City of Manassas, Virginia

City Council Meeting

AGENDA

City Council Work Session
Community Conference Room
9027 Center Street
Manassas, VA 20110
Monday, June 16, 2025

Call to Order - 5:30 p.m.

Roll Call

1. Finance Committee

1.1 Resolution R-2025-884 Amending the FY 2025 Budget by Transferring $250,000 from General Fund Contingency to the Commissioner of the Revenue for a Real Estate Data Update in the Vision System
(Staff: Tim Demeria, Commissioner of the Revenue)
2025-884 RES Vision Update

2. Legislative Committee

2.1 Zone 1 (Townhome) Parking District Updates
ATTH01 Sec. 114-667 - Redline
ATTH02 Parking District Policy
Zone 1 Parking

2.2 City Legislative Priorities
2025 Legislative Agenda

3. Land Use Committee

3.1 MIFCO & Olde Towne Inn Redevelopment RFP & Public Private Partnership Options
ATTH01 Draft City PPEA Policy

ATTH02 Draft - 25P010 Real Estate Acquisition and Development
ATTH03 Code of Virginia for PPEA

3.2 City Event & Rental Policy Updates
ATTH01 City Event Rental Policy Updates
ATTH02 City Sunday Event and Downtown Visitors - April & May 2025

3.3 Transportation Planning Program Update
(Staff: Chloe Delhomme, Senior Planner)
ATTH01 Transportation Planning Program Memorandum
PRES Candidate Projects

4. <u>Appointments Committee</u>

4.1 Innovation District - City Representation

4.2 Board of Equalization and Boards, Committees, and Commissions (BCC) Compensation
Resolution #R-2025-xxx BOE Compensation
R-2002-26 BCC Compensation
R-2024-35 BCC Comp. Elimination

4.3 Creation of Housing Advisory Board
ATTH01 Memorandum
RES Housing Advisory Board Draft Resolution

<u>Adjournment</u>

City Council Agenda Item Report

Agenda Item No. 1.1
Submitted by: Sandra Mitchell
Submitting Department: Finance
Meeting Date: June 16, 2025

Item Title

Resolution R-2025-884 Amending the FY 2025 Budget by Transferring $250,000 from General Fund Contingency to the Commissioner of the Revenue for a Real Estate Data Update in the Vision System (Staff: Tim Demeria, Commissioner of the Revenue)

Suggested Action and/or Recommendation

Suggested Motion

I move that Resolution #R-2025-884 be approved.

Item Type Resolutions
Submitting Department Finance
Meeting Body City Council

Item ID 2025-884
Drafter Sandra Mitchell
Meeting Date June 16, 2025

Fiscal Impact

$250,000 – Use of General Fund Contingency (current balance $300,000)

Executive Summary and Background Information

Historical data in Vision has caused decreased software functionality and continued data quality problems. Engaging Vision services to perform data validation and cleanup will provide data consistency, reduce errors, and eliminate redundant or erroneous data. Ultimately, this will allow staff to use the system more efficiently and effectively.

This resolution will transfer $250,000 from the General Fund Contingency to the Commissioner of the Revenue budget.

ATTACHMENTS

- 2025-884 RES Vision Update

RESOLUTION R-2025-884

Adopted:

BE IT RESOLVED by the Council of the City of Manassas meeting in regular session this 23rd day of June, 2025, that the following funds be transferred as shown.

GENERAL FUND		
Expenditure:		
10010081-495001	General Fund Contingency	(250,000)
10010910-439000	COR Real Estate Purchased Services	250,000

For: Use of General Fund Contingency for Real Estate Data Update

This resolution shall take effect upon its passage.

Michelle Davis-Younger MAYOR
On Behalf of the City Council
of Manassas, Virginia

ATTEST:

Eric Smith City Clerk

City Council Agenda Item Report

Agenda Item No. 2.1
Submitted by: Steve Burke
Submitting Department: City Manager
Meeting Date: June 16, 2025

Item Title

Zone 1 (Townhome) Parking District Updates

Suggested Action and/or Recommendation

Council is requested to discuss proposed changes to the City Code and Parking District Policy related to Zone 1 (Townhome) Parking Districts

Suggested Motion

Item Type Work Session
Submitting Department City Manager
Meeting Body City Council

Item ID 2025-887
Drafter Steve Burke
Meeting Date June 16, 2025

Executive Summary and Background Information

Following discussion with Townhome community representatives, staff propose the following:

- Amend Policy P-2015-01 Parking Policy to establish similar enforcement times for Zone 1 (Townhomes) and Zone 2 (Single Family) at 8:00 pm to 8:00 am
- Amend City Code 114-667 Permits for Residential Permit Parking Districts to establish Section d to limit Zone 1 (Townhome) parking permits to two (2) at each residence

ATTACHMENTS

- ATTH01 Sec. 114-667 - Redline
- ATTH02 Parking District Policy
- Zone 1 Parking

Sec. 114-667. Permits for residential permit parking districts.

(a) Parking permits to allow parking during restricted hours in a residential permit parking district shall be issued only in accordance with the provisions of this division. Issuance of a permit shall not imply the applicant is in compliance with any tax payment or vehicle licensing law or ordinance.

(b) Parking permits, in the form of decals, shall be issued on a calendar year basis. Permits shall be valid for the district or zone for which they are issued, and shall not entitle the permit holder to park in any other restricted area.

(c) Parking permits shall be applied for in accordance with procedures established by the city manager, and shall be sold on a calendar year basis through the office of the city treasurer or such other city department as may be designated by the city manager. Permit applications shall be accompanied by the fee established by city council ordinance; proof of the applicant's residency in a residential permit parking district as required by section 114-668; and proof of ownership or use of a vehicle for which the permit is requested as required by section 114-669. The applicant must also pay all outstanding parking tickets, taxes and license fees owed to the City of Manassas prior to issuance of a permit.

(d) Each calendar year, no more than two (2) parking permits may be sold for qualifying vehicles at each residence in the Zone 1 Residential Parking District. The administrative process and requirements for enforcing this two permit limit shall be promulgated by the City Manager.

POLICY NO. #P-2015-01

REGULAR COUNCIL MEETING
July 28, 2014

RE: PROCESS FOR CITIZENS TO REQUEST THE CREATION, MODIFICATION, OR DELETION OF A RESTRICTED PARKING AREA AND THE ESTABLISHMENT OF THREE PARKING ZONES THAT WILL BE AVAILABLE IN THE CITY.

I. INTRODUCTION

This Policy and Procedure identifies the responsibilities and requirements of the City and City residents to implement City Code Sections 114-651 and 114-652, the procedure to appeal or initiate the creation, modification or deletion of restricted parking areas in the City.

II. PURPOSE

The purpose of this Policy and Procedure is to provide guidelines for addressing issues involving restricted parking areas (districts) in the City and the procedure governing citizen requests to create, modify or delete restricted parking areas.

III. POLICY ON INSTALLATION OF SIGNS IN CERTAIN RESIDENCE DISTRICTS

It is the policy of the City of Manassas, Virginia that, upon completion of the steps outlined herein and in Sections 114-651 through 654 of the City Code of Ordinances and upon a final determination to designate a restricted parking area, the City will install signs on public streets that will indicate the times, locations and conditions under which parking shall be by permit only,

IV. PARKING AREAS ESTABLISHED PER ZONE

The parking areas will be designated on specific streets on a block by block basis. The following zones are created for uniformity and to allow for basic zones that will be enforceable and meet the parking needs of citizens and at the same time provide for ease of permit issuance by the City Treasurer. The citizens or HOA's can request modifications to these zones which will be considered on a case by case basis. The actual times agreed to by the City Manager will be on both the initial notice to property owners of record and the actual signs posted on the public street.

1. Zone 1 — Parking for townhomes, overnight parking district.

   This zone shall apply to primarily townhome communities. The restriction will be no parking from 8:00 pm to 8:00 am ~~12:00 midnight to 6:00 a.m~~. EXCEPT for vehicles that display a valid city permit or a visitor permit for this zone. Valid Monday — Sunday. Only persons that maintain their residence within the boundaries of the designated permit parking district zone are eligible to obtain permits.

   Permits issued in this zone will be issued with a Zone 1 designation on the permit.

2. Zone 2 — Parking for single family detached, overnight parking district.

   This zone shall apply to primarily single family detached communities. The restriction will be no parking 8:00 p.m. — 8:00 a.m., Monday through Sunday, EXCEPT for vehicles that display a valid city permit or a visitor permit for this zone. Only persons that maintain their residence within the boundaries of the designated permit parking district zone are eligible to obtain permits.

   Permits issued in this zone will be issued with a Zone 2 designation on the permit.

3. Zone 3 — Daytime Parking Restrictions

   This zone shall apply to overflow parking in residential areas due to commuters or school students. Restriction shall be in effect from 5:00 a.m. to 5:00 p.m., Monday through Friday, except all legal holidays.

   Permits issued in this zone will be issued with a Zone 3 designation on the permit.

v. CRITERIA

For a City street or a portion thereof to qualify for sign installation, a street shall satisfy the following criteria:

1. The street shall be dedicated for public street purposes and be maintained by the City.
2. A petition requesting the signs signed on behalf of the occupants representing more than sixty percent (60%) of the residential units on the street shall be submitted to the City.

3. In lieu of the petition in item number 2 above, a Homeowners Association (HOA) having public streets fully within its community boundary may request these signs.

For townhomes or multifamily communities, the units facing the street will be counted in the total number of units. For single family detached, the number of units facing the street with either driveway connections or curbside parking in front of the home will be counted in the total number of units.

VI. PROCEDURE FOR CITIZENS TO REQUEST SIGN INSTALLATION

Provided the criteria in Section V above are met, the following procedures will initiate the request:

1. Homeowners Association (HOA) having public streets fully within its community boundary may request these signs if a request is received from the HOA Board sent to the City Manager.

2. Citizens may submit to the City Manager, or designee, a petition as provided for in Article V, Section 2. Upon receipt of the petition, the City Manager shall advise the City Council of receipt of said petition and shall direct the Department of Public Works to collect and determine the following:

   A. Identification of the neighborhood and specific streets where the signs are requested to be installed.
   B. Confirmation that the streets meet the criteria for sign installation. C. The appropriate type of parking restriction for the community area.
   D. A recommendation from the City's Staff Transportation Committee (STC).

Upon review of such supporting information and the determinations of the Department of Public Works, the City Manager shall determine whether the criteria have been satisfied. If the criteria are satisfied, the City Manager shall direct the actions necessary for the establishment or appeal of the parking restrictions per Section 114-651 through 114-653 of the City Code. The City Manager will notify the City Council and the Chief of Police of the location and date the signs were installed under 546.2-8782.

Vile FUNDING

Signs installed in accordance with this Policy will be fully funded from the operating budget of the Department of Public Works. If the district is of a size that funds are not available, Public Works shall notify the City Manager when reviewing the initial request.

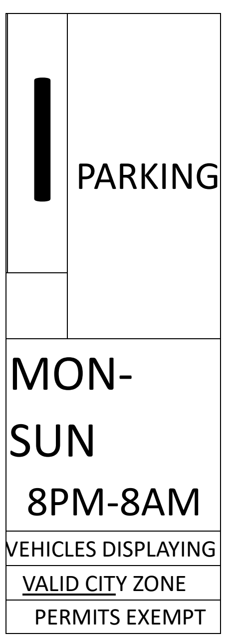
VIII.VISITOR PASSES

Visitor passes will be issued by the City Treasurer and will be valid for either one day or the weekend (Friday-Monday night). Visitor passes will be issued and specified for specific parking zones.

IX.DESIGN OF SIGNS

Zone 1 – see attached

Zone 2 – see attached



Zone 3 – see attached

5

CITY OF MANASSAS

VIRGINIA

PARKING DISTRICT PETITION

We, the undersigned residents or business owners, do respectfully petition the City of Manassas _______________ ______________ for on (roadway) from the _________________ intersection of to_________________, for the reasons stated:

____

____

____

CONTACT PERSON ____________________________ PHONE ____

SIGNATURE	PRINT NAME	ADDRESS	APT NO.

SIGNATURE	PRINT NAME	ADDRESS	APT NO.

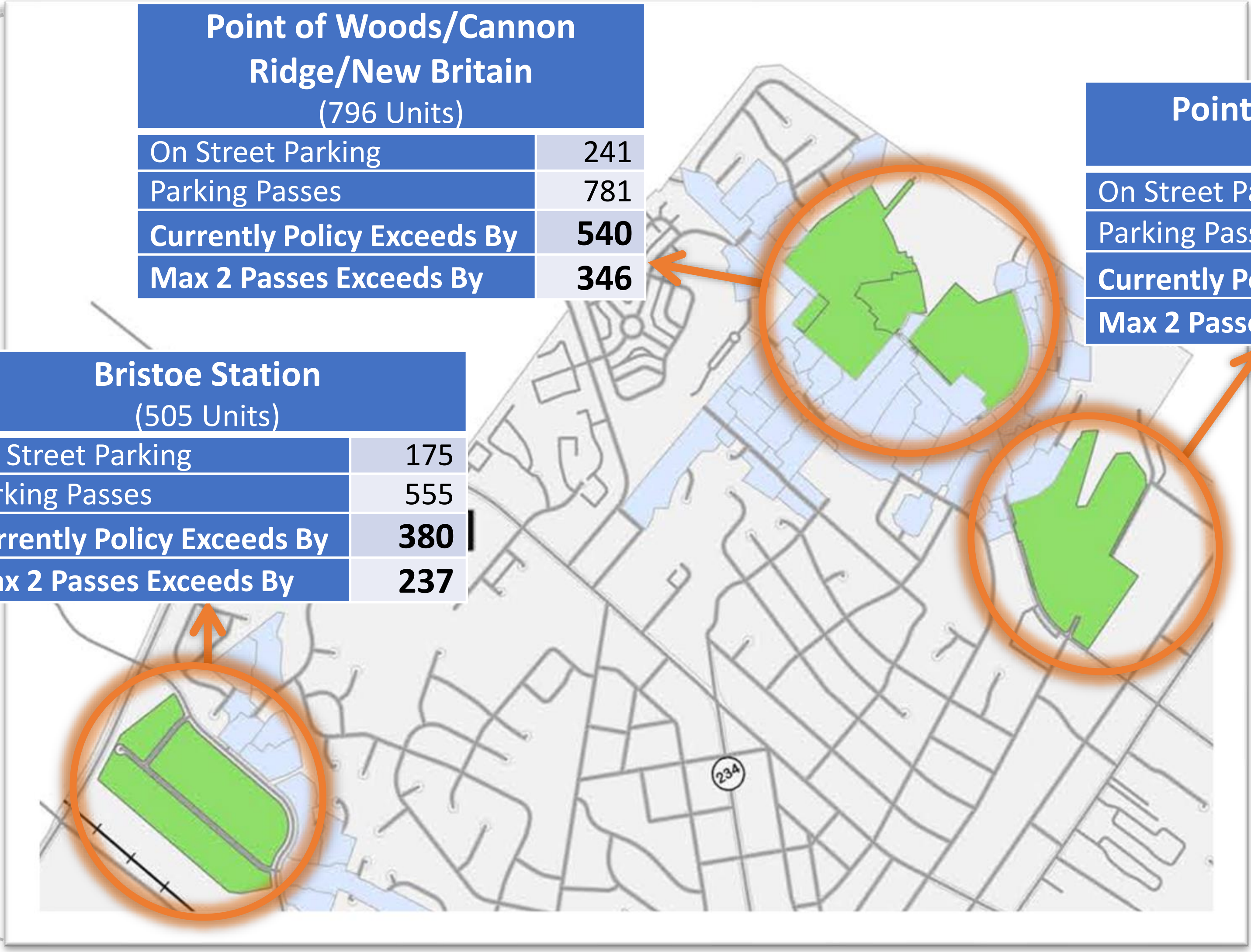
Policy #P-2015-01
July 28, 2014

Harry J. Parrish II Mayor
On Behalf of the City Council f the
City Council Of Manassas, Virginia

ATTEST:

Andrea P. Madden City Clerk

Zone 1 (Townhome) Parking



Point of Woods/Cannon Ridge/New Britain (796 Units)	
On Street Parking	241
Parking Passes	781
Currently Policy Exceeds By	**540**
Max 2 Passes Exceeds By	**346**

Point of Woods – East (359 Units)	
On Street Parking	75
Parking Passes	236
Currently Policy Exceeds By	**161**
Max 2 Passes Exceeds By	**112**

Bristoe Station (505 Units)	
On Street Parking	175
Parking Passes	555
Currently Policy Exceeds By	**380**
Max 2 Passes Exceeds By	**237**

*Counts are from January 2024

City Council Agenda Item Report

Agenda Item No. 2.2
Submitted by: Steve Burke
Submitting Department: City Manager
Meeting Date: June 16, 2025

Item Title

City Legislative Priorities

Suggested Action and/or Recommendation

Council is requested to discuss legislative priorities in advance of July 15 Legislative Breakfast

Suggested Motion

Item Type Work Session
Submitting Department City Manager
Meeting Body City Council
Item ID 2025-899
Drafter Steve Burke
Meeting Date June 16, 2025

Executive Summary and Background Information

Additional Legislative Items

- Noise Abatement Monitoring Systems - Identify loud vehicles
- Bank Data Center Personal Property Tax Exemption
- General Assembly Funding Assistance - Federal Impact to Schools & Social Services
- General Assembly - Disabled Veterans Income Tax Credit for local Real Estate Property Taxes

ATTACHMENTS

- 2025 Legislative Agenda

Educational Attainment

- The City of Manassas provides more than two times the required local funding for Manassas City Public Schools. We support actions by the General Assembly to recognize and fund the true costs of public education and significantly increase funding for K-12 education, pre-kindergarten (Pre-K), career and technical education and teacher compensation.
- We support funding formulas that provide additional resources to school divisions with high percentages of English Learners.
- We support divisions in their efforts to provide universal free breakfast and lunch programs.
- We support changes to the Standards of Quality (SOQ) funding formulas that have been recommended by the Joint Legislative Audit and Review Commission's (JLARC) K-12 Funding Formula study.

Economic Prosperity

- We support funding for education and workforce development particularly for Career and Technical Education and the strengthening of economic development incentives that spur job creation and retention.
- We support additional funding for Fast Forward, internships, career placement, and other workforce development programs managed by the Virginia Community College System.
- We support local flexibility in the promotion of economic development.

CITY OF MANASSAS COUNCIL

Mayor Michelle Davis-Younger
mdavis-younger@manassasva.gov
703-895-4485

Vice Mayor Pamela Sebesky
psebesky@manassasva.gov
571-330-5514

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CITY OF MANASSAS LEGISLATIVE AGENDA 2025

MANASSAS, VIRGINIA
Rich in Historic Interest
1873

Community Vitality

- We support local control over land use decisions, including planning, zoning, and mitigating the impacts of new development on our residents, schools and other infrastructure.
- We support elimination of the annexation moratorium as the Commonwealth continues to de- emphasize funding obligations to cities like funding for local police departments (HB 599).
- We support more resources from the Commonwealth to increase home ownership such as down payment assistance and low-interest loans.
- We support the increased use of Advanced Technology programs such as License Plate Readers (LPR's), Photo Red Light and Photo Speed Enforcement programs to improve the safety of our communities and roadways.
- We support increased funding to build community crisis service capacity within Region 2 to supplement bed space needed for Temporary Detention Orders (TDO) while waiting for state bed space to become available and funding for law enforcement standby security services. This would eliminate significant stress and resource allocation for our public safety personnel and local hospitals.
- We support increased state general funding for community-based public health programs, to include programs such as Healthy Families, Comprehensive Health Investment Project (CHIP) of Virginia, Smart Beginnings, and Resource Mothers. These are critical investments in programs that ensure a strong start for children, and can help reduce the need for costlier interventions later in life.
- We support increased efforts to address substance dependency, and these programs must be comprehensive and coordinated with localities. The state should develop and support evidence-based prevention initiatives and should continue to improve access to treatment.
- We support changes in the law enforcement decertification process to ensure confidentiality of Internal Affairs and personnel files during the decertification application process.
- We support the continuation of the grandfathering of the City of Manassas' use of Lake Manassas as a grandfathered water withdrawal facility based on our 5-year average use. The limitation of withdrawal proposed by DEQ would impinge on the City's full use of the lake for City residents (MH20).

