

DEPARTMENTAL INPUT

CONTRACT/PROJECT MEASURE ANALYSIS AND RECOMMENDATION

New
 OTR
 Sole Source
 Bid Waiver
 Emergency
 Previous Contract/Project No. N/A

Contract
 Re-Bid
 Other
 LIVING WAGE APPLIES: YES
 NO

Requisition No./Project No.: RQPR1600001
 TERM OF CONTRACT 50 YEAR(S) WITH 40 YEAR(S) OTR

Requisition /Project Title: Development, Management, and Operations of the Miami-Dade West End District Park

Description: PROS is seeking proposals from qualified firms, corporations, joint ventures, partnerships, individuals or other legal entities to design, develop, construct and later assume the management, programming and operation of the Miami-Dade West End District Park.

Issuing Department: PROS
 Contact Person: Jessica Tyrrell
 Phone: 305-375-4946

Estimate Cost: 20,000,000

Funding Source:
GENERAL
Rev. Gen.
FEDERAL
OTHER
Partial Bond

ANALYSIS

Commodity Codes:	90672	96115	90698	90638	
Contract/Project History of previous purchases three (3) years Check here <input type="checkbox"/> if this is a new contract/purchase with no previous history.					
	EXISTING	2ND YEAR	3RD YEAR		
Contractor:					
Small Business Enterprise:					
Contract Value:					
Comments:					

Continued on another page (s):
 YES
 NO

RECOMMENDATIONS

	Set-aside	Sub-contractor goal	Bid preference	Selection factor
SBE				

Basis of recommendation:

Signed: Jessica Tyrrell
 Date sent to SBD: 2/10/16

Date returned to DPM:



REQUEST FOR PROPOSALS (RFP) No. 00000

FOR

**Development, Management, and Operation of the
Miami-Dade West End District Park**

PRE-PROPOSAL CONFERENCE AND SITE VISIT TO BE HELD:

_____, 2016 at ____:00 AM (local time)
111 NW 1st Street, 13th Floor, Conf. Rm. _____ Miami, Florida

ISSUED BY MIAMI-DADE COUNTY:

Internal Services Department, Procurement Management Services Division
for
Parks, Recreation, and Open Spaces Department

COUNTY CONTACT FOR THIS SOLICITATION:

Jessica Tyrrell, Procurement Contracting Officer
111 NW 1st Street, Suite 1300, Miami, Florida 33128
Telephone: (305) 375-4946
E-mail: tyrrell@miamidade.gov

PROPOSAL RESPONSES DUE:

INSERT DATE AND TIME

Electronic proposal responses to this RFP are to be submitted through a secure mailbox at BidSync until the date and time as indicated in this document. It is the sole responsibility of the Proposer to ensure its proposal reaches BidSync before the Solicitation closing date and time. There is no cost to the Proposer to submit a proposal in response to a Miami-Dade County solicitation via BidSync. Electronic proposal submissions may require the uploading of electronic attachments. The submission of attachments containing embedded documents or proprietary file extensions is prohibited. All documents should be attached as separate files. All proposals received and time stamped through the County's third party partner, BidSync, prior to the proposal submittal deadline shall be accepted as timely submitted. The circumstances surrounding all proposals received and time stamped after the proposal submittal deadline will be evaluated by the procuring department in consultation with the County Attorney's Office to determine whether the proposal will be accepted as timely. Proposals will be opened promptly at the time and date specified. The responsibility for submitting a proposal on or before the stated time and date is solely and strictly the responsibility of the Proposer. BidSync Customer Service Representatives are available at 1-800-990-9339 (8AM-8PM) EST. The County will in no way be responsible for delays caused by technical difficulty or caused by any other occurrence. All expenses involved with the preparation and submission of proposals to the County, or any work performed in connection therewith, shall be borne by the Proposer(s).

