

Solicitation PNC2121385F1

Land Development Opportunity in Unincorporated Southwest Broward County

Bid Designation: Public



Broward County Board of County Commissioners

Bid PNC2121385F1

Land Development Opportunity in Unincorporated Southwest Broward County

Bid Number	PNC2121385F1
Bid Title	Land Development Opportunity in Unincorporated Southwest Broward County
Bid Start Date	Jun 22, 2020 1:57:24 PM EDT
Bid End Date	Aug 12, 2020 2:00:00 PM EDT
Question & Answer End Date	Jul 21, 2020 5:00:00 PM EDT
Bid Contact	Sean O'Donnell Purchasing Agent Purchasing sodonnell@broward.org
Bid Contact	Connie Mangan Purchasing Manager Purchasing Division cmangan@broward.org
Contract Duration	Not Applicable
Contract Renewal	Not Applicable
Prices Good for	Not Applicable
Bid Comments	<p>Broward County Board of Commissioners has received an unsolicited proposal for a qualifying public-private partnership project pursuant to Section 255.065, Florida Statutes, for Land Development Opportunity in Unincorporated Southwest Broward County.</p> <p>The Board has determined this unsolicited proposal is sufficient for consideration on a preliminary basis and will accept other proposals for the same project during this notification period.</p> <p>This is County-owned land is and available located at: 19801 Sheridan Street, Unincorporated Broward County, FL 33332. Refer to Folio (attachment) for additional information on property. The County is considering a market rate long-term lease, not to exceed fifty (50) years. The proposer should take into account all land use, zoning, and any regulatory agencies requirements. Proposer shall identify any economic impact. The County will not offer any economic incentives for this project.</p> <p>The County has a small business development program and certifies Broward County small businesses as "County Business Enterprises" (CBEs) under that program. Development proposals are required to utilize CBEs as part of the development project. Vendor must provide with submittal a proposal to utilize Broward CBEs for construction as well as any other pre-, during-, and post-development contracting opportunities. The proposal should include percentages of participation for each phase of development including, but not limited to, design, construction, and operations.</p> <p>Refer to instructions to vendors for additional information.</p> <p>All questions regarding this project should be posted in BidSync, which is the County's electronic bidding system.</p> <p>Entities wishing to submit proposals for the Project may do so by delivering sealed proposals for Solicitation No.</p>

PNC2121385F1, Land Development Opportunity in Unincorporated Southwest Broward County, until 2:00 p.m. on August 12, 2020 , as instructed in the solicitation. All proposals must be timely submitted no later than stated date and time and must contain the information and materials required under Section 255.065, Florida Statutes. Any proposal received after stated due date and time will not be opened or considered.

Proposals will be ranked in order of preference by the County. In ranking the proposals, the County will consider the factors set forth in Section 255.065, Florida Statutes and other facts as permissible under applicable law. Refer to Instructions to Vendors, Evaluation.

The County reserves the right to reject any or all proposals, or as provided under Section 255.065, Florida Statutes, to award and negotiate an interim agreement and/or comprehensive agreement with the proposer whose proposal best serves the interests of the County. Nothing contained in this notice is intended to be an obligation or binding agreement by the County regarding the Project, or any commitment by the County to enter into any final agreement regarding the Project.

The County's Cone of Silence, as stated in section 1-266 of the Broward County Code of Ordinances, will be in effect from the posting of initial advertisement. Refer to Instructions for Vendors for additional information.

All proposals and related information received will be subject to the applicable provisions of the Florida Public Records Law.

Submittals: Vendor MUST submit its solicitation response electronically and MUST confirm its submittal in order for the County to receive a valid response through BidSync. Refer to the Purchasing Division website or contact BidSync for submittal instructions. It is the Vendor's sole responsibility to assure its response is submitted and received through BidSync by the date and time specified in the solicitation. The County will not consider solicitation responses received by other means. Vendors are encouraged to submit their responses in advance of the due date and time specified in the solicitation document. In the event that the Vendor is having difficulty submitting the solicitation document through Bid Sync, immediately notify the Purchasing Agent and then contact BidSync for technical assistance.

