

INQUIRY #1

1. Will phase development be considered as part of contract? **Yes**. What is the minimum amount of land that can be leased in the first phase? **To be determined as part of exclusive negotiation process**. What is lease price? **To be determined as part of exclusive negotiation process**.
2. What are the variable revenue streams that the ASPA will participate in other than the lease payment? **The Port is interested in creative proposals that enable the Port to participate in the upside success of the development**. Will there be ASPA Tariff/TASD Tariff revenue streams applied? **This depends on the nature of the activity and results of the negotiation process**.
3. Will the EV equipment be required from the beginning of the lease? **The use of EV equipment is envisioned as part of the overall sustainability of the logistics park development**. What is the mandated time for such equipment? **How that is incorporated into the development and the timeline will be considered as part of the negotiation**. Is the container terminal being required to do the same? **The container terminal operates under a concession agreement that was negotiated in 2008. As a global company known for their sustainable business practices, APM strives to incorporate EV equipment into their operations where feasible**.
4. Are there tax incentives available for the construction phase of investment from the state and city? **State investment tax incentives can be found at the following link: [Taxes & Incentives | Made in Alabama: Alabama Department of Commerce](#) Any tax incentives through the City of Mobile would need to be negotiated directly with the city**.
5. Ref item -4.1.3: What is estimate timeframe of completing investigation of Phase III data recovery excavation by USACE? **USACE has approved a Phase III Stage 2 Work Plan and ASPA anticipates that field work will be completed by March 15, 2022. ASPA anticipates USACE approval of a field summary and release for construction by July 15, 2022**.
6. Ref item 4.1.4: What is estimated timeframe of completing response by ASPA Phase II investigation of the Armstrong Land parcel beginning FY2022? **Implementation of the field investigation and reporting is estimated to take four months upon ADEM approval of the Work Plan**.
7. Ref item 4.1.5 SWMU 11: What is estimated timeframe by ASPA response to ADEM concerning this parcel of land? **ASPA plans to respond in March once a developer is selected**.
 - How much acreage of land is specified of this parcel per ADEM requesting the port delineate and subsurface soil to unrestricted use? **ADEM is requesting that the port delineate where unrestricted use begins**.
 - What is estimated timeframe of this response by ASPA to ADEM? **ASPA plans to respond in March once a developer is selected**.
 - What is status of ASPA informing EPA of proposed cleanup for PCBs (exceeding 1 ppm)? **Soil removal and disposal is in progress and ASPA anticipates submitting a completion report to EPA by March 1, 2022**.
 - Per application of any/all cleanup costs as per requirements as determined by ADEM and/or other regulatory agencies, what are the estimated costs of such requirements? **Soil removal/disposal should be completed by February 2022. ASPA does not anticipate any further remediation on or associated with SWMU 11**.

- How much total acreage would be impacted by such restrictions? **The SWMU 11 parcel is approximately 7 acres. Delineation to unrestricted (below residential risk screening level) is unknown.**
8. Ref item 4.2 (Utilities)
Please clarify and/or describe specific meaning to “aid to construction costs associated with providing service depending on service requested”? **Aid in construction could depend on different factors. It could be load. It could be overhead vs. underground. It could be requesting an alternate source of feed. The utility provider, in this case Alabama Power, would need to address anything more specific depending on the proposed project.**

 9. Is Logistics Park/VAD property classified as a Foreign Trade Zone? **The property is located within FTZ 82 and a part of the Mobile Downtown Airport, Port and Riverfront industrial complex. Zone details and grantee information can be found at the following link from the US Department of Commerce website: <https://ofis.trade.gov/Zones/Details/169>**

 10. Would multiple option terms be considered by ASPA beyond minimal lease term? **Yes**

 11. What is timetable for site tours to begin? **Site tours are available now and will continue through the deadline for receipt of proposals.**

INQUIRY #2

1. Do you have an ALTA survey of the property showing the location of easements, improvements etc.? **No.**

2. Do you have a Geo-Tech Report on any of the listed sites? **Soil boring logs from the environmental investigation on Parcel C are provided on SharePoint through February 1, 2022 if requested by email at Parrish.Lawler@alports.com.**

