

CITY OF RIVIERA BEACH REQUEST FOR PROPOSALS

RFP NO. 554-15



DEVELOPMENT, CONSTRUCTION AND OPERATION OF MARITIME CHARTER SCHOOL

The City of Riviera Beach, Florida, received an unsolicited proposal for the development, construction and operation of a maritime charter school at 251 West 11th Street, Riviera Beach, Florida. The unsolicited proposal proposes to develop, construct and operate a maritime charter school, pursuant to section 1002.33, Florida Statutes, with no financing from the City under a lease with the City for a term of fifty (50) years.

Proposals for a similar project will be accepted at the **City of Riviera Beach, Office of the City Clerk, 600 West Blue Heron Boulevard, Suite #140, Riviera Beach, FL 33404, until 3:00 pm (EST), 10/1/2015.**

The City's Request for Proposals (RFP) may be obtained by visiting the City's web-site at www.rivierabch.com.

Any proposal received after the date and time specified, whether by mail or otherwise, will not be accepted or considered. Any uncertainty regarding the time a proposal is received will be resolved against the proposer.

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Florida Administrative Register: 7/20/15; 7/27/15; 8/1/15
www.rivierabch.com: 7/20/2015

DEVELOPMENT, CONSTRUCTION AND OPERATION OF CHARTER SCHOOL

SCOPE OF SERVICES

The City of Riviera Beach, Florida, received an unsolicited proposal for the development, construction and operation of a maritime charter school at 251 West 11th Street, Riviera Beach, Florida. The unsolicited proposal proposes to develop, construct and operate a maritime charter school, pursuant to section 1002.33, Florida Statutes, with no financing from the City under a lease with the City for a term of fifty (50) years. Pursuant to section 287.05712, Florida Statutes, the City seeks proposals from qualified entities for the development, construction and operation of a similar project.

Proposals must provide detail beyond a conceptual level for which terms such as fixing costs, payment schedules, financing, deliverables and project schedule are defined. Proposals shall also provide all information required under sub-section 287.05712(5), Florida Statutes.

PROPOSAL SUBMISSION

The proposal must be received by October 1, 2015 at 3:00 pm. All proposals must be addressed to:

**Office of the City Clerk, Suite 140
600 West Blue Heron Blvd.
Riviera Beach, FL 33404**

All submittals must be delivered directly to the above identified location on or before the indicated time, and the Proposer shall be responsible for its timely delivery to the designated City Clerk's office. Proposals received after the stated time and date **will not** be considered and will be returned unopened.

The submission must include three (3) printed hard copies with one marked "Original" and containing a manual signature, bound with tabbed dividers separating each section. An additional six (6) digital copies on individual DVDs (in PDF format, and bookmarked to the same specifications as the hard copy) of the submittal shall be submitted by the Proposer. All sets should be clearly labeled with the submitting firm's name, the RFP Title and Number, and the Submission Date on the outside of each bound copy and on each DVD label.

Bound proposals and DVDs shall be sealed within a container (box, envelope, package, etc.) and labeled in a prominent place on the exterior of the package as follows:

**Firm Name-
Request for Proposals-"Title Name" and number**

The Proposer shall have a place of business for contact by the City during normal hours on normal working days. An emergency phone number and the name of a responsible managing employee of the proposer shall be provided to the City.

INQUIRIES

To ensure fair consideration of all proposals, the City prohibits communication to or with any department, elected official or employee during the submission process, other than designated Purchasing Department staff, regarding the requirements for this RFP. Any such contact may be considered grounds for disqualification. The City shall not be responsible for oral interpretations given by any City employee.

All inquiries concerning this RFP or for additional information shall be submitted in writing by mail, email, or facsimile and directed as follows:

City of Riviera Beach – Purchasing Department Attention: Randy Wood, Contract Administrator
2391 Avenue “L”
Riviera Beach, Florida 33404 Phone: (561) 845-4180; Fax: (561) 842-5105
[Email: rwood@rivierabch.com](mailto:rwood@rivierabch.com)

RFP SCHEDULE

The City will use the following schedule as a guide for the award of this RFP. The City reserves the right to change and or delay scheduled dates.

