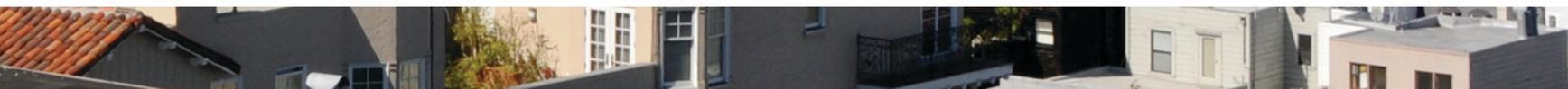




San Francisco Recreation and Park Department

# PALACE OF FINE ARTS

Request for Concept Proposals



# A Letter from General Manager Phil Ginsburg



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On behalf of the City and County of San Francisco, I am pleased to announce a unique business opportunity in one of San Francisco's most iconic properties, the Palace of Fine Arts (the "Palace"). Originally built in 1915 for the Panama Pacific International Exposition, the beloved Palace has housed some of the world's most cherished pieces of art and has been home to a number of uses including the Exploratorium museum which occupied the space for 40 years.

Approaching the centennial of the Palace, the City is soliciting proposals that will restore the Palace of Fine Arts Building for future generations and enhance the connection between the Palace and the surrounding park and lagoon, consistent with the vision of the Palace's master architect, Barnard Maybeck.

I welcome your ideas on how to partner with the City in preserving the iconic Palace of Fine Arts and to re-imagine how the Palace can be enjoyed by San Franciscans for generations to come.

Handwritten signature of Philip A. Ginsburg.

Philip A. Ginsburg, General Manager  
San Francisco Recreation and Parks



## Executive Summary

The Palace of Fine Arts was built for the Panama Pacific International Exposition (PPIE) in 1915 to showcase San Francisco's rebirth after the devastating earthquake and fire of 1906. Designed by renowned architect Bernard Maybeck, over 18 million people visited the Palace during the nine-month exhibition. Originally intended for demolition after the Exposition, a group of citizens, led by Phoebe Apperson Hearst, led the charge to preserve the Palace Rotunda and Building.

Since 1915 the Palace has been home to art exhibitions, an athletic complex and most recently, the long term tenant, the Exploratorium, an interactive science museum. The Palace has been visited by three US Presidents and is featured in countless films including the classic Alfred Hitchcock thriller, "Vertigo."

The Palace complex has undergone three significant restorations. One in the 1960s to update and preserve the original structures, a seismic retrofit in 1993 and most recently in 2010, when the Maybeck Foundation and the Recreation and Park Department (the "Depart-

ment") completed an extensive \$21 million renovation of the Palace grounds and rotunda.

The Department is seeking a tenant befitting the cultural history of the Palace that will allow the public to engage with the Palace and that will act as a steward for the Palace for decades to come. The City will entertain a long term lease and will consider allowing rent credits to assist a tenant in financing and amortizing capital improvements. Conceptual Proposals will be accepted in March of 2015.

### Appendices:

- A-** Building Specifics
- B-** Palace of Fine Arts Citizens Advisory Committee and Public Input
- C-** Terms and Conditions for Receipt of the Request for Concept Proposals
- D-** Link to Conditions Assessment Report by EHDD
- E-** Link to Tenant Options Study by EHDD
- F-** Link to form lease

## A Brief History

The Palace was widely hailed as the finest structure built for the 1915 PPIE. It was designed by the legendary Bernard Maybeck, considered one of America's top ten most influential architects.

With the Palace, Maybeck established a new standard for civic design by showing global audiences what critics have proclaimed "a perfect marriage between architecture and landscape." Incorporating an ancient tidal basin into his plan, Maybeck demonstrated how nature could serve as a vital design element in modern architecture.

The PPIE opened on February 20, 1915 and closed as planned nine months later. More popular than ever imagined, the glittering Exposition celebrating the opening of the Panama Canal attracted nearly 19 million visitors from around the world. It was a seminal event in California's history. No longer would California be an isolated frontier state, but a player on the international scene and a future powerhouse of the Pacific Rim.

The Exposition also heralded San Francisco's miraculous rise from the ashes of the 1906 earthquake and



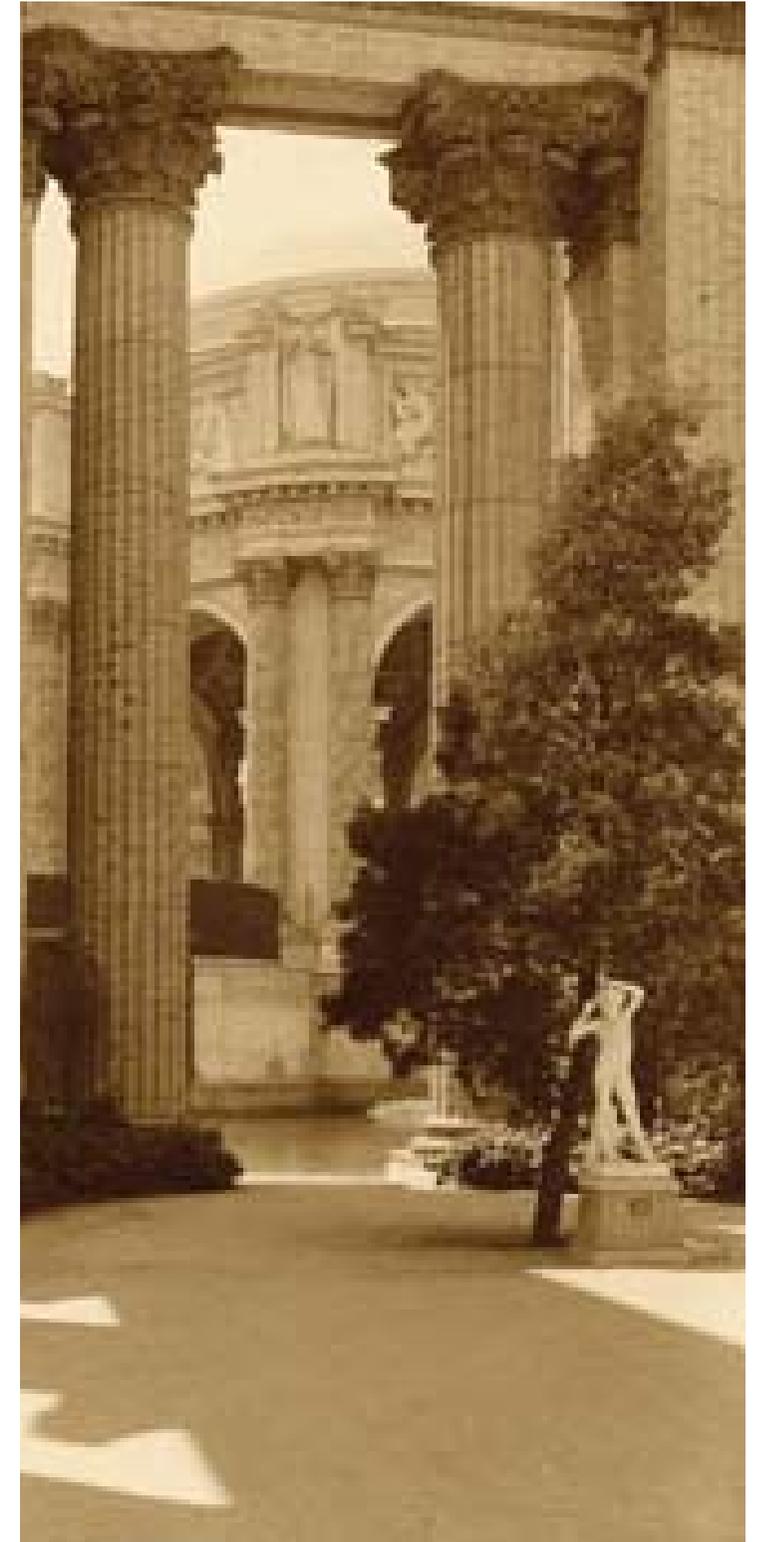
fire. The Palace of Fine Arts Exhibition Hall presented more than 11,000 works of art from around the world to awestruck fairgoers.