Sustaining Excellence

- We support efforts to strengthen and maintain the principles of sovereign and qualified immunity for local governments and their officials.
- We support expansion of local revenue sources and increased local authority over revenues like the Machinery and Tools Tax and the Business and Professional Occupational License Fee.
- We support local control over municipal utilities as local regulation of municipal utilities should be provided by local officials who are accountable to the utility customer.
- We support holding public safety officials accountable to the 21st Century Policing strategies and not the creation of unfunded criminal justice legislation.

Transformative Mobility

- We support the continued equitable funding of transportation projects by VDOT in the Northern Virginia district in the same manner as projects are funded in other regions of the Commonwealth.
- We support increased funding for public transit, multi-modal, and alternative mass transit solutions.
- We support amending Virginia Code Section 15.2-1901 to authorize the use of eminent domain for transportation improvements on property contiguous to, but outside the city boundaries.
- We support legislation proposed by the Virginia Airport Operators Council (VAOC) that would define abandoned and derelict aircraft, and the procedures airport operators can take to use, trade, sale or remove the aircraft. This would provide clear guidance for aircraft that have been abandoned or are derelict on premises owned and controlled by the operator of a public use airport.

VIRGINIA VML MUNICIPAL LEAGUE

We support the 2025 VML Legislative Program.

City Council Agenda Item Report

Agenda Item No. 3.1
Submitted by: Steve Burke
Submitting Department: City Manager
Meeting Date: June 16, 2025

Item Title

MIFCO & Olde Towne Inn Redevelopment RFP & Public Private Partnership Options

Suggested Action and/or Recommendation

Council is requested to discuss the Request for Proposals to redevelop the MIFCO and Olde Towne Inn properties, as well as construct a multi-story parking deck to service the proposed development.

Suggested Motion

Approve for adoption at June 23rd City Council meeting.

Item Type Work Session
Submitting Department City Manager
Meeting Body City Council

Item ID 2025-890
Drafter Steve Burke
Meeting Date June 16, 2025

Advisory Board/Committee Review

N/A

Fiscal Impact

N/A

Executive Summary and Background Information

Staff have developed the draft Request for Proposals (RFP) for the redevelopment of the MIFCO and Olde Towne Inn properties, as well as the construction of a multi-level parking deck to service the proposed development. Staff request Council to review the draft RFP to ensure that it includes any requested redevelopment opportunities.

In development of the RFP, staff recommend that the City consider adoption of the Public-Private Education Facilities and Infrastructure Act (PPEA), to provide developers with an additional opportunity to present building and infrastructure proposals to the City. Adoption of the PPEA Guidelines does not commit the City to pursue this type of development arrangement, but expands the offerings available for this and other development projects in the City.

ATTACHMENTS

- ATTH01 Draft City PPEA Policy
- ATTH02 Draft - 25P010 Real Estate Acquisition and Development
- ATTH03 Code of Virginia for PPEA

Public-Private Education Facilities and Infrastructure Act

Of 2002, as amended, (PPEA) Policy Guidelines

City Manassas, Virginia

Policy Title: City of Manassas PPEA Policy Guidelines   Effective Date: June 24, 2025

I. INTRODUCTION:

These Policy Guidelines ("policy", "Policy", "Guidelines", "guidelines", "policy guidelines", or "Policy Guidelines") sets forth the legal authority and responsibility for projects proposed pursuant to the Public-Private Education Facilities and Infrastructure Act of 2002, as amended (Va. Code §§ 56-575.1 to 56-575.18) ("PPEA"), and serves as the required guidelines as referenced in §56-575.1 of the PPEA. Terms used in this policy shall have the definitions set forth in Appendix C to this policy.

II. PURPOSE:

The Public-Private Education Facilities and Infrastructure Act of 2002, Va. Code §§ 56-575.1 to 56-575.18 (the "PPEA", or the "Act") grants the City of Manassas, Virginia (the "City"), a responsible public entity as defined in the Act, the authority to create public-private partnerships for the development of a wide range of projects for public use if the City determines there is a public need for the project and that private involvement may provide the project to the public in a timely or cost-effective fashion. Individually negotiated comprehensive agreements between a private entity, as defined in the Act, and the City will define the respective rights and obligations of the City and the private entity. Although guidance with regard to the application of the PPEA is provided herein, it will be incumbent upon the City and all private entities to comply with the provisions of the PPEA as applicable and as may be amended. Further definition of terms is found in Appendix C.

III. GENERAL PROVISIONS:

A. Application.

1. In order for a project to come under the terms of the PPEA, it must meet the definition of a "qualifying project" as defined in the Act as meaning (i) any education facility, including, but not limited to a school building, any functionally related and subordinate facility and land to a school building (including any stadium or other facility primarily used for school events), and any depreciable property provided for use in a school facility that is operated as part of the public school system or as an institution of higher education; (ii) any building or facility that meets a public purpose and is developed or operated by or for any public entity; (iii) any improvements, together with equipment, necessary to enhance public safety and security of buildings to be principally used by a public entity; (iv) utility and telecommunications and other communications infrastructure; (v) a recreational facility; (vi) technology infrastructure, services, and applications, including, but not limited to, telecommunications, automated data processing, word processing and management information systems, and related information, equipment, goods and services; (vii) any services designed to increase the productivity or efficiency of the responsible public entity through the use of technology or other means, (viii) any technology, equipment, or infrastructure designed to deploy wireless broadband services to schools, businesses, or residential areas; (ix) any improvements necessary or desirable to any unimproved locally- or state-owned real estate; or (x)

any solid waste management facility as defined in Va Code § 10.1-1400 that produces electric energy derived from solid waste.

2. The Act establishes requirements that the City must adhere to when reviewing and approving proposals received pursuant to the PPEA. In addition, the Act specifies the criteria that must be used to select a proposal and the contents of the comprehensive agreement detailing the relationship between the City and the private entity. Any proposal received or solicited by the City pursuant to the PPEA will be reviewed in accordance with the provisions of the applicable Act and this policy as they may apply.

3. The City has adopted these policy guidelines to implement the PPEA by City of Manassas City Council resolution dated June 23, 2025. This policy applies to all procurements under the PPEA where the City is the "responsible public entity" or where the City is the "affected local jurisdiction" within the meaning of Va. Code § 56-575.1.

4. For purposes of this policy, unless otherwise indicated, "City Council" means the City Council of the City of Manassas, Virginia, as applicable, "City Manager" means the City Manager of the City of Manassas, Virginia, as applicable, and "City" means the City of Manassas. Virginia, or the City Council of the City of Manassas, Virginia, depending upon the context, and as applicable.

5. The City Manager, or if so decided by City Council, the City Council, are authorized to designate a working group to be responsible for evaluating proposals and negotiating the comprehensive agreement.

6. The individual designated by the City Manager to serve as the point of contact for implementation of procedures, to receive proposals submitted under the PPEA and to respond to inquiries regarding the PPEA or this adopted policy shall be the Purchasing Agent; or such other person as shall be designated in writing from time to time by the City Manager or the City Council.

7. This policy may only be revised by an amendment adopted by the City Council.

8. The City Council shall have overall responsibility and be the primary contact for implementation of this policy.

B. Effective Date.

Contracts entered into prior to passage of this policy shall continue to be governed by the policies and regulations of the City and Commonwealth of Virginia in effect at the time those contracts were executed.

C. Severability.

If any provision of this policy or any application thereof is held invalid, such invalidity shall not affect other provisions or applications of this policy which can be given effect without the invalid provision or application, and to this end the provisions of this policy are declared to be severable.

IV. <u>PROPOSAL PROVISIONS:</u>

A. Proposal Submissions in General.

1. A proposal under this Act may be either solicited by the City ("Solicited Bid/Proposal") or delivered by a private entity on an unsolicited basis ("Unsolicited Proposal"). In either case, any such proposal

shall be clearly identified as a "PPEA Proposal". Proposers ("Proposer" or "Proposers") may be required to follow a two-part proposal submission process consisting of a conceptual phase and a detailed phase, as described herein.

2. The requirements for any particular Solicited Bid/Proposal shall be as specified in the solicitation by the City for that particular proposal and shall be consistent with all applicable provisions of the PPEA.
3. The Act allows private entities to include innovative financing methods, including the imposition of user fees or service payments, in a proposal. Such financing arrangements may include the issuance of debt instruments, equity or other securities or obligations.
4. Proposals should be prepared simply and economically, following the format provided herein and providing a concise description of the Proposer's capabilities to complete the proposed qualifying project and the benefits to be derived from the project by the City. Project benefits to be considered are those occurring during the construction, renovation, expansion or improvement phase and during the life cycle of the project. Proposals also should include a comprehensive scope of work and a financial plan for the project, containing enough detail to allow an analysis by the City of the financial feasibility of the proposed project. The City may, at any time, require the Proposer to provide additional information and clarification to the submission.

5. The City may require that any proposal be clarified. Such clarification may include, but is not limited to, submission of additional documentation, responses to specific questions, and interviews with potential project participants.

B. Affected Local Jurisdictions

1. The term "affected local jurisdiction" means any county, city or City in which all or a portion of a qualifying project is located.

2. Any private entity requesting approval from or submitting a conceptual or detailed proposal to the City must provide any other affected jurisdiction with a copy of the private entity's request or proposal by certified mail, express delivery or hand delivery within five (5) business days of submission of the proposal to the City. The private entity is responsible for documenting evidence of the delivery of the request for proposals to any other affected local jurisdiction and providing same to the City within five (5) business days of such delivery. Any affected jurisdiction shall have sixty (60) days from the receipt of the request or proposal to submit written comments to the City and to indicate whether the proposed qualifying project is compatible with the (i) jurisdiction's comprehensive plan, (ii) jurisdiction's infrastructure development plans, and (iii) jurisdiction's capital improvements budget or (iv) other government spending plan. Comments received within the sixty (60)-day period shall be given consideration by the City, and no negative inference shall be drawn from the absence of comment by an affected jurisdiction. The City may begin or continue its evaluation of any such proposal during the sixty (60)-day period for the receipt of comments from other affected local jurisdictions.

C. Proposal Review Fee

Unless otherwise specified by the City, for unsolicited proposals and unsolicited competing proposals, the City will require an initial processing fee with an additional proposal fee to be charged should the project proceed beyond the initial review as established by an uncodified ordinance enacted by the city council, as amended. The initial processing fee shall be submitted with the initial proposal or competing proposal. The City will refund any portion of fees paid in excess of its direct costs which include, but are not limited to, all staff costs, and outside consultants, financial advisors, engineers and attorney's fees, associated with evaluating the proposal. In the event either the initial processing fee or the additional proposal fee is insufficient to cover all of the direct costs incurred by the City, the Proposer shall pay such additional direct costs incurred by the City in reviewing the proposal.

D. Freedom of Information Act

1. Generally, proposal documents submitted by private entities are subject to the Virginia Freedom of Information Act, Va. Code §§ 2.2-3700 to 2.2-3714 ("FOIA"). Except as provided by Va. Code § 2.2-3705.6 (11) of FOIA, such documents are subject to release by the City if requested by a third party, except to the extent that they relate to (i) confidential proprietary records, voluntarily provided by private business pursuant to a promise of confidentiality from the City, used by the public body for business, trade and tourism development or retention; and memoranda, working papers or other records related to businesses that are considering locating or expanding in Virginia, prepared by the City, where competition or bargaining is involved and where, if such records are made public, the financial interest of the City would be adversely affected.

2. Va. Code § 56-575.4 (G) of the PPEA imposes an obligation on the City and any affected jurisdiction to take appropriate action to protect confidential and proprietary information submitted by a private entity or operator pursuant to Va. Code § 2.2-3705.6 (11). When the private entity requests that the City not disclose information, the private entity must (i) invoke the exclusion when the data or materials are submitted to the City or before such submission, (ii) identify the data and materials for which protection from disclosure is sought, and (iii) state why the exclusion from disclosure is necessary. A private entity may request and receive a determination from the City as to the anticipated scope of protection prior to submitting the proposal. The City is authorized and obligated to protect only confidential and proprietary information, and thus will not protect any portion of a proposal from disclosure if the entire proposal has been designated confidential and proprietary by the Proposer without reasonably differentiating between the proprietary and non-proprietary information contained therein.

3. Upon receipt of a request that designated portions of a proposal be protected from disclosure as confidential and proprietary, the City shall determine whether such protection is appropriate under applicable law and, if appropriate, the scope of such appropriate protection, and shall communicate its determination to the Proposer. If the determination regarding protection or the scope thereof differs from the Proposer's request, then the City will accord the Proposer a reasonable opportunity to clarify and justify its request. Upon a final determination by the City to accord less protection than requested by the Proposer, the Proposer will be accorded an opportunity to withdraw its proposal. A proposal so withdrawn should be treated in the same manner as a proposal not accepted for publication and conceptual phase consideration as provided below.

E. Use of Public Funds

Virginia constitutional and statutory requirements and City ordinances and policies as they apply to appropriation and expenditure of public funds apply to any comprehensive agreement entered into under the Act. Accordingly, the processes and procedural requirements associated with the expenditure or obligation of public funds shall be incorporated into planning for any PPEA project or projects.

F. Posting of Proposals

Proposals (solicited or unsolicited) submitted in accordance with the requirements herein shall be posted by the City within ten (10) business days after acceptance such proposals by the City. Posting shall be on the City's website for a minimum of ten (10) calendar days, and by publication, in a newspaper of general circulation in the area in which the contract is to be performed with a summary of the proposal(s) and the location where copies of the proposal(s) are available for inspection. A copy of the proposal(s) may also be posted for public inspection on the Commonwealth of Virginia's Department of General Service's centralized electronic procurement website. Provided, however, trade secrets, financial records, or other records of the private entity excluded from disclosure under the provisions of Va. Code § 2.2-3705.6 (11) shall not be required to be posted, except as otherwise agreed by the responsible public entity and the private entity. Any inspection of procurement transaction records shall be subject to reasonable restrictions to ensure the security and integrity of the records

G. Applicability of Other Laws

Nothing in the PPEA shall affect the duty of the City to comply with all other applicable laws not in conflict with the PPEA. The applicability of the Virginia Public Procurement Act (the "VPPA") is as set forth in the PPEA.

V. SOLICITED PROPOSALS:

A. The City may solicit proposals from private entities to develop, acquire, design, construct, improve, renovate, expand, equip, maintain or operate qualifying projects or qualifying transportation facilities. The City may use a two-part process consisting of an initial conceptual phase and a detailed phase. The City will set forth in the solicitation the format and supporting information that is required to be submitted, consistent with the provisions of the applicable Act.

B. The solicitation will specify, but not necessarily be limited to, information and documents that must accompany each proposal and the factors that will be used in evaluating the submitted proposals. The solicitation will be posted in such public areas as are normally used for posting of the City's notices, including the City's website. The solicitation will also contain or incorporate by reference other applicable terms and conditions, including any unique capabilities or qualifications that will be required of the private entities submitting proposals. Pre-proposal conferences may be held as deemed appropriate by the City.

C. The requirements for any particular Bid/Proposal shall be as specified in the solicitation by the City for that particular proposal and shall be consistent with all applicable provisions of the PPEA and any other applicable law. All such solicitations shall be by issuance of a written Invitation to Bid ("ITB") or Request for Proposal ("RFP") within the meaning of "competitive sealed bidding" and "competitive negotiation" as used in the City of Manassas Procedures.

For Purchasing and Procurement Manual and the Virginia Public Procurement Act, Va. Code §§ 2.2-4300 to 2.2-4377.

D. Any proposal submitted pursuant to the PPEA that is not received in response to the City's ITB or RFP shall be deemed an unsolicited proposal under this PPEA Policy, including but not limited to (a) proposals received in response to a notice of the prior receipt of another unsolicited proposal as provide for below in § IV "Unsolicited Proposals" below, and (b) proposals received in response to publicity by the City concerning particular needs when the City has not issued a corresponding ITB or RFP, even if the County otherwise has encouraged the submission of proposals pursuant to the PPEA that address those needs.

VI. UNSOLICITED PROPOSALS:

A. The PPEA permits the City to receive and evaluate unsolicited proposals from private entities to acquire, design, construct, improve, renovate, expand, equip, maintain, or operate a qualifying project. The City may publicize its needs and may encourage or notify interested parties to submit proposals subject to the terms and conditions of the PPEA. When such proposals are received without issuance of a solicitation, the proposal shall be treated as an unsolicited proposal.

B. Proposals should be prepared simply and economically, following the format provided herein and providing a concise description of the Proposer's capabilities to complete the proposed qualifying project and the benefits to be derived from the project by the City. Project benefits to be considered are those occurring during the construction, renovation, expansion or improvement phase and during the life cycle of the project. Proposals also should include a comprehensive scope of work and a financial plan for the project, containing enough detail to allow an analysis by the City of the financial feasibility of the proposed project. The City may, at any time, require the Proposer to provide additional information and clarification to the submission.

C. An unsolicited proposal must contain the information required in § VII. “PPEA Proposal Preparation and Submission (Solicited and Unsolicited)” as set forth below.

D. The City may require additional submissions to clarify information previously provided or to address other areas of concern to the City.

E. All unsolicited proposals shall be submitted to the City by delivering ten (10) complete copies. For unsolicited proposals and unsolicited competing proposals, the City will require an initial processing fee of $5,000 with an additional proposal fee of $10,000 to be charged should the project proceed beyond the initial review. The initial processing fee shall be submitted with the initial proposal or competing proposal. The City will refund any portion of fees paid in excess of its direct costs which include, but are not limited to, all staff costs, and outside consultants, financial advisors, engineers and attorney’s fees, associated with evaluating the proposal. In the event either the initial processing fee of $5,000 or the additional proposal fee of $10,000 is insufficient to cover all of the direct costs incurred by the City, the Proposer shall pay such additional direct costs incurred by the City in reviewing the proposal.

F. The City may engage the services of qualified professionals, which may include but not be limited to architects, professional engineers, certified public accountants, not otherwise employed by the City, to provide independent analysis regarding the specifics, advantages, disadvantages, and the long-and short-term costs of any request by an private entity for approval of a qualifying project, and the City may apply the initial or any additional processing or proposal fee to the cost of the services of such qualified professionals, unless the City determines that such analysis of a request for approval of a qualifying project shall be performed by an employee of the City.

G. Upon receipt of any unsolicited proposal or group of proposals accompanied a payment of the required fee or fees by the Proposer or Proposers, the City will determine whether to accept the unsolicited proposal for publication and conceptual-phase consideration. If the City determines not to accept the proposal and not to proceed to publication and conceptual-phase consideration, it shall return the proposal, together with all fees and accompanying documentation, to the Proposer(s).

H. If the City chooses to accept an unsolicited proposal for conceptual-phase consideration, it shall post a notice within ten (10) working days in a public area regularly used by the City for posting of public notices for a period of not less than forty-five (45) days. The City shall also publish the same notice in one or more newspapers or periodicals of general circulation in the City to notify any parties that may be interested in submitting competing unsolicited proposals. Interested parties shall have forty-five (45) days from the date the notice is published to submit competing unsolicited proposals. The notice shall state that the City (i) has received and accepted an unsolicited proposal under the PPEA, (ii) intends to evaluate the proposal, (iii) may negotiate a comprehensive agreement with the Proposer based on the proposal, and (iv) will accept for simultaneous consideration any competing proposals that comply with the policy adopted by the City and the PPEA. The notice also shall summarize the proposed qualifying project or projects, and identify their proposed locations.

I. One copy of accepted unsolicited proposal(s) shall be made available for public inspection in accordance with the provisions of § IV.E, above.

