



REQUEST FOR PROPOSALS



(Photo not representative of current condition)

FOR THE ACQUISITION AND REDEVELOPMENT OF OKEE-TANTIE CAMPGROUND AND MARINA

10430 Hwy 78 West, Okeechobee, FL

RFP RELEASE DATE:	Wednesday, January 4, 2017
SITE TOUR DATE:	Wednesday, January 25, 2017
DEADLINE TO SUBMIT QUESTIONS:	Wednesday, February 1, 2017
DEADLINE TO SUBMIT PROPOSALS:	Wednesday, March 1, 2017

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I. INTRODUCTION

Okeechobee County Board of Commissioners is seeking proposals for the acquisition and redevelopment (the "Project") of an approximately 99 acre site physically located at 10430 W. Hwy 78, Okeechobee, FL (the "Site"). Each party that submits a response ("Proposal") to this Request for Proposals ("RFP") is referred to herein as a "Respondent," and the Respondent that is conditionally designated through this RFP process is referred to herein as the "Designated Developer."

The Site was formerly Okee-Tantie Campground and Marina. The purpose of this RFP is to solicit for the re-development of Okee-Tantie through a sale or combination purchase and/or long-term lease agreements for all or parts of the 99 acre site. The County is seeking Proposals that offer the greatest opportunity for the highest and best use of Okee-Tantie at the highest benefit to the County, as more specifically defined within this proposal.

The County is seeking a specific project model that it believes will provide for the highest and best use of the property as a destination resort, RV Park, marina, and campground, which affords the eventual developer the an acceptable return on its investment to facilitate a successful redevelopment project. In addition, the County desires to retain areas open to the general public through a lease management agreement, including boat slips/marina, boat ramps, band shell (on-site or relocated off-site), airboat ramp and parking area and law enforcement Search and Rescue patrol access.

The 99 acre parcel available through this RFP includes all of the facility's buildings and the immediate surrounding land. Two maps are included with this RFP delineating the Site.

Selection Criteria are described in greater detail in Section V herein, and include Employment Impact (creation of new jobs, both permanent and construction), and Economic Impact (stimulating direct and indirect economic activity in the local county and region). The Project poses a unique opportunity for a public-private partnership to establish a catalyst for economic development and tourism growth in the greater Okeechobee and south Florida markets.

II. RFP TIMELINE

RFP RELEASE DATE:	Wednesday, January 4, 2017
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III. SITE DESCRIPTION

Site Summary

The Site represents a unique opportunity and noteworthy for its location, size and history. Okee-Tantie remains one of the most desirable locations on Lake Okeechobee and is recognized as a premier location on the Lake for visitors and residents. Okee-Tantie and Lake Okeechobee are known for providing a natural habitat for fish, birds and other wildlife as well as offering world renowned fishing and nationally-sanctioned fishing tournaments.

The Site is located on the east side of State Road 78 West just north of the SR-78 Bridge in unincorporated Okeechobee County, approximately five miles southwest of the City of Okeechobee. Irregular in shape, the site contains 99+/- acres with some wetlands and runs along the Kissimee River to the west bounded by Lake Okeechobee on the east and south. The Site is one of the few unrestricted, direct accesses to Lake Okeechobee and the adjoining Okeechobee

Waterway. The Site features five significant structures totaling approximately 15,000 square feet. Building construction dates range from 1971 to 2010.

In 1971, the SFWMD developed the site as the Okee-Tantie Recreation Area with a recreational vehicle park, campground, and bait and tackle shop and marina, and operated it until 1991 when it was conveyed back to the County to operate. The popular RV campground operated at full capacity during the winter months until the hurricanes of 2004 substantially damaged the park. After the hurricanes, part of the park was able to reopen but a large area was heavily damaged and not rehabilitated. Occupancy and revenue began to decline resulting in a decision by the County to close the RV campground and bait and tackle store in October 2012.

The Site lies between Lake Okeechobee to the east and the Kissimmee River to the west. The Site had two areas for RV's, section A and section B. The Site current parking lot has spaces for roughly 100 cars and/or trucks/trailers.

Significant structures within the facility include:

- ❖ Restaurant Building – Built in 1971; 6,525 square feet joisted masonry, formerly housed Lightsey's Fish Company and Seafood Restaurant until July, 2016.
- ❖ Bait & Tackle Shop – Built in 1971, This 2,155 square feet frame building, served as the bait, tackle and camp store.
- ❖ Public Restrooms – Built 1999; 1,089 square feet joisted masonry.
- ❖ Bath House – Built 1999 1,089 square feet joisted masonry.
- ❖ Band Shell – Built 2010 with State grant funds which require it to remain open to the public for at least a period of 25 years; 2,600 square feet joisted masonry.
- ❖ Band Shell Project site, shall be maintained in perpetuity as an outdoor recreation area for the use and benefit of the general public.
- ❖ Marina total of 51 slips