Exposition organizers originally expected to dismantle the entire 635 acre site of the fairgrounds, but citizens, led by Phoebe Apperson Hearst, succeeded in saving the Palace from destruction in 1916. It was turned over to the San Francisco Art Association (now the San Francisco Art Institute), thus becoming the City's first art museum. They mounted changing exhibitions and showcased collections from San Francisco's prominent art collectors and artists. The opening of the Palace of the Legion of Honor in 1924 shifted the art scene away from the Palace.

The 1930s brought tennis courts to the Palace. It was pressed into service lodging the Presidio's motor pool during World War II, and provided garage space for limousines of delegates to the San Francisco conference that founded the United Nations in 1945. The 1950s saw use as a phone book distribution center and fire station.

By the late 1950s the Palace structures had badly deteriorated and San Franciscans were again determined to save them. In 1959 voters approved a \$1.8 million bond measure to restore the Palace. These funds, coupled with \$2 million from the State of California and \$4.5 million from civic leader Walter S. Johnson, underwrote the recasting of the Palace of Fine Arts in permanent materials in the 1960s. Nineteen-sixty-nine marked the opening of the Exploratorium and 1970 the opening of the Palace of Fine Arts Theater.

In 2010, a \$21 million restoration project led by the Maybeck Foundation of the exterior features was completed through funding by generous support from more than 1,200 lovers of the Palace as well as State and local resources.





## Restoration of the Palace Rotunda and Colonnades

In fall 2002 Carey & Co. Inc., preservation architects, and Royston Hanamoto Alley and Abbey, landscape architects, were commissioned to develop a conceptual plan for restoring the Rotunda, Colonnades, Lagoon and landscape at the Palace. The restoration had oversight from a public-private Steering Committee that included representatives of the City and the Maybeck Foundation. A total of \$21 million was raised through a combination of funds from the City, the State, and a variety of individuals and corporations. The restoration was completed in 2010 and the Palace and surrounding grounds continue to be enjoyed and cherished by millions of visitors each year.

## Opportunity

This is a unique opportunity for an entity or entities to lease an iconic and beloved property in one of the most picturesque settings the City has to offer. The Department desires a long term tenant to provide significant and meaningful public access to the Palace while offering a desired use and completing necessary upgrades to the building. The Department, the Palace of Fine Arts Advisory Committee, the Maybeck Foundation and members of the community envision a use that will maximize public access to and enjoyment of the Palace of Fine Arts.

## Mandatory Requirements for Future Use of the Palace Building

- Section 4.113 of the San Francisco Charter prohibits the Recreation and Park Department (the Department) from leasing park land for non-recreational purposes. We encourage proposers to be creative in their proposals; however, the Commission cannot approve a lease if it cannot determine that an anticipated use satisfies the recreational purpose requirement.
- In addition to any tenant improvements and seismic improvements that may be required in order to serve particular proposed use(s), the tenant must have the ability to fund the Required Improvements to the Palace of Fine Arts Theatre and the former Exploratorium Space (together, the Palace of Fine Arts Building) as indicated in the EHDD (Esherrick Homsey Dodge and Davis Architects) report (see Appendix A-Building Specifics and Appendix D-Conditions Assessment Report).



*Interior of the old Exploratorium space*



Conceptual rendering of a reimagined central entryway



Image from the PPIE



## Recreation and Park Department Objectives

The Department's primary objectives are the following:

- To obtain a tenant capable of restoring the Palace of Fine Arts Building
- To obtain a financially viable tenant to enter into a long term lease agreement to provide valuable services and amenities
- To obtain a tenant that will complement and connect existing amenities and recreation in the surrounding area
- To enhance visitors' experience to the Palace of Fine Arts and surrounding park
- To provide significant public access to the Palace
- To provide a use that will continually engage the public over the duration of the term
- To provide for a public central entryway concept (See Appendix E, Tenant Options Study)
- To restore the Palace of Fine Arts Building to its original architectural state to the extent feasible

In addition, the Department encourages proposals that include restoring, retaining and operating the Palace of Fine Arts Theatre.

## Evaluation and Selection Process

This selection process will be conducted in two phases by means of a Request for Concept Proposals (RFCP) followed by a Request for Proposals (RFP). **The Concept Proposals are due on March 13, 2015 by 5 p.m. by email to [Cassandra.Costello@sfgov.org](mailto:Cassandra.Costello@sfgov.org).** Concept Proposals shall include a cover letter, a Concept Proposal Project Summary, and Financial Materials. They are not to include detailed architectural drawings. Concept Proposals will be reviewed by a selection panel and the public will be given an opportunity to comment on each of the Concept Proposals. Members of the selection panel will be selected by the Recreation and Park Department and will score responsive proposals based on the prescribed evaluation criteria listed in this document under "Evaluation Criteria."

Each Cover Letter, Concept Proposal Project Summary and subsection 3(a) of the Financial Materials will be posted on the Department's website, and possibly other publically accessible outlets. Proposers may be asked to present their proposals as part of the selection process. The Proposers who have submitted the highest ranking responsive Concept Proposal(s) will be invited to participate in the second stage of the selection process which will entail a RFP. Responses to the RFP will require substantially more details including, but not limited to, a higher level of detail on the proposed concept, additional detailed financial information as well as detailed architectural drawings illustrating the proposal.

