

REQUEST FOR PROPOSALS

REDEVELOPMENT OF PUBLICLY OWNED LOTS IN DOWNTOWN LAKE WORTH BEACH

RFP #02-2023

DRAFT



RELEASE DATE:

SUBMISSION DEADLINE:

LAKE WORTH BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA)

1121 LUCERNE AVE.

LAKE WORTH BEACH, FL 33460

WWW.LAKEWORTHCRA.ORG

OVERVIEW OF THE CITY

The City of Lake Worth Beach is located on the southeast coast of Florida, in central Palm Beach County. Although development in Lake Worth Beach has been intermittent for the last 50 years, development pressure from both the north and south have made the City a focal point for new investment. The City is determined to attract new residents, businesses and activities while still remaining quaint, distinctive and authentic. The City boasts its own municipal golf course, parks along the Intracoastal waterway and a renown, world class beach complex. Lake Worth Beach is also known for its inclusive environment and its diverse ethnic make-up.

Lake Worth Beach has six designated historic districts and four properties which are listed on the prestigious National Register of Historic Places. Among these is the Old Town Historic District, located in the downtown. This area maintains an artsy mix of galleries, antiques shops, artisan wares, restaurants and sidewalk cafés. Downtown's main street is Lake Avenue, boasting some of the oldest and coolest commercial architecture, including the Montgomery Building, a three story 1940s Art Deco gem with innovative exhibition space—and a fitting home for the Cultural Council of Palm Beach County, the prominent arts advocacy organization—the grand Gulfstream Hotel, built in 1923 and currently awaiting restoration and expansion and the Lake Worth Playhouse. Originally built as a “movie palace,” this beautifully restored 1920s Art Deco theatre is today known for its community-theater productions, live concerts and indie films.

The available vacant sites discussed below are in the heart of the Downtown, in an area undergoing significant redevelopment. Values in this area have been steadily rising in recent years as more residents move to the urban area for its close proximity to everything Lake Worth Beach has to offer, including the arts district, unique downtown stores, live entertainment and the beach, which is just a little more than a mile away. Several redevelopment projects which are underway or in the planning stages include adding new residential, restaurant, retail and office options.

PURPOSE

The purpose of this Request for Proposals (RFP) is to solicit qualifications from reputable developers who are interested and qualified to design and develop multiple parcels in downtown Lake Worth Beach. The available parcels are located in the City's Old Town Historic District. Therefore, interested firms must have experience working in historic districts and be familiar with preservation and neighborhood compatibility. Having at least one preservation expert on the team is strongly encouraged.

This will be a two-part solicitation in which the first round will focus on providing the necessary qualifications while the second round will focus on project specific proposals depicting the intended design and development of the parcels. **Only the top three finalists from the first round of qualified proposers will be chosen to prepare proposals for phase two of this solicitation with will involve the actual design, layout and preliminary site plan for the area.**

Proposals will be selected for the development of vacant and/or uninhabited, CRA-owned parcels/structures along Lake Avenue as well as South “L,” and “M” Streets, just south of Lake Avenue in both the downtown and mixed-use east zoning districts (maps and corresponding land use regulations are attached).

The site contains 11 CRA & City-owned properties located between South “L” Street and South “M” Street, north of 1st Avenue South. Of the 11 properties, 3 will have historic residential structures that must remain and be incorporated into the project while 7 are vacant and ready for development. The final parcel will contain a commercial structure which may require demolition or be incorporated in the final project.

The CRA is preferably seeking one proposal for all of the CRA owned sites although individual sites may be chosen by a proposer. It is the CRA's intention to competitively select a Developer with the proven ability and interest to construct a development and to own the property once constructed. Projects should range between two to five stories (average) in height (See TCRPC Master Plan for specifics). Each project should have a mix of uses, including parking, which may also include, market rate apartments, for-sale condominiums or hotel rooms, meet City historic and thoroughfare design guidelines, create foot-traffic and be architecturally significant. The three structures currently on site (24 South "L" St., 26 South "L" St. and 17 South "M" St.), must be incorporated into the new development proposed for the site.

BACKGROUND

The Lake Worth Beach CRA has undertaken both housing and commercial property development over the last two decades. The goal of the CRA is to spur private investment and improve property values in the CRA District. In 2010 the CRA was awarded \$23M from the Department of Housing and Urban Development for the development of at least 100 new or rehabilitated affordable housing units. The CRA and its partners, far exceeded this goal and, to date, created over 400 residential units. Other projects associated with the purchase of formerly blighted properties also has led to the development of over 20,000 square feet of commercial space. With the development of commercial space, local jobs were created, meeting a NSP-2 National Objective. The CRA is seeking to continue the development of housing choices, while also creating additional local job opportunities.