Figure 1 – Aerial View of Site

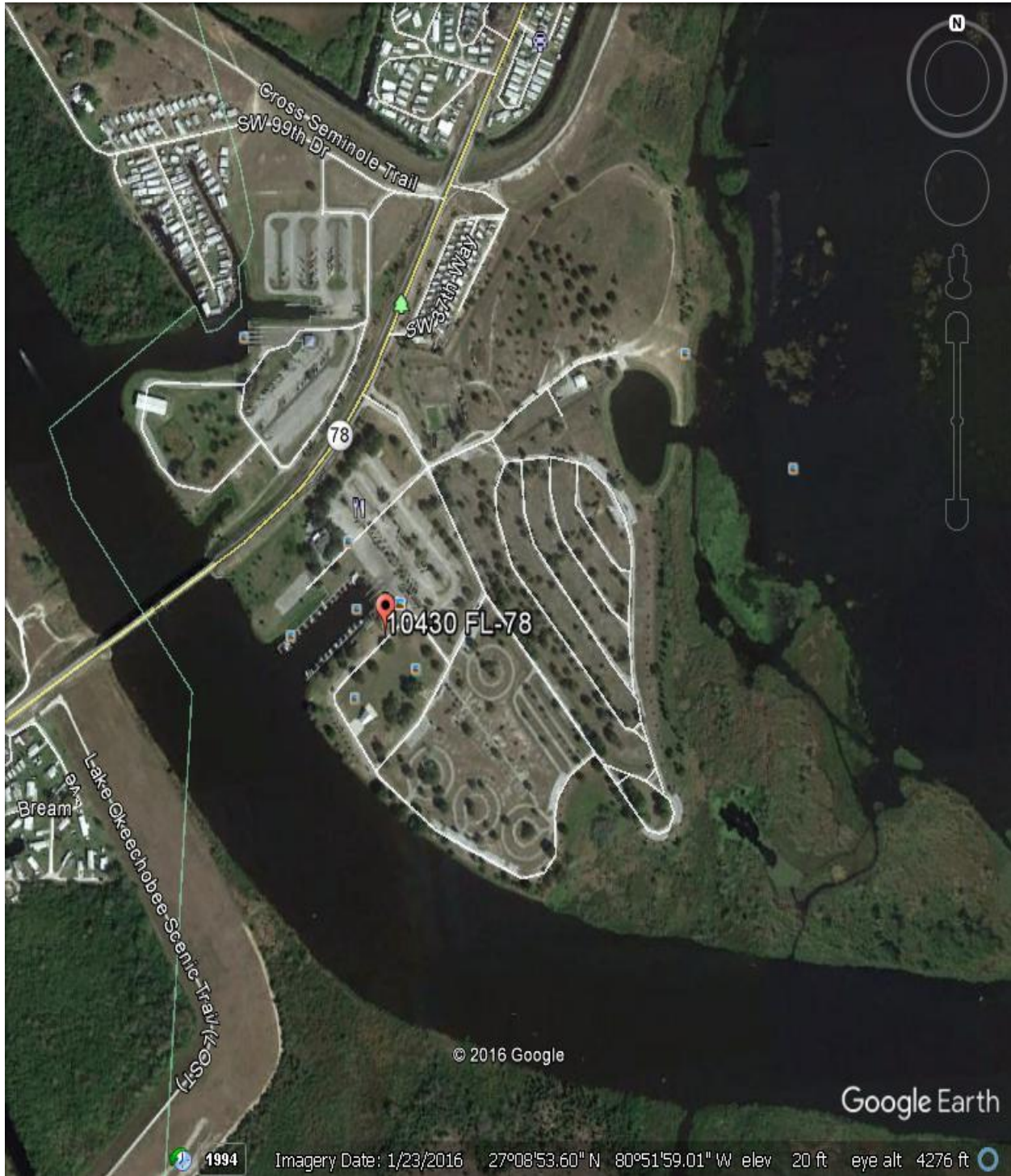


Figure 1 Okee Tantie Aerial View 99 Acres Okeechobee County, Florida

Surrounding Area

Okeechobee County is located in South-Central Florida on the north shore of Lake Okeechobee. The year round population is 39,149, however from November to May, there are an estimated 30,000 additional seasonal residents. The population of the market area within a 60 mile radius is 1,355,962. Approximately 6,000,000 visitors per year come to enjoy the activities around Lake Okeechobee. Okeechobee County is within 2 hours drive of 75% of the State of Florida's population.

Transportation

Access to the Site is from Hwy 78, off US 441 South. The Site is approximately 8 miles from the City of Okeechobee. It is approximately 45 miles west of Interstate 95 and 70 miles east of Interstate 75.

Recreation Future Land Use Classification

The Property is currently zoned Agricultural (A) and Commercial (C) and is designated Resort Corridor and Urban Residential Mixed Use with a Recreation Overlay under the County's Comprehensive Plan. In addition to the uses identified through the existing zoning, use of the Property for resort, camping and marina related uses and activities have been determined to be permissible by the County. If the use proposed in the Request for Proposal is not compatible with the existing zoning regulations or these uses, the Proposal should explain in general terms what amendments to the existing land development regulations and/or rezoning(s) may be needed to achieve the proposed use.