J. The City reserves the right to reject any and all proposals at any time. If the City rejects a proposal by a private entity that purports to develop specific cost savings, the City shall specify the basis for rejection.

VII. PPEA PROPOSAL PREPARATION AND SUBMISSION (UNSOLICITED AND SOLICITED:

A. Format for Submissions at the Conceptual Stage

The City will require that all proposals (both solicited and unsolicited) at the conceptual stage contain the following information in the following format plus such other information as the City may reasonably request to complete its review or to comply with the requirements of the PPEA:

1. Completion and inclusion of a Proposer's Certification which is found as Appendix A to this policy.

2. Qualifications and Experience

    a. Identify the legal structure of the firm or consortium of firms making the proposal. Identify the organizational structure for the project, the management approach and how each partner and major subcontractor in the structure fits into the overall team.

    b. Describe the experience of the firm or consortium of firms making the proposal, the key principals and project managers involved in the proposed project including experience with projects of comparable size and complexity, including prior experience bringing similar projects to completion on budget and in compliance with design, land use, service and other standards. Describe the length of time in business, business experience, public sector experience and other engagements of the firm or consortium of firms. Include the identity of any firms that will provide design, construction and completion guarantees and warranties and a description of such guarantees and warranties.

    c. Provide the names, prior experience, addresses, telephone numbers and email addresses of persons within the firm or consortium of firms who will be directly involved in the project or who may be contacted for further information.

    d. Provide a current or most recently audited financial statement of the firm or firms and each partner with an equity interest of twenty percent or greater.

    e. Identify any persons known to the Proposer who would be obligated to disqualify themselves from participation in any transaction arising from or in connection to the project pursuant to The Virginia State and Local Government Conflict of Interest Act, Chapter 31 (Va. Code § 2.2-3100 *et seq.*) of Title 2.2 of the Code of Virginia.

3. Project Characteristics

   a. Provide a description of the project, including the conceptual design. Describe the proposed project in sufficient detail so that type and intent of the project, the location, and the communities that may be affected are clearly identified.

   b. Identify and fully describe any work to be performed by the City or any other public entity.

   c. Include a list of all federal, state and local permits and approvals required for the project and a schedule for obtaining such permits and approvals.

   d. Identify any anticipated adverse social, economic, environmental and transportation impacts of the project measured against the City's comprehensive land use plan and applicable ordinances and design standards. Specify the strategies or actions to mitigate known impacts of the project.

   e. Identify the projected positive social, economic, environmental and transportation impacts of the project measured against the City's comprehensive land use plan and applicable ordinances and design standards.

   f. Identify the proposed schedule for the work on the project, including sufficient time for the City's review and the estimated time for completion.

   g. Propose allocation of risk and liability, and assurances for timely completion of the project.

   h. State assumptions related to ownership, legal liability, law enforcement and operation of the project and the existence of any restrictions on the City's use of the project.

   i. Provide information relative to phased openings of the proposed project.

4. Project Financing

   a. Provide a preliminary estimate and estimating methodology of the cost of the work by phase, segment, or both.

   b. Submit a plan for the development, financing and operation of the project showing the anticipated schedule on which funds will be required. Describe the anticipated costs of and proposed sources and uses for such funds, including any anticipated debt service costs. The operational plan should include appropriate staffing levels and associated costs based upon any City's stated or adopted operational standards.

   c. Include a list and discussion of assumptions underlying all major elements of the plan.

   d. Identify the proposed risk factors and methods for dealing with these factors. Describe methods and remedies associated with any financial default.

   e. Identify any local, state or federal resources that the Proposer contemplates requesting for the project along with an anticipated schedule of resource requirements. Describe the total commitment, if any, expected from governmental sources and the timing of any anticipated commitment, both one-time and on-going.

   f. Identify the need, if any, for the City to provide either its general obligation or moral obligation backing. The underlying assumptions should address this need and/or state that the credit would be via a "Service Agreement", for example. Any debt issuance should be expected to receive an investment grade rating from a nationally recognized statistical rating agency. If the natural rating is not investment grade, the City may require the use of credit enhancements.

g. Outline what impact, if any, a drop-in interest rates would have on the ultimate annual project cost. Indicate if there is a method to refinance for cost savings or, conversely, if the firm is to receive the sole or primary benefit of this potential.

h. Outline the financial penalties, if any, that would result should the City wish to terminate a project early or restructure the cash flows for some reason of its own choosing. The firm should be specific on this point.

i. Provide a breakout of the fees to any underwriting firm(s) and the type of obligation the firm(s) are using with a financing component. Be specific as to tax-exempt, taxable, floating rate, fixed rate, etc.

5. Project Benefit and Compatibility

   a. Identify who will benefit from the project, how they will benefit and how the project will benefit the City and the overall community.

   b. Identify any anticipated public support or opposition, as well as any anticipated government support or opposition (including that in any affected jurisdiction), for the project.

   c. Explain the strategy and plans, including the anticipated timeline that will be carried out to involve and inform the general public, business community, and governmental agencies in areas affected by the project.

   d. Describe any anticipated significant benefits to the community and the City, including anticipated benefits to the economic, social, environmental, transportation, etc., condition of the City and whether the project is critical to attracting or maintaining competitive industries and businesses to the City.

   e. Compatibility with the City's and/or affected jurisdiction's local comprehensive plan (including related environmental, land use and facility standards ordinances, where applicable), infrastructure development plans, transportation plans, the capital improvements plan and capital budget or other government spending plan.

6. Additional material and information as the City may reasonably request.

B. Format for Submissions at the Detailed Stage

If the City decides to proceed to the detailed phase of review with one or more proposals, the following information should be provided by the private entity unless waived by the City:

1. A topographical map (1:2,000 or other appropriate scale) depicting the location of the proposed project or facility.
2. A description of the qualifying project, including the conceptual design of such facility or facilities or a conceptual plan for the provision of services or technology infrastructure, and a schedule for the initiation of and completion of the qualifying project to include the proposed major responsibilities and timeline for activities to be performed by both the public and private entity;
3. A list of public utility facilities, if any, that will be crossed by the qualifying project and a statement of the plans of the Proposer to accommodate such crossings.

4. Information relating to the current plans for development of facilities to be used by a public entity that are similar to the qualifying project being proposed by the private entity, if any, of each affected jurisdiction.
5. A statement and strategy setting out the plans for securing all necessary property interests and/or easements required for the project. The statement must include the names and addresses, if known, of the current owners of the subject property as well as a list of any property the Proposer intends to request the City or affected jurisdiction to condemn.
6. A detailed listing of all firms, along with their relevant experience and abilities, that will provide specific design, construction and completion guarantees and warranties, and a brief description of such guarantees and warranties along with a record of any prior defaults for performance.
7. If relevant, information relating to the current plans for development of facilities or technology infrastructure to be used by the City that are similar to the qualifying project being proposed by the private entity, if any, of each affected local jurisdiction;
8. A list of all permits and approvals required for the qualifying project from local, state, or federal agencies and a projected schedule for obtaining such permits and approvals;
9. A statement setting forth the private entity's general plans for financing the qualifying project including the sources of the private entity's funds and identification of any dedicated revenue source or proposed debt or equity investment on the behalf of the private entity;
10. A total life-cycle cost, including maintenance, specifying methodology and assumptions of the project or projects including major building systems (e.g., electrical, mechanical, etc.), and the proposed project start date. Include anticipated commitment of all parties; equity, debt, and other financing mechanisms; and a schedule of project revenues and project costs. The life-cycle cost analysis should include, but not be limited to, a detailed analysis of the projected return, rate of return, or both, expected useful life of facility and estimated annual operating expenses using City adopted service levels and standards.
11. A detailed discussion of assumptions about user fees or rates, lease payments and other service payments over the term of the interim or comprehensive agreement, and the methodology and circumstances for changes to such user fees, lease payments, and other service payments over time, and usage of the projects over the useful life of the projects.
12. Identification of any known government support or opposition, or general public support or opposition for the project. Government or public support should be demonstrated through resolution of official bodies, minutes of meetings, letters, or other official communications.
13. Demonstration of consistency with appropriate City and/or affected jurisdiction comprehensive plans (including related environmental, land use and facility standards ordinances, where applicable), infrastructure development plans, transportation plans, the capital improvement plan and capital budget, or indication of the steps required for acceptance into such plans.
14. Explanation of how the proposed project would impact the City's or affected jurisdiction's (jurisdictions') development plans.
15. The names and addresses of the persons who may be contacted for further information concerning the request;
16. Identification of any known conflicts of interest or other factors that may impact the City's consideration of the proposal, including the identification of any persons known to the Proposer who would be obligated to disqualify themselves from participation in any transaction arising from or in connection to the project pursuant to The Virginia State and Local Government Conflict of Interest Act, Chapter 31 (Va. Code § 2.2-3100 *et seq*.) of Title 2.2.
17. Additional material and information as the City may reasonably request.

VIII. PROPOSAL EVALUATION AND SELECTION CRITERIA:

A. Initial Review at the Conceptual Stage

1. Only proposals complying with the requirements of the PPEA that contain sufficient information for a meaningful evaluation and that are provided in an appropriate format will be considered by the City for further review at the conceptual stage.

2. The City will determine at this initial stage of review whether it will proceed using:

    a. Standard “competitive sealed bidding” procurement procedures consistent with the VPPA; or

    b. Procedures developed by the City that are consistent with procurement of other than professional services through "competitive negotiation" as the term is defined in Va. Code § 2.2-4301. The City may proceed using competitive negotiation procedures only if it makes a written determination that doing so is likely to be advantageous to the City and the public based upon either (1) the probable scope, complexity or urgency of need, or (2) the risk sharing, added value, increase in funding or economic benefit from the project would otherwise not be available.

3. After reviewing the original proposal(s) submitted during the appropriate notice period(s), the City may determine:

    a. not to proceed further with any proposal (solicited or unsolicited),

    b. to proceed to the detailed phase of review with the original unsolicited proposal,

    c. to proceed to the detailed phase with a competing unsolicited proposal, or

    d. to proceed to the detailed phase with one or more solicited or unsolicited proposals.

B. In evaluating any request for proposal, the City may rely upon internal staff reports or the advice of outside advisors or consultants. Some or all of the following items, along with the specified information required herein, shall be considered in the evaluation and selection of PPEA proposals. The City, however, reserves and retains the right to reject any request for proposal at any time for any reason whatsoever.

1. Qualifications and Experience

    Factors to be considered in either phase of the City’s review to determine whether the Proposer possesses the requisite qualifications and experience may include, but are not necessarily limited to:

    a. Experience with similar projects;

    b. Demonstration of ability to perform work;

    c. Leadership structure;

    d. Project manager's experience;

    e. Management approach;

    f. Financial condition; and

    g. Project ownership.

2. Project Characteristics

   Factors to be considered in determining the project characteristics may include, along with the specified information required herein, but are not necessarily limited to, the following:

   a. Project definition;
   b. Proposed project schedule;
   c. Operation of the project;
   d. Technology; technical feasibility;
   e. Conformity to State, City or affected jurisdiction laws, regulations, and standards
   f. Environmental impacts;
   g. Condemnation impacts;
   h. State and local permits; and
   i. Maintenance of the project.

3. Project Financing

   Factors to be considered in determining whether the proposed project financing allows adequate access to the necessary capital to finance the project may include, along with the specified information required herein, but are not necessarily limited to, the following:

   a. Cost and cost benefit to the City;
   b. Financing and the impact on the debt or debt burden of the City;
   c. Financial plan including default implications;
   d. Estimated cost; including debt source, operating costs, etc.; and
   e. Life-cycle cost analysis.

4. Project Benefit and Compatibility

   Factors to be considered in determining the proposed project's compatibility with the City's, affected jurisdiction's or regional comprehensive or development plans may include, along with the specified information required herein, but are not necessarily limited to, the following:

   a. Community benefits;
   b. Community support or opposition, or both;
   c. Public involvement strategy;
   d. Compatibility with existing and planned facilities;
   e. Compatibility with City, regional, and state economic development efforts; and
   f. Compatibility with the land use and/or transportation plans of the City and/or those of any affected jurisdiction.

IX. COMPREHENSIVE AND INTERIM AGREEMENTS:

A. At least thirty (30) days prior to entering into an interim or comprehensive agreement a public hearing must be held on the proposals. The City shall give notice of such hearing by posting on the City's website and in a newspaper of general circulation in the area where the contract is to be performed, a summary of the proposed agreements and the location where copies of the proposals and proposed agreement are available for public inspection. The Notice shall be provided at least ten (10) days prior to the date of the public hearing.

B. Prior to acquiring, designing, constructing, improving, renovating, expanding, equipping, maintaining, or operating the qualifying project, the selected Proposer shall enter into a Comprehensive Agreement with the City. Each contract shall define the rights and obligations of the City and the selected Proposer with regard to the project.

C. The terms of the Comprehensive Agreement shall be tailored to address the specifics of the project and shall include but not be limited to:

1. The delivery of maintenance, performance and payment bonds or letters of credit in connection with any acquisition, design, construction, improvement, renovation, expansion, equipping, maintenance, or operation of the qualifying project; in a form and amount satisfactory to the County and on a form provided by the City.

2. The review and approval of plans and specifications for the qualifying project by the City;

3. The rights of the City to inspect the qualifying project to ensure compliance with the contract;

4. The maintenance of a policy or policies of liability insurance or self-insurance reasonably sufficient to insure coverage of the project and the tort liability to the public and employees and to enable the continued operation of the qualifying project;

5. The monitoring of the practices of the operator by the City to ensure proper maintenance, safety, use and management of the qualifying project;

6. The terms under which the operator will reimburse the City for services provided;

7. The policy and procedures that will govern the rights and responsibilities of the City and the operator in the event that the contract is terminated or there is a material default by the operator including the conditions governing assumption of the duties and responsibilities of the operator by the City and the transfer or purchase of property or other interests of the operator by the City;

8. The terms under which the operator will file appropriate financial statements on a periodic basis.

9. The mechanism by which user fees, lease payments, or service payments, if any, may be established from time to time upon agreement of the parties. Any payments or fees shall be the same for persons using the facility under like conditions and that will not materially discourage use of the qualifying project;

    a. A copy of any service contract shall be filed with the City.

b. A schedule of the current user fees or lease payments shall be made available by the operator to any member of the public upon request.

c. Classifications according to reasonable categories for assessment of user fees may be made.

10. The terms and conditions under which the City will contribute financial resources, if any, for the qualifying project; and

11. Other requirements of the PPEA or provisions that the City determines serve the public purpose of the PPEA.

D. Prior to or in connection with the negotiation of the comprehensive agreement, the City may enter into an interim agreement with the private entity proposing the development or operation of the qualifying project. The scope of an interim agreement may include, but is not limited to:

1. Project planning and development;

2. Design and engineering;

3. Environmental analysis and mitigation;

4. Survey;

5. Ascertaining the availability of financing for the proposed facility through financial and revenue analysis;

6. Establishing a process and timing of the negotiation of the comprehensive agreement; and

7. Any other provisions related to any aspect of the development or operation of a qualifying project that the parties may deem appropriate prior to the execution of a comprehensive agreement.

E. Once negotiations have concluded, the following shall occur:

1. The City shall make the proposed agreement available on the City's website and in the offices of the City Manager or the City's Finance Department for at least 10 business days prior to the public hearing to be held by the City.

2. At least thirty (30) days prior to entering into an interim or comprehensive agreement a public hearing must be held on the proposals. Such hearing may coincide with a regularly scheduled meeting of the City Council; comments may be submitted to the City at any time during the notice period and prior to the public hearing. After the public hearing and the end of the public comment period, no additional posting shall be required based on any public comment received.

3. The proposed agreement shall be posted in the following manner:

a. On the City's website.

b. In addition to the posting requirements, a copy of the proposals shall be made available for public inspection in the offices of the City Manager or City's Finance Department. Trade secrets, financial records, or other records of the private entity excluded from disclosure under the provisions of subdivision 11 of Va. Code §2.2-3705.6 shall not be required to be posted, except as otherwise agreed to by the City and the private entity.

c. Any studies and analyses considered by the City in its review of a proposal shall be disclosed at some point prior to the execution of an interim or comprehensive agreement.

d. Once an interim agreement or a comprehensive agreement has been entered into, the City shall make procurement records available for public inspection, upon request.

e. Such procurement records shall include documents protected from disclosure during the negotiation phase on the basis that the release of such documents.

F. Any comprehensive agreement, interim agreement, and any amendments thereto shall first be approved by the City Council and then executed in writing by persons having the authority to do so. For a mixed project involving both public schools and other facilities, the City Council, Prince William County Board of County Supervisors and Manassas City School Board, may in their discretion, both enter into the same comprehensive agreement with the operator for the entire mixed project, with their respective responsibilities delineated in the agreement.

G. As required by Va. Code § 56-575.9.F., when the City enters into an agreement pursuant to the PPEA, a copy should be submitted to the Auditor of Public Accounts within 30 days thereafter at the following address:

Audit of Public Accounts

P.O. Box 1295

Richmond, VA 23218

The copy should be sent by certified-mail, return receipt requested, with a copy of the forwarding letter and return-receipt kept in the procurement file.

X. PROTESTS OF PPEA PROCUREMENTS:

The following are the exclusive procedures for contesting or challenging (protesting) (a) the terms or conditions of any solicitation of proposals by the City pursuant to the PPEA, (b) nonselection of a PPEA proposal for further consideration, and (c) the selection of any PPEA proposal for entry into an Interim and/or Comprehensive agreement or the entry into an Interim and/or Comprehensive agreement under the PPEA:

A. Any protest to any term or condition of a solicitation must be made in writing and delivered to the City Manager so it is received by the City Manager before proposals are due under the solicitation. Any protest not received in this manner shall be deemed to be waived.

B. A protest of a City decision not to select a PPEA proposal for further consideration may only be made by the entity who submitted the proposal at issue. A protest of a City decision to select a PPEA proposal for entry into an agreement or to enter into an agreement may only be made by an entity who submitted a proposal for the procurement at issue and who was reasonably likely to have its proposal accepted but for the City's decision. Protests shall only be granted if (1) the protester has complied fully with this paragraph

X and there has been a violation of law, this policy, or mandatory terms of the solicitation that clearly prejudiced the protestor in a material way, or (2) a statute requires voiding of the decision.

C. Any entity desiring to protest a City decision not to select a PPEA proposal for further consideration, to select a PPEA proposal for entry into an agreement, or to enter into an agreement shall submit the protest in writing and deliver it so that it is received by the City Manager not later than 10 business days after announcement of the decision. Any protest not received in this manner shall be deemed to be waived.

D. The City Manager shall issue a written decision on a protest within 10 days of its receipt by the City Manager.

E. If the protest is denied, the protester may only appeal the denial or otherwise contest or challenge the procurement by then filing suit in the Circuit Court of Prince William County and serving the City with such suit within 10 days of such denial. Otherwise, the protester's right to appeal the denial or to otherwise contest or challenge the procurement shall be deemed to be waived.

F. The exclusive relief allowed if a protest is granted is to void the decision being protested. Under no circumstances will any monetary relief be allowed.

G. Strictly following these procedures shall be a mandatory prerequisite for any challenge of any nature to a decision by the City relating to terms and conditions of a PPEA solicitation, non-selection of a PPEA proposal for further consideration, selection of a PPEA proposal, or entry into an interim and/or comprehensive agreement. A failure to follow all these procedures strictly shall constitute a waiver of any right to challenge judicially a City decision (a) as to terms or conditions in a PPEA solicitation, (b) not to select a PPEA proposal for further consideration, (c) to select a PPEA proposal, or (d) to enter into an interim and/or comprehensive agreement.

XI. <u>NOTICE AND POSTING REQUIREMENTS:</u>

See Appendix B for an outline of these requirements and the associated timelines.