A Proposer may submit a modified proposal to replace all or any portion of a previously submitted proposal up until the proposal due date. The County will only consider the latest version of the proposal. For competitive bidding opportunities available, please visit the County's Internal Services Department website at: <http://www.miamidade.gov/procurement/>.

Requests for additional information or inquiries must be made in writing and submitted using the question/answer feature provided by BidSync at www.bidsync.com. The County will issue responses to inquiries and any changes to this Solicitation it deems necessary in written addenda issued prior to the proposal due date (see addendum section of BidSync Site). Proposers who obtain copies of this Solicitation from sources other than through BidSync risk the possibility of not receiving addenda and are solely responsible for those risks.

2.0 SCOPE OF SERVICES

2.1 General Information

The County is limited to providing the Site as-is, where-is, without further contribution except as stated in Section 2.8 General Obligation Bond Funding. MDWEDP was acquired by PROS in 2000, under Resolution Number R-408-00, with funding originating from the Safe Neighborhood Parks Bond Program, Quality Neighborhood Improvement Program Bonds, Florida Communities Trust, and Park Impact Fees. After its acquisition, the County recorded restrictions on MDWEDP in favor of the NPS, a bureau of the U.S. Department of the Interior (USDOI). The deed restrictions require that MDWEDP lands be used for public park and recreation purposes and that any concession or license agreement for MDWEDP first be approved by the USDOI Secretary of the Interior. Over the past ten years, PROS has licensed MDWEDP to farmers as an interim revenue source until development of park facilities takes place.

The County, with all costs associated borne by the selected Proposer, shall take the necessary steps to remove, approve, or transfer the property deed restrictions based on the selected Proposer's proposal. Selected Proposer is responsible for all County incurred costs required for deed restriction removal, approval, or transfer whether the removal, approval, or transfer of restrictions is successful. Upon removal, approval, or transfer of the restrictions, the selected Proposer will be responsible for the design, permitting, platting, construction, construction management, operation, business planning, maintenance, management, and all other aspects of the MDWEDP, in accordance with all restrictions in place, which will provide a turn-key operation to the County.

It is the responsibility of each Proposer before submitting a proposal, to:

- 1) Examine every component of this Solicitation, Site plans, environmental assessment and other associated information (which may not be provided by the County), as well as the draft agreement documents included in this Solicitation thoroughly and notify the County of all conflicts, errors or discrepancies in the documents that may affect submission of a Proposal, prior to deadline for receipt of questions stipulated in Section 1.1.
- 2) Visit the Site to become familiar with conditions that may affect costs, progress, performance, and/or furnishing of the Work.
- 3) Take into account federal, state and local laws, regulations, permits, and ordinances that may affect costs, progress, performance, and/or furnishing of the Work.

2.2 Project/Site Location and Description

MDWEDP is a 164-acre property located west of SW 157th Avenue and north of SW 120th Street, in the southwest portion of unincorporated Miami-Dade County, Florida, 33196 as provided in **Attachment A, Location Map**. The zoning classification for MDWEDP is IU-C (Industrial District-Conditional). MDWEDP is located immediately adjacent to the Kendall-Tamiami Regional Airport and a portion of the southeast corner of the park is within the Outer Safety Zone (OSZ) of the airport. MDWEDP has convenient access to the Homestead Extension of the Florida Turnpike, located four (4) miles to the east, and is within two (2) miles of restaurants located on SW 137th Avenue.

The County has already developed a dog park at MDWEDP on approximately five (5) acres which lie immediately east of SW 157th Avenue and north of SW 120th Street. The County will also develop twenty-five (25) feet along the western edge of the SW 157th Avenue right-of-way, within the MDWEDP parcel from the Black Creek Canal to SW 120th Street. The aforementioned development, referred to as **Phase 1A**, is provided as **Attachments C/C1**, and will include an access control fence, a bike trail, and landscaping.

The Miami-Dade Board of County Commissioners approved a **General Plan for MDWEDP** in 2004, as provided in **Attachment D**. However, recent interest by the community for a regional sports complex prompted PROS to develop a new plan for MDWEDP. To further explore community involvement, PROS held a series of public meetings with user

groups and community residents. Based on those meetings and research of comparable facilities, PROS developed a **Concept Plan** for MDWEDP, provided as **Attachment B**, which depicts the desired elements and layout. Proposer should generally comply with the Concept Plan, which will require the Miami-Dade Board of County Commissioners to approve an update to the General Plan for MDWEDP, prior to execution of any agreement resulting from this Solicitation.

2.3 **Existing Site Conditions**

The Site and any existing improvements are offered "as-is, where-is" by the County for the development, operation, and management of the MDWEDP. The selected Proposer shall, at its sole expense, address as part of their proposal any inconsistency or needs between the existing condition and the conditions needed for proposed use.

The County commissioned a **Due Diligence Report** provided herein as **Attachment M**, for the Site. The report includes all available information and known regulatory requirements and constraints for the Site. The Due Diligence Report is provided for informational and historical purposes, and provides no guarantee of accuracy or completeness. The selected Proposer shall be responsible for all costs associated with complying, removing, modifying or otherwise addressing any of the Site restrictions.

In addition to the recommended Site Visit, it is the responsibility of Proposer to visit the Site and review the Site conditions. The Site is accessible for review through a limited access road accessed from SW 120th Street. All such visits shall not require County staff assistance. Visits shall be confined to viewing the site, immediate area, and any improvements; reviewing past and present usage patterns; and for the purpose of better understanding future possibilities, all without impacting ongoing activities.

The selected Proposer will be fully responsible for platting the property based on the Site plan they provide as part of their Proposal.

2.4 **County Objectives**

The County's Open Space Master Plan (OSMP) envisions great parks, public spaces, natural and cultural areas, streets, greenways, blue-ways, and trails. For further detail on the OSMP, please visit the County's website: <http://www.miamidade.gov/parksmasterplan/home.asp>

On this property, and through this Project, the County seeks to accomplish the following objectives:

1. **Establish a Park for Public Benefit**

Create and accelerate the development of public park improvements, public access, and limited exclusive uses proposed by the **Concept Plan** as defined in **Attachment B**. Immediate community benefit and access are of utmost importance. Where possible and practical, development proposals should suggest the type, quantity and layout of multi-sport improvements, fundamental to the success of the project, which would be funded by the selected Proposer.

2. **Advancement of a Multi-Sports Complex and the Play of Organized Sports within the County**

The County is interested in exploring the higher level fields and facilities necessary for the establishment of premier youth leagues, major and minor league teams, and the type of high caliber training sites necessary to support their success within Miami-Dade County.

3. **Provide Economic Development**

Creation of a multi-sports complex park is considered a significant economic development enhancement tool for the western portion of the County. Proposals should complement and bolster economic growth in the area and within the County by maximizing consumer expenditures, creating local area jobs, temporary construction, permanent employment and payroll, and adding to real property, business, sales

and intangible tax collections. Proposals should also address how the impact of this development will positively impact existing facilities and services already in the area.

4. Provide Revenue to PROS

The MDWEDP was conceived as a way to utilize the Site's unique location to provide for much needed sports fields. The selected Proposer should propose a marketing plan, to include but not be limited to, items such as corporate sponsorships, licenses, and advertising, etc. which will generate significant revenue consistent with similar venues.

2.5 Concept Plan

Proposer is required to generally conform to the approved Concept Plan, but may provide other innovative design solutions that address and conform to all regulatory requirements of the Site. Substantial deviations from the Concept Plan may require additional plan and other regulatory approvals that may delay development. **Existing Site Constraints/Restrictions Listing** is provided as **Attachment L** for Proposer information. All Site plans will require review and input from regulatory agencies development. In all improvement scenarios, the County shall maintain ownership of the land.

The County will not apply for federal grants, however, may support the application of a selected Proposer, at its sole discretion, if it were to be consistent with all regulatory requirements and affords positive economic impact. Additionally, the selected Proposer shall not encumber the MDWEDP for financing purposes. Additional information addressing the Site and MDWEDP, but not specifically referred to in the Solicitation, is provided throughout the attachments within Section 6.

2.6 Project Use

The County expects that interested parties may profitably utilize the MDWEDP for the following public park purposes:

- Hosting premier local, state, national and international training for teen and adult teams
- Signature competitive games and tournaments
- Centralized location for academy skill development programs
- Year-round adult league play
- Comprehensive sport rehabilitation/fitness enhancement programs
- Year-round field sport team/tournament use (lacrosse, field hockey, etc.)

Specific approved components should be included in any proposal plan include:

1) Tournament Fields; 2) Stadium Field; 3) Concession(s)/Field House(s)/Restrooms; 4) Training Facility; 5) Playgrounds (See **Attachment N for Playground Details**); 6) Lake with canoe and kayak launch; 7) Parking; 8) Large Community Center; 9) Greenway trails, walking and bike paths and fitness zones inclusive of equipment; 10) Pavilions and Shelters; 11) Open Spaces for events and festivals, to included landscaping; and 12) Maintenance Facility.

All such uses of the MDWEDP must compliment and be consistent with approved park and recreation uses for the Site. Proposer may offer and include additional component (*beyond Concept Plan*), however such component will not be used for evaluation and scoring purposes - and may be considered for negotiation purposes only. Additional component will not provide the Proposer a competitive advantage. Additional component may also require further development approval.

2.7 County Requirements

The MDWEDP is a publicly owned County park Site which shall remain open to the public during operating hours which meet demand. There shall be no property entrance fee, but there may be field, supporting office, and pavilion rental charges. The County seeks to ensure and retain public access and use, but it does not preclude the selected Proposer from scheduling field and facility rentals that do not eliminate public access to other areas while reserved uses take

place. The County will not permit for the selected Proposer to offer exclusive use of the facility to the exclusion of public use and access. Notwithstanding the occasional specific and exclusive training sessions, field rentals, and tournaments, all use of the remainder of the property shall not be exclusive so that public access is not unreasonably restricted. The facility will support public field recreation which is likely to include field rentals. Parking fees are not anticipated outside of scheduled events.

The selected Proposer shall be required to coordinate use calendars with the County in order to retain and manage public access and use. The County will maintain an operational and physical staff presence within the property, and require up to thirty (30) calendar days each year which the County may schedule, at its discretion, for County sponsored events, at times and days that do not unreasonably interfere with scheduled and reserved uses by the selected Proposer. All such County uses shall be agreed upon in advance with the concurrence of the selected Proposer.

The County anticipates for the development of the MDWEDP to be fiscally sustainable for the selected Proposer and require no capital or operational support from the County.

The selected Proposer shall:

1. Operate seven (7) days per week with hours consistent with public demand. There are no limitations on hours of operation.
2. Provide 600 square feet of office space with all utilities and services for County park administrative use.
3. Allow the County up to thirty (30) days per year of scheduled use for the public, without cost to the County. Quarterly or annual calendar meetings can be used to determine schedules.

2.8 General Obligation Bond Funding

The County anticipates contributing approximately \$20,000,000 in Building Better Communities-General Obligation Bond (BBC-GOB) Program funds to the Site development. Based on the Fiscal Year 2015-16 Adopted Budget and the anticipated expenses of Phase 1A, funding may be available pursuant to the following schedule, subject to negotiations:

• FY 2015-16	\$0
• FY 2016-17	\$0
• FY 2017-18	\$14,247,000
• FY 2018-19	\$5,753,000

Proposer should note that the use of BBC-GOB funds cannot be used for design services and require the selected Proposer to competitively procure architect and engineering services, in accordance with Miami-Dade County policies. In addition, the County reserves the right to prorate the amount of BBC-GOB funds should a Proposer propose and be awarded a Contract that does not develop the entire Site.