With that in mind, the CRA secured a line of credit and purchased properties in key areas of the City. For this particular assemblage, the CRA partnered with the City of Lake Worth Beach to facilitate the development of a mixed-use project to attract residents to the downtown area and stimulate additional commercial activity in the core. While Lake and Lucerne Avenues continue as retail and entertainment corridors, additional market rate units in close proximity will help create a compact, walkable and sustainable downtown.

Due to the configuration of the purchased lots, the proposed development has access to 125 feet of frontage on Lake Avenue, the City's premiere retail corridor with access to both I-95 and the beach. Although a development would need to be architecturally sensitive to the historic built environment, the Lake Ave. frontage provides prime commercial space as well as a connection to the remainder of the project. The CRA is seeking a variety of quality housing units, a consolidation of uses including residential, commercial/office and parking, and an expansion of the urban center to create healthier and more lively main streets.

In January of 2022, the City and CRA hired the Treasure Coast Regional Planning Council (TCRPC) to conduct a public planning process and to develop an overall plan for these properties. The result is a Master Plan report that illustrates accepted design concepts, financial analyses and redevelopment recommendations for the "L" and "M" site. The Master Plan document serves as a guide to assist builders with a development plan that is consistent with the historic scale and character of the area while remaining flexible enough to provide for dense, yet smaller urban-scale structures.

THIS PROPOSAL

PHASE I - Qualifications

Part one of this solicitation focuses on the qualifications of the proposer. We are seeking qualified, professional architecture and development teams with a focus on not only preserving historic structures but one that also includes substantial redevelopment in a downtown setting that has a unique and distinctive flavor. To be

considered a qualified proposer, the firm or firms must also show the financial capacity to complete a project this size and with the intended vision as indicated in the Downtown Parcels Master Plan created by the Treasure Coast Regional Planning Council and the public.

The selected developer will, at a minimum:

- Be an experienced, stable and financed development firm who have completed similar projects. Examples of similar projects are required as well as proof of available capital.
- Prioritize historic preservation by saving and revitalizing historic structures that give the neighborhood a distinctive character. Examples of projects that preserve contributing structures is required.
- Proposers should have a qualified planner or architect on Staff or a consultant who has experience with redeveloping areas containing contributing historic structures.
- The proposal will outline the Proposer's goals for this project. The outline of the goals should give an overview of the development envisioned. The proposer must describe the general, envisioned architectural style and any highlights of the design that deserve extra attention.
- The proposal will identify primary management team involved with the project and any consultants on the design or development team.
- The proposal should contain examples of previous projects in South Florida that included workforce housing options, affordable housing options and attainable housing options.
- Proposal should include examples of previous projects that utilized complex public financing and incentive programs necessary to complete that project.
- The proposal shall include a purchase price the developer is ready and willing to pay for the 11 CRA-owned lots. A minimum offer of \$2M is required. Any offers above the minimum required will earn the proposer extra points.
- Only the top three proposals that are chosen by the Selection Team for further consideration will be invited to submit complete proposals that incorporate all the necessary portions and qualifications listed in PHASE II of this solicitation (unless determined otherwise by City and CRA Staff).

PHASE II - Full Proposal

- This phase of the proposal will include site plans showing a general layout of the development, specifically identifying the location and physical situation of:
 - The land required for the project, including property boundaries and a definitive plan as to whether the Proposer envisions purchasing and developing all the land available.
 - Existing buildings and new buildings that may be erected, including the approximate square footage for each, as well as, architectural elevations for each.
 - Parking areas and parking area access ways.
 - Any additional features such as outdoor facilities, areas of significant landscaping, outbuildings, areas for future development, public parking opportunities, etc.

- The project should produce enough parking to meet the demands of the development. The location of the parking, using the sites available, its structure and design may be interpreted by the developer.
- Be able to develop aesthetically-pleasing, well-designed units incorporating innovative features and amenities such as green, sustainable building techniques while meeting the City's mixed-use zoning regulations, thoroughfare design guidelines and historic preservation design guidelines. Must work with CRA/ City Staff to identify and incorporate the design objectives for the area, as expressed in the City's Comprehensive Plan, and Treasure Coast Regional Planning Council's Lake Worth Beach Downtown Parcels Master Plan.
- The development program must include, a minimum of seventy residential units, a minimum of 5,000 square feet of commercial space and a \$2M payment for the land.
- Indicate an ability to begin the project within 180 days of the contract award with financing and management teams secured and to have the project complete within three (3) years.
- Only development proposals that will generate ad-valorem taxes will be accepted.
- The redevelopment should support, enhance and elevate the City's image and brand on a regional and national basis.
- The proposal should include, when allowable, one, two and some three-bedroom residential units.
- Projects should incorporate public art or amenities.
- A proposer may submit a proposal for only one of the parcels or a combination of the properties, if desired. A proposer that includes all the project area is preferred.