APPENDIX A

Proposer's Certification

____
Proposer's Name

____
Proposer's Address

____
Proposer's Telephone No

____
Proposer's Facsimile No

____
Proposer's E-mail Address

____
Proposer's or Proposer's Contractor's Virginia Class A General Contractor's License Number

____
Proposer's or Proposer's Architects and Engineers Virginia Registration Numbers

After first being placed under oath, I hereby certify that I have authority to submit this proposal on behalf of the Proposer whose name appears above, that I am a principal of the Proposer, that the Proposer hereby agrees to all of the terms and conditions in the City of Manassas PPEA Policy, as amended, that neither the Proposer nor any member of its team or their principals is currently suspended or debarred from public contracting by any federal, state or local government entity, that I have taken reasonable steps to ascertain the accuracy of all the information contained in this proposal and this certification, and that the information in this proposal and certification is accurate to the best of my knowledge or information and belief.

____
Signature

____
Printed/Typed Name

____
Title (Principal of Proposer)

Commonwealth of Virginia :

: to wit

County/City of __________ :

On ______________________________, (same name as above) appeared before me, and after satisfying me of his/her identity and after being placed under oath, swore to the truthfulness of the above statement.

____

Notary Public

My commission expires: _______________________

(If applicable) the Proposer acknowledges receipt of the following addenda:

Addendum No.: ______ Dated: _____________

Addendum No.: ______ Dated: _____________

Addendum No.: ______ Dated: _____________

Addendum No.: ______ Dated: _____________

APPENDIX B

NOTICE AND POSTING REQUIREMENTS

Requirement	Responsible Party	Unsolicited	Solicited
Provide any affected jurisdiction with a copy of proposal within five (5) business days of proposal to City	Private Entity		
Any affected jurisdiction shall have sixty (60) days from receipt of proposal to provide comments to the City	Other affected jurisdictions		
City may begin or continue evaluation during the sixty (60) day review period	City		
Post proposals within ten (10) business days of acceptance	City		
Posting shall continue for ten (10) business days	City		
Posting shall continue for not less than forty-five (45) days	City		
Competing Proposals may be submitted within the forty-five (45) day posting window	Private Entities		
Provide ten (10) day notice of public hearing required for entering into agreement	City		
Public hearing must be held at least thirty (30) days prior to entering into a comprehensive or interim agreement	City		

Summary:

Acceptance of unsolicited proposals will generally require a minimum of 150 days from receipt of proposal to signature of interim or comprehensive agreement. This estimate does ***not*** include time required for review and evaluation of proposals.

Solicited proposals will generally require a minimum of 60 days from date of issuance of RFP to signature of interim or comprehensive agreement. This estimate does ***not*** include time required for creation of RFP, posting and distribution of RFP, receipt of proposals, review and evaluation of proposals.

APPENDIX C

Terms and Definitions

"Act" means the Public-Private Education Facilities and Infrastructure Act of 2002, as amended, Va. Code §§ 56-575.1 to 56-575.18.

"Affected jurisdiction" means any county, town, or City in which all or a portion of a qualifying project is located.

"Appropriating body" means the body responsible for appropriating or authorizing funding to pay for a qualifying project.

"Comprehensive agreement" means the comprehensive agreement between the private entity and the responsible public entity that is required prior to the development or operation of a qualifying project.

"Conceptual stage" means the initial phase of project evaluation when the public entity makes a determination whether the proposed project serves a public purpose, meets the criteria for a qualifying project, assesses the qualifications and experience of a private entity Proposer, reviews the project for financial feasibility, and warrants further pursuit.

"Cost-benefit analysis" means an analysis that weighs expected costs against expected benefits in order to choose the best option. For example, a city manager may compare the costs and benefits of constructing a new office building to those of renovating and maintaining an existing structure in order to select the most financially advantageous option.

"Detailed stage" means the second phase of project evaluation where the public entity has completed the conceptual stage and accepted the proposal and may request additional information regarding a proposed project prior to entering into competitive negotiations with one or more private entities to develop an interim or comprehensive agreement.

"Develop" or **"development"** means to plan, design, develop, finance, lease, acquire, install, construct, or expand.

"Interim agreement" means an agreement between a private entity and a responsible public entity that provides for phasing of the development or operation, or both, of a qualifying project. Such phases may include, but are not limited to, design, planning, engineering, environmental analysis and mitigation, financial and revenue analysis, or any other phase of the project that constitutes activity on any part of the qualifying project.

"Lease payment" means any form of payment, including a land lease, by a public entity to the private entity for the use of a qualifying project.

"Lifecycle cost analysis" means an analysis that calculates cost of an asset over its entire life span and includes the cost of planning, constructing, operating, maintaining, replacing, and when applicable, salvaging the asset. Although one proposal may have a lower initial construction cost, it may not have the lowest lifecycle cost once maintenance, replacement, and salvage value is considered. Public-Private Education Facilities and Infrastructure Act of 2002, as amended, **Commonwealth of Virginia Procedures Revised**

"Material default" means any default by the private entity in the performance of its duties that jeopardizes adequate service to the public from a qualifying project.

"Operate" means to finance, maintain, improve, equip, modify, repair, or operate.

"Opportunity cost" means the cost of passing up another choice when making a decision or the increase in costs due to delays in making a decision.

"PPEA" means the Public-Private Education Facilities and Infrastructure Act of 2002, as amended, Va. Code §§ 56-575.1 to 56-575.18.

"Private entity" means any natural person, corporation, general partnership, limited liability company, limited partnership, joint venture, business trust, public benefit corporation, nonprofit entity, or other business entity.

"Public entity" means the Commonwealth and any agency or authority thereof, any county, town or City and any other political subdivision of the Commonwealth, any public body politic and corporate, or any regional entity that serves a public purpose.

"Qualifying project" means (i) any education facility, including, but not limited to a school building, any functionally related and subordinate facility and land of a school building (including any stadium or other facility primarily used for school events), and any depreciable property provided for use in a school facility that is operated as part of the public school system or as an institution of higher education; (ii) any building or facility that meets a public purpose and is developed or operated by or for any public entity; (iii) any improvements, together with equipment, necessary to enhance public safety and security of buildings to be principally used by a public entity; (iv) utility and telecommunications and other communications infrastructure; (v) a recreational facility; (vi) technology infrastructure and services, including, but not limited to, telecommunications, automated data processing, word processing and management information systems, and related information, equipment, goods and services; (vii) any technology, equipment, or infrastructure designed to deploy wireless broadband services to schools, businesses, or residential areas; or (viii) any improvements necessary or desirable to any unimproved locally- or state-owned real estate.

"Responsible public entity" means a public entity that has the power to develop or operate the applicable qualifying project.

"Revenues" means all revenues, income, earnings, user fees, lease payments, or other service payments arising out of or in connection with supporting the development or operation of a qualifying project, including without limitation, money received as grants or otherwise from the United States of America, from any public entity, or from any agency or instrumentality of the foregoing in aid of such facility.

"Service contract" means a contract entered into between a public entity and the private entity pursuant to §56-575.5. Public-Private Education Facilities and Infrastructure Act of 2002, as amended Commonwealth of Virginia Procedures Revised January 17, 2008 -30-

"Service payments" means payments to the private entity of a qualifying project pursuant to a service contract.

"State" means the Commonwealth of Virginia.

"City" means the City of Manassas, Virginia, a municipal corporation and body politic.

"City Council" means the City Council of the City of Manassas, Virginia.

"City Manager" means the City Manager of the City of Manassas, Virginia.

"User fees" " mean the rates, fees, or other charges imposed by the private entity of a qualifying project for use of all or a portion of such qualifying project pursuant to the comprehensive agreement pursuant to Va. Code § 56-575.9.

CITY OF MANASSAS, VIRGNIA
PURCHASING DIVISION
8500 Public Works Drive, Manassas, VA 20110
Telephone: (703) 257-8368 - Facsimile: (703) 257-5813
www.manassasva.gov

REQUEST FOR PROPOSAL

Issue Date: TBD, 20XX RFP No: 25P010

FOR:

Real Estate Acquisition and Development Opportunity in Historic Downtown Manassas

PROPOSAL DUE	
DUE DATE:	TBD, 20XX
TIME PRIOR TO:	3:00 p.m. – LOCAL TIME
SUBMIT e-BID ON THE DEMANDSTAR WEBSITE Go to demandstar.com/registration	
Link to view City of Manassas solicitations: https://www.demandstar.com/app/agencies/virginia/city-of-manassas/procurement-opportunities/19f69d32-2937-4f84-bcf3-aec285941c4c/	

PUBLIC ANNOUNCEMENT	
DATE:	TBD, 20XX
TIME:	10:00 a.m. – LOCAL TIME
LOCATION:	City of Manassas, Purchasing Division 8500 Public Works Drive, Building B Manassas, VA 20110
CONFERENCE NUMBER:	703-257-8794

Purchasing Agent(s):	Jerry Burke, CPPB Procurement Manager 703-257-8385 jburke@manassasva.gov	Kirsten Turner, CPPB, VCA Buyer 703-257-8327 kturner@manassasva.gov

RFP NO: 25P010

REQUEST FOR PROPOSAL

TABLE OF CONTENTS

ATTACHMENTS:

- Manassas Development Opportunities Prospectus
- Economic Development website link:
  www.choosemanassas.org
- City of Manassas Comprehensive Plan, Chapter 3, Land Use
  Full Comprehensive Plan can be reviewed at the link below:
  City of Manassas Comprehensive Plan
- City of Manassas Historic District Design Guidelines, Non-Historic Structures (New Construction)
  Full Design Guidelines can be reviewed at the link below:
  City of Manassas Historic District Design Guidelines
- Olde Towne Inn Community Conversation Summary from July 2023
- Center Street Redevelopment - Site analysis of the MIFCO property dated May 19, 2023
- Future Projects

I. SCOPE OF CONTRACT

The purpose of this Request for Proposal (RFP) is to solicit sealed Proposals from qualified development teams who would be interested in purchasing and developing properties in Historic Downtown Manassas. The City is interested in selling multiple parcels of land for retail, commercial, hospitality, and residential development. The City invites interested real estate development teams to submit sealed Proposals outlining a plan of development for the properties. The development team will be selected through negotiation.

II. SPECIFICATIONS OF RFP

A. PURPOSE

1. The City of Manassas, Virginia "City" is seeking development Proposals for the former Olde Towne Inn (9351 Main Street) and MIFCO (9011A, 9009, 9007, 9007A, 9005, 9003 Center Street) properties in Historic Downtown. Proposals must include the construction of a multi-story parking deck to service the proposed developments, existing City Hall (9027 Center Street), a future City Hall annex, and public parking.

   These redevelopment sites offer opportunities for mixed-use development with active ground floor uses that would complement the Historic Downtown while providing more lodging, housing and public parking opportunities. Elements of the desired redevelopment should include allowances for:

   - Street level mixed-use (retail, commercial, restaurants)
   - Hospitality
   - Affordable and market rate rental and/or for sale housing
   - Structured parking
   - Future City Hall annex
   - Pedestrian promenade along railway
   - Public spaces and/or plaza areas
   - Phased development and construction staging

2. The City has very clear Development Objectives:

   a. Generate significant investment while contributing to the economic and cultural energy of downtown redevelopment goals.
   b. Generate significant tax revenues and maximize assessed value.
   c. Generate high quality development that enhances the unique appeal of downtown.
   d. Address a public parking need.

3. The City is prepared to sell the properties at a price that makes the proposed development financially feasible. Such price should be reflected in a development proforma. It is the goal of the City to facilitate redevelopment and to have these parcels producing revenue on the tax rolls.

4. The City is prepared to wholly or partially fund a municipal parking deck to address the structured parking element of the development. Responses must include the proposed financial and ownership structure relating to the parking deck. The deck must provide sufficient parking for all elements of the development (including the future City Hall Annex). The City requirement for municipal use is estimated to be 150-250 spaces. If the deck is proposed to be privately financed and owned then the proposal must include a ground lease from the City for the underlying property and options for the City to acquire the deck in the future. If the deck is proposed to be municipally owned then the

developer's proposal must address the purchase and/or lease of parking dedicated to the privately owned portions of the project. Proposals that do not include a parking deck will be rejected.

Incorporate a City Hall Annex of approximately 35,000 sf. The Annex could be constructed in a later phase of the larger scale development by the developer or by the City itself in the future. The building envelope for the Annex must be incorporated into all preliminary designs as generally shown on the attached renderings. Proposals that do not show, at a minimum, the building envelope for the Annex will be rejected. The City will entertain private design-build proposals for the construction of the Annex and may choose, in its sole discretion, whether or not to include this element of the project in a final award.

5. The City will use this process to select the most appropriate conceptual development plan. The City recognizes the importance of their role as both partner and regulator in the process and is prepared to define "fast track" permitting in terms of specific and related timing.

6. See Attachments listed in Table of Contents for additional information about the City's Comprehensive Plan for Downtown Manassas, Historic District Design Guidelines, an Olde Towne Inn Community Conversation Summary, Center Street Redevelopment, and Future Projects.

B. BACKGROUND

1. Manassas is an urban community of approximately 43,000 residents serving as a regional employment and retail trade center for a much larger area. Manassas is an independent city that offers all the amenities of a large metropolitan area with a variety of housing opportunities, cultural and recreational experiences, and quaint specialty shops and restaurants.

2. These sites present a unique opportunity to reshape Historic Downtown and are strategically located within walking distance to the train depot providing service from Amtrak and VRE. This prime location enhances the site's appeal for potential residents and visitors and increases its value for mixed-use development.

   In 2023 the City completed the Center Street Redevelopment Site analysis of the MIFCO property and held community input sessions regarding the future of the Olde Towne Inn site. Additional City documents that should be referenced included the Comprehensive Plan and Downtown Design guidelines. Please reference the following link to documents that are expected to inform potential Offerors:

   www.choosemanassas.org

C. COMMUNICATIONS ABOUT AND REVISION OF SPECIFICATIONS; RESPONSIBILITY OF OFFEROR

1. An Offeror may submit questions and comments regarding this solicitation only to the Purchasing Manager or Purchasing Agent. To receive an answer, the Offeror must submit all questions and comments no later than seven (7) days before the Due Date. The Purchasing Manager or Purchasing Agent may also issue clarifications or modifications of the terms of the solicitation even if no Offeror requests it.

2. Only the Purchasing Manager or Purchasing Agent may revise the terms of the solicitation. If the City revises the terms of the solicitation, it will do so in the form of an addendum to this RFP posted on the DemandStar website. Each Offeror has the responsibility to insure it has any addenda that

have been issued in connection with this RFP. The Offeror shall not rely on any information provided orally, or from anyone other than the Purchasing Manager or Purchasing Agent.

3. Each Offeror bears responsibility for thoroughly examining this RFP in its entirety. If an Offeror has any questions or comments regarding the proper meaning or intent of any aspect of the RFP or finds discrepancies in the Specification Documents, then it shall submit all such questions and comments in writing to the Purchasing Manager or Purchasing Agent.

4. By submitting a Proposal in response to this RFP, the Offeror represents that it has thoroughly examined this RFP and all its attachments and incorporated documents, and that it has submitted any and all questions and comments it may have regarding the meaning or interpretation of this RFP to the City in the manner prescribed herein.

5. The Offeror must affirm that they have inspected the properties and understand the goal of the City is to select the Proposal which best meets community expectations.

D. SUBMISSION PROCESS

The Proposal must address the items listed under Specific Proposal Preparation Instructions. Incomplete Proposals will not be accepted. Proposals that do not include the attached Statement of Qualifications and Financial Capability will be rejected. Nothing herein is intended to exclude any responsible Offeror or in any way restrain or restrict competition. All responsible Offerors are encouraged to submit Proposals.

Furnish the information requested on the attached Request for Proposals Title Page and include it as the first page of your Proposal response. The name stated on the Title Sheet must be the full legal name of the Offeror and the address must be that of the office which will have the responsibility for the services provided.

E. METHOD FOR MAKING SUBMISSION

1. Contents of submission:

   a. Offerors shall submit electronic documents of their Proposal along with the Completed Proposal Submission Forms provided herein through the DemandStar website. Completed Proposal Submission Forms and all supporting documentation should be uploaded electronically and will be sealed until the Due Date and time stated on the cover page of this RFP. **The City is accepting electronic submission of Proposals and Completed Proposal Submission Forms by the Due Date and time.** The City also requests paper submissions of Proposals for distribution to the evaluation team which shall be delivered to the Purchasing Division no later than three (3) business days following the Due Date. Offeror does NOT need to submit Completed Proposal Submission Forms with their paper submissions.

   b. Offeror shall submit xxx (x) paper copies of their Proposal to the Purchasing Division. The Offeror shall make no other distribution of the Proposal. Proposal shall be submitted to:

      City of Manassas, Purchasing Division
      8500 Public Works Drive, BLDG B
      Manassas, VA 20110

The Proposal submissions must be identified with the following information on the envelope or package.

From:

Name of Offeror	RFP Title
Street/Box Number	RFP Number
City, State, Zip Code	Purchasing Agent(s)

2. Place for submission:

   Proposals must be received on the DemandStar website by the deadline as stated on the cover page of the RFP. The time a proposal is received shall be determined by the DemandStar time stamp. The City is not responsible for any technical difficulties which may result in an Offeror being unable to upload in time or responses that are uploaded incorrectly.

3. Extension of deadline:

   Before the deadline passes or if the City receives no proposals by the Due Date, the City may extend the Due Date and time if it believes it is necessary and in the best interest of the City. If the City or the Public Works Facility Building B is closed unexpectedly on a public proposal announcement date and time, a public proposal announcement will be held at the same time and place on the next business day that the City and building are open.

4. Process for public proposal announcement:

   Offerors may attend the public announcement in person at the purchasing office location or may call the conference telephone number on the cover page of this RFP. The Purchasing Manager or Purchasing Agent shall **ONLY** read aloud the names of the Offerors. The Offeror shall also comply with all procedural instructions that may be issued by the City.

F. GENERAL PROPOSAL PREPARATION INSTRUCTIONS

1. All information requested should be submitted. Failure to submit all information requested may result in the City requiring prompt submission of missing information and/or giving a lowered evaluation of the Proposal. Proposals that are substantially incomplete or lack key information may be rejected by the City.

2. Proposals should be prepared simply and economically, providing a straightforward, concise description of capabilities to satisfy the requirements of the RFP. Emphasis should be placed on completeness and clarity of content.

3. Each copy of the Proposal should be bound or contained in a single volume where practical. All documentation submitted with the Proposal should be contained in that single volume.

4. Ownership of all data, materials and documentation originated and prepared for the City pursuant to the RFP shall belong exclusively to the City and be subjected to public inspection in accordance with the Virginia Freedom of Information Act.

5. The City is not responsible for any expenses incurred by an Offeror in preparing and submitting a Proposal.

G. SPECIFIC PROPOSAL PREPARATION INSTRUCTIONS

Proposals should be as thorough and detailed as possible so that the City may properly evaluate the capabilities of the Offeror. Offerors are required to submit the following items for a complete Proposal and any additional information needed to support the items listed in the Evaluation Criteria:

1. The Proposal submitted shall state the name of the proposed purchaser and developer with contact information, whether an individual, partnership, or corporation. This shall include the full names and addresses of all parties who will be the principal developers, investors or owners of the property and who will become part of any contract or agreement.

2. Project Proposal

   A complete, concise development Proposal with the following included:
   a. Proposed use(s) by type of businesses or residential units with estimated number of units and dimensions
   b. Description of the project vision, goals, major design elements and development approach
   c. Narrative describing how the proposed use advances the Development Objectives.
   d. Preliminary planning and drafts
   e. Statement that Offeror understands the City's site plan approval process and agrees to comply

3. Qualifications and Financial Statements

   Description of the background and qualifications of all principal members of the development team along with information on primary investors. Include a summary of firm capability and experience with like projects, and detailed information regarding financial capability.
   a. Any Proposal to acquire and hold the land with subsequent construction activities to occur only when and if it is successfully marketed will be rejected.
   b. Describe the real estate investment functions in which your firm is involved as a parent or subsidiaries. Projects that are similar to the project described in this RFP will be most relevant (e.g. ownership, investment management, development, brokerage, leasing, and property management.) Please describe the relationship you have with property management companies i.e. does your firm develop and lease or do you bring in a separate leasing company?
   c. Describe your competitive advantage over other development firms.
   d. The Statement of Qualifications and Financial Capability in Section IV.D. should be executed by each principal of the development team.

