



"The Best Waterfront City in Which to Live, Work and Play."

**REQUEST FOR
QUALIFICATIONS (RFQ):
DESIGN-BUILD-FINANCE
of
CITY OF RIVIERA BEACH
UTILITY SPECIAL DISTRICT
WATER TREATMENT FACILITIES**

Solicitation No. 1039-21-3

Friday, June 11, 2021

**SHIRLEY LANIER, CHAIRPERSON
KASHAMBA MILLER –ANDERSON, VICE CHAIRPERSON
DOUGLAS A. LAWSON, DIRECTOR
JULIA BOTEL, Ed.D., DIRECTOR
TRADRICK MCCOY, DIRECTOR**



June 11, 2021

Dear “Potential Partners”,

The Riviera Beach Utility Special District Board is soliciting proposals for a Request for Qualifications for the Design-Build-Finance of a new Water Treatment Facility and Infrastructure to provide high quality drinking water to all Riviera Beach Customers.

We look forward to replacing the Utility Special District’s aging water treatment facilities and developing a water supply system to provide high quality drinking water for many years. It is anticipated that the water utility infrastructure will be designed and built to provide a number of innovative ideas and new trends that will provide the customers with high quality, cost effective drinking water. A sustainable, safe drinking water source is vital to maintaining a high quality of life standard for all citizens and promoting economic growth and stability for the city. We are excited to partner with the private sector to maximize the use of public utility funds and minimize the financial impact to existing and future customers while providing new opportunities for the City to redevelop a key property location vital to continuing the economic revitalization of the City.

The City of Riviera Beach, Florida is located in Palm Beach County, between Orlando and Miami. The City covers approximately eight (8) square miles and is easily accessible by major thoroughfares, including Interstate 95, the Florida Turnpike, and US Highway 1. Riviera Beach is one of the few cities in South Florida that has access to the Intracoastal Waterways and the Atlantic Ocean, as well has an island, Singer Island. Because of such access, Riviera Beach is the boating capitol of Palm Beach County. Pristine beaches, stunning scenic views of the ocean, and close access to world-class amenities are just a few of the reasons roughly 35,000 people are proud to call Riviera Beach home.

As we begin to implement Vision 2030 Reimagine Riviera Beach, we look forward to commencing this project. On behalf of the citizens and stakeholders of the City of Riviera Beach, we continue to work together on the vision for the city. We welcome your interest, commitment, and creativity in helping to construct new water facilities to provide safe drinking water to all those who call Riviera Beach home.



Shirley D. Lanier
District Chairperson



KaShamba Miller – Anderson
District Vice Chairperson



Julia Botel, Ed.D.
Director



Douglas Lawson
Director



Tradrick McCoy
Director

Table of Contents

- 1. INTRODUCTION 4
- 2. BACKGROUND AND HISTORY OF THE UTILITY SPECIAL DISTRICT.....4
- 3. SOLICITATION TIMELINE6
- 4. CONE OF SILENCE6
- 5. RESERVATIONS AND RESPONSIVENESS7
- 6. PROJECT REQUIREMENTS.....9-17
- 7. SUBMISSION INSTRUCTIONS AND REQUIREMENTS17
- 8. ADDENDUM AND AMENDMENT TO RFQ.....25
- 9. EVALUATION CRITERIA26
- 10. EVALUATION PROCESS26
- 11. GENERAL CONDITIONS27-31
- 12. STANDARD FORMS32
- 13. EXHIBITS33

Introduction

The Riviera Beach Utility Special District (hereinafter, the “District or RBUD”) in collaboration with the City of Riviera Beach (hereinafter, the “City”) issues this Request for Qualifications (hereinafter, the “RFQ”) with the intent of obtaining proposals from interested and qualified firms (hereinafter, “Proposers”) to enter into a contract with the District to replace the District’s aging water treatment plant and associated infrastructure. The objective of this RFQ is to select a team to provide professional design, management, construction, and potential financing for the RBUD water treatment facilities. The facility will be located at 2391 Avenue L, Riviera Beach, Florida near the former Public Works facility site. A draft site plan, survey, and site dimensions of the property depicting location are provided in the exhibits attached to this request.