The Project Area includes lots that are zoned mixed-use east (MU-E) or downtown (DT) and have a future land use designation of downtown, mixed-use (DMU). Surveys are available for all the available lots upon request.

The addresses and parcel control numbers include:

PARCEL INFORMATION

PCN #	Address	Size/acres	Zoning	Land Use	Sales Price	Closing Costs	Total Cost
38-43-44-21-15-023-0090	16 S L ST	0.16	MU-E	DMU	\$300,000	\$18,715	\$318,715
38-43-44-21-15-023-0220	13 S M ST	0.08	MU-E	DMU	\$272,000	-	\$272,000
38-43-44-21-15-023-0060	20 S L ST	0.23	MU-E	DMU	\$375,000	-	\$375,000
38-43-44-21-15-023-0230	17 S M ST	0.16	MU-E	DMU	\$620,000	\$7,133	\$627,133
38-43-44-21-15-023-0250	23 S M ST	0.23	MU-E	DMU	\$575,000	\$35,658	\$610,658
38-43-44-21-15-023-0050	24 S L ST	0.08	MU-E	DMU	\$200,000	-	\$200,000
38-43-44-21-15-023-0030	26 S L ST	0.16	MU-E	DMU	\$1,050,000	\$43,395	\$1,093,395
38-43-44-21-15-023-0020	30 S L ST	0.08	MU-E	DMU	" "	" "	" "
38-43-44-21-15-023-0010	32 S L ST	0.08	MU-E	DMU	" "	" "	" "
Alley (north/south)		0.06	-	-	-	-	-
38-43-44-21-15-023-0191	501 LAKE AVE.	0.17	DT	DMU	\$250,000	-	\$250,000
38-43-44-21-15-023-0170	509 LAKE AVE.	0.19	DT	DMU	\$855,000	\$49,019	\$904,019
Alley (east / west)		0.10					
TOTALS:		1.78 acres (approximate)			\$4,497,000	\$153,920	\$4,650,920

A ONE-TIME WALK-THROUGH OF THE PROPERTIES WILL BE CONDUCTED FOR INTERESTED PROPOSERS ON XX FROM XX TO XX.

APPLICABLE CODES AND DESIGN GUIDELINES (WHICH, IF ANY, WILL NOT APPLY)

City Land Development Regulations:

https://library.municode.com/fl/lake_worth_beach/codes/code_of_ordinances?nodeId=PTIICOOR_CH23LADERE

Historic Preservation Design Guidelines: <https://lwbdata.sfo3.cdn.digitaloceanspaces.com/community-sustainability/historic/72021/Lake%20Worth%20Beach%20Historic%20Preservation%20Design%20Guidelines.pdf>

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City Comprehensive Plan: <https://lakeworthbeachfl.gov/comprehensive-plan/>

City Major Thoroughfare Design Guidelines: <https://lwbddata.sfo3.cdn.digitaloceanspaces.com/community-sustainability/planning/Major-Thoroughfare-Design-Guidelines-WEB.pdf>

City Downtown Parcels Master Plan: <https://lakeworthbeachfl.gov/wp-content/uploads/2023/01/Downtown-Master-Plan.pdf>

Site and Building Design Qualitative and Performance Standards:

https://lwbddata.sfo3.cdn.digitaloceanspaces.com/community-sustainability/economic-development/CLWB_Site%20and%20Building%20Design%20Qualitative%20performance%20standards%20web%20brochure.pdf

RELEVANT EXPERIENCE & PAST PERFORMANCE

Proposers are required to identify related work performed that has been successfully completed to date, or is actively underway. Most notably, the work identified should closely resemble the type of development sought in this proposal. For each project, please list:

- Project name and address
- Photos of development (renderings if under construction)
- Contact person, title, phone number and email
- Detailed description of the type of project
- The duration of the project including start and completion (or anticipated) dates
- Value of each project