4. Project Budget

   Preliminary project development budget, financial structure, equity and financial return pro forma, including financing sources, uses, proposed terms for acquiring the Property, and projected value of completed project. Include description of final and long-run ownership, and the utilization of leveraged equity.

5. Incentives

   The City is willing to consider Proposals with incentives. This may include:
   a. Property financing
   b. Grants or loans
   c. Parking subsidies

   While these development incentives are intended to enhance the development opportunity, offers shall also be evaluated based on how the incentives impact the overall project.

6. Project Schedule

   Preliminary project schedule and key milestones including due diligence, closing, predevelopment, commencement of construction and project completion.

7. Provide a non-binding property acquisition price with pro forma justification.

H. SPECIAL TERMS AND CONDITIONS

1. The Successful Offeror shall secure and pay for all permits, governmental fees and licenses necessary for the proper execution and completion of the work which are legally required prior to and during the work.

2. The successful Offeror must, prior to development, submit and gain approval of a site plan along with other necessary and appropriate development approvals that meets all City requirements and follows all other normal procedures for acquiring permits for site development and construction.

3. This RFP is not a request for competitive Proposals and is **NOT** subject to the Virginia Public Procurement Act. This RFP in no way obligates the City to enter into a relationship with any entity that responds to this RFP or limits or restricts the City's right to enter into a relationship with an entity that does not respond to this RFP.

4. In its sole discretion, the City may pursue discussions with one or more entities responding to this RFP or none at all. The City further reserves the right, in its sole discretion, to cancel this RFP at any time for any reason.

5. All proceedings, records, Contracts and other public records relating to sale transactions shall be open to the inspection of any citizen or representative of the news media in accordance with the Virginia Freedom of Information Act.

III. EVALUATION OF RFP

A. EVALUATION CRITERIA

All complete and responsive Proposals will be reviewed by the City, its committees, agents or assigns. The evaluation will be based on the information submitted as well as any relevant information that the evaluation team may discover or request in analyzing or verifying information submitted in the Proposal.

Evaluation should be completed within 120 days of Due Date. Proposals will be ranked and negotiations will be conducted with the top ranked Offeror. The award will be based on the criteria below, relevant information discovered during the process and the negotiated RFP most advantageous to the City.

Final approval of property transfer will require a public hearing and City Council action. The City reserves the right to reject all Proposals.

The following Evaluation Criteria will be used to evaluate the Proposals:

1. Proposed development and how closely the project aligns with the City's planning documents and meets the overall needs of the City of Manassas (30 Points)
   - Overall scope, district compatibility and quality of the proposed development
   - Quality of the construction proposed
   - Quality of the proposed development's design and its compatibility with the surrounding properties

2. Project feasibility and capacity to attract/secure financing (20 Points)
   - Project is economically sound and based on established financial principles and supported market assumptions
   - Project may be accomplished promptly
   - Project does not face insurmountable regulatory hurdles or constraints
   - Project includes sound financing approach, including incorporating flexible, innovative, and novel approaches that lower risks to successful outcomes, increase benefits to the City or Community, accelerate completion or are otherwise advantageous to the project

3. Developer capacity and experience (20 Points)
   - The development team has a satisfactory record of past performance as demonstrated by the respondent's experience in planning, financing, constructing, marketing, and managing projects similar in size and scope to the proposed project
   - The respondent has a track record of successful negotiations with governmental entities and/or community members on completed development projects

4. Benefits to the City and investment (10 Points)
   - Direct financial benefits to the City of Manassas include payments for acquisition of the Site(s), incremental tax revenues, and secondary financial impacts. Proposals that limit the costs and subsidies from the City will be viewed more favorably
   - Contributions to the economic growth of the City include but are not limited to increased jobs for City residents, meeting the demand for quality housing and other positive contributions to long-term economic growth of the city
   - Meeting of a citywide service need such as affordable housing, recreation, cultural amenities, educational opportunities, or job training

5. Benefits to the community (10 Points)
   - This includes the ability to support and enhance ongoing revitalization efforts and sustain residential and commercial property values
   - Support by the immediate and surrounding communities
   - Compatibility of proposed use with the surrounding commercial properties and any existing redevelopment plans
   - Public parking

6. Proposed property acquisition price with proforma justification (10 Points)

IV. PROPOSAL SUBMISSION FORMS

A. PROPERTY ACQUISITION PRICE

$____

B. ACKNOWLEDGMENT OF RECEIPT OF ADDENDA

I certify that I received and reviewed the following Addenda to this Proposal and have included their provisions in this Proposal:

Number	Date

C. REQUEST FOR PROPOSALS TITLE PAGE

Include This Page as the First Page in Your Proposal Response

---

Proposal Title: Real Estate Acquisition and Development Opportunity in Historic Downtown Manassas

Request for Proposal No. 25P010

Issue Date: June xx, 2025

By my signature below, I certify that I am authorized to bind the Offeror in any and all negotiations and/or contractual matters relating to this Request for Proposals. Sign in ink and print requested information.

Full Legal Name of Offeror: ______________________________

Fed ID OR SOC. SEC. NO.: ____________________ Date: ____________________

Address: ______________________________ Phone: ____________________

______________________________ Fax: ____________________

Email: ______________________________

Signature: ______________________________

Printed Name, Title: ______________________________

D. STATEMENT OF QUALIFICATIONS AND FINANCIAL CAPABILITY

Purpose/Instructions:

The following information is required of a Developer seeking to enter into an agreement with the City of Manassas. Answer ALL questions. If you need to submit attachments in response to, or explanation of, a specific question please reference the appropriate question number on the attachment.

1. Developer Entity Principals – Names of owners, officers, directors, trustees, and principal representatives of the Development Entity:

Name, Address, ZIP Code	Description of interest/relationship	% of Ownership Interest

2. Bankruptcy – Has the Developer Entity or the parent corporation (if any), or any subsidiary or affiliated corporation of the Developer Entity or said parent corporation, or any of the Developer Entity's officers or principal members, shareholders or investors filed for bankruptcy, either voluntarily or involuntarily, within the past 10 years?

☐ No

☐ Yes – If Yes, provide the following information:

Name	Court	Date	Status

3. Loan Defaults – Has the Developer Entity or the parent corporation (if any), or any subsidiary or affiliated corporation of the Developer Entity or said parent corporation, or any Developer Entity's officers or principal members, shareholders or investors defaulted on a loan or other financials obligation?

   ☐ No

   ☐ Yes – If Yes, explain:

4. Litigation – Has the Developer Entity or the parent corporation (if any), or any subsidiary or affiliated corporation of the Developer Entity or said parent corporation, or any Developer Entity's officers or principal members, shareholders or investors party to any pending criminal or civil litigation that could potentially impact the financial capability of the Developer Entity to complete the proposed development?

   ☐ No

   ☐ Yes – If Yes, provide the following information, and attach any additional information or explanation deemed necessary:

Date Filed	Court	Current Status

5. Development Experience

   a. Provide a listing (separately) of <u>all</u> completed development projects for the past 10 years in which the Developer Entity or principal(s) has (have) been involved, indicating for each:
      - Project summary description (including location, date, size, cost, etc.)
      - Construction lender and amount
      - Role of the Developer Entity in the project

   b. Describe in greater detail those projects from the previous list that are similar to the development project being proposed, including for each:
      - Total development cost
      - Extent to which public financing or assistance was used
      - Dates of the project milestones
        - Property acquisition
        - Construction financing obtained
        - Start of construction
        - Completion of construction/opening
      - Marketing and sales performance
        - Level of pre-lease/sales at opening
        - Length of times from opening until lease/sales = 90%
      - Experience in developing
        - Project cost estimates
        - Financial analysis
        - Financial plans
        - Cash flow projections

    - Economic feasibility analysis
    - Market analysis
  - Contact references
    - Construction lender
    - General contractor
    - Sales/leasing broker
  - Role of current Developer Entity principles in the project
  - Architectural quality and urban design characteristics

c. List any current projects in the pre-development, design or construction phase, including:
  - Project description and status (including location, size, cost, etc.)
  - Construction lender and amount (if known)
  - Role of the Development Entity in the project

6. Source of Funds – Attach an explanation of your anticipated source of funds to finance redevelopment (e.g., financial institution, investment group, Developer Equity cash, personal funds, etc.) and experience in obtaining funding for similar redevelopment projects.

7. Financial Condition – Attach to this statement a certified financial statement showing the assets and the liabilities, including contingent liabilities, of the Developer Entity fully itemized in accordance with accepted accounting standards and based on a proper audit. If the date of the certified financial statement precedes the date of the submission by more than six months, also attach an interim balance sheet not more than 90 days old.

8. Previous Public Financing – Has the Developer Entity or the parent corporation (if any), or any subsidiary or affiliated corporation of the Developer Entity or said parent corporation, or any of the Developer Entity's officer or principal members, shareholders or investors received any previous public financial assistance for a development project?

   ☐ No

   ☐ Yes – If Yes, provide the following information, and attach any additional information or explanation deemed necessary:

Date Received	Project Name & Amount Received	Current Status of Note

9. Conflict of Interest– Does the Developer Entity currently have or plan to have as an officer, member, employee, shareholder, investor or financing partner of the Entity any person who is currently an officer, agent, or employee of City of Manassas, its committees, boards, or commissions?

   ☐ No

   ☐ Yes – If Yes, identify and explain: ____

   ____

If Yes, does anyone identified above have direct or indirect pecuniary interest in the Development Entity or in the redevelopment or rehabilitation of the property being proposed by the Development Entity to the City?

☐ No

☐ Yes – If Yes, identify and explain: ____

____

10. Additional Information – Attach any additional evidence deemed helpful to demonstrate the Developer Entity's financial capability to complete the proposed development.

Certification

I[1], ____, certify under penalty of perjury under the laws of the Commonwealth of Virginia that I am authorized to submit this information on behalf of the Developer Entity and that the statements made in this Statement of Qualifications and Financial Capability are true and correct.

I further authorize any employee or agent acting on behalf of the City of Manassas, to undertake any investigation deemed appropriate to verify the information contained herein.

Printed Name____________________________________ Title________________________________

Signature____Date________________________________

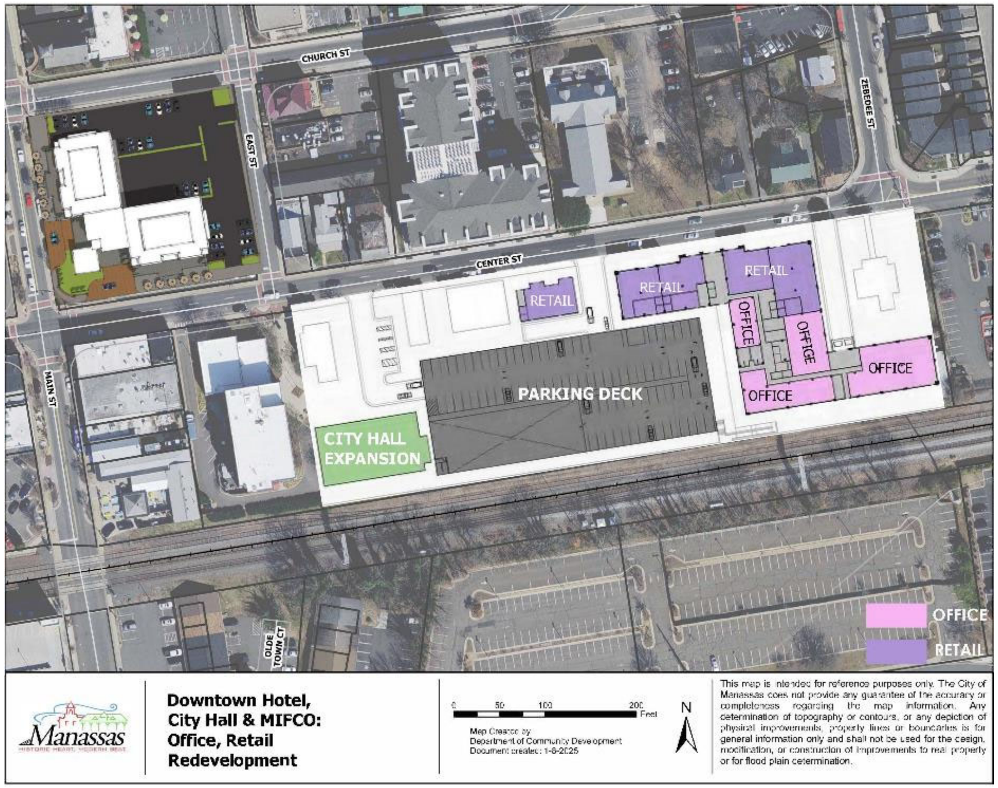
[1] If the Developer Entity is an individual, this statement should be signed by such individual; if a partnership, by one of the partners; if a corporation or other entity, by one of its chief officers having knowledge of the facts required by this statement.

ATTACHMENTS

Olde Towne Inn & MIFCO – Opportunity Area

Option A City Hall & MIFCO parking deck and mixed use redevelopment

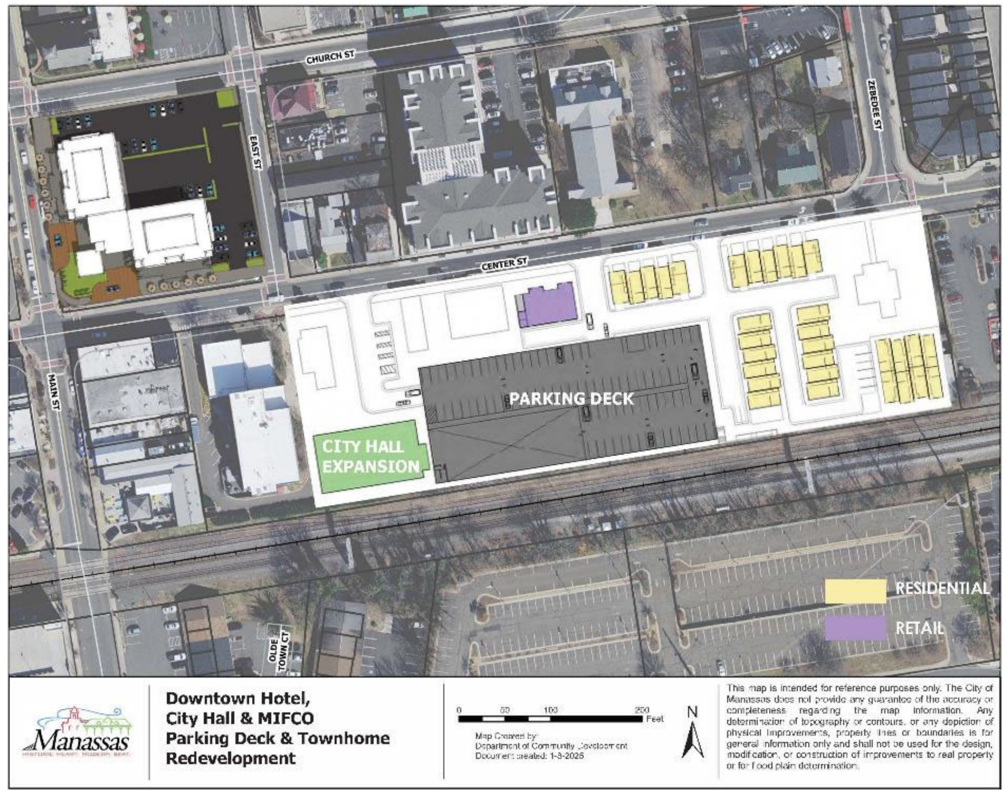
Note: The concept represents a site "Test Fit" of potential redevelopment opportunities and is NOT a development proposal.



Olde Towne Inn & MIFCO – Opportunity Area

Option B City Hall & MIFCO parking deck and residential redevelopment

Note: The concept represents a site "Test Fit" of potential redevelopment opportunities and is NOT a development proposal.



The Public-Private Education Facilities and Infrastructure Act of 2002

§ 56-575.1. Definitions

As used in this chapter, unless the context requires a different meaning:

"Affected jurisdiction" means any county, city or town in which all or a portion of a qualifying project is located.

"Appropriating body" means the body responsible for appropriating or authorizing funding to pay for a qualifying project.

"Commission" means the State Corporation Commission.

"Comprehensive agreement" means the comprehensive agreement between the private entity and the responsible public entity required by § 56-575.9.

"Develop" or "development" means to plan, design, develop, finance, lease, acquire, install, construct, or expand.

"Interim agreement" means an agreement between a private entity and a responsible public entity that provides for phasing of the development or operation, or both, of a qualifying project. Such phases may include, but are not limited to, design, planning, engineering, environmental analysis and mitigation, financial and revenue analysis, or any other phase of the project that constitutes activity on any part of the qualifying project.

"Lease payment" means any form of payment, including a land lease, by a public entity to the private entity for the use of a qualifying project.

"Material default" means any default by the private entity in the performance of its duties under subsection E of § 56-575.8 that jeopardizes adequate service to the public from a qualifying project.

"Operate" means to finance, maintain, improve, equip, modify, repair, or operate.

"Private entity" means any natural person, corporation, general partnership, limited liability company, limited partnership, joint venture, business trust, public benefit corporation, non-profit entity, or other business entity.

"Public entity" means the Commonwealth and any agency or authority thereof, any county, city or town and any other political subdivision of the Commonwealth, any public body politic and corporate, or any regional entity that serves a public purpose.

"Qualifying project" means (i) any education facility, including, but not limited to a school building, any functionally related and subordinate facility and land to a school building (including any stadium or other facility primarily used for school events), and any depreciable property provided for use in a school facility that is operated as part of the public school system or as an institution of higher education; (ii) any building or facility that meets a public purpose and is developed or operated by or for any public entity; (iii) any improvements, together with equipment, necessary to enhance public safety and security of buildings to be principally used by a public entity; (iv) utility and telecommunications and other communications infrastructure; (v) a recreational facility; (vi) technology infrastructure, services, and applications, including, but not limited to, telecommunications, automated data processing, word processing and management information systems, and related information, equipment, goods and services; (vii) any services designed to increase the productivity or efficiency of the responsible public entity through the use of technology or other means, (viii) any technology, equipment, or infrastructure designed to deploy wireless broadband services to schools, businesses, or residential areas; (ix) any improvements necessary or desirable to any unimproved locally- or state-owned real estate; or (x) any solid waste management facility as defined in § 10.1-1400 that produces electric energy derived from solid waste.

"Responsible public entity" means a public entity that has the power to develop or operate the applicable qualifying project.

"Revenues" means all revenues, income, earnings, user fees, lease payments, or other service payments arising out of or in connection with supporting the development or operation of a qualifying project, including without limitation, money received as grants or otherwise from the United States of America, from any public entity, or from any agency or instrumentality of the foregoing in aid of such facility.

"Service contract" means a contract entered into between a public entity and the private entity pursuant to § 56-575.5.

"Service payments" means payments to the private entity of a qualifying project pursuant to a service contract.

"State" means the Commonwealth of Virginia.

"User fees" mean the rates, fees or other charges imposed by the private entity of a qualifying project for use of all or a portion of such qualifying project pursuant to the comprehensive agreement pursuant to § 56-575.9.

2002, c. 571;2003, c. 1034;2005, cc. 618, 865;2007, cc. 649, 764;2008, cc. 273, 731;2009, cc. 754, 762.