The project consists of the construction of a 12.0 MGD Water Treatment Facility expandable to 16.0 MGD, and possibly larger if required by the water supply study, in appropriate increments and all associated infrastructure including utility administrative offices, utility maintenance shop, raw water production wells, raw water transmission improvements, potable water distribution improvements and a public works facility. The treatment process will be selected through collaboration between the Proposer and the District, which will deliver high quality potable water to the District’s customers. The team will use the documents provided to determine the base option, but other treatment options will be evaluated. The District is requesting the project to be operational to deliver high quality potable water on or before December 1, 2023.

The City is requesting proposals from qualified Proposers to work with the District staff and other appropriate departments (hereinafter, the Departments) to design, build and potentially finance the Project. The most qualified proposer that offers a proposal deemed in the District’s best interest as determined by the District Board, both economically and operationally, will move forward in contract negotiations. The District desires to contract with a private partner with appropriate qualifications, experience, financial capacity, and a proven track record of executing and delivering similar projects on time and on budget. Two or more entities may collaborate in submitting a response to this RFQ, but a single entity must be designated to contract with the RBUD for Phase I. If private financing for the project is selected during Phase I of the contract, all contracts and/or agreements must be assignable to the Special Purpose Entity that will be responsible for performance under the subsequently entered design-build, developers’ agreement or lease-leaseback agreement.

Background and History of the Utility Special District and Project

The City of Riviera Beach Utility Special District (RBUD) owns and operates a Water Treatment Plant (WTP), located at 800 West Blue Heron Boulevard, Riviera Beach, Florida 33404. The existing WTP has treatment infrastructure, the oldest of which was constructed in the late 1950's, utilizing treatment processes that include raw water aeration, secondary disinfection using chloramines, and lime softening followed by filtration and finished water storage/pumping. The WTP has been challenged to consistently achieve desired performance due to varied constraints arising from inoperable equipment, inadequate monitoring, control capabilities, and equipment that is approaching the end of its functional and reliable useful life.

The District has decided to move forward with the construction of a new facility and associated infrastructure to address the long-term needs of the customers. The District's goal is to eliminate lime softening technology, which limits water quality performance, and develop a treatment process that represents state of the art technology for South Florida groundwater. By establishing high-level and integrated new technology constructed at a new location, the RBUD will have great confidence in producing high-quality potable water.

The existing raw water withdrawals are limited by permit so additional water supply will also be required to ensure that the District can provide safe drinking water for many decades. Along with potential new wells, there are some transmission and distribution upgrades that may be required to improve water quality and pressure for all customers.

The project will also include demolition and land recovery of the existing water treatment plant site for future development.

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Anticipated Schedule

The anticipated schedule and deadlines which may be modified by the District for this RFQ and are projected as follows.

Activity	Date (Eastern Standard)	Notes:
Issue Solicitation	June 11, 2021	
Pre-Proposal Conference (Virtually and in Person)	June 22, 2021 at 11:00 am EST	Marina Event Center 190 East 13 th Street Riviera Beach, FL 33404
Questions and Inquiries	June 25, 2021 by 5:00pm	
Addendum (If Required)	July 6, 2021	
Proposal Submittal Due Date	July 20, 2021 at 3:00pm EST	

Cone of Silence

The City Council of Riviera Beach has enacted a cone of silence, in Sec. 2-166 of the Code of Ordinances, that prohibits oral and written communications regarding all formal solicitations for goods and services issued by the City. The cone of silence commences as of the deadline to submit the proposal, bid, or other response to a competitive solicitation, and remains in effect until a contract is awarded/approved, all bids or responses are rejected, or the solicitation is otherwise ended. Any contract entered into in violation of the cone of silence provision is null and void. All inquiries shall be provided via Email to Althea Pemsel, Procurement Director, apemsel@rivierabeach.org.

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Reservations and Responsiveness

General

The District reserves the right to accept or reject any or all proposals received and reserves the right to make an award without further discussion of the proposals submitted; therefore, the proposals should be submitted in a favorable manner. It is understood that the proposal will become a part of the District's official file, without obligation of the District.