DEVELOPER'S FINANCIAL CAPACITY & CAPABILITY

- Financial Statements – in order to demonstrate access to equity and debt capital and other financing resources to carry out the proposed project, the developer must provide in a separate submittal, one set of audited financial statements for the past two years for each principal and joint venture partner. Each entity must submit separate financial statements; and/or
- Sources and Availability of Capital – identify sources of debt/ equity capital, including relationship of lender/investor to the developer and contact information. Also provide a written statement from each financing source that the equity and or debt capital is available or will be made available for funding the proposed project. Written statements must shall detail the amount of capital, the size of the project and any other pertinent information to assist the CRA in determining the availability of equity and debt capital to the proposed project.
- Pipeline Projects – list and describe all projects currently in the pipeline, including status, development budget and schedule.

Please provide at least three (3) business related references for projects that are submitted as part of the proposers past performance who can be contacted for an independent evaluation of your work (EXHIBIT 'C'). All responses must be delivered or mailed to:

Lake Worth Beach Community Redevelopment Agency
1121 Lucerne Avenue
Lake Worth Beach, FL 33460
Attn: Chris Dabros
cdabros@lakeworthbeachfl.gov

ENVELOPE MUST BE IDENTIFIED AS RFP #02-2023 AND BE RECEIVED AT THE CRA OFFICE NO LATER THAN 3:00PM ON , 2023.

The documents included or incorporated in this RFP constitute the complete set of instructions, scope of work, specification requirements and forms. It is the responsibility of the submitter to insure that all pages are included.

All must be typed or written in ink, and must be signed in ink by an officer having authority to represent the company. Signatures are required where indicated; failure to do so shall be cause for submittal rejection.

PROPOSAL PROCESS

A Selection Committee, led by CRA Staff, will evaluate all proposals that meet the basic requirements. The Selection Committee will then rank all the qualified teams in a publicly held meeting. The teams that receive the highest scores will be chosen to present to the Selection Committee. The three highest ranked, qualified respondents, will be the asked to submit full proposals to the CRA.

Once a development team has been selected by the Board, the selected proposer and CRA Staff will negotiate the terms of a binding agreement for the sale and development of the property. Exact duration and financial terms of the sale are to be negotiated. The selected development team will be required to provide a non-refundable, good-faith deposit of \$10,000 before execution of a purchase and sale and a development agreement.

CHANGES & INTERPRETATIONS

Changes to this RFP will be made by written addenda. A written addendum is the only official method whereby interpretation, clarification or additional information can be given. All addenda will be posted on the CRA's website: www.lakeworthcra.org. It is the sole responsibility of each Proposer to check the CRA's website for posted addenda. The CRA will not mail or fax any addenda to a Proposer.

All questions regarding this RFP should be submitted in writing via mail or e-mail and must be received by the CRA no later than twenty (20) calendar days prior to the due date for submissions:

CRA Office
Chris Dabros, Deputy Director
1121 Lucerne Ave
Lake Worth Beach, FL 33460
cdabros@LakeWorthBeachfl.gov

All questions will be answered via addenda. If a question is not answered, the submitting firm should assume all relevant information is contained within this RFP. The CRA will strive to issue all addenda at least five (5) business days before the proposal due date; however, the CRA reserves the right to issue any addenda at any time.

PROPERTY OF THE CRA

All materials submitted in response to this RFP become the property of the CRA. The CRA has the right to use any or all ideas presented in any response to this RFP, whether amended or not, and selection or rejection of a proposal(s) does not affect this right. No variances to this provision shall be accepted.

RFP TIMETABLE

The **anticipated** schedule for this RFP and contract approval is as follows:

- Required Pre-submittal Meeting: , 2023
- Submittals Due: , 2023
- Ranking of firms by Committee: , 2023
- Qualifications Reviewed & Approved by CRA Board: , 2023
- Proposals to CRA & City , 2023

The CRA reserves the right to amend the anticipated schedule as it deems necessary.

CONE OF SILENCE

In accordance with the Palm Beach County Lobbyist Registration Ordinance and the City of Lake Worth Beach’s procurement code, the City’s procurement cone of silence will be in effect as of the due date for proposers in response to this RFP. A complete copy of the City’s procurement code is available on-line and at municode.com under the City’s code of ordinances (Sections 2-111-2-117). All Firms are highly encouraged to review the ordinance. In summary, the code of silence prohibits communication between certain City/CRA official’s employees and agents and any entity or person seeking to be awarded a contract. The cone of silence terminates at the time of award, rejection of all responses or some other action by the City/CRA to end the selection process.