The Department reserves the right to request clarification or additional information from individual respondent(s) and to request that some or all respondents make presentations to the public, the Department, the Recreation and Park Commission and other public bodies. The Department also reserves the right to reject any and all responses. Please note, those entities invited to participate in the RFP will be required to display their proposal publically, per guidelines established by the Department, at their own cost.

## Exclusive Negotiations

The Department will initiate exclusive negotiations for a lease agreement with the highest ranked proposer following the second stage of the selection process after approval from the Recreation and Park Commission. During the exclusive negotiating period, Department staff will attempt to negotiate a lease with the selected respondent generally based on the form of lease provided in Appendix E, modified to reflect the successful respondent's proposal. The Department reserves the right to make changes to the lease form during the course of negotiations. Upon successful agreement to all terms of the lease, the proposed lease will require approval from the Recreation and Park Commission and the Board of Supervisors. Environmental review and other City approvals may be required, depending on the content of the highest ranked proposal.

The period of exclusive negotiations may be extended solely at the City's option. In the event the General Manager of the Department determines that such negotiations are not proceeding satisfactorily, the City may, upon approval by the Commission, commence negotiations with another respondent or begin the selection process anew.

## Public Review

The Palace is an important piece of San Francisco's history and is a unique and iconic building loved by San Francisco. The Department strives to make the evaluation and selection process as transparent as possible and to solicit community input throughout this process. Cover Letters, Concept Proposal Project Summaries and subsection 3(a) of the Financial Materials will be posted on the Department's website, and comments will be welcome on the proposals through the website.

## Community Input Process

The Department has already begun a robust public input program as part of this competitive process. As the Department moves forward, there will be numerous public meetings at the Recreation and Park Commission, community meetings, and with residents and neighbors in the community. Respondents may be asked to participate in one or more of these meetings to present and answer questions about submitted proposals. Additionally, those respondents invited to partake in the full RFP will be required to attend public meetings and hearings to present and answer questions about their submitted proposals. The public is encouraged to review and comment on all responsive proposals.

Below is an estimated outline of anticipated public meetings and public postings:

### Request for Concept Proposals

- All Concept Proposal Project Summaries will be posted on the City's website
- The Department will host a community meeting to present RFCP responses
- Recreation and Park Commission Operations Committee and Full Recreation and Park Commission hearing to consider approving the selection panel's recommendations on the highest scoring proposals to the RFCP



### Request for Proposals

- Release of the RFP
- The responsive RFPs received will be posted on the City’s website
- The Department will host a series of public meetings to solicit public input on the proposals and possibly request that the respondents present their proposals.
- The Department will present the recommended selected respondent based on the Selection Panel’s recommendation to the Recreation and Park Commission Operations Committee and then the Full Commission for their consideration

### Lease Negotiation and Approval

The Department will hold a public community meeting before lease negotiations to introduce the selected entity and gather input prior to lease negotiations. Other steps include the following meetings:

- The Department will hold a public community meeting to present the details of a negotiated lease agreement to the public.
- Recreation and Park Commission Operations Committee and Full Commission hearing to consider the negotiated lease agreement.
- Board of Supervisors committee hearing and the Full Board of Supervisors to consider the Commission’s recommended lease agreement.
- Other regulatory agencies, as necessary, to consider appropriate aspects of the lease agreement.

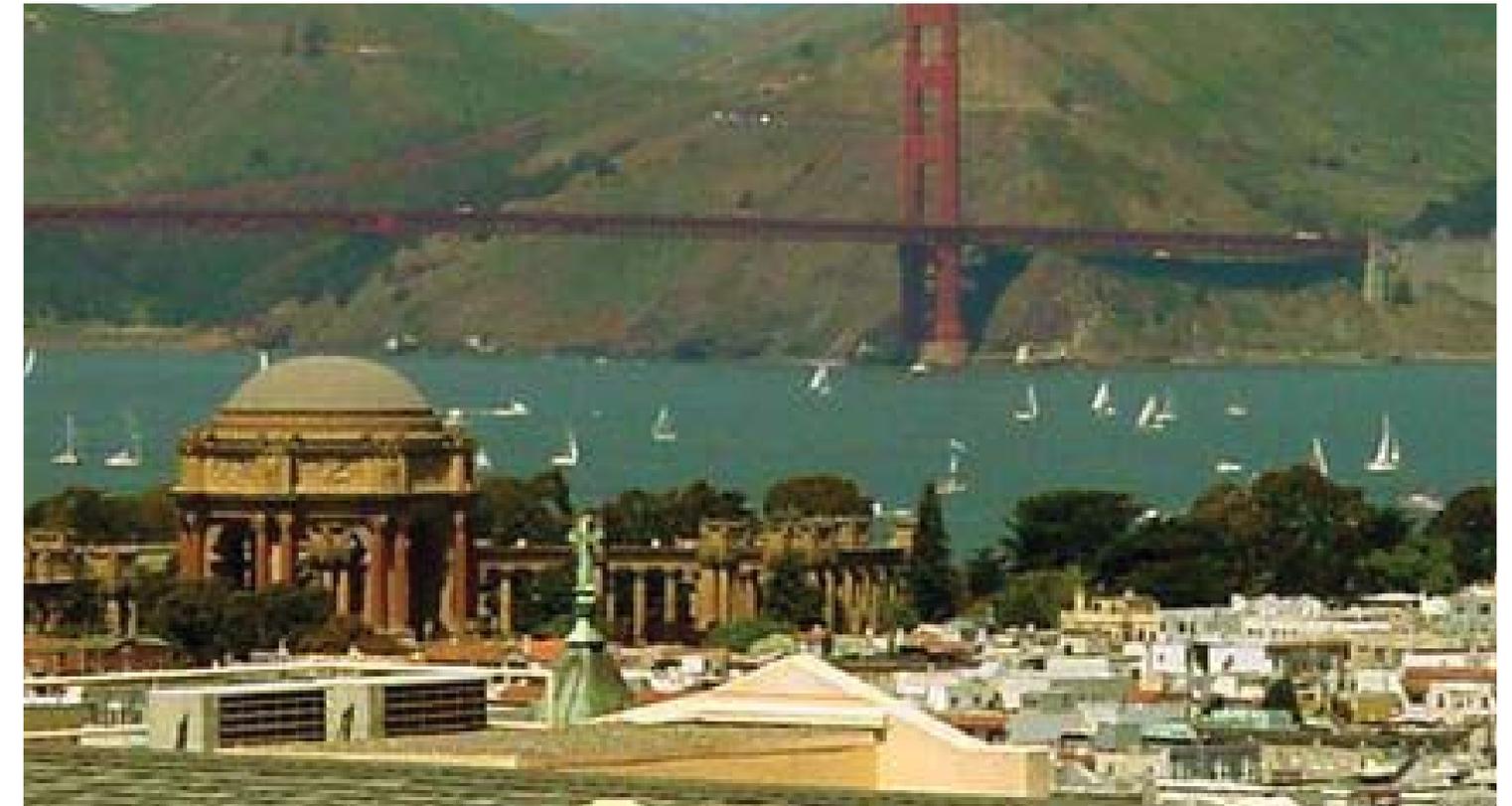
### Pre-Proposal Conferences

The Department will host a series of pre-bid conference meetings. These meetings are open to all prospective proposers. All questions and answers will be posted publically. The pre-bid meetings will be held at the Palace of Fine Arts on the following dates and times:

- December 1, 2014, at 2 p.m.
- December 15, 2014, at 2 p.m.
- February 2, 2015, at 2 p.m.
- February 5, 2015, at 10 a.m.