Responsiveness

The District will not consider proposals found to be non-responsive to this RFQ. A proposal may be determined irregular and non-responsive for reasons that include, but are not limited to, failure to utilize or complete material prescribed forms, inadequate financials, incomplete responses, indefinite, or ambiguous responses, and improper, missing and/or undated signatures.

Waiver of Irregularities

The District may waive minor informalities or irregularities in responses or proposals received where such is merely a matter of form and not substance, and the correction or waiver of which is not prejudicial to other Proposers. Minor irregularities are defined as those that will not have an adverse effect on the District's interests and will not give a Proposer an advantage or benefit not enjoyed by other Proposers.

District Reserved Rights

In connection with this solicitation, the District reserves all rights (which rights shall be exercisable by the District at its sole discretion) available to it under applicable law, including without limitation, with or without cause and with or without notice, the right to:

1. Proceed with the project in any manner that the District, at its sole discretion, deems necessary. If the District is unable to reach a contract with the highest ranked Proposer or does not negotiate and execute satisfactory Agreement with the highest ranked Proposer,

the District may negotiate with the next highest ranked Proposer, terminate this solicitation and pursue other development or solicitations relating to the project, or exercise such other rights under the provisions of State law as it deems appropriate.

2. Cancel this RFQ in whole or in part at any time prior to the execution of an Interim Agreement or Comprehensive Agreement, without incurring any cost obligations or liabilities.
3. Reject at any time, any and all submittals, responses, and Proposals.
4. Modify all dates set or projected in this RFQ.
5. Terminate at any time evaluations and proposal.
6. Suspend and terminate Agreement discussions and clarifications at any time and elect not to commence Agreement discussions and clarifications with any responding Proposer and engage in discussions and clarifications with a Proposer that is not the highest ranked Proposer.
7. Issue addenda, supplements, and modifications to this RFQ or any subsequent RFQ.
8. Seek the assistance of outside technical experts and consultants in Proposal evaluation.
9. Require confirmation of information furnished by a Proposer, require additional information from a Proposer concerning its Proposal and require additional evidence of qualifications to achieve the purpose of the Agreement described in the RFQ or subsequent RFQ.
10. Seek or obtain data from any source that has the potential to improve the understanding and evaluation of the responses to this RFQ.
11. Permit clarification or supplements to a Proposal.
12. Disqualify a Proposer who changes its Proposal without District approval.
13. Make any adjustments it deems necessary to the technical evaluation criteria and weightings for purposes of its evaluations.
14. Exercise any other rights reserved or afforded the District under this RFQ or subsequent RFQ and applicable law; including waiving deficiencies in a Proposal or accept and review a non-conforming Proposal; provided that such deficiency or non-conformance is not material in nature.

This RFQ does not commit the District to enter into an Interim Agreement or Comprehensive Agreement or to proceed with the solicitation described herein. The District assumes no

obligations, responsibilities, and liabilities, fiscal or otherwise, to reimburse all or part of the costs incurred or alleged to have been incurred by parties considering a response to and/or responding to this RFQ, or any subsequent RFQ. All such costs shall be borne solely by each Proposer.

In no event shall the District be bound by, or liable for, any obligations with respect to the contemplated Agreements until such time (if at all) as the Agreements, in form and substance satisfactory to the District, have been executed by the District and have become effective, and then, only to the extent set forth in the Agreements.

Project Requirements

Scope of Work

With this RFQ, the Riviera Beach (RBUD) is soliciting proposals for the design, construction, and optional financing to construct the required upgrades to the District's potable water system. The selected team will be required to negotiate a contract (s) which is subject to the approval of the District's Board.

The RBUD has decided to pursue a progressive design-build delivery model providing for the design, build and optional financing of the project to facilitate an expedited project delivery. If private equity funding is selected, the RBUD will enter into appropriate agreements with the Special Purpose Entity to finance the project and complete the construction of the facilities. The District may also pursue its own funding within the expedited time frames, otherwise the RBUD will select the funding option in the best interest of its Customers and Board. The successful team should have experience providing private financing of projects for governmental entities and experience in designing and constructing water treatment facilities. The District will not consider privatization of operations of its facilities.