ETHICS REQUIREMENT

This RFP is subject to the State of Florida Code of Ethics and the Palm Beach County Code of Ethics. Accordingly, there are prohibitions and limitations on the employment of City & CRA officials and employees and contractual relationships providing a benefit to the same. Respondents are highly encouraged to review both the Florida Code of Ethics and the Palm Beach County Code of Ethics in order to insure compliance with the same.

DISCLOSURE & DISCLAIMER

The information contained herein is provided solely for the convenience of Respondents. It is the responsibility of a Respondent to assure itself that information contained herein is accurate and complete. Neither the CRA, nor its advisors provide any assurances as to the accuracy of any information in this RFP. Any reliance on the contents of this RFP, or on any communications with CRA representatives or advisors, shall be at each Proposer's own risk. Proposers should rely exclusively on their own investigations, interpretations and analyses in connection with this matter. The RFP is being provided by the CRA without any warranty or representation, express or implied, as to its content; accuracy or completeness and no Respondent or other party shall have recourse to the CRA if any information herein contained shall be inaccurate or incomplete. No warranty or representation is made by the CRA that any response conforming to these requirements will be selected for consideration, negotiation or approval.

In its sole discretion, the CRA may withdraw this RFP either before or after receiving qualifications, may accept or reject qualifications, and may accept qualifications which deviate from the non-material provisions of this RFP. In

its sole discretion, the CRA may determine the qualifications and acceptability of any firm or firms submitting qualifications in response to this RFP. Following submission of a response, the Firm agrees to promptly deliver such further details, information and assurances, including, but not limited to, financial and disclosure data, relating to the response and/or the Firm, including the Firm's affiliates, officers, directors, shareholders, partners and employees, as requested by the CRA. Any action taken by the CRA in response to submittals made pursuant to this RFP or in making any award or failure or refusal to make any award pursuant to such responses, or in any cancellation of award, or in any withdrawal or cancellation of this RFP, either before or after issuance of an award, shall be without any liability or obligation on the part of the CRA, or their advisors.

Any recipient of this RFP, who responds hereto, fully acknowledges all the provisions of this Disclosure and Disclaimer and agrees to be bound by the terms hereof. Any response submitted pursuant to this RFP is at the sole risk and responsibility of the party submitting such response.

CONTRACT AGREEMENT

The terms and conditions of the resulting contract for the services to be rendered will be negotiated with the successful respondent. If the CRA and the successful respondent cannot agree on the terms and conditions of the resulting contract, the CRA reserves the right to terminate negotiations with the successful respondent and move to the next ranked respondent to commence negotiations. Negotiations may continue in this process until the CRA is able to enter into a contract with a respondent that best meets the needs of the CRA.

INSURANCE REQUIREMENTS

Prior to execution of the resulting contract derived from this RFP, the awarded firm shall obtain and maintain in force at all times during the term of the resulting contract insurance coverage as required herein. All insurance policies shall be issued by companies authorized to do business under the laws of the State of Florida. The Certificates shall clearly indicate that the firm has obtained insurance of the type, amount, and classification as required for strict compliance with this provision and that no material change or cancellation of the insurance shall be effective without thirty (30) days prior written notice to the CRA. Compliance with the foregoing requirements shall not relieve the firm of its liability and obligations under the resulting contract.

- A. The firm shall maintain during the term of the contract, standard Professional Liability Insurance in the minimum amount of \$1,000,000.00 per occurrence.
- B. The firm shall maintain, during the life of the contract, commercial general liability, including public and contractual liability insurance in the amount of \$1,000,000.00 per occurrence (\$2,000,000.00 aggregate) to protect the firm from claims for damages for bodily and personal injury, including wrongful death, as well as from claims of property damages which may arise from any operations under the contract, whether such operations be by the firm or by anyone directly or indirectly employed by or contracting with the firm.
- C. The firm shall carry Workers' Compensation Insurance and Employer's Liability Insurance for all employees as required by Florida Statutes.

All insurance, other than Professional Liability and Workers' Compensation, to be maintained by the firm shall specifically include the Lake Worth Beach Community Redevelopment Agency and the City of Lake Worth Beach as an "Additional Insured".