Department staff will meet conference attendees at the entrance of the Palace, near the Rotunda.

The Department may choose to change the dates above and will notify prospective bidders who request to be contacted of any new dates or changes to the dates above. Prospective bidders may email Cassandra Costello, [Cassandra.Costello@sfgov.org](mailto:Cassandra.Costello@sfgov.org) to request updates throughout this competitive process. Additionally, updates will be posted on the Palace of Fine Arts website at, <http://sfrecpark.org/destination/palace-of-fine-arts>. **Please note that there will be no brokerage commission as part of this opportunity.**



### Timeline

Anticipated Timeline (Subject to change without notice.)	
Release of Request for Conceptual Proposals (RFCP)	October 2014
RFCP Deadline	March 2015
Selection of Desired Respondents to RFCP	May 2015
Subsequent Request for Proposals (RFP) Released	June 2015
RFP Deadline	September 2015
Selection of Winning Respondent to RFP	November 2015
Lease Negotiations	November 2015-March 2016
Lease Approval	April 2016

Please note that the above anticipated timeline is subject to change without notice. Responses to the RFCP will be accepted by email to [Cassandra.Costello@sfgov.org](mailto:Cassandra.Costello@sfgov.org) by 5pm, March 13, 2015. Late responses will not be considered.

# Submittal Requirements

There are three components to the required submittal:

- 1) **Cover letter**
- 2) **Concept Proposal Summary**
- 3) **Financial Materials** (Project Pro-Forma and Expected Sources of Funds)

The Cover Letter, Concept Proposal Project Summary and subsection 3 (a) of the Financial Materials will be made available to the public upon receipt. Each respondent should submit one copy of its financial information in a separate sealed envelope, designated "Financial Materials." Each respondent must clearly mark any of the financial materials that it in good faith believes to be a trade secret or confidential proprietary information protected from disclosure under applicable law. To the extent permitted by law, the Department will attempt to maintain the confidentiality of financial materials (except subsection 3(a) below) marked confidential and/or proprietary, but respondents are cautioned that, in accordance with the Sunshine Ordinance, responses and other communications from interested parties must be open to inspection by the public upon request immediately after a lease is awarded. Subsection 3 (a) under Financial Materials will be made public immediately.

## 1. Cover letter including:

- a. Name of organization(s)
- b. Contact information (address, phone number, email address, telephone number)
- c. Date the organization was established
- d. Include resumes for all project team members including the architect and general contractor and other critical consultants. Please indicate their experience and roles and responsibilities as they relate to the Concept Proposal. Please include a list of developments in which the company or principal(s) has (have) been involved with that are similar to the opportunity described in this RFCP, indicating the project type, date, size, cost, location and the role of the respondent in each development. Additionally, please indicate any historic preservation experience of the respondent and key consultants.

## 2. Concept Proposal Project Summary

Concept proposals should not exceed 20 pages, excluding attachments, and should contain:

- a. Use
  - i. Description of proposed use for the site
  - ii. Description of public access to the site
  - iii. How the project meets a "recreational purpose"
- b. Description of proposed improvements to the building including the Required Improvements and any tenant improvements

- c. Description of how the project would compliment and link to the surrounding uses in the area
- d. Description of how the project will mitigate parking, traffic and noise issues to the surrounding neighborhood
- e. Description of how the project will enhance the visitor's experience to the site and surrounding park property
- f. How the proposal meets or exceeds the Department's Goals and Objectives
- g. How the Palace of Fine Arts Building will be protected and preserved

## 3. Financial Materials (Project Pro-Forma and Expected Sources of Funds)

- a. Provide proposed lease terms in relation to the form lease attached in appendix F.
- b. Provide a static pro forma illustrating total project investment, total revenues (if applicable), operating expenses, net operating income, debt service, and return to equity at stabilization.
- c. Provide an overall proposal budget, including all hard and soft costs (including contingencies) from preconstruction through occupancy. Explain the basis for the cost estimates.
- d. Include market justification that clearly supports revenue assumptions and viability of proposal.
- e. Indicate the source(s) and amount of debt and equity (including working capital) identified for the proposal. Describe the respondent's current relationships with investors and lenders and ability to obtain necessary capital for the proposal.
- f. State the proposed guarantees, bonds, or other mechanisms to be used to ensure timely completion of the proposal.

Please note that there will be no brokerage commission as part of this opportunity.

Submissions must be sent only via email no later than 5 p.m. on March 13, 2015 to:

### **Cassandra Costello, Property Manager**

Cassandra.Costello@sfgov.org

Late submissions will not be considered. Respondent is responsible for confirming Department's receipt of proposal.

A respondent may revise a proposal on the respondent's own initiative at any time before the deadline for submission of proposals. The respondent must submit the revised proposal in the same manner as the original. A revised proposal must be received on or before the proposal due date.

In no case will a statement of intent to submit a revised proposal, or commencement of a revision process, extend the proposal due date for any respondent.

At any time during the proposal evaluation process, the Department may require a respondent to provide oral or

written clarification of its proposal. Respondents must submit two copies of their proposal, one with all privileged financial information redacted for purposes of public posting.