<u>Event</u>	<u>Date</u>
RFP Available	July 20, 2015
Last Date to submit Questions	September 24, 2015 @ 3:00 p.m. EST
Proposals Due (3:00 p.m. EST)	October 1, 2015
Selection Committee (if applicable) & Ranking of Proposals	TBD
Oral Interviews (if applicable)	TBD
City Council Award	TBD

PROPOSAL DISCLOSURE

In accordance with Chapter 119, Florida Statutes, all proposals shall become “public records” in accordance with the law and shall be subject to public disclosure consistent with the law. Proposers submitting proposals must invoke in writing the exemptions to disclosure (provided by law) in their proposal by referencing the specific statutory authority for claimed exemptions, identifying the data or other materials to be protected, and stating the reasons why such exclusion from public disclosure is necessary. Failure to do so may result in the entire proposal being subject to public inspection.

ACCEPTANCE OR REJECTION OF PROPOSALS

The City reserves the right to reject any or all proposals and to waive technicalities, if such measures are deemed appropriate and in the best interest of the City. The City reserves the right to cancel this RFP at any time and/or to solicit and re-advertise for other proposals. The City is not obligated to enter a contract on the basis of any proposal submitted in response to this RFP.

PUBLIC ENTITY CRIME

Pursuant to Florida Statutes Section 287.133, as amended: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract

to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, 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 from the date of being placed on the convicted vendor list.

By submitting a proposal each proposer is confirming that the proposer has not been placed on the convicted vendors list as described in section 287.133(2) (a), Florida Statutes.

CODE OF ETHICS

If any proposer violates or is a party to a violation of the code of ethics of the State of Florida and/or Palm Beach County with respect to this proposal, such proposer may be disqualified from performing the work or from furnishing the goods or services for which the proposal is submitted and may be further disqualified from bidding on any future proposals for work, goods or services for the City.

EQUAL OPPORTUNITY REQUIREMENTS

It is the policy of the City to comply with all Federal, State, County and local laws to provide minorities and women equal opportunity for participating in all aspects of the City's contracting and procurement programs. It is further the policy of the City to prohibit discrimination against any person or business in pursuit of these opportunities on the basis of race, color, national origin, creed, sex, age, handicap or veteran's status.

CONTRACTUAL AGREEMENT

The City anticipates entering a comprehensive agreement with the selected proposer in accordance with section 287.05712, Florida Statutes.

NON-COLLUSION STATEMENT

By submitting a proposal, the proposer certifies that its proposal is made independently and free from collusion.

LOBBYING CONE OF SILENCE

Contact with any City employee, appointed official or elected official other than the individual identified above for inquiries regarding this RFP, shall be grounds for elimination from the selection process. This restriction includes lobbying any City employee, appointed official or elected official.

Lobbying consists of introduction, communication, and discussions related to the RFP, the selection process, or any other discussions or actions that may be interpreted as attempting to influence the outcome of this RFP. This includes holding meetings thereof, engaging in the aforementioned prohibited lobbying and/or prohibited contact; which actions may immediately disqualify the proposer from further City consideration for this R F P. Lobbying does not include any oral presentations before evaluation/selection teams, contract negotiations, or public presentations made to the City during any duly noticed public meeting.

By submitting a proposal, qualifications or other proposal for this RFP, the proposer certifies that it or

he/she and all of its affiliates and agents have not lobbied or attempted to lobby City employees, appointed officials or elected officials as defined herein.

GRATUITY PROHIBITION

Proposers shall not offer any gratuities, favors, or anything of monetary value to any official, employee, or agent of the City for the purpose of influencing consideration of its proposal.

ADDENDA TO RFP

The City reserves the right to amend this RFP prior to the RFP opening date indicated. Only written addenda will be binding. If, upon review, material errors in specifications are found, contact the Purchasing Department (Pamela Daley, Interim Purchasing Manager) a minimum of 96 hours prior to the RFP submittal deadline to allow for review and subsequent clarification on the part of the City.

No verbal or written information which is obtained other than through this RFP or its addenda shall be binding on the City. No employee of the City is authorized to interpret any portion of this RFP or give information as to the requirements of the RFP in addition to that obtained in this written RFP document.