Item Response Form

Item	PNC2121385F1--01-01 - Land Development Opportunity in Unincorporated Southwest Broward County
Quantity	1 project
Prices are not requested for this item.	
Delivery Location	Broward County Board of County Commissioners
	Refer to Item Description
	NA
	NA FL 33301
	Qty 1

Description

Refer to bid comments and instructions to vendors for additional information.

**Instructions to Vendors
PNC2121385F1 Land Development Opportunity in
Unincorporated Southwest Broward County**

Vendors are instructed to read and follow the instructions carefully, as any misinterpretation or failure to comply with instructions may lead to a Vendor's submittal being rejected.

A. Submittal Instructions:

Vendor MUST submit its solicitation response electronically and MUST confirm its submittal in order for the County to receive a valid response through BidSync. Refer to the Purchasing Division website or contact BidSync for submittal instructions. It is the Vendor's sole responsibility to assure its response is submitted and received through BidSync by the date and time specified in the solicitation. The County will not consider solicitation responses received by other means. Vendors are encouraged to submit their responses in advance of the due date and time specified in the solicitation document. In the event the Vendor is having difficulty submitting the solicitation document through Bid Sync, immediately notify the Purchasing Agent and then contact BidSync for technical assistance.

B. Confidential Material/ Public Records and Exemptions

1. Broward County is a public agency subject to Chapter 119, Florida Statutes. Upon receipt, all submittals become "public records" and shall be subject to public disclosure consistent with Chapter 119, Florida Statutes. Submittals may be posted on the County's public website or included in a public records request response, unless there is a declaration of "confidentiality" pursuant to the public records law and in accordance with the procedures in this section.
2. Any confidential material(s) the Vendor asserts is exempt from public disclosure under Florida Statutes must be labeled as "Confidential" and marked with the specific statute and subsection asserting exemption from Public Records.
3. To submit confidential material, three hardcopies must be submitted in a sealed envelope, labeled with the solicitation number, title, date and the time of solicitation opening to:

Broward County Purchasing Division
115 South Andrews Avenue, Room 212
Fort Lauderdale, FL 33301

4. Material will not be treated as confidential if the Vendor does not cite the applicable Florida Statute(s) allowing the document to be treated as confidential.
5. Any materials that the Vendor claims to be confidential and exempt from public records must be marked and separated from the submittal. If the Vendor does not comply with these instructions, the Vendor's claim for confidentiality will be deemed as waived.
6. Submitting confidential material may impact full discussion of your submittal by the Board of County Commissioners because it will be unable to discuss the details contained in the documents cloaked as confidential at the publicly noticed Committee meeting.

C. Copyrighted Materials

Copyrighted material is not exempt from the Public Records Law, Chapter 119, Florida Statutes. Submission of copyrighted material in response to any solicitation will constitute a license and permission for the County to make copies (including electronic copies) as reasonably

necessary for the use by County staff and agents, as well as to make the materials available for inspection or production pursuant to Public Records Law, Chapter 119, Florida Statutes.

D. Cone of Silence

In accordance with Cone of Silence Ordinance, Section 1-266, Broward County Code of Ordinances, after the advertisement of a solicitation, potential Vendors and their representatives are substantially restricted from communicating regarding the solicitation with the County Administrator, Deputy County Administrator, Assistant County Administrator, Assistants to the County Administrator, their respective support staff, or any or any staff person that is to evaluate or recommend selection in this solicitation process. The Cone of Silence Ordinance further provides that after the bid opening for this solicitation, potential Vendors and their representatives are substantially restricted from communicating regarding this solicitation with the County Commissioners and their staff.

For Invitations for Bids, the Cone of Silence shall be in effect for staff involved in the award decision process at the time of the solicitation advertisement. The Cone of Silence shall be in effect for the Board of County Commissioners upon bid opening for the solicitation.

