

April 2005

## **MOTION BY DIRECTORS YAROSLAVSKY AND BURKE**

When the MTA Board adopted the Joint Development Policy in 2002, the Policy included a provision that allowed developers to submit unsolicited proposals to the MTA. The intent of that provision was to encourage the development of parcels that were difficult to develop or had not previously generated interest in the development community.

Since that time, there have been a number of unsolicited proposals submitted to the MTA and MTA staff has recommended entering into Exclusive Negotiation Agreements with many of these developers. Without a more comprehensive process seeking competitive proposals, MTA does not know whether it is getting the best value, best return or best project at these sites.

We therefore move that MTA staff revise the Joint Development Policy to require an RFP, RFQ/RFP or competitive bidding process for all joint development projects except in very exceptional circumstances (such as small parcels or those with access problems) and to submit such a revised Joint Development Policy to the Board for the consideration at its May meeting.

