



**REQUEST FOR PROPOSALS
 (RFP) # FY 2020-2021-CRA001
 DISPOSAL OF REAL PROPERTY IN A COMMUNITY REDEVELOPMENT AREA
 AND DEVELOPMENT OF A MIXED-USE HOTEL AND/OR MIXED USED
 DEVELOPMENT IN THE NEWLY NAMED HARLEM VILLAGE**

RFP DOCUMENT RELEASED	DECEMBER 7, 2020
<p>NON-MANDATORY PRE-PROPOSAL CONFERENCE City Hall Commission Chambers and through "Virtual" meeting utilizing communications media technology ("CMT"). Proposers attending the non-mandatory meeting at City Hall will be able to sign in at such location.</p> <p>No questions will be answered during this meeting. Please see last day for questions information below and submit all questions to email below.</p> <p>Register in advance for the virtual meeting: When: Dec 28, 2020 11:00 AM Eastern Time (US and Canada) https://us02web.zoom.us/webinar/register/WN_wbArkL5GSkGzg8oMpvPixA After registering, you will receive a confirmation email containing information about joining the webinar.</p>	<p>DECEMBER 28, 2020 @ 11:00 A.M. CITY OF HALLANDALE BEACH CITY HALL COMMISSION CHAMBERS 400 SOUTH FEDERAL HIGHWAY HALLANDALE BEACH, FL 33009</p>
<p>QUESTIONS DUE BY NO LATER THAN All questions must be emailed to alues@cohb.org and will be answered via addendum.</p>	JANUARY 4, 2021 11:00 A.M.
<p>DEADLINE FOR RECEIPT OF PROPOSALS Due to COVID19 and current emergency orders and declarations Hallandale Beach City Hall is not open to the public every day. For drop off of responses to this RFP the City Clerk's Office will be open Mondays and Wednesdays 8 am to 3 pm only. See location below. Access to the building will require time for temperature taking, answering questions, and wearing of a face covering. All must plan to obtain access to the City Clerk's Office without being late. No late responses will be accepted.</p>	JANUARY 20, 2021 11:00 A.M.
<p>RESPONSES TO THE RFP MUST BE SUBMITTED TO THIS ADDRESS: Sealed envelope must clearly provide your firm's company name, address, phone # and contact information and must be labeled with the RFP # and Name. Responses must be received by the City Clerk's Office.</p>	<p>CITY OF HALLANDALE BEACH OFFICE OF THE CITY CLERK – SUITE 204 400 SOUTH FEDERAL HIGHWAY HALLANDALE BEACH, FL 3009</p>
THE DATES SHOWN ABOVE ARE SUBJECT TO CHANGE VIA ADDENDUM	

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SCOPE OF WORK:

Purpose:

This Request for Proposals (RFP) is issued by the Hallandale Beach Community Redevelopment Agency (CRA) as the means for prospective Proposers to submit their qualifications, approach, conceptual design, and financial and other terms for the CRA's consideration to acquire a 39,000 square-foot CRA owned property located adjacent to the new Fire Station 7, within the newly named Harlem Village area (the "Development Site"), for the Proposer to develop, design, construct, finance, operate and maintain and own either a mixed-use hotel at the Development Site, with at least 60 separately keyed guest rooms (with the intent of achieving as many rooms to the extent possible), and related improvements, including the Proposers desired mix of retail, office, restaurant, residential, and commercial uses; or a mixed-use development with related improvements, including the Proposers desired mix of retail, grocery, office, restaurant, residential, and commercial uses. The Proposal must include some type of food, service which would also include a bar, microbrewery, or lounge at a minimum. The Proposal must also include a design, construction and operation of a multi-deck parking structure, or parking garage which shall also include at least 50 parking spaces to be owned by the City for public use.

The Proposing firm will be entering into contract with the CRA for the acquisition of the Development Site and the development of the project. The Proposing firm must name in their proposal all of the parties/firms that will be involved in the project and that meet the Minimum Qualification Requirements (MQRs) as stated below.

This RFP is being issued in compliance with Section 163.380 Florida Statutes, relative to the disposal by the Development Site in a community redevelopment area. All requirements of Section 163.380, Florida Statutes, apply to this RFP and all Proposals must adhere to such requirements.

Scope of Work:

This RFP is requesting the Proposer for the following:

Hotel Development:

- The proposed mixed use, upper midscale, 60+ room hotel project, with ground floor retail/restaurant/entertainment/ art gallery, or office, and structured parking, within the design-build development.
- It is highly recommended that the proposed development should include a rooftop lounge/bar deck area.
- The CRA owned property will be conveyed as part of the project. The developer needs to account for the cost of the Development Site as a part of the project proforma.



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- Proposer is to address the construction impact on the community regarding parking, placement of temporary office, storage of material and the effects of vehicular and pedestrian traffic.
- Proposed development should incorporate ground floor retail/restaurant/entertainment, art gallery, or office along Dixie Hwy, NW 1st avenue and NW 5th Street (Foster Road) including 2,000 sq. feet of subsidized space for a small locally owned business.
- A project pro-forma and construction budget is required.
- Confirmed or verifiable sources of funding both equity and debt; proposer must show the financial capability of acquiring the Development Site and undertaking the proposed development, including company operating revenues and expenses, history of debt repayments and letter of credit.
- A schedule for project approvals and construction, including date specific milestones such as commencing and completing construction and opening for business. Phased projects must include this information for each phase.
- The number of new jobs and job descriptions that the development will create, including a timeline and projected salaries.
- Proposed number of residents from both the NW neighborhood and the rest of the CRA, which will be hired and trained.
- A complete description of the Proposer's entity (corporation, partnership, etc.) and identification of all parties including disclosures of all persons or entities having a beneficial interest in the proposal.
- Resume of the Proposer's previous experience in hotel development, as well as experience with mixed-use hotel projects that include structured parking and a description of the scope and quality of past projects.
- A list of any previous or current City projects that the Proposer or any member of the Proposer's team was involved with whether directly or indirectly.
- A complete description of the development team including names, addresses, individual resumes of those individuals to be assigned to the project; the responsibilities of each team member or firm; and the experience of all those involved.
- Inclusion of the public structured parking spaces provided at market rate in the proposed development. Developer shall indicate the hours and days public structured parking spaces would be available, if not twenty-four (24) hours a day, seven (7) days a week year-round. Approximately fifty (50) structured public spaces required for public parking. This allocation of public structured spaces is in addition to the required parking for the development.
- Public parking spaces should also include some electric vehicle charging stations.
- Building and site design connectivity with Foster Road, which is slated to be improved as a part of Harlem village district per the HBCRA Plan.



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- High quality urban streetscape along foster Road consistent with HBCRA Plan.
- An emphasis on implementing complete streets standards and enhancing mobility options to and from the site.
- If feasible, the Proposer is free to consider the option of the project being a condo/hotel.
- Project should conform with sustainability and resiliency principles.
- If housing is included, the City prefers a mix of market-rate, workforce (81% to 140% of Broward County median family income, adjusted by household size "MFI") and affordable housing units (80% or less of Broward County MFI). Provide the type and number of units at each income level being proposed.

Mixed-Use Development:

- The proposed mixed use, upper midscale, mixed-use project, with ground floor retail/restaurant/entertainment/ art gallery, or office, and structured parking, within the design-build development.
- If possible, it is highly recommended that the proposed development should include a rooftop lounge/bar deck area.
- The CRA owned property will be conveyed as part of the project. The developer needs to account for the cost of the Development Site as a part of the project proforma.
- Proposer is to address the construction impact on the community regarding parking, placement of temporary office, storage of material and the effects of vehicular and pedestrian traffic.
- Proposed development should incorporate ground floor retail/restaurant/entertainment, art gallery, grocery store, or office along Dixie Hwy, NW 1st avenue and NW 5th Street (foster Road) including at least 1,000 sq. feet of subsidized space for a small locally owned business(s).
- A project pro-forma and construction budget is required.
- Confirmed or verifiable sources of funding both equity and debt; proposer must show the financial capability of acquiring the Development Site and undertaking the proposed developed, including company operating revenues and expenses, history of debt repayments and letter of credit.
- A schedule for project approvals and construction, including date specific milestones such as commencing and completing construction and opening for business. Phased projects must include this information for each phase.
- The number of new jobs that the development will create, including a timeline and projected salaries.
- Proposed number of residents from both the NW neighborhood and the rest of the CRA, which will be hired and trained.



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- A complete description of the Proposers entity (corporation, partnership, etc.) and identification of all parties including disclosures of all persons or entities having a beneficial interest in the proposal.
- Resume of the Proposer's previous experience mixed-use projects in general, including those that include structured parking and a description of the scope and quality of past projects.
- A list of any previous or current City projects that the Proposer or any member of the Proposer's team was involved with whether directly or indirectly.
- A complete description of the development team including names, addresses, individual resumes of those individuals to be assigned to the project; the responsibilities of each team member or firm; and the experience of all those involved.
- Inclusion of the public structured parking spaces provided at market rate in the proposed development. Developer shall indicate the hours and days public structured parking spaces would be available, if not twenty-four (24) hours a day, seven (7) days a week year round. Approximately fifty (50) structured public spaces required for public parking. This allocation of public structured spaces is in addition to the required parking for the development.
- Public parking spaces should also include some electric vehicle charging stations.
- Building and site design connectivity with Foster Road, which is slated to be improved as a part of Harlem village district per the HBCRA Plan.
- High quality urban streetscape along foster Road consistent with HBCRA Plan.
- An emphasis on implementing complete streets standards and enhancing mobility options to and from the site.
- Project should conform with sustainability and resiliency principles. Extra consideration will be provided to those that include green development, green roofs, community gardens, or other types of sustainable development practices.
- If housing is included, the City prefers a mix of market-rate, workforce (81% to 140% of Broward County median family income, adjusted by household size "MFI") and affordable housing units (80% or less of Broward County MFI). Provide the type and number of units at each income level being proposed.

Green Building Certification:

All proposing firms must adhere to the requirements [Pursuant to Section 32-787\(k\)\(5\) of the City Zoning and Land Development Code](#). The project built through this RFP is required to obtain a Green Building Certification from a recognized environmental rating agency accepted by the City's Development Services Department. Provide the name of Green Building Certification and level/tier sought for the Project.



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CRA:

CRA is bound by Florida Statutes, Chapter 163, Part III, and Resolution No. 2012-05. Please be advised that this RFP constitutes notice pursuant to Section 163.380(3)(a), Florida Statutes, that the CRA is the owner of and intends to dispose of its interest in the Development Site. Any party interested in acquiring and development of the Development Site is hereby notified that the provisions of such statute have been complied with and by responding to this RFP waives any right to claim that the CRA has not properly complied with such statute.

Permits:

Pursuant to Florida Statute Section 218.80, the CRA hereby discloses that the following licenses, permit and fees and their costs are issued by the City for construction. The licenses permits and fees applicable to this project must be obtained and/or paid by the awarded Proposer. The successful Proposer is responsible to identify and obtain all applicable licenses, permit and pay all such related fees. The costs of all licenses permit's and their respective fees applicable to this project are to be secured and paid for by the Proposer.