REQUESTS FOR ADDITIONAL INFORMATION

Prior to the final selection, proposers may be required to submit additional information which the City may deem necessary to further evaluate the proposer's qualifications.

RIGHT OF WITHDRAWAL

A proposal may not be withdrawn before the expiration of ninety (90) days from the proposal due date.

EXCEPTIONS TO THE RFP

It is anticipated that proposers may find instances where they may take exception with certain requirements or specifications of the RFP. All exceptions shall be clearly identified, and written explanations shall include the scope of the exceptions, the ramifications of the exceptions for the City, and a description of the advantage to be gained or disadvantages to be incurred by the City as a result of these exceptions.

DENIAL OF REIMBURSEMENT

Neither the City nor its representatives shall be liable for any expenses incurred in connection with the preparation, submission or presentation of a proposal to this RFP, including without limitation attorney's fees and costs.

The City will not reimburse proposers for any costs associated with the preparation and submittal of any proposal, or for any travel and/or per diem costs that are incurred in connection with the preparation, submission or presentation of a proposal to this RFP.

BID PROTEST COST AND FILING FEES

Article 8 of the City's Procurement Code addresses the process and procedure for protests. Time is of the essence with all protests and a protest must be timely submitted to the City or it will be waived. The following amounts must be submitted with the protest:

A. Written Protest. The written protest submitted to the Purchasing Director must be accompanied by a filing fee in the form of a money order or cashier's check in the amount equal to \$500.00 or 2% of the value of the Proposal, whichever is greater up to a maximum of \$2,500.

B. Appeal to the City Manager. The written appeal to the City Manager must be accompanied by a filing fee in the form of a money order or cashier's check in the amount equal to \$500.00 or 2%, whichever is greater, up to a maximum of \$2,500.

C. Appeal to the City Council. The written request for an appeal to the City Council must be accompanied by a filing fee in the form of a money order or cashier's check in the amount equal to \$500.00, or 2%, whichever is greater, up to a maximum of \$2,500.

Refund of Filing Fees. All costs resulting from a protest shall be borne by the Protestor. If a protest is upheld by either the Purchasing Director or City Manager, as applicable, the filing fee shall be refunded to the Protestor less costs incurred by the City. If the protest is denied the filing fee shall be forfeited to the City in lieu of payment of costs incurred by the City.

RIGHTS TO INVESTIGATE AND AUDIT: OFFICE OF THE INSPECTOR GENERAL

The Inspector General of Palm Beach County has the authority to investigate and audit matters relating to the negotiation and performance of any awarded contract and in furtherance thereof may demand and obtain records and testimony from the contractor and its subcontractors and lower tier subcontractors. The proposer understands and agrees that in addition to all other remedies and consequences provided by law, the failure of the proposer or its subcontractors or lower tier subcontractors to fully cooperate with the Inspector General when requested may be deemed by the municipality to be a material breach of any contract entered into between the parties as justification for termination.

OTHER ACKNOWLEDGEMENTS

By submitting a proposal, each proposer acknowledges that it has read the above information and agrees to comply with all the above City requirements.

PROPOSAL FORMAT

1. **TAB 1 - Transmittal Letter (On Company Letterhead)** – Indicate the proposer's interest in the development, construction and operation of a charter school, and the proposer's commitment to the same. A legal representative of the proposer, authorized to bind the proposer in contractual matters, must sign the transmittal letter.
2. **TAB 2 - Company Overview/Qualifications of Firm** – Provide the legal name of the proposer submitting the proposal, address, telephone number, e-mail address, contact person, number of years in business, whether the proposer is local, regional, or national. If the proposer is a joint venture, please identify each entity and key personnel of the joint venture.
3. **TAB 3 - Experience of Staff** - Provide a comprehensive summary of the experience and qualifications of the individual(s) who will be primarily involved in the development, construction and operation of the charter school. Provide documentation of previous ability managing a maritime charter school.
4. **TAB 4 - General Business Terms** – Provide the general business terms of the proposal for development, construction and operation of the charter school including, without limitation, estimated costs for development and construction; estimated construction schedule; and financing terms.

5. **TAB 5 - Preliminary Site Plan** – Provide a preliminary site plan for the charter school with detail beyond a conceptual level, including, but limited to, the following:

- i. Brief narrative. A written description of project programming, socio-economic characteristics of residents and planned amenities; financing, rental or sale prices and examples of previous work by the developer.
- ii. Presentation drawings:
 - a) Topographic survey depicting existing elevations, all physical features and percolation characteristics of the soil.
 - b) All lot dimensions and area.
 - c) All building dimensions.
 - d) Calculated densities, floor area ratios and parking counts.
 - e) Utility plans, including storm water drainage based upon soil percolation data.
 - f) Landscaping plan.
 - g) Points of ingress and egress.
 - h) Easements for public access.
 - i) Typical floor plans and front elevations of all buildings.
 - j) Placement and sizes of all signs.
 - k) Ground floor elevation in relation to mean sea level.

6. **TAB 6 - Fee Proposal / Lease Agreement (Rent) Annual Rent** - Please propose a lease amount with escalation provisions.

7. **TAB 7- Term of Agreement** - Please propose a term of lease.

8. **TAB 8 - References** – Proposer shall submit as a part of the proposal package up to four (4) business references with the name of the business, address, contact person, and telephone number for similar projects for other clients in the past or present (See Attachment – References).

9. **TAB 9 - Addenda**

EVALUATION

Each proposal will be reviewed to determine if the proposal is responsive to the submission requirements outlined in this RFP. A responsive proposal is one which follows the requirements of the RFP, includes all documentation, is submitted in the format outlined in the RFP, is a timely submission, and has the appropriate signatures. Failure to comply with these requirements may result in a proposal being deemed non-responsive.

The City will assemble a Selection Committee comprised of qualified City staff or other persons selected by the City. The Selection Committee will evaluate all responsive proposals based upon the information and references contained in the proposals as submitted and make a recommendation to the City Council for award. Alternatively, the City Council may choose to reevaluate the proposals based upon the evaluation criteria or it may choose to accept the Selection Committee's scores for the written portion and request presentations from one or more of the proposers. Thereafter, the City Council may rank the proposals or award based upon a combination of both the written proposal and oral presentations. The City Council shall be the final decision maker.

The City, through its staff, may commence negotiations with the selected proposer and, if not satisfied with the results of negotiations, the City may terminate negotiations and negotiate with the second ranked or subsequently ranked proposer. If only one proposal is received, the City may negotiate directly with the proposer. Notwithstanding the foregoing, the City may reject all proposals at any point in the process until a comprehensive agreement with a proposer is executed.

As part of the proposal evaluation process, the City may conduct a background investigation including a record check by the Riviera Beach Police Department. Proposer's submission of a proposal constitutes acknowledgment of the process and consent to such investigation. City shall be the sole judge in determining proposal qualifications.

The City reserves the right, before qualifying any Proposer, to require the Proposer to submit such evidence of qualifications and any current (or updated information that was requested in the RFP) as the City may deem necessary, and may consider any information available to the City of the financial, technical, and other qualifications and abilities of a Proposer, including past performance with other governmental agencies. Proposers are advised that requests for additional information or site visitation are not to be construed as an indication that a Proposer will receive or is in the best position to receive a contract award.

EVALUATION CRITERIA

The Selection Committee and/or City Council will evaluate the proposals, including the unsolicited proposal, based on the following equally weighted evaluation criteria:

- Professional Qualifications
- Experience of Staff
- General Business Terms
- Financing Plans
- Site Plan /Innovative Design Techniques
- Fee Proposal/ Annual Rent/ Term of Agreement

The evaluation of proposals shall be to establish the ranking order of the Proposers.

In assessing the selection criteria above, the Selection Committee may consider the following:

- Past Financial Performance
- Customer service experience and references
- Protection of City's assets
- Operational capability of the proposer
- Proposer experience and references
- Management capability
- Personnel qualifications
- Ability and track record

Each Selection Committee member shall award points for each category based upon each member's assessment of Proposers response to the requirements of the criteria described in each category. The points indicated as Points Possible are the maximum that may be awarded for category. As specified in the criteria, the point award for certain categories shall be established and/or verified by the Purchasing Department. The points awarded for all categories shall be tabulated on a Tabulation Form to achieve the Total Points awarded to each Proposer. The Tabulation Form shall be the basis for determining the ranking order of the Proposers. The total points awarded to each Proposer will be ranked 1,2,3,4, etc. with the highest point total ranked 1, the next highest point total ranked 2, etc.

A maximum total number of points are set out in the table below. Each category of evaluation criteria will be broken down further with points assigned to each. When appropriate, points will be awarded based upon a quantitative review of the responses. In the award of other points, members of the Evaluation Committee will utilize a multiplier value to indicate the degree to which, in their opinion, the proposer satisfies the evaluation criteria.

The following qualitative guidelines will be used for assigning a multiplier value:

- **Outstanding Response:** Highly comprehensive, excellent reply that meets all of the requirements of the areas within that category. In addition, the response covers areas not originally addressed within the RFP category and includes additional information and recommendations that would prove both valuable and beneficial to the agency. This response is considered to be an excellent standard, demonstrating the Contractor’s authoritative knowledge and understanding of the project.
- **Excellent Response:** Provides useful information, while showing experience and knowledge within the category. The proposal is well thought out and addresses all requirements set forth in the RFP. The Contractor provides insight into its experience, knowledge and understanding of the subject matter.
- **Good Response:** Meets all the requirements and has demonstrated in a clear and concise manner a thorough knowledge and understanding of the subject matter. This response demonstrates an above average performance with no apparent deficiencies noted.
- **Fair Response:** Meets the requirements in an adequate manner. This response demonstrates an ability to comply with guidelines, parameters, and requirements with no additional information put forth by the Contractor.
- **Inadequate Response:** Minimally meets the requirements for the Evaluation Criteria as set forth in the RFP.
- **Failed Response/ No Response (no points awarded):** Does not meet the requirements for the Evaluation Criteria set forth in the RFP.

Proposals will be evaluated on a “best value” basis using the stated evaluation criteria listed below. When assessing criteria, a 1-10 scale will be used then be multiplied by the points assigned to the criteria.

Multiplier Value	Guidance
10	Outstanding-exceptional couldn't be better
9-8	Excellent- insightful response
7-6	Good - more than adequate response
5-4	Fair response- no special insights
3-1	Inadequate response
0	Failed/ No response
	A multiplier of 2 shall be utilized.

Criteria	Multiplier Value awarded	PTs Criteria	Total Points	Max Point Value
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	by committee member			
Professional Qualifications		2		20
Experience of Staff (Key Management Experience/Qualifications of Firm and Staff to be Assigned to Project)		2		20
General Business Terms		2		20
Financing Plans		2		20
Site Plan/ Innovative Design Techniques		2		20
Fee Proposal / Annual Rent/ Term of Agreement		2		20
Total Available Points for Written Submittal				140

Criteria	Possible Multiplier Points	Multiplier Points Awarded by Committee Member	Points Assigned to Criteria	Total Points	Maximum Point Value
<p>POINTS FOR ORAL INTERVIEWS (Optional)</p> <p>The interview evaluation focuses on the communication skills of the respondents, Do they express thoughts and ideas clearly. How does the team interact with each other? How will they interact with City' staff? How effective are each of the Project Executives? How complete and thorough is their understanding of the Project? How responsive and comprehensive are the answers to questions?</p>					
A. Communications Skills	0-10		2.0		20
B. Understanding of the Project	0-10		2.0		20
C. Responses to Questions	0-10		2.0		20
TOTAL POINTS: ORAL INTERVIEW –					60
TOTAL POINTS WRITTEN & ORAL					200

ATTACHMENT - REFERENCES

Proposer shall submit as a part of the proposal package up to four (4) business references with the name of the business, address, contact person, and telephone number for similar work performed for other clients in the past or present.

Name: _____

Name: _____

Address: _____

Address: _____

Tel. No.: _____

Tel. No.: _____

Fax No _____

Fax No.: _____

Email: _____

Email: _____

Contact: _____

Contact: _____

Name: _____

Name: _____

Address: _____

Address: _____

Tel. No.: _____

Tel. No.: _____

Fax No _____

Fax No.: _____

Email: _____

Email: _____

Contact: _____

Contact: _____