§ 56-575.2. Declaration of public purpose
A. The General Assembly finds that:

1. There is a public need for timely acquisition, design, construction, improvement, renovation, expansion, equipping, maintenance, operation, implementation, or installation of education facilities, technology infrastructure and other public infrastructure and government facilities within the Commonwealth that serve a public need and purpose;

2. Such public need may not be wholly satisfied by existing methods of procurement in which qualifying projects are acquired, designed, constructed, improved, renovated, expanded, equipped, maintained, operated, implemented, or installed;

3. There are inadequate resources to develop new education facilities, technology infrastructure and other public infrastructure and government facilities for the benefit of citizens of the Commonwealth, and there is demonstrated evidence that public-private partnerships can meet these needs by improving the schedule for delivery, lowering the cost, and providing other benefits to the public;

4. Financial incentives exist under state and federal tax provisions that promote public entities to enter into partnerships with private entities to develop qualifying projects;

5. Authorizing private entities to develop or operate one or more qualifying projects may result in the availability of such projects to the public in a more timely or less costly fashion, thereby serving the public safety, benefit, and welfare.

B. An action under § 56-575.4 shall serve the public purpose of this chapter if such action facilitates the timely development or operation of qualifying projects.

C. It is the intent of this chapter, among other things, to encourage investment in the Commonwealth by private entities and facilitate the bond financing provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 or other similar financing mechanisms, private capital and other funding sources that support the development or operation of qualifying projects, to the end that financing for qualifying projects be expanded and accelerated to improve and add to the convenience of the public, and such that public and private entities may have the greatest possible flexibility in contracting with each other for the provision of the public services that are the subject of this chapter.

D. This chapter shall be liberally construed in conformity with the purposes hereof.

2002, c. 571;2003, c. 1034;2005, c. 865.

§ 56-575.3. Prerequisite for operation of a qualifying project

A. Any private entity seeking authorization under this chapter to develop or operate a qualifying project shall first obtain approval of the responsible public entity under § 56-575.4. Such private entity may initiate the approval process by requesting approval pursuant to subsection A of § 56-575.4 or the responsible public entity may request proposals or invite bids pursuant to subsection B of § 56-575.4.

B. Any facility, building, infrastructure or improvement included in a proposal as a part of a qualifying project shall be identified specifically or conceptually.

C. Upon receipt by the responsible public entity of a proposal submitted by a private entity initiating the approval process pursuant to subsection A of § 56-575.4, the responsible public entity shall determine whether to accept such proposal for consideration in accordance with § 56-575.16. If the responsible public entity determines not to accept for consideration the proposal submitted by the private entity pursuant to subsection A of § 56-575.4, it shall return the proposal, together with all fees and accompanying documentation, to the private entity.

D. The responsible public entity may reject any proposal initiated by a private entity pursuant to subsection A of § 56-575.4 at any time. If the responsible public entity rejects a proposal initiated by a private entity that purports to develop specific cost savings, the public entity shall specify the basis for the rejection.

2002, c. 571;2003, cc. 292, 1034;2005, c. 865;2011, c. 308.

§ 56-575.3:1. Adoption of guidelines by responsible public entities

A. A responsible public entity shall, prior to requesting or considering a proposal for a qualifying project, adopt and make publicly available guidelines that are sufficient to enable the responsible public entity to comply with this chapter. Such guidelines shall be reasonable, encourage competition, and guide the selection of projects under the purview of the responsible public entity.

B. For a responsible public entity that is an agency or institution of the Commonwealth, the guidelines shall include, but not be limited to:

1. Opportunities for competition through public notice and availability of representatives of the responsible public entity to meet with private entities considering a proposal;

2. Reasonable criteria for choosing among competing proposals;

3. Suggested timelines for selecting proposals and negotiating an interim or comprehensive agreement;

4. Authorization for accelerated selection and review and documentation timelines for proposals involving a qualifying project that the responsible public entity deems a priority;

5. Financial review and analysis procedures that shall include, at a minimum, a cost-benefit analysis, an assessment of opportunity cost, and consideration of the results of all studies and analyses related to the proposed qualifying project. These procedures shall also include requirements for the disclosure of such analysis to the appropriating body for review prior to execution of an interim or comprehensive agreement;

6. Consideration of the nonfinancial benefits of a proposed qualifying project;

7. A mechanism for the appropriating body to review a proposed interim or comprehensive agreement prior to execution, which shall be in compliance with applicable law and the provisions of subsection I of § 56-575.4 pertaining to the approval of qualifying projects;

8. Establishment of criteria for (i) the creation of and the responsibilities of a public-private partnership oversight committee with members representing the responsible public entity and the appropriating body or (ii) compliance with the requirements of Chapter 42 (§ 30-278 et seq.) of Title 30. Such criteria shall include the scope, costs, and duration of the qualifying project, as well as whether the project involves or impacts multiple public entities. The oversight committee, if formed, shall be an advisory committee to review the terms of any proposed interim or comprehensive agreement;

9. Analysis of the adequacy of the information released when seeking competing proposals and providing for the enhancement of that information, if deemed necessary, to encourage competition pursuant to subsection G of § 56-575.4;

10. Establishment of criteria, key decision points, and approvals required to ensure that the responsible public entity considers the extent of competition before selecting proposals and negotiating an interim or comprehensive agreement; and

11. The posting and publishing of public notice of a private entity's request for approval of a qualifying project, including (i) specific information and documentation to be released regarding the nature, timing, and scope of the qualifying project pursuant to subsection A of § 56-575.4;(ii) a reasonable time period as determined by the responsible public entity to encourage competition and public-private partnerships in accordance with the goals of this chapter, such reasonable period not to be less than 45 days, during which time the responsible public entity shall receive competing proposals pursuant to subsection A of § 56-575.4;and (iii) a requirement

for advertising the public notice in the Virginia Business Opportunities publication and posting a notice on the Commonwealth's electronic procurement website shall be included.

C. For a responsible public entity that is not an agency or institution of the Commonwealth the guidelines may include the provisions set forth in subsection B in the discretion of such public entity. However, the guidelines of a responsible public entity that is not an agency or institution of the Commonwealth shall include:

1. A requirement that it engage the services of qualified professionals, which may include an architect, professional engineer, or certified public accountant, not otherwise employed by the responsible public entity, to provide independent analysis regarding the specifics, advantages, disadvantages, and the long- and short-term costs of any request by a private entity for approval of a qualifying project unless the governing body of the responsible public entity determines that such analysis of a request by a private entity for approval of a qualifying project shall be performed by employees of the responsible public entity; and

2. A mechanism for the appropriating body to review a proposed interim or comprehensive agreement prior to execution.

2005, c. 865;2007, c. 764.

§ 56-575.4. Approval of qualifying projects by the responsible public entity

A. A private entity may request approval of a qualifying project by the responsible public entity. Any such request shall be accompanied by the following material and information unless waived by the responsible public entity:

1. A topographic map (1:2,000 or other appropriate scale) indicating the location of the qualifying project;

2. A description of the qualifying project, including the conceptual design of such facility or facilities or a conceptual plan for the provision of services or technology infrastructure, and a schedule for the initiation of and completion of the qualifying project to include the proposed major responsibilities and timeline for activities to be performed by both the public and private entity;

3. A statement setting forth the method by which the private entity proposes to secure necessary property interests required for the qualifying project;

4. Information relating to the current plans for development of facilities or technology infrastructure to be used by a public entity that are similar to the qualifying project being proposed by the private entity, if any, of each affected local jurisdiction;

5. A list of all permits and approvals required for the qualifying project from local, state, or federal agencies and a projected schedule for obtaining such permits and approvals;

6. A list of public utility facilities, if any, that will be crossed by the qualifying project and a statement of the plans of the private entity to accommodate such crossings;

7. A statement setting forth the private entity's general plans for financing the qualifying project including the sources of the private entity's funds and identification of any dedicated revenue source or proposed debt or equity investment on the behalf of the private entity;

8. The names and addresses of the persons who may be contacted for further information

concerning the request;

9. User fees, lease payments, and other service payments over the term of the interim or comprehensive agreement pursuant to § 56-575.9 or 56-575.9:1 and the methodology and circumstances for changes to such user fees, lease payments, and other service payments over time; and

10. Such additional material and information as the responsible public entity may reasonably request.

B. The responsible public entity may request proposals or invite bids from private entities for the development or operation of qualifying projects.

C. The responsible public entity may grant approval of the development or operation of the education facility, technology infrastructure or other public infrastructure or government facility needed by a public entity as a qualifying project, or the design or equipping of a qualifying project so developed or operated, if the responsible public entity determines that the project serves the public purpose of this chapter. The responsible public entity may determine that the development or operation of the qualifying project as a qualifying project serves such public purpose if:

1. There is a public need for or benefit derived from the qualifying project of the type the private entity proposes as a qualifying project;

2. The estimated cost of the qualifying project is reasonable in relation to similar facilities; and

3. The private entity's plans will result in the timely development or operation of the qualifying project.

In evaluating any request, the responsible public entity may rely upon internal staff reports prepared by personnel familiar with the operation of similar facilities or the advice of outside advisors or consultants having relevant experience.

D. The responsible public entity may charge a reasonable fee to cover the costs of processing, reviewing and evaluating the request, including without limitation, reasonable attorney's fees and fees for financial, technical, and other necessary advisors or consultants.

E. The approval of the responsible public entity shall be subject to the private entity's entering into an interim or comprehensive agreement pursuant to § 56-575.9 with the responsible public entity.

F. In connection with its approval of the qualifying project, the responsible public entity shall establish a date for the commencement of activities related to the qualifying project. The responsible public entity may extend such date from time to time.

G. The responsible public entity shall take appropriate action to protect confidential and proprietary information provided by the private entity pursuant to an agreement under subdivision 11 of § 2.2-3705.6.

H. Nothing in this chapter or in an interim or comprehensive agreement entered into pursuant to this chapter shall be deemed to enlarge, diminish or affect the authority, if any, otherwise possessed by the responsible public entity to take action that would impact the debt capacity of the Commonwealth.

I. Prior to entering into the negotiation of an interim or comprehensive agreement, each responsible public entity that is an agency or institution of the Commonwealth shall submit copies of detailed proposals to the Public-Private Partnership Advisory Commission as provided by Chapter 42 (§ 30-278 et seq.) of Title 30.

J. Any proposed comprehensive agreement for a qualifying project where the responsible public entity is an agency or institution of the Commonwealth that (i) creates state tax-supported debt, (ii) requires a level of appropriation significantly beyond the appropriation received by the responsible public entity in the most recent appropriation act, or (iii) significantly alters the Commonwealth's discretion to change the level of services or the funding for such services over time, shall be reviewed by the appropriating body prior to execution.

2002, c. 571;2003, c. 1034;2004, c. 690;2005, c. 865;2007, c. 764.

§ 56-575.5. Service contracts

In addition to any authority otherwise conferred by law, any public entity may contract with a private entity for the delivery of services to be provided as part of a qualifying project in exchange for such service payments and other consideration as such public entity may deem appropriate.

2002, c. 571;2005, c. 865.

§ 56-575.6. Affected local jurisdictions

A. Any private entity requesting approval from, or submitting a proposal to, a responsible public entity under § 56-575.4 shall notify each affected local jurisdiction by furnishing a copy of its request or proposal to each affected local jurisdiction.

B. Each affected local jurisdiction that is not a responsible public entity for the respective qualifying project shall, within sixty days after receiving such notice, submit any comments it may have in writing on the proposed qualifying project to the responsible public entity and indicate whether the facility is compatible with the local comprehensive plan, local infrastructure development plans, the capital improvements budget, or other government spending plan. Such comments shall be given consideration by the responsible public entity prior to entering a comprehensive agreement pursuant to § 56-575.9 with a private entity.

2002, c. 571.

§ 56-575.7. Dedication of public property

Any public entity may dedicate any property interest, including land, improvements, and tangible personal property, that it has for public use in a qualifying project if it finds that so doing will serve the public purpose of this chapter by minimizing the cost of a qualifying project to the public entity or reducing the delivery time of a qualifying project. In connection with such dedication, a public entity may convey any property interest that it has, subject to the conditions imposed by general law governing such conveyances, to the private entity subject to the provisions of this chapter, for such consideration as such public entity may determine. The aforementioned consideration may include, without limitation, the agreement of the private entity to develop or operate the qualifying project. The property interests that the public entity may convey to the private entity in connection with a dedication under this section may include licenses, franchises, easements, or any other right or interest the public entity deems appropriate.

2002, c. 571;2005, c. 865.

§ 56-575.8. Powers and duties of the private entity

A. The private entity shall have all power allowed by law generally to a private entity having the same form of organization as the private entity and shall have the power to develop or operate the qualifying project and collect lease payments, impose user fees or enter into service contracts in connection with the use thereof.

B. The private entity may own, lease or acquire any other right to use or operate the qualifying project.

C. Any financing of the qualifying project may be in such amounts and upon such terms and conditions as may be determined by the private entity. Without limiting the generality of the foregoing, the private entity may issue debt, equity or other securities or obligations, enter into sale and leaseback transactions and secure any financing with a pledge of, security interest in, or lien on, any or all of its property, including all of its property interests in the qualifying project.

D. In operating the qualifying project, the private entity may:

1. Make classifications according to reasonable categories for assessment of user fees; and

2. With the consent of the responsible public entity, make and enforce reasonable rules to the same extent that the responsible public entity may make and enforce rules with respect to similar facilities.

E. The private entity shall:

1. Develop or operate the qualifying project in a manner that is acceptable to the responsible public entity, all in accordance with the provisions of the interim or comprehensive agreement pursuant to § 56-575.9 or 56-575.9:1;

2. Keep the qualifying project open for use by the members of the public at all times, or as appropriate based upon the use of the facility, after its initial opening upon payment of the applicable user fees, lease payments, or service payments; provided that the qualifying project may be temporarily closed because of emergencies or, with the consent of the responsible public entity, to protect the safety of the public or for reasonable construction or maintenance activities. In the event that a qualifying project is technology infrastructure, access may be limited as determined by the conditions of the interim or comprehensive agreement;

3. Maintain, or provide by contract for the maintenance or upgrade of the qualifying project, if required by the interim or comprehensive agreement;

4. Cooperate with the responsible public entity in making best efforts to establish any interconnection with the qualifying project requested by the responsible public entity; and

5. Comply with the provisions of the interim or comprehensive agreement and any lease or service contract.

F. Nothing shall prohibit an private entity of a qualifying project from providing additional services for the qualifying project to public or private entities other than the responsible public entity so long as the provision of additional service does not impair the private entity's ability to meet its commitments to the responsible public entity pursuant to the interim or comprehensive agreement as provided for in § 56-575.9 or 56-575.9:1.

2002, c. 571;2003, c. 1034;2005, c. 865.

§ 56-575.9. Comprehensive agreement

A. Prior to developing or operating the qualifying project, the private entity shall enter into a comprehensive agreement with the responsible public entity. The comprehensive agreement shall provide for:

1. Delivery of maintenance, performance and payment bonds, letters of credit in connection with the development or operation of the qualifying project, in the forms and amounts satisfactory to the responsible public entity and in compliance with § 2.2-4337 for those components of the qualifying project that involve construction;

2. Review of plans and specifications for the qualifying project by the responsible public entity and approval by the responsible public entity if the plans and specifications conform to standards acceptable to the responsible public entity. This shall not be construed as requiring the private entity to complete design of a qualifying project prior to the execution of a comprehensive agreement;

3. Inspection of the qualifying project by the responsible public entity to ensure that the private entity's activities are acceptable to the responsible public entity in accordance with the provisions of the comprehensive agreement;

4. Maintenance of a policy or policies of public liability insurance (copies of which shall be filed with the responsible public entity accompanied by proofs of coverage) or self-insurance, each in form and amount satisfactory to the responsible public entity and reasonably sufficient to insure coverage of tort liability to the public and employees and to enable the continued operation of the qualifying project;

5. Monitoring of the practices of the private entity by the responsible public entity to ensure that the qualifying project is properly maintained;

6. Reimbursement to be paid to the responsible public entity for services provided by the responsible public entity;

7. Filing of appropriate financial statements on a periodic basis; and

8. Policies and procedures governing the rights and responsibilities of the responsible public entity and the private entity in the event the comprehensive agreement is terminated or there is a material default by the private entity. Such policies and guidelines shall include conditions governing assumption of the duties and responsibilities of the private entity by the responsible public entity and the transfer or purchase of property or other interests of the private entity by the responsible public entity.

B. The comprehensive agreement shall provide for such user fees, lease payments, or service payments as may be established from time to time by agreement of the parties. A copy of any service contract shall be filed with the responsible public entity. In negotiating user fees under this section, the parties shall establish payments or fees that are the same for persons using the facility under like conditions and that will not materially discourage use of the qualifying project. The execution of the comprehensive agreement or any amendment thereto shall constitute conclusive evidence that the user fees, lease payments, or service payments provided for comply with this chapter. User fees or lease payments established in the comprehensive agreement as a source of revenues may be in addition to, or in lieu of, service payments.

C. In the comprehensive agreement, the responsible public entity may agree to make grants or loans to the private entity from time to time from amounts received from the federal, state, or local government or any agency or instrumentality thereof.

D. The comprehensive agreement shall incorporate the duties of the private entity under this chapter and may contain such other terms and conditions that the responsible public entity determines serve the public purpose of this chapter. Without limitation, the comprehensive agreement may contain provisions under which the responsible public entity agrees to provide notice of default and cure rights for the benefit of the private entity and the persons specified therein as providing financing for the qualifying project. The comprehensive agreement may contain such other lawful terms and conditions to which the private entity and the responsible public entity mutually agree, including, without limitation, provisions regarding unavoidable delays or provisions providing for a loan of public funds to the private entity to develop or operate one or more qualifying projects. The comprehensive agreement may also contain provisions where the authority and duties of the private entity under this chapter shall cease, and the qualifying project is dedicated to the responsible public entity or, if the qualifying project was initially dedicated by an affected local jurisdiction, to such affected local jurisdiction for public use.

E. Any changes in the terms of the comprehensive agreement, as may be agreed upon by the parties from time to time, shall be added to the comprehensive agreement by written amendment.

F. When a responsible public entity that is not an agency or authority of the Commonwealth enters into a comprehensive agreement pursuant to this chapter, it shall within 30 days thereafter submit a copy of the comprehensive agreement to the Auditor of Public Accounts.

G. The comprehensive agreement may provide for the development or operation of phases or segments of the qualifying project.

2002, c. 571;2003, c. 1034;2004, c. 986;2005, c. 865.

§ 56-575.9:1. Interim agreement

Prior to or in connection with the negotiation of the comprehensive agreement, the responsible public entity may enter into an interim agreement with the private entity proposing the development or operation of the qualifying project. Such interim agreement may (i) permit the private entity to commence activities for which it may be compensated relating to the proposed qualifying project, including, but not limited to, project planning and development, design and engineering, environmental analysis and mitigation, survey, and ascertaining the availability of financing for the proposed facility or facilities; (ii) establish the process and timing of the negotiation of the comprehensive agreement; and (iii) contain any other provisions related to any aspect of the development or operation of a qualifying project that the parties may deem appropriate.

2005, c. 865.

§ 56-575.10. Federal, state and local assistance

A. Any financing of a qualifying facility may be in such amounts and upon such terms and conditions as may be determined by the parties to the interim or comprehensive agreement. Without limiting the generality of the terms and conditions of the financing, the private entity and the responsible public entity may propose to utilize any and all funding resources that may be available to them and may, to the fullest extent permitted by applicable law, issue debt, equity, or other securities or obligations, enter into leases, access any designated trust funds, borrow or accept grants from any state infrastructure bank, and secure any financing with a pledge of, security interest in, or lien on, any or all of its property, including all of its property interests in the qualifying facility.

B. The responsible public entity may take any action to obtain federal, state, or local assistance for a qualifying project that serves the public purpose of this chapter and may enter into any contracts required to receive such assistance. If the responsible public entity is a state agency, any funds received from the state or federal government or any agency or instrumentality thereof shall be subject to appropriation by the General Assembly. The responsible public entity may determine that it serves the public purpose of this chapter for all or any portion of the costs of a qualifying project to be paid, directly or indirectly, from the proceeds of a grant or loan made by the local, state, or federal government or any agency or instrumentality thereof.

2002, c. 571;2005, c. 865.