All proposals must be submitted in accordance with the RFP document which may be obtained online at www.cohb.org/solicitations

MINIMUM QUALIFICATION REQUIREMENTS (MQRs):

1. This RFP contains Minimum Qualification Requirements (MQRs) which the proposing Firm and/or all firms that will be part of the project **must** meet in order for the Firm's response to be considered responsive.
2. **Please read the MQRs to ensure Firm meet these requirements prior to submitting a response to this RFP.**
3. **All Minimum Qualification Requirements (MQRs) must be submitted with Firm's response.**
4. Please note that the information for the Projects/Contracts for MQR # 2 Previous Experience and projects must be the same as the Projects/Contracts provided within the Reference Form.
5. Proposing Firm that do not comply with MQRs will be determined non-responsive and disqualified from the evaluation process and their proposal will not be evaluated.
6. The Proposing Firm(s) awarded any contract as a result of this RFP will be required to maintain the Minimum Qualification Requirements (MQR) #1 during the term of the contract and any contract renewals.



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Minimum Qualification Requirement # 1: Years in Business Sunbiz:

- a. Proposer must be incorporated through Sunbiz with a status of "Active".
- b. Provide a copy of Proposer's Sunbiz with your response showing a date filed of year **2015** or earlier.

Minimum Qualification Requirement # 2: Previous Experience and projects:

Please note that the information for the projects below must be the same as the services/projects provided within the [Reference Form](#).

- 2a. Proposing Firm and/or named parties to the project for the response must have **completed three (3) projects of within the last five (5) years.**
- 2b. **The completed projects requested in 2a. must have been mixed use hotels with at least eighty (60) rooms, or regular hotel with food and beverage experience/service, or other mixed used components, and/or mixed-use developments, which include mixes of restaurant, retail, grocery store, office, or commercial uses.**
- 2c. Proposing Firm must provide pictures of **completed** projects with the Firm's response and clearly address which firm named in Proposing Firm response completed the project.
- 2d. **Proposer must provide proof of the completed three (3) Projects within the last five (5) years on the following charts.**
- 2e. Please note that the information for the projects below must be the same as the services/projects provided within the [Reference Form](#).

Name and Location of Project # 1:	
Name of the Firm that was awarded the Contract. Explain the role of such firm for the response to this RFP.	
Date when Project started.	Month: Year:
Date when Project was <u>completed</u> . Must have been <u>completed</u> within the last five (5) years.	Month: Year: Completed: Yes <input type="checkbox"/>
Name of entity for which services were provided to.	



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Updated contact name, phone and email for Project Manager where services were provided to.	
Did project receive final Certificate of Occupancy (C.O.)? Provide date.	<input type="checkbox"/> Yes <input type="checkbox"/> No Date:
a. Proposing Firm must provide pictures of the completed projects.	<input type="checkbox"/> Yes, included
b. Proposing Firm must provide a <u>completed Reference Form for projects that match the requirements of MQR # 2b stated above.</u>	<input type="checkbox"/> Yes, included
a. Did proposing Firm awarded the Contract obtain Green Building Certification or other Certifications?	<input type="checkbox"/> Yes <input type="checkbox"/> No
b. Copy of Green Certification obtained must be provided.	<input type="checkbox"/> Yes <input type="checkbox"/> No
c. What level of Green Certification was obtained.	Level of Green Certification:

Name and Location of Project # 2:	
Name of the Firm that was awarded the Contract. Explain the role of such firm for the response to this RFP.	
Date when Project started.	Month: Year:
Date when Project was completed . Must have been completed within the last five (5) years.	Month: Year: Completed: Yes <input type="checkbox"/>
Name of entity for which services were provided to.	
Updated contact name, phone and email for Project Manager where services were provided to.	



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<p>Did project receive final Certificate of Occupancy (C.O.)? Provide date.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No Date:</p>
<p>a. Proposing Firm must provide pictures of the completed projects.</p> <p>b. Proposing Firm must provide a <u>completed Reference Form for projects that match the requirements of MQR # 2b stated above.</u></p>	<p><input type="checkbox"/> Yes, included</p> <p><input type="checkbox"/> Yes, included</p>
<p>a. Did proposing Firm awarded the Contract obtain Green Building Certification or other Certifications?</p> <p>b. Copy of Green Certification obtained must be provided.</p> <p>c. What level of Green Certification was obtained.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Level of Green Certification:</p>

<p>Name and Location of Project # 3:</p>	
<p>Name of the Firm that was awarded the Contract. Explain the role of such firm for the response to this RFP.</p>	
<p>Date when Project started.</p>	<p>Month: Year:</p>
<p>Date when Project was completed. Must have been <u>completed</u> within the last five (5) years.</p>	<p>Month: Year:</p> <p>Completed: Yes <input type="checkbox"/></p>
<p>Name of entity for which services were provided to.</p>	
<p>Updated contact name, phone and email for Project Manager where services were provided to.</p>	
<p>Did project receive final Certificate of Occupancy (C.O.)? Provide date.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No Date:</p>
	<p><input type="checkbox"/> Yes, included</p>



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<p>a. Proposing Firm must provide pictures of the completed projects.</p> <p>b. Proposing Firm must provide a <u>completed Reference Form for projects that match the requirements of MQR # 2b stated above.</u></p>	<p><input type="checkbox"/> Yes, included</p>
<p>a. Did proposing Firm awarded the Contract obtain Green Building Certification or other Certifications?</p> <p>b. Copy of Green Certification obtained must be provided.</p> <p>c. What level of Green Certification was obtained.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Level of Green Certification:</p>

BACKGROUND INFORMATION FOR CRA:

The Hallandale Beach Community Redevelopment Agency (CRA) was created in 1996 to alleviate slum and blight through the redevelopment of a portion of the City of Hallandale Beach (City) designated as a Community Redevelopment Area. As a result, the City has undertaken ambitious improvements to include roads and infrastructure, beautifying neighborhood streets, parks, development and restoration of a Historical Village and providing many residential and commercial programs and opportunities. The CRA Redevelopment Area is bound to the North by Pembroke Road, to the South by the Dade-Broward County line, to the West by interstate 95 and to the East by NE 14th Avenue and the 14th Avenue Canal.

CRA is bound by Florida Statutes Chapter 163, Part III, and Resolution No. 2012-05.

DEFINITIONS

“Addenda or Addendum” means additional directions, modifications and alternations to solicitation which is issued as separate document prior to the time of receipt of bids or proposals

Award” means the acceptance of a proposal, offer or proposal by the proper authorized designee. The Board of Directors must approve all awards over the purchasing authority of the CRA Executive Director, except for emergency purchases.



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“CRA Project Manager” means the CRA representative duly authorized by the CRA Executive Director to provide direction to the Contractor regarding services provided pursuant to this RFP and the Contract.

“CRA” the Hallandale Beach Community Redevelopment Agency or CRA Board of Directors, a public body corporate and political. May be used interchangeably with HBCRA.

“CRA’s Contract Administrator” means the CRA’s representative duly authorized by the CRA Executive Director, to provide direction to the Consultant regarding services provided pursuant to this RFP and the Contract.

“Contract” and “Contract Documents” means the Agreement for this Project to be entered between the CRA and the Successful Proposer/Contractor.

“Contractor” the individual(s) or Firm(s) to whom the award is made and who executes the Contract Documents.

“Notice to Proceed” means the written notice given by the CRA to the Contractor of the date and time for work to start.

“Proposal” means the proposal or submission submitted by a Proposer.

“Proposer” means one who submits a Proposal in response to a solicitation. Interchangeable with “Operator” and “Firm”.

“Proposal Documents” the Request for Proposals, Instructions to Proposers, Technical specifications, plans and attachments and the proposed Contract Documents (including all Addenda issued prior to the opening of Proposals).

“Subcontractor” Any person or business entity employed to perform part of a contractual obligation under the control of the Proposer. Any supplier, distribution, vendor, or Firm that furnishes, supplies, or services to the Proposer.

INSURANCE REQUIREMENTS

The awarded Firm(s) will be required to obtain and maintain the insurance requirements as determined and required at the time of award of contract.



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CONTRACT TERMS

The submittal responses shall be valid until Board of Directors awards contract(s) as a result of this RFP. CRA reserves the right, where it may serve the CRA's best interest, to request additional information or clarification from Proposers.

Contract may be cancelled by the CRA within thirty (30) days with a written notice by the Community Redevelopment Agency (CRA). The Proposer shall not assign, transfer or sub-contract any work either in whole or in part, without prior written approval of the CRA.

Notwithstanding anything to the contrary contained herein, the CRA reserves the right to waive formalities in any proposal and further reserves the right to take any other action that may be necessary in the best interest of the CRA. The CRA further reserves the right to reject any or all proposals, with or without cause, to waive technical errors and informalities or to accept the proposal which in its judgment, best serves the City of Hallandale Beach CRA.

CONFLICT OF INTEREST

If you are an employee, board member, elected official(s) or an immediate family member of any such person, please indicate the relationship on the Conflict of Interest Notification Requirement Questionnaire provided in the [Form's Section](#). Pursuant to the City of Hallandale Beach Standards of Ethics, any potential conflict of interest must be disclosed and if requested, obtain a conflict of interest opinion or waiver from the City Commission prior to entering into a contract with the City of Hallandale Beach.

SECURITY PROPOSAL BOND

Each proposer must provide with the submission a Security Proposal Bond in the form of a Bond in the amount of \$50,000 payable to the City of Hallandale Beach. These funds are not cashed. These funds are retained guaranteeing the firm submitting the proposal will not withdraw the proposal for such period of time as the Board of Directors provides a Resolution for award of contract. Per Code of Ordinance No. 2013-03, Section 23-3 if firm withdraws the proposal, or awarded firm does not furnish performance bonds as required, and does not accept a contract that is awarded, the Security Proposal Bond is forfeited.

BONDING CAPACITY LETTER

Proposer must submit with their proposal a Bonding Capacity Letter issued by a licensed surety company licensed in the State of Florida. This letter must stipulate that the Proposer, (stating the name of proposing Firm), is bondable for a minimum the project's construction dollar amount to provide the project as specified in this RFP, but no less than \$25 million dollars.



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If the Proposer is a developer, turn-key manufacturer and builder, non-for-profit organizations, startup companies, joint venture, collaborations, or other, Proposer must submit a Bonding Capacity Letter for any general contractors being proposed as subcontractors in accordance with the requirements in the above paragraph.

PERFORMANCE AND LABOR MATERIALS PAYMENT BOND

A Performance and Labor Materials Payment Bond in an amount equal to one hundred (100%) percent of total Contract amount awarded must be submitted by the awarded Proposer prior to commencement of any work performed related to this RFP. Details on delivery of the bond will be provided by the CRA. An original Performance and Labor Materials Payment Bond must be provided in an amount equal to 100% of the Contract price issued by a surety company licensed to do business in the State of Florida. (F.S. 255.05).