Any rezoning or other amendment of land development regulations will be controlled by applicable legal and statutory requirements. The County is open to consider amendments to its land use regulations to support economic and viable redevelopment of Okee-Tantie.

The property is in Flood Zone "A".

Ownership and Taxes

The Site is currently owned by Okeechobee County, a political sub-division of the State and is exempt from property taxes. Under a purchase or private use of the Site, property taxes and non-ad valorem assessments would be assessed by Okeechobee County, South Florida Water Management District, Okeechobee County School Board and Children's Service Council.

Site Infrastructure, Access and Maintenance Responsibilities

Power to the Site is supplied by Florida Power and Light (FPL). The Water and Wastewater system is serviced by Okeechobee Utility Authority (OUA) an on-site waste treatment plant is located near Highway 78 which has the capacity to handle all the current sites. The wastewater treatment plant uses a gravity system to move all the waste to the on-site plant. OUA owns and operates the small package treatment plant.

The Okeechobee County Sheriff's Office operates a 2,640 square foot metal building which would remain a public use and not part of the sale and/or lease. Additionally, two boat slip in the marina are reserved for law enforcement Search and Rescue operations on the Lake and must be accommodated in a mutually agreeable fashion.

The US Coastguard Auxiliary operates a 540 square foot building at the entrance of the Site, accommodations are negotiable for this building.

The Band Shell was built from grant funds received by the County and as such has a requirement to be available for public use until 2030. The band shell can be relocated and made accessible to the public on or off site.

The boat ramps located in the Marina, are to remain open and accessible, free of charge to the public together with a reasonable amount of adjacent parking for vehicles with boat trailers.

The existing Airboat ramp located on the northeast side of the Site, may be reconfigured and reasonably controlled, but must remain open and accessible to the public.

South Florida Water Management District and Florida Department of Environmental Protection both have reserved their rights to any minerals found on the property. Additionally, the property is subject to a South Florida Water Management District flowage easement that will direct physical characteristics and design features on the property.

Additional Site Information

Additional information on the Site can be found on the County website at <http://co.okeechobee.fl.us/cdocuments>. A copy of the flowage easement and survey may also be found on the County's website under the link for Okee-Tantie Request for Proposals (see <http://co.okeechobee.fl.us/cdocuments>).

IV. PROPOSAL REQUIREMENTS

The following are the submission requirement of all Proposals responding to this RFP. Okeechobee County BOCC reserves the right, in its sole discretion, to reject any Proposal that is deemed incomplete, or unresponsive to the RFP requirements. Okeechobee County also reserves the right, in its sole discretion, to reject any and all Proposals for any reason or for no reason, and to proceed (or not to proceed) with the development of the Site (either by itself or in conjunction with one or more third-party(ies)) without completing this RFP process.

In evaluating the capabilities of each Respondent, Okeechobee County may utilize any and all information available (including information not provided by the Respondent). Proposals should clearly and concisely state the unique capabilities, experience and advantages of the Respondent and demonstrate the Respondent's capability to satisfy the requirements and objectives set forth in this RFP.

A. Transaction Structure and Certain Costs

Every Proposal must provide an offer price for the acquisition of the entire Site (inclusive of land and improvements), which will be subject to a declaration regarding conformance to an Okeechobee County General Project Plan ("GPP") detailing the agreed development of the Site, as applicable. If the development of the Site is to be completed in phases, each phase must include supporting infrastructure needed for a viable project in the event no future phases are constructed. It should be emphasized that the offer price is only one element of the Proposal. The direct and indirect economic impact on the County is of equal or greater importance to Okeechobee County.

The purchase price must be expressed in a fixed, non-contingent dollar amount. The Designated Developer will be required to enter into a Development Agreement that provides the terms and conditions of Phase I of the Project and agreements to develop the Site in compliance with the proposed development plan.

A Performance Bond of Okeechobee County will be required in the budgeted cost of Phase I, if the project is to be developed in phases, as certified by a professional engineer licensed in the state of Florida and be held until substantial completion of at least Phase I of the Project as Respondent demonstrates in response to Section B 4.

Okeechobee County is requesting Proposals for purchase of all or a portion of the Site, lease of all or a portion of the Site, or a combination thereof. Okeechobee County reserves the right to make such requests to all Respondents or to subset of all Respondents as set forth in Section V Selection Criteria. The determination of whether Okeechobee County will elect to dispose of the Site by sale, lease or a combination thereof will depend on the offers received, and Okeechobee County's assessment of the best interests of the County. Any such Respondents still under consideration shall be given the opportunity to supplement their Proposals and any related provisions of the RFP will be amended or deemed amended as necessary.

Please note as provided in Section VIII, "Disposition Process", below, the Designated Developer will be required to enter into agreements with the County, commencing from the date of its conditional designation, and will require the Designated Developer to pay:

1. A 10% security deposit against the purchase price.

At closing, the Designated Developer will be required to pay the balance of the purchase price to Okeechobee County.

Respondent's financial offer for the Site should assume that the Site, including any and all improvements, infrastructure and equipment at the Site, will be sold "AS IS" and "WHERE IS" without any representation, warranty, or guaranty as to quantity, quality, title, character, condition, size, or kind, or that the same is in condition or fit to be used for the Designated Developer's intended purpose.

