailing Address: Enter Address Enter Address
Enter City, Enter State Enter ZipCode

Proposals are being accepted by the WVU Alumni Association, Inc. for hotel and conference center development rights. See Request for Proposal #90003331 (“RFP”).

By submitting a Proposal in response to the WVU Alumni Request for Proposal Number #90003331 the Proposer certifies the following:

1. Proposer has not had and will not have discussions or communications regarding this solicitation with any other individuals associated in any capacity with the University or WVU Alumni, their employees, consultants, contractors or members of its Board of Governors, other than the WVU’s Procurement Officer. If the Proposer has had discussions or communications, whether initiated by the Proposer or by other University or WVU Alumni employees, consultants, contractors or members of its Board of Directors, the Proposer shall attach to this form, a full description of its discussions or communications or provide prompt written notice to the WVU’s Procurement Officer if the discussion or communication occurred after Proposal submission.

2. The Proposal has been developed independently, without consultation or agreement with any individuals associated in any capacity with the University or WVU Alumni, their employees, consultants, contractors or members of its Board of Governors or Board of Directors;
3. The Proposal has been developed independently, without consultation, communication or agreement with any other vendor or parties for the purpose of restricting competition;

4. No attempt has been made or will be made by Proposer to induce any other Proposer to submit or not to submit a Proposal for the purpose of restricting competition;

5. No relationship exists or will exist during the contract period between Proposer and the University or WVU Alumni that interferes with fair competition or as a conflict of interest; and

6. Proposer has not and will not offer or give any gratuities (in the form of entertainment, gifts, or otherwise) directly or indirectly, to any person or employee of the University or WVU Alumni with a view toward securing favorable treatment in the awarding of any potential Agreement resulting from this solicitation.

Proposals are due no later than Thursday, November 13, 2014, at 4:00 p.m., EST Time. Proposals must be submitted to:

West Virginia University
Procurement, Contracting and Payment Services
One Waterfront Place, Third Floor
PO Box 6024
Morgantown, West Virginia 26504

A Proposer who mails a Proposal should allow adequate mailing time to ensure its timely receipt. Proposals received after the time specified in the RFP may not be considered.

LIABILITY

Proposer agrees to indemnify and save and hold the University and the WVU Alumni, their agents and employees harmless from any and all claims or causes of action arising out of this RFP by Proposer or Proposer’s agents or employees.

DISCLAIMERS

This RFP does not obligate the WVU Alumni or the University to award a Contract or complete the proposed project, and WVU Alumni reserves the right to cancel this RFP with or without cause or notice. Proposers must include the required information called for in this RFP. WVU Alumni reserves the right to reject a Proposal if required information is not provided or is not organized as directed.
EXHIBIT B
“LAND”