EVALUATION PROCESS AND CRITERIA:

The Firm's proposal must address all points outlined in the specifications of this RFP. Proposal must name all of the parties that will part of the project and provide clear and concise information of the Proposer's capability to satisfy the requirements of the RFP. The substance of the proposal will carry more weight than their form or manner of presentation.

The Evaluation Committee will utilize the criteria below to rate the Firm's proposal. Upon review of the proposals by the Evaluation Committee, Oral Presentations may be required.

Criteria

The recommendation(s) for award shall be made to the Board of Directors, by the Executive Director, to the responsible, responsive Proposer(s) whose proposal(s) is highest rated by the Evaluation Committee.

	Evaluation Criteria	MAXIMUM Potential Points
1.	MINIMUM QUALIFICATION REQUIREMENTS (MQRs) – this criterion has no points. If Firm does not provide all the required MQRs information, Firm's proposal will not be reviewed/evaluated, and Firm's submission will be disqualified. The Proposing Firm and all of the parties to the project must be named in the proposal. Proposing Firm and all parties to the proposal must be named and provide the MQRs such party meets.	Ensure Firm provides all the MQRs within Firm's submittal



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2.	Firm's Qualifications and Experience	25
3.	Contract Lead and Project Manager(s) and Teams Experience/Qualifications	15
4.	Approach to the Project	30
5.	Green Building Certification	10
6.	Past Performance – References	10
7.	City of Hallandale Beach Local Vendor Preference *	2.5- 10
	TOTAL POINTS **	100

*depending on tier level of the Local City of Hallandale Beach Vendor Preference the points may be 2.5, 5 or 10. See Local Vendor Preference information below.

**Total points may be less than 100 points depending on the applicable Tier criteria for the Local City of Hallandale Beach Vendor Preference.

INSTRUCTIONS FOR SUBMITTAL OF RESPONSES

Firms must submit responses on a Universal Serial Bus (USB) flash drive only. **Provide one (1) USB flash drive with your Firm's submittal.**

The files on the USB flash drive must be in a searchable adobe format (.pdf file). No other form of submission is acceptable, including hardcopy (paper), CDs, e-mail, or others.

Firms must make sure that the pdf files provided are searchable prior to submission. Do not place passwords on the USB flash drive.

Section below, Proposal Format, outlines the format to be followed for responses to this RFP.

PROPOSAL FORMAT:

The following format must be followed by Firms submitting responses to the RFP.

Proposing Firm response must provide all information requested below for items # 1 through # 12.

Proposing Firm's non-compliance to the outline below will hinder the Evaluation Committee's ability to find the responses to the RFP and could cost Firm points for information that are not easily found.

While additional data may be presented, the information requested in items #1 through #12, must be included for the proposing Firm. Items #1 through #12 represent the criteria after which the proposals will be evaluated.



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1. **Title Page:**

Provide the RFP # and title, the Firm's name; the name, address, telephone number and email of the contact person; and the date of the proposal. The Proposer must name all the parties that will be part of the project for the design and construction. The Proposer must name and such named parties/firms must meet the MQRs.

2. **Table of Contents:**

Include clear identification of the material by section and by page number.

3. **Transmittal Letter:**

- a. A transmittal letter must be provided briefly stating the proposers' understanding of the work to be done, the commitment to perform the work within the required time period, a statement why the Firm believes they are the best qualified to perform the work and a statement that the proposal is a Firm and irrevocable offer until such time as Board of Directors awards a contract as a result of this RFP.
- b. Proposer must name and provide the information as required for party/firm that meets the MQRs.

The transmittal letter must be signed by a duly authorized officer(s) of your Firm, as registered with the Florida Secretary of State through the Division of Corporations website at: www.sunbiz.org. Your Firm must provide a copy your Firm's Sunbiz following the transmittal letter to verify the duly authorized officers. If such officer is not listed in the Sunbiz for your Firm, your Firm must provide a legal document, such a Certificate of Resolution, naming the officer as authorized to execute on behalf of the Firm.

- c. Provide the names of the persons who will be authorized to make representation for the Proposer, their titles, addresses, telephone numbers and email addresses.
- d. Provide the name of the Project Manager who will be the direct point of contact during the term of the Agreement.

4. **Executive Summary:**

The Proposer shall submit an executive summary, which outlines its Proposal. The executive summary shall, at a minimum, include an identification of the proposed team, responsibilities of the team, and a summary of the proposed services. This section must highlight aspects of the Proposal, which make it superior or unique in addressing the



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needs of the CRA.

5. **Minimum Qualification Requirements (MQRs):**

- a. This RFP contains Minimum Qualification Requirements (MQRs) which the proposing Firm and/or all firms that will be part of the project **must** meet for the Firm's response to be considered responsive.
- b. **Please read the MQRs to ensure your Firm meets these requirements prior to submitting a response to this RFP. All Minimum Qualification Requirements (MQRs) must be submitted with Firm's response.**
- c. Please note that the information for the Projects/Contracts for MQR # 2 Previous Experience and Projects must be the same as the Projects/Contracts provided within the Reference Form.
- d. Proposer(s) that do not comply with MQRs will be determined non-responsive and disqualified from the evaluation process and their proposal will not be evaluated.

6. **Required Forms:**

The required forms must be completed by the Proposer and all parties that will be named on the award of contract by the CRA for the project.

Proposing Firm must complete and include all forms within the proposal and submit on USB drive. All of the Forms must be submitted within your Firm's USB flash drive. These forms are not part of the evaluation process through the Evaluation Committee.

- a. Form A: [Proposal Submitted by Form](#)
- b. Form B: [Variance Form](#)
- c. Form C: [Legal Proceedings Form](#)
- d. Form D: [Public Entity Crime Form](#)
- e. Form E: [Domestic Partnership Certification form](#)
- f. Form F: [Conflict of Interest Notification Requirement Questionnaire](#)
- g. Form G: [Drug Free Workplace Form](#)
- h. Form H: [Anti-Kickback Affidavit](#)
- i. Form I: [Confidentiality Form](#)
- j. Form J: [Request to Withdraw Proposal Form](#)
- k. Form K: [Reference Form – three \(3\) completed and signed by reference](#)
- l. Form L: [Unable to submit response](#)
- m. [Addenda, if any.](#)
- n. [City of Hallandale Beach Local Vendor Preference \(LVP\)](#)



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Note: Click link for description and process for submitting application, if applicable

- o. [Bonding Capacity Letter](#)
- p. [Security Proposal Bond](#)

7. Firm's Qualifications and Experience:

- a. Provide detailed information of the Proposer's and all parties that will part of the project:
 - i. Organization, size and experience
 - ii. Major clients
 - iii. Areas of expertise
 - iv. Approximate number of staff to be assigned to projects for this RFP
 - v. Unique qualifications
- b. Specify what unique circumstances sets the Proposer apart from others who perform the same or similar services.
- c. Proposer must submit a concise description in detail of its financial capacity to deliver the project when needed.
- d. Proposer must have developed or provided private financing consisting of more than 50% private financing such as private commercial loans and equity for at least one (1) mixed-use hotel project of sixty (60) rooms or more within the last five (5) years, or at least one (1) mixed-use project comprised of either restaurant, retail, grocery, office, commercial, or residential. Provide details for this criteria.
- e. Provide resumes of subcontractor's, key management personnel and support staff, including education, experience, and any other pertinent information for each member to be assigned to this Project.
- f. Indicate in detail if proposer has built in the City of Hallandale Beach.

8. Contract Lead and Project Manager(s) and Teams Experience/Qualifications:

- a. Provide comprehensive and detailed information of the experience and qualification of the individual(s) who are proposed to serve as Lead(s) on the contract with the CRA. Include education, experience, expertise, past performance and any other pertinent information for the individual(s).
- b. Provide comprehensive and detailed information of the experience and qualification of the individual(s) who are proposed to serve as Project Managers(s) on the



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construction. Include education, experience, expertise, past performance and any other pertinent information for the individual(s).

- c. Provide resumes of additional key management personnel and support staff. Include education, experience, expertise, past performance and any other pertinent information for the individual(s).

9. **Approach to the Project:**

- a. Explain in detail the proposer's intended approach for the development of project as outlined in the RFP, including, but not limited to:
 - i. How will Proposer create a natural extension of existing redevelopment efforts?
 - ii. Plans to enhance the overall neighborhood aesthetics.
 - iii. Plans to employ sustainable / green building principles
 - iv. Project Delivery Methods
 - v. Construction Methods
 - vi. Project scheduling and phasing
- b. Firm's ability to meet project schedules, budgets, and clearly identify milestones and resources needed to complete the project when awarded. Provide a detailed project schedule to address timelines for construction.
- c. Discuss Firm's ability to apply new technologies or approaches that may either reduce the cost and time frame or improve the quality of the project.
- d. Complete description of the products/services that the Proposer intends to provide.
- e. What process will Prosper engage in to ensure compatibility and coordination with CRA staff.
- f. Demonstrate design excellence and/or awards for design and/or development.
- g. Demonstrate design excellence and/or awards for "Green" design and/or development.

10. **Green Building Certification:**

- a. All proposing firms must adhere to the requirements [Pursuant to Section 32-787\(k\)\(5\) of the City Zoning and Land Development Code.](#) The project built through this RFP is required to obtain a Green Building



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Certification from a recognized environmental rating agency accepted by the City's Development Services Department.

- b. Proposing Firm must provide the name of Green Building Certification and level/tier sought for the Project.

11. Past Performance – References:

- a. Proposer(s) responding to this RFP must provide three (3) completed, signed and verifiable references for Projects of similar scope as outlined in this RFP completed within the last five (5) years.
- b. Please note that the information for the Projects/Contracts for MQR # 2 Previous Experience must be the same as the Projects/Contracts provided within the Reference Form.

12. City of Hallandale Beach Local Vendor Preference:

Click link for description of [City of Hallandale Beach LVP](#) and process for application.

ORAL PRESENTATIONS:

Oral Presentations may be scheduled with the Firm(s) as requested by the Evaluation Committee. The oral presentations are exempted from the public meeting requirements of s. 286.011 F.S., however will be recorded for public record purposes in accordance with sec. 119.07(1) F.S. as amended.

Oral Presentations are to support what has been provided in the proposals by each Firm and to exhibit and otherwise demonstrate and clarify and expand on the information contained therein. The City reserves the right, where it may serve the CRA's best interest, to request additional information and clarification from Proposers. Sufficient time will be provided to submit this information.

All proposals must be submitted in accordance with the Request for Proposals (RFP) document which may be obtained online at www.cohb.org/solicitations.



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SUBMITTAL DUE DATE:

RESPONSES ARE DUE: JANUARY 20, 2021 BY NO LATER THAN 11:00AM.