B. Required Elements of the Proposal

1. Respondent Description

Each Respondent submitting a Proposal must demonstrate sufficient financial resources and professional ability to develop the Site in a manner consistent with its Proposal.

Each Proposal should include a description of the Respondent owner and the development team, including:

- The intended form and structure of the owner and any proposed partnership or joint venture must be clearly explained. A chart/diagram of the owners showing structure (percentages) of ownership and investment must be included.
- Name, address, phone number and email of each member of the Respondent owner or development team. Respondent must provide the Federal EIN numbers of the development entity and identify a primary contact person.
- Current operating budget and previous three (3) years of audited financials for all entities with an ownership percentage greater than 25% in the Proposal.
- Documentation addressing whether the Respondent, or any participating member of the team, has been involved in any litigation or legal dispute regarding a real estate venture during the past (5) five years.
- Evidence of ability to finance the Project including letters of interest and/or intent from equity sources and lenders.

- Evidence of Designated Developer's commitment to pay, from the date of its conditional designation: (i) the security deposit; and (ii) Okeechobee County's out-of-pocket costs and expenses incurred in connection with the Project and the disposition to the expenses of consultants and legal counsel.
- Evidence of Designated Developer's commitment to pay the full purchase price for the Site (including 10% at designation and balance at closing, if a purchase transaction).
- Any additional documentation or information evidencing the strength of the Respondent and its ability to complete the Project in a timely manner.
- Disclosure of any existing or contemplated relationship with any other person or entity, including relationships with any parent, subsidiary or affiliated firm, which would constitute an actual or potential conflict of interest in connection with Respondents' Proposal or selection as the Designated Developer and completing the project. Respondents must also indicate how they will notify Okeechobee County if a conflict arises at any point after the submission of this Response, and how such a conflict would be resolved.

2. Project Description

The Project description should include a detailed narrative describing all relevant aspects of the Project and any plans/timing of phasing of the development.

The description should address:

- The proposed use(s).
- Type, bulk and size of each component of the development program (gross and net square footages).
- Description of the proposed uses, a list of potential tenants, if any, and any letters of interest and/or intent from potential tenants.
- The description should address how this project will advance the objectives set forth in Section V "Selection Criteria" below.

3. Purchase Price

A purchase price offer must be expressed in a fixed, non-contingent dollar amount to be paid at closing. Under a purchase scenario, transfer of title will be by special warranty deed at this closing.

4. Site Plan and Architectural Design

Each entity submitting a Proposal must provide following:

- A summary of the proposed property buildout for the Site.
- At a minimum, a set of concept sketches on 8.5" x 11" paper, showing the proposed Site development, by Phase with details of each phase and cost estimates for each phase build out. As stated above, an engineer certified cost estimate will be required prior to closing.
- At a minimum proposed site should include a General Project Plan
 - with the following minimum Resort Design Guidelines:

I. Lodging

- A. Minimum 125 sites with adjacent parking for at least one vehicle and either space for one boat/trailer or an acceptable boat/trailer parking on site, other than the public parking adjacent to the boat ramp.

II. Resort Core Facilities and Amenities

- A. Heated pool complex deck and/or lawn with associated recreational facilities typically seen in a resort complex such as, water slide, lazy river and/or splash pad

- B. Riverfront or lakefront restaurant building
 - 1. Minimum 8,000 square feet
 - 2. Demonstrated restaurant operator
- C. Clubhouse/Lodge
 - 1. Minimum 8,000 square feet
 - 2. Front registration desk
 - 3. Administration office space
 - 4. Sundries store
 - 5. Lobby seating
 - 6. Public restrooms
 - 7. Lounge
 - 8. Laundry facilities
- D. Convention/Conference Center
 - 1. Minimum 10,000 square feet with 5,000 square feet event lawn (which may be incorporated with pool complex lawn)
- E. Relocation plan for Band Shell if it cannot remain in its current location
- F. Sports Club to include at a minimum,
 - 1. Restroom facility, shade structures and two tennis courts and any other sports areas such as pickle ball, bocce ball, shuffle board courts, half-court basketball
 - 2. Spa/Exercise area minimum 2,000 square feet

III. Destination Retail / Minimum Buildout or Replacement of existing former restaurant

- A. 1,500 square feet retail outlet
- B. 1,500 square feet Tackle and Guide Service Store
- C. 1,500 square feet Camp Store

Marina Facilities

- A. Marina Basin
 - 1. 40 slips, 25ft minimum length
 - 2. All slips to have electric/water services
 - 3. 2 slips, reserved for Public Safety use, free of charge
- B. Fuel Station
 - 1. Minimum 5,000 gallon fuel capacity.
 - 2. Minimum 1 upland and 1 dockside dispenser
 - 3. Minimum 1,500 square foot administration area

IV. Airboat Park Facility

Although some reconfiguration and improvements to the road access, parking, and lakefront launch area are expected, these improvements should be consistent with the quality of the surrounding proposed development. Continued use and availability of the Airboat Park Facility by the public is required. The Proposal shall include a reservation of at least 2.5 acres to the facility, exclusive of access, and should accommodate the safe launching and retrieval of at least three airboats simultaneously.

