



Meeting Date:	April 17, 2017		Item Type:	Resolution	Ordinance		Other	
				X				
Fiscal Impact:	Yes	No	Ordinance Reading:		1 st Reading		2 nd Reading	
		X	Public Hearing:		Yes	No	Yes	No
						X		X
Funding Source:	N/A		Advertising Requirement:		Yes		No	
							X	
Account Balance:	N/A							
Project Number :	N/A		RFP/RFQ/Bid Number:		N/A			
Contract/P.O. Required:	Yes	No	Strategic Priority (Enter X in box): Capital Improvements <input checked="" type="checkbox"/> Goal 1 - Undertake Total Improvements of Public Realm <input type="checkbox"/> Goal 2 -Promote Public/Public and <input checked="" type="checkbox"/> Public/Private Partnership <input type="checkbox"/> Promote Projects with Large-Scale Impacts <input type="checkbox"/> Goal 1 – Issue a Request for Proposals (RFP) for NW <input type="checkbox"/> infill Housing Goal 2 – Issue a Request for Qualifications (RFQ) for Dixie <input type="checkbox"/> Highway/Foster Road parcel Priority Area: North West Quadrant <input type="checkbox"/> FEC Corridor <input type="checkbox"/> Southwest Quadrant <input type="checkbox"/> Northeast Quadrant <input type="checkbox"/> Southeast Quadrant <input type="checkbox"/>					
		X						
Sponsor Name:	Roger M. Carlton, HBCRA Executive Director		Department:		HBCRA			



Short Title:

A RESOLUTION OF CHAIR AND BOARD OF DIRECTORS OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY ACCEPTING AND RECOMMENDING REVISIONS TO THE CITY OF HALLANDALE BEACH PROCUREMENT PROCEDURES FOR PUBLIC-PRIVATE-PARTNERSHIPS; AND PROVIDING AN EFFECTIVE DATE.

Staff Summary:

Background:

The mission of the Hallandale Beach Community Redevelopment Agency (HBCRA) is to promote economic development and enhance quality of life by eliminating and preventing blighted conditions through the facilitation of community partnerships, business growth, job creation, and neighborhood rehabilitation. To that end, the HBCRA will often carry out its mission through public-private partnerships (P3) in an effort to leverage the public funds it administers.

Redevelopment projects on HBCRA owned land are often initiated through formal solicitations (Requests for Proposals, Invitation to Bid, etc.) in accordance with F.S. 163.380, which prescribes the legal process for disposal of real property in a community redevelopment area. However, from time to time, interested parties will submit an unsolicited proposal to the HBCRA for its consideration. During the past two years, the HBCRA has seen increased interest in the development of its properties. Consequently, in March 2016, the City Commission passed Resolution 2016-43 adopting procurement procedures for public-private-partnerships and amending the fee schedule booklet to include an application fee for unsolicited proposals pursuant to F.S. 255.065.

It should be noted that, pursuant to its by-laws, the HBCRA follows the City's adopted procurement code and practices. Additionally, the HBCRA utilizes the services of the City's Procurement Department to administer any solicitation for goods and services.

Current Situation:

The purpose of this agenda item is to present a recommendation to the HBCRA Board of Directors for receipt and evaluation of unsolicited proposals by the HBCRA. In January 2016, Staff recommended to the Board that the HBCRA follow the process currently used by the City of Hollywood, which follows F.S. 255.065. However, the only approved outcome of Staff's recommendation was the implementation of a \$25,000 application fee for unsolicited proposals. The required \$25,000 application fee is to be used to pay for HBCRA costs and legal fees for the project on a cost recovery basis.



Since that time, Staff has researched the process that other CRA's utilize when unsolicited proposals are received for development projects. The consideration of said practices, and the establishment of an evaluation process for unsolicited proposals, will allow the HBCRA to move forward with a transparent and uniformly applied process for potential projects in the immediate future.