**Mandatory Requirements for Future Use of the Palace of Fine Arts Building:**

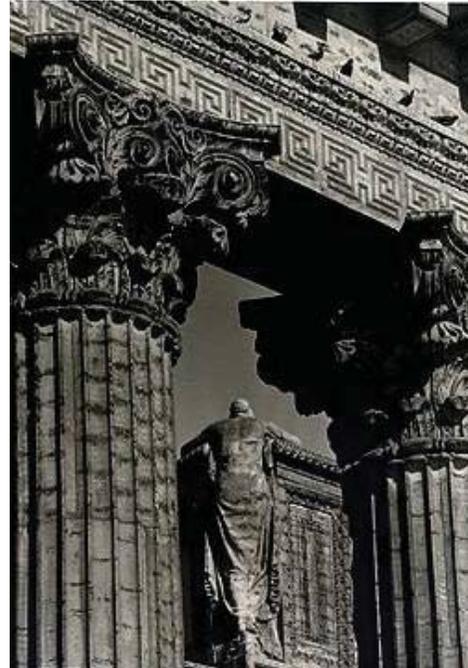
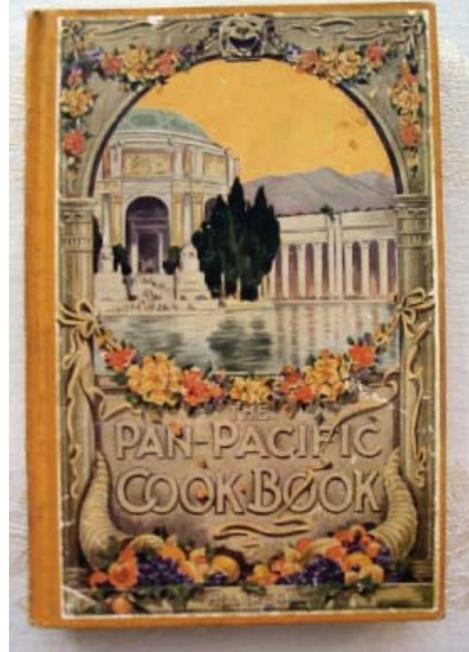
A proposal will be deemed non responsive if the following requirements are not met:

- Building usage must fulfill a recreational purpose (per City of San Francisco Charter)
- New tenant must have the ability to fund the necessary structural improvements to the Building as indicated in the EHDD (Esherick Homsey Dodge and Davis) report (see Appendix A-Building Specifics and Appendix D-Conditions Assessment Report).

The responsive proposals will be evaluated by an independent Selection Committee based on the criteria below. Public input will also be provided to the panel for their consideration.

Evaluation Criteria	Possible Points
<b>Public Access:</b> -How the project provides for meaningful public access	20
<b>Financials:</b> -Ability to finance proposal -Financial sustainability of proposal -Ability to restore the Exhibition Hall of the Palace	20
<b>Consistency with Department Goals and Requirements and the Advisory Committee's Desired Requirements:</b> -How the proposal meets or exceeds the Department's Goals, Objectives and Requirements -How the proposal meets or exceeds the Advisory Committee's Desired Requirements	15
<b>Compatibility with the Palace and Surrounding Neighborhood:</b> -How the project will mitigate parking and traffic issues -How the project will mitigate noise issues -How the project will protect/preserve the Palace Building	20
<b>Use:</b> -Project's ability to complement and enhance the experience of park users -Quality and innovation of respondent's plan	20
<b>Public Input</b>	5
<b>Total Points</b>	<b>100</b>





## Appendix A: Building Specifics

### Location

Directly off the Golden Gate Bridge, the Palace is located in the beautiful Marina District overlooking the famous Palace of Fine Arts Park to the east and the Golden Gate Bridge and Crissy Field to the north.

### Palace Specifics

Total Square Footage: 143,996

Ground Floor Square Footage: 126,246

Parking: 385 Spaces (Limited to 185 during Doyle Drive Construction)

Capacity: 6,393 (Assumes Theater is removed and converted to A-3 Occupancy)

Zoning: P-Public

Along with the adjacent rotunda and colonnades, listed on the National Register of Historic Places-Periods of Significance 1964-1967 and 1973-1974

Historically Significant Features: Building Sizing and Mass, oversized double doors and hardware, skylights, chimneys, and fireplaces.

### Former Exploratorium Space

Total Square Footage: 107,971

Ground Floor Square Footage: 90,221

Exploratorium Mezzanine Square Footage: 17,750

Occupancy Type: A-3

Capacity: 4,793 (3,969 on ground floor)

Current Rent: \$500,000 annually

Leased through March 2016

### Theater Space

Square Footage: 36,025

Occupancy Type: A-1

Capacity: 933

Current Rent: \$177,000 annually

Leased through March 2016

## Building Conditions

In 2012, the Maybeck Foundation convened a Condition Assessment Study (Appendix D) that was prepared by EHDD Architects. While the scope of work for any renovation project is dependent upon the final use of the Palace, the report found the building to be in fair-good condition yet in need of some significant improvements to ensure the preservation of the Palace for decades to come.

**Seismic-** The Palace received a full seismic renovation in 1993. Accordingly, Structural Analysis found the building to be compliant with all seismic provisions of the California Historic Building Code. The report did recommend certain un-mandated seismic improvements including adding additional micro-piles to the concrete foundation, tying all micro-piles together to add structural integrity in the event of liquefaction and reinforcing the trussed superstructure.

**HVAC-** The HVAC system serving the Theater is approaching the end of its useful life and in need of replacement. The former Exploratorium space is served by a separate HVAC system which is not of a commercial style and will likely need to be replaced.

**Plumbing-** The main theater area is without fire sprinklers which would need to be installed. The building experiences periodic flooding during heavy storms possibly caused both by the high-ground water table at the site and potential irregularities with the sub-floor storm drain piping and sanitary sewer waste systems. The Study recommends scoping and cleaning of those systems.

**Electrical-** The Palace is served by two separate PG&E lines. Both services include a 3-100kVA 12 kV-208Y/120 Volt oil filled transformer and appear likely to have been upgraded around 1989. The former Exploratorium is served by a Main Switchboard (1,000A- 120/208 Volt) which was installed in 1964 and, according to the Study has exceeded its expected lifetime. Similarly, the Theater's electrical system appears obsolete and would likely need to be replaced as well. The Study recommended replacing the Building's entire electrical system.

**Civil-** During heavy rains the Building and the surrounding environs experience flooding. The Study identified potential causes of the flooding but recommended further analysis prior to conceptual design of any renovation project.

## Historic Features

The Palace contains a limited number of significantly historic elements including the building sizing and mass, oversized double doors and hardware, skylights, chimneys, and fireplaces. According to historic consultant Page and Turnbull, the walls of the building are not a significant historic feature. This could allow for considerable modification of the walls of the building which could open up sweeping views of the Golden Gate Bridge, the Palace of Fine Arts surrounding park and lagoon and Crissy Field that no other location in the world can offer. The Palace is listed on the US National Register of Historic Places and is San Francisco Designated Landmark #88.

## Cost Estimate

The following cost estimates are based on the scope of work identified in the EHDD Study in 2012 attached as Exhibit D. Please note that these costs are estimates and real costs may be higher or lower than those listed below. These costs do not include tenant improvements specific to respondent's Concept Proposal or optional improvements listed in the EHDD report such as restoring the historic daylight which lined the Palace roof but of which only a few remain. For the purpose of analysis, estimates have been provided for scenarios in which the theater remains and if the entire space is merged into one assembly space. Please note that the proposer must have the ability to fund the Required Improvements listed below. The building was seismically retrofitted in 1993 and is currently up to current seismic code, however, there are recommended non required by the Department seismic improvements listed below. Please note that some costs in the middle column are higher than those in the column on the right due to certain challenges upgrading only part of the building opposed to the entire building.

Description	Est. Cost of Improvements to the former Exploratorium Space	Est. Cost of Improvements to the Entire Building (Exploratorium and Theater)
Site Prep & Demolition	\$689,640	\$1,238,331
Interior Construction (including new slab floor)	\$131,250	\$187,779
Exterior Enclosure	\$2,955,398	\$2,855,899
Plumbing and Fire Protection	\$407,446	\$377,078
Reconstruction	\$2,431,250	\$3,497,620
Electrical	\$881,250	\$1,070,590
Site Improvements and Utilities	\$505,710	\$505,710
<b>Subtotal of required improvements</b>	<b>\$8,001,994</b>	<b>\$9,733,007</b>
Recommended Seismic Improvements	\$5,883,000	\$5,310,000
<b>Total</b>	<b>\$13,884,944</b>	<b>\$15,043,007</b>



## Access: Transportation to the Palace

**Vehicular Access:** The Palace is adjacent to major thoroughfares Doyle Drive and Lombard Street which effectively connect the eastern half of San Francisco to Marin. Currently, the Presidio Parkway is under construction and is scheduled for completion at the end of 2016. Updated construction information can be found at [www.presidioparkway.org](http://www.presidioparkway.org). Upon completion of the Presidio Parkway, there will be 385 public parking spaces adjacent to the Palace.

**Transit Access:** The Palace and its surrounding neighborhoods are served by Muni (Lines 30, 30X, 28, 43 and 76), the PresidiGo Shuttle and Golden Gate Transit (Over 20 routes). In addition, approximately 20 tour buses visit the Palace each day.

**Bicycle and Pedestrian Access:** The Palace is located near numerous bicycle paths including the popular tourist route connecting Fisherman's Wharf and the Golden Gate Bridge. Pedestrians can access the Palace from Crissy Field, the Letterman Digital Arts Center in the Presidio, the Bay Trail as well as the City's Marina District.

## Parking Availability

Below is the approximate parking data for the Palace and immediate area. Please note that the “Lair Lot” is managed by the Presidio Trust.

On-Site Parking	Pre-Doyle Drive Construction	During Doyle Drive Construction	After Doyle Drive Construction
Lair Lot	258 spaces	58 spaces	240 spaces
Palace Drive and Exploratorium Entrance	139	139	139
<b>Total On-Site Parking</b>	<b>397</b>	<b>197</b>	<b>379</b>
Off-Site Parking	Pre-Doyle Drive Construction	During Doyle Drive Construction	After Doyle Drive Construction
Yacht Club West	187 spaces	187 spaces	187 spaces
Marina Green	369	369	369
On-Street Parking	191	191	191
<b>Total Off-Site Parking</b>	<b>747</b>	<b>747</b>	<b>747</b>
<b>Total On-Site and Off-Site Parking</b>	<b>1,144 spaces</b>	<b>944 spaces</b>	<b>1,126 spaces</b>



## Appendix B:

### Palace of Fine Arts Advisory Committee and Public Input

#### Palace of Fine Arts Advisory Committee:

The City convened the Advisory Committee to provide citywide and neighborhood perspectives to help determine the best uses for the Palace of Fine Arts. The Advisory Committee was created to provide the Department with expertise, perspective and advice on potential uses for the Palace. Membership of the Advisory Committee, including consultants, is as follows:

- **Supervisor Mark Farrell**, San Francisco Board of Supervisors
- **Commissioner Allan Low**, Recreation and Park Commission
- **Jan Berckefeldt**, Maybeck Foundation
- **Scott Maybeck Nittler**, Maybeck Foundation
- **Richard Pettler**, Maybeck Foundation
- **Hans Baldauf**, Maybeck Foundation
- **Jon Ballesteros**, SF Travel
- **Jim Lazarus**, San Francisco Chamber of Commerce
- **Don Young**, D.R. Young Associates
- **Doug Overman**, Golden Gate National Park Conservancy
- **Mike Martin**, America's Cup 34
- **John Lum**, San Francisco Museum and Historical Society
- **Lisa Pagan**, Mayor's Office of Economic and Workforce Development
- **Gary Strang**, Principal of GLS Landscape Architecture
- **Ike Kwon**, GM, Academy of Sciences and Parks Alliance
- **Deirdre Araujo**, Exploratorium
- **Commissioner Denise Bradley Tyson**, SF Film Commission
- **Ariel Kelley**, Marina Community Association
- **Ferris Ferdon**, Marina Merchants
- **Lori Brooke**, Cow Hollow Association
- **Tula Mouroufas**, Palace Neighbor

#### Consultants:

- **Lynn Sedway**, Sedway Consulting
- **Kelly Ishida Sloan**, Senior Associate, Formally with EHDD
- **Marc L'Italien**, Principle, EHDD



Through the Advisory Committee meeting process, the Committee was asked to provide the Department with suggestions of potential uses for the building. The following potential uses were identified:

- Museum (museum-type use)
- Educational use
- Sports facility
- Performing arts
- Exhibition space
- Event venue
- Merchant use/retail space

The Palace of Fine Arts Advisory Committee was also tasked with developing desired requirements for the site for future use which consisted of the following:

- Offers public access to at least a portion of the building (e.g., public atrium, public “pathway”, educational/interpretive center)
- Includes strategies to mitigate parking and traffic impacts to the local neighborhood
- Retains theater and/or comparable performing arts space
- Preserves architectural significance
- Utilizes green building practices
- Is compatible and synergistic with adjacent outdoor space
- Embodies world class ethics (in keeping with the caliber of Bernard Maybeck’s work)
- Reflects and is cohesive with other uses in the area: “synergy with independence”
- Is family-friendly
- Celebrates the history of the building and the work of Bernard Maybeck (e.g., interpretative exhibits, trib-

utes, etc.)