V. Infrastructure

- A. Road system, water lines and wastewater lines, electrical service

VI. Landscape Plan

- A. Consistent with Okeechobee County Land Development Regulations

VII. Public Access Plan

- A. Open Space minimum 5 acres
- B. Parking for boats/trailers
- C. Band Shell, if not relocated off site.

VIII. Conditions Precedent

- A. A timeline for initiation of construction and for completion of any phases.
- B. Any conditions precedent to the Project including marketing, financing, sales or other feasibility review periods desired.
- C. Any options sought or desired
- D. In the case of a purchase Proposal, any pre-purchase occupancy sought or desired.
- E. If parcels or sites are contemplated to be sold to third parties, there shall be established restrictive covenants that will prevent owners from using the sites as a permanent residence that would enable the property to be afforded homestead tax exemption.

Any General Project Proposal with future phases beyond what is required as a minimum Resort Design shall provide the following:

IX. Future Phase Proposals A description of the reservation, construction, demolition, or renovation of existing structures to accommodate the minimum General Project Plan and any future phases.

- A. Detailed additional lodging sites, type of use/construction (i.e. cabins, RV slips cottages etc.) with cost estimate for each phase.
- B. Number of years before future development would occur.
- C. Impact additional development will have on wastewater treatment plant and detailed plans on how this will be accommodated, with an engineering cost estimate.

Future Phase Development minimum requirements:

Lodging

- A. Accommodations for additional Recreational vehicle/recreational park trailer use (RV Lots)

Campground Facilities

- A. Primitive Camping
 - 1. Minimum 20 tent sites
 - 2. 13.5 acres lakefront
 - 3. Bath house
- B. Glamping
 - 1. 10 acres riverfront
 - 2. Minimum ten (10) Glamping Tents with en-suite bathroom facilities

Marina Facilities

- A. Indoor boat storage.
 - 1. Maximum 4 stories with aesthetically attractive exterior on highway elevation
 - 2. Minimum accommodation of 48 boats
 - 3. Minimum accommodation of boats 25 feet in length
 - 4. Minimum 4 Outdoor service cradles

Interactive Environmental Science Center

Minimum 1,500 square foot facility to provide educational opportunities on environmental responsibility and the Lake Okeechobee environment.

5. Destination Marketing

Respondent must submit a destination marketing plan describing the customers you are targeting, advertising methods to be used and have a minimum of the following:

- A. General brand criteria:
 1. multi-unit lodging system
 2. "hotel.com" type of internet presence and 800# central reservation office
 3. Minimum 2 Florida properties, each with minimum 100 rooms and over 12 months operating history
 4. 3 Diamond or higher ranking by AAA
- B. Affiliated national retail merchandising platform with product, to promote destination.
- C. One or more proprietary destination marketing domain addresses to be used to market project and regional tourism infrastructure.

6. Development Timeframe

Respondent must submit a development timeline (subdivided into phases, if necessary), identifying the estimated length of time to reach key milestones, including: commencement and completion of design; financing; commencement and completion of construction; potential tenants; and operational stabilization for each component of the development program. Any contingencies that may affect this time line should be identified.

7. Mechanicals, Equipment, Infrastructure

Respondent shall provide an overview of how the principal spaces, systems and building elements would be modified or re-used or demolished. Proposal should outline all necessary development, including modifications from current "as-is" condition, and include an estimated schedule, budget and funding sources.

8. Flood Zones

Proposals should identify any flood zone and note how Respondent will meet Federal Emergency Management Agency guidelines as necessary.

9. Team Member Qualifications

Proposals should include a list of, and background information for, all key members of the development team, including:

- A. Identification and qualifications of each member of the development team, including all persons or entities that will design, develop, or operate the Project, as well as the attorney, engineer, general contractor and other professionals, as appropriate, including leasing, marketing and management, who will be involved with this Project.
- B. A description of similar projects undertaken by the members of the Respondent's Team.
- C. A summary of the availability of each of the principal members of each firm and their availability for commitment to the Project.
- D. Documentation addressing whether any participating team members have been involved in litigation or legal dispute regarding a real estate venture during the past five years.
- E. Background information of owner, including resumes describing the relevant experience of all principal members. This information must be submitted for every participant in a joint venture and should highlight similar projects (including a project description and approximate dollar value for each).
- F. List of other projects currently undertaken by the Respondent's Team and timelines for completion.

10. Project Information Supplement (“RFP Workbook”)

Respondents are required to complete an RFP Workbook in MS Excel electronic format and include the file on a CD or flash drive with the Proposal. Instructions for completing the RFP Workbook are included in the Excel file that has been posted with this RFP. In addition the electronic copy of the RFP Workbook, Respondents should submit hard copies of all RFP Workbook pages in their Proposal.

