

Appendix C: General Conditions

This Joint Development Solicitation is issued in accordance with Metro's [Joint Development Program Guidelines](#). Developers should review these guidelines before submitting a proposal.

Disclosure and Use of Data

- A. Public Access to Records Policy: Metro is required to brief its Board of Directors on all aspects of a Proposal. Metro will hold business information provided to it confidential in accord with [Metro Public Access to Records Policy](#). Metro will endeavor to hold any third-party landowner whose property is included in a Joint Development Parcel to respect and abide by the preceding confidentiality, but Metro cannot bind a third party to do so, nor shall Metro incur any liability if a Proposal is not held confidential by a third party.
- B. To Jurisdictional Officials: Metro also reserves the right to review the zoning and land use aspects of any Proposal with local zoning, land use planning, transportation and environmental officials and with state officials. Additionally, such review may include conducting public hearings, town meetings and similar public forums

Protest Policy

The policy and procedure for the administrative resolution of protests involving the designation of a Selected Developer arising pursuant to this Joint Development Solicitation are as follows:

- A. Who May Protest: Only an Interested Party may submit a protest. An "Interested Party" is defined as a Developer who submitted a Proposal for the relevant Joint Development Parcel pursuant to this Joint Development Solicitation.
- B. Deadline: Protests must be submitted no later than thirty (30) calendar days after Metro staff's preliminary designation of the Selected Developer. Any protest submitted subsequent to this time may be deemed by Metro to be untimely and denied on that basis unless Metro concludes that the issue(s) raised by the protest involves fraud, gross abuse of the selection process, or otherwise indicates substantial prejudice to the integrity of the selection process.
- C. Form of Protest: The Interested Party wishing to file a protest shall submit a written document to Metro which contains the following:
 - The name and address of the Interested Party.
 - Description of the nature of the protest.
 - Identification of the provision(s) of this Joint Development Solicitation or of the Joint Development Policies and Guidelines or laws upon which the protest is based.
 - A statement of the specific relief requested.
 - Any documents relevant to the protest.
- D. Metro Review: Metro shall carefully review the protest. At the discretion of Metro, a conference may be held with the Interested Party. Metro shall have thirty (30) calendar days to render a written decision on the merits of the protest. A determination by Metro that a protest is meritorious may result in a change in the terms, conditions or format of this Joint Development Solicitation in the form of an amendment, the rejection of a Proposal, the cancellation of this Joint Development Solicitation in whole or in part, or the termination of the designated Selected Developer.
- E. Inapplicability: This protest policy is not applicable to actions taken by Metro in response to legal proceedings filed in the courts or to actions taken by Metro.