Project Scope and Requirements

The general work proposed under this RFQ may include the following elements:

1. Design and construction of a 12.0 MGD expandable to 16.0 MGD Advanced Water Treatment Facility located on the designated City owned property. The facility may be

designed to provide future expansion capacity in 1.5 MGD increments or such increments that are efficient for the treatment process approved by the District. The actual plant capacity will be determined during Phase I of the project in conjunction with District staff and the selected team.

2. Design and construction of raw water delivery infrastructure including potential new water supply wells with considerations for capacity and expansion.
3. Design and construction of required distribution system improvements included, but not limited to, ground storage tanks, high service pump stations, and potable water mains required to provide high quality potable water and appropriate water pressure to all customers.
4. Design and construction of a utility administration building, utility operations / maintenance facilities and Public Works facilities as specified by the space needs study to be conducted by the selected proposer during Phase I.
5. Redevelopment of the Avenue U utility storage site to increase storage efficiency of equipment and materials.
6. The design and construction of the new site shall comply with the City of Riviera Beach Land Development Regulations.

The District has developed the following design requirements of each construction component which will be used to develop the project:

A. Advanced Water Treatment Facility

- i. The new WTF will be constructed on the City owned Avenue L site located south of Blue Heron Blvd. A portion of the site was formally used as a Public Works facility that has been removed. A Phase I Assessment has been completed and a Phase II Environmental Assessment is underway and will be completed prior to the Phase I contract approval. The site currently includes a City fueling station which will remain on the site.
- ii. It is anticipated that a deep injection well will be required for concentrate disposal. This work would also include a concentrate booster pump and force main. The design and permitting of this component will be the successful proposer's responsibility and should be located on site.
- iii. The new WTF shall include an efficiently organized internal layout to include an area

for:

- a. Plant operations
 - b. Computer servers
 - c. Information technology and plant monitoring/controls
 - d. A refresh area, locker room and possible hot bunk areas for emergency operations and for treatment plant operations staff
 - e. Raw water treatment operations including noise and vibration control
 - f. Raw water pre-treatment, chemical storage, electrical controls, and generator
- iv. A new water quality laboratory shall be included in a separate structure in close proximity to the treatment facility and shall be designed to enable NELAC certification of the water quality laboratory.
 - v. The facility design will also include a full review of the current SCADA systems and recommendations for the integration of the current systems into the new facility or upgrading to a new control system.
 - vi. A full security access control plan shall be developed for the Avenue L and the Avenue U site including video, intrusion alarms and personal access control systems.
- B. The current raw water supply wells include the permitted capacity for current ADF and MDF, but additional supply wells will be required and are included in the project. The location of the wells have been identified by the District, and the District will secure ownership of the property. The District has engaged a consultant to complete the water supply plan and permitting for the wells which will be transferred to the successful proposer. All raw water transmission and connections to the new wells and plant are included in this component. The new well locations are located for easy access to existing transmission mains, but the new water supply may need separate treatment, pre-treatment or mixing prior to the new treatment plant.
- C. The current water distribution system has been reviewed and several projects are underway to improve pressure and quality of the potable water. Additional storage is required, and this project includes the construction of a new ground storage tank. The size will be determined by the hydraulic modeling required as part of this project, and a potential new high service pump station may be required to maintain and/or increase water pressure. The new plant will also

connect to the existing large distribution mains located at the existing plant. The successful proposer will be required to design, permit, and construct those connections. Other water distribution work may be added to this project as needed based on the hydraulic model results.

D. The project also includes the construction of several buildings on the new water treatment site to support Utility Administration, Utility Operations, Public Works Operations and potentially several other City Departments. At a minimum, the following buildings and services within these buildings are required:

i. Utility and Public Works Administrative Building:

- i. The successful proposer shall be responsible for the space planning, design, and construction of this building.
- ii. The desired location on the site is facing Blue Heron Boulevard and should have an architectural style that blends with standard styles within Riviera Beach.
- iii. The building will be open to the public and situated to allow public parking area that is easily accessed from Avenue L or Australian Avenue and separate from the secured water treatment plant and public works facilities.
- iv. Departments that may be relocated to the new facility include Utility Administration, Public Works Administration, Procurement, Customer Service, and Utility Billing. Other Departments may be included if space allows.
- v. The building shall be designed for the appropriate wind loading for public safety buildings. The intent is to use the building during emergency declarations including hurricanes.
- vi. The public lobby and customer service area shall be designed for security and to prevent any type of access past the lobby to the rest of the structure without proper identification and security permissions.
- vii. Consideration for air contamination controls shall be incorporated into the HVAC systems for the building.
- viii. The building will use flexible office space and modular office configurations to allow for flexible use of the space.
- ix. Employee parking for the building shall be secure.