- Offers options for food and dining

The Department encourages proposals that encompass the feedback from the Advisory Committee and the community. Below is a list of potential uses that were suggested by the members of the public at two public community meetings held in November of 2012:

- Cultural use
- General educational use
- Use targeted to children and families (similar to former Exploratorium use)
- Inclusion of artifacts and interpretation pertaining to Bernard Maybeck and the 1915 Panama-Pacific International Exposition
- Museum for the wine industry
- Museum for the City of San Francisco (Guardians of the City)
- Urban farming/food education
- Art center
- Affordable community theater
- Affordable community space
- Museum for the history of pinball
- Exposition space for historic pipe organ
- Performing arts school
- Studio space for artists
- Use of roof as tenant space (“living roof” concept)
- Tennis Courts

## Appendix C: Terms and Conditions for Receipt of RFCP

### A. Errors and Omissions in RFCP

Respondents are responsible for reviewing all portions of this RFCP. Respondents are to promptly notify the Department, in writing, if the proposer discovers any ambiguity, discrepancy, omission, or other error in the RFCP. Any such notification should be directed to the Department promptly after discovery, but in no event later than 20 working days prior to the date for receipt of proposals. Modifications and clarifications will be made by addenda as provided below.

### B. Inquiries Regarding RFCP

Inquiries regarding the RFCP and all oral notifications of an intent to request written modification or clarification of the RFCP, must be directed via email to: [Cassandra.Costello@sfgov.org](mailto:Cassandra.Costello@sfgov.org)

### C. Change Notices

The Department may modify the RFCP, prior to the proposal due date, by issuing Change Notices, which will be posted on the website. The proposer shall be responsible for ensuring that its proposal reflects any and all Change Notices issued by the Department prior to the proposal due date regardless of when the proposal is submitted. Therefore, the City recommends that the proposer consult the website frequently, including shortly before the proposal due date, to determine if the proposer has downloaded all Change Notices.

### D. Revision of Proposal

A respondent may revise a proposal on the respondent's own initiative at any time before the deadline for submission of proposals. The respondent must submit the revised proposal in the same manner as the original. A revised proposal must be received on or before the proposal due date.

In no case will a statement of intent to submit a revised proposal, or commencement of a revision process, extend the proposal due date for any respondent.

At any time during the proposal evaluation process, the Department may require a respondent to provide oral or written clarification of its proposal. The Department reserves the right to make an award without further clarifications of proposals received.

### E. Errors and Omissions in Proposal

Failure by the Department to object to an error, omission, or deviation in the proposal will in no way modify the RFCP or excuse the vendor from full compliance with the specifications of the RFCP or any contract awarded pursuant to the RFCP.

### F. Financial Responsibility

The City accepts no financial responsibility for any costs incurred by a firm in responding to this RFCP. Submis-

sions of the RFCP will become the property of the City and may be used by the City in any way the City deems appropriate.

### G. Proposer's Obligations under the Campaign Reform Ordinance

Respondents must comply with Section 1.126 of the S.F. Campaign and Governmental Conduct Code, which states:

No person who contracts with the City and County of San Francisco for the rendition of personal services, for the furnishing of any material, supplies or equipment to the City, or for selling any land or building to the City, whenever such transaction would require approval by a City elective officer, or the board on which that City elective officer serves, shall make any contribution to such an officer, or candidates for such an office, or committee controlled by such officer or candidate at any time between commencement of negotiations and the later of either (1) the termination of negotiations for such contract, or (2) three months have elapsed from the date the contract is approved by the City elective officer or the board on which that City elective officer serves.

If a proposer is negotiating for a contract that must be approved by an elected local officer or the board on which that officer serves, during the negotiation period the proposer is prohibited from making contributions to:

- the officer's re-election campaign
- a candidate for that officer's office
- a committee controlled by the officer or candidate.

The negotiation period begins with the first point of contact, either by telephone, in person, or in writing, when a contractor approaches any city officer or employee about a particular contract, or a city officer or employee initiates communication with a potential contractor about a contract. The negotiation period ends when a contract is awarded or not awarded to the contractor. Examples of initial contacts include: (1) a vendor contacts a city officer or employee to promote himself or herself as a candidate for a contract; and (2) a city officer or employee contacts a contractor to propose that the contractor apply for a contract. Inquiries for information about a particular contract, requests for documents relating to a Request for Proposal, and requests to be placed on a mailing list do not constitute negotiations.

Violation of Section 1.126 may result in the following criminal, civil, or administrative penalties:

1. Criminal. Any person who knowingly or willfully violates section 1.126 is subject to a fine of up to \$5,000 and a jail term of not more than six months, or both.
2. Civil. Any person who intentionally or negligently violates section 1.126 may be held liable in a civil action brought by the civil prosecutor for an amount up to \$5,000.
3. Administrative. Any person who intentionally or negligently violates section 1.126 may be held liable in an administrative proceeding before the Ethics Commission held pursuant to the Charter for an amount up to \$5,000 for each violation.

For further information, Respondents should contact the San Francisco Ethics Commission at (415) 581-2300. Public Access to Meetings and Records

If a proposer is a non-profit entity that receives a cumulative total per year of at least \$250,000 in City funds or City-administered funds and is a non-profit organization as defined in Chapter 12L of the S.F. Administrative Code, the proposer must comply with Chapter 12L. The proposer must include in its proposal (1) a statement describing its efforts to comply with the Chapter 12L provisions regarding public access to proposer's meetings and records, and (2) a summary of all complaints concerning the proposer's compliance with Chapter 12L that were filed with the City in the last two years and deemed by the City to be substantiated. The summary shall also describe the disposition of each complaint. If no such complaints were filed, the proposer shall include a statement to that effect. Failure to comply with the reporting requirements of Chapter 12L or material misrepresentation in proposer's Chapter 12L submissions shall be grounds for rejection of the proposal and/or termination of any subsequent Agreement reached on the basis of the proposal.

#### **H. Responsible Proposals**

No proposals will be accepted from any person, firm, partnership, corporation or other entity that is in arrears upon any obligation to the City or that otherwise may be deemed irresponsible, unreliable or unqualified by the City.

#### **I. One Proposal per Respondent**

Only one proposal will be accepted from any one firm or corporation, or affiliated entities; however, several alternatives may be included in one proposal, and, as noted above, joint ventures or similar arrangements are permitted.

#### **J. Grounds for Rejection**

Any false, incomplete, or unresponsive statements in connection with a proposal may be cause for its rejection at the City's discretion. Any judgment as to the significance of any falsity, incompleteness, or unresponsiveness associated with a proposal shall be the prerogative of the City and its judgment shall be final.

#### **K. Invitation to Submit Proposals, no Obligations by City to Contract**

This RFCP is only an invitation to submit proposals, and does not commit the City in any way to enter into a Lease or other agreement or to proceed with the RFCP. In addition, the issuance of this RFCP does not obligate the City to pay any costs incurred by any Respondent in connection with (i) the preparation of a response to this RFCP, (ii) any supplements or modifications of this RFCP or (iii) negotiations with the City or other party arising out of or relating to this RFCP. All costs incurred in the preparation and presentation of any proposal in response to this RFCP shall be borne solely by the respondent.

