

REQUEST FOR PROPOSAL **#20190812**

PURCHASE OR LEASE FOR REDEVELOPMENT
AS PART OF A PUBLIC / PRIVATE PARTNERSHIP

REDEVELOPMENT OF A CITY-OWNED PROPERTY IN
THE CENTRAL BUSINESS DISTRICT

located in the Heart of Central Florida

www.hainescity.com

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| RFP# 20190812 | Due Date & Time Tuesday, October 1, 2019 10:00 AM | Advertised Date(s): Monday, August 12, 2019 |
| Purchasing Coordinator: Andrea Henley-Pratt Email: apratt@hainescity.com | Respond to: City of Haines City, Attn: City Clerk, 620 E. Main Street, Haines City, FL 33844 Phone: (863) 421-3600 | |
| Redevelopment of City-Owned Property in The Central Business District | | |

Table of Contents

| SECTION | TITLE | PAGE NO. |
|---------|------------------------------------------------|----------|
| 1 | Summary of Services | 4 |
| 2 | Critical Data | 14 |
| 3 | General Instructions to Proposers | 15 |
| 4 | Terms and Conditions | 16 |
| 5 | Submittal Format | 19 |
| 6 | Award or Rejection of Offers, General Criteria | 25 |
| 7 | Evaluation and Contracting Procedures | 27 |
| 8 | Office of Record | 28 |
| 9 | Time of Performance | 28 |
| 10 | Attachments and Exhibits | 28 |
| 11 | Estimated Time Line | 29 |
| 12 | Budget and Cost | 29 |
| 13 | Summary Statement | 29 |

| ATTACHMENT | TITLE | PAGE NO. |
|------------|---------------------------------------------|----------|
| A | Cost Summary | 30 |
| B | Addendum Acknowledgement | 31 |
| C | Insurance Requirements | 32 |
| D | Acceptance of Proposal Terms and Conditions | 34 |
| E | Drug Free Workplace Certification | 35 |
| F | Conflict of Interest Statement | 36 |
| G | Public Entity Crimes Disclosure | 37 |
| H | Firm Location | 39 |
| I | Statement of No Proposal | 40 |

| | | |
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Request for Proposal

City of Haines City
Request for Proposal
620 E Main Street, Haines City, Florida 33844
Phone (863) 421-3600

To: All Prospective Proposers
From: City of Haines City
Subject: RFP# 190812
Date: August 12, 2019

Dear Potential Proposer:

The City of Haines City, Florida, an Equal Employment Opportunity (EEO) employer, does hereby announce that it is accepting written proposals from all qualified firms or individuals interested in redeveloping city-owned property as described in the "Scope of Services" section of this Request for Proposal (RFP) document: RFP# 190812 Redevelopment of City-owned Property in Central Business District. The successful proposers shall prove by their qualifications, experience, availability, approach, and plan for the work that they will best serve the overall needs of the City of Haines City. The selection of the successful proposer shall be at the City's discretion and shall be made in a prompt manner after the receipt and evaluation of all responses.

If you are interested in preparing a response to this RFP document, please complete all of the requirements set forth in this RFP document in the manner proscribed. Please note that your response is a binding offer to perform in the manner you describe in the proposal response for a period not to exceed Ninety (90) days from the proposal due date and time. Also please be aware that under the competitive proposal process, the stipulations set forth herein are fully binding on you, the proposer, to the extent that you confirm acceptance by your signature on the *Acceptance of Proposal Terms and Conditions* page.

Questions regarding this bid must be received through written email to the designated Purchasing Coordinator listed above. Questions of sufficient general interest will be formatted by the Purchasing Coordinator and issued to all interested parties in the form of an addendum.

Questions regarding this solicitation must be received in writing to the address above no later than 9/10/2019 at 5:00 pm. Responses to those questions considered material to the solicitation shall be distributed via formal Addendum and posted to the City website by DemandStar at hainescity.com/bids.

All proposers are advised that under Chapter 119, Florida Statutes, all responses are deemed a public record and opened to public scrutiny as provided for in said statute.

The City of Haines City welcomes your response to this RFP document. The City of Haines City reserves the right to reject any proposal found to be non-responsive, vague, non-conforming, or irresponsible. The City of Haines City may withdraw all or part of this proposal at any time to protect its best interest. The desire of the City of Haines City to pursue proposals shall in no way obligate the City to compensate you for your efforts or to execute a contract with you. All proposers are asked to be thorough yet concise in their response. Failure to provide the response in the manner prescribed herein may be grounds for disqualification.

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Section 1 Summary of Services

A. Introduction:

1. It is the intent of this Request for Proposal (RFP) to select a firm or company to provide the services listed in Section 1B Scope of Services. Following internal City review of all proposals, it is the intent of the City to choose and proceed forward with one of the alternatives.

2. It is the intent and purpose of this solicitation to promote competition. It shall be the proposer's responsibility to advise the Purchasing Coordinator at the address noted above, if any language, requirements, etc., or any combination thereof, inadvertently restricts or limits competition or if the requirements stated in this document limits it to a single source. Such notification must be submitted in writing and must be received by the Purchasing Coordinator no later than ten (10) calendar days prior to the proposal closing date.

B. Scope of Services:

The City of Haines City invites developers, end-users and interested parties (collectively "Proposer") to submit a Proposal to purchase or lease and redevelop properties as part of a Public & Private Partnership (P3). The properties are located at 117 North 7th Street & 121 North 8th Street, Haines City, Florida 33844.



117 North 7th Street, Haines City, FL



121 North 8th Street, Haines City, FL

C. Project Goals:

The development of these sites are expected to catalyze redevelopment, beautification, and provide for both retail, office, multi-family housing, and community-parking opportunities within the Haines City Central Business District (CBD) and the Community Redevelopment Area (CRA). The proposed project should be attractive, stimulate additional development activity, provide opportunities to live and work, and substantially add to the improvement of the Central Business District.

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The City of Haines City has identified goals it is targeting through the redevelopment process for the subject property. These goals will provide a general framework for evaluating proposals. The following are expressed goals of the City (presented in no particular order):

- Enhance tax base
- Pursue smart growth development pattern
- Pursue development consistent with realistic market opportunities
- Create development opportunities that are attractive to conventional and/or innovative developers
- Support a reasonable and identifiable path to redevelopment of subject site in the next 2 to 4 years
- Support the opportunity for an integrated mobility system with a future SunRail station (commuter rail)
- Keep process transparent to avoid the appearance of special interest conflicts
- Seek high standards and best utilization of public assets
- Pursue economically and environmentally sound, sustainable developments
- Respect and involve local stakeholder interests in design, construction, investing and utilization of site
- Promote a live, work and play environment in the downtown
- Build a relationship with the City and the CRA which will extend beyond the current proposed project

D. Haines City Forward:

The motto for Haines City is “Haines City Forward – One City, One Vision”. We are a proactive community committed to making the City a great place to live, work, learn, play and raise a family. In support of this Vision, the City has undergone numerous projects, programs, and activities to improve the Central Business District. These include the following:

Ingraham Avenue Streetscape – The City revitalized Ingraham Avenue with a Streetscaping Project. Included with this project were landscaping, decorative streetlights, benches, and trash receptacles. Street repaving and sidewalk improvements (to include brick pavers) were also completed as part of this project.



Railroad Park – Concurrent with the Ingraham Avenue Streetscape Project, the City also revitalized Railroad Park. Located in the core area of the Central Business District, Railroad Park now has a gazebo, and hosts a weekly garden/market event. This park has been the location for car shows, wine and cheese events, and public gatherings for pictures and relaxation. The Park also contains the Military Court of Honor, with ceremonies conducted on Memorial Day and Veterans Day in honor of those who have served.



City Hall/Library – In 2011, the City opened a new City Hall and Library complex. Besides providing for additional office space for additional staff to support a growing City, these facilities were relocated to the Central Business District to create more activity.