ii. Utility Maintenance Shop

- i. The successful proposer shall be responsible for the space planning, design and construction of this building.
 - ii. The building shall contain but not limited to areas for the following activities:
 - 1. Mechanical equipment repair and storage with HVAC
 - 2. Electrical equipment repair and storage with HVAC
 - 3. Shop bays for rolling fleet stock maintenance (pumps, generators, etc...)
 - 4. Employee breakroom, locker room, and restrooms
 - 5. Field operations office space
 - iii. The building shall be designed for the appropriate wind loads.
 - iv. Non-HVAC controlled portions of the building shall contain appropriate air circulation equipment to maintain a safe working environment.
 - iii. **Public Works and Fleet Services Shop**
 - i. The successful proposer shall be responsible for the space planning, design and construction of this building.
 - ii. The building shall contain but not limited to areas for the following activities:
 - 1. Parts storage and distribution area with HVAC
 - 2. Small equipment repair shop with HVAC
 - 3. Employee tool room with security
 - 4. Shop bays for heavy equipment maintenance (Vacuum Trucks, Fire Trucks, etc.)
 - 5. Shop bays with lifts for small and medium duty vehicles
 - 6. Employee breakroom, locker room, and restrooms
 - 7. Field operations office space
 - iii. The building shall be designed for the appropriate wind loads.
 - iv. Appropriate air circulation equipment to maintain a safe work environment.
- E. **Redevelopment of Avenue U Utility Parcel**
- i. The site currently contains a ground storage tank and master sewer lift station that will remain. There is an additional building that can be converted into storage and the remaining portion of the site is currently used for open storage.
 - ii. The site improvements will include the following:
 - i. Improved large material storage areas for pipe, structures and other large utility

material used for the construction with loading and unloading pads

- ii. Loose material bins for fill dirt, gravel, and lime rock
 - iii. Covered storage area for trailer mounted generators and pumps. These structures can be designed as solar energy panels to generate power in coordination with Florida Power & Light Company (FPL)
 - iv. Covered large equipment storage
 - v. Video cameras and surveillance systems
- iii. The project will also improve the exterior aesthetics to include fencing and landscaping and possible public art to enhance the neighborhood surrounding the site.

F. Avenue L Site Development

- i. The successful proposer shall work with the City to develop a full site plan to include all the components of this project. The site plan shall include the incorporation of the existing fueling island within the plan. The plan will meet all Riviera Beach Land Development Code regulations or variances.
- ii. The site should include fire apparatus access throughout the site including access to fire hydrants as required.
- iii. The site shall be secured with decorative fencing along all rights-of-way and vinyl coated chain link along all interior areas. The site shall include full access control and video surveillance through-out the site.
- iv. All new impervious surfaces shall be the appropriate material for the use, vehicle weight, and traffic.
- v. Landscaping will be required for the perimeter of the site.
- vi. Special attention to the aesthetics should be included for the property frontage along Blue Heron Blvd.
- vii. Storm water management will be incorporated in the most efficient manner possible to maximize the use of the site.

Anticipated Phase I Services include but are not limited to:

- 1. If required, short term funding for Phase I services that would become part of the Phase II financing package. The District has existing funding for the Phase I services but would like options to use short term funding if deemed in the best interest of the District and the project.