**RESPONSES MUST BE SUBMITTED IN A SEALED ENVELOPE AND MUST BE MAILED OR HAND
DELIVERED TO THE ADDRESS IN THE BOX BELOW.**

Due to **COVID-19** and current emergency orders and declarations Hallandale Beach City Hall is not open to the public every day.

For drop off of responses to this RFQ the City Clerk's Office will be open Mondays and Wednesdays 8 am to 3 pm only.

All must plan to obtain access to the City Clerk's Office without being late. No late responses will be accepted.

LATE PROPOSALS WILL NOT BE ACCEPTED

SEALED ENVELOPES MUST BE SEALED AND LABELED AS FOLLOWS:

CITY OF HALLANDALE BEACH
OFFICE OF THE CITY CLERK
[NAME OF PROPOSER]
400 SOUTH FEDERAL HIGHWAY – 2ND FLOOR – SUITE 204
HALLANDALE BEACH, FL 33009
TITLED: RFP # FY 2020-2021-CRA001
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NON-MANDATORY PRE-PROPOSAL CONFERENCE:

DECEMBER 28, 2020 11 AM

City Hall Commission Chambers and through "Virtual" meeting utilizing communications media technology ("CMT"). Information of location found in cover page.

For this RFP the City is holding a Non-Mandatory Pre-Proposal Conference. The Pre-Proposal Conference is held to explain in detail the RFP. It is strongly encouraged that Firms interested in proposing to this RFP attend the Pre-Proposal Conference as a tool to be successful in responding to the City's project. The Pre-Proposal Conference presents the opportunity for Firms to clarify anything within the RFP.



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Questions will not be answered during this meeting. Proposers must submit all questions via email as stated below.

Proposing firm attending the meeting at City Hall Commission Chambers will be able to sign in when entering the meeting.

https://us02web.zoom.us/webinar/register/WN_wbArkL5GskGzg8oMpvPixA

After registering, you will receive a confirmation email containing information about joining the virtual meeting.

LAST DAY FOR QUESTIONS AND CONTACT INFORMATION:

Any questions are to be submitted via email only to Andrea Lues, at alues@cohb.org no later **JANUARY 4, 2021 at 11:00 am.**

Answers to questions received before the deadline will be released via addendum. Changes, if any, to the scope of the services or RFP document will be transmitted only via written addendum and available on the City's website at www.cohb.org/solicitations. The Procurement Department may be contacted at (954) 457-1333. All contact shall be for clarification purposes only.

PROPOSER'S ARE RESPONSIBLE TO CHECK THE CITY'S WEBSITE PRIOR TO SUBMITTING A RESPONSE TO ENSURE THAT THE PROPOSER HAS A COMPLETE PROPOSAL PACKAGE, INCLUDING ANY ADDENDA.

REQUEST FOR PROPOSAL (RFP) TENTATIVE SCHEDULE

THE DATES SHOWN BELOW ARE TENTATIVE AND ARE NOT BINDING AND MAY BE SUBJECT TO CHANGE.

RFP DOCUMENT RELEASED	DECEMBER 7, 2020
<p>NON-MANDATORY PRE-PROPOSAL CONFERENCE City Hall Commission Chambers and through "Virtual" meeting utilizing communications media technology ("CMT").</p> <p>Questions will not be answered during this meeting. Proposers must submit all questions via email to alues@cohb.org by the deadline date.</p>	<p>DECEMBER 28, 2020 11:00 A.M. <u>CITY OF HALLANDALE BEACH</u> <u>CITY HALL</u> <u>COMMISSION CHAMBERS</u> <u>400 SOUTH FEDERAL HIGHWAY</u> <u>HALLANDALE BEACH, FL 33009</u></p>



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<p>Proposing firm attending the meeting at the Commission Chambers in City Hall will be able to sign in when entering the meeting.</p>	
<p>LAST DAY FOR QUESTIONS All Questions must be sent via email to alues@cohb.org before the date and time deadline specified.</p>	<p>ALL QUESTIONS MUST BE EMAILED BY NO LATER JANUARY 4, 2021 BY NO LATER THAN 11:00 A.M.</p>
<p><u>DEADLINE FOR RECEIPT OF PROPOSALS</u> <i>Due to COVID19 and current emergency orders and declarations Hallandale Beach City Hall is <u>not</u> open to the public every day. For drop off of responses to this RFP the City Clerk's Office will be open Mondays and Wednesdays 8 am to 3 pm only. See location below. Access to the building will require time for temperature taking, answering questions, and wearing of a face covering. All must plan to obtain access to the City Clerk's Office without being late. No late responses will be accepted.</i></p>	<p><u>JANUARY 20, 2021</u> <u>BY NO LATER THAN 11:00 A.M.</u></p>
<p><u>RESPONSES TO THE RFP MUST BE SUBMITTED TO THIS ADDRESS:</u> Sealed envelope must clearly provide your firm's company name, address, phone # and contact information and must be labeled with the RFP # and Name. Responses must be received by the City Clerk's Office.</p>	<p><u>CITY OF HALLANDALE BEACH</u> <u>OFFICE OF THE CITY CLERK – 2nd FLOOR</u> <u>SUITE 204</u> <u>400 SOUTH FEDERAL HIGHWAY</u> <u>HALLANDALE BEACH, FL 33009</u></p> <p><u>NO LATE PROPOSALS WILL BE ACCEPTED.</u></p>
<p>EVALUATION OF PROPOSALS</p>	<p>TO BE DETERMINED</p>
<p>ORAL PRESENTATIONS – (IF REQUIRED)</p>	<p>TO BE DETERMINED</p>
<p>CONTRACT AWARD BY CITY COMMISSION – ESTIMATED</p>	<p>TO BE DETERMINED</p>
<p>PROJECT START DATE – ESTIMATED</p>	<p>TO BE DETERMINED</p>



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FORMS

Proposer and all parties that will be part of the project that will be executing the CRA Agreement for the project must complete and include all the following forms within the proposal submission on the USB drive electronically in searchable .pdf format.

Executive Director who will be providing the Bond Capacity Letter and the Security Proposal Bond, the Proposer/Developer and all parties that will design and construct if different from the Proposer/Developer? Advise.

- a. Form A: [Proposal Submitted by Form](#)
- b. Form B: [Variance Form](#)
- c. Form C: [Legal Proceedings Form](#)
- d. Form D: [Public Entity Crime Form](#)
- e. Form E: [Domestic Partnership Certification form](#)
- f. Form F: [Conflict of Interest Notification Requirement Questionnaire](#)
- g. Form G: [Drug Free Workplace Form](#)
- h. Form H: [Anti-Kickback Affidavit](#)
- i. Form I: [Confidentiality Form](#)
- j. Form J: [Request to Withdraw Proposal Form](#)
- k. Form K: [Reference Form – three \(3\) completed and signed by reference](#)
- l. Form L: [Unable to submit response](#)
- m. [Addenda, if any.](#)
- n. [City of Hallandale Beach Local Vendor Preference \(LVP\)](#)
Note: Click link for description and process for submitting application, if applicable
- o. [Bonding Capacity Letter](#)
- p. [Security Proposal Bond](#)

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FORM A: THIS PROPOSAL SUBMITTED BY FORM:

The Proposer and all parties to be awarded the contract for the project must complete all forms.

COMPANY:	
ADDRESS:	
CITY, STATE, ZIP:	
TELEPHONE:	FAX NUMBER:
DATE OF RFP:	
E-MAIL ADDRESS:	
FEDERAL ID NUMBER:	
NAME & TITLE PRINTED:	
SIGNED BY:	

WE (I) the above signed hereby agree to furnish the item(s), service(s) and have read all attachments including specifications, terms and conditions and fully understand what is required.

The Request for Proposals, Specifications, Proposal Forms, and/or any other pertinent document form a part of this proposal and by reference made a part hereof. Signature indicates acceptance of all terms and conditions of the RFP.



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FORM B: VARIANCE FORM

The Proposer must provide and state any and all variances to this RFP, specifications, the Terms and Conditions on this variance form (provide additional pages if necessary).

After award of Contract through CRA Board, via Resolution, the awarded Firm’s Variance Form will be reviewed by appropriate CRA Staff, the CRA Attorney and the Risk Manager. If the Variances presented by Firm are acceptable to the CRA. A CRA Agreement will be routed to the awarded Firm for execution by the authorized officer per Sunbiz.

Variances requested to either the RFP, Terms and Conditions and Agreement may result in the City rescinding award of Contract.

If Firm has no Variances, Firm must state “None” below. This form must be provided back in Firm’s response.



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FORM C: LEGAL PROCEEDINGS FORM

Proposing Firm must provide items a - e with response. Provide all applicable documents per category checked as an attachment. Firm must ensure response is addressing by title for each item a-e below. If an item(s) is not applicable, Firm must check off as applicable stating "N/A" and authorized officer per Sunbiz to provide signature.

a. Arbitrations: List all arbitration demands filed by or against your Firm in the last five (5) years, and identify the nature of the claim, the amount in dispute, the parties and the ultimate resolution of the proceeding.

Check here and provide documentation Check here if Not Applicable (N/A)

b. Lawsuits: List all lawsuits filed by or against, your Firm in the last five (5) years, and identify the nature of the claim, the amount in dispute, the parties, and the ultimate resolution of the lawsuit.

Check here and provide documentation Check here if Not Applicable (N/A)

c. Other Proceedings: Identify any lawsuits, administrative proceedings, or hearings initiated by the National Labor Relations Board, Occupational Safety and Health or similar state agencies in the past five (5) years concerning any labor practices or project safety practices by your Firm. Identify the nature of any proceeding and its ultimate resolution.

Check here and provide documentation Check here if Not Applicable (N/A)

d. Bankruptcies: Has your Firm or its parents or any subsidiaries ever had a Bankruptcy Petition filed in its name, voluntarily or involuntarily? (If yes, specify date, circumstances, and resolution).

Check here and provide documentation Check here if Not Applicable (N/A)

e. Settlements: Identify all settlements for your Firm in detail in the last five (5) years.

Check here and provide documentation Check here if Not Applicable (N/A)

I, _____, _____
Name of Authorized Officer per Sunbiz Title

of _____
Name of Firm as it appears on Sunbiz

I hereby attest that I have the authority to sign this notarized certification and certify that the above referenced information is true, complete and correct.

Signature of Authorized Officer per SunBiz

Print Name of Authorized Officer per SunBiz



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FORM D: PUBLIC ENTITY CRIME FORM

**SWORN STATEMENT PURSUANT TO SECTION 287.133(2) (a),
FLORIDA STATUTES,
PUBLIC ENTITY CRIME INFORMATION**

“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, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a Contractor, supplier, 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 following the date of being placed on the convicted vendor list.”

By: _____

Title: _____

Signed and Sealed _____ day of _____, 2021



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FORM E: Domestic Partnership Certification Form

This form must be completed and submitted with Firm's submittal.

Equal Benefits Requirements As part of the competitive solicitation and procurement process a Contractor seeking a Contract shall certify that upon award of a Contract it will provide benefits to Domestic Partners of its employees on the same basis as it provides benefits to employees' spouses. Failure to provide such certification shall result in a Contractor being deemed non-responsive.

Domestic Partner Benefits Requirement means a requirement for City Contractors to provide equal benefits for domestic partners. Contractors with five (5) or more employees contracting with City, in an amount valued over \$50,000, provide benefits to employees' spouses and the children of spouses.

The Firm providing a response, by virtue of the signature below, certifies that it is aware of the requirements of City of Hallandale Beach Ordinance 2013-03 Domestic Partnership Benefits Requirement, and certifies the following:

Check only one box below:

- 1. The Contractor certifies and represents that it will comply during the entire term of the Contract with the conditions of the Ordinance 2013-03, Section 23-3, Domestic Partner Benefits Requirement of the City of Hallandale Beach, or
- 2. The Firm does not need to comply with the conditions of Ordinance 2013-03, Section 23-3, Domestic Partner Benefits Requirement of the City of Hallandale Beach, because of allowable exemption: **(Check only one box below):**
 - The Firm's price for the contract term awarded is \$50,000 or less.
 - The Firm employs less than five (5) employees.
 - The Firm does not provide benefits to employees' spouses nor spouse's dependents.
 - The Firm is a religious organization, association, society, or non-profit charitable or educational institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association or society.
 - The Firm is a government entity.
 - The contract is for the sale or lease of property.
 - The covered contract is necessary to respond to an emergency.



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- The provision of Ordinance 2013-03, Section 23-3 Definition, of the City of Hallandale Beach, would violate grant requirements, the laws, rules or regulations of federal or state law.

I, _____, _____
Name of authorized Officer per Sunbiz Title

of _____
Name of Firm as it appears on Sunbiz

hereby attest that I have the authority to sign this notarized certification and certify that the above referenced information is true, complete and correct.

Signature _____ Print Name _____

STATE OF _____

COUNTY OF _____

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 20__ BY _____

TO ME PERSONALLY KNOWN OR PRODUCED IDENTIFICATION:

(type of ID)

Signature of Notary _____

Commission expires _____

Print Name of Notary Public _____



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FORM F: CONFLICT OF INTEREST NOTIFICATION REQUIREMENT QUESTIONNAIRE

If you are an employee, board member, elected official(s) or an immediate family member of any such person, please indicate the relationship below. Pursuant to the City of Hallandale Beach Standards of ethics any potential conflict of interest must be disclosed and if requested, obtain a conflict of interest opinion or waiver from the Board of Directors prior to entering into a contract with the City.

1. Name of Firm submitting a response to this RFP.

2. Describe each affiliation or business relationship with an employee, board member, elected official(s) or an immediate family member of any such person of the City of Hallandale Beach or Hallandale Beach Community Redevelopment Agency, if none so state.

3. Name of City of Hallandale Beach or Hallandale Beach Community Redevelopment Agency employee, board member, elected official(s) or immediate family member with whom filer/respondent/Firm has affiliation or business relationship, if none so state.

4. Describe any other affiliation or business relationship that might cause a conflict of interest, if none so state.

CONFLICT OF INTEREST NOTIFICATION REQUIREMENT QUESTIONNAIRE

5.

Signature of person/Firm

Date



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FORM G: DRUG-FREE WORKPLACE FORM

The undersigned vendor in accordance with Florida Statute 287.087

Hereby certified that _____ does:
(Name of Business)

1. Publish a statement notifying employees 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 violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and 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 subsection (1).
4. In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, 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 so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

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

DATE

BIDDER'S SIGNATURE



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FORM H: ANTI-KICKBACK AFFIDAVIT

STATE OF _____)
) SS:
COUNTY OF _____)

I, the undersigned hereby duly sworn, depose and say that no portion of the sum herein Bid/RFP will be paid to any employees of the City of Hallandale Beach and its elected officials, as a commission, kickback, reward or gift, directly or indirectly by me or any member of my Firm or by an officer of the corporation.

By: _____
Signature of Authorized Officer per Sunbiz

Print Name of Authorized Officer per Sunbiz

Title of Authorized Officer per Sunbiz

Sworn and subscribed before me this _____ day of _____, 20__.

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: _____



DISPOSAL OF REAL PROPERTY IN A COMMUNITY REDEVELOPMENT AREA AND DEVELOPMENT OF A MIXED-USE HOTEL AND/OR MIXED USE DEVELOPMENT IN THE NEWLY NAMED HARLEM VILLAGE

FORM I: CONFIDENTIALITY FORM

Sealed bids/proposals, or replies received by an agency pursuant to a competitive solicitation are exempt from Chapter 119, Florida Statutes. The Proposer must include any materials it asserts to be exempted from public disclosure under Chapter 119, Florida Statutes, in a separate bound document labeled "Attachment to Request for Proposals, RFP Number and Name - Confidential Material".

The Proposer must identify the specific Statute that authorizes exemption from the Public Records Law. Any claim of confidentiality on materials the Proposer asserts to be exempt from public disclosure and placed elsewhere in the proposal will be considered waived by the Proposer upon submission, effective after opening.

Proposer should take special note of this as it relates to proprietary information that might be included in this solicitation.

I, _____,
Name of authorized Officer per Sunbiz and/or legal documentation Title

of _____
Name of Firm as it appears on Sunbiz and/or legal documentation hereby, attest that I have the authority to sign this notarized certification and certify that the Firm complies with the above requirements.

Signature

Title



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FORM J: REQUEST TO WITHDRAW PROPOSAL FORM

Requests to withdraw proposal will be considered if received by the CRA, via email to alues@cohb.org before deadline for receipt of proposals.

This form must be provided back via email to alues@cohb.org before deadline for receipt of proposals

I, _____,
Name of authorized Officer per Sunbiz and/or legal documentation Title

of _____
Name of Firm as it appears on Sunbiz and/or legal documentation request to withdraw Firm's proposal for **RFP # FY 2020-2021-CRA001 DISPOSAL OF REAL PROPERTY IN A COMMUNITY REDEVELOPMENT AREA AND DEVELOPMENT OF A MIXED-USE HOTEL AND/OR MIXED-USE DEVELOPMENT IN THE NEWLY NAMED HARLEM VILLAGE**

Signature Title

Date: _____

Time: _____



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FORM K: REFERENCE FORM

NOTE THAT THE INFORMATION FOR PROJECTS/CONTRACTS FOR MQR #2 MUST BE SAME AS THE PROJECTS/CONTRACTS PROVIDED FOR FIRM'S REFERENCES.

Proposing Firm and all parties that will be part of the project and awarded a contract by the CRA must provide references as required.

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PROPOSING FIRM'S NAME:
PROJECT NAME:
NAME OF FIRM THAT WAS AWARDED THE AGREEMENT:
PROVIDE SPECIFIC SERVICES THAT WERE AWARDED THROUGH THE CONTRACT. FIRM MUST BE SPECIFIC:

Name of Person providing reference information:	
Telephone Number of Person providing reference:	
E-mail Address:	
Title of reference:	
Company:	

Please answer the following questions regarding services provided by the proposer.



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PLEASE RATE BELOW FOR ITEMS 1 THROUGH 14, A SCORE FROM 1 TO 5, (1 BEING LOWEST, AND 5 BEING HIGHEST), FOR THE SERVICES RENDERED.

1. Rate the firm's success in providing the final project on time and without changes.

1 Lowest	2	3	4	5 Highest

2. Rate the firm's knowledge of green certification requirements.

1 Lowest	2	3	4	5 Highest

3. Rate the level of commitment of the firm toward your project. Did the firm devote the time and personnel necessary to successfully complete your project?

1 Lowest	2	3	4	5 Highest

4. Rate the competence and accessibility of the personnel directing, supervising and performing the work on your project.

1 Lowest	2	3	4	5 Highest

5. Rate the firm's success at keeping you updated and informed about the progression of the project. Particularly, when special needs or problems arose.

1 Lowest	2	3	4	5 Highest

6. Rate the firm's success at minimizing any issues.

1 Lowest	2	3	4	5 Highest



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7. Rate the firm's success at accomplishing the tasks established as required by the Agreement.

1 Lowest	2	3	4	5 Highest

8. Rate the firm's success at completing tasks within the timeline established for completion of your project.

1 Lowest	2	3	4	5 Highest

9. Rate the firm's success at providing the services as specified in the agreement meeting reporting dates and content.

1 Lowest	2	3	4	5 Highest

10. Rate the firm's success at completing your project according to specifications and contract requirements.

1 Lowest	2	3	4	5 Highest

11. Rate the overall performance of the firm on your project.

1 Lowest	2	3	4	5 Highest

12. Rate the firm's willingness/success to work to solve project related issues that might fall outside of the scope of work/project outlined.

1 Lowest	2	3	4	5 Highest



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13. Did your firm and the Project Manager well work together?

1 Lowest	2	3	4	5 Highest

14. How would you rate the firms overall based on your experience with the project.

1 Lowest	2	3	4	5 Highest

15. Was the project provided on budget?

YES	NO
-----	----

16. Can you describe any instances in which there were errors in the project as a result of the firm which had an impact either financially or on the schedule to the City? If so, what was it and how was it rectified.

YES	NO
-----	----

ADDITIONAL NOTES/ COMMENTS:

17. If you had a similar project to undertake in the future, would the firm be considered to perform the work?

YES	NO
-----	----

ADDITIONAL COMMENTS:

PERSON PROVIDING REFERENCE (PRINT NAME):	
PRINT TITLE:	

SIGNATURE: _____ **Date:** _____



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FORM L: UNABLE TO SUBMIT RESPONSE FORM

UNABLE TO SUBMIT A RESPONSE? We sincerely hope this is not the case. If you're Firm cannot submit a proposal at this time, please provide the information requested in the space provided below and return form to procurement_department@cohb.org.

HAVE RECEIVED THE RFP

(COMPANY NAME)

UNABLE TO RESPOND TO THE RFP AT THIS TIME DUE TO THE FOLLOWING REASONS:

COMPLETE INFORMATION BELOW:

SIGNATURE:
TITLE:
STREET ADDRESS: (OR)
CITY:
STATE: ZIP CODE:
TELEPHONE/AREA CODE: ()
EMAIL ADDRESS:
RETURN THIS UNABLE TO SUBMIT FORM ONLY TO EMAIL ABOVE:
CITY OF HALLANDALE BEACH
PROCUREMENT DEPARTMENT
400 SOUTH FEDERAL HIGHWAY, ROOM 242
HALLANDALE BEACH, FL 33009
TITLED: RFP # FY 2020-2021-CRA001 DISPOSAL OF REAL PROPERTY IN A COMMUNITY REDEVELOPMENT AREA AND DEVELOPMENT OF A MIXED-USED HOTEL AND/OR MIXED-USE DEVELOPMENT IN THE NEWLY NAMED HARLEM VILLAGE



GENERAL TERMS AND CONDITIONS:

I. SUBMISSION AND RECEIPT OF PROPOSALS

1. Proposals to receive consideration must be received on or prior to the specified time and date of opening, as designated in the proposal.
2. Unless otherwise specified, Firms **MUST** use the proposal form(s) furnished by the City. Failure to do so may be cause for rejection of proposal. Removal of any part of the proposal forms may invalidate proposal.
3. Proposals having any erasure or corrections **MUST** be initialed by the Proposer in **INK**. Proposals shall be signed in INK; all forms shall be typewritten or printed with pen and ink.

II. GENERAL TERMS AND CONDITIONS

These General Terms and Conditions apply to all responses made to the CRA by all prospective Proposers. The CRA reserves the right to reject any or all proposals, to waive any informalities or irregularities in any proposals received, to re-advertise for proposals, to enter into contract negotiations with the selected Proposer(s) or take any other actions that may be deemed to be in the best interest of the City of Hallandale Beach CRA.

1. CONE OF SILENCE:

- (a) *Purpose.* A cone of silence shall be applicable to all requests for proposal (RFP), invitations to bid (ITB), RFLI, or any other advertised solicitations for the provision of goods and services, professional services, and public works or improvements for amounts greater than fifty thousand (\$50,000) dollars, unless otherwise exempted in this section.
- (b) *Definition.* The term "cone of silence" means a prohibition on:
 - (1) Any communication regarding a particular RFP, RFQ, ITB, RFLI, or any other advertised solicitation between a potential proposer, offeror, respondent, bidder, lobbyist or consultant and the CRA's staff including, but not limited to, the Executive Director/City Manager and his/her staff;
 - (2) Any communication regarding a particular RFP, RFQ, RFLI, ITB or any other advertised solicitation between a potential proposer, offeror, respondent, bidder, lobbyist, or consultant and any member of the selection/evaluation committee therefor;



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- (3) Any communication regarding a particular RFP, RFQ, RFLI, ITB or any other advertised solicitation between a potential proposer, offeror, respondent, bidder, lobbyist, or consultant and the mayor and board of directors/commissioners and their respective staff.
- (c) *Exemptions.* Notwithstanding the foregoing, the cone of silence shall not apply to:
- (1) Communications between a potential proposer, offeror, respondent, bidder, consultant and City purchasing staff, prior to bid opening date or receipt of proposals, provided the communication is limited strictly to matters of process or procedure already contained in the corresponding solicitation document;
 - (2) Duly noticed pre-bid/proposal conferences and site inspections;
 - (3) Duly noticed site visits to determine the competency of bidders/proposers regarding a particular solicitation during the time period between the opening of bids/receipt of proposals and the time the Executive Director/City Manager presents his/her written recommendation to the board of directors/city commission;
 - (4) Emergency procurements;
 - (5) Communications with the City Attorney/CRA Attorney;
 - (6) Sole source procurements;
 - (7) Those purchases that are exempted from competitive requirements in accordance with Code of Ordinances, Section 23-8
 - (8) Bid waivers;
 - (9) Oral presentations before selection/evaluation committees and communications occurring during duly noticed meetings of selection/evaluation committees;
 - (10) Public presentations made to the city commission and communications occurring during any duly noticed public meeting;
 - (11) Communications in connection with the collection of industry comments or the performance of market research regarding a particular RFP, RFQ, RFLI, ITB or any other advertised solicitation by the purchasing staff;
 - (12) Contract negotiations that occur after an award; and
 - (13) Any communication regarding a particular RFP, RFQ, RFLI, ITB or any other advertised solicitation between the city manager and his/her staff, and the mayor and city commission and their staff ,following the evaluation process, to discuss the documents released by the city as well as documents received from responders. The executive director/city manager shall make available to the mayor and the board of directors/city commission all documents reviewed by the evaluation committee for the top three ranked responders.



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- (d) Procedure.
- (1) Imposition. A cone of silence shall be imposed upon each RFP, RFQ, RFLI, ITB or any other advertised solicitation when the solicitation is advertised. At the time of imposition of the cone of silence, the city manager or his/her designee shall issue a notice thereof to the affected department, the city clerk, mayor and executive director/city commission and shall include in any advertised solicitation a statement disclosing that the solicitation is subject to the cone of silence.
 - (2) Termination; board of directors/city commission awarding authority. Except as otherwise provided herein, the cone of silence shall terminate at the date and time of the board of directors /city commission meeting where the award will be made; provided, however, that if the city commission defers the matter to a future date, the cone of silence shall be re-imposed until such time as the matter is brought back before the board of directors/city commission for further deliberation. In the event the board of directors/city commission decides to reject all bids, then the cone of silence shall be lifted.
 - (3) Executive Director/City Manager awarding authority. Except as otherwise provided herein, the cone of silence shall terminate at the time the originating department issues a written recommendation to the city manager; provided, however, that if the executive director/city manager refers the recommendation back for further review, the cone of silence shall be reinstated until such time as the executive director/city manager issues a recommendation for award pending the bid protest period.
- (e) Penalties. Violation of the cone of silence by a particular bidder or proposer shall render the award to said bidder or proposer voidable by the city commission. A violation of this section by a particular bidder, proposer, offeror, respondent, lobbyist or consultant shall subject said bidder, proposer, offeror, respondent, lobbyist or consultant to five hundred (\$500.00) dollar fine per violation and debarment.

2. SPECIAL ACCOMODATIONS

Any person with a qualified disability requiring special accommodations at a pre-proposal conference, public meeting, oral presentation and/or opening shall contact the Office of the City Clerk at (954) 457-1340, at least five (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using the Florida Relay Services which can be reached at 1 (800) 955-8771 (TDD).



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Americans with Disabilities Act (ADA). The City complies with the provisions of the Americans with Disabilities Act. If you are a disabled person requiring any accommodations or assistance, please notify the Office of the City Clerk at (954) 457-1340 of such need.

3. CONFIDENTIAL MATERIAL

The Proposer must include any materials it asserts to be exempted from public disclosure under Chapter 119, Florida Statutes, in a separate bound document labeled "Attachment to Request for Proposals, (*Name of RFP*) - Confidential Material". The Proposer must identify the specific Statute that authorizes exemption from the Public Records Law. Any claim of confidentiality on materials the Proposer asserts to be exempt from public disclosure and placed elsewhere in the proposal will be considered waived by the Proposer upon submission, effective after opening.

4. DOMESTIC PARTNER BENEFITS REQUIREMENT:

A requirement for City of Hallandale Beach CRA Contractors to provide equal benefits for domestic partners. Contractors with five (5) or more employees contracting with the City of Hallandale Beach CRA, in an amount valued over \$50,000, must provide benefits to employees' spouses and the children of spouses. All Firms must complete and provide with their response the Domestic Partnership Certification Form.

Equal Benefits Requirements

As part of the competitive solicitation and procurement process a Contractor seeking a Contract shall certify that upon award of a Contract it will provide benefits to Domestic Partners of its employees on the same basis as it provides benefits to employees' spouses. The certification shall be in writing and signed by an authorized officer of the Contractor. Failure to provide such certification shall result in a Contractor being deemed non-responsive.

Contracts

Every Contract, unless otherwise exempt as per the section below, shall contain language that obligates the Contractor to comply with the applicable provisions of this section. The Contract shall include provisions for the following:

- (i) The Contractor certifies and represents that it will comply with this section during entire term of the Contract.
- (ii) The failure of the Contractor to comply with this section shall be deemed to be a material breach of the contract, entitling the CRA/City to pursue any remedy stated below or any remedy provided under applicable law.
- (iii) The CRA/City may terminate the Contract if the Contractor fails to comply with this section.



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- (iv) The CRA/City may retain all monies due or to become due until the Contractor complies with this section.

Exception and waiver

The provision of this section shall not apply where:

- a. The contractor provides benefits neither to employees' spouses nor spouse's dependents.
- b. The contractor is a religious organization, association, society or any non-profit charitable or educational institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association or society.
- c. The contractor is a governmental entity.
- d. The contract is for the sale or lease of property.
- e. The covered contract is necessary to respond to an emergency.
- f. The provision of this section would violate grant requirements, the laws, rules or regulations of federal or state law.
- g. The board of directors/city commission waives compliance of this section in the best interests of the CRA/City, including but not limited to, the following circumstances:
 1. Where only one (1) solicitation response is received.
 2. Where more than one (1) solicitation response is received, but the solicitation demonstrates that none of the proposed solicitations can comply with the requirements of this section.

5. LOBBYIST REGISTRATION:

Annual registration. Every lobbyist shall file a registration form with the City Clerk's Office. The registration form requires the Lobbyist to state under oath the lobbyist's name, business address, the name and business address of each party, person, principal, and/or client represented on cra/city matters, any previous principal, and/or client represented who has, at the time of registration, any pending matters involving the CRA/City, and the general and specific areas of lobbyist interest in any CRA/City matter, if not previously disclosed. Registration is required annually, along with a payment of an annual registration fee of fifty (\$50.00) Dollars.



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6. SCRUTINIZED COMPANIES:

The CRA/City, entering into a contract for goods or services of \$1 million or more, entered into or renewed on or after July 1, 2011, can terminate such contract at the option of the CRA/City if the Firm awarded the contract is found to have submitted a false certification or has been placed on the Scrutinized Companies with Activities in Sudan List or Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List.

7. PROPOSAL ACCEPTANCE PERIOD:

Proposer warrants by virtue of submitting a proposal that costs, terms and conditions quoted in the Proposal will remain Firm for acceptance by Board of Directors/City Commission until such time as the Board of Directors/City Commission approves award of contract.

8. PUBLIC RECORDS:

Sealed bids, or replies received by an agency pursuant to a competitive solicitation are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until such time as the agency provides notice of an intended decision or until 30 days after opening the bids, proposals, or final replies, whichever is earlier. In the event the City Commission elects to reject all bids and indicates its intent to reissue the solicitation of bids, the submitted proposals remain exempted from s. 119.07(1) and s. 24(a) Art. I of the State Constitution until the City gives notice of its intent to award the contract under the reissued solicitation.

If the bidder/proposer believes any of the information contained in his or her response is exempt from the Public Records Law, then the Proposer, must in his or her response, specifically identify the material which is deemed to be exempt and cite the legal authority for the exemption. CRA/City's determination of whether an exemption applies shall be final, and bidder/proposer agrees to hold harmless and releases the CRA/City, and to defend, indemnify, by Counsel chosen by the CRA/City Attorney, the CRA/City and CRA/City's officers, employees, and agents against any loss or damages incurred by any person or entity as a result of the CRA's/City's treatment of records as public records.

9. ADDENDA AND MODIFICATIONS:

All addenda and other modifications to the documents or this RFP made prior to the time and date of proposal opening shall be issued as separate documents identified as changes to the proposal project document. The CRA/City shall make reasonable efforts to issue addenda within seven days prior to proposal opening.

If any addenda are issued, the CRA/City will attempt to notify known prospective Proposers. Addenda to this solicitation will be posted on the CRA/City's webpage



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<http://www.cohb.org/solicitations>.

Firms are solely responsible to check the website or contact the Procurement Department prior to the Proposal submittal deadline to ensure addenda has not been released. All Proposals shall be construed as though all addenda had been received and acknowledged and the submission of his/her Proposal shall constitute acknowledgment of receipt of all addenda, whether or not received by him/her. It is the responsibility of each prospective Proposer to verify that he/she has received all addenda issued before depositing the Proposal with the CRA.

10. PERFORMANCE:

It is the intention of the CRA to obtain the products and services as specified herein from a source of supply that will give prompt and convenient service. The awarded Proposer must be able to perform as required under the Scope of Service. Any failure of Contractor to comply with these conditions may be cause for terminating any resulting contract immediately upon notice by the CRA. The CRA reserves the right to obtain these products and services from other sources, when necessary, should Contractor be unable to perform on a timely basis and such delay may cause harm to the using department or CRA residents.

The City, in its absolute discretion, will consider a Vendor's prior performance on any City of Hallandale Beach contracted project to determine if the Vendor has completed prior contracted projects in a timely fashion and/or has failed in any other way, in the opinion of the City, to perform a prior contract in a satisfactory manner.

11. DELIVERY:

Time is of the essence. CRA reserves the right to cancel orders, or any part thereof, without obligation, if delivery is not made at the time specified on the proposal form.

12. DEFAULT PROVISION:

In case of default by the successful Firm the CRA may procure the products or services from other sources and hold the Firm responsible for any excess cost occasioned or incurred thereby.

13. COPYRIGHTS AND/OR PATENT RIGHTS:

Proposer warrants that there has been no violation of copyrights and/or patent rights in the manufacturing, producing or selling the goods, shipped or ordered, as a result of this proposal and the Proposer agrees to hold the CRA harmless from any and all liability, loss, or expense occasioned by any such violation.



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Copyrighted material will be accepted as part of a technical proposal only if accompanied by a waiver that will allow the City to make paper and electronic copies necessary for the use of City staff and agents. It is noted that copyrighted material is not exempt from the Public Records Law, Chapter 119, Florida Statutes. Therefore, such material will be subject to viewing by the public, but copies of the material will not be provided to the public.

14. TAXES:

The CRA/CITY is exempt from any taxes imposed by the State of Florida and/or Federal Government. State Sales Tax Exemption Certificate No. 85-8015922477C-2; United States Treasury Department. Exemption Certificates provided on request.

15. FAILURE TO SUBMIT PROPOSAL:

If your Firm does not submit a proposal, please return the form, "**UNABLE TO SUBMIT A PROPOSAL**", stating thereon and request that your name be retained on the CRA mailing list, otherwise, your Firm's name will be removed from the CRA's bid mailing list.

16. SIGNED PROPOSAL CONSIDERED AN OFFER:

The signed Proposal shall be considered an offer on the part of the Proposer or Firm, which offer shall be deemed accepted upon approval by the CRA Board of Directors of the City of Hallandale Beach CRA, Florida and in case of default on the part of the successful Proposer or Firm, after such acceptance, the CRA may take such action as it deems appropriate, including legal action, for damages or specific performance.

17. LIABILITY, INSURANCE, LICENSES AND PERMITS:

Where Proposers are required to enter onto City of Hallandale Beach CRA property to deliver materials or perform work or services, as a result of proposal award, the Proposer will assume full duty, obligation and expense of obtaining all necessary licenses, permits, inspections and insurance, as required. The Proposer shall be liable for any damage or loss to the CRA occasioned by negligence of the Proposer (or agent) or any person the Proposer has designated in the completion of a contract as a result of the proposal.

18. RESERVATION FOR REJECTION AND AWARD:

The CRA reserves the right to accept or reject any or all proposals, to waive irregularities and technicalities, and to request re-submission of proposals. The CRA also reserves the right to award the contract on such material the CRA deems will best serve its interests.

The CRA also reserves the right to waive minor variations to specifications (interpretation of minor variations will be made by applicable City Procurement personnel). In addition,



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the CRA/CITY reserves the right to cancel any contract by giving thirty (30) days written notice. **The CRA reserves the right to negotiate the type and cost of specific types of services to be purchased. These negotiations may be held with one or more proposers, as is deemed in the best interest of the CRA.**

Other conditions which may cause rejection of proposals include, but are not limited to, evidence of collusion among Proposers, obvious lack of experience or expertise to perform the required work, failure to perform or meet financial obligations on previous contracts, or in the event an individual, firm, partnership, or corporation is on the General Services Administration Excluded Parties List. Proposers whose proposals, past performance, or current status do not reflect the capability, integrity, or reliability to fully and in good faith perform the requirements of the Contract may be rejected as non-responsible. The CRA reserves the right to determine which proposals meet the requirements of this solicitation, and which Proposers are responsive and responsible.

The Executive Director/City Manager shall have the authority to recommend to the board of directors/city commission award of contracts. Contracts shall be awarded to the lowest responsive, responsible bidder, or as otherwise determined in the best interest of the city. The Board of Directors/City Commission shall not be involved in the preparation, submittal and evaluation of bids, request for proposals and other purchases, including attendance at or participating in presentations to or deliberations by a selection committee or contact with persons, Firms, organizations and corporations submitting bids or proposals to the city. Following an evaluation of responses received for bids, request for proposals, and other purchases, the executive director/city manager shall have the authority to recommend to the board of directors/city commission award of contracts.

19. OMISSION OF INFORMATION:

Any omissions of detailed specifications stated herein, that would render the materials/services not suitable for use as specified, will not relieve the Proposer from responsibility.

20. INSPECTION OF FACILITIES / SITE VISIT:

Proposers wishing to inspect facilities where services are to be rendered must make an appointment by calling the City's Procurement Department.

21. PROPOSER'S COSTS:

The CRA shall not be liable for any costs incurred by proposers in response to the RFP.



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22. UNAUTHORIZED ALIENS

The employment of unauthorized aliens by any contractor/Firm is considered a violation of Section 274A(e) of the Immigration and Nationality Act. If the contractor/Firm knowingly employs unauthorized aliens, such violation shall be cause for unilateral cancellation of the contract.

23. NONDISCRIMINATION, EQUAL OPPORTUNITY AND AMERICANS WITH DISABILITIES ACT

CONTRACTOR shall not discriminate against any person in its operations and activities in its use or expenditure of funds or any portion of the funds provided by this Agreement and shall affirmatively comply with all applicable provisions of the Americans with Disabilities Act (ADA) in the course of providing any services funded in whole or in part by CRA, including Titles I and II of the ADA (regarding nondiscrimination on the basis of disability), and all applicable regulations, guidelines and standards.

CONTRACTOR's decisions regarding the delivery of services under this Agreement shall be made without regard to or consideration of race, age, religion, color, gender, sexual orientation (Broward County Code, Chapter 16 ½), gender identity, gender expression, national origin, marital status, physical or mental disability, political affiliation or any other factor which cannot be lawfully or appropriately used as a basis for service delivery.

CONTRACTOR shall comply with Title I of the Americans with Disabilities Act regarding nondiscrimination on the basis of disability in employment and further shall not discriminate against any employee or applicant for employment because of race, age, religion, color, gender, sexual orientation, gender identity, gender expression, national origin, marital status, political affiliation, or physical or mental disability. In addition, CONTRACTOR shall take affirmative steps to ensure nondiscrimination in employment against disabled persons. Such actions shall include, but not be limited to the following: employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff, termination, rates of pay, other forms of compensation, terms and conditions or employment, training (including apprenticeship, and accessibility).

CONTRACTOR shall take affirmative action to ensure that applicants are employed and employees are treated without regard to race, age, religion, color, gender, sexual orientation (Broward County Code, Chapter 16 ½), gender identity, gender expression, national origin, marital status, political affiliation, or physical or mental disability during employment. Such actions shall include, but not be limited to the following: employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff; termination, rates of pay, other forms of compensation, terms and conditions of employment, training (including apprenticeship), and accessibility.



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CONTRACTOR shall not engage in or commit any discriminatory practice in violation of the Broward County Human Rights Act (Broward County Code, Chapter 16 ½) in performing any services pursuant to this Agreement.

24. PROTEST PROCEDURES:

Any party may present a written protest about the award of a contract as a result of an RFP, RFQ or Bid to the Director of Procurement. Emergency procurements, purchases for goods, supplies, equipment, and services, the estimated cost of which does not exceed fifty thousand (\$50,000.00) dollars, are not subject to protests.

(1) Time for Protest

The submission of a protest about the award of a contract, as a result of an RFP, RFQ or Bid, to the Director of Procurement must be made no later than ten (10) calendar days of approval of Notice of Award.

(2) Form and Content of Protest

The protest shall be filed in writing with the Director of Procurement and shall state the contested information about the RFP, RFQ or Bid.

The Procurement Director will provide a copy of the written protest to the City Attorney and/or City Attorney and other appropriate City staff.

(3) Protest Filing Fee

The written protest must be accompanied by a filing fee in the form of a money order or cashier's check payable to the City of Hallandale Beach in an amount equal to one (1%) percent of the contract value, which resulted from an RFP, RFQ or Bid, but no greater than five thousand (\$5,000.00) dollars. The filing fee shall guarantee the payment of all costs which may be adjudged against the protestor in any administrative or court proceeding. If a protest is upheld by the Director of Procurement, the filing fee shall be refunded to the protestor less any costs assessed under section 4. "Costs" below.

(4) Costs - All costs accrued from a protest shall be assumed by the protestor.

(5) Authority to resolve protests

The Procurement Director shall have the authority, subject to the approval of the City Manager Executive Director and the City Attorney, to settle and resolve any written protest within thirty (30) days after receipt of the written protest.

(6) Special Magistrate

In the event the protest is not resolved by the Procurement Director, a hearing shall be scheduled by the City before a special magistrate selected by the City, who



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shall only determine whether procedural due process has been afforded, whether the essential requirements of law have been observed, and whether the Procurement Director's finding are arbitrary, capricious, or an abuse of discretion. Any hearing shall be limited to two (2) hours per side, unless the special magistrate rules otherwise. This requirement is a jurisdictional prerequisite to the institution of any civil action regarding the same subject matter.

25. QUALIFICATIONS OF PROPOSER:

Proposals shall be considered only from Firms normally engaged in performing the type of work specified within the RFP Project Document. The Firm proposing must have adequate organization, facilities, equipment, and personnel to ensure prompt and efficient service to the CRA/City. In determining a Proposer's responsibility and ability to perform the contract, the CRA/City has the right to investigate the financial condition, experience record, personnel, equipment, facilities, and organization of the Proposer. The CRA/City has the right to conduct further investigation of the Firm's responsibility. The unreasonable failure of Proposer or Firm to promptly supply information in connection with an inquiry with respect to responsibility may be grounds for determination of non-responsibility with respect to such Proposer or Firm.