The vendor understands that they may communicate with a representative of the Office of Economic and Small Business Development ("OESBD") at any time regarding a solicitation or regarding participation of Small Business Enterprises or County Business Enterprises in a solicitation. OESBD may be contacted at (954) 357-6400. The Cone of Silence also permits communication with certain other County employees (refer to the Cone of Silence Ordinance).

The Cone of Silence terminates when the County Commission or other awarding authority takes action which ends the solicitation.

Any violations of this ordinance by any member(s) of the responding firm or joint venture may be reported to the County's Office of Professional Standards. If there is a determination of violation, a fine shall be imposed against the Vendor as provided in the County Code of Ordinances. Additionally, a determination of violation shall render any award to a Vendor who is found to have violated the Ordinance voidable, at the sole discretion of the Board of County Commissioners.

E. Office of Economic and Small Business Development Program

The County has a small business development program and certifies Broward County small businesses as "County Business Enterprises" (CBEs) under that program. Development proposals are required to utilize CBEs as part of the development project. Vendor must provide with submittal a proposal to utilize Broward CBEs for construction as well as any other pre-, during-, and post-development contracting opportunities. The proposal should include percentages of participation for each phase of development including, but not limited to, design, construction, and operations.

OESBD maintains an online directory of CBE firms. The online directory is available for use by Vendors at <https://webapps4.broward.org/smallbusiness/sbdirectory.aspx>.

For detailed information regarding the CBE Program contact the OESBD at (954) 357-6400 or visit the website at: <http://www.broward.org/EconDev/SmallBusiness/>

F. Evaluation:

The County, through its Board of County Commissioners, will rank proposals in order of preference. In ranking the proposals, the County will consider the factors set forth in Section 255.065, Florida Statutes, and other facts as permissible under applicable law.

The County reserves the right to request additional information from Vendor at any time.

The County reserves the right to reject any or all proposals, or as provided under Section 255.065, Florida Statutes, to award and negotiate an interim agreement and/or comprehensive agreement with the proposer whose proposal best serves the interests of the County. Nothing contained in this notice is intended to be an obligation or binding agreement by the County regarding the Project, or any commitment by the County to enter into any final agreement regarding the Project.

G. Other Instructions:

1. Vendor has a continuing obligation to inform the County in writing of any material changes to the information it has previously submitted.
2. Vendor has the responsibility to comply with all state and local business requirements.
3. The County may consider the contract performance evaluations and the compliance history of the proposing firms/entities.
4. The County may consider a Vendor's litigation history information in its review and determination of responsibility.
5. The County may consider a Vendor's financial capability/history information in its review and determination of responsibility.
6. The County will determine the insurance requirements deemed necessary for this project.
7. The Board may require presentations from proposing firms.
8. The County may award and negotiate an interim agreement and/or comprehensive agreement with the proposer whose proposal best serves the interests of the County. Final negotiated agreement may include the following:
 - a. Broward County Workforce Investment Program, Administrative Code, Section 19.211 (apply to construction portion of the project).
 - b. Domestic Partnership Act, Section 16 ½ -157, Broward County Code of Ordinances
 - c. Payment and performance bonds, in accordance with Florida Statute requirements.
 - d. Prevailing Wage Rates, in accordance with Section 26-5, Broward County Code of Ordinances
 - e. Public Art and Design Program, Section 1-88, Broward County Code of Ordinances

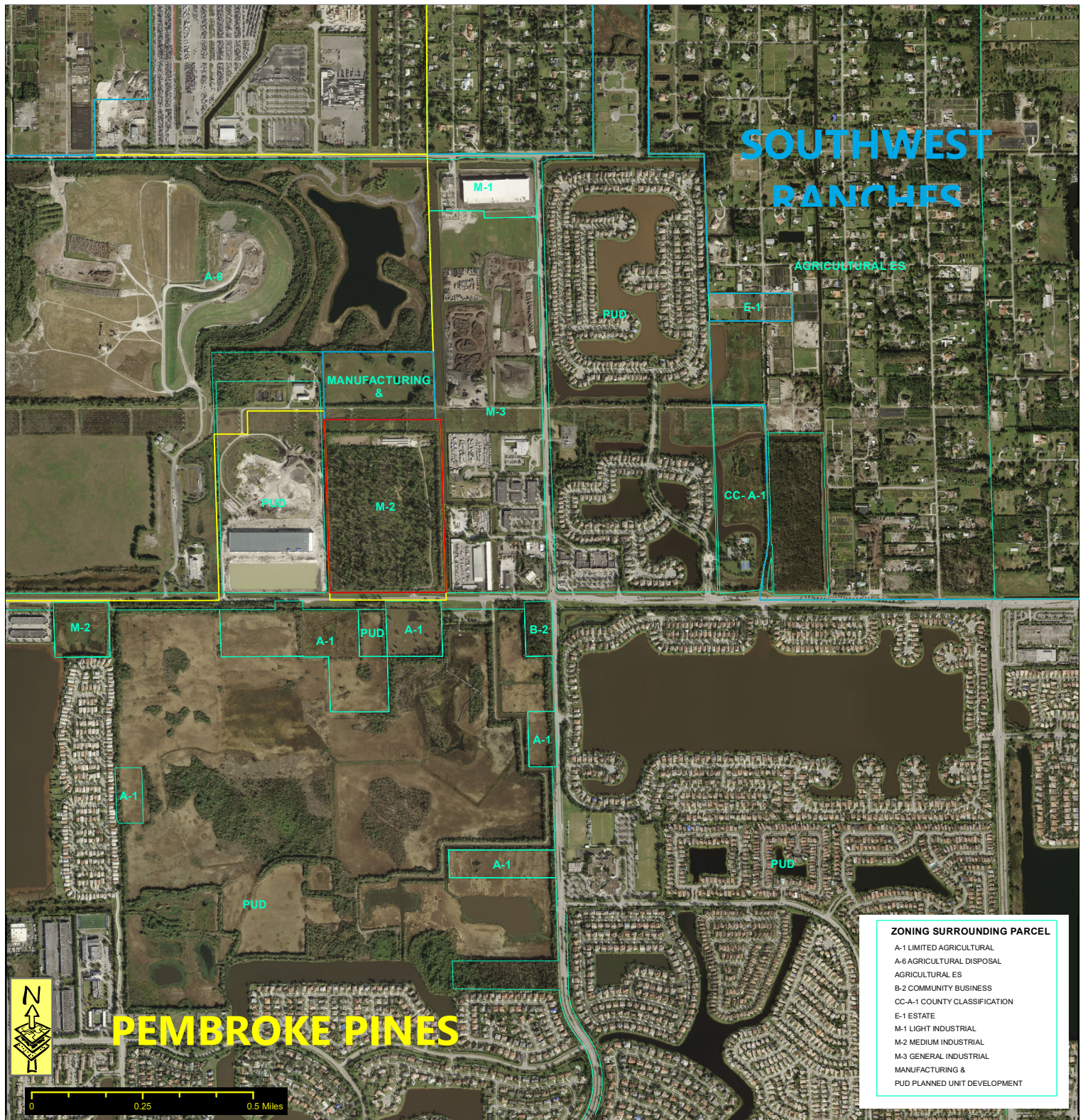
H. Project Manager Information:

Project Manager: Steven Tinsley, PhD, MBA, CEcD, Economic Development Manager, Office of Economic and Small Business Development

Email: stinsley@broward.org

Vendors are requested to submit questions regarding this solicitation through the "Q&A" section on BidSync; answers are posted through BidSync.

Location of FOLIO: 513902050010 in the Cities of Pembroke Pines and Southwest Ranches - Zoning Close-Up



Legend

- Property Boundary
- Pembroke Pines City Boundary
- Southwest Ranches City Boundary

BROWARD COUNTY
Public Works Department
Facilities Management Division
Real Property Section

Disclaimer:

This map is for informational purposes only and is provided "as is". It is not intended to be used for description, conveyance, authoritative definition of legal boundary. This is not a survey product. The Real Property Section does not accept responsibility for damages experienced as a result of using, modifying, contributing or distributing the enclosed material.

Prepared by: Real Property Section May 19, 2020

VENDOR QUESTIONNAIRE
Quotations and Invitations for Bids

The completed Vendor Questionnaire should be submitted with the solicitation response. If not submitted with solicitation response, it must be submitted within three business days of County's request. Failure to timely submit may affect may result in Vendor being deemed non-responsive.

If a response requires additional information, the Vendor should upload a written detailed response; each response should be numbered to match the question number. The completed questionnaire and attached responses will become part of the procurement record. It is imperative that the person completing the form be knowledgeable about the proposing Vendor's business and operations.

1. Legal business name:
2. Doing Business As/Fictitious Name (if applicable):
3. Federal Employer I.D. no. (FEIN):
4. Dun and Bradstreet No.:
5. Website address (if applicable):
6. Principal place of business address:
7. Office location responsible for this project:
8. Telephone no.:
Fax no.:
9. Type of business (check appropriate box):
 - ☐ Corporation (specify the state of incorporation):
 - ☐ Sole Proprietor
 - ☐ Limited Liability Company (LLC)
 - ☐ Limited Partnership
 - ☐ General Partnership (State and County filled in)
 - ☐ Other – Specify
10. AUTHORIZED CONTACT(S) FOR YOUR FIRM:
 - Name:
 - Title:
 - E-mail:
 - Telephone No.:

 - Name:
 - Title:
 - E-mail:
 - Telephone No.:
 - Generic e-mail address for purchase orders:

(Broward County auto distributes purchase orders from its financial system. To ensure a firm receives a purchase order, it is suggested a company accessible e-mail address is used.)
11. List name and title of each principal, owner, officer, and major shareholder:

- a)
- b)
- c)
- d)

12. Affiliated Entities of the Principal(s): List the names and addresses of "affiliated entities" of the Vendor's principal(s) over the last five (5) years (from the solicitation opening deadline) that have acted as a prime Vendor with the County. Affiliated entities of the principal(s) are those entities related to the vendor by the sharing of stock or other means of control, including but not limited to a subsidiary, parent or sibling entity.

- a)
- b)
- c)
- d)

13. Has your firm, its principals, officers or predecessor organization(s) been debarred or suspended by any government entity within the last three years? If yes, specify details in an attached written response. ☐ Yes ☐ No

14. Has your firm, its principals, officers or predecessor organization(s) ever been debarred or suspended by any government entity? If yes, specify details in an attached written response, including the reinstatement date, if granted. ☐ Yes ☐ No

15. Specify the type of services or commodities your firm offers:

16. How many years has your firm been in business while providing the services and/or products offered within this solicitation?

17. Is your firm's business regularly engaged in and routinely selling the product(s) or services offered within this solicitation? ☐ Yes ☐ No

18. Does your firm affirm that it is currently authorized by the manufacturer as a dealer/seller of the product(s) offered herein, and warranty offered is the manufacturer's warranty with Broward County recorded as the original purchaser? The County reserves the right to verify prior to a recommendation of award. ☐ Yes ☐ No
N/A (if service) ☐

19. Has your firm ever failed to complete any services and/or delivery of products during the last three (3) years? If yes, specify details in an attached written response. ☐ Yes ☐ No

20. Is your firm or any of its principals or officers currently principals or officers of another organization? If yes, specify details in an attached written response. ☐ Yes ☐ No

21. Have any voluntary or involuntary bankruptcy petitions been filed by or against your firm, its parent or subsidiaries or predecessor organizations during the last three years? If yes, specify details in an attached written response. ☐ Yes ☐ No

22. Has your firm's surety ever intervened to assist in the completion of a contract or have Performance and/or Payment Bond claims been made to your firm or its predecessor's sureties during the last three years? If yes, specify details in an attached a written response, including contact information for owner and surety company. ☐ Yes ☐ No

23. If requested, will your firm extend the same price, terms and conditions to other governmental entities during the period covered by this contract? ☐ Yes ☐ No

24. Would your firm accept a Visa credit card as payment from Broward County, with no additional fees or change to bid price? Procurement Contract must be approved and designated for procurement card (p-card) by Director of Purchasing for use prior to ordering. ☐ Yes ☐ No

25. Living Wage solicitations only: In determining what, if any, fiscal impacts(s) are a result of the Ordinance for this solicitation, provide the following for informational purposes only. Response is not considered in determining the award of this contract.

Living Wage had an effect on the pricing ☐ Yes ☐ No

If yes, Living Wage increased the pricing by % or decreased the pricing by %.

26. Non-Collusion Certification: Vendor shall disclose, to their best knowledge, any Broward County officer or employee, or any relative of any such officer or employee as defined in Section 112.3135 (1) (c), Florida Statutes, who is an officer or director of, or has a material interest in, the Vendor's business, who is in a position to influence this procurement. Any Broward County officer or employee who has any input into the writing of specifications or requirements, solicitation of offers, decision to award, evaluation of offers, or any other activity pertinent to this procurement is presumed, for purposes hereof, to be in a position to influence this procurement. Failure of a Vendor to disclose any relationship described herein shall be reason for debarment in accordance with the provisions of the Broward County Procurement Code.

Select One:

- ☐ Vendor certifies that this offer is made independently and free from collusion; or
- ☐ Vendor is disclosing names of officers or employees who have a material interest in this procurement and is in a position to influence this procurement. Vendor must include a list of name(s), and relationship(s) with its submittal.

Questions 27 - 30 are only applicable to **service contracts** or a **construction contracts** (repair, maintain or furnish and install) solicitations:

27. What similar on-going contracts is your firm currently working on? If additional space is required, provide on

separate sheet.

28. Has your firm completely inspected the project site(s) prior to submitting response? ☐ Yes ☐ No

29. Will your firm need to rent or purchase any equipment for this contract? If yes, please specify details in an attached a written response. ☐ Yes ☐ No

30. What equipment does your firm own that is available for this contract?

31. Provide at least three (3) individuals, corporations, agencies, or institutions for which your firm has completed work of a similar nature or in which your firm sold similar commodities in the past three (3) years. Contact persons shall have personal knowledge of the referenced project/contract. Only one (1) Broward County Board of County Commissioners agency reference may be submitted. If any of the following references are inaccessible or not relevant, additional references may be requested by the County.

Reference 1:

Scope of Work:
Contract/Project Title:
Agency:
Contact Name/Title:
Contact Telephone:
Email:
Contract/Project Dates (Month and Year):
Contract Amount:

Reference 2:

Scope of Work:
Contract/Project Title:
Agency:
Contact Name/Title:
Contact Telephone:
Email:
Contract/Project Dates (Month and Year):
Contract Amount:

Reference 3:

Scope of Work:
Contract/Project Title:
Agency:
Contact Name/Title:
Contact Telephone:
Email:
Contract/Project Dates (Month and Year):
Contract Amount:

LOBBYIST REGISTRATION REQUIREMENT CERTIFICATION FORM

The completed form should be submitted with the solicitation response but must be submitted within three business days of County's request. Vendor may be deemed non-responsive for failure to fully comply within stated timeframes.

The Vendor certifies that it understands if it has retained a lobbyist(s) to lobby in connection with a competitive solicitation, it shall be deemed non-responsive unless the firm, in responding to the competitive solicitation, certifies that each lobbyist retained has timely filed the registration or amended registration required under Broward County Lobbyist Registration Act, Section 1-262, Broward County Code of Ordinances; and it understands that if, after awarding a contract in connection with the solicitation, the County learns that the certification was erroneous, and upon investigation determines that the error was willful or intentional on the part of the Vendor, the County may, on that basis, exercise any contractual right to terminate the contract for convenience.