PUBLIC RECORDS

The awarded firm must agree to comply with Florida public records laws, including but not limited to Chapter 119, Florida Statutes, specifically to:

1. Keep and maintain public records required by the District to perform the service.
2. Upon request from the District’s custodian of public records, provide the District with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.
3. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the Agreement term and following completion of the contract if the Auditor does not transfer the records to the District.
4. Upon completion of the Agreement, transfer, at no cost, to the District all public records in possession of the Auditor or keep and maintain public records required by the District to perform the service. If the Auditor transfers all public records to the District upon completion of the Agreement, except as provided by law, the Auditor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Auditor keeps and maintains public records upon completion of the Agreement, the Auditor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the District, upon request from the District’s custodian of public records, in a format that is compatible with the information technology systems of the District.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR’S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT:

Lake Worth Beach CRA
1121 Lucerne Ave
Lake Worth Beach, FL 33460
(561) 493-2550
etheodossakos@lakeworthbeachfl.gov

As used herein, the term “public records” means “all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any District.”

PUBLIC ENTITY CRIME ACT

Any person or firm submitting a response to this RFP must confirm that it is not on the convicted vendors list maintained by the Florida Department of Management Services and must acknowledge that it has been notified of the following:

A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public

entity, may not submit a bid on a contract for repair of a public building or public work, may not submit a bid on public leases of real property to a 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, for Category Two for a period of 36 months from the date of being placed on the convicted vendors list.

SCRUTINIZED COMPANY CERTIFICATION

The firm submitting a response must certify that it, and its subcontractors are not on the Scrutinized Companies that Boycott Israel List. Pursuant to Section 287.135, F.S., the CRA may immediately terminate the Agreement that may result from this RFP at its sole option if the firm or its subcontractors are found to have submitted a false certification; or if the firm, or its subcontractors are placed on the Scrutinized Companies that Boycott Israel List or is engaged in the boycott of Israel during the term of the Agreement.

If the Agreement that may result from this RFP is for more than one million dollars, the firm certifies that it and its subcontractors are also not on the Scrutinized Companies with Activities in Sudan, Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria as identified in Section 287.135, F.S. pursuant to Section 287.135, F.S., the CRA may immediately terminate the Agreement that may result from this RFP at its sole option if the firm, its affiliates, or its subcontractors are found to have submitted a false certification; or if the firm, its affiliates, or its subcontractors are placed on the Scrutinized Companies with Activities in Sudan List, or Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria during the term of the Agreement.

The firm responding to this RFP agrees to observe the above requirements for applicable subcontracts entered into for the performance of work under the Agreement that may result from this RFP.

As provided in Subsection 287.135(8), F.S., if federal law ceases to authorize the above-stated contracting prohibitions then they shall become inoperative.

EVALUATION & AWARD

The CRA will assemble an Evaluation Committee to evaluate the qualifications from respondents. The Evaluation Committee will convene for a public meeting to evaluate and rank the most advantageous responses and make a recommendation for contract award to the CRA Board, which will also be open to the public. CRA Staff will notify all submitting Respondents and advertise the Evaluation Committee meeting in the appropriate media as directed by law. The CRA Board is not bound by the recommendation of the Evaluation Committee and the CRA Board may deviate from the recommendation in determining the best overall response which is most advantageous and in the best interest of the CRA District.

Each Response will be evaluated individually and in the context of all other responses. Submittals must be fully responsive to the requirements described in this RFP and to any subsequent requests for clarification or additional information made by the CRA/City through written addenda to this RFP. Submittals failing to comply with the submission requirements, or those unresponsive to any part of this RFP, may be disqualified. The CRA reserves the right to award the contract to the Respondent submitting the best overall responsive submittal which is most advantageous and in the best interest of the CRA District. The CRA shall be the sole judge of the submissions and the resulting contract that is in its best interest and its decision shall be final.

While the CRA allows Responders to specify any desired variances to the RFP terms, conditions, and specifications, the number and extent of variances taken will be considered in determining the Respondent who is most advantageous to the CRA. **Evaluation Scoring Criteria has been incorporated into the RFP document.**

REPRESENTATIONS BY SUBMITTAL OF FIRMS

By submitting a response, the Firm warrants, represents and declares that:

- A. Person(s) designated as principal(s) of the Firm are named and that no other person(s) other than those therein mentioned has (have) any interest in the submittal or in the anticipated contract.
- B. The submittal is made without connection, coordination or cooperation with any other persons, company, firm or party submitting another qualification, and that the Firm submitted is, in all respects, fair and in good faith without collusion or fraud.
- C. The Firm understands and agrees to all elements of the submission unless otherwise indicated or negotiated, and that the response may become part of any contract entered into between the CRA and the Firm.
- D. By signing and submitting a response, Submitter certifies that Firm and any parent corporations, affiliates, subsidiaries, members, shareholders, partners, officers, directors or executives thereof are not presently debarred, proposed for debarment or declared ineligible to bid or participate in any federal, state or local government agency projects.
- E. Pursuant to 287.133, Florida Statutes, a person or affiliate who has been placed on the convicted firm list maintained by the State of Florida may not submit a submittal to the CRA/City of Lake Worth Beach for 36 months following the date of being placed on the convicted firm list. Proposer certifies that submittal of its proposal does not violate this statute.
- F. Proposer recognizes and agrees that the CRA will not be responsible or liable in any way for any losses that the Firm may suffer from the disclosure or submittal of response information to third parties.

Protests:

Any actual Firm who is aggrieved in connection with this RFP may protest such procurement. The protest must be filed with the CRA in accordance with the City's procurement code. A complete copy of the City's procurement code is available on-line at municode.com under the City's code of ordinances (sections 2-111 – 2-117). The protest procedures are set forth at section 2-115. There are strict deadlines for filing a protest. Failure to abide by the deadlines will result in a waiver of the protest.

Compliance:

All proposals received in accordance with this RFP shall be subject to applicable Florida Statutes governing public records including without limitation Chapter 119, Florida Statutes.

SUBMITTAL REQUIREMENTS: PHASE I AND PHASE II

Submittals must contain the following documents, each fully completed and signed as required.

PHASE I Documents: The following items shall be provided in the order specified. Each proposer is asked to submit one unbound original and five bound copies plus one electronic copy of the submittal.

1. Letter of Transmittal: Each submittal must include a letter of transmittal containing the Firm's interest in developing the sites and the signature of the representative authorized to enter into signed contracts for the prime contractor. This letter should not exceed three pages in length.

2. Written Qualifications: These should be concise, complete and include:

- The Firm's owners and management team and proof of their ability to produce a quality development
- Relevant experience, accomplishments and capabilities of the leadership team and any consultants
- Specific experience working in historic districts and with preserving contributing properties
- Qualifications of Staff that would be assigned to this project
- Experience with projects that seek compatibility with surrounding neighborhoods
- Listing of opportunities and challenges of the project and possible solutions
- Unique resources or assets which the respondent would bring to the project if chosen
- A description of the Proposer's existing financial capacity and/or ability to secure necessary financing
- References
- Confirmation of a Drug-Free Workplace Form
- Scrutinized Companies Certification Form

PHASE II: If short-listed, the full proposals must include, at a minimum:

- A narrative description of the mixed-use project being proposed
- Renderings of the proposed project(s) including the three structures to be preserved
- Green building elements and amenities to be included
- Type and number of units (workforce, market and commercial rent estimates)
- Estimated timeframe for development
- Overall benefits to the community
- A description of the proposer's ability to mobilize the necessary team to commence design and construction
- Construction schedule
- Detail of how the space will be marketed to tenants or users
- If any tenants are already interested in leasing, please provide LOI's
- List of additional properties owned or to be added to the project
- All related licenses and/or certifications
- References
- Confirmation of a Drug-Free Workplace Form
- Scrutinized Companies Certification Form

PROCESS FOR CONSIDERATION OF PROPOSALS

- Responsiveness: This refers to how well the proposal meets the concepts for the Old Town Historic District based on the City's Downtown Master Plan, Land Use Plan, and Design Standards. (25 Points)
- Experience: This refers to the experience the Proposer could bring to this project as related to similar projects the proposer has previously performed. (25 Points)
- Expertise: This refers to the Proposers ability, via the proposal, to showcase their expertise in a variety of areas including, construction, design, architecture, historic preservation, real estate and financing. (25 Points)
- Timeliness: This refers to the Proposers ability to deliver a project in a reasonable time frame. (25 Points)

Total – 100 points

CRA Staff will be responsible for ensuring all submittals responded to the RFP accordingly and have provided all the necessary information to be considered “responsive.” This includes handing qualifications in by the time and date specified earlier in this request. The CRA will establish an evaluation committee to review the submittals and rank them according to the point system explained above. The evaluation committee will then make a formal recommendation to the CRA Board for approval.

SUBMITTING FIRM'S INFORMATION PAGE

Company/Development Team Name: _____

Authorized
Signature:

Signature

Print Name

Title of Signatory: _____

Physical
Address:

Street

City

State

Zip Code

Telephone: _____ Fax: _____

Email Address: _____

Web Site: _____

Federal Identification Number: _____

This is a requirement of every Firm who submits qualifications.