Analysis:

The research performed by Staff provided the following criteria that are used by many government CRAs including the City of South Miami, the City of Hollywood, Pompano Beach, Oakland Park, Coral Springs, Margate, Davie and Deerfield Beach to review and analyze unsolicited proposals received:

- Review the proposal to ensure it provides a benefit to the HBCRA and constitutes a desirable element to the overall vision of the HBCRA.
- Determine if the unsolicited proposal complies with existing codes, regulations and guidelines, growth targets for the area, potential benefits to residents and merchants.
- Review and evaluate constructability, design options, aesthetics of the unsolicited proposal.
- Review for future benefits such as jobs, revenues, potential success, and liability.
- Determine that the proposal remove slum and blight
- Determine if land contribution, funding or other incentives from the HBCRA being requested are reasonable.
- Are the initial incentives offered by the Developer proportioned to the costs requested to be funded by the HBCRA.
- Does the project provide job opportunities and training for local residents as well as for the engagement of local contractors?

Based on the foregoing criteria and others which may apply only to the proposed project, the Executive Director will deem that the unsolicited proposal is viable for further consideration and once this determination is reached, the unsolicited proposal will be placed on the HBCRA Board's next available meeting for discussion.

After the unsolicited proposal is placed on the next HBCRA Board agenda:

1. Publish a notice in accordance with the requirements of F.S. 255.065, which shall include the unsolicited proposal project description, information to be included in a competing proposal,



the evaluation criteria and schedule.

2. Allow for a reasonable time for submission of competing proposals(s) – not less than 30 days or more than 60 days from date of the published notice.

Proposed Evaluation Process for Unsolicited Proposals

An unsolicited proposal received by the HBCRA will be reviewed by the Executive Director or his/her designee to determine if it meets the basic tenets of a project for consideration on the proposed site. While the HBCRA proposes to closely follow the procedures outlined in F.S. 255.065, it should be noted that, due to certain requirements in F.S. 255.065 (e.g., the project will be owned by the public entity upon completion, expiration, or termination of the comprehensive agreement and upon payment of the amounts financed), the HBCRA cannot utilize the statute to review unsolicited proposals because the HBCRA does not own any projects at the end of its financial support. Accordingly, the HBCRA staff has developed a policy in order to review unsolicited proposals for public-private-partnerships and still follow F.S. 163.380.

Upon completion of the established period for receipt of other proposals, the Executive Director or his/her designee(s) shall commence the evaluation process. If no other proposals are received, the Executive Director or designee(s) will negotiate the general terms pursuant to which the project will be developed and, if not satisfied with the results of the negotiations, may terminate negotiations and notify the HBCRA Board. If negotiations are successful, the unsolicited proposal will be presented to the Board accompanied by a recommendation from the Executive Director.

If additional proposals are received within the permitted time frame, the Executive Director or his/her designee(s) will rank the proposals received in order of preference. In ranking the proposals, factors that may be considered include, but are not limited to, professional qualifications, general business terms, innovative design techniques or cost- reduction terms, and finance plans. The Executive Director or designee(s) will negotiate with the highest-ranked firm. If not satisfied with the results of the negotiations with its highest rank firm, the Executive Director or designee(s) may terminate negotiations with the proposer and negotiate with the second-ranked or subsequent-ranked firms, in the order consistent with this procedure. If negotiations are successful, the proposal will presented to the Board accompanied by a recommendation from the Executive Director. In any event, the Executive Director may reject all proposals at any point in the process and shall notify the Board.

The evaluation process and timeline of unsolicited proposals review should be done in a manner to properly vet a project before taking any official action.



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Hallandale Beach, FL 33009

Proposed Action:

Staff recommends the Board of Directors authorize staff to utilize the process stipulated and stated above when an unsolicited proposal is received by the HBCRA.

Attachment(s):

Exhibit 1 – Resolution

Roger M. Carlton
HBCRA Executive Director