26. CONFLICT OF INTEREST

If you are an employee, board member, elected official(s) or an immediate family member of any such person, please indicate the relationship in the form provided in the Form's Section. Pursuant to the City of Hallandale Beach/CRA Standards of ethics any potential conflict of interest must be disclosed and if requested, obtain a conflict of interest opinion or waiver from the Board of Directors/City Commission prior to entering into a contract with the CRA.

27. SAMPLE FORM CONTRACT: NOT APPLICABLE FOR THIS RFP

The City's Form Contract is attached as part of this solicitation. Submission of a response without identifying variances expressly acknowledges and formally evidences acceptance of all terms and conditions of the form Contract. Any and all variances must be submitted in writing by the Proposer.

28. AWARD OF CONTRACT:

The City exercises the right reserved herein to reject any or all bids. The Contract shall be awarded by the City to the responsive, responsible Bidder who has submitted either the lowest responsive bid or the lowest responsive bid on the base



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bid including such alternates as the City determines to be in its own best interests depending upon whichever is applicable to the particular bid.

Services will be authorized to begin when the awarded Firm(s) receives, as appropriate a fully executed contract, a notice to proceed and a purchase order indicating encumbrance of funds.

29. POLYSTYRENE (STYROFOAM) ADMINISTRATIVE POLICY:

The City of Hallandale Beach Administrative Policy 2009.002, Expanded Polystyrene Administrative Policy was approved by the City Commission during the April 18, 2018 by City Commission. The Policy is to preserve and enhance the health and quality of the environment in Hallandale Beach by restricting the use of City funds by City employees, contractors and/or vendors to purchase expanded polystyrene (Styrofoam) products for use or sale on City property or City facilities. Under the policy, City funds may not be expended to purchase Styrofoam food services articles for use or sale in City facilities or on City property. This includes funds used by City employees or used to pay City Contractors or vendors. Styrofoam food service articles will no longer be permitted to be sold or used in City facilities or on City properties by contractors or vendors that are paid with City funds. Click to access [2009.002 Expanded Polystyrene \(Styrofoam\) Administrative Policy](#).

30. FALSE CLAIMS ORDINANCE NO. 2018-22:

The City of Hallandale Beach Code of Ordinances, Chapter 19, Article V, False Claims (Ordinance No. 2018-22) was approved by City Commission on August 15, 2018. The False Claims Ordinance purpose is to deter persons from knowingly causing or assisting in causing the City to pay false claims, and to provide remedies for obtaining damages and civil relief for the City if a false claim is sought or obtained from the City. Click link to access [False Claims Ordinance No. 2018-22](#).

31. PART 200-UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS:

Contractor must comply with all applicable Federal law, regulations, executive order, FEMA policies, procedures and directives. The applicable procurement standards must be in met in accordance with all 2CFR guidelines: The applicable procurement standards must be in met in accordance with all 2CFR guidelines: • General procurement standards (2 C.F.R. Part 200.318). • Competition (2 C.F.R. Part 200.319). • Methods of procurement (2 C.F.R. Part 200.320). • Contracting with small and minority businesses, women's business enterprises, and area labor surplus firms (2 C.F.R. Part 200.321). • Procurement of recovered materials (2 C.F.R. Part 200.322). • Contract cost and price (2 C.F.R. Part



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- 200.323). • Awarding agency and pass-through entity review (2 C.F.R. Part 200.324).
- Bonding requirements (2 C.F.R. Part 200.325).
- Contract provisions (2 C.F.R. Part 200.326 and Appendix II).



CITY OF HALLANDALE BEACH LOCAL VENDOR PREFERENCE How a proposer qualifies for Tier 1, Tier 2 or Tier 3 LVP:

The City of Hallandale Beach has a Hallandale Beach Local Vendor Preference (CHBLVP). The CHBLVP is not a requirement for this RFP. However, if the Proposing Firm itself or the Proposing Firm's subcontractor(s) qualify as a Hallandale Beach Local Vendor, read below to make the determination of how to do that, in order to receive the Hallandale Beach Local Vendor Preference consideration. The Proposer must identify all Hallandale Beach local vendors that will be utilized as subcontractors, and delineate for each the specific elements of work each Local Vendor will be responsible for performing and the dollar value of work as a percentage of the total Contract value.

All proposers must provide the documentation/paperwork requested below in order for the Procurement Department to grant the LVP status. Please note that the paperwork/documentation being requested below is retroactive, must be dated, one (1) year prior to the bid/proposal due date.

Please note that the submission of incomplete/incorrect information and/or omissions of detailed information as required per this section may deem the LVP preference from being granted.

Proposer must provide the following submittal to be granted Tier 1, 2 or 3 LVP:

In order to grant the Local City of Hallandale Beach Vendor preference, the Firm must submit the specified paper work/documents stated below and must provide the submittal of the LVP labeled as Exhibit A with all the following requirements for the Firm(s), letters a-d below.

Firm must clearly label the LVP submittal "Local City of Hallandale Beach Vendor Preference", Exhibit A. The submittal must include all of the following:

- a) The Tier applicability being required.
- b) The name of the company that meets the Tier applicability.
- c) Copy of the forms required to apply for the specific Tier preference.
- d) The percentage (%) of the total project cost which will be provided and performed by the Local Vendor whose name is provided for letter b above. Exact type of service, or direct labor or a bona fide service that Local Vendor will provide to the project.



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Tier 1 LVP:

A Tier 1 "Local City of Hallandale Beach Vendor" shall mean a resident which has a valid homestead from Broward County Property Appraiser's in the City's limits and the resident owns a business within the City limits with a valid Business Tax Receipt issued by the City that authorizes the business to do business in the City and that authorizes the business to provide the goods, services or construction to be purchased.

Documentation to provide to receive LVP Tier 1:

Business Tax Receipt (BTR) from Hallandale Beach:

The valid Business Tax Receipt shall have been issued by the City at least one (1) year prior to the bid or proposal due date. The business must have a physical address located within the City limits. Post office boxes shall not be utilized for the purpose of establishing said physical address. Proof of Business Tax Receipt must be submitted with response to the solicitation.

Homestead in Hallandale Beach:

Proof of the homestead must be submitted with the response to the solicitation.

A valid homestead from Broward County Property Appraiser's in the City's limits must be provided. The homestead shall have been issued by the County at least one (1) year prior to the bid or proposal due date.

Tier 2 LVP:

A Tier 2 "local City of Hallandale vendor" shall mean a business within the City limits that has a valid Business Tax Receipt issued by the City that authorizes the business to do business in the City and that authorizes the business to provide the goods, services or construction to be purchased. The valid Business Tax Receipt shall have been issued by the City at least one (1) year prior to the bid or proposal due date.

Documentation to provide to receive LVP Tier 2:

Business Tax Receipt (BTR) from Hallandale Beach:

The business must have a physical address located within the City limits. Post office boxes shall not be utilized for the purpose of establishing said physical address. Proof of Business Tax Receipt must be submitted with response to the solicitation. The valid Business Tax Receipt shall have been issued by the City at least one (1) year prior to the bid or proposal due date.

**Tier 3 LVP:**

A Tier 3 “local City of Hallandale vendor” shall mean a resident which has a valid homestead from Broward County Property Appraiser’s in the City’s limits at least one (1) year prior to the bid or proposal due date. Additionally, the resident owns a business outside of the City limits. The valid Business Tax Receipt shall have been issued at least one (1) year prior to the bid or proposal due date. Post office boxes shall not be utilized for the purpose of establishing said physical address. Proof of the Business Tax Receipt must be submitted with response to the solicitation. Documentation to provide to receive LVP Tier 3:

Homestead in Hallandale Beach:

Proof of the homestead must be submitted with the response to the solicitation. A valid homestead from Broward County Property Appraiser’s in the City’s limits must be provided with the submission. The homestead shall have been issued by the County at least one (1) year prior to the bid or proposal due date. Proof of homestead must be submitted with the response to the solicitation.

Business Tax Receipt (BTR) for the business from City business is conducting business:

Proof of the Business Tax Receipt from business outside City limits must be submitted with response to the solicitation. A valid Tax Receipt from the City in which the business is located must be provided with the submission. The Business Tax Receipt must have been issued at least one (1) prior to the bid or proposal due date.

Process to apply the Local Vendor Preference (LVP) to an RFP.

The Procurement Department will review the submission of Exhibit A by the proposer and review of the proper documentation that has been submitted for the requested LVP tier, as well as, all requirements for the LVP. If the complete information/documentation/paperwork has been provided by the Proposer the Procurement Department will advise the Evaluation Committee to provide the applicable points.

Evaluation Points – Local Vendor Preference

The points shall be awarded as follows:

Tier 1 Local Vendor Preference: If 100% through 50% of the Project Work submitted as a response to a solicitation will be provided and performed by a Tier 1 Local Vendor then the firm will receive, through the evaluation process, a total of ten (10) points.



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Tier 2 Local Vendor Preference: If 49% through 20% of the Project Work submitted as a response to a solicitation will be provided and performed by a Tier 2 Local Vendor then the firm will receive, through the evaluation process, a total of five (5) points.

Tier 3 Local Vendor Preference: If 19% through less than 5% of the Project Work submitted as a response to a solicitation, will be provided and performed by a Tier 3 Local Vendor then the firm will receive, through the evaluation process, a total of two and half (2.5) points.

	Total project work to be performed	Total Points awarded
Tier 1 Local Vendor	100 % to 50%	10
Tier 2 Local Vendor	49% to 20%	5
Tier 3 Local Vendor	19% to less than 5%	2.5

The percentage of Tier 1, Tier 2 or Tier 3 local vendor participation will be calculated by the proposer's cost and/or expenditure percentage (%) of the Project Work to be provided and performed by a local Tier 1, Tier 2 or Tier 3 local vendor subcontractor for providing direct labor or a bona fide service, submitted and identified in the proposal.

Exemptions to Tier 1, Tier 2 and Tier 3.

The City will not count toward a proposer Tier 1, Tier 2 or Tier 3 local vendor participation any portion or portions of the local vendor subcontractor's work that is subcontracted back to as follows:

- a) The proposer, either directly, or through any other company or firm owned or controlled by the proposer.
- b) Any nonlocal business.
- c) A Tier 1, Tier 2 or Tier 3 local vendor shall not be permitted to subcontract all or a majority of the sub contractual portion of the work to another nonlocal business. A Tier 1, Tier 2 or Tier 3 local vendor subcontractor shall be prohibited from engaging in a sub contractual agreement with the intent of collecting a broker's fee or commission. A Tier 1, Tier 2 or Tier 3 local vendor subcontractor shall also be prohibited from entering into a sub contractual agreement with a firm whose employees perform none of the direct labor or service activities specified in the contract.
- d) Participation by a Tier 1, Tier 2 or Tier 3 local business shall not be considered and the Tier 1, Tier 2 or Tier 3 local vendor shall be disqualified if the owner of the Tier 1, Tier 2 or Tier 3 enters into an agreement with a nonlocal business with the intent of securing employment with that nonlocal business during the course of performing a City contract.