The Vendor hereby certifies that: (select one)

- ☐ It has not retained a lobbyist(s) to lobby in connection with this competitive solicitation; however, if retained after the solicitation, the County will be notified.
- ☐ It has retained a lobbyist(s) to lobby in connection with this competitive solicitation and certified that each lobbyist retained has timely filed the registration or amended registration required under Broward County Lobbyist Registration Act, Section 1-262, Broward County Code of Ordinances.

It is a requirement of this solicitation that the names of any and all lobbyists retained to lobby in connection with this solicitation be listed below:

Name of Lobbyist:

Lobbyist's Firm:

Phone:

E-mail:

Name of Lobbyist:

Lobbyist's Firm:

Phone:

E-mail:

Authorized Signature/Name:

Date:

Title:

Vendor Name:

Question and Answers for Bid #PNC2121385F1 - Land Development Opportunity in Unincorporated Southwest Broward County

Overall Bid Questions

Question 1

Will the County be willing to consider offers from interested developers that include their full purchase of the land parcel? On page 2 of the RFP, it is written that the County "is considering a market rate, long-term lease, not to exceed 50 years." I'd like to confirm if that is the only form of transaction the County will consider at this time.

(Submitted: Jun 23, 2020 2:09:13 PM EDT)

Answer

- The County is interested only in a long-term negotiated lease at this time. (Answered: Jun 23, 2020 2:09:36 PM EDT)

Question 2

Is there a RFP or scope of services available for this solicitation? (Submitted: Jun 29, 2020 10:38:08 AM EDT)

Answer

- All information is available in BidSync (including "bid comments" and "instructions to vendors") for this solicitation.

There is no separate scope of services for this solicitation. (Answered: Jul 6, 2020 10:33:44 AM EDT)

Question 3

Will the county consider a 90 year ground lease instead of a 50 year? (Submitted: Jul 7, 2020 6:41:24 AM EDT)

Answer

- The County will not consider a 90-year ground lease at this time. (Answered: Jul 15, 2020 9:42:59 AM EDT)

Question 4

Please send all information related to the unsolicited proposal received by the County for a qualifying public-private partnership project, pursuant to the Florida Public Records Law, per attached Bid #PNC2121385F1 - Land Development Opportunity in Unincorporated Southwest Broward County. (Submitted: Jul 15, 2020 9:29:11 AM EDT)

Answer

- The unsolicited proposal is exempt from public records per Florida Statute 255.065. Additionally, the Vendor claimed Trade Secret in its unsolicited proposal, in accordance with Florida Statute 815.045. Therefore, Broward County will not be providing the unsolicited proposal received in reference to solicitation PNC2121385F1.

(Answered: Jul 15, 2020 9:30:11 AM EDT)

Question 5

Are the uses limited to M-2 - Medium Industrial only? (Submitted: Jul 20, 2020 3:56:05 PM EDT)

Answer

- The parcel is currently zoned M-2. The proposer should take into account all land use, zoning, and any regulatory agencies requirements. Any proposal requiring changes in zoning or land use would be required to follow the

County's standard process for requesting such change and accept the associated risk. The County is not mandating a specific use and offers no assurances regarding successful changes to land use or zoning of the parcel. (Answered: Jul 20, 2020 3:56:59 PM EDT)

Question 6

Is the county open for other uses, such as residential/ master planned community? (Submitted: Jul 20, 2020 3:57:38 PM EDT)

Answer

- This is an Unsolicited Proposal consideration process. As such, the County is not mandating a specific use or project for the parcel. (Answered: Jul 20, 2020 3:58:05 PM EDT)

Question 7

What is the site acreage? (Submitted: Jul 20, 2020 3:58:33 PM EDT)

Answer

- 61.4 acres. (Answered: Jul 20, 2020 3:58:59 PM EDT)