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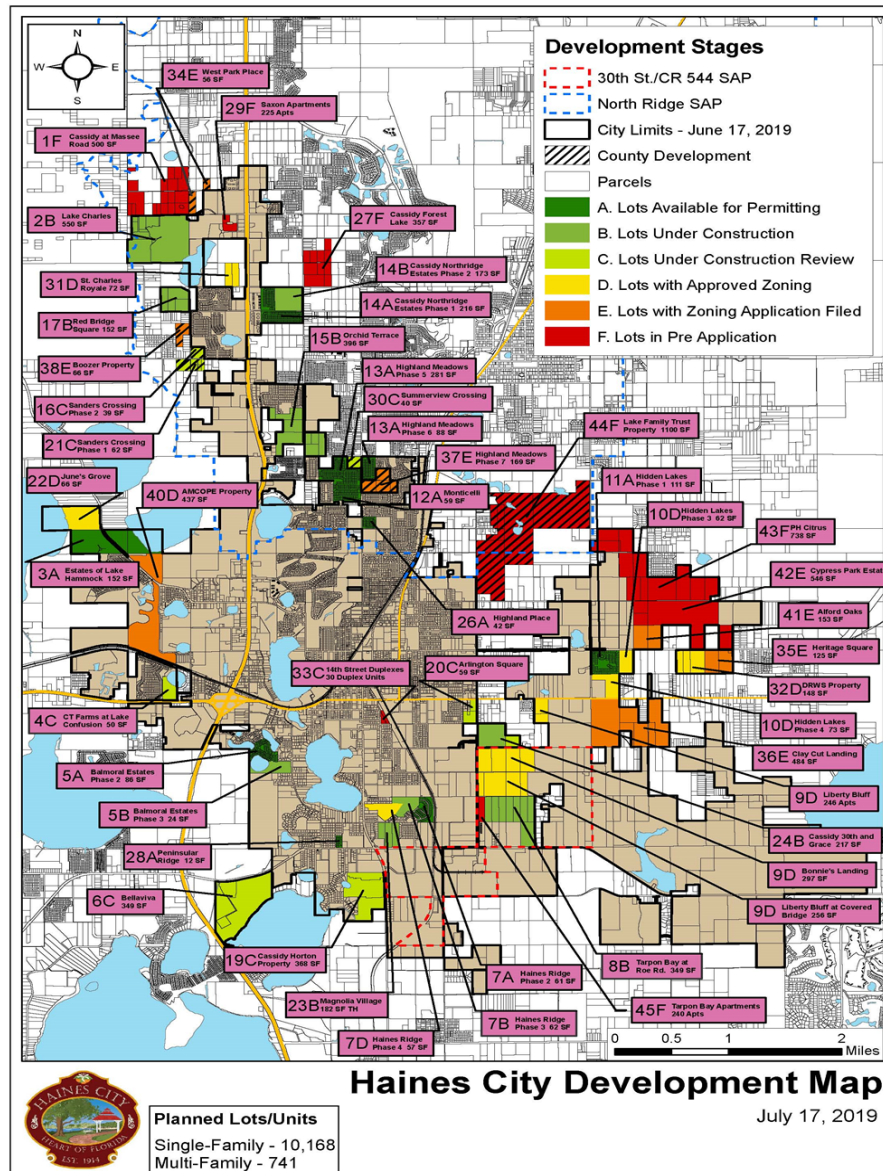
Recent CRA Grants – In the past year, the CRA has been very active in working with property owners to revitalize their properties. A total of 9 façade and building improvement grants have been completed. These grants have greatly improved the appearance of buildings and other structures in the Central Business District. By providing just under \$60,000 in grants, downtown property owners have invested a total of \$127,585 in improving their facilities. This on-going program is an example of a great public/private partnership the City seeks to accomplish with a prospective Proposer for the city-owned properties.



Future Development – Haines City is in an unprecedented growth boom. Currently, the City is tracking 44 residential developments either within the City or the City's Utility Service Area. These 44 projects are in various stages of development approval and represent a total of 10,168 single-family and 741 multi-family units.

Currently, the Central Business District has a healthy mix of uses. Included in the area are retail, personal services, medical and professional offices, and education facilities. The one component that is missing from the CBD is residential. In order to accomplish our goal of promoting a live, work and play environment in the Central Business District, a key component of any redevelopment of the site should be the inclusion of residential uses.

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E. Intent:

The City of Haines City, by this RFP, sets forth its intention to sell or lease property as part of a Public & Private Partnership (P3). These properties are located at 117 North 7th and 121 North 8th Street, Haines City, Florida 33844. Both properties are located within the CRA area and are intended to be developed with

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a mixture of uses, to include parking. The intent is to improve the site for its highest and best use, consistent with the Haines City CRA Redevelopment Plan and other master planning policies of the City of Haines City and CRA.

It is anticipated the Proposer will be an experienced developer with a proven track record of successful projects relevant to this RFP and the Proposer will be required to enter into a binding development agreement with the City. The Proposer will agree upon terms and conditions of the selected development proposal including the establishment of a Public and Private Partnership, a development schedule under which the project will be completed and will be capable of immediately developing the Property.

It is expected site development will commence within one year of obtaining the property or entering into an agreement from the City and building permitting will start within 18 months of property acquisition. If these timelines are not met, the City reserves the right to have the property revert back to City ownership.

F. Property Description:

The subject properties are comprised of two parcels. These properties are identified by the following Polk County Property Appraiser numbers:

- 27-27-29-783000-067040, (117 North 7th Street), containing approximately .92 acre (40,075 square feet) (Dance Studio Property)
- 272729783000074040 (121 North 8th Street). Containing approximately .46 acre (20,038 square feet) (Cromer)

G. Future Land Use, Zoning, and Land Development Regulations:

The subject properties have a Future Land Use designation of Community Activity Center and are located in the Haines City Central Business District (CBD) Zoning District.

Listed below is a description of the CAC Future Land Use Designation:

Community Activity Center (CAC) - Community Activity Centers shall be located within the Urban Development Area and are intended to accommodate the shopping, business and service needs of residents of the City and surrounding area population.

The City is in the process of amending its Comprehensive Plan to increase the Floor Area Ratio (FAR) of the CAC land use from .5 to 3.0 and increase the permitted residential density from 10 units per acre to 30 units per acre. Additionally, there is proposed text to exempt residential uses above the first floor from density requirements in the Central Business District, provided any residential use does not exceed the height requirements for the CBD Zone (100 feet).

Additionally, the City is also amending its Comprehensive Plan to create a new land use category, to be called Urban Core. Within this category, there will be an FAR of 4.0, and a maximum density of 75 units per acre.

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The CBD Zoning District Statement of Intent is as follows:

Statement of Intent. This district is intended to define the central business district of the city, and forms the downtown area of Haines City. It is intended to protect the character and historic structures and features of the city's downtown. Regulations are designed to protect and enhance district suitability for development and redevelopment which will enhance the economic and social viability of the downtown area, and to discourage uses not requiring central city location. It discourages uses which are of a nature likely to create friction with pedestrian traffic and the primary activities for which the district is needed.

Respondents should review and evaluate the land development requirements for land use and zoning designations before submitting a proposal. The City does not anticipate a future land-use or zoning change with these sites. However, if it is determined these changes are needed to accomplish the Proposer's development plan, the City will be a cooperative partner in pursuing permits or approvals that may be required to expedite the selected development plan.

H. Aerial Photos of Subject Properties:



Both parcels (including 8th Street) shown in shaded area

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Aerial Photo of Subject Properties (with parcel/lot lines shown)

I. Conceptual Development and Vision:

Narrative and Vision Statement – provide a clear statement for the Proposers' vision for the Site, including how the envisioned project will relate to the surrounding area. In creating the Narrative and Vision Statement, Proposers shall consider the concepts and design criteria contained in the Haines City Downtown Redevelopment Plan (including the Downtown Parking Garage and Parking Analysis) created by Martin and Vargas Design for Haines City Main Street. The City Commission supports this Plan and it is an excellent template for the possible reuse of the subject properties.

Conceptual Development Program – prepare a narrative and a visual concept for the development proposal for the Site. Drawings may be “conceptual” in format but should be detailed enough to reflect the scope of the proposed development. Illustrations should be in color and drawn to scale to the extent possible.

The ideal Proposer will suggest a redevelopment program for the properties as a mixed-use project that could be funded by a Public and Private Partnership, based on the following Development Program:

- Remove the buildings located on the subject properties
- Build 54 surface parking spaces on the old Cromer site
- Redevelop the Dance Studio site with the following uses:
 - 3 story parking garage, (60,000 sq. ft., 150 parking spaces), in the rear and along 8th Street.
 - 3 story building (60,000 sq. ft.) in front on 7th Street with:
 - 1st floor 20,000 sq. ft. with retail and offices for the City of Haines City Development Services Department & Community Redevelopment Agency.
 - 2nd story 20,000 sq. ft. residential (16 units) or office.
 - 3rd story 20,000 sq. ft. residential (16 units).

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An alternate option could be for the construction of a 4th story to the proposed 3 story building comprising 20,000 sq. ft. and containing 16 residential units for the proposed mixed-use structure if the old Cromer site is used for surface parking (containing 54 spaces). Those 54 surface parking spaces could be used for residential and would free up 54 parking spaces in the garage for general downtown needs or City Hall.

The best Proposer will also create a redevelopment program for the properties that would also consider the following uses:

- Microbrewery
- Co-working space/business incubator
- Restaurant/cooking facilities (for either a restaurant incubator and/or a cooking training facility)
- 5,000 to 6,000 sq. ft. of office space for City of Haines City Development Services Department & Community Redevelopment Agency.
- Public Parking Facilities

The City will anticipate entering into a Developer's Agreement with the successful Proposer. The City may also consider a long-term lease as part of a Public & Private Partnership for the property.

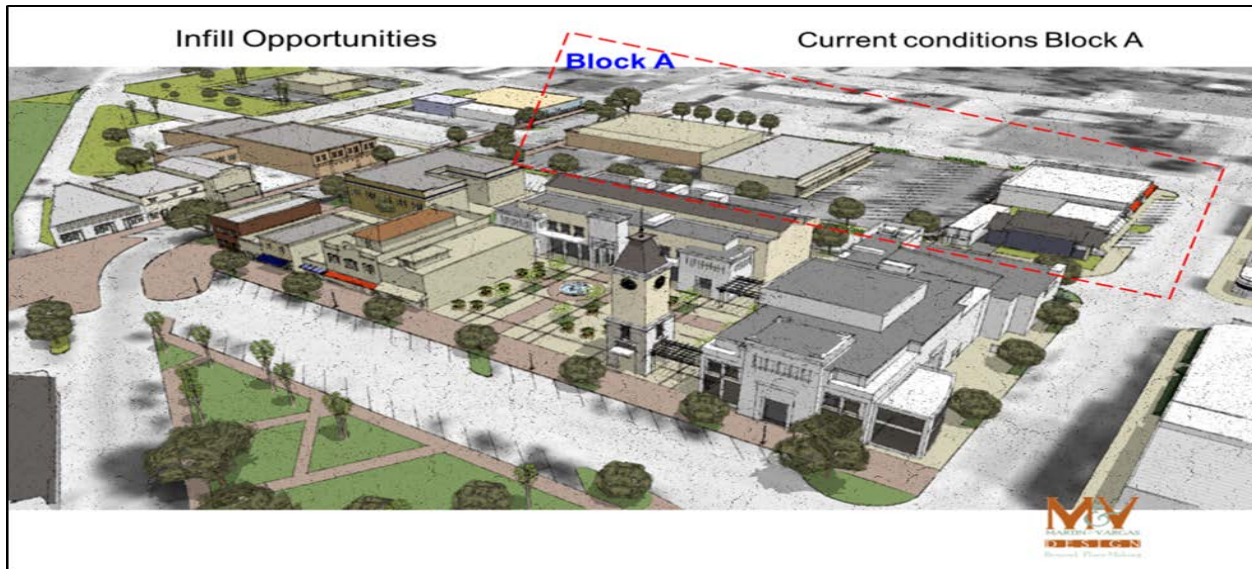
J. Architectural and Urban Design Considerations:

The project should include quality architectural and urban design standards that enhance the Central Business District and promote connectivity to adjacent City facilities. Project designs must respect the attractive and historic character of downtown Haines City and its significant buildings. Design and construction techniques should be environmentally sensitive.

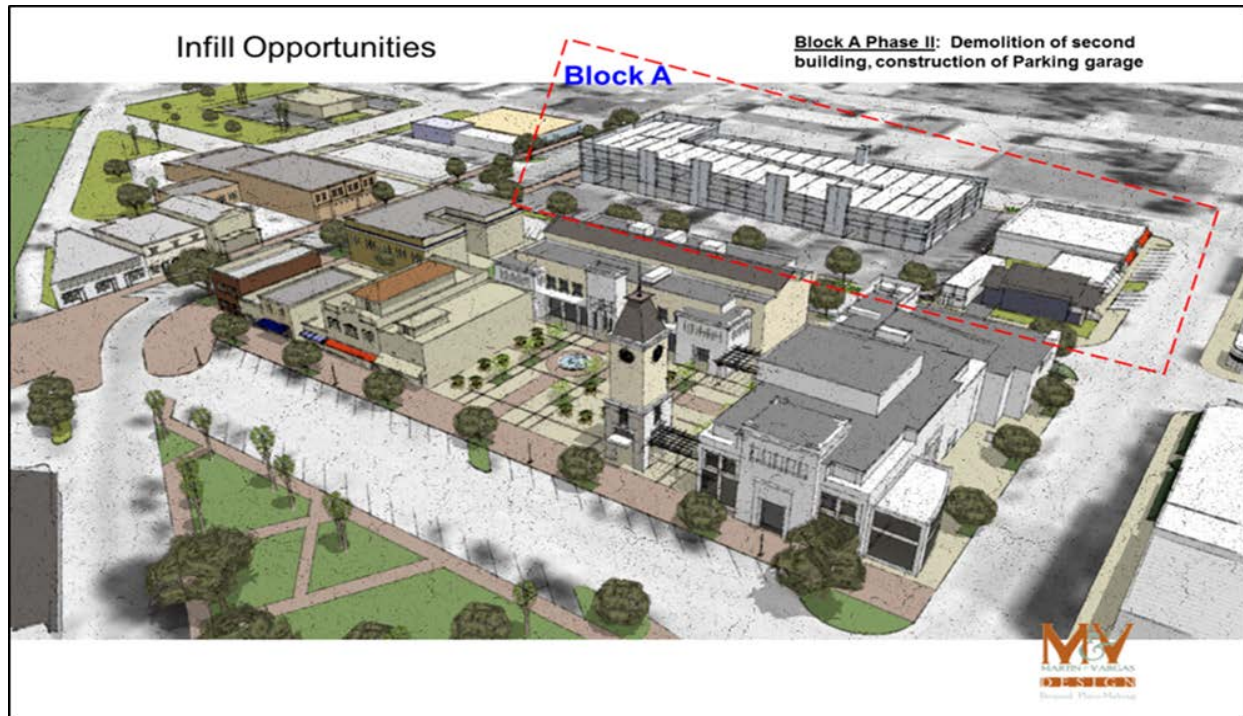
Green Solutions are encouraged. The Proposer must include a narrative explaining any creative and innovative design solutions for "green building" and sustainability.

Listed below are excerpts from the Downtown Redevelopment Plan regarding the subject properties. These renderings offer an example of the ideal design for the subject properties. However, a Proposer is not limited to only this design concept, as other innovative and creative design solutions are encouraged:

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K. Pricing:

The City will consider market rate pricing for either the sale or lease of the Property. At the City's sole discretion, the price could be negotiated based upon the overall development proposal and the economic benefit. This includes the projected performance of a project to achieve City objectives such as permanent job creation paying above median income wages, market rate housing units, and expansion of the City's tax base.

L. Incentives:

The CRA and/or the City may provide incentives as part of the required development agreement that is negotiated with the successful proposer.

M. Proposers Q & A Pre-Bid Meeting – 10:00AM, Tuesday, September 3, 2019:

City Hall, 620 East Main Street, City Commission Chambers

This will be an **OPTIONAL** Pre-Bid Meeting opportunity for the purpose of discussing the RFP and to address any Questions and Answers relative to the development of the proposal. Appropriate staff will be in attendance. Relevant documents such as the Downtown Redevelopment Plans (including the Parking Analysis & Parking Garage) and 117 North 7th Street appraisals will be available upon request.