§ 56-575.11. Material default; remedies

A. In the event of a material default by the private entity, the responsible public entity may elect to assume the responsibilities and duties of the private entity of the qualifying project, and in such case, it shall succeed to all of the right, title and interest in such qualifying project, subject to any liens on revenues previously granted by the private entity to any person providing financing thereof.

B. Any responsible public entity having the power of condemnation under state law may exercise such power of condemnation to acquire the qualifying project in the event of a material default by the private entity. Any person who has provided financing for the qualifying project, and the private entity, to the extent of its capital investment, may participate in the condemnation proceedings with the standing of a property owner.

C. The responsible public entity may terminate, with cause, the interim or comprehensive agreement and exercise any other rights and remedies that may be available to it at law or in equity.

D. The responsible public entity may make or cause to be made any appropriate claims under the maintenance, performance, or payment bonds; or lines of credit required by subsection A 1 of § 56-575.9.

E. In the event the responsible public entity elects to take over a qualifying project pursuant to subsection A, the responsible public entity may develop or operate the qualifying project, impose user fees, impose and collect lease payments for the use thereof and comply with any service contracts as if it were the private entity. Any revenues that are subject to a lien shall be collected for the benefit of and paid to secured parties, as their interests may appear, to the extent necessary to satisfy the private entity's obligations to secured parties, including the maintenance of reserves. Such liens shall be correspondingly reduced and, when paid off, released. Before any payments to, or for the benefit of, secured parties, the responsible public entity may use revenues to pay current operation and maintenance costs of the qualifying project, including compensation to the responsible public entity for its services in operating and maintaining the qualifying project. The right to receive such payment, if any, shall be considered just compensation for the qualifying project. The full faith and credit of the responsible public entity shall not be pledged to secure any financing of the private entity by the election to take over the qualifying project. Assumption of operation of the qualifying project shall not obligate the responsible public entity to pay any obligation of the private entity from sources other than revenues.

2002, c. 571;2003, c. 1034;2005, c. 865.

§ 56-575.12. Condemnation
At the request of the private entity, the responsible public entity may exercise any power of condemnation that it has under law for the purpose of acquiring any lands or estates or interests therein to the extent that the responsible public entity finds that such action serves the public purpose of this chapter. Any amounts to be paid in any such condemnation proceeding shall be paid by the private entity.

2002, c. 571;2005, c. 865.

§ 56-575.13. Utility crossing
The private entity and each public service company, public utility, railroad, and cable television provider, whose facilities are to be crossed or affected shall cooperate fully with the other entity in planning and arranging the manner of the crossing or relocation of the facilities. Any such entity possessing the power of condemnation is hereby expressly granted such powers in connection with the moving or relocation of facilities to be crossed by the qualifying project or that must be relocated to the extent that such moving or relocation is made necessary or desirable by construction of, renovation to, or improvements to the qualifying project, which shall be construed to include construction of, renovation to, or improvements to temporary facilities for the purpose of providing service during the period of construction or improvement. Any amount to be paid for such crossing, construction, moving or relocating of facilities shall be paid for by the private entity. Should the private entity and any such public service company, public utility, railroad, and cable television provider not be able to agree upon a plan for the crossing or relocation, the Commission may determine the manner in which the crossing or relocation is to be accomplished and any damages due arising out of the crossing or relocation. The Commission may employ expert engineers who shall examine the location and plans for such crossing or relocation, hear any objections and consider modifications, and make a recommendation to the Commission. In such a case, the cost of the experts is to be borne by the private entity. Such determination shall be made by the Commission within ninety days of notification by the private entity that the qualifying project will cross utilities subject to the Commission's jurisdiction.

2002, c. 571;2005, c. 865.

§ 56-575.14. Police powers; violations of law
All police officers of the Commonwealth and of each affected local jurisdiction shall have the same powers and jurisdiction within the limits of such qualifying project as they have in their respective areas of jurisdiction and such police officers shall have access to the qualifying project at any time for the purpose of exercising such powers and jurisdiction.

2002, c. 571.

§ 56-575.15. Sovereign immunity
Nothing in this chapter shall be construed as or deemed a waiver of the sovereign immunity of the Commonwealth, any responsible public entity or any affected local jurisdiction or any officer or employee thereof with respect to the participation in, or approval of all or any part of the qualifying project or its operation, including but not limited to interconnection of the qualifying project with any other infrastructure or project. Counties, cities and towns in which a qualifying project is located shall possess sovereign immunity with respect to its design, construction, and operation.

2002, c. 571.

§ 56-575.16. Procurement
The Virginia Public Procurement Act (§ 2.2-4300 et seq.) and any interpretations, regulations, or guidelines of the Division of Engineering and Buildings of the Department of General Services or the Virginia Information Technologies Agency, including the Capital Outlay Manual and those interpretations, regulations or guidelines developed pursuant to §§ 2.2-1131, 2.2-1132, 2.2-1133 , 2.2-1149, and 2.2-1502, except those developed by the Division or the Virginia Information Technologies Agency in accordance with this chapter when the Commonwealth is the responsible public entity, shall not apply to this chapter. However, a responsible public entity may enter into a comprehensive agreement only in accordance with guidelines adopted by it as follows:

1. A responsible public entity may enter into a comprehensive agreement in accordance with guidelines adopted by it that are consistent with procurement through competitive sealed bidding as set forth in § 2.2-4302.1 and subsection B of § 2.2-4310.

2. A responsible public entity may enter into a comprehensive agreement in accordance with guidelines adopted by it that are consistent with the procurement of "other than professional services" through competitive negotiation as set forth in § 2.2-4302.2 and subsection B of § 2.2-4310. Such responsible public entity shall not be required to select the proposal with the lowest price offer, but may consider price as one factor in evaluating the proposals received. Other factors that may be considered include (i) the proposed cost of the qualifying facility; (ii) the general reputation, industry experience, and financial capacity of the private entity; (iii) the proposed design of the qualifying project; (iv) the eligibility of the facility for accelerated selection, review, and documentation timelines under the responsible public entity's guidelines; (v) local citizen and government comments; (vi) benefits to the public; (vii) the private entity's compliance with a minority business enterprise participation plan or good faith effort to comply with the goals of such plan; (viii) the private entity's plans to employ local contractors and residents; and (ix) other criteria that the responsible public entity deems appropriate.

A responsible public entity shall proceed in accordance with the guidelines adopted by it pursuant to subdivision 1 unless it determines that proceeding in accordance with the guidelines adopted by it pursuant to this subdivision is likely to be advantageous to the responsible public entity and the public, based on (i) the probable scope, complexity, or priority of the project; (ii) risk sharing including guaranteed cost or completion guarantees, added value or debt or equity investments proposed by the private entity; or (iii) an increase in funding, dedicated revenue source or other economic benefit that would not otherwise be available. When the responsible public entity determines to proceed according to the guidelines adopted by it pursuant to this subdivision, it shall state the reasons for its determination in writing. If a state agency is the responsible public entity, the approval of the responsible Governor's Secretary, or the Governor, shall be required before the responsible public entity may enter into a comprehensive agreement pursuant to this subdivision.

3. Nothing in this chapter shall authorize or require that a responsible public entity obtain professional services through any process except in accordance with guidelines adopted by it that are consistent with the procurement of "professional services" through competitive negotiation as set forth in § 2.2-4302.2 and subsection B of § 2.2-4310.

4. A responsible public entity shall not proceed to consider any request by a private entity for approval of a qualifying project until the responsible public entity has adopted and made publicly available guidelines pursuant to § 56-575.3:1 that are sufficient to enable the responsible public entity to comply with this chapter.

5. A responsible public entity that is a school board or a county, city, or town may enter into an interim or comprehensive agreement under this chapter only with the approval of the local governing body.

2002, c. 571;2003, cc. 292, 968, 1034;2004, c. 986;2005, c. 865;2006, c. 936;2007, c. 764;2013, c. 583.

§ 56-575.17. Posting of conceptual proposals; public comment; public access to procurement records

A. Conceptual proposals submitted in accordance with subsection A or B of § 56-575.4 to a responsible public entity shall be posted by the responsible public entity within 10 working days after acceptance of such proposals as follows:

1. For responsible public entities that are state agencies, authorities, departments, institutions, and other units of state government, posting shall be on the Department of General Services' centralized electronic procurement website; and

2. For responsible public entities that are local bodies, posting shall be on the responsible public entity's website or on the Department of General Services' central electronic procurement website. In addition, such public bodies may publish in a newspaper of general circulation in the area in which the contract is to be performed a summary of the proposals and the location where copies of the proposals are available for public inspection. Such local public bodies are encouraged to utilize the Department of General Services' central electronic procurement website to provide the public with centralized visibility and access to the Commonwealth's procurement opportunities.

In addition to the posting requirements, at least one copy of the proposals shall be made available for public inspection. Nothing in this section shall be construed to prohibit the posting of the conceptual proposals by additional means deemed appropriate by the responsible public entity so as to provide maximum notice to the public of the opportunity to inspect the proposals. Trade secrets, financial records, or other records of the private entity excluded from disclosure under the provisions of subdivision 11 of § 2.2-3705.6 shall not be required to be posted, except as otherwise agreed to by the responsible public entity and the private entity.

B. The responsible public entity shall hold a public hearing on the proposals during the proposal review process, but not later than 30 days prior to entering into an interim or comprehensive agreement.

C. Once the negotiation phase for the development of an interim or a comprehensive agreement is complete, but before an interim agreement or a comprehensive agreement is entered into, a responsible public entity shall make available the proposed agreement in a manner provided in subsection A.

D. Once an interim agreement or a comprehensive agreement has been entered into, a responsible public entity shall make procurement records available for public inspection, upon request. For the purposes of this subsection, procurement records shall not be interpreted to include (i) trade secrets of the private entity as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.) or (ii) financial records, including balance sheets or financial statements of the private entity that are not generally available to the public through regulatory disclosure or otherwise.

E. Cost estimates relating to a proposed procurement transaction prepared by or for a responsible public entity shall not be open to public inspection.

F. Any inspection of procurement transaction records under this section shall be subject to reasonable restrictions to ensure the security and integrity of the records.

G. The provisions of this section shall apply to accepted proposals regardless of whether the process of bargaining will result in an interim or a comprehensive agreement.

2006, c. 936;2008, c. 667;2009, c. 762;2011, c. 332.

§ 56-575.17:1. Contributions and gifts; prohibition during approval process
A. No private entity that has submitted a bid or proposal to a public entity that is an executive branch agency directly responsible to the Governor and is seeking to develop or operate a qualifying project pursuant to this chapter, and no individual who is an officer or director of such a private entity, shall knowingly provide a contribution, gift, or other item with a value greater than $50 or make an express or implied promise to make such a contribution or gift to the Governor, his political action committee, or the Governor's Secretaries, if the Secretary is responsible to the Governor for an executive branch agency with jurisdiction over the matters at issue, following the submission of a proposal under this chapter until the execution of a comprehensive agreement thereunder. The provisions of this section shall apply only for any proposal or an interim or comprehensive agreement where the stated or expected value of the contract is $5 million or more.

B. Any person who knowingly violates this section shall be subject to a civil penalty of $500 or up to two times the amount of the contribution or gift, whichever is greater. The attorney for the Commonwealth shall initiate civil proceedings to enforce the civil penalties. Any civil penalties collected shall be payable to the State Treasurer for deposit to the general fund.

2010, c. 732;2011, c. 624.

§ 56-575.18. Auditor of Public Accounts
The Auditor of Public Accounts shall periodically review interim and comprehensive agreements entered into pursuant to this chapter to ensure compliance with the provisions of this chapter. Copies of the agreements and supporting documents must be electronically filed with the Auditor of Public Accounts. Electronic agreements shall be made available in the online database maintained pursuant to § 30-133.

2007, c. 764;2009, c. 762.

City Council Agenda Item Report

Agenda Item No. 3.2
Submitted by: Matt Arcieri
Submitting Department:
Meeting Date: June 16, 2025

Item Title

City Event & Rental Policy Updates

Suggested Action and/or Recommendation

Information Only

Suggested Motion

N/A

Item Type Department Update
Submitting Department
Meeting Body City Council

Item ID 2025-898
Drafter Matt Arcieri
Meeting Date June 16, 2025

Advisory Board/Committee Review

N/A

Fiscal Impact

N/A

Executive Summary and Background Information

At the 2025 City Council retreat staff presented new rules in effect for 2025 to better manager the increased demand for Museum Lawn and Harris Pavilion rentals. Staff has continued to monitor usage and has gathered feedback and suggestions for further rule changes for 2026. Council feedback and guidance is requested.

ATTACHMENTS

- ATTH01 City Event Rental Policy Updates
- ATTH02 City Sunday Event and Downtown Visitors - April & May 2025

2025/2026 Event/Rental Policies

2025 Changes – Recommended to Continue:

1. Continue with blackout dates:
    a. First Sat./Sun. of each month
    b. Memorial Day and Labor Day weekends
    c. The weekends before and after July 4th
    d. Thanksgiving – Thursday through Sunday
2. Continue limiting rentals to one per month per facility.

2026 Recommendations:

1. Increase rental fees – adopted by Council in FY26 budget
2. Standardize rentals for all City event facilities from April 1 to Oct. 30th (match Harris Pavilion; will eliminate March and Nov. lawn rentals)

Other Policy Options (Council Discussion/Guidance)

1. Limit total annual rentals
2. Limit afternoon rental hours to end at 3PM
3. Limit rentals to non-profits
4. Discontinue Museum lawn rentals
5. Reduce lawn event footprint (approx. 50%) to match Harris Pavilion footprint
6. Limit food vendors

Event Attendance/Downtown Impact

For the 2025 event season HMI has been using PlacerAI technology to better track event attendance and the broader impacts on Downtown. This information will be shared at the worksession.

Event Name	Location	Date	Time	Event #	Downtown #	Downtown # from Event
NVA Thai Food Festival	lawn	6-Apr	10a-5p	4900	2000	408
International Food Festival	lawn	13-Apr	10a-5p	3400	2000	26
Sunday (No Events/Blackout)		20-Apr	10a-5p	N/A	1600	N/A
Sunday (No Events)		27-Apr	10a-5p	N/A	1900	N/A
NVA Thai Food Festival	lawn	4-May	10a-5p	5100	1800	388
International Food Festival	lawn	11-May	10a-5p	4200	3100	245
Sunday (No Events)		18-May	10a-5p	N/A	1400	N/A
Sunday (No Events/Blackout)		25-May	10a-5p	N/A	1700	N/A

City of Manassas – Sunday Event & Downtown Visitors

April/May 2025

Source: HMI using PlacerAI

City Council Agenda Item Report

Agenda Item No. 3.3
Submitted by: Christen Miller
Submitting Department: Community Development
Meeting Date: June 16, 2025

Item Title

Transportation Planning Program Update
(Staff: Chloe Delhomme, Senior Planner)

Suggested Action and/or Recommendation

Suggested Motion

Item Type Department Update
Submitting Department Community Development
Meeting Body City Council

Item ID 2025-901
Drafter Christen Miller
Meeting Date June 16, 2025

Executive Summary and Background Information

The purpose is to brief City Council on the status of the City's transportation planning program and upcoming funding opportunities.

ATTACHMENTS

- ATTH01 Transportation Planning Program Memorandum
- PRES Candidate Projects

MEMORANDUM

CITY OF MANASSAS

Department of Community Development

Planning & Development

DATE: June 16, 2025

TO: City Council Worksession

THRU: Steve Burke, City Manager
Matt Arcieri, AICP, Assistant City Manager, Planning & Community Development Director

FROM: Chloe Delhomme, Senior Planner

SUBJECT: Transportation Planning Program Update

The purpose of this memorandum is to brief City Council on the status of the City's transportation planning program.

<u>Regional, State, and Federal Funding Applications</u>

City Council is updated bi-annually on transportation funding applications prior to the adoption of funding resolutions by the City Council. It is anticipated that resolutions endorsing upcoming funding applications will be considered by City Council in September 2025 and January 2026. If the applications are approved, funding for these projects will be included for City Council approval as part of the capital improvement program.

A summary of the upcoming funding sources and candidate city projects is highlighted in Table 1. The candidate projects are existing CIP projects or originating from the Manassas 2040 Comprehensive Plan. Applying for the listed funding sources would not only help accelerate those projects but also make NVTA local funds available for other projects.

Transportation Planning Program

In FY18 the City Manager reallocated a Public Works position to Community Development as a result of Traffic and Access being identified as the top priority for the citizenry in the 2014 and 2016 Citizen Satisfaction Survey and the intensive staff work needed to apply for transportation funding. Since FY18, 83% of submitted funding applications were awarded for a total of $45M.

Following the adoption of the 2040 Comprehensive Plan and 2019 Transportation Master Plan, a project development fund was created in order to develop concepts for new projects recommended by these plans. Once the concept is developed and initial public input received, funding can be sought. Once fully funded, projects are assigned a specific "T" number in the CIP and advance to design and construction.

As part of the 2045 Comprehensive Plan update, the Community Development Department lead the update of the Mobility Master Plan which provides a comprehensive overview of existing and future conditions of the City's transportation network including roadways, bike, and pedestrian facilities. This Master Plan helps identify future City projects that will be essential to update the local, regional, and state plans and programs for planning consistency and future funding eligibility.

Table 1: FY2026 Transportation Funding Applications

Project Name	Proposed Funding Source	Funding Source	Application Status
Bike/Ped Projects			
Sudley Road Bike Facilities (T-090) - Add. funding	RSTP	Federal	Recommended
Dumfries Road Trail (T-090)	TLC	Regional	Not awarded
Traffic Garden (MOB 6.2.8)	RRSP	Regional	Not awarded
Jackson Sidewalk (T-090)	Revenue Sharing	State	Due September 15, 2025
Centreville Road Sidewalk (T-090)	VDOT Pre-Scoping/TAP/Revenue Sharing	State/Federal/State	Due September 15, 2025
Rail-with-Trail along VRE Manassas Line between Downtown Manassas and Bull Run Trail (Phase 1) (T-090)	NVTA 70%	Regional	Due August 1, 2025
Nokesville Trail (T-090)	VDOT Pre-Scoping/RSTP	State/Federal	Due Winter 2025
Transit Projects			
Bus Stop Enhancements (T-095) - Add. funding	CMAQ	Federal	Staff recommended
Roadway Projects			
Dean Drive (Animal Shelter to Wellington Road) (T-039) - Add. funding	Revenue Sharing	State	Due September 15, 2025
Planning Projects			
Safe Street Implementation Plan (MOB 6.4.3)	SS4A (Demonstration)	Federal	Awarded
City of Manassas Flood Hazard Assessment (Stormwater Maintenance)	PROTECT (Planning Grant)	Federal	Paused
Maintenance Projects			
Center Street (Maintenance)	SGR	Federal	Not awarded
Dumfries Road (Maintenance)	SGR	Federal	Not awarded

Last Updated: 6/9/2025

Upcoming Funding Applications

Candidate Projects

City Council Worksession

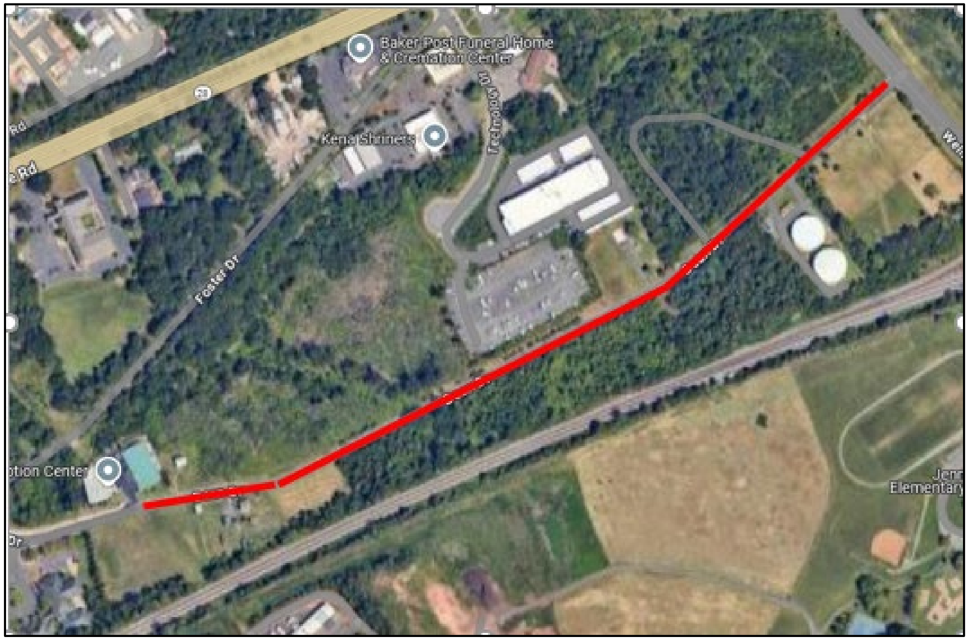
June 16, 2025

Manassas
HISTORIC HEART. MODERN BEAT.

