

CITY OF DAYTONA BEACH



REQUEST FOR PROPOSALS No. 19062

RIVERFRONT PARK ESPLANADE PROJECT NORTH BEACH STREET DAYTONA BEACH, FL

Downtown Community Redevelopment Area



**THE CITY OF DAYTONA BEACH
OFFICE OF THE PURCHASING AGENT**

Post Office Box 2451
Daytona Beach, Florida 32115-2451

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**INVITATION TO SUBMIT PROPOSALS
RIVERFRONT PARK ESPLANADE PROJECT**

Pursuant to § 163.380(3), Fla. Stat., notice is hereby given that The City of Daytona Beach is considering **disposition by lease of property located within the City's Downtown Redevelopment Area** and sealed redevelopment proposals will be received in the office of the Purchasing Agent, Daytona Beach City Hall, Room 146, 301 South Ridgewood Avenue, Daytona Beach, Florida 32114, until **NOVEMBER 8, 2018** at **2:00 PM**, at which time they will be publicly opened.

PROPERTY DESCRIPTION AND RESTRICTIONS: The property is located east of North Beach Street, Daytona Beach, FL on the Halifax River, between Orange Ave. and Main St. The parcel is currently subject to public use requirements as may be disclosed by a title search of the property or in public documents associated with receipt of grant funds by the City.

THE RFP MAY BE OBTAINED on-line at www.codb.us/purchasing by clicking on the link to "Public Solicitations" or as a hard copy at the office of the Purchasing Agent City Hall, 301 South Ridgewood Avenue, Room 146, Daytona Beach, FL 32114.

AWARD OF CONTRACT is subject to Division 3, Article II, Chapter 30, "Source Selection and Contract Formation", Code of the City of Daytona Beach.

THE CITY RESERVES THE RIGHT to reject any or all proposals or parts thereof, or to accept the proposal(s) or parts thereof, when considered by it to be in the best interest of the City. Any proposal received after the time and date specified will not be considered. No person submitting a proposal may withdraw the proposal for a period of sixty (60) days after the date of the proposal opening. This time period is reserved for the purpose of reviewing proposals and investigating the qualifications of the proposers.

PROPOSALS SHALL BE ADDRESSED to The City of Daytona Beach, Attn: Joanne Flick, Purchasing Agent, City Hall, 301 S. Ridgewood Avenue, Daytona Beach, Florida 32114, all proposals plainly marked on the outside of the envelope:

**PROPOSAL FOR: RIVERFRONT PARK ESPLANADE PROJECT
RFP No. 19062
THE CITY OF DAYTONA BEACH
BY: JOANNE FLICK, CPPD, CPPB
PURCHASING AGENT**

Issue Date: OCTOBER 5, 2018

**THE CITY OF DAYTONA BEACH
REQUEST FOR PROPOSALS
No. 19062**

GENERAL CONDITIONS

THIS IS NOT A BID. This is a Request for Proposals issued in accordance with the City of Daytona Beach Code Chapter 30, Division 3, "Source Selection and Contract Formation". The Request for Proposal specifies the intended use and restrictions on use for the subject property, and lists the criteria upon which the Proposal responses will be evaluated. When received, Proposals will be reviewed and ranked in order, beginning with the one deemed most advantageous to the CITY. Negotiations will commence with the selected Proposer(s). Upon completion of satisfactory negotiations, the Proposal negotiated as the best will be recommended to the City Commission. A copy of Chapter 30 may be obtained upon request.

GENERAL CONDITIONS

1. **INSTRUCTIONS TO PROPOSERS:** To insure consideration of your Proposal, please follow these instructions. One original and five (5) copies of all Proposal sheets must be executed and returned, unless otherwise directed. **Provide one pdf copy of the Proposal in its entirety on cd.** All Proposals not in compliance with the conditions specified herein are subject to rejection.
2. **PROPOSAL ENVELOPE:** All Proposals must be returned in a sealed box or envelope addressed to the City of Daytona Beach and should contain on its face the following information:
 - a. Name and address of Proposer
 - b. Proposal Number
 - c. Date and time of Proposal opening

PLEASE NOTE: The address of the Purchasing Division is:

Daytona Beach City Hall
301 South Ridgewood Avenue
Room 146
Daytona Beach, FL 32114

3. **EXECUTION OF PROPOSAL:** The Proposal must contain a manual signature of an individual or of an authorized representative of the firm making the Proposal, in the space provided on the Proposal Form, if provided as a part of the Proposal package, or on Proposer's own form, if a specific Proposal form is not provided. The Proposer's name shall be inserted on all other sheets requiring the Proposal's name. In order to insure uniformity, Proposals must be submitted on the Proposal Form, if provided, and on the attached pages.
4. **PROPOSAL OPENING - LATE PROPOSALS:** Proposals will be opened publicly, the name of the Proposers read aloud and recorded, on the date and time indicated, at the location specified in this Request for Proposals. It is the Proposers' responsibility to make certain that his/her Proposal is in the hands of the Purchasing Agent prior to the opening time at the specified location. Any Proposal received thereafter will be rejected and returned to the Proposer.
5. **WITHDRAWAL OF PROPOSALS:** Proposals may be amended or withdrawn only by written notice prior to the Proposal opening. Proposal amendments must be submitted in a sealed

envelope. Amendments or withdrawals received after the Proposal opening will not be effective, and the original Proposal submitted will be considered.

6. **CONSIDERATION OF PROPOSALS:** Telephonic, electronic, or faxed Proposals will not be considered. The Proposer agrees that his/her Proposal will not be withdrawn within sixty (60) calendar days following opening of the Proposals, and that during such time his Proposal will remain firm and irrevocable. The CITY reserves the right to reject any or all Proposals, and to waive any technical defects in Proposals.

7. **RESERVED**

8. **RESERVED**

9. **AWARD:** The award will be made by the CITY to the firm most qualified and offering the best plan for use of the property consistent with public purpose requirements, which will be determined by evaluation of Proposals using the evaluation criteria contained in the RFP, and in accordance with applicable rules and regulations governing the purchase and contract adopted and established by the City, and the State of Florida.

Any bids/proposals submitted in response to this solicitation shall be deemed to be offers to the CRA as well as the City. Any final written contract may be with the CRA instead of the City, and in such instances, any required insurance, performance and payment bonds, may be required to run in favor of the CRA in addition to or in lieu of the City.

10. **NON-COLLUSION:** By submitting a Proposal in response to the request and signing the Anti-Collusion Statement form enclosed, the Proposer represents that, should the Proposal be accepted, the resulting contract(s) would not violate any provisions of federal law or regulations, or any ordinances or regulations established by the City. The Proposer warrants as an integral and essential part of his/her Proposal: (a) that he/she has not participated in nor is he/she obligated or bound by any agreement, arrangement or other understanding with any person, firm or corporation with respect to the allocation of the business afforded by or resulting from the acceptance of his/her Proposal; (b) that his/her Proposal is or is intended to be competitive and free from any collusion with any person, firm or corporation; and (c) that he/she is not a party to nor has participated in nor is he/she obligated or otherwise bound by any agreement, arrangement or other understanding with any person, firm or corporation relating to the exchange of information concerning Proposals, prices, terms or conditions upon which the contract(s) resulting from this acceptance is to be performed.

11. **PERMITS, ETC.:** All Proposals submitted shall include in the price the cost of any business or professional licenses, permits or fees required by the City and any agency having jurisdiction over the services solicited through this Request for Proposal.

12. **PATENT INFRINGEMENT, ETC:** By submission of a Proposal the Proposer certifies that the services to be furnished will not infringe any valid patent, copyright, or trademark and the successful Proposer shall, at his/her own expense, defend any and all actions or suits charging such infringement and hold the City and the CITY harmless in case of any such infringements.

13. **TAXES:** All Proposals shall be exclusive of federal taxes. However, if the Proposer believes that certain other taxes are properly payable by the CITY, he/she may list such taxes separately in each case directly below the respective item price. Tax exemption certificates will be furnished upon request.

14. **PERFORMANCE**: During the performance of the contract, the Proposer agrees as follows:
- a. The Proposer will not discriminate against any employee or applicant for employment because of race, religion, color, sex or national origin.
 - b. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirement of this section.

15. **FLORIDA PUBLIC RECORDS LAW**: Sealed bids or Proposals received by the CITY pursuant to the Request for Proposals will be temporarily exempt from disclosure in accordance with Florida's Public Records Laws. Thereafter, all Proposals will be open for a personal inspection by any person pursuant to Public Records Law.

If the Proposer believes that the Proposal or any portion thereof is permanently exempt from disclosure under the public records laws, the Proposer must state the grounds for this position in CAPITAL LETTERS on the cover sheet accompanying the sealed Proposal. The Proposer will be contacted prior to the opening of the Proposal and a determination will be made as to whether or not it is exempt prior to opening. If a determination is made that it is not exempt from disclosure, the Proposer may in writing request the return of the sealed Proposal.

16. **EVALUATION CRITERIA**: The weighted evaluation criteria will be used to evaluate Proposals and develop a recommendation for award for subsequent City Manager approval. Each criterion will be scored between 1 and 5; 1=poor, 2=below average, 3=average, 4=above average, 5=excellent. Scores will be multiplied by the criterion weight for a weighted score; weighted scores will be totaled for the weighted total score.
17. **REJECTION OF PROPOSALS**: The CITY reserves the right to reject any or all Proposals in whole or in part and to award by items, parts of items, or by any aggregate group of items specified. The CITY also reserves the right to waive technical defects when in its judgment the best interests of the CITY thereby will be served.
18. **QUALIFYING PROPOSERS**: Prior to awarding of Proposal, the CITY may require submission by Proposer of complete financial statement and questionnaire describing Proposer's financial ability and experience in performance of similar work.
19. **RULES AND REGULATIONS**: All work performed under this agreement shall be in strict compliance with local, State and Federal laws, rules and regulations. Proposer shall assume all liability for fines and penalties assessed by the authorities for any infractions.
20. **MINORITY AND WOMEN WORK FORCE PARTICIPATION**: The City has an established policy of: 1) promoting Minority and Women-Owned Business Enterprise participation in business contracts and 2) requiring Proposers doing business with the City to use good faith efforts to promote cultural diversity and minority participation in the work force, including managerial positions. Proposers must provide information as part of the Proposal acknowledging its understanding and willingness to comply with Chapter 30, Article II, Code of The City of Daytona Beach.
21. **NO COSTS**: The CITY bears no responsibility for any costs incurred in the preparation of the Proposal.

22. **DRUG FREE WORKPLACE:** The selected firm must provide the Drug Free Workplace Form in accordance with Florida Statute 287.087, prior to Contract award.
23. **PROHIBITION OF LOBBYING.** Except for negotiations authorized by City Code Sections 30-83, or other state or federal law, lobbying by the Proposer, or the Proposer's principals, officers, employees, attorneys, or other agents, is strictly prohibited during the Blackout Period. Lobbying in violation of this section may cause the Proposal to be rejected.

"Lobbying" means influencing or attempting to influence action or non-action in connection with this RFP or the Proposal, through direct or indirect oral or written communication with the Mayor, any member of the City Commission, the Community Redevelopment Agency, the City Manager, or any other City employee. The following activities are not within the definition of "lobbying," and are permitted: requests for clarification submitted to the Purchasing Agent in accordance with this RFP, discussions with the Selection Committee as part of the selection process, the submission of additional information in response to a request by the CITY, and addressing the City Commission during the meeting at which the contract is awarded or all Proposals are rejected.

The Blackout Period begins on the date that this RFP is issued and ends when the contract is awarded or all Proposals are rejected.

24. **SELECTION PROCESS:**

For the purpose of selecting the most qualified firm, the City will use a competitive selection process as set forth in pertinent City and State procurement requirements. The procedure will involve the following steps:

- a. The City will advertise and mail formal Requests For Proposals to interested Proposers.
- b. The CITY's Selection Committee will review, rank, and shortlist all Proposals received by the established deadline for submission. Oral presentations by the short-listed Proposers to clarify their Proposals may be required. These presentations will serve to explain implementation techniques integral to their written Proposal. Subsequent to the receipt of Proposals, the CITY may schedule a time for each requested oral presentation at a place convenient to the CITY.
- c. The CITY's Selection Committee will then rank each Proposal and prepare a recommendation for approval by the City Manager. Upon receipt of the City Manager's authorization, the City's Project Manager shall negotiate a contract with the selected firm. Should the Project Manager be unable to negotiate a satisfactory contract with the firm considered to be most qualified, the City Manager, or designee, shall terminate such negotiations with that firm and begin negotiations with the next most qualified firm and so on until negotiations are successful.
- d. The City Commission has the sole authority to bind the City to the terms and conditions of a contract that has been approved in a public meeting of the CITY, executed by the Mayor and City Clerk, and approved by the City Attorney. The City reserves the right to modify or reject any contract for the acquisition of goods and/or services submitted to it for consideration.

END

INVITATION TO SUBMIT PROPOSALS

Riverfront Park Esplanade North Beach Street Downtown Redevelopment Area

INTRODUCTION

To promote the refurbishing, re-design and enhancement of an area known as Riverfront Park, Daytona Beach, Florida. Generally, the area referenced as Riverfront Park is the area south of Main Street, Daytona Beach to the northern boundary of Orange Avenue, Daytona Beach, lying easterly of Beach Street in Downtown Daytona Beach on the Halifax River. The Proposer shall, in exchange for the authorization to lease the property from the City, make substantial capital investment for design, permitting, and construction of improvements and landscaping generally intended to refurbish and enhance Riverfront Park for use by the public, and promote redevelopment in the Downtown area.

The site is located in the Downtown Redevelopment Area of The City of Daytona Beach, Florida. Downtown Daytona Beach is the central business district for the 250,000 residents of the Daytona Beach/Halifax Area. Approximately 38,275 people live within a 2-mile radius of Downtown. The Downtown employee population is approximately 3,800. Federal, State, County, and City government offices are located in the downtown area as well as corporate and regional offices for Brown & Brown Insurance, Time Warner Communications, Council on Aging, Black Crow Broadcasting and numerous law firms.

The purpose of this RFP is to serve as an invitation to all qualified and interested public or non-profit entities to submit their credentials and preliminary proposals that will ensure complete performance of the activities solicited herein.

THE SITE

The site is formerly submerged land that was created from the disposal of materials dredged for the Intracoastal Waterway. The soils are sand and shell with a thin layer of organic matter. The site has been a park since at least the 1940's. In even earlier times (north of Orange Avenue) it accommodated a casino.



SITE LIMITATIONS

Ordinary rules prescribed by the Florida Department of Environmental Protection (FDEP) and the Army Corps of Engineers (ACOE).

OBJECTIVES

The Downtown Community Redevelopment Plan's Economic Development Objectives, Policy 5.4.6 states: "Support the coordinated development, promotion, and sustained operation of existing and proposed cultural and educational uses including but not limited to: The Jackie Robinson Stadium and Museum, The Lively Arts Performance Center; and the Manatee Island Environmental Learning Center." The Plan's Public Amenity Objectives include: Policy 5.5.1 "Encourage the development of complementary uses, activities and riverfront park amenities illustrated in the Redevelopment Plan." and Policy 5.5.9 "Expand and improve access to recreational, cultural and historic amenities in Riverfront Park, Memorial Plaza, Manatee Island, City Island and Halifax Harbor through grants and redevelopment capital improvement funds."

It is the City's intent to promote redevelopment that will provide high quality uses that will support the Downtown's commercial area, strengthen the City's employment and tax base, remove blighting influences within the area, and provide cultural opportunities for its residents.

The City will consider Proposals that clearly demonstrate the ability, background, and financial strength of the Proposer to be successful in this endeavor. In order to qualify for consideration, Proposers must submit a Proposal that demonstrates, at a minimum, the experience and credentials listed below.

Proposals should include:

- Proof of status as a public or non-profit 501(c) entity, or a commitment to obtain 501(c) status as part of the lease approval process.
- A demonstrated ability to manage and maintain a property and effect the planned refurbishing, development, use and maintenance of the Park.

PROPOSAL AND SELECTION PROCESS

- A. Overview: Proposals must demonstrate the Proposer's ability to manage and maintain property.
- B. **Evaluation Criteria:** The Proposal shall be organized to generally conform to the following criteria, as these will constitute the basis of evaluation. Each criteria will be scored between 1-5, unless otherwise noted, 1=Poor, 2=Below Average, 3=Average, 4=Above Average, 5=Excellent. The score will be multiplied by the criteria weight for the weighted score; weighted scores will be totaled for the total weighted score.

1. Project Team Qualifications

a. Agency / Non-profit Entity Information

- Legal name and principal office address
- Telephone number and e-mail address
- The public agency or state of incorporation of the entity.
- List of names and addresses of the board members.
- Name of agent who is authorized to negotiate with the City of Daytona Beach

b. Experience/Qualifications

- A summary of the qualifications and experience of the entity and person or people within the organization directly responsible for the proposed project, especially with regard to prior experience with development or operation of projects similar in scale and character.

Weight = 20%

1. Operational Plan/Vision

a. Narrative and Vision Statement

- A clear statement of the Proposer's vision for the project site, including how the Esplanade will be operated and proposed uses for the site.

b. Program Operations

- Site plan or description for development of Riverfront Park.
- Present information on how the proposed project will meet the redevelopment goals and policies of the Downtown Redevelopment Area.

Weight - -10%

2. *Financial Feasibility*

a. **Submit a financial plan to operate the Riverfront Park.**

- Proposed budget detailing proposed facility projected revenue, facility operational expenses, and site maintenance costs;
- Site improvement budget detailing projected costs;
- List any proposed sources of funding for the project;
- Demonstration of proposer's financial capacity to operate the facility.

b. **Financial Ability**

- Confirmation of the funding source(s) to fund the project.

Weight = 60%

3. *Aesthetic Contribution to the Beach Street Area*

- a. Submit a narrative (graphics are optional) describing and possibly depicting how utilization of the park space will benefit the public at large and the downtown Beach Street commercial frontage.

Weight = 10%