2. If required, execution of required Phase I Design-Build contracts for the associated components.
3. Full review of current and future grant opportunities that the City and District have either obtained or can obtain to help off-set portions of the project costs. The proposer will coordinate with the City's grant consultant for this work.
4. Full review of all existing utility data for the project and development of required sampling, testing, and regulatory review to provide the best treatment solution to the District.
5. Provide at least three treatment options developed for the specific raw water parameters and conditions that will provide the District with high quality potable water which meets all current and potential future regulations as reasonably determined by the Proposer and District staff. The options will include high level cost estimates that will be used to develop the final solution. The options will also include potential improvements to the raw water supply and distribution system to provide potable water which meets or exceeds the performance standards included in this RFQ. The options shall also include 20-year projected costs to operate.
6. Conduct planning workshops to review and discuss treatment options and select the most efficient and effective process for the District. Once a project and draft concept plan is selected, the selected proposer will develop a detailed project schedule. When a risk matrix is developed later it will be reviewed by the RBUD and the City's Risk Manager.
7. Conduct space planning studies with Utility staff and Public Works staff for a space needs analysis plan for the administration building (s). The space study will also include conceptual site layouts to maximize the use existing site for the facility including future expansion of the treatment facility and utility.
8. Finalize design plans to a detailed necessary for a Guaranteed Maximum Price (GMP) for the treatment facility, infrastructure, administration and operations buildings and site development or the required level of design plans to offer a GMP draft contract for the final design and construction of required facilities. Draft GMP documents throughout the Phase I process are critical to ensure that project costs are aligned with the approved budget. These drafts should be provided for review and approval by RBUD at the appropriate time in the design process to avoid any unnecessary delays with the final GMP and Phase II contract approval. The selected proposer shall be responsible for the level of design plan

completion required for a final GMP which will be provided to the Board for review and approval.

9. After approval by RBUD, final approval of the site plan by the City, and submittal of required permit packages must be provided.
10. Conduct preliminary workshops concerning finance planning with the District to develop the least cost financing package for the project.
11. If private funding is selected by the District, provide a complete funding package for approval by the District to ensure that the project budget is funded to complete Phase II of the project. Prior to the City entering into an interim or comprehensive agreement with a proposer, the City reserves the right to audit three years of the proposers' financial statements.
12. Early equipment purchases or site work necessary to meet an aggressive completion date for the project.
13. Any other work necessary to deliver the total project within the stated time frames.

Anticipated Phase II services include but are not limited to:

1. Completion of the financing package selected in Phase I.
2. Final design documents for the selected options and project components.
3. Execution of the required Phase II Design-Build contracts.
4. Final construction and process permitting for all components.
5. Commencement of construction
6. Threshold and materials inspections
7. Construction inspection and preliminary punch list items
8. Substantial completion
9. Start-up services, including, but not limited to, testing, commissioning and training
10. Final completion

Submission Instructions and Requirements

1. This RFQ document, which includes the scope of services shall be available for download on and may be obtained by visiting the City’s website at www.rivierabch.com. The link to the City’s solicitation portal; <https://network.demandstar.com/agencies/florida/city-of-riviera-beach/procurement-opportunities/ac495a12-6345-4238-86a0-6d5091f55c45/>.

Any uncertainty regarding the time a Proposal is received shall be resolved against the Proposer. Submittals sent by facsimile or email will not be accepted.

- 1.2 Refer all questions, comments, and inquiries to this solicitation to the Procurement Department, point of contact, Althea Pemsel, MS, CPSM, Director of Procurement via E-Mail: apemsel@rivierabeach.org. Please submit one (1) original and six (6) hard copies and (2) digital copies on a USB drive.

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Website: www.demandstar.com
Palm Beach Post

Sealed RFQ’s shall be submitted by 3:00 PM, Tuesday, July 20, 2021. When submitting a proposal to this RFQ in person, visitors to City Hall must allow time for security measures. Visitors to City Hall will be required to enter through the main door of the building. The public will pass through a metal detector and x-ray machine located in the lobby. All packages, purses and carried items will be scanned during regular business hours of 8:00 AM to 5:00 PM. Sealed responses to this RFQ should be clearly marked on the front of the package to read as follows:

**Office of the City Clerk City of Riviera Beach
600 West Blue Heron Boulevard
Riviera Beach, FL 33404
RFQ Opening: Thursday, July 20, 2021 at 3:00 PM
RFQ # 1039-21-3, Utility Special District Water Treatment Facilities**

A pre-proposal conference will be held in person and virtually on June 22, 2021 at 11:00a.m. at the Marina Event Center, 190 East 13th Street, Riviera Beach, Florida, 33404.