Section 2 Critical Data

- A. Requesting the Solicitation Document:** To receive this RFP document, contact the DemandStar Supplier Services at (206) 711-1712 and request the document or visit hainescity.com/bids.
- B. Questions:** Questions regarding this RFP document must be received through written inquiries, directed to the Purchasing Coordinator, no later than ten (10) business days prior to the opening date of this RFP document. Questions may be e-mailed or faxed to the appropriate Coordinator. Any interpretations, clarifications, or changes will be made in the form of written addenda issued by the Coordinator. Oral answers will not be authoritative. **It remains the sole responsibility of the proposer to contact the Purchasing Coordinator prior to submitting a proposal to ascertain if any addenda have been issued, to obtain all such addenda, and to return executed addenda with each proposal.**
- C. Submittal of Proposals:** Proposers are asked to submit **two (2) copies** of the proposal (one (1) bound original and one (1) electronic copy). **The electronic copy can be included on a CDROM, DVD, or memory stick containing the entire proposal formatted to be read with Microsoft® Office software products or Adobe® PDF software.**
- D. Delivery of Proposals:** Proposals shall be mailed or hand-delivered to:

City of Haines City
Attn: City Clerk (RFP# 190812)
620 E Main Street
Haines City, Florida 33844

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- E. Public Opening of Proposals:** Proposals will be publicly opened in the City Commission Chambers on the above appointed date and time or as close to the appointed date and time as possible. Proposals received after the above date and time will not be accepted or considered, and will be returned to the proposer unopened. No exceptions will be made.
- F.** All expressions of interest shall be subject to all applicable laws, ordinances, and rules.
- G.** Under Chapter 119, Florida Statutes, all responses to this solicitation shall be considered public record subject to distribution pursuant to the request for records by any interested party.

Section 3 **General Instructions to Proposers**

- A. Submittal of Proposals:** To facilitate and expedite review, the City asks that all proposers follow the response format **outlined in Section 5** below. Failure to submit your response in the format requested may result in the reduction of your overall evaluation score. Points have been assigned for each criterion and a copy of the City's selection procedures is attached hereto. Please submit information as outlined below.
 - 1. Proposals shall be signed by an authorized representative or contracting agent of the firm.
 - 2. All information requested must be submitted in the manner requested. Failure to submit all information as requested may result in a lowered evaluation score of the proposal.
 - 3. Proposals that are substantially incomplete or lack key information may be rejected by the City.
 - 4. Proposals shall be comprehensive, yet succinct. Emphasis should be placed on completeness and clarity.
 - 5. Proposals shall fully describe the proposer's experience and capabilities in meeting all requirements outlined in Section 1B Scope of Services.
 - 6. The proposers shall describe their availability.
 - 7. Each criteria category shall be under a separate tab, and shall be included in each submittal.
- B. Timeliness:** Proposals are due at the place, date, and time shown above. Failure to abide by this requirement will render your proposal unacceptable. Please note the City will not be held responsible for the failure of the proposer or the proposer's agent to submit responses in a timely manner. Late responses of any sort will be returned, unopened, to the proposer.
- C. Presentation of Proposals:** All proposals must be submitted in a sealed, opaque envelope or container, plainly marked on the outside with the RFP number, due date, due time, and company name.

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- D. Complete Information:** Each proposer shall furnish the information required by this solicitation. Failure to do so in the manner prescribed will lower your score.
- E. Withdrawal of Proposals:** Proposals may not be withdrawn for a period of **ninety (90)** days after the public opening date.
- F. Terms and Conditions:** The proposer's attention is specifically called to the terms and conditions of this solicitation. This RFP document shall be considered in its entirety with no one section having more value than another unless otherwise indicated.
- G. REMINDER: ALL QUESTIONS FROM PROPOSERS OR EVALUATING DEPARTMENTS/DIVISIONS SHALL BE ADDRESSED TO THE PURCHASING COORDINATOR.**

A lobbying black-out period shall commence upon the issuance of this solicitation and shall remain in effect until the City selects the successful Proposers. This means that proposers are not permitted to contact the requesting/evaluation Departments or Divisions during said black-out period. For procurements that do not require Commission approval, the lobbying black-out period commences upon the solicitation issuance and concludes upon the contract award. Please note that the City of Haines City may void any contract where the City Manager, one or more City Commissioners, or a City staff person has been lobbied in violation of the black-out period.

Section 4 **Terms and Conditions**

- A. Fund Availability:** Any contract resulting from this solicitation is deemed effective only to the extent that funds are available. The City of Haines City abides by the provisions set forth in Florida Statutes relative to the appropriation of funds.
- B. Prompt Payment Act:** Payments will be made pursuant to section 218.70, Florida Statutes, Florida's Prompt Payment Act.
- C. Local Business Tax Receipt (formerly Occupational License):** The City of Haines City requires a Local Business Tax Receipt (formerly Occupational License) be held by all its contractors. Please contact the Development Services Department Building Division Office directly for information concerning this requirement at (863) 421-3600. In accordance with section 205.065, Florida Statutes, a current Department of Professional Regulation certificate may be provided in lieu of a Local Business Tax Receipt, with a copy of the corresponding Receipt/Occupational License of the home state, county, or city.
- D. Permits, Licenses, or Fees:** Any permits, licenses, or fees required will be the responsibility of the proposer. The City will not entertain separate payment for these items.
- E. Taxes:** The City of Haines City does not pay Federal excise or State sales taxes. Please refrain from including taxes in any billing resulting from a contract issued under this RFP document.

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| Purchasing Coordinator: Andrea Henley-Pratt Email: apratt@hainescity.com | Respond to: City of Haines City, Attn: City Clerk, 620 E. Main Street, Haines City, FL 33844 Phone: (863) 421-3600 | |
| Redevelopment of City-Owned Property in The Central Business District | | |

- F. Contracting Parameters:** Upon receipt and ranking of all proposals, the Evaluation and Recommendation Committee (ERC) shall provide to the City Commissioners its rankings and a recommended top-ranked firm. Approval of the top-ranked firm by the City of Haines City will constitute an authorization to negotiate with the top-ranked firm. The proposal package, signed by the successful proposer, along with documentation included in the proposal as required by this RFP document and other additional materials submitted by the proposer and accepted by the City, shall be the basis for negotiation of a contract addressing the requirements of this RFP document. A purchase order and/or other award document will be issued by the City upon completion of all negotiations and approval of the contract by the City of Haines City.
- G. Governing Laws and Venue:** Any contractual arrangement between the City of Haines City and the proposer shall be consistent with, and be governed by, the ordinances of the City of Haines City, the laws of the State of Florida, both procedural and substantive, and applicable federal statutes, rules, and regulations. Any and all litigation arising under any contractual arrangement shall be brought in the appropriate court in Polk County, Florida.
- H. Conflict of Interest:** All proposers must disclose, with their proposal, the name of any corporate officer, director, or agent who is also an officer or employee of the City of Haines City. Furthermore, all proposers must disclose the name of any City of Haines City officer or employee who owns, directly or indirectly, an interest of ten percent (10%) or more of the proposer's firm or any of its branches, subsidiaries, or partnerships.
- I. Additional Terms and Conditions:** No additional terms and conditions included with the proposal response shall be evaluated or considered, and any and all such additional terms and conditions shall have no force and effect and are inapplicable to this solicitation. If submitted either purposely, through intent or design, or inadvertently, appearing separately in transmitting letters, specifications, literature, price lists, or warranties, it is understood and agreed the general and special conditions in this solicitation are the only conditions applicable to this proposal and the proposer's authorized signature affixed to the proposal signature section attests to this.
- J. Liability:** The Proposer shall act as an independent contractor and not as an employee of the City of Haines City. The successful proposers will be required to indemnify, defend, and hold and save harmless the City of Haines City, its officers, agents, and employees, from damages arising from the performance of, or the failure to perform, any task or duty required to be performed by the successful proposers.
- K. Indemnity:** The successful proposers will be asked to fully indemnify the City.
- L. Insurance:** During the entire period of performance of any contract resulting from this solicitation, the Consultants shall procure and maintain at least the minimum kinds of insurance as stipulated herein. Proof of such insurance must be provided to the City prior to beginning contract performance.

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- M. Public Entities Crimes:** A person or affiliate who has been placed on the convicted contractor list, following a conviction for public entity crime, may not submit a proposal on a contract to provide any goods or services to a public entity; may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work; may not submit proposals on leases of real property to any public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in section 287.017, Florida Statutes, in CATEGORY TWO, for a period of thirty-six (36) months from the date of being placed on the convicted contractor list. By signature on this solicitation and confirmation on the attached form, the proposer certifies that it is qualified to do business with the City of Haines City in accordance with all Florida Statutes.
- N. Acceptance of Services:** Receipt of service shall not constitute acceptance. Final acceptance and authorization of payment shall be given only after a thorough inspection indicates that the performance meets the specifications and/or all conditions. Should the delivered service differ in any respect from the specifications, payment will be withheld pursuant to section 218.70, Florida Statutes, until such time as the successful proposer takes necessary corrective action. If the proposed corrective action is not acceptable to the City, the City may refuse final acceptance of the service.
- O. Firm Location:** Principal place of business, headquarters, or other place of business for more than one (1) year prior to the solicitation issue date of this proposal.
- To be considered a legitimate place of business, the location must be staffed by full-time employees; it shall be legally addressed to receive mail via the United States Postal Service and be serviced by public utilities or permitted alternatives. At no time shall a place of business located on City owned property be considered for the purpose of earning Firm Location points. Attachment "H", Firm Location, shall be included in any proposal to be considered for receipt of evaluation criteria points based on firm location, if applicable.
- The City reserves the right to request additional information, if necessary, to document eligibility.
- P. Minority Business Enterprise Preference:** In instances where two or more of the highest ranked proposals are identical in every way, the proposer certified as a minority business enterprise under Florida Statutes will be favorably considered for the award.
- Q. Drug-Free Workplace Preference:** Whenever two or more proposals are equal with respect to price, quality, and delivery, and services are received for procurement subject to the City of Haines City Administrative Code, a bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference, in accordance with Section 287.087, Florida Statutes. Certification of an implemented drug-free workplace program must be included with the proposal when the proposal is submitted.

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- R. Audits and Records—Responsibilities of Successful Proposer:** Before or after an agreement is prepared and executed, the successful proposer may be required to disclose their financial condition in a specified manner. In addition, subsequent to an agreement being executed, the successful proposer must maintain financial records and reports relating to funds paid by any parties for work on the matters which are the subject of this RFP document, and submit reports to the City in the form and frequency requested. The Consultant must maintain books, records, documents, and other evidence according to generally accepted accounting principles, procedures, and practices, which sufficiently and properly reflect all costs of any nature expended in the performance of the resulting contract, and retain said copies for a period of no less than three (3) years after termination of the project. The aforesaid records, books, documents, and other evidence shall be subject at all times to inspection, review, or audit by the City Auditor or its designee. The successful proposer shall include these aforementioned audit and record keeping requirements in contracts and subcontracts thereto entered into by the successful proposer with any party for work required in the performance of this project.
- S. Additional Information:** The City of Haines City reserves the right to request any additional information needed for clarification from any proposer for evaluation purposes.
- T. Equal Opportunity:** The City of Haines City recognizes fair and open competition as a basic tenet of public procurement and encourages participation by minority and women owned business enterprises. All proposers are asked to make an affirmative statement as to its support of all applicable equal opportunity and affirmative action requirements. A copy of the City's Equal Employment Opportunity policy is available upon request.
- U. Cost of Submittal:** The proposer understands that any and all costs related to the submittal of a proposal is considered an operational cost of the Proposer and shall not be passed on to, or be borne by, the City.

Section 5 Submittal Format

- A.** Each evaluation criteria category shown in the below subsections should be identified in individual sections of the proposal. The City has organized the submittal of information to its requirements. Each individual section shall address the general selection criteria that are required by law. Points have been assigned for each category.
- B.** To assist you in preparing your response, the City's selection procedures are also described herein. Please abide by all requirements set forth to avoid any risk of disqualification.
- C.** Proposals must be signed by an authorized representative of the firm. Failure to submit all information requested may result in a lower evaluation score for your proposal. Proposals that are substantially incomplete or lack key information may be rejected by the City at its discretion as unresponsive.
- D.** There is no limit on the number of pages that can be submitted, unless stated otherwise. Proposals shall be printed with a font of no less than twelve (12) points. The following are exceptions and do not add to the total page count. 11 X 17 foldouts shall count as two pages.

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1. Section dividers
2. Introduction letter
3. Attachments A through I, as applicable
4. Insurance certificate
5. Financial disclosure
6. Litigation disclosure

E. Proposals shall be concise and succinct. Please summarize the proposer's pertinent experience and capabilities. Emphasis should be placed on completeness and clarity.

F. Specific Submittal Format Sections: Sections 1 to 8 shall be included in the Proposer's submittal and shall appear "tabbed" accordingly.

1. General Information: Development Plan and Project Schedule "TAB 1":

All responses must include general information and a development plan for the Property, which includes the following, at a minimum:

a. Formal cover letter stating Proposer's name and members and the Proposer's general interest in the project.

b. Identification of Proposer's Principal who is authorized to interact or negotiate with the City or its representative. Principal's contact name, mailing address, email address, and direct telephone number should be included.

c. A general description of the firm and/or development team. Explain the legal organization of the firm and/or team. If a joint venture, provide a statement identifying each company and its principals that would participate financially in the proposed development and the nature and extent, or percentage, of each company or principal's interest, or contemplated interest in the development group at the time of submission.

d. List of professionals (Architect, Engineer, General Contractor, etc.) and applicable licenses held by the firm/team and the key personnel who will be assigned to this project. Provide the license number and explain if held by an individual or firm. Professionals must be registered and/or licensed to perform work in the State of Florida.

e. A description of the proposed use(s) including number of residential dwelling units and/or square footage of non-residential uses, if applicable;

f. A projected timeline for the development plan including obtaining necessary permits, commencement of construction, and completion. The City anticipates that the project will start building permitting within 18 months following the date of property closing/agreement;

g. A design, with scaled drawings that demonstrate the project meets neighborhood design criteria as set forth in the current zoning requirements.

h. A colored rendering of the site and front, back and side elevations of building (s) and decorative structures such as hardscape features and entrance signs.

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- i. An outline of alternatives/incentives requested (if any).
- j. An outline for a proposed Developer's Agreement.
- k. An outline for the creation and implementation of a Public Private Partnership (if proposed).
- l. Development that may provide space for City or non-profit entities to deliver services to the community. **Maximum 5 Pages.**

2. **Experience and Qualifications Firm/Team "TAB 2":**

- a. Provide a summary of the names and qualifications of the Proposer's Team. and the person or persons who would be directly responsible for supervising the planning, design and construction, especially with regards to their prior experience over the past ten (10) years in accomplishing development projects of similar type.
- b. Identify up to three (3) comparable projects in which the Proposer and/or team members have been involved with in the last 10 years. For each project identified, provide the following:
 - 1. Description of project.
 - 2. Role of firm. If General Contractor, identify percentage of work self-performed.
 - 3. Project's final construction cost.
 - 4. Construction completion date.
 - 5. Project owner.
 - 6. Reference information, per project (one current contact name and title with telephone number, fax number and e-mail address). **Maximum 3 pages.**

3. **Financial Benefit Analysis of the Project "TAB 3":**

- a. Describe the overall economic benefits that will result from the purchase and subsequent redevelopment of the Property by your firm/team. This should include, at a minimum:
 - 1. The purchase price being offered or the proposed Public/Private Partnership arrangement;
 - 2. Estimated utility connection fees for the project;
 - 3. Anticipated taxable value of the completed project and the projected ad valorem tax revenue over a ten (10) year period (with annual escalator for value appreciation);

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4. Estimated tax on electric utilities over a ten (10) year period (7.1% of monthly utility billing);

5. Telecommunications tax (1.1% of monthly billing) over a 10-year period;

6. Estimated sales tax revenue generated over a ten (10) year period;

7. The estimated number of jobs created during construction as well as the number of long-term jobs created/located in the Central Business District as a result of the project.

b Describe any residential units proposed, if applicable, including proposed price range for sales or rental rates along with the anticipated demographic profile, disposable income, and spending habits of the tenants/owners. Special consideration will be given to a project that positively affects the overall Central Business District financially as well as aesthetically. **Maximum 3 pages.**

4. **Consistency of Project with RFP Goals “TAB 4”:**

a. Describe how your project is consistent with and will advance City established/stated goals and objectives related to the Central Business District as outlined in this RFP.

b. Provide an architectural illustration(s) or rendering(s) of the proposed project to help illustrate how the proposal meets the City’s objective of complementing the existing downtown fabric (NOTE: These drawings can be the same as those required in TAB 1 Item H, provided they meet the intent of this requirement also).

c. A commitment to develop and operate a community-oriented retail/ residential/ office/ public parking development that provides the most intensive use of the site with an emphasis on uses that are complimentary to the current retail developments in the Central Business District. The proposed development project must fit within the Central Business District in scale and design.

d. With the exception of residential, proposed uses located in the Central Business District are exempt from parking requirements. However, it is important to understand the parking demand of the proposed development and impact on existing on-street and off-street parking. Therefore, proposals must include a parking analysis, which identifies the direct impact the project will have on existing and future parking spaces. The analysis must address parking demand of the proposed uses and the net impact on parking. The Proposal must include provisions for on-site parking. **Maximum 5 pages.**

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5. **Local Participation and Staffing Plan “TAB 5”:**

The City desires strong local participation on this project.

a. Describe your team’s approach to maximize utilization of local resources, to include as a minimum, local suppliers, equipment providers, subcontractors, and laborers.

b. Identify the location of the firm’s principal office and the home office location of key staff on this project.

c. Identify local (i.e. presently living or relocating to the area) vs. non-local staffing of your team, and the percent of your work expected to be done locally, as well as the intent/capacity to affect the local economy through the use of local labor, vendors, sub-contractors, and resources.

d. Describe your team’s approach to working with the City, the Chamber of Commerce, the Haines City Economic Development Council, and other local organizations to hire City residents during the construction phase of the project as well for permanent jobs after completion. **Maximum 3 pages.**

6. **Organizational and Financial Resources “TAB 6”:**

As part of the evaluation process, the City has the responsibility of taking into account the size and complexity of the project under construction and be assured that the firm/team has the organizational and financial resources required to successfully deliver the contemplated project.

a. Please describe the following:

1. Operational stability,
2. Corporate financial resources,
3. Bonding capacity
4. Insurance limits.

b. Financial feasibility of the proposed project – at a minimum, provide the following:

1. Sources and uses of funds for the development,
2. Project development budget (total development cost),
3. Project operating Pro Forma with clear explanation of all assumptions, and
4. Any market data which demonstrates the feasibility of the projected revenue streams.

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c. Provide an assortment of appropriate corporate marketing materials, brochures, etc. from the Proposer.

d. Provide a statement indicating how the Proposer has structured its financing of similar projects.

e. Provide examples (including visuals, pictures, renderings, etc.) of three projects developed by the Proposer. Include for each project the total project cost and the breakdown between equity contributed by the developer of record, equity raised in the capital markets and debt financing and any public subsidy, discount, or incentives provided. Project audits or audited financial statements or reports may be requested at a later date.

f. Provide a statement detailing the financial performance of other similar projects with which the Proposer has an involvement, including location, site size, development costs and sales prices as appropriate.

g. If any of the above submission items are not included in the response, please describe why you are unable to provide the information.

h. Identify any contract or subcontract held by the firm or officers of the firm, which has been terminated within the last five (5) years. Identify any claims arising from a contract, or otherwise resulted in litigation or arbitration within the last three (3) years. Briefly describe the circumstances and the outcomes. **Maximum 5 pages.**

7. **Firm Location "TAB 7":** The Principal place of business, headquarters, or other place of business has been located for more than one (1) year. Attachment "H", Firm Location, shall be included in any proposal to be considered for receipt of evaluation criteria points based on firm location. This section is not included in the overall page count.
8. **Attachments and Required Documentation "TAB 8":** All attachments required by this RFP DOCUMENT shall be fully executed by the proposer. Failure to do so will diminish the proposer's score. This section is not included in the overall page count.

Proposal shall include executed Attachments A-H

- | | |
|---|---------------------------------------------|
| A | Cost Summary |
| B | Addendum Acknowledgement |
| C | Insurance Requirements |
| D | Acceptance of Proposal Terms and Conditions |
| E | Drug Free Workplace Certification |
| F | Conflict of Interest Statement |
| G | Public Entity Crimes Disclosure |
| H | Firm Location |

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Proposal shall include the following Documentation:

- a. **Proof of Insurance:** Failure to provide valid proof of insurance in accordance with Attachment C may be grounds for dismissal of the proposal. This is non-negotiable item. Surety issuing insurance certificate must carry an industry rating, per *Best's Key Rating*, of "A" or higher.
- b. **Financial Requirements:** Provide an official letter from the provider's financial institution detailing the financial status of the proposer. This letter shall include a contact name, address, phone number, and fax number. Additional credit information, including but not limited to audited financial statements, pro forma issues, or annual reports may be requested from the top-ranked proposers.
- c. **Litigation:** Please list any past and/or pending litigation or disputes, relating to the work described herein, that the proposer's firm has been involved in within the last five (5) years. This list shall include the project name and the nature of the litigation.

| EVALUATION CRITERIA | |
|----------------------------------------------------------------------|---------------|
| Category | Points |
| 1. General Information: Development Plan and Project Schedule | 20 |
| 2. Experience and Qualifications of Firm/Team | 10 |
| 3. Financial Benefit Analysis of the Project | 20 |
| 4. Consistency of Project with RFP Goals | 20 |
| 5. Local Participation and Staffing Plan | 10 |
| 6. Organizational and Financial Resources | 20 |
| Total Points | 100 |

Section 6 Award or Rejection of Offers, General Criteria

- A. **Evaluation Procedures.** The Evaluation and Recommendation Committee (ERC) shall make all initial determinations.
- B. **Award of Contract.** The ERC will make a recommendation to the City of Haines City Commissioners regarding the firm it has chosen as their top-ranked firm. The firm recommended shall be the firm that most closely meets the City's expectations for the Scope of Services for that project, and shall be a fully responsive and responsible proposer.

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- C. Presentation to the City of Haines City Commissioners.** Upon receipt and ranking of all properly received responses, the ERC shall present to the City of Haines City Commissioners its rankings and the recommended primary ranked firm. Approval of the top-ranked firm by the City of Haines City Commissioners will constitute an authorization to negotiate with the top-ranked firm. The City of Haines City reserves the right to make the final decision as to which firms are granted primary negotiating rights or to request additional presentations of one or more of the proposers.
- D. Right to Reject.** The City of Haines City reserves the right to accept or reject any or all proposals, or any part thereof, with or without cause, without recourse, to waive technicalities or irregularities, and to accept or reject proposals which, in its judgment, best serve the interest of the City.
- E. Proposal Results.** The list of proposal responses should be available within forty-eight (48) hours of the opening date and time on DemandStar and can be read from the City of Haines City at hainescity.com/bids. Interested proposers may also call the Purchasing Coordinator for results.
- F. Protests.** Any party having actually submitted a proposal may protest the RFP contract award by filing such a protest in writing to the Purchasing Coordinator within three (3) days, excluding holidays and weekends, after the contract award is made. Filing such a protest shall stay all further contract proceedings until all protest measures have been exhausted. The decision of the City of Haines City is final.
- G. Determining Responsibility.** In conjunction with the weighted criteria being used to determine the viability of the proposal, the City may also consider the proposer's ability to meet or exceed the following criteria:
1. The proposer's ability, capacity, and skill to perform the contract or provide the service within the time specified;
 2. The reputation, judgment, and experience of the proposer;
 3. The quality of performance of previous contracts or services including previous performance with the City;
 4. Previous and existing compliance by the proposer with laws and ordinances relating to the contract or service;
 5. Financial resources of the proposer to perform the contract or provide the service; and,
 6. Whether the proposer is in arrears to the City on a debt or contract or is a defaulter on surety to the City, or whether the proposer's taxes are delinquent.

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Section 7 **Evaluation and Contracting Procedures**

- A. Evaluation/Recommendation Committee.** The Evaluation and Recommendation Committee (ERC) is comprised of qualified City of Haines City staff members and/or professional City advisors recommended by the requesting department. The composition of the committee shall promote diversity through the selection of qualified members representing various City offices, departments, and/or professional advisors, including Finance. The ERC shall consist of no less than three (3) and no more than seven (7) members. The Purchasing Coordinator or designee shall be the non-voting chair of the committee.

- B. Initial Evaluation of Responses.** The Purchasing Coordinator shall perform the initial review of all proposals submitted for initial qualifications certification. This entails checking with the appropriate professional regulatory agency to ensure proper professional licensing, and checking that the firm is at least minimally qualified based upon its capabilities, adequacy of personnel, past record of performance, and experience. A checklist of the essential items required by the solicitation shall be prepared by the Purchasing Coordinator and presented to the ERC prior to its first meeting.

