



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

Post Office Box 2451
Daytona Beach, Florida 32115-2451

Phone (386) 671-8080
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**REQUEST FOR PROPOSALS
INVITATION**

NOTICE IS HEREBY GIVEN that sealed 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 **April 16, 2018 at 2:00 PM**, at which time they will be publicly opened for the following:

DISPOSAL OF CRA REAL ESTATE

SCOPE OF WORK

The City of Daytona Beach Community Redevelopment Agency invites proposals by persons interested in the purchase of surplus land owned by the City of Daytona Beach or its Community Redevelopment Agency located in a City of Daytona Beach Community Redevelopment Area.

The following lot is offered for sale:

Full Parcel #	Street Address
09153308010040	5th Ave. (at NW corner of Coates St.)

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

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

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 Proposer may withdraw their Proposal for a period of sixty (60) days after the date of the opening of Proposals. 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, Purchasing Agent, 301 South Ridgewood Avenue, Room 146, Daytona Beach, Florida, 32114, and all Proposals shall have the following plainly marked on the outside of the envelope:

PROPOSAL FOR: **DISPOSAL OF CRA REAL ESTATE**
PROPOSAL NO: **0218-1060**

**THE CITY OF DAYTONA BEACH
BY: JOANNE FLICK, CPPO, CPPB
PURCHASING AGENT
ISSUED: MARCH 16, 2018**

**THE CITY OF DAYTONA BEACH
REQUEST FOR PROPOSALS
No. 0218-1060**

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", and is approved by Resolution of the City Commission. The Request for Proposal specifies the product(s) or services needed, 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 value to the CITY, 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 following the Scope of Work 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.**

ANTI-COLLUSION STATEMENT

By signing this form, the Proposer agrees that this Proposal is made without any other understanding, agreement, or connection with any person, corporation, or firm submitting a Proposal for the same purpose and that the Proposal is in all respects fair and without collusion or fraud.

Sign in ink in the space provided below. Unsigned Proposals will be considered incomplete, and will be disqualified and rejected.

IT IS AGREED BY THE UNDERSIGNED PROPSEER THAT THE SIGNING AND DELIVERY OF THE PROPSAL REPRESENTS THE PROPOSER'S ACCEPTANCE OF THE TERMS AND CONDITIONS OF THE FORGOING TERMS AND CONDITIONS AND SCOPE OF SERVICES, AND IF AWARDED, THIS CONTRACT WILL REPRESENT THE AGREEMENT BETWEEN THE PARTIES.

NAME OF FIRM: _____

SIGNATURE: _____
(MUST BE SIGNED BY A COMPANY OFFICER OR AUTHORIZED AGENT)

NAME TYPED: _____ TITLE: _____

ADDRESS: _____

CITY AND STATE: _____

TELEPHONE: _____ EMAIL: _____

DRUG FREE WORKPLACE FORM

The undersigned contractor in accordance with the Florida Statute 287.087 hereby certifies that _____ does:

1. Publish a statement notifying 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 violation of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, any Available drug counseling, rehabilitation, employee assistance programs and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in Paragraph 1.
4. In the statement specified in Paragraph 1, notify the employees that, as a condition of working on the commodities or contractual services that 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 1893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is convicted.
6. Make a good faith effort to continue to maintain a drug free workplace through implementation of Paragraph 1, through Paragraph 5.

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

Date: _____

Signature & Title

SCOPE OF SERVICES DISPOSAL OF CRA REAL ESTATE

The City of Daytona Beach Community Redevelopment Agency (CRA) invites proposals by persons interested in the purchase of surplus land owned by the City of Daytona Beach (City) or the CRA located in a City of Daytona Beach Community Redevelopment Area.

The CRA is authorized to transfer ownership for the purpose of redevelopment in accordance with the Redevelopment Plan. ~~In entering into a contract for sale, the CRA will take into account and give consideration to the objectives of the Redevelopment Plan, and any restrictions, covenants, conditions, and obligations proposed by the purchaser in furtherance of the Redevelopment Plan as consideration for the purchase. Redevelopment Plans are available on the City's web site at www.codb.us.~~

The CRA shall consider all proposals submitted, which may include plans and specifications, financial and legal ability, time schedule, and purchase terms and conditions. Upon evaluation, scoring, and ranking each proposal, the CRA may negotiate with any or all Proposers for the parcel and may accept such proposal as the CRA deems to be in the public interest ~~and in furtherance of the purposes of the Redevelopment Plan. The CRA may reserve such powers and controls through disposition and development documents with Proposers as may be necessary to prevent transfer, retention, or use of property for purposes which are inconsistent with the objectives of the Redevelopment Plan and to ensure that development begins within a period of time which the CRA determines to be reasonable.~~

The City of Daytona Beach Community Redevelopment Agency has declared the property listed below to be surplus property to be disposed of as follows: ~~9 lots are not buildable; 34 lots are suitable for single family residential development; 4 lots are not buildable, but can be combined together so that they are suitable for single family residential development; and 3 lots are suitable for commercial or mixed use development.~~

~~All properties proposed to be purchased shall be used and developed in accordance with the respective Redevelopment Plan.~~

Prior to the sale of any parcel of land the City will file, at its cost, a Release of Lien in the public records as to any City lien of record.

~~Details on each lot offered is available at <http://purchasing.codb.us>. Click the Public Solicitation link, then the + sign next to the RFP title, and download the document titled, "RFP 0218-1060 CRA Surplus Lots - 2017 Fact Sheets".~~

EVALUATION CRITERIA

The following criteria will be considered when evaluating ~~selecting~~ proposals.

GROUP A – Nine lots that are not buildable.

Proposals will be evaluated based on the following criteria:

1. (60%) Proposer owns property adjacent to the City-owned property.
2. (30%) Amount proposer offers to purchase the real estate.
3. (10%) Proposer's intended use or development.

The City of Daytona Beach Community Redevelopment Agency
PROPOSAL TO PURCHASE CRA REAL ESTATE
Response Form Cover Sheet for Proposals
Page 1 of 2

Please completely fill out this form and include with your proposal to purchase real estate. One form needs to be completed for **each** property proposer intends make an offer to The City of Daytona Beach Community Redevelopment Agency (CRA).

CRA Property Description

Full Parcel Number (14-digit) 09153308010040

Street Address / Street Name 5th Ave. (at NW corner S. Coates St.)

Proposer owns property adjacent to City-owned Property Yes No

Purchaser Description

Name: _____

Address: _____

Phone #: _____

Email: _____

Purchaser Proposal Summary

Amount offered for parcel: \$ _____

Proposed use of property: _____

Summary of Purchaser's plans/investments to redevelop property:

(attach additional sheets as needed)

The City of Daytona Beach Community Redevelopment Agency
PROPOSAL TO PURCHASE CRA REAL ESTATE
Response Form Cover Sheet for Proposals
Page 2 of 2

Proposed date to build principal structure (if any): _____

Estimate of tax revenues and jobs created (Group D only, attach additional sheets as needed)

Please sign below and include this completed form with all documents that address the CRA's selection criteria for the disposal of real estate.

Proposer's Signature

Date