14. All copies of the Proposer’s submittal shall be on single sided 8½” x 11” plain white paper, typed, with tabs separating each section. Digital version of the proposal should be in .pdf format

with each section indexed. Proposals must be signed by the duly authorized official(s). Proposers may withdraw their proposals by notifying the City in writing at any time prior to the opening. Proposers may withdraw their proposals in person or through an authorized representative using electronic means. Proposers and representatives must disclose their identity and provide a signed receipt for the proposal. Otherwise, RFQs once opened, become the property of the City and will not be returned to the Proposers.

15. **Proposal Requirements:** Proposer's submittal shall include the following items in the following sequence:

TAB 1: COVER LETTER (Limit to 2 Pages)

Provide a cover letter, signed by an authorized representative of the private entity including the information detailed below:

1. Identify the Private Entity or Proposer's Representative principal(s), including title, mailing address, phone number, and email address:
 - a. Identify the legal structure of the Entity or Proposers that are joint ventures, partnerships, limited liability companies, consortia, or other association, and explain the nature of the legal relationship between the entities, including the ownership and governance.
 - b. To the extent the private entity or Proposer is created, provide proof of authority to do business in Florida, and as applicable, a certificate of good standing from the Florida Secretary of State, Division of Corporations (Include as an attachment to the cover letter).
 - c. Identify any persons employed or associated with the private entity or Proposer who would be obligated to disqualify themselves from participation in any transaction arising from or in connection to the qualifying Project.
2. Identify the person(s) in charge of negotiations, the key personnel who will be involved in decision making and the representative duly authorized to sign on behalf of the private entity, including title, mailing address, phone number, and email address;
3. Identify the Proposer's Representative. *This will be the ONLY person to receive*

communication from the City regarding this RFQ; physical address; mailing address; Email; and primary telephone.

TAB 2: TABLE OF CONTENTS

TAB 3: ORGANIZATION AND TEAM INFORMATION (Limit to 10 pages, 2 Organizational Charts and 8 one-page resumes for key team members, Total page limit of 20 pages)

Team Organization:

Outline the organization of the team, companies involved, key personnel and a summary of the roles and responsibilities. At a minimum, identify Design-Build team and the entity or entities responsible for design, financing, project management, construction, and legal representation. Also, indicate and provide contact information for the primary individuals leading the submission.

1. Include organizational chart(s) showing the relationships among the Proposer's Team members, identifying by position/title, discipline or skill group.

Two organizational charts may be included with the first chart for Phase I of the contract and the second chart for Phase II if private funding is selected by the City.
2. Identify the firms that will provide design, construction, and start-up services at substantial completion.
3. Describe the management structure and the role each team member, partner and any prospective professional, consultant or major subcontractor who will fulfill in the development or operation of the qualifying Project.
4. Identify the key team members that will be assigned to this Project, including the personnel's key experience and expertise. The Key personnel must be committed to this Project for its duration unless approved by the RBUD. Attach no more than eight one-page resumes of key personnel with the experience listed relevant to this project and applicable references to verify comparable role and responsibilities on referenced projects.
5. Identify any third-party specialty consultants which are included as part of the

proposed team. Describe each consultant's proposed role in the project and its related experience.

TAB 4: DEVELOPMENT TEAM EXPERIENCE (Limited to 20 pages)

Provide background information about Proposer's team members, including company history, years in business, principal place of business, and legal structure. Provide relevant experience of the Proposer's team members (firms) that comprise the submitting entity (JV, LLC, etc.) with preference given to the development of public projects that are comparable in size, complexity, and type (water infrastructure). Clearly distinguish the experience of the financial team, design team (lead and key subconsultants), construction contractor (lead, key subcontractors), project management, and legal representation. Provide detailed explanations of previous and current experience relating to the factors identified above. Provide a minimum of four (4) but no more than ten (10) projects total, and no more than one project per page.

1. Provide an overview of your company or team's experience in executing Design-Build project including any P3 projects that used a private funding source including total number of projects and number of years' experience executing Water Production and Delivery projects.