3. In section 1 – Introduction – you indicate that the property would require adherence to “Permitted Uses” consistent with the Port’s stated objective. Can you tell us what the “permitted uses” are? **The site is envisioned to support the movement of international cargo. Some examples of facilities designed to support this business include cross-dock, trans-load or distribution facilities. Businesses designed to optimize their proximity to the port and that will push traffic volumes through the container terminal and the intermodal container transfer facility are desired.**

4. In the introduction, you indicate that you want the lessee to take on the environmental compliance and remediation activities. Do you have estimates of what those costs are from your environmental consultant? **The Work Plan currently in review by ADEM for Parcel C is anticipated to cost \$120,000. A Risk Assessment will likely follow the investigation at an estimated cost of \$50,000. Delineation to unrestricted (below residential risk screening level) is unknown. Will ASPA assist with any**

of these costs? **Any future costs surrounding site development will be discussed during the exclusive negotiating process.**

5. With regard to the environmental matters disclosed, we have the following questions:

a. Site A – if there are no recognized environmental conditions, why was it enrolled in the Voluntary Cleanup Program? **At the time of submitting the Voluntary Cleanup Program application, the port was considering selling the property. The enrollment in the Voluntary Cleanup Program would have provided some level of assurance to interested buyers.**

b. Site B – Is there a post-closure monitoring program or any type of operation and maintenance plan associated with the closure? **No.** If so, what are those annual costs to comply? Are there any covenants or use restrictions placed on the property related to the environmental closure? **No.**

c. Site B1 – Due to the historical significance of this site, you are stating that it cannot be disturbed until the completion of a Ph III archeological study. Can you indicate what you think the restrictions will be if this site contains historical artifacts or what the purpose of the PH III is for? **The Phase III archeological investigation will be completed and documented to satisfy the USACE so that the historical site can be developed with unrestricted use.** Will the whole site have to be avoided? **The B1 parcel will need to be avoided until USACE accepts the Phase III field summary which ASPA anticipates by July 15, 2022. Once the Phase III field summary is accepted by the USACE, no restrictions will remain for B1.**

d. Site C – Do the buildings contain asbestos siding? Do you have an asbestos survey? Do you have estimated costs to dispose of all of the asbestos? **Parcel C buildings have been demolished and disposal is expected to be completed by February 2022. Basements and foundations remain and are not included in the port's current scope of work.** Since ADEM has not approved the site and has requested further testing, has there been any cost estimate associated with obtaining a final closure? **The Work Plan currently in review by ADEM for Parcel C is anticipated to cost \$120,000. A Risk Assessment will likely follow the investigation at an estimated cost of \$50,000. Delineation to unrestricted (below residential risk screening level) is unknown.** Do you know the extent of the contamination? **No.**

e. Site D – Since this site has ongoing clean-up requirements as well, do you have third party estimates of the costs (testing, inspections and clean-up) and time frames to reach the required levels for closure? **Soil removal/disposal should be completed by February 2022. ASPA does not anticipate any further remediation on or associated with SWMU 11. ASPA plans to respond in March 2022, once a developer is selected, with a response to ADEM's requests to delineate soil to unrestricted use. No cost estimated is available for additional sampling and analysis.**

In summary, it seems as though several of the sites are still in active clean-up and remediation and do not have closure approval. If we understand the RFP correctly, you want the proposed lessee to take on this burden and incorporate those costs into our proposal? Currently, **the Port continues to fund ongoing remediation and site development work. Any future costs surrounding site development will be considered during the exclusive negotiating process.**

Any information you have from a time and cost perspective on these issues would be helpful.