- C. Short Listing.** The ERC may be tasked with selecting a minimum of three (3) and a maximum of six (6) of the proposals submitted for presentation and/or interview based upon the criteria established herein. A committee may opt for less than three (3) presenters or interviewees. If fewer than three (3) proposers submit a proposal, those that submit shall be selected for an interview or the solicitation may be canceled.

- D. Proper Notifications.** The Purchasing Coordinator will notify all proposers of the ERC's decision, list the names of firms recommended for interview, and coordinate the interview schedule as necessary.

- E. Presentations or Interviews.** The ERC may hear presentations and/or conduct interviews with the selected proposers regarding the qualifications, approach to the project, ability to furnish the required services, and all criteria set forth herein. Compensation shall not be discussed or considered during the interview or presentation process.

- F. Presentation to the City of Haines City Commissioners.** The Purchasing Coordinator shall prepare an agenda item for presentation to the City of Haines City Commissioners requesting the designation of, and the authorization to negotiate with, the top-ranked firm or firms.

- G. Contract Negotiations.** The Purchasing Coordinator shall coordinate the negotiation schedule upon authorization by the Commission.

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H. Negotiation Team. The Negotiating Team for the City shall begin negotiations with the number one ranked firm for each project, as approved by the City of Haines City Commissioners, for professional services at compensation which the Negotiation Team determines is fair, competitive, and reasonable. **NOTE:** In the event the Negotiation Team cannot negotiate a satisfactory contract with the number one ranked firm, negotiations shall begin with the second ranked firm upon prior consent of the City of Haines City Commissioners. This process shall be repeated, each time moving to the next ranked firm. If the third firm cannot be negotiated with successfully, the project is to be reevaluated and considered for re-advertising.

I. Award of Contract.

1. The City Manager, or designee, shall review the fees and rates of compensation for reasonableness prior to submittal of a draft contract or agreement to the City Attorney's office. Other experts may be consulted to assist in this process.
2. The Purchasing Coordinator or designee shall format the contracts and forward same to the City Attorney for review and approval.
3. The Purchasing Coordinator or designee shall prepare an agenda item requesting award of contracts to successful proposers by the City of Haines City Commissioners and to authorize the Mayor or Vice Mayor to execute the agreements. The City of Haines City Commissioners retain full discretion to reject the contracts so negotiated and order further negotiations or to terminate negotiations and commence negotiations with the next ranked firm.

Section 8 Office of Record

The City of Haines City City Clerk Department shall be the official "office of record" for all information transactions and data disbursements associated with this solicitation. The City Clerk's Office may be reached Monday through Friday between 8:00 a.m. and 5:00 p.m. at 863-421-9921.

Section 9 Time of Performance

The services described herein and on the attached shall be performed in a prompt and correct manner within the standards of good and ethical productivity as negotiated between the City and the successful proposers. All proposers are asked to provide the best estimate for compliance with the scopes of work as established by the solicitation. All contract time lines will be based on projected scopes and estimated times for performance.

Section 10 Attachments and Exhibits

All attachments and exhibits hereto are made a binding part of this solicitation by this reference.

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| Redevelopment of City-Owned Property in The Central Business District | | |

Section 11 **Estimated Time Line**

| | |
|---------------------------------------------------|---------------------------------------|
| First Advertisement | Monday, August 12, 2019 |
| RFP Released to General Public | Monday, August 12, 2019 |
| Pre-bid meeting (<u>OPTIONAL</u>) | Tuesday, September 3, 2019 @ 10:00 AM |
| Cut-off for questions to be answered via addendum | Tuesday, September 17, 2019 @ 5:00 PM |
| Proposal Opening | Tuesday, October 1, 2019 @ 10:00 AM |
| Evaluation & Selection Committee Meeting(s) | Wednesday, October 9, 2019 @ 10:00 AM |
| Presentations | Tuesday, October 15, 2019 @ 10:00 AM |
| Selection Committee Action | Tuesday, October 29, 2019 @ 10:00 AM |
| Commission's Approval of Bid and Contract | Thursday, November 21, 2019 @ 7:00 PM |

Section 12 **Budget and Cost**

As stewards of public funds, the City maintains all adopted budgetary parameters in the performance of its contracts. The ability of the successful proposer to maintain a sense of fiscal responsibility shall be favorably considered in the ranking and award of a contract.

Section 13 **Summary**

Responses to this solicitation will be evaluated using the above criteria. Firms and individuals will be notified in writing whether they have been selected for interview/presentation within a reasonable time after the submittal date. The City of Haines City welcomes your response to this solicitation. Please note that failure to comply with any aspect of these procedures may be cause for disqualification of firm's Expression of Interest. All proposers' submittals SHALL conform to the format as requested and detailed above. Failure to conform to the required submittal format may be cause for disqualification.

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Attachment "A"
Cost Summary

☐ Proposed Purchase Price: _____
(Not applicable if Lease/Public Private Partnership Proposed)

☐ Lease/Public Private Partnership

| | | |
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Attachment "B"
Addendum Acknowledgment

| | |
|--------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| Acknowledgment is hereby made of receipt of addenda issued during the solicitation period. | Addendum # _____ through # _____ Initial: Date: |
| Person Completing RFP Document (Signature): | |
| Name (Printed): | Title: |

PLEASE COMPLETE AND SUBMIT WITH PROPOSAL
>>>Failure to submit this form may disqualify your response. <<<

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Attachment "C" Insurance Requirements

- A. The successful Respondent shall not commence any work in connection with an agreement until it has obtained all of the following types of insurance and has provided proof of same to the CITY, in the form of a certificate prior to the start of any work, nor shall the successful Respondent allow any subcontractor to commence work on its subcontract until all similar insurance required of the subcontractor has been so obtained and approved. All insurance policies shall be with insurers qualified and doing business in Florida.
- B. The successful Respondent and/or subcontractor shall maintain the following types of insurance, with the respective limits:
1. BODILY INJURY LIABILITY
 - a. \$1,000,000 operations each claim per person
 - b. \$1,000,000 completed operations each claim per person;
 2. AUTOMOBILE PUBLIC LIABILITY
 - a. Bodily Injury:
 - i. \$1,000,000 each claim per person
 - ii. \$1,000,000 aggregate
 - b. Property Damage:
 - i. \$1,000,000 each claim per person
 - ii. \$1,000,000 aggregate;
 3. PROPERTY DAMAGE LIABILITY (other than automobile)
 - a. \$500,000 each claim per person
 - b. \$500,000 operations per claim
 - c. \$500,000 protective per claim (covering automobile)
 - d. \$500,000 contractual per claim;
 4. GENERAL LIABILITY - One Million Dollars (\$1,000,000) any single occurrence;
 5. AGGREGATE – Two Million Dollars (\$2,000,000);
 6. EXCESS COVERAGE – One Million Dollars (\$1,000,000);
 7. PROFESSIONAL LIABILITY – One Million Dollars (\$1,000,000);
 8. PRODUCT LIABILITY – Two Million Dollars (\$2,000,000); and,

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9. **WORKER'S COMPENSATION** – covering the statutory obligation for all persons engaged in the performance of the work required hereunder and Employers' Liability insurance with limits not less than \$1,000,000 per occurrence. Evidence of qualified self-insurance status will suffice for this subsection. In case any class of employees engaged in hazardous work under an agreement at the site of the project is not protected under the Worker's Compensation statute, the successful Bidder/Contractor shall provide, and cause each subcontractor to provide, adequate insurance, satisfactory to the CITY, for the protection of its employees not otherwise protected.

C. **Certificates of Insurance:** The successful Respondent shall provide the CITY's Human Resources Department with a Certificate of Insurance evidencing such coverage for the duration of the awarded agreement. Said certificate shall be dated and show:

1. The name of the insured Respondent,
2. The specified job by name and job number,
3. The name of the insurer,
4. The number of the policy
5. The effective date
6. The termination date
7. A statement that the insurer will mail notice to the CITY at least thirty (30) days prior to any material changes in the provisions or cancellation of the policy

D. **City as Additional Insured:** The successful Respondent shall name the CITY as an additional insured, to the extent of the service to be provided under the agreement, on all required insurance policies, and provide the CITY with proof of same.

E. **Waiver of Subrogation:** The successful Respondent shall have a waiver of subrogation instead of listing the City as additionally insured for Workers' Compensation coverage.

F. **Waiver:** Receipt of certificates or other documentation of insurance or policies or copies of policies by the CITY, or by any of its representatives, which indicates less coverage than is required, does not constitute a waiver of the successful Respondent's obligations to fulfill the insurance requirements specified herein.

F. **Loss Deductible Clause:** The CITY shall be exempt from, and in no way liable for, any sums of money which may represent a deductible in any insurance policy. The payment of such deductible shall be the sole responsibility of the successful Respondent and/or subcontractor providing such insurance.

Insurance requirements are subject to change based on proposals submitted and acceptance of submitted proposal.

Initials of Signatory: _____

Date: _____

PLEASE COMPLETE AND SUBMIT WITH PROPOSAL
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The City reserves the unilateral right to modify the insurance requirements set forth at any time during the process of solicitation or subsequent thereto.

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Attachment "D"
Acceptance of Proposal Terms & Conditions

I/we, the undersigned, do hereby accept in total all the terms and conditions stipulated and referenced in this RFP document and do hereby agree that if a contract is offered or negotiated it will abide by the terms and conditions presented in the RFP document or as negotiated pursuant thereto. The signature(s) below are an acknowledgment of our full understanding and acceptance of all the terms and conditions set forth in this RFP document or as otherwise agreed to between the parties in writing.

Contracting Party Signature

Contracting Party Printed Name

Title

Date

Mailing Address: _____

Phone/Fax/E Mail Address: _____

NOTARY:
STATE OF _____)
COUNTY OF _____)

Sworn and Subscribed before me this _____ day of _____, 20 _____

Personally known: _____

Or Produced Identification: _____

Notary Public - State of: _____ Commission Expires: _____

PLEASE COMPLETE AND SUBMIT WITH PROPOSAL
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Attachment "E" Drug-Free Workplace Certification

In case of tie bids, preference must be given to a Bidder submitting a certification with the bid response certifying that the Bidder has a drug-free workplace in accordance with section 287.087, Florida Statutes. The drug-free certification form below must be signed and returned with the bid.

In order to have a drug-free workplace program, a business shall:

- (1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- (2) Inform employees about the dangers of drug abuse in the workplace, the business' policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
- (3) Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in the first paragraph.
- (4) In the statement specified in the first paragraph, notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of chapter 893, Florida Statutes, or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
- (5) Impose a sanction on, or require the satisfactory participation in, a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
- (6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of the foregoing provisions.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

Bidder's Signature, Title, Date

STATE OF _____
COUNTY OF _____

The foregoing instrument was executed before me this ____ day of _____, 20____, by _____ as _____ of _____, who personally swore or affirmed that he/she is authorized to execute this Agreement and thereby bind the Corporation, and who is personally known to me OR has produced _____ as identification.

NOTARY PUBLIC, State of Florida

(stamp)

PLEASE COMPLETE AND SUBMIT WITH PROPOSAL

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Attachment "F" Conflict of Interest Statement

STATE OF _____)

COUNTY OF _____)

Before me the undersigned authority personally appeared _____, who was duly sworn, deposes, and states:

- A. I am the _____ of _____ with a local office in _____ and principal office in _____.
- B. Said entity is submitting this proposal/offer to RFP # _____.
- C. The AFFIANT has made diligent inquiry and provided the information in this statement affidavit based upon its full knowledge.
- D. The AFFIANT states that only one submittal for this solicitation has been submitted and tendered by the appropriate date and time and that said above stated entity has no financial interest in other entities submitting a proposal for the work contemplated hereby.
- E. Neither the AFFIANT nor the above named entity has directly or indirectly entered into any agreement, participated in any collusion or collusion activity, or otherwise taken any action which in any way restrict or restraint the competitive nature of this solicitation including but not limited to the prior discussion of terms, conditions, pricing, or other offer parameters required by this solicitation.
- F. Neither the entity nor its affiliates, nor anyone associated with them, is presently suspended or otherwise prohibited from participation in this solicitation or any contracting to follow thereafter by any government.
- G. Neither the entity nor its affiliates, nor anyone associated with them, have any potential conflict of interest because and due to any other clients, contracts, or property interests in this solicitation or the resulting project.
- H. I hereby also certify that no member of the entity's ownership or management or staff has a vested interest in any City Division, Department, or Office.
- I. I certify that no member of the entity's ownership or management is presently applying, actively seeking, or has been selected for an elected position within the City of Haines City government.
- J. In the event that a conflict of interest is identified in the provision of services, I, the undersigned will immediately notify the City in writing.

Dated this _____ day of _____, 20_____

AFFIANT

Typed Name of AFFIANT

Title

NOTARY:

STATE OF _____)

COUNTY OF _____)

Sworn and Subscribed before me this _____ day of _____, 20_____

Personally known: _____

Or Produced Identification: _____

Notary Public - State of: _____ Commission Expires: _____

PLEASE COMPLETE AND SUBMIT WITH PROPOSAL

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Attachment "G" PUBLIC ENTITY CRIMES

SWORN STATEMENT UNDER SECTION 287.133(3) (a), FLORIDA STATUTES: THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted with Bid, Proposal, ITN, or Contract Number _____, for _____.
2. This sworn statement is submitted by _____ whose business address is _____

[Name of entity submitting sworn statement]

_____ and _____ (if applicable) its Federal Employer Identification Number (FEIN) is _____ (If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: _____).
3. My name is _____ and my relationship to the above is _____

[Please print name of individual signing]

_____.
4. I understand that a "public entity crime" as defined in section 287.133(l)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity in Florida or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
5. I understand that "convicted" or "conviction" as defined in section 287.133(l)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non jury trial, or entry of a plea of guilty or nolo contendere.
6. I understand that "affiliate" as defined in section 287.133(l)(a), Florida Statutes, means:
 - a. A predecessor or successor of a person convicted of a public entity crime; or
 - b. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding thirty-six (36) months shall be considered an affiliate.
7. I understand that a "person" as defined in section 287.133(l)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

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8. Based on information and belief, the statement, which I have marked below, is true in relation to the entity submitting this sworn statement. [Please indicate which statement applies].

____ Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who is active in the management of the entity, nor any affiliate of the entity have been convicted of a public entity crime subsequent to July 1, 1989.

____ The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989, AND **[Please indicate which additional statement applies].**

____ There has been a proceeding concerning the conviction before a judge or hearing officer of the State of Florida, Division of Administrative Hearings, or a court of law having proper jurisdiction. The final order entered by the hearing officer or judge did not place the person or affiliate on the convicted contractor list. **[Please attach a copy of the final order.]**

____ The person or affiliate was placed on the convicted contractor list. There has been a subsequent proceeding before a court of law having proper jurisdiction or a judge or hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the judge or hearing officer determined that it was in the public interest to remove the person or affiliate from the convicted contractor list. **[Please attach a copy of the final order.]**

____ The person or affiliate has not been placed on any convicted vendor list. **[Please describe any action taken by or pending with the Department of General Services.]**

[Signature]

Date: _____

NOTARY:
STATE OF _____
COUNTY OF _____

Sworn and Subscribed before me this _____ day of _____, 20 _____

Personally known: _____

Or Produced Identification: _____

Notary Public - State of: _____ Commission Expires: _____

PLEASE COMPLETE AND SUBMIT WITH PROPOSAL
>>>>Failure to submit this form with your Bid may disqualify your response. <<<<

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Attachment "I" Statement of "NO PROPOSAL"

If you do not intend to submit on this requirement, please complete and return this form prior to date shown for receipt of proposals to: City of Haines City, Attn: City Clerk, 620 E. Main Street, Haines City, FL 33844.

I/WE HAVE DECLINED TO PROPOSE TO **RFP# 190812**, titled Redevelopment of City-owned Property in Central Business District, for the following reason(s):

- ☐ _____ Proposal too "restrictive", i.e., geared toward one firm or provider.
- ☐ _____ Insufficient time to respond to Request for Qualifications.
- ☐ _____ We do not offer this service.
- ☐ _____ Our schedule would not permit us to perform.
- ☐ _____ Unable to meet requirements.
- ☐ _____ Unable to meet bond requirements.
- ☐ _____ Work unclear (please explain below).
- ☐ _____ Other (please specify below).

REMARKS: _____

I/We understand that if this "No Proposal" form is not executed and returned, my/our name may be deleted from the list of qualified proposers for City of Haines City for future projects.

Typed Name and Title _____

Company Name _____

Address _____

Signature and Title _____

_____/_____/_____
Telephone/fax Number Date E Mail Address