2.9 Required Qualifications of Development Team

The Development Team shall have:

1. A minimum of one (1) Architect licensed and registered in the State of Florida as required by Chapter 481, Part I of the Florida Statutes, Architecture.
2. A minimum of one (1) Landscape Architect, licensed and registered in the State of Florida as required by Chapter 481, Part II, Landscape Architecture, of the Florida Statutes.

2.10 Preferred Qualifications of Development Team

It is preferred that the Development Team have:

1. At least one (1) Architect with at least ten (10) years' experience in design and renovation services similar in size and scope of those requested in this Solicitation.

Commented [TJ(1): What about the added sentence to the 2.8 language instead of the below language?

I don't know if we want to state "The \$20 million, or a portion of the \$20 million, will be made available to the Developer based on the following conditions:

- 1.If the lake shown on the Concept Plan is completely excavated and the entire Site is filled with suitable material to the required elevation to allow further development to be permitted, the Developer will receive \$20 million in accordance with the disbursement schedule;
- 2.If the lake shown on the Concept Plan is not completely excavated but the entire Site is filled with suitable material to the required elevation to allow further development to be permitted, the Developer will receive \$12 million in fiscal year 2017-2018;
- 3.If the lake shown on the Concept Plan is not completely excavated and the entire Site is not filled with suitable material to the required elevation to allow further development to be permitted, the Developer will not receive any of the GOB funds."

2. At least one (1) Landscape Architect with at least ten (10) years' experience in design and renovation services similar in size and scope of those requested in this Solicitation.
3. At least five (5) years of experience in design and construction of sport venues areas, sport fields, or other comparable destinations of equal size and complexity.

2.11 Qualifications and Experience of Management/Operations Team

The Management/Operations Team should have at least five (5) years of experience in the management of successful operation of entertainment areas, themed attractions, lodging venues or other comparable destinations of equal size and complexity.

The Management/Operations Team as a whole, must have the requisite expertise in the operation of multi-sports complex and training/fitness/rehabilitation facilities, in addition to event management, financial and management capability to operate a MDWEDP destination facility and projects with similar scope and complexity, as identified in the project objectives.

2.12 Consultant(s)

The consultant(s) to the Proposer, if any, may be one firm possessing all the required expertise or may be several individuals or firms, which when combined, possess all the required expertise. Consultant teams may also include professional planning and design consultants and sub-consultants, financial and marketing sub-consultants, and operation and management consultant(s). Consultants or general contractors may submit their qualifications for more than one Development Team. However, the Proposer and other permanent Management/Operational Team staff (*team members required beyond the construction phase, as in principals, operations and management personnel*) of the Project shall only submit their names in one Proposal submission and shall not be part of any other submission in any capacity.

Proposals that include a specific Design professional/firm and/or specific Construction professional/firm as part of its Development Team that are selected by the County, and whose Proposal contract is approved by the Board of County Commissioners are deemed to have satisfied F.S. Chapter 255.20. At a later time, these Proposers may substitute the Design firm with approval by the County and still avoid adhering to County selection requirements. However, Proposers whose Construction firm was previously approved, and later seek to change Construction firm, must select a new firm pursuant to F.S. Chapter 255.20.

Proposals that do not include such professionals as part of their Development Team shall, if their Proposal is selected and approved by the County be secondarily required to adhere to F.S. Chapter 255.20.

2.13 Financial Capability

The selected Proposer shall secure all necessary financing for the completion and maintenance of the MDWEDP throughout the life of the Agreement. The selected Proposer shall acquire and submit a term sheet and a letter of intent (or a commitment letter) from a lender indicating its willingness to lend an amount necessary for construction financing of the Project, or other documents that detail all sources of capital, operations, and maintenance funds dedicated to the Project indicating that the selected Proposer has sufficient financing to complete the Project.