EXHIBIT 'A'

****CONFIRMATION OF DRUG-FREE WORKPLACE****

In accordance with Section 287.087, Florida Statutes, whenever two or more proposals are equal with respect to price, quality, and service which are received by any political subdivision for the procurement of commodities or contractual services, a proposal received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. 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's 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 proposal a copy of the statement specified in subsection (1).

(4) In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under proposal, 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 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than 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 this section.

As the person authorized to sign this statement on behalf of _____, I certify that:

_____ complies fully with the above requirements.

Authorized Representative's Signature

Date

Name

Position

**** If this form is not returned, the CRA will assume the responding Firm has not implemented a drug-free workplace program.**

This is a requirement of every Firm who submits qualifications.

EXHIBIT 'B': SIMILAR PROJECTS

List three (3) similar projects successfully completed in the past five (5) years by the individual, firm, or project manager assigned to the project.

Completed Project #1:

Agency/company: _____
Current contact person at agency/company: _____
Telephone: _____ Fax: _____ E-mail: _____
Address of agency/company: _____
Name of project: _____
Description: _____

Project value: _____ Start date: _____ Completion date: _____
(month/year) (month/year)

Name(s) of assigned personnel:
Project manager: _____
Others: _____

Completed Project #2:

Agency/company: _____
Current contact person at agency/company: _____
Telephone: _____ Fax: _____ E-mail: _____
Address of agency/company: _____
Name of project: _____
Description: _____

Project value: _____ Start date: _____ Completion date: _____
(month/year) (month/year)

Name(s) of assigned personnel:
Project manager: _____
Others: _____

Completed Project #3:

Agency/company: _____
Current contact person at agency/company: _____
Telephone: _____ Fax: _____ E-mail: _____
Address of agency/company: _____
Name of project: _____
Description: _____

Project value: _____ Start date: _____ Completion date: _____
(month/year) (month/year)

Name(s) of assigned personnel:
Project manager: _____
Others: _____

EXHIBIT 'C'
REFERENCES

List below, or on an attached sheet, three references per RFP requirements. Provide the name, addresses and telephone numbers of organizations, governmental or private, for whom you now are, or have **within the past five (5) years** provided services. This form may be copied.

REFERENCE #1

Name of Client: _____

Address: _____

Phone: (_____) _____ Fax: (_____) _____

Contact Person: _____ Title: _____

Description of services: _____

REFERENCE #2

Name of Client: _____

Address: _____

Phone: (_____) _____ Fax: (_____) _____

Contact Person: _____ Title: _____

Description of services: _____

REFERENCE #3

Name of Client: _____

Address: _____

Phone: (_____) _____ Fax: (_____) _____

Contact Person: _____ Title: _____

Description of services: _____

EXHIBIT 'D'
SCRUTINIZED COMPANIES CERTIFICATION FORM

By execution below, I, _____, on behalf of:

_____ (hereinafter, the "Contractor"), hereby swear or affirm to the following certifications:

The following certifications apply to all procurements:

1. The Contractor has reviewed section 215.4725, Florida Statutes, section 215.473, Florida Statutes and section 287.135, Florida Statutes, and understands the same.
2. The Contractor is not on the Scrutinized Companies that Boycott Israel List nor is the Contractor engaged in a boycott of Israel.
3. If awarded a contract, the Contractor agrees to require these certifications for applicable subcontracts entered into for the performance of work/services under this procurement.
4. If awarded a contract, the Contractor agrees that the certifications in this section shall be effective and relied upon by the City for the entire term of the contract, including any and all renewals.

If the contract awarded hereunder is for one million dollars or more, the following additional certifications apply:

1. The Contractor is not on the Scrutinized Companies with Activities in Sudan List.
2. The Contractor is not on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List.
3. The Contractor is not engaged in business operations in Cuba or Syria.
4. If awarded a contract, the Contractor agrees to require these certifications for applicable subcontracts entered into for the performance of work/services under this procurement.
5. If awarded a contract, the Contractor agrees that the certifications in this section shall be effective and relied upon by the City for the entire term of the contract, including any and all renewals.

CONTRACTOR:

By: _____

Name: _____ Signature: _____

Title: _____

Date: _____

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was sworn to (or affirmed) and subscribed before this _____ day of _____, 20____, by _____, who is the _____ of _____, who is personally known to me or who has produced _____ as identification.

NOTARY PUBLIC

Printed Name of Notary:

My Commission expires:

Included Exhibits:

- Maps
- Surveys
- Applicable FLUE
- Zoning
- Available Incentives ?