Among other items, completing the RFP Workbook requires Respondents to enter and submit information of the following subjects:

- a) *Key General Assumptions*: Public Benefits; Project Timelines; Economic Benefit; M/WBE Participation; Sustainability; and Project Contingencies.
- b) *Key Financial Assumptions*: Development and Leasing Summary; Estimated Development Cost and Rents by Use; Financing Summary; and Stabilization Information.
- c) *Development Budget*: Acquisition; Site Work; Construction; Soft Costs; Construction Finance; Permanent Finance; Reserves; Marketing; Other.
- d) *Development Timeline*: Projected Expenditures and Square Footage/Acres of Development by Phase.
- e) *Source of Funds*: Debt Attraction Calculation; and Proposed Permanent Financing.
- f) *Pro Forma*: Cash flows for the development and Project operation periods, including details of any as-of-right or discretionary real estate tax, other tax, energy or other governmental benefits assumed in the model. The cash flows should include a section outlining all assumptions on which all calculations were based, including minimum returns sought. This data should include all necessary capital investments over time and reserves and debt service payments associated with the financings. Respondents are required to complete all Pro Forma worksheets in the format provided by the RFP Workbook. If Respondents wish, however, they may also complete a supplementary, fully optional Pro Forma as identified on the tab “Pro Forma (Hardcode)” in order to highlight any discrepancies between the existing format constraints and a more precisely modeled Project.

In completing the RFP Workbook, Respondents should address the following with respect to financial information:

- A. Pro Forma cash flows in live-linked Excel format for the development and Project operation periods, including details of any as-of-right or discretionary real estate tax exemptions, other tax exemptions and energy or other governmental benefits assumed in the model. The cash flows should include a section outlining all assumptions on which all calculations were based, including minimum returns sought. This data should extend out to at least thirty (30) years of operations and include all necessary capital investments over time and reserves and debt service payments associated with the financings.
- B. Construction/renovation sources, budget, and uses of funds, including details of equity and financing sources and a break out of all soft and hard costs and development and financing fees. Indicate escalation rates to account for any increases in construction/renovation costs in the budget or contingencies.
- C. Permanent sources and uses of funds, including details of equity and financing sources and all development fees and financing fees to be paid.

V. SELECTION CRITERIA

Okeechobee County invites Respondents to submit Proposals that maximize the economic benefit to Okeechobee County, City of Okeechobee, the Heartland region and the State of Florida through reuse and redevelopment of the Site that will create new jobs and stimulate the local economy.

In evaluating received Proposals, Okeechobee County will use the following Selection Criteria to select the Designated Developer:

- *Employment Impact:* Creation of construction and permanent on-site jobs and payroll.
- *Economic Impact:* Projected expenditures, construction costs, annual operating costs and other direct spending that will help spur economic activity. Okeechobee County will also consider the impact of indirect spending that the Project will generate and any applicable tax revenue.
- *Financial Offer:* Highest price and any other provision for competitive terms.
- *Financial Feasibility:* Respondent's demonstrated financial condition to complete the Project; availability of identifiable funding sources to finance the Project; sufficient revenue to support operating revenues, scheduled payments related to capital costs, reserve fund contributors and debt service.
- *Development Team Qualifications:* Experience, development skills and financial resources necessary to complete a high-quality Project on time and within budget.
- *Schedule and Timing:* Proven ability to complete the Project in a timely manner.

Okeechobee County reserves the right to conduct interviews with or pose questions in writing to individual Respondents in order to clarify the content of their proposals and to ensure full and complete understanding of each proposal. Okeechobee County shall undertake to pursue uniformity in the questions it asks to Respondents to the extent practicable, but Okeechobee County may ask different or additional questions to different Respondents in the context of individual interviews or written questions.

Proposals may be reviewed by Okeechobee County staff and Commissioners. Okeechobee County reserves the right to publically interview Respondents and to provide a period of Public Comment on the proposals.

VI. DEVELOPER DUE DILIGENCE

"As Is, Where Is" Condition

Respondents should assume that the Site, including land, improvements and any supporting infrastructure will be sold and/or long-term leased "AS IS" and "WHERE IS" without representation, warranty, or guaranty as to quantity, quality, title, character, condition, size, or kind, or that the same is in condition or fit to be used for the Respondent's particular purpose.

Okeechobee County will post information regarding the RFP on the County website

<http://co.okeechobee.fl.us/cdocuments>; Respondents are encouraged to check back for updates. Okeechobee County makes no representation or warranty concerning the accuracy or utility of information posted or otherwise provided to the potential Respondents or to the Respondents. **Prospective Respondents should notify Okeechobee County of their interest as soon as possible in order to ensure that they receive all updates associated with this solicitation by sending an email to rchartier@co.okeechobee.fl.us.**

Respondents must rely on their own research and investigations for all matters, including costs, title, survey, development, financing, construction, remediation, renovation and demolition.

VII. SUBMISSIONS

One signed original and Nine (9) hard copies and one (1) electronic copy in PDF format (in the form of a flash drive or CD-ROM) of the Proposal identified as “Okee Tantie Campground and Marina RFP” must be received by EST by 3:00 PM on Wednesday, March 1, 2017 at the following address:

Okeechobee County Board of County Commissioners
304 NW 2nd Street, Room 123
Okeechobee, FL 34972
Attn: Robbie Chartier, County Administrator
Re: Sealed Bid “Okee Tantie Campground and Marina RFP2017-01”

All RFPs will become a public record of the County upon opening and are subject to public disclosure consistent with Chapter 119 of the Florida Statute.

RFP Inquiries

Okeechobee County will accept written questions via email from prospective Respondents regarding the RFP. Please submit questions to:

rchartier@co.okeechobee.fl.us

Written questions must include the requestor’s name, e-mail address and the Respondent represented and should be received by 11:59 PM EST on February 8, 2017. Responses to all timely and appropriate questions will be posted on the County’s website at:

<http://co.okeechobee.fl.us/cdocuments>

Site Tours

Potential Respondents may also attend a Site tour that is anticipated to be scheduled for 1:30 PM on January 25, 2017. Please email rchartier@co.okeechobee.fl.us at least two business days in advance if you plan on participating in the Site tour.

Okeechobee County reserves the right to modify this RFP schedule at its discretion. Notification of changes in connection with this RFP will be made available to all interested parties by e-mail and via Okeechobee County website at: <http://co.okeechobee.fl.us/cdocuments>.

VIII. DISPOSITION PROCESS

The following is a summary description of the disposition process. After a review of the Proposals, Okeechobee County intends to conditionally designate one of the as the Designated Developer. The County will attempt to negotiate a purchase, lease, or development agreement with the Designated Developer. All aspects of the real estate negotiation process are open for discussion, including an increase in the bid or sale price of the property. If the County is unable to successfully negotiate an agreement with the Designated Developer within the negotiation period, then the County may cease negotiations with the selected respondent and proceed to negotiations with the second ranked respondent, if any. In implementing the Project, including the disposition process, Okeechobee County intends to:

1. Give prior notice of and conduct a public workshop in order to receive comments on any proposed General Project Plans and essential contract terms
2. Review such comments, and either affirm or modify any proposed General Project Plans as a final GPP and authorize proposed transaction;
3. Present to the Project to the Okeechobee County Board of County Commissioners for its final approval of sale and/or lease agreements;
4. Deliver to the Designated Developer, at closing, a Special Warranty deed for any portion of the Site that is subject to sale;
5. Deliver to the Designated Developer, at closing, a lease agreement for any portion of the Site that is subject to a lease;

Upon designation by Okeechobee County, as noted above, the Designated Developer is expected to pay to Okeechobee a refundable security deposit in the amount equal to 10% of the purchase price.

In addition to the full purchase price for the Site less the security deposit, at closing, the Designated Developer shall provide a performance bond to Okeechobee County for phase I. The performance bond shall remain in full force and affect until the substantial completion of Phase I as determined by the Okeechobee County Community Development Department. Through discussions with the Designated Developer, Okeechobee County reserves the right to expand or further define the scope of any first phase to ensure that such phase is financially viable, is supported by existing or constructed infrastructure that is not deferred to, or located in future phases, and provides Okeechobee County and its residents the minimum economic development sought in consideration for sale or lease of Okee-Tantie.

IX. STATEMENT OF LIMITATIONS

1. This RFP, submissions from Respondents to this RFP, and any relationship between Okeechobee County and Respondents arising from or connected or related to this RFP, are subject to the specific limitations and representations expressed below, as well as the terms contained elsewhere in this RFP. By responding to this RFP, Respondents are deemed to accept and agree to this Statement of Limitations. By submitting a response to this RFP, the Respondent acknowledges and accepts Okeechobee County's rights as set forth in the RFP, including this Statement of Limitations.

2. The issuance of this RFP and the submission of a response by any firm or the acceptance of such response by Okeechobee County does not obligate Okeechobee County in any manner whatsoever. Legal obligations will only arise upon execution of a formal contract by Okeechobee County and the firm(s) selected by Okeechobee County.

Okeechobee County reserves the right: (i) to amend, modify, or withdraw this RFP; (ii) to revise any requirements of this RFP; (iii) to require supplemental statements or information from any responding party; (iv) to accept or reject any or all responses thereto; (v) to extend the deadline for submission of responses thereto; (vi) to negotiate or hold discussions with any respondent and to correct or waive deficient responses which do not completely conform to the instructions contained herein; and (vii) to cancel, in whole or part, this RFP, for any reason or for no reason. Okeechobee County may exercise the foregoing rights at any time without notice and without liability to any Respondent or any other party for its expenses incurred in the preparation of responses hereto or otherwise. Responses hereto will be prepared at the sole cost and expense of each Respondent.

3. All information submitted in response to this RFP is subject to Chapter 119 of the Florida Statutes also known as the Florida Public Records Law (FPRL), which generally mandates the disclosure of documents in the possession of Okeechobee County upon the request of any person, unless the content of the document falls under a specific exemption to disclosure. If any Respondent wishes to claim that any information submitted in its response to this RFP constitutes a Trade Secret or is otherwise exempt from disclosure under FPRL, such claim must be made at the time of the response, and must be in writing supported by relevant and material arguments.

