



GOVERNMENT OF THE DISTRICT OF COLUMBIA
Executive Office of the Mayor
Office of the Deputy Mayor for Planning and Economic Development



MEMORANDUM

TO: Andrew Jared Critchfield, Ph.D.
Commissioner and Chair, ANC6B

FROM: Jeff Miller, Director of Real Estate, DMPED

DATE: June 4, 2012

SUBJECT: Reservation 13, ANC6B Resolution Dated May 17, 2012

Thank you for transmitting to our office the above-referenced resolution following our meeting in the community. The passion described by the commissioners and community members was clear, and our office will be doing our best to keep you informed of our progress, describe with clarity our process and milestone schedule, and include the community in the selection process.

Your resolution called out several specific community desires, so I would like to address them individually, below:

- **Legal opinion from our Office of the Attorney General:** You should be in receipt of a letter from the Attorney General that speaks to your request that a legal opinion regarding the risks associated with pursuing a Best-And-Final-Offer process with the two remaining bidders. As such communications and advice are privileged and not intended to be shared, such a legal opinion will not be forthcoming as your resolution requests.
- **In the absence of a legal opinion from the OAG:** Your resolution requests that we pursue a Best-And-Final-Offer process with the remaining bidders. Such a process, as we have explained, is ill-advised according to counsel from our OAG and thus our current plan is to issue a new and widely-distributed RFP for the F1/G1 parcels only, with an estimated timeframe of mid-July.
- **Language referring to a right of first refusal:** It is unclear to this office why such language would be of any benefit to the project, and could limit and complicate future solicitations on subsequent parcels.
- **Conformance with the approved Reservation 13/Hill East Waterfront Master Plan:** This plan has been approved per Council and is thus the guiding document for any development on the site, including sites F1 and G1. We intend to abide by this Master Plan.

- **Phased plan for development of infrastructure and future social services uses:** The intent of the RFP process of which we are discussing is focused on the development of two parcels only. This office understands the community's focus on a more holistic view of the site, and we will be working with our constituent agencies to establish a long-term framework for these infrastructure issues. We expect that any phased infrastructure plan will closely match the marketability of different uses on the site and will be addressed as these development phases come on line.
- **Infrastructure development costs for the full development of the site:** We are happy to share with you what we have, but given the time passed since the original studies and the absence of a plan from which to estimate, the accuracy and usefulness of the values will be questionable.

Thank you. We look forward with working with you as we develop our RFP.