Dean Drive widening (T-39) – Add. funding

Project Description:

- Widen Dean Drive from the existing animal shelter to Wellington Road
- Add curb, gutter, and bike lanes including bicycle/pedestrian connection to the Wellington Trail



Proposed Funding Source:

- Revenue Sharing (FY29-30)

- Active CIP project; additional funding for construction phase

Timeline:

- Due September 15, 2025

Jackson Avenue Sidewalk

Project Description:

- 0.2 mile, 5’ wide sidewalk on east side of Jackson Ave between Sudley Road and Barnett Street

Proposed Funding Source:

- Revenue Sharing (FY29-30)

Timeline:

- Due September 15, 2025

- Presented at the Annual bike/ped meeting on May 22nd
- Public survey active

Centreville Sidewalk

Project Description:

- 0.2 mile sidewalk on Centreville Road between Weir Place and Prim Ln.
- Sidewalk on Carriage Ln and Reb Yank Dr.
- Potential pedestrian (HAWK) crossing

Proposed Funding Source:

- Transportation Alternatives Program (FY27-28)
- Revenue Sharing (FY29-30)

- Presented at the Annual bike/ped meeting on May 22nd
- Public survey coming soon

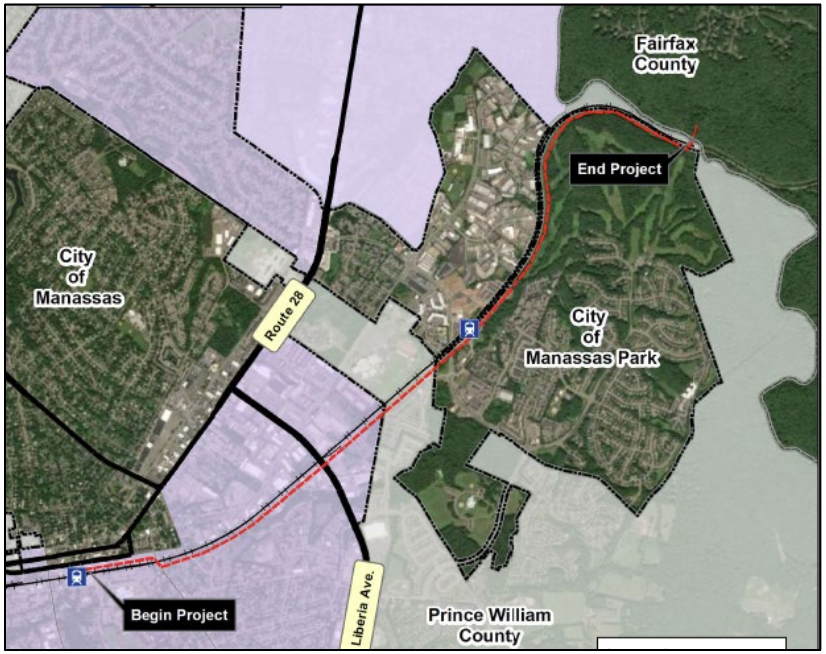
Timeline:

- Due September 15, 2025

Rail-with-Trail

Project Description:

- 3-mile multi-jurisdictional trail adjacent to the Virginia Railway Express ("VRE") Manassas Line between Downtown Manassas and the Bull Run Trail in Fairfax County (Phase 1)
- Connections two VRE stations, four localities, Historic Downtown Manassas with "Park Central" in Manassas Park, green spaces and Parks (Blooms Parks, Bull Run-Occoquan Trail)



Proposed Funding Source:

- NVTA 70%

Timeline:

- Application due August 1, 2025

- Presented at the Annual bike/ped meeting on May 22nd
- Public Meeting coming soon

Nokesville Trail

Project Description:

- 0.6 mile shared-use path on Nokesville Road between Godwin Drive and Dean Drive
- Connections to the Godwin Drive Trail, the Route 28 trail, and Dean Drive bike lanes

Proposed Funding Source:

- RSTP (FY32)

Timeline:

- Due Winter 2025

- Presented at the Annual bike/ped meeting on May 22

Upcoming Funding Applications

Candidate Projects

City Council Worksession

June 16, 2025

City Council Agenda Item Report

Agenda Item No. 4.1
Submitted by: Steve Burke
Submitting Department: City Manager
Meeting Date: June 16, 2025

Item Title

Innovation District - City Representation

Suggested Action and/or Recommendation

Council is requested to discuss City representation for the Innovation District Steering Committee; the Governance and Finance Model Task Force; and the Branding Task Force

Suggested Motion

Item Type Work Session
Submitting Department City Manager
Meeting Body City Council

Item ID 2025-888
Drafter Steve Burke
Meeting Date June 16, 2025

Executive Summary and Background Information

Innovation District Steering Committee:
We would like to invite a member from City of Manassas leadership to serve on the Innovation District steering committee, which will meet on a quarterly basis beginning July/August 2025. This meeting may be held bi-monthly in the first 8 months as critical decisions on the finance, governance, and brand need to be made. Our goal will be to host the 1.5 hour meetings in-person on the SciTech campus with hybrid options available.

Governance and Finance Model Task Force and Branding Task Force:
We would also like to ask City of Manassas leadership to appoint two representatives to serve on the Governance and Finance Model task force and the Branding task force respectively. The task forces will meet on a monthly basis from July 2025-January 2026 and report suggestions to the steering committee. We anticipate having a finalized brand and sustainable governance and finance model identified by February. The representatives selected should bring expertise in the areas of the task force topics.

City Council Agenda Item Report

Agenda Item No. 4.2
Submitted by: Steve Burke
Submitting Department: City Manager
Meeting Date: June 16, 2025

Item Title

Board of Equalization and Boards, Committees, and Commissions (BCC) Compensation

Suggested Action and/or Recommendation

Council is requested to discuss a resolution that reestablishes compensation for the Board of Equalization, and to consider how BCCs may be compensated in the future.

Suggested Motion

Item Type Work Session
Submitting Department City Manager
Meeting Body City Council

Item ID 2025-889
Drafter Steve Burke
Meeting Date June 16, 2025

Fiscal Impact

"Back pay" to Board of Equalization members is expected to be $600. Beginning in FY2025, each meeting will be compensated at $50 per member, or $150 total per meeting. Depending upon the number of meetings annually, Council should expect costs in the range of $750 annually.

Executive Summary and Background Information

R-2002-26 established the volunteer nature of the City's Board, Committees, and Commissions, and allowed for some compensation of appointees to certain BCCs. R-2024-35, while affirming the volunteer nature of BCC appointments, also removed all forms of compensation. However, State Code 58.1-3375 mandates that members of every board of equalization shall receive compensation for time actually engaged in the duties of the Board. The proposed resolution would reestablish pay of $50 per meeting for our local Board of Equalization going forward and offer back payment for those meetings attended in FY 2024. Council may also discuss a plan for resuming pay to other BCCs in the future.

ATTACHMENTS

- Resolution #R-2025-xxx BOE Compensation
- R-2002-26 BCC Compensation
- R-2024-35 BCC Comp. Elimination

MOTION: **June 23, 2025**
Regular Meeting
SECOND: **Res. No. R-2025-xxx**

RE: A RESOLUTION RESTORING COMPENSATION TO APPOINTEES OF THE CITY OF MANASSAS BOARD OF EQUALIZATION

WHEREAS, the City of Manassas benefits from the voluntary efforts of appointed members to its many Boards, Committees and Commissions (BCCs), originally acknowledged many years ago by #R-2002-26; and,

WHEREAS, certain appointees may be reimbursed by the City for expenses, trainings and travel associated with the volunteer work of their respective BCCs; and,

WHEREAS, for equitable reasons, by #R-2024-35, which became effective July 1, 2024, the City ceased paying salary or other compensation to BCC members unless in concert with neighboring jurisdictions; and

WHEREAS, Virginia Code §58.1-3375 provides that members of every board of equalization (BOE) shall receive compensation, for time actually engaged in the duties of the board, to be fixed by the governing body of the county / city and paid out of the local treasury; and

WHEREAS, in keeping with the aforementioned Virginia Code section, this Council will resume compensation of BOE members in the amount of $50 per meeting attended beginning July 1, 2025, to be paid annually upon submission of a request for payment to the City from the appointee, as was past practice; and

WHEREAS, additionally, the City shall honor BOE member requests for compensation for their documented attendance at the four meetings / hearings that took place from July 1, 2024 to June 30, 2025, Fiscal Year 2025, at the same rate.

NOW THEREFORE BE IT RESOLVED that the City Council of Manassas, Virginia, this 23rd day of June, 2025, hereby restores compensation as described herein to its valued members of the Board of Equalization, and offers payment for past BOE meetings attended throughout Fiscal Year 2025 upon proper submission of request.

____
Michelle Davis-Younger Mayor
On behalf of the City Council
of Manassas, Virginia

ATTEST:

____
Eric W. Smith, II   City Clerk

<u>Votes:</u>

Ayes:
Nays:
Absent from Vote:
Absent from Meeting:

RESOLUTION

RESOLUTION #R-2002-26
REGULAR COUNCIL MEETING
OCTOBER 11, 2001

RE: Resolution Establishing the Volunteer Nature of Membership on Boards, Committees and Commissions and Establishing Stipends for Members of Commissions with Quasi Administrative, Policy or Judiciary Duties

WHEREAS, the dozens of members of boards, committees and commissions volunteer hundreds of hours of work each year to improve the many aspects of the quality life of Manassas; and

WHEREAS, membership of these boards, committees and commissions is a vital volunteer contribution from the many members to their community; and

WHEREAS, the City has assumed responsibility for expenses of board, committee and commission members that may be incurred as a result of duties and/or training; and

WHEREAS, the City Council often appoints ad hoc boards, committees and commissions and provides staff support and expenses that may be incurred; and

WHEREAS, by statutory or act of the City Council, some boards, committees and commissions have duties that cause their role to be quasi administrative or with policy and/or judiciary review duties; and

WHEREAS, the City Council expresses it's continuing support and gratitude for its many volunteer citizen participants;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Manassas, Virginia, meeting in rescheduled regular session this 11th day of October 2001, that:

1. It is the policy of the City Council to support its boards, committees and commissions with staff support, incidental expenses and occasional training; and

2. City Council will provide a stipend to members of the Planning Commission, Board of Zoning Appeals, Utility Commission and the Airport Commission in the amount of $50 per meeting not to exceed four meetings per month attended by the members or the amount allowed by State law, whichever is greater.

Marvin L. Gillum MAYOR
On behalf of the City Council
of Manassas, Virginia

ATTEST:

Kimberly D. Allen City Clerk

MOTION: ELLIS

SECOND: VASQUEZ LUNA

October 23, 2023
Regular Meeting
Res. No. R-2024-35

RE: **RESOLUTION ESTABLISHING THE VOLUNTEER NATURE OF MEMBERSHIP ON COUNCIL APPOINTED BOARDS, COMMITTEES AND COMMISSIONS CREATING CONSISTENCY IN THE TREATMENT OF BOARDS, COMMITTEES, AND COMMISSIONS VOLUNTEERS**

WHEREAS, the City Council appoints a variety of boards, committees, and commissions whose members volunteer hundreds of hours of work each year to improve the quality of life of Manassas; and

WHEREAS, membership of these boards, committees, and commissions represents a vital volunteer contribution from the many members of their community; and

WHEREAS, the City has assumed responsibility to provide boards, committees, and commissions appointed solely by the City Council support for expenses that may be incurred as a result of duties and/or training approved in the annual budget; and

WHEREAS, the City Council also may appoint from time-to-time special ad hoc boards, committees, and commissions that also need support from staff and for expenses that may be incurred; and

WHEREAS, the City Council views the contributions of each board, committee, and commission as important to the function of City government; and

WHEREAS, the City Council wants to create consistency in the treatment of boards, committees, and commissions volunteers; and

WHEREAS, the City Council expresses its continuing support and gratitude for its many volunteer participants of each board, committee, and commission.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Manassas hereby approves the policy of the City Council to provide consistent and equitable support to its boards, committees, and commissions including staff support, incidental expenses, and occasional training as will be determined with each adopted annual budget; and

BE IT FURTHER RESOLVED that the City Council will eliminate the inequitable practice of providing only some boards, committees, and commissions with compensation by eliminating all compensation as of July 1, 2024, with the start of the FY2025 Adopted Budget.

Michelle Davis-Younger

Michelle Davis-Younger Mayor
On behalf of the City Council
of Manassas, Virginia

ATTEST:

LHenderson

Lee Ann Henderson City Clerk

Votes:
Ayes: Ellis, Osina, Sebesky, Smith, Vasquez Luna, Wolfe
Nays: None
Absent from Vote: None
Absent from Meeting: None

City Council Agenda Item Report

Agenda Item No. 4.3
Submitted by: Matt Arcieri
Submitting Department: Community Development
Meeting Date: June 16, 2025

Item Title

Creation of Housing Advisory Board

Suggested Action and/or Recommendation

Approve

Suggested Motion

Approved and place on June 23rd agenda for adoption.

Item Type Resolutions
Submitting Department Community Development
Meeting Body City Council

Item ID 2025-900
Drafter Matt Arcieri
Meeting Date June 16, 2025

Advisory Board/Committee Review

N/A

Fiscal Impact

N/A

Executive Summary and Background Information

In FY2025 the City Council set aside $2 million in funding for the purpose of creating new and preserving existing attainable housing in the City. To help guide the Council and staff, a housing advisory board is proposed to recommend how to develop policies and programs and how to spend this funding. The attached draft resolution will establish the Housing Advisory Board as a temporary committee. At the end of the one-year period, Council would be able to extend the board on a temporary basis or consider conversion into a permanent committee.

ATTACHMENTS

- ATTH01 Memorandum
- RES Housing Advisory Board Draft Resolution

MEMORANDUM

CITY OF MANASSAS

Department of Community Development

Planning & Development

DATE:	June 16, 2025
TO:	Mayor and Council
THRU:	Steve Burke, City Manager Matt Arcieri, AICP, Assistant City Manager and Planning & Community Development Director
FROM:	Christian Samples, AICP, Planning Manager
SUBJECT:	Creation of Housing Advisory Board

In FY2025 the City Council set aside $2 million in funding for the purpose of creating new and preserving existing attainable housing in the City. To help guide the Council and staff, a housing advisory board is proposed to recommend how to develop policies and programs and how to spend this funding. The attached draft resolution will establish the Housing Advisory Board as a temporary committee. At the end of the one-year period, Council would be able to extend the board on a temporary basis or consider conversion into a permanent committee.

Prior to the creation of a new committee, Section 7-3-C of the City Council's rules of procedure require a report be issued regarding any comments or recommendations concerning the new committee. The report shall include the following information:

1. The need for the committee and possible duplications or conflicts with other committees;
2. The appropriateness of a committee format to deal with the issues involved; and
3. The impact that creation of the committee will have on City staff and resources, including:
    a) the estimated total amount of City staff time that will be required on an annual or other basis to staff the committee;
    b) whether the committee can accomplish its assigned work with existing staff; and
    c) if new staff will be required, the total amount of additional staffing that will be required and the projected annual cost of such additional staff.

The need for the Housing Advisory Board directly comes from the City's continued housing affordability problem. This issue has been well documented in the 2019 Housing Plan and the 2024 Housing Trust Fund report. The City does not currently have a committee that focuses exclusively on housing issues. While housing challenges are encountered by the Planning Commission during the development process, the Housing Advisory Board would work on this issue outside of a specific planning application.

The Housing Advisory Board is an appropriate committee format to deal with the housing affordability issue. Housing issues are outside the scope of the City's other committees. The Committee format allows for review and discussion exclusively of housing issues and provides an opportunity for public comment.

The impact of the Housing Advisory Board on existing City Staff and resources is minimal. The City has budgeted and hired a Housing and Neighborhood Coordinator to work directly on this issue. The Coordinator would serve as the staff liaison to the Board, providing needed guidance and support to this board.

MOTION: **June 23, 2025**
Regular Meeting
SECOND: **Res. No. R-2025-900**

RE: **A RESOLUTION ESTABLISHING A CITY OF MANASSAS HOUSING ADVISORY BOARD TO MAKE RECOMMENDATIONS TO CITY COUNCIL REGARDING ISSUES OF ATTAINABLE HOUSING**

WHEREAS, the City Council is authorized by Virginia Code §15.2-1411 to appoint such advisory boards, committees, and commissions as it deems necessary to advise the Council; and,

WHEREAS, section 7-3 of the City Council Rules of Procedure also provides for the creation of temporary committees to advise the Council, following receipt of a report from the City Manager with comments and recommendations regarding the creation of the committee; and,

WHEREAS, both the adopted 2040 Comprehensive Plan for the City and the Manassas Housing Plan establish goals of protecting the affordability and quality of the City's housing stock; and,

WHEREAS, the City Council is committed to the goal of facilitating the provision of decent, safe, sanitary and financially attainable housing opportunities to all residents of the City; and,

WHEREAS, advice and recommendations from an advisory board of residents appointed by the Council would inform the necessary decisions that Council must make and help the City achieve its attainable housing goals.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Manassas, Virginia that there is hereby established a City of Manassas Housing Advisory Board, to advise City Council on the available options, opportunities and best practices that would increase the availability of attainable housing in the City.

Positions on the Board shall be advertised, and applicants interviewed and recommended to City Council by the Appointments Committee. The Board shall consist of no more than seven members who shall be appointed by and serve at the pleasure of City Council. The Board shall elect its own chair, who shall preside over meetings, and a vice-chair, who shall preside in the chair's absence. Meetings of the Board shall be on a regular basis as determined by the Board, and be advertised and open to the public in accordance with the Virginia Freedom of Information Act.

BE IT FURTHER RESOLVED that the Board shall advise the Council and provide recommendations regarding the following:

(1) The means and methods available to the City that will assist in creating new attainable home ownership and attainable rental opportunities for City residents;

(2) The options for the City to assist in the preservation of existing attainable housing units for future generations;

(3) Guidance and recommendations for incorporating attainable housing units into new residential developments in the City;

(4) Whether the adoption of new zoning ordinances or land use policies would facilitate the provision of attainable housing in the City, or whether the City needs to seek new enabling legislation from the General Assembly;

(5) Whether the existing Manassas Housing Trust Fund, Inc. should be continued, reorganized or dissolved;

(6) Identification of sources of potential funding or financing, and possible partnerships with non-profit or non-governmental organizations, that could assist in the provision of attainable housing in the City; and,

(7) Any other information or recommendations that will assist the City Council in meeting its attainable housing goals.

The term of the Board shall be 365 days from the date the Board holds its first meeting, subject to extension by City Council of additional terms of up to 365 days each. The Board shall provide an oral report to City Council annually, and a written report at the completion of its work. The Board shall be assisted by City staff, under the general supervision of the City Manager.

BE IT FURTHER RESOLVED that this Resolution is effective immediately upon its adoption.

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Michelle Davis-Younger Mayor
On behalf of the City Council
of Manassas, Virginia

ATTEST:

____
Eric W. Smith City Clerk

<u>Votes:</u>
Ayes:
Nays:
Absent from Vote:
Absent from Meeting: