CONDITIONS OF THIS REQUEST FOR OFFERS

1. ADDENDA - RIGHT TO WITHDRAW REQUEST FOR OFFERS

The HRA reserves the right to add to, amend, withdraw, and/or cancel, in part or entirely, this Request for Offers for any reason and at any time with no liability to any prospective Proposer for any costs or expenses incurred in connection with the Request for Offers or otherwise. If any part of the Request for Offers is revised, addenda to the Request for Offers will be posted on the City's website.

2. PUBLIC RECORD/CONFIDENTIALITY

Information supplied by each Proposer to the HRA is subject to the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13 (the "Act"). Proposals submitted become a matter of public record as set forth therein.

Such information shall become public unless it falls within one of the exceptions in the Act, such as security information, or labor relations information pursuant to Minnesota Statue, Section 13.37. If the Proposer believes any nonpublic information will be supplied in response to the Request for Proposals the Proposer shall take reasonable steps to identify and provide reasonable justification to the HRA regarding which data, if any falls within exceptions to the Act. However, the Proposer agrees as a condition of submitting a proposal that the HRA will not be held liable or accountable for any loss or damage which may result from a breach of confidentiality as may be related to the response submitted.

The HRA will not consider any cost information and references submitted by the Proposer to be nonpublic, confidential or trade secret material. Simply stating that the document is confidential or making a blanket claim of confidentiality without proper supporting justification is also not a valid reason to declare the document confidential.

3. AWARD

The HRA reserves the right to reject any and all proposals. If the HRA decides to select a proposal, the HRA will select a proposal by the qualified Proposer whose proposal the HRA determines best meets the needs of the HRA. Offer price is only one consideration of the proposal consideration, and the HRA reserves the right to award a contract for sale to a Proposer other than the highest offer price.

4. OWNERSHIP OF SUBMISSION MATERIALS

All materials submitted become the property of the HRA and will not be returned.

5. PROPOSER'S COSTS

The HRA shall not be responsible for any costs incurred by Proposers in connection with this Request for Offers. Proposers shall bear all costs associated with proposal submission, submission and attendance at interviews, if any, or any other activity associated with the Request for Offers or otherwise.

6. WAIVER OF CLAIMS

No Proposer shall have a right to make a claim against the HRA or the City of Saint Paul in the event the HRA accepts a proposal or does not accept any or all proposals. The HRA by this Request for Proposals does not promise to accept the highest offer or any other proposal and specifically reserves the right to reject any or all proposals, to waive any or all informalities or irregularities in the proposals received, to investigate the qualifications and experience of any Proposer, to reject any provisions in any proposal, to modify Proposal contents, to obtain new proposals, and to negotiate the requested proposal and contract terms with any Proposer.

7. CONFLICT OF INTEREST

Proposer's response to this Request for Proposals indicates compliance with Chapter 24.03 of the Saint Paul Administrative Code: "Except as permitted by law, no City official or employee shall be a party to or have direct financial interest in any sale, lease, or contract with the City." Should any such conflict or potential conflict become known to the Proposer, it must immediately notify the City of the conflict or potential conflict, specifying the part of this Request for Offers giving rise to it, and advise the City whether the Proposer will or will not resign from the other engagement or representation. Violation of this provision may result in rejection of an otherwise complete proposal. Proposers are not to collude with other Proposers, competitors or take any other action that will restrict competition.

8. CLARIFICATION

The HRA reserves the right to contact any or all Proposers for clarification regarding information presented in submitted proposals.