4. This RFP shall not be construed in any manner to implement any of the actions contemplated herein, nor to serve as the basis for any claim whatsoever for reimbursement of costs for efforts expended in preparing a response to the RFP. Okeechobee County will not be responsible for any costs incurred by Respondents related to preparing and submitting a response to this RFP, attending oral presentations, or for any other associated costs.

5. To the best of Okeechobee County's knowledge, the information provided herein is accurate. Respondents should undertake appropriate investigation in preparation of response to the RFP. Okeechobee County will not be responsible for any costs incurred by Respondents related to preparing and submitting a response to this RFP, attending oral presentations, or for any other associated costs.

XI. INSURANCE REQUIREMENTS

The Designated Developer will be expected to show evidence of the following insurance Requirements (at a minimum and to the extent applicable) as listed below:

- A. Commercial General Liability insurance -\$1 million per occurrence / \$2 million aggregate.
- B. Auto Liability insurance -\$1 million per occurrence
- C. Excess Umbrella Liability insurance -\$10 million per occurrence / \$10 million aggregate minimum
- D. Professional Liability insurance- \$1 to \$3 million minimum (preferably \$5 million)
- E. Worker's Compensation & Employer's Liability insurance at State statutory limits.

Okeechobee County Board of County Commissioners, must be named as an "additional insured." On a primary and non-contributory basis on all of the following policies: Commercial General Liability, Auto Liability and Excess Umbrella Liability policies.

X. RFP Checklist

I _____, a principal of the firm _____ certify that the following information has been submitted as part of the response to this Request for Proposals.

Submitted all required information with respect to the Proposal, including but not limited to a project narrative, concept sketches, and project information supplement "RFP Workbook" that clearly outlines all assumptions (Section IV)

Submitted an electronic copy of the proposal (Section IV)

Security Deposit (Section VII)

Evidence of Insurance (Section IX)

Completed Florida Statutes Public Entity Crimes Sworn Statement and Non- Collusion Affidavit (Appendix B)

Completed a NON-COLLUSION AFFIDAVIT (Appendix B)

Note: Incomplete responses may not be considered by Okeechobee County Board of County Commissioners

Signed:

Name:

Title:

Date:

APPENDIX A

AERIAL LOCATION AND PROPERTY BOUNDARY MAP



Photo by Florida Aerial Services, Inc

070607-3624

APPENDIX B

FLORIDA STATUTES PUBLIC ENTITY CRIMES
SWORN STATEMENT AND NON- COLLUSION AFFIDAVIT

OKEECHOBEE COUNTY, FLORIDA

Sworn Statement Under §287.133(3)(a), Florida Statutes Public Entity Crimes

(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 Request for Proposal for the Acquisition and Redevelopment of Okeechobee County's Okee-Tantie Campground and Marina.

2. This sworn statement is submitted by:
(Name of entity submitting sworn statement)

its business address is:

its Federal Identification Number (FEIN) is:

(if applicable) its Social Security Number:
(if the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement)

3. My name is:
(print name of individual signing this document)

and my relationship to the entity is:

(President, General Partner, etc. as applicable)

4. I understand that a "public entity crime" as defined in §287.133(1)(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 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 of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

5. I understand that to be "convicted" or "conviction" as defined in §287.133(1)(b), Florida Statutes, means a finding of guilt and 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 (also known as a plea of "No Contest").

6. I understand that an "affiliate" as defined in §287.133(1)(a), Florida Statutes means:
(a) A predecessor or successor of a person or a corporation 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 which 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 36 months shall be considered an affiliate.

7. I understand that a "person" as defined in §287.133(1)(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.

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

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

b. 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 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 now indicate which additional statement below applies):

1. There has been a proceeding concerning the conviction before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer did not place the person or affiliate on the convicted vendor list (Please attach a copy of the final order); or,

2. The person or affiliate was placed on the convicted list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in the public interest to remove the person or affiliate from the convicted vendor list. (Please attach a copy of the final order)

3. The person or affiliate has not been placed on the convicted vendor list. (Please describe any action taken by or pending with the Florida Department of General Services and attach to this sworn statement if applicable)

Signature (of person whose Printed Name & Date first appears above)

STATE OF _____
COUNTY OF _____

Sworn to and subscribed before me on _____, 2017, by _____
who (check one) is personally known to me or has produced _____
as identification.

Notary Public
PRINT Name of Notary Public:
My commission expires:

NON-COLLUSION AFFIDAVIT

The undersigned Bidder/Proposer has not divulged discussed or compared his/her/its Bid/Proposal with any other Bidder/Proposer and has not colluded with any other Bidder/Proposer or parties to this Bid/Proposal/ Request for Proposal whatsoever.

Name of Bidder/Proposer:

Signature:

PRINT Name:

Title:

Date

STATE OF _____

COUNTY OF _____

Sworn to and subscribed before me on _____, 2017, by _____ who
(check one) is personally known to me or has produced _____
as identification.

Notary Public

PRINT Name of Notary Public:

My commission expires: