

REQUEST FOR PROPOSALS

for

Market Feasibility Study for the Redevelopment of the County's  
Gadsden Street Parking Lot

Proposal Number BC-05-26-10-31

BOARD OF COUNTY COMMISSIONERS

LEON COUNTY, FLORIDA

Release Date: April 28, 2010

RFP Title: Request for Proposals for Market Feasibility Study for the Redevelopment of the  
County's Gadsden Street Parking Lot  
Proposal Number: BC-05-26-10-31  
Opening Date: Wednesday, May 26, 2010 at 2:00 PM

## I. INTRODUCTION

Leon County requests proposals from qualified firms or individuals to prepare a Market Feasibility Study for the Redevelopment of the County's Gadsden Street Parking Lot. The County purchased the 1.015 acre Gadsden Street parking lot (see location map) in February 2003 for \$1.5 million. The original intent was to provide parking (both current and long term) for the County operations associated with the Courthouse and Bank of America Building (Courthouse Annex) and to provide a site for the expansion of parking and/or office facilities for County operations when needed.

Since this time, the County has been approached by the adjacent land owner (Riley House) to consider the development potential of the site to include an expansion of the Riley House. The County, through this study, intends to develop various land use scenarios for the development of the site; the intent of which is to develop project(s) that will garner private sector interest and participation to make the project financially viable.

## II. GENERAL INSTRUCTIONS:

- A. Response Address: The response to the proposal should be submitted in a sealed envelope/package addressed in the following manner:

*Proposal Number: BC-05-26-10-31  
Purchasing Division  
2284 Miccosukee Road  
Tallahassee, FL 32308*

- B. Proposal Copies: **An ORIGINAL and five (5) copies** of the Response must be furnished on or before the deadline. Responses will be retained as property of the County. **The ORIGINAL of your reply must be clearly marked "Original" on its face and must contain an original, manual signature of an authorized representative of the responding firm or individual**, all other copies may be photocopies.
- C. Information: Any questions concerning the request for proposal process, required submittals, evaluation criteria, proposal schedule, and selection process should be directed to Wendi Sellers, Keith Roberts or Don Tobin at (850) 606-1600; FAX (850) 606-1601; or e-mail at [sellersw@leoncountyfl.gov](mailto:sellersw@leoncountyfl.gov), [robertsk@leoncountyfl.gov](mailto:robertsk@leoncountyfl.gov) or [tobind@leoncountyfl.gov](mailto:tobind@leoncountyfl.gov). Written inquiries are preferred.

Each Vendor shall examine the request for proposal documents carefully; and, no later than seven days prior to the date for receipt of proposals, he shall make a written request to the County for interpretations or corrections of any ambiguity, inconsistency or error which he may discover. All interpretations or corrections will be issued as addenda. The County will not be responsible for oral clarifications. No negotiations, decisions or actions shall be initiated or executed by the proposer as a result of any discussions with any County employee prior to the opening of proposals. Only those communications which are in writing from the County may be considered as a duly authorized expression on the behalf of the Board.

Also, only communications from firms which are in writing and signed will be recognized by the Board as duly authorized expressions on behalf of proposers.

- D. Prohibited Communications: Any Form of communication, except for written correspondence, shall be prohibited regarding a particular request for proposal, request for qualification, bid, or any other competitive solicitation between:
1. Any person or person's representative seeking an award from such competitive solicitation; and

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2. Any County Commissioner or Commissioner's staff, or any county employee authorized to act on behalf of the Commission to award a particular contract.

For the purpose of this section, a person's representative shall include, but not be limited to, the person's employee, partner, officer, director, consultant, lobbyist, or any actual or potential subcontractor or consultant of the person.

The prohibited communication shall be in effect as of the deadline to submit the proposal, bid, or other response to a competitive solicitation.

The provisions of this section shall not apply to oral communications at any public proceeding, including pre-bid conferences, oral presentations before selection committees, contract negotiations during any public meetings, presentations made to the Board, and protest hearings. Further, the provisions of this section shall not apply to contract negotiations between any employee and the intended awardee, any dispute resolution process following the filing of a protest between the person filing the protest and any employee, or any written correspondence with any employee, County Commissioner, or decision-making board member or selection committee member, unless specifically prohibited by the applicable competitive solicitation process.

The provisions of this section shall terminate at the time the Board, or a County department authorized to act on behalf of the Board, awards or approves a contract, rejects all bids or responses, or otherwise takes action which ends the solicitation process.

The penalties for an intentional violation of this article shall be those specified in §125.69(1), Florida Statutes, as amended, and shall be deemed supplemental to the penalties set forth in Section 1-9 of the Code of Laws, Leon County, Florida.

- E. Special Accommodation: Any person requiring a special accommodation at a Pre-Bid Conference or Bid/RFP opening because of a disability should call the Division of Purchasing at (850) 606-1600 at least five (5) workdays prior to the Pre-Bid Conference or Bid/RFP opening. If you are hearing or speech impaired, please contact the Purchasing Division by calling the County Administrator's Office using the Florida Relay Service which can be reached at 1(800) 955-8771 (TDD).
- F. Offeror Registration: Offerors who obtain solicitation documents from sources other than the Leon County Purchasing Division or DemandStar.com MUST officially register with the County Purchasing Division in order to be placed on the planholders list for the solicitation. This list is used for communications from the County to prospective Offerors. Also, Offerors should be aware that solicitation documents obtained from sources other than those listed above may be drafts, incomplete, or in some other fashion different from the official solicitation document(s). Failure to register as a prospective Offeror through the Purchasing Division or online through DemandStar.com may cause your submittal to be rejected as non-responsive.  
  
As a convenience to vendors, Leon County has made available via the internet lists of all registered planholders for each bid or request for proposals. The information is available online at <http://www.leoncountyfl.gov/Purchasing/Bid.asp> by simply clicking the planholder link to the right of the respective solicitation. A listing of the registered vendors with their telephone and fax numbers is designed to assist vendors in preparation of their responses.
- G. Proposal Deadline: Your response to this RFP must arrive at the above listed address no later than Wednesday, May 26, 2010 at 2:00 PM to be considered.

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- H. Responses to the RFP received prior to the time of opening will be secured unopened. The Purchasing Agent, whose duty it is to open the responses, will decide when the specified time has arrived and no proposals received thereafter will be considered.
- I. The Purchasing Agent will not be responsible for the premature opening of a proposal not properly addressed and identified by Proposal number on the outside of the envelope/package.
- J. It is the Proposers responsibility to assure that the proposal is delivered at the proper time and location. Responses received after the scheduled receipt time will be marked "TOO LATE" and may be returned unopened to the vendor.
- K. The County is not liable for any costs incurred by Respondents prior to the issuance of an executed contract.
- L. Firms responding to this RFP must be available for interviews by County staff and/or the Board of County Commissioners.
- M. The contents of the proposal of the successful firm will become part of the contractual obligations.
- N. Proposal must be typed or printed in ink. All corrections made by the Proposer prior to the opening must be initialed and dated by the Proposer. No changes or corrections will be allowed after proposals are opened.
- O. If you are not submitting a proposal, please return the form attached at the end of the RFP, marked 'No Proposal'.
- P. The County reserves the right to reject any and/or all proposals, in whole or in part, when such rejection is in the best interest of the County. Further, the County reserves the right to withdraw this solicitation at any time prior to final award of contract.
- Q. Cancellation: The contract may be terminated by the County without cause by giving a minimum of thirty (30) days written notice of intent to terminate. Contract prices must be maintained until the end of the thirty (30) day period. The County may terminate this agreement at any time as a result of the contractor's failure to perform in accordance with these specifications and applicable contract. The County may retain/withhold payment for nonperformance if deemed appropriate to do so by the County.
- R. Public Entity Crimes Statement: 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 with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, 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, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list. By submission of a proposal in response to this document, the vendor certifies compliance with the above requirements as stated in Section 287.133, Florida Statutes.
- S. Certification Regarding Debarment, Suspension, and Other Responsibility Matters: The prospective primary participant must certify to the best of its knowledge and belief, that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or

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agency and meet all other such responsibility matters as contained on the attached certification form.

- T. Licenses and Registrations: The contractor shall be responsible for obtaining and maintaining throughout the contract period his or her city or county occupational license and any licenses required pursuant to the laws of Leon County, the City of Tallahassee, or the State of Florida.

If the contractor is operating under a fictitious name as defined in Section 865.09, Florida Statutes, proof of current registration with the Florida Secretary of State **shall be submitted** with the bid. A business formed by an attorney actively licensed to practice law in this state, by a person actively licensed by the Department of Business and Professional Regulation or the Department of Health for the purpose of practicing his or her licensed profession, or by any corporation, partnership, or other commercial entity that is actively organized or registered with the Department of State **shall submit** a copy of the current licensing from the appropriate agency and/or proof of current active status with the Division of Corporations of the State of Florida or such other state as applicable.

Failure to provide the above required documentation may result in the proposal being determined as non-responsive.

- U. Audits, Records, And Records Retention

The Contractor shall agree:

1. To establish and maintain books, records, and documents (including electronic storage media) in accordance with generally accepted accounting procedures and practices, which sufficiently and properly reflect all revenues and expenditures of funds provided by the County under this contract.
2. To retain all client records, financial records, supporting documents, statistical records, and any other documents (including electronic storage media) pertinent to this contract for a period of five (5) years after termination of the contract, or if an audit has been initiated and audit findings have not been resolved at the end of five (5) years, the records shall be retained until resolution of the audit findings or any litigation which may be based on the terms of this contract.
3. Upon completion or termination of the contract and at the request of the County, the Contractor will cooperate with the County to facilitate the duplication and transfer of any said records or documents during the required retention period as specified in paragraph 1 above.
4. To assure that these records shall be subject at all reasonable times to inspection, review, or audit by Federal, state, or other personnel duly authorized by the County.
5. Persons duly authorized by the County and Federal auditors, pursuant to 45 CFR, Part 92.36(l)(10), shall have full access to and the right to examine any of provider's contract and related records and documents, regardless of the form in which kept, at all reasonable times for as long as records are retained.
6. To include these aforementioned audit and record keeping requirements in all approved subcontracts and assignments.

- V. Monitoring

To permit persons duly authorized by the County to inspect any records, papers, documents,

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facilities, goods, and services of the provider which are relevant to this contract, and interview any clients and employees of the provider to assure the County of satisfactory performance of the terms and conditions of this contract.

Following such evaluation, the County will deliver to the provider a written report of its findings and will include written recommendations with regard to the provider's performance of the terms and conditions of this contract. The provider will correct all noted deficiencies identified by the County within the specified period of time set forth in the recommendations. The provider's failure to correct noted deficiencies may, at the sole and exclusive discretion of the County, result in any one or any combination of the following: (1) the provider being deemed in breach or default of this contract; (2) the withholding of payments to the provider by the County; and (3) the termination of this contract for cause.

W. Local Preference in Purchasing and Contracting

1. Preference in requests for proposals. In purchasing of, or letting of contracts for procurement of, personal property, materials, contractual services, and construction of improvements to real property or existing structures for which a request for proposals is developed with evaluation criteria, a local preference of the total score may be assigned for a local preference, as follows:
  - a) Individuals or firms which have a home office located within Leon, Gadsden, Wakulla, or Jefferson County, and which meet all of the criteria for a local business as set forth in this article, shall be given a preference in the amount of five percent.
  - b) Individuals or firms which do not have a home office located within Leon, Gadsden, Wakulla, or Jefferson County, and which meet all of the criteria for a local business as set forth in this article, shall be given a preference in the amount of three percent.
2. Local business definition. For purposes of this section, "local business" shall mean a business which:
  - a) Has had a fixed office or distribution point located in and having a street address within Leon, Gadsden, Wakulla, or Jefferson County for at least six (6) months immediately prior to the issuance of the request for competitive bids or request for proposals by the County; and
  - b) Holds any business license required by Leon County, and, if applicable, the City of Tallahassee; and
  - c) Is the principal offeror who is a single offeror; a business which is the prime contractor and not a subcontractor; or a partner or joint venturer submitting an offer in conjunction with other businesses.
3. Certification. Any vendor claiming to be a local business as defined, shall so certify in writing to the Purchasing Division. The certification shall provide all necessary information to meet the requirements of above. The Local Vendor Certification Form is enclosed. The purchasing agent shall not be required to verify the accuracy of any such certifications, and shall have the sole discretion to determine if a vendor meets the definition of a "local business."

X. Planholders

As a convenience to vendors, Leon County has made available via the internet lists of all registered planholders for each bid or request for proposals. The information is available on-

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line at <http://www.leoncountyfl.gov/Purchasing/Bid.asp> by simply clicking the planholder link to the right of the respective solicitation. A listing of the registered vendors with their telephone and fax numbers is designed to assist vendors in preparation of their responses.

Y. Addenda To Specifications

If any addenda are issued after the initial specifications are released, the County will post the addenda on the Leon County website at <http://www.co.leon.fl.us/purchasing/>. For those projects with separate plans, blueprints, or other materials that cannot be accessed through the internet, the Purchasing Division will make a good faith effort to ensure that all registered bidders (those vendors who have been registered as receiving a bid package) receive the documents. It is the responsibility of the vendor prior to submission of any proposal to check the above website or contact the Leon County Purchasing Division at (850) 606-1600 to verify any addenda issued. The receipt of all addenda must be acknowledged on the response sheet.

Z. Unauthorized Alien(s)

The Contractor agrees that unauthorized aliens shall not be employed nor utilized in the performance of the requirements of this solicitation. The County shall consider the employment or utilization of unauthorized aliens a violation of Section 274A(e) of the Immigration and Naturalization Act (8 U.S.C. 1324a). Such violation shall be cause for unilateral termination of this Agreement by the County. As part of the response to this solicitation, please complete and submit the attached form "AFFIDAVIT CERTIFICATION IMMIGRATION LAWS."

III. SCOPE OF SERVICES:

A. Project Overview

Leon County is seeking a consultant to prepare a Market Feasibility Study for the Redevelopment of the County's Gadsden Street Parking Lot. The County purchased the 1.015 acre Gadsden Street parking lot (see location map) in February 2003 for \$1.5 million. The original intent was to provide parking (both current and long term) for the County operations associated with the Courthouse and Bank of America Building (Courthouse Annex) and to provide a site for the expansion of parking and/or office facilities for County operations when needed.

Since this time, the County has been approached by the adjacent land owner (Riley House) to consider the development potential of the site to include an expansion of the Riley House. The County, through this study, intends to develop various land use scenarios for the development of the site; the intent of which is to develop project(s) that will garner private sector interest and participation to make the project financially viable.

B. Considerations

As part of the Market Feasibility Study, the consultant will need to address the following:

1. What is the Riley House's need/vision for the expansion of their facility, and what is the proposed time frame and prospective funding sources for such expansion.
2. How much of the County's Gadsden Street parking lot site would need to be dedicated towards the Riley House versus other types of development (i.e. office, commercial, parking, etc.).
3. How to address the County's current and future parking/office needs within the site.
4. How the development will be financed.

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C. Tasks and Deliverables

Task 1. Market Study

The consultant will evaluate the site relative to the Tallahassee urban area to establish the market potential for the site. In this evaluation, the consultant will consider not only historic trends, but also proposed development and infrastructure improvements surrounding the site and other relevant factors. At a minimum the consultant shall provide an analysis of existing market characteristics including supply and demand characteristics, demographic data, existing legal conditions (zoning, concurrency, existing plans, etc.) and financial variables. The outcome of this analysis should be the potential market demand for the various uses that might be located at the site, and the timing of this demand.

Deliverables:

A written report, or portion of an overall report, summarizing what market variables and data were used in the establishment of the market potential for the site. This report shall include an analysis of the relevance/significance of the selected market variables and data used to establish the market potential for the site including some treatment of risk potential.

Task 2. Public Participation Plan

Development of the land use scenarios will require public participation to identify the desire of surrounding stakeholders relative to potential uses, as well as their concerns with respect to compatibility. Public participation will include meetings with representatives of the Riley House, Blueprint 2000, County Constitutional Officers and other downtown business owners.

Deliverables:

A written plan, or portion of the overall report, providing for the anticipated facilitation of public input throughout the process. This plan will provide a summarization of issues identified as a result of the public involvement process.

Task 3. Land Use Scenarios

Based on the information gathered in Task 1, and a review of surrounding land uses, the consultant will propose at least three possible land use mix scenarios for the subject site. All three scenarios must include some consideration of an expansion of the existing Riley House. These scenarios should consider alternative objectives, such as return on property, providing uses compatible and complementary to surrounding areas, and creating a destination location with secondary economic benefits to adjacent areas. This evaluation should also consider the constraints and advantages of the subject site, including issues such as concurrency, access, environmental constraints, etc. As part of this task, the consultant will also estimate the likely timing and build-out yield of each scenario.

Deliverables:

A written report, or portion of the overall report, providing a minimum of three redevelopment scenarios of the Gadsden Street Parking Lot including an estimated development-timing schedule and likely yield at build out.

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**Task 4. Conceptual Design**

Based on the Land Use Scenarios developed above, the consultant shall develop concept designs for each that show how these Land Use Scenarios might play out in actual built facilities. Show the amenities they would provide, including design features and floor areas. Illustrate clearly how they would relate to current and planned facilities in the area, such as the Courthouse, Bank of America Property, Cascade Park and the Riley House. Provide high level estimates of the probable development costs.

**Deliverables:**

Written descriptions, plans and elevation drawings as necessary to convey an accurate understanding of the concepts to participants.

**Task 5. Financing Considerations**

For each of the three scenarios the consultant will develop proposed financing plans. These plans will take into consideration the projected cash flows for the project, including but not limited to, design, permitting and construction costs, financing costs, and on-going operating/maintenance. The scenarios will address how the project can be financially self-supporting.

**Deliverables:**

Included in the final report, for each of the three scenarios developed above, the consultant will provide 30 year pro-formas showing anticipated revenues and expenses. Revenues and expenses will be provided at a level that addresses different types of expenses (i.e., interest, maintenance, capital) and revenues (i.e., parking, rents, etc.)

**Task 6. Conduct a workshop with the Board of County Commissioners concerning the results of the study.**

**Deliverable:**

A verbal presentation that provides the results of the market feasibility study of the Gadsden Street Parking lot site.

**D. Timeline**

Upon award, the consultant will have 180 days to complete the study; this does not include Deliverable 6, conducting the workshop with the Board.

**E. Additional Information**

The Consultant may include additional suggestions that the County may wish to consider as part of their proposal. These additional suggestions should be priced separately in the cost proposal.

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IV. REQUIRED SUBMITTALS:

Proposals may be submitted in three ring binders or bound by binder clips **only**. No manner of plastic, comb or wire bindings or staples are acceptable. **Provide a separate tab for each section listed below.**

A. FIRM EXPERIENCE

1. Firm name or Joint Venture, business address and office location, telephone number.
2. If a joint venture, list participating firms and outline specific areas of responsibility (including administrative, technical, and financial) of each firm.
3. Address of the office that is to perform the work.
4. Federal Identification Tax Number or Social Security Number.
5. The age of the firm, brief history, and average number of employees over the past five years.
6. Present size of firm, nature of services offered, and breakdown of staff by discipline.
7. Provide the total number of professionals in your organization and the estimated number of professionals and working hours of these professionals, to be assigned to this project at peak.
8. Names and descriptions of major projects for which the firm is presently under contract.
9. If a joint venture, has this joint venture previously worked together? If yes, what projects? A copy of the joint venture agreement should be provided, if available at this time. If the joint venture agreement is not available at this time, then the selection of the firm will be subject to the County receiving and approving the joint venture agreement, prior to negotiating the contract.
10. If the respondent is not a joint venture, list outside consultants anticipated to be used on this project. When listing consultants, give the respective specialty of the firm.
11. List the projects which best illustrate the experience of the firm and current staff which is being assigned to this project. (List no more than 10 projects, nor projects which were completed more than five (5) years ago.)
  - 1) Name and location of the project
  - 2) The nature of the firm's responsibility on this project
  - 3) Project Owner's representative name, address and phone number
  - 4) Project user agency's representative name, address and phone number
  - 5) Date project was completed or is anticipated to be completed
  - 6) Fee for this project
  - 7) Project manager and other key professionals involved and specify the role of each

B. PROJECT TEAM

1. Give brief resume of key persons to be assigned to the project including but, not limited to:

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- a) Name & title
- b) Job assignment for other projects
- c) Percentage of time to be assigned full time
- d) How many years with this firm
- e) How many years with other firms
- f) Experience
  - 1) Types of projects
  - 2) Size of projects (dollar value and SF of project)
  - 3) What was the specific project involvement?
- g) Education
- h) Active registration
- i) *Other experience and qualifications that are relevant to this project*
- j) Note which projects were fast tracked

**C. REFERENCES**

Include at least three references using the attached Reference Form. Each reference shall include a brief description of the project, the members of the project team that worked on the project and the contact name and phone number.

**D. COST PROPOSAL**

Specify the cost to complete each task outlined in the Scope of Services. The prices must include all things necessary to complete the project as described in this solicitation.

If additional suggestions are included in the proposal, specify the cost to complete each additional suggestion.

**E. APPROACH**

1. Describe how you would approach this project, and outline the specific services to be provided.
2. Describe clearly and concisely the tasks and activities that you will perform. Include a time/task schedule. Develop a chart showing the overall sequence of events and time frame for this project.
3. Show the organization chart as it relates to the project indicating key personnel and their relationship. It should be understood that it is the intent of Leon County to insist that those indicated as the project team in the RFP response actually execute the project.

Develop a chart of individual staff members to be assigned responsibilities and number of days to be provided for each staff member.

If a joint venture, indicate how the work will be distributed between the joint venture partners.

4. Describe how the organizational structure will ensure orderly communications, distribution of information, effective coordination of activities, and accountability.
5. Describe how the team will implement project control systems for time, budget, and quality for this project.

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F. FORMS

Complete and submit the following included forms: Proposal Response Cover Sheet;; Insurance Certification Form; Equal Opportunity/Affirmative Action Statement; Certification Regarding Debarment, Suspension, And Other Responsibility Matters, Primary Covered Transactions; Affidavit Certification Immigration Laws; Local Vendor Certification (if applicable), Reference Forms

V. SELECTION PROCESS

- A. The County Administrator shall appoint an Evaluation Committee composed of three to five members who will review all proposals received on time, and select one or more firms for interview based on the responses of each proposer. All meetings of Evaluation Committees subsequent to the opening of the solicitation shall be public meetings. Notice of all meetings shall be posted in the Purchasing Division Offices no less than 72 hours (excluding weekends and holidays) and all respondents to the solicitation shall be notified by facsimile or telephone.
- B. The Evaluation Committee will recommend to the Board of County Commissioners (BCC), in order of preference (ranking), up to three (3) firms deemed to be most highly qualified to perform the requested services.
- C. The BCC will negotiate with the most qualified firm (first ranked firm) for the proposed services at compensation which the BCC determines is fair, competitive, and reasonable for said services.
- D. Should the BCC be unable to negotiate a satisfactory contract with the firm considered to be fair, competitive and reasonable, negotiations with that firm shall be formally terminated. The County shall then undertake negotiations with the second most qualified firm. Failing accord with the second most qualified firm the Board shall terminate negotiations. The BCC representative shall then undertake negotiations with the third most qualified firm.
- E. Should the County be unable to negotiate a satisfactory contract with any of the selected firms, the Board representative shall select additional firms to continue negotiations.
- F. Evaluation Criteria: Proposals will be evaluated and ranked on the basis of the following considerations:

<u>Selection Criteria:</u>	<u>Points</u>
1. Firm Experience: The overall level of experience of the firm as it relates to similar types of projects.	20
2. Project Team: Experience of the individual team members assigned to the project. Specific work efforts of a similar nature should be included.	20
3. References: Please include at least 3 references; include a brief description of the project, the members of the project team that worked on the project and contact with phone number for the project.	20
4. Cost: The total cost of the project. Any additional suggestions provided outside of the required scope should include a separate cost proposal.	25

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- 5. Approach: Demonstration of a well-developed plan, with elements necessary for successful product delivery. 10
- 6. Local Preference: 5

**VI. INDEMNIFICATION**

The Contractor agrees to indemnify, defend and hold harmless the County, its officials, officers, employees and agents, from and against any and all claims, damages, liabilities, losses, costs, or suits of any nature whatsoever arising out of, because of, or due to any acts or omissions of the Contractor, its delegates, employees and agents, arising out of or under this Agreement, including reasonable attorney's fees. The County may, at its sole option, defend itself or require the Contractor to provide the defense. The Contractor acknowledges that ten dollars (\$10.00) of the amount paid to the Contractor is sufficient consideration for the Contractor's indemnification of the County.

**VII. MINORITY/WOMEN BUSINESS ENTERPRISE AND EQUAL OPPORTUNITY POLICIES**

**A. Minority/Women Business Enterprise Requirements:**

There is not a Minority and Women Business Enterprise aspirational target prescribed for this RFP.

The purpose of the Minority and Women-Owned Business Enterprise (MWBE) Program is to effectively communicate Leon County procurement and contracting opportunities, through enhanced business relationships, to end disparity and to increase participation opportunities for certified minority and women-owned business enterprises in a competitive environment. This program shall:

- 1. Eliminate any policies and/or procedural barriers that inhibit MBE and WBE participation in our procurement process.
- 2. Establish targets designed to increase MBE and WBE utilization proportionate to document under utilization.
- 3. Provide increased levels of information and assistance available to MBE's and WBE's businesses.
- 4. Implement mechanisms and procedures for monitoring MBE and WBE compliance by prime contractors.

Each Respondent is strongly encouraged to secure MBE and WBE participation through the purchase of those goods or services when opportunities are available. For additional information regarding Leon County's Minority, Women and Small Business Enterprise Policy, or to obtain a listing of certified MWBE's, please contact Iranetta Burnett, MWSBE Director, at 2284 Miccosukee Road, Tallahassee, FL 32308, by telephone at (850) 606-1650; fax (850) 606-1651 or by e-mail: [burnetti@leoncountyfl.gov](mailto:burnetti@leoncountyfl.gov)

**B. Equal Opportunity/Affirmative Action Requirements**

The contractors and all subcontractors shall agree to a commitment to the principles and practices of equal opportunity in employment and to comply with the letter and spirit of federal, state, and local laws and regulations prohibiting discrimination based on race, color, religion, national region, sex, age, handicap, marital status, and political affiliation or belief.

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For federally funded projects, in addition to the above, the contractor shall agree to comply with Executive Order 11246, as amended, and to comply with specific affirmative action obligations contained therein.

In addition to completing the Equal Opportunity Statement, the Respondent shall include a copy of any affirmative action or equal opportunity policies in effect at the time of submission.

#### VIII. INSURANCE

Respondent's attention is directed to the insurance requirements below. Respondents should confer with their respective insurance carriers or brokers to determine in advance of bid submission the availability of insurance certificates and endorsements as prescribed and provided herein. If an apparent low bidder fails to comply strictly with the insurance requirements, that bidder may be disqualified from award of the contract.

Respondent procure and maintain for the duration of the contract, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Respondent, his agents, representatives, employees, or subcontractors. The cost of such insurance shall be included in the Respondent's pricing.

##### 1. Minimum Limits of Insurance

Contractor shall maintain limits no less than:

- a. General Liability: \$1,000,000 Combined Single Limit for bodily injury and property damage per occurrence with a \$2,000,000 annual aggregate. Completed operations coverage will be provided for a period of three (3) years beyond termination and/or completion of the project. Coverage must include bodily injury and property damage, including Premise/Operations: a per location aggregate, Broad Form Contractual liability; Broad Form Property Damage; Fire Legal liability; Independent Contractors coverage; Cross Liability & Severability of Interest Clauses; and Personal Injury (deleting employee and contractual exclusions), and coverage for explosion, collapse, and underground (X,C,U).
- b. Automobile Liability: One Million and 00/100 (\$1,000,000.00) Dollars combined single limit per accident for bodily injury and property damage. (**Non-owned, Hired Car**).
- c. Workers' Compensation Employers Liability: Insurance covering all employees meeting Statutory Requirements in compliance with the applicable state and federal laws and Employer's Liability with a limit of \$500,000 per accident, \$500,000 disease policy limit, \$500,000 disease each employee. **Waiver of Subrogation in lieu of Additional Insured is required.**

##### 2. Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the County. At the option of the County, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the County, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration, and defense expenses.

##### 3. Other Insurance Provisions

The policies are to contain, or be endorsed to contain, the following provisions:

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- a. General Liability and Automobile Liability Coverages (*County is to be named as Additional Insured*).
1. The County, its officers, officials, employees and volunteers are to be covered as additional insureds as respects; liability arising out of activities performed by or on behalf of the Contractor, including the insured's general supervision of the Contractor; products and completed operations of the Contractor; premises owned, occupied or used by the Contractor; or automobiles owned, leased, hired or borrowed by the Contractor. The coverage shall contain no special limitations on the scope of protections afforded the County, its officers, officials, employees or volunteers.
  2. The Contractor's insurance coverage shall be primary insurance as respects the County, its officers, officials, employees and volunteers. Any insurance of self-insurance maintained by the County, its officers, officials, employees or volunteers shall be excess of the Contractor's insurance and shall not contribute with it. Contractor hereby waives subrogation rights for loss or damage against the county.
  3. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the county, its officers, officials, employees or volunteers.
  4. The Contractor's insurance shall apply separately to each insured against whom claims is made or suit is brought, except with respect to the limits of the insurer's liability.
  5. Companies issuing the insurance policy, or policies, shall have no recourse against the County for payment of premiums or assessments for any deductibles with are all at the sole responsibility and risk of Contractor.

b. All Coverages

Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the County.

4. Acceptability of Insurers

Insurance is to be placed with insurers with a Best's rating of no less than A:VII.

5. Verification of Coverage

Contractor shall furnish the County with certificates of insurance and with original endorsements effecting coverage required by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements are to be received and approved by the County before work commences. The County reserves the right to require complete, certified copies of all required insurance policies at any time.

6. Subcontractors

Contractors shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

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**IX. TRAVEL EXPENSES**

Consultant travel which is not covered within the scope of the consultant's contract and which is billed separately to the County on a cost reimbursement basis must receive prior approval and will be reimbursed in accordance with the Leon County Travel Policy. Travel expenses shall be limited to those expenses necessarily incurred in the performance of a public purpose authorized by law to be performed by the Leon County Board of County Commissioners and must be within limitations described herein and in Ch. 112.06, Florida Statutes. Consultants and contractors, traveling on a cost reimbursement basis, must have their travel authorized by the department head from whose budget the travel expenses will be paid and the County Administrator

**X. ETHICAL BUSINESS PRACTICES**

- A. Gratuities. It shall be unethical for any person to offer, give, or agree to give any County employee, or for any County employee to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, or preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or performing in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, subcontract, or to any solicitation or proposal therefor.
- B. Kickbacks. It shall be unethical for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract or order.
- C. The Board reserves the right to deny award or immediately suspend any contract resulting from this proposal pending final determination of charges of unethical business practices. At its sole discretion, the Board may deny award or cancel the contract if it determines that unethical business practices were involved.

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**PROPOSAL RESPONSE COVER SHEET**

This page is to be completed and included as the cover sheet for your response to the Request for Proposals.

The Board of County Commissioners, Leon County, reserves the right to accept or reject any and/or all bids in the best interest of Leon County.

Keith M. Roberts, Purchasing Director

Bob Rackleff, Chairman  
Leon County Board of County Commissioners

This bid response is submitted by the below named firm/individual by the undersigned authorized representative.

BY \_\_\_\_\_  
(Firm Name)

\_\_\_\_\_ (Authorized Representative)

\_\_\_\_\_ (Printed or Typed Name)

ADDRESS \_\_\_\_\_

\_\_\_\_\_

CITY, STATE, ZIP \_\_\_\_\_

TELEPHONE \_\_\_\_\_

FAX \_\_\_\_\_

**ADDENDA ACKNOWLEDGMENTS: (IF APPLICABLE)**

Addendum #1 dated \_\_\_\_\_ Initials \_\_\_\_\_

Addendum #2 dated \_\_\_\_\_ Initials \_\_\_\_\_

Addendum #3 dated \_\_\_\_\_ Initials \_\_\_\_\_

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**STATEMENT OF NO PROPOSAL**

We, the undersigned, have declined to respond to the above referenced RFP for the following reasons:

- \_\_\_\_\_ We do not offer this service
- \_\_\_\_\_ Our schedule would not permit us to perform.
- \_\_\_\_\_ Unable to meet specifications
- \_\_\_\_\_ Others (Please Explain)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Company Name \_\_\_\_\_  
Signature \_\_\_\_\_  
Name (Print/Type) \_\_\_\_\_  
Telephone No. \_\_\_\_\_  
FAX No. \_\_\_\_\_

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**EQUAL OPPORTUNITY/AFFIRMATIVE ACTION STATEMENT**

1. The contractors and all subcontractors hereby agree to a commitment to the principles and practices of equal opportunity in employment and to comply with the letter and spirit of federal, state, and local laws and regulations prohibiting discrimination based on race, color, religion, national region, sex, age, handicap, marital status, and political affiliation or belief.
2. The contractor agrees to comply with Executive Order 11246, as amended, and to comply with specific affirmative action obligations contained therein.

Signed: \_\_\_\_\_  
Title: \_\_\_\_\_  
Firm: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_





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**CERTIFICATION REGARDING DEBARMENT, SUSPENSION,  
And OTHER RESPONSIBILITY MATTERS  
PRIMARY COVERED TRANSACTIONS**

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
  - a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
  - b) Have not within a three-year period preceding this been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of these offenses enumerated in paragraph (1)(b) of this certification; and
  - d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.
3. No subcontract will be issued for this project to any party which is debarred or suspended from eligibility to receive federally funded contracts.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Contractor/Firm

\_\_\_\_\_  
Address

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**AFFIDAVIT CERTIFICATION  
IMMIGRATION LAWS**

Leon County will not intentionally award County contracts to any contractor who knowingly employs unauthorized alien workers, constituting a violation of the employment provisions contained in 8 U.S.C. Section 1324 A(e) (Section 274a(e) of the Immigration and Nationality Act ("INA").

Leon County may consider the employment by any Contractor of Unauthorized Aliens a violation of Section 274A(e) of the INA. **Such violation by the Recipient of the employment provision contained in Section 274A(e) of the INA shall be ground for unilateral cancellation of the contract by Leon County.**

BIDDER ATTESTS THAT THEY ARE FULLY COMPLIANT WITH ALL APPLICABLE IMMIGRATION LAWS (SPECIFICALLY TO THE 1986 IMMIGRATION ACT AND SUBSEQUENT AMENDMENTS).

Company Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Title: \_\_\_\_\_

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Personally known \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

OR Produced identification \_\_\_\_\_

Notary Public - State of \_\_\_\_\_

\_\_\_\_\_  
(Type of identification)

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Printed, typed, or stamped  
commissioned name of notary public

The signee of this Affidavit guarantees, as evidenced by the sworn affidavit required herein, the truth and accuracy of this affidavit to interrogatories hereinafter made.

**LEON COUNTY RESERVES THE RIGHT TO REQUEST SUPPORTING DOCUMENTATION,  
AS EVIDENCE OF SERVICES PROVIDED, AT ANY TIME.**



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REFERENCE FORM

Client Name: \_\_\_\_\_

Address: \_\_\_\_\_

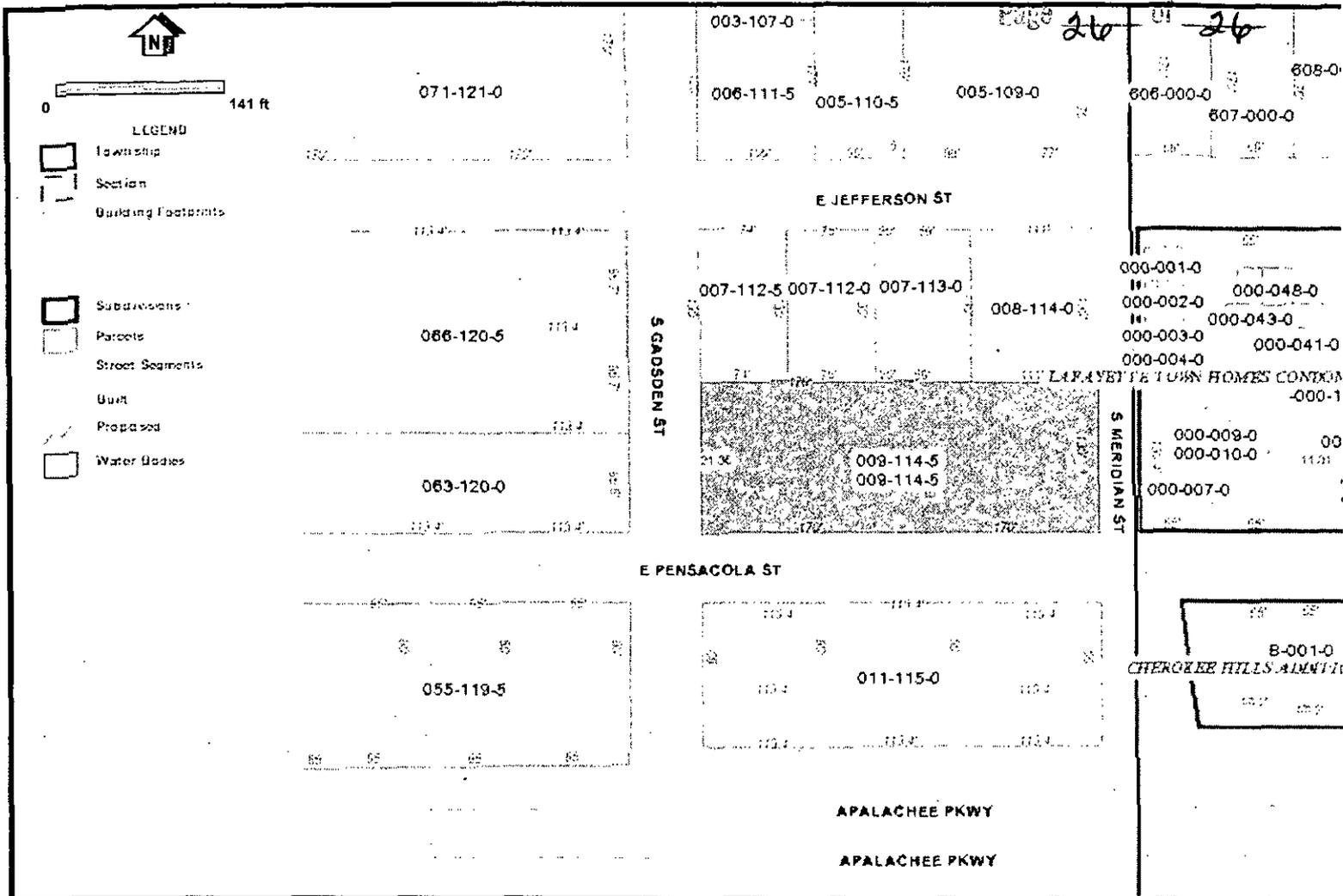
\_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone Number: ( ) \_\_\_\_\_

Project Performance Period: \_\_\_\_\_ to \_\_\_\_\_  
Dates should be in mm/yy format

Location of Project: \_\_\_\_\_

Brief description of the services performed for this project and the members of the project team :



Tallahassee-Leon County



TLCGIS  
850/606-5504

### Gadsden Street Parking Lot

743 S Gadsden Street, Tallahassee, FL

Date Created: 4/16/2010

TLCGIS Map Disclaimer: This product has been compiled from the most accurate source data from Leon County, the City of Tallahassee, and the Leon County Property Appraiser. However, this product is for reference purposes only and is not to be construed as a legal document or survey instrument. Any reliance on the information contained herein is at the user's own risk. Leon County, the City of Tallahassee, and the Leon County Property Appraiser assume no responsibility for any use of the information contained herein or any loss resulting therefrom.

Bert H.  
Property  
850/4