Should the selected Proposer fail, for any reason whatsoever, to secure or maintain adequate financing for the MDWEDP as approved by the County, as amended or described in the proposal submitted in response to this Solicitation, the County shall be free to seek another developer for the Project, and in doing so, terminate the Agreement. In this instance, the selected Proposer shall be responsible to pay the County an administrative fee. Such administrative fee shall include, but may not be limited to, re-procurement costs identified by the County.

Proposer's proposals shall evidence the firm's financial ability, understanding and wherewithal to carry out the Project scope. The County may, at any time, request additional information regarding the Proposer financial capability Proposal.

2.14 Property Taxes

It is the responsibility of the selected Proposer to determine any and all tax consequences which may arise due to placing the development on County-owned land. The County makes no representations or warranties as to the availability of any exemption or tax benefit, or to the Selected Proposer's ability to receive any such exemption or benefit.

2.15 Schedule

The Project construction phase shall be completed, as evidenced by an issued Certificate of Occupancy (CO), obtained within four (4) years of the date of execution of the Agreement. An exact schedule of completion, including milestones and any possible penalties for failure to adhere to the schedule shall be a subject of negotiation during the process of negotiations with the Selected Proposer.

Commented [TJ(2)]: How long shall construction take place?

Commented [GL(3R2)]: I will look through the attachments and get back to you on this.

2.16 Revenue Schedule

The County anticipates to be compensated for the use of the Site that the County is offering as part of this Solicitation. As such, Proposer must provide projected revenues to the County in the form of: a) an Initial Rent, b) Land Rent/Minimum Guaranteed Rent; c) Percentage Rent/Percentage of Monthly Gross Revenues; d) Miscellaneous Fees and e) Project Management Fee.

The County completed a fair market appraisal of the property, zoned as agricultural, in 2011. Such appraisal valued the MDWEDP property at \$8.6 million. ~~The County is in the process of obtaining an updated appraisal to determine the current appraisal value and market lease rates.~~ As such, the County seeks a revenue structure from Proposer that best approximates or exceeds the total return amount to the County through the proposed combination of Minimum Annual Guaranteed Rent and Percentage of Monthly Gross Revenue Rent, as described below.

Commented [TJ(4)]: PROS to work with Real Estate to request updated appraisal and market rate lease rates. I have inserted language to state the County is conducting a current analysis of the property to obtain current property value.

- a. Initial Rent. The selected Proposer shall pay the County an Initial Rent annually for the period between the Agreement Effective Date and the Date of Beneficial Occupancy at any or all of the respective improvement areas.
- b. Land Rent: Minimum Annual Guaranteed Rent. After the Date of Beneficial Occupancy and through the termination date of the Agreement, the selected Proposer shall pay the County a Minimum Annual Guaranteed Rent on the first day of each month.
- c. Percentage Rent: Percentage of Monthly Gross Revenue. **In addition to the Guaranteed Monthly Rent**, the selected Proposer shall pay the County on a monthly basis a Percentage of Gross Receipts, for revenue from the sale of all fees, goods and services provided at the location, as of Date of Beneficial Occupancy.
- d. Miscellaneous Fees. The County anticipates the MDWEDP to produce additional fees that will accrue to the selected Proposer in the form of event parking revenues, corporate sponsorships, licenses, television and possibly advertising revenues, etc.
- e. Project Management Fee. The County will assign a PROS Capital Project Manager (CPM) to the Project, pursuant to the sample **Development Rider** provided herein as **Attachment Q**, to expedite its design, permitting and construction. The CPM will be paid 1.5% of the total development cost, not to exceed \$200,000 per year, from execution date of the agreement to date of Beneficial Occupancy. The fee is instituted on all PROS projects only during design, permitting, and construction phases to ensure compliance with County asset management and to reduce difficulties associated with capital improvement projects.

Commented [TJ(5)]: Question for CAO - Where did this rider come from and why is this rider needed? This would be a rider to the agreement, not the solicitation. However, it looks like a good portion of this language was included in the draft form of agreement. Consider deletion?