#### **L. Proposal as a Public Record**

Generally, all documentation including financial information submitted by any Respondent to the City are public records under State and local law, including the City's Sunshine Ordinance. The Respondent will clearly designate

those financial records which it in good faith determines to be a trade secret or confidential proprietary information protected from disclosure under applicable law. To the extent permitted by law, the City will attempt to reasonably maintain the confidentiality of such financial information, consistent with the City's general practices for maintaining the confidentiality of such information. However, the City will not under any circumstances be responsible for any damages or losses incurred by a Respondent or any other person or entity because of the release of such financial information.

#### **M. Return of Materials**

The City will not return proposals or any information submitted in connection with a proposal unless the Respondent has properly designated financial portions of the proposal as confidential at the time of proposal in accordance with the terms above and has then clearly requested that such information be returned, and provided that the City is legally permitted to return such documents.

#### **N. Right to Disqualify**

The City reserves the right to disqualify any Respondent to this RFCP on the basis of any real or apparent conflict of interest that is disclosed by the responses submitted, misrepresentation or false statements in proposal, or other data available to the City. This disqualification is at the sole discretion of the City.

#### **O. Waiver of Claims Against City**

The Respondent shall not obtain by its response to this RFCP any claim against the City by reason of any or all of the following: any aspect of this RFCP, the selection process or any part thereof, any informalities or defects in the selection process, the rejection of any offer or all such offers, the acceptance of any offer, entering into any lease, the failure to enter into any such lease, any statement, representations, acts or omissions of the City or its agents, the exercise of any discretion set forth in or concerning any of the foregoing; and any other matters arising out of all or any of the foregoing.

#### **P. Objections to RFCP Terms**

Should a Respondent object on any ground to any provision or legal requirement set forth in this RFCP, the respondent must, not more than ten (10) calendar days after the RFCP is issued, provide written notice to the City setting forth with specificity the grounds for the objection. The failure of a respondent to object in the manner set forth in this paragraph shall constitute a complete and irrevocable waiver of any such objection.

Without limiting the generality of the foregoing, the information presented in or in connection with this RFCP is provided solely for the convenience of the interested parties. It is the responsibility of interested parties to assure themselves that any information contained in or related to this RFCP is accurate and complete. No representations, assurances, or warranties pertaining to the accuracy of such information are or will be provided by the City or its consultants and no claim may be brought against the City or any of their respective consultants as a result of the presentation of such information, irrespective of its accuracy, completeness or general utility.

#### **Q. Sunshine Ordinance**

In accordance with S.F. Administrative Code Section 67.24(e), contractors' bids, responses to RFCPs and all other records of communications between the City and persons or firms seeking contracts shall be open to inspection immediately after a contract has been awarded. Nothing in this provision requires the disclosure of a private person's or organization's net worth or other proprietary financial data submitted for qualification for a contract or other benefits until and unless that person or organization is awarded the contract or benefit. Information provided which is covered by this paragraph will be made available to the public upon request.

#### **R. Public Access to Meetings and Records**

If a proposer is a non-profit entity that receives a cumulative total per year of at least \$250,000 in City funds or City-administered funds and is a non-profit organization as defined in Chapter 12L of the S.F. Administrative Code, the proposer must comply with Chapter 12L. The proposer must include in its proposal (1) a statement describing its efforts to comply with the Chapter 12L provisions regarding public access to proposer's meetings and records, and (2) a summary of all complaints concerning the proposer's compliance with Chapter 12L that were filed with the City in the last two years and deemed by the City to be substantiated. The summary shall also describe the disposition of each complaint. If no such complaints were filed, the proposer shall include a statement to that effect. Failure to comply with the reporting requirements of Chapter 12L or material misrepresentation in proposer's Chapter 12L submissions shall be grounds for rejection of the proposal and/or termination of any subsequent Agreement reached on the basis of the proposal.

#### **S. Reservations of Rights by the City**

The issuance of this RFCP does not constitute an agreement by the City that any contract will actually be entered into by the City. The City expressly reserves the right at any time to:

1. Waive or correct any defect or informality in any response, proposal, or proposal procedure;
2. Reject any or all proposals;
3. Reissue a Request for Proposals;
4. Prior to submission deadline for proposals, modify all or any portion of the selection procedures, including deadlines for accepting responses, the specifications or requirements for any materials, equipment or services to be provided under this RFCP, or the requirements for contents or format of the proposals;
5. Procure any materials, equipment or services specified in this RFCP by any other means; or
6. Determine that no project will be pursued.

#### **T. No Waiver**

No waiver by the City of any provision of this RFCP shall be implied from any failure by the City to recognize or take action on account of any failure by a proposer to observe any provision of this RFCP.

#### **U. Protests**

Within five working days of the City's issuance of a notice of non-responsiveness, any firm that has submitted a proposal and believes that the City has incorrectly determined that its proposal is non-responsive may submit a written notice of protest. Such notice of protest must be received by the City on or before the fifth working day

following the City's issuance of the notice of non-responsiveness. The notice of protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The protest must be signed by an individual authorized to represent the proposer, and must cite the law, rule, local ordinance, procedure or RFCP provision on which the protest is based. In addition, the protestor must specify facts and evidence sufficient for the City to determine the validity of the protest.

#### Protest of Contract Award

Within five working days of the City's issuance of a notice of intent to award the contract, any firm that has submitted a responsive proposal and believes that the City has incorrectly selected another proposer for award may submit a written notice of protest. Such notice of protest must be received by the City on or before the fifth working day after the City's issuance of the notice of intent to award.

The notice of protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The protest must be signed by an individual authorized to represent the proposer, and must cite the law, rule, local ordinance, procedure or RFCP provision on which the protest is based. In addition, the protestor must specify facts and evidence sufficient for the City to determine the validity of the protest.

#### Delivery of Protests

All protests must be received by the due date. If a protest is mailed, the protestor bears the risk of non-delivery within the deadlines specified herein. Protests should be transmitted by a means that will objectively establish the date the City received the protest. Protests or notice of protests made orally (e.g., by telephone) will not be considered. Protests must be delivered to:

Cassandra Costello  
San Francisco Recreation & Park Department  
501 Stanyan Street

## **Appendix D: Links to Conditions Assessment Report by EHDD**

**Part One:** <http://goo.gl/xAukuY>

**Part Two:** <http://goo.gl/Olncre>

## **Appendix E: Link to Tenant Options Summary by EHDD**

<http://goo.gl/fC240n>

## **Appendix E: Link to Form Lease**

<http://goo.gl/PAzwNq>





San Francisco Recreation and Park Department  
McLaren Lodge in Golden Gate Park  
501 Stanyan Street  
San Francisco, CA 9417  
[sfrecpark.org](http://sfrecpark.org)