2. Provide a list of design-build projects delivered for governmental clients and include any P3 projects, if any, and include the following information:
 - a. Client name, contact information (phone, email, address) for reference checks, and project name and type
 - b. Location, including address and photograph
 - c. Type of facility, size, and intended use
 - d. Estimated useful lifespan of facility (water infrastructure and treatment plants preferred)
 - e. Identification of developer and explanation, including role and responsibilities of key personnel and firms involved, even if different from the Proposer

 - g. Development/Construction timeline (from Proposer selection/site control to construction completion, indicating phasing and current phase of project, if relevant)

- h. Development cost, and a brief explanation of the approach used to finance the Project, naming finance sources, structure of the transaction, and amount of debt and equity (to the extent possible). Provide a list with descriptions of pending projects and the projected completion dates.
 - ii. Project Budget and Schedule – What was the budget? Were there any change orders? Was the project schedule met? What was the final cost?
3. Has your firm or a team member ever failed to complete any Design-Build project(s) or was party to a project that was not completed as contracted? If yes, please describe the project and explain reasons for failure/termination and the impact to the public entity if applicable. What mitigation steps did the team take to complete the project?

TAB 5: FINANCIAL CAPACITY, VIABILITY, AND PLAN (Limit to 15 pages)

To demonstrate access to equity capital and financing resources to carry out the proposed Project, Proposers are required to provide the information below.

In the submission the Proposers must:

1. Describe the typical financing model your firm(s) has utilized to complete public projects utilizing private finance funding sources. If any, please include Utility project examples.
2. Description of Proposer’s plans for financing the project:
 - a. Explain your team’s proposed approach to financing this project and an overall statement of the financial benefits this plan provides the RBUD.
 - b. Brief description of history and credentials in providing this method of financing.
 - c. The sources of the Proposer’s capital (tax-exempt debt, taxable debt, conventional, equity, and percentages of each). Multiple funding sources can be offered but are not required.
 - d. If proposing tax-exempt or taxable debt through a non-profit Special Purpose Entity (SPE), please provide information concerning the not-for-profit entity and experience with developing and utilizing SPE’s for public funding options.
 - e. If proposing Private Capital as an option,

- i. Name of specific investor group, lender, arranger or parent company, if applicable. Provide contact information and details on how you have utilized these sources in the past.
 - ii. Current assets available for investment
 - iii. Any requirements, constraints or expectations on the equity portion invested (rates, terms, etc.)
 - iv. Commitments to provide financing to the RBUD for this project; specifically, the amount of the commitment (i.e. [100%] of the capital).
 - f. The proposed term of the financing and what requirements the financing will be subject to (i.e. subject to developer entering a lease with the RBUD, terms of lease, etc.). If a lease/lease back proposal is anticipated, include a clear statement of understanding that the property would revert to the RBUD with a lien-free title at the end of the term. The RBUD will consider terms of not less than 20 years and no more than 30 years.
3. Provide information on options within a lease-lease back agreement or a private capital agreement for a tiered payment system to allow gradual rate increases and leveraging current debt payments.
 4. Indicate whether any funding sources or financial institutions have taken adverse action against the proposer, such as terminating or restricting the use of funds anytime during the past five (5) years.

TAB 6: PROJECT INNOVATION, DEVELOPMENT, AND MANAGEMENT PLAN (Limited to 20 pages)

Proposers shall provide information about the planned approach as it relates to meeting the project objectives and goals.

1. Provide a narrative description of your team's development concept, operational, and management plan, including your plan of approach for the proposed project identifying major tasks and sub-tasks. Include information on the team's approach for phasing the project to ensure the project delivery schedule is met. Please include:
 - a. Recommended early construction components to meet the District's desired schedule.
 - b. Description of the first four weeks and how the team will quickly develop treatment

- options, site planning documents, and space planning for the required buildings.
- c. Describe how the team is going to engage major process sub-contractors early in the process to avoid schedule delays.
2. Provide a high level draft project timeline including when construction is anticipated to begin along with early construction scheduled items that can be included in Phase I Pre-construction services.
 3. Describe your cost control methods for the preconstruction and construction phases. How do you develop your estimates and how often are they updated? Include examples of successful value engineering to maintain a project budget that does not