INQUIRY #3

1. Could we receive a copy of the most recent strategic plan for the port? **The Port is in the process of finalizing a strategic plan, an executive summary of which will be made available in late Q1 2022.**
2. Will we get access to the ESA reports done on the property? Will we be able to see what the contracts/schedules look like for the work planned for USACE, ADEM, etc. in 2022? **Schedules are discussed in Inquiry #1 and #2 responses. ASPA does not have contracts with USACE or ADEM. ASPA will be financially responsible for the Parcel B1 Archeological Phase III Data Recovery Investigation, Parcel C Phase II Work Plan if approved by ADEM, and Parcel D current soil removal and disposal project.**
3. Is there a current wetland delineation on the property? **Wetlands were delineated within the parcel boundary in the 2003 permit which is still in effect. Identified wetlands have been mitigated. ASPA will maintain the permit until development is completed. The 2003 Choctaw Point Rowe Survey is provided on SharePoint through February 1, 2022 if requested by email at Parrish.Lawler@alports.com.**
4. Can a map of the existing and future rail facilities be provided? What are the timelines to build out future lines? **A map of the future rail build out is provided on SharePoint through February 1, 2022 if requested by email at Parrish.Lawler@alports.com. Depending on funding, it is expected that future lines will be built out as volumes dictate.**
5. Can the VAD South parcel be accessed from the North parcel or do you need to go back out to the street? **The VAD South parcel is currently accessible from Broad St.**
6. When will the 19 acres identified as the south property or parcel A be available? **It is envisioned that as soon as an agreement has been reached with the proposer, phased development can begin on the property. Please note that parcel is slightly less than 19 acres.**

INQUIRY #4

1. Does the Port have an economic forecast showing the projected growth of the Port (import, exports, loads, empties, reefers, by type, etc.) that you can share? **A projected growth forecast is provided on SharePoint through February 1, 2022 if requested by email at Parrish.Lawler@alports.com. Also, do you have a projected split by rail? Current rail volumes are 4.8% of total containerized throughput. Continued growth in this segment is projected with the addition of the flyover bridge as well as the ongoing trend of a shift in Midwest-bound cargo from east and west coast port gateways.**
2. The RFQ states that “The Property is being offered on an ‘as-is’, where-is’, with all faults’ basis”. It also states that “all costs and obligations related to any and all development activities, permitting requirements, infrastructure improvements, site development, environmental compliance and certain remediation activities, and analyzing and securing all regulatory and environmental approvals”. Can you please confirm that the Lessee will be responsible for **all** remediation work necessary to develop the Property? Currently, **the Port continues to fund ongoing remediation and**

site development work. Any future costs surrounding site development will be considered during the exclusive negotiating process.

- Are these studies rights given and assignable or is only the report available? **The Port will share documents with the selected developer during the exclusive negotiating process.**
 - What are the known contaminations? **The Port will share documents with the selected developer during the exclusive negotiating process.**
3. The RFQ states that “copies of property documents (including title, conveyance and easement and environmental report documents) will be available. Will the Port be releasing these items as part of the RFQ? **The Port will share documents with the selected developer during the exclusive negotiating process.**
 4. Is the Port looking for hard copies of our Statement of Qualifications only or would the Port accept an electronic submittal? **Physical copies will be required.**
 5. Does the Port want references from all team members or just key team members (operator, finance, and design)? **Key team members.**
 6. Is the property available for a Site Visit? **Yes. Site tours are available now and will continue through the deadline for receipt of proposals.**
 7. Page 15, Section 4 a) bullet mentions a track record of successfully completing public/private developments. Can you please clarify what the Port is looking for here? **The Port is interested in learning about any past projects with any public agency the proposer has been a part of and the outcome (volume throughput or other metric, investment levels, jobs created, etc.) of those projects.**
 8. Can the Port provide any previous surveys for the properties that may include boundary, topography or wetland delineations? **Wetlands were delineated within the parcel boundary in the 2003 permit which is still in effect. Identified wetlands have been mitigated. ASPA will maintain the permit until development is completed. The 2003 Choctaw Point Rowe Survey is provided on SharePoint through February 1, 2022 if requested by email at Parrish.Lawler@alports.com.**
 9. Can the Port provide a CAD (.dwg) file of the previous concept plans that were included in the RFQ? **The CAD file is provided on SharePoint through February 1, 2022 if requested by email at Parrish.Lawler@alports.com.**
 10. Can the Port provide a copy of the grant application for the connector road to the terminal? **Yes, the FY2021 US DOT Transportation Demonstration Program Grant Application is provided on SharePoint through February 1, 2022 if requested by email at Parrish.Lawler@alports.com.**
 11. Are any previous geotechnical reports available for review of these sites? **Soil boring logs from the environmental investigation on Parcel C are provided on SharePoint through February 1, 2022 if requested by email at Parrish.Lawler@alports.com.**

12. Are the previous Phase I ESA reports available for review of these sites? **Yes, the reports requested below are provided on SharePoint through February 1, 2022 if requested by email at Parrish.Lawler@alports.com.**
 - a. Site A: June 2020 report
 - b. Site B: May 2020 report
13. Is the USACE letter to the Port requesting an additional archaeological data recovery investigation dated August 16, 2021 available for review for the B1 site? **Yes, the reports are provided on SharePoint through February 1, 2022 if requested by email at Parrish.Lawler@alports.com.**
14. For Site C, can you please provide the following: **The Port will share documents with the selected developer during the exclusive negotiating process.**
 - a. RFA 2019 document from ADEM
 - b. 2021 ESA report of the soil and groundwater investigation
 - c. Phase 2 Environmental Reports and/or any remediation reports
15. For Site D, is a copy of the letter ADEM provided to the Port on July 15, 2021 available for review? **Yes, the letter is provided on SharePoint through February 1, 2022 if requested by email at Parrish.Lawler@alports.com.**
16. Can the Port provide a copy of the design plans for the ICTF? **Future build out designs of the ICTF is provided on SharePoint through February 1, 2022 if requested by email at Parrish.Lawler@alports.com.**
17. Is there a timeline that the Port anticipates the first phase being opened? **The Port envisions the first phase of construction to begin within a reasonable timeframe but no later than one year from the execution of the lease.**
18. We assume that the Logistics Park will be located outside of the TWIC zone and that the port will construct the interchange gate between the marine terminal and the Logistics Park. Can you please confirm? **Depending on the availability of funding, we envision an access gate between the logistics park and the ICTF flyover ramp which will provide direct access to the container terminal.**

INQUIRY #5

1. Does submission of a Proposal on January 28 create any binding commitment of the Proposer? **The proposal itself does not create any binding commitment. If selected, however, and at the end of an expected approximate 3-month exclusive negotiation process, it becomes clear that terms will not be reached, the Port reserves the right to terminate the negotiations.**
2. Is the proposer required to invest in the entire Property (124 acres) or is it possible to invest only in certain areas? **It is envisioned that a single proposer will develop the property in a phased approach and based on performance metrics.**

3. Will the investment in this project be the sole responsibility of the Lessee? Or will the State contribute to pay any part of the investment? **The Port has undertaken and continues to undertake a variety of enhancements to the benefit of the project. These include design and development of plans to construct a flyover bridge linking the container terminal to the ICTF, demolition of vacant buildings within the VAD property (Armstrong facility) as well as archaeological costs associated with the investigation of Fort Albert Sidney Johnston. The Port continues to fund ongoing remediation and site development work. Any future costs surrounding site development will be considered during the exclusive negotiating process.**

4. Considering that the land is next to the terminal and is owned by the Port Authority, is there any obligation to work with the union labor? **Workforce development and hiring will be the sole responsibility of the successful respondent.**

5. Does any customer have cargo priority? **No.**

6. According to Section 3.0, the logistics park will handle international traffic for multiple cargoes. Please clarify if the park is intended for general cargo or dedicated to only containers? Are there any restrictions relating to types of cargo or industry that the proposer may handle within the premises? **Based on its proximity to both the container terminal and intermodal container transfer facility, the Port envisions the businesses handled within the logistics park will complement these facilities and drive international cargo through the Port of Mobile. We do not envision static cargo or the holding cargo for long periods of time.**

7. Please clarify specific services allowed on the property, for example staffing, stripping of containers, container storage, general cargo storage and related services, reefer container storage and related services. **See above.**

8. Will the port design the property layout and installations, or will the lessor have the opportunity to review and approve any required facility design to provide the services? **The lessee will have the opportunity to design layout according to their needs and aligned with permitted uses negotiated with the Port.**

9. Obligations with the Port Authority: are there any minimum volumes, fixed and variable payments, conditions, % of local workforce hired, among others? **These questions will be considered as part of the exclusive negotiating process.**

10. Please specify the "Permitted Uses" (consistent with the Port's stated objective). **The site is envisioned to support the movement of international cargo. Some examples of facilities designed to support this business include cross-dock, trans-load or distribution facilities. Businesses designed to optimize their proximity to the port and that will push traffic volumes through the container terminal and or the intermodal container transfer facility are desired.**

11. Will the proposer be restricted to using ASPA approved contractors? **No.**

12. What are the current commercial uses of the Logistics Park and what permits will be required to operate? **The Logistics Park is currently not in use, however, the City of Mobile's Future Land Use Map designates this area as Heavy Industry. The lessee will not be required to obtain permits from the Port.**

Other permitting requirements for construction and business use shall be determined by the lessee, if selected.

13. In terms of commercial agreements, a. Is the lessor able to establish the rate to charge customers, importers, and exporters? b. Do you foresee any limitation to offer services only to the users of the Alabama state docks, or can it be used for domestic customers as well? c. Do you foresee state benefits for customers using the logistics park facilities? d. Please describe the service agreement to use the future bridge between APS and the logistics park, and when is that going to be in place. A. Yes, the lessee will be able to establish rates to charge their customers. B. The businesses handled at the logistics park will require an international component. C. If referring to state tax incentives, these can be found at the following link: [Taxes & Incentives | Made in Alabama: Alabama Department of Commerce](#) D. Depending on the availability of funding, we envision an access gate between the logistics park and the ICTF flyover ramp which will provide direct access into the container terminal. The procedures surrounding access to this gate from within the logistics park have yet to be determined but will be discussed during the exclusive negotiation process.

14. After the commencement date of the Lease Agreement, is there any deadline for the start of operations? The Port envisions the startup of operations to begin within a reasonable timeframe of the completion of construction. A more specific timeline would be agreed to as part of the negotiation process.

15. Does the 30-years term start from the commencement of the Lease Agreement or of the start of the operations? Similarly, is the proposer obligated to pay rent and other amounts starting from the commencement of the Lease Agreement or from the start of the operations? We anticipate the term will start at the execution of the lease. The Port envisions a rent abatement period during the construction phase. More specific terms would be agreed to as part of the negotiation process.

16. If the project is completed in phases, will the initial lease cover all phases of the project? The Port envisions a phased approach to development of the property.

17. Will the selected proposer be permitted to grant a leasehold mortgage with respect to its leasehold interest? This will be a component of our exclusive negotiating process.

18. Will a legal framework and/or contract draft be provided for the elaboration of the RFQ? There would be no other draft document to consider. The ground lease would be an output of the negotiations and be drafted according to mutual terms & conditions agreed to during the exclusive negotiating process.

19. Other than the items mentioned in the RFQ, has the port conducted any feasibility or case studies, geotechnical assessments, environmental assessments or other studies or assessments with respect to the proposed project or the property? Soil boring logs from the environmental investigation on Parcel C are provided on SharePoint through February 1, 2022 if requested by email at Parrish.Lawler@alports.com. The Port will share documents with the selected developer during the exclusive negotiating process.

20. If any of the foregoing studies or assessments are available, will they be provided and, if so, when will they be provided?

21. Will the port provide conceptual and other plans and reports obtained in connections with its most recent Strategic Plan? **The Port is in the process of finalizing a strategic plan, an executive summary of which will be made available in late Q1 2022.**

22. When will the existing title and related conveyance and easement documents be provided? **The Port will share documents with the selected developer during the exclusive negotiating process.**

23. What scope of due diligence will the selected proposer be permitted to conduct? Will there be any limitations on the scope of due diligence? Requirements and Evaluation Criteria **No environmental samples may be collected from the sites.**

24. Could you please elaborate further about the criteria for "Proven experience in the incorporation of good environmental practices" and "Proven track record of local hiring that supports the community in facility operations"? **The Port is seeking examples demonstrating the incorporation of good environmental practices as well as a proven track record of local hiring practices that support the community.**

25. Please provide more information related access to railroad infrastructure and services inside the perimeter of the park. **The logistics park is adjacent to the Port's intermodal container transfer facility, operated by APMT. There are options for rail access within the park itself depending on the proposed layout and design of the facility.**

26. If any investment must be made to permit access to the rail facility is that investment the responsibility of the proposer? **It is envisioned that access to the ICTF and container terminal will be part of the Port's planned improvements in conjunction with the construction of the flyover bridge. Other improvements will be the subject of discussion during the negotiating period.**

27. Have Alabama Power and MAWSS committed to bringing power and sewer to each of the parcels? **Both Alabama Power and MAWSS have confirmed service is available to the logistics park site.**

28. Regarding insurance policies, please identify the types and amounts of insurance coverage required by the Port Authority? **The winning proposer will be required to carry a number of insurance policies including but not limited to comprehensive general liability, pollution liability, business automobile liability, workers compensation and employer's liability insurance, as well as all risk property liability. These conditions and limits will be discussed and agreed upon as part of the exclusive negotiating process.**

29. What contributions, if any, will the port make to any infrastructure, other improvements, maintenance, or insurance policies relating to the proposed project? **As part of the Port's planned flyover bridge connecting the ICTF to the container terminal, a gate will allow access into the logistics park from within the container complex. Any other improvements will be a part of the exclusive negotiating process. It is envisioned that the proposer will finance, design and construct the facilities.**

30. Environmental: how many phases of environmental studies are planned? Is there a schedule? **There are no planned phases and/or schedule beyond what is discussed in the RFQ and specific responses herein.**

31. Area B: According to page 8 of RFQ, the property was accepted by ADEM to participate in the Voluntary Cleanup Program. Based on this, is any further investigation needed? What is involved in this program? Would the operator be responsible for the program? **Should the lessee desire to move forward with the Voluntary Cleanup Program, ADEM fees are estimated at \$25,220 for the review of the Environmental Site Assessment, letter of concurrence, and filing of environmental covenant. It is likely that the lessee would be responsible for the Voluntary Cleanup Program though this will be considered during the exclusive negotiating process. It is possible that surface and subsurface soil sampling for the purpose of delineation to unrestricted use may extend from Parcels C and D onto Parcel B.**

32. Area C: ADEM has requested additional investigation including delineation of surface and subsurface soil to unrestricted use. Would this information be available before submission of the proposal? **No.** If not, please confirm if the area should be considered for operation. **ADEM may set deadlines for soil sample collection for the purpose of delineation to unrestricted use but has not prohibited operation of the site.**

33. Area D: among the requirements from ADEM, they state that the port must inform EPA of a proposed cleanup for PCBs exceeding 1ppm. Is this study in process? **Soil removal and disposal is in progress at the site.** If yes, when will it be completed? **ASPA anticipates submitting a completion report to EPA by March 1, 2022.** Would this study developed by the port? **ASPA is funding this project.**

34. Will the port be responsible for any environmental condition of the property existing as of the effective date of the lease? **Any future costs surrounding site development will be considered during the exclusive negotiating process.**

35. Is there soil information that can be shared, including boreholes studies or pits samples? **Soil boring logs from the environmental investigation on Parcel C are provided on SharePoint through February 1, 2022 if requested by email at Parrish.Lawler@alports.com.**

36. If the environmental studies show that remediation must be completed, will the cost be the responsibility of the operator? **The Port continues to fund ongoing remediation and site development work. Any future costs surrounding site development will be considered during the exclusive negotiating process.**

37. Is there any study and legal information on the Property that can be shared with the Proposers? **The Port will share documents with the selected developer during the exclusive negotiating process.**

38. What would happen with investments made by the Proposer if environmental issues arise (related with previous operations)? **The property is being offered on an "as-is", "where-is", "with all faults" basis.**

39. In the event of a hurricane or other type of catastrophe, does the Lease Agreement consider a grace period. **This will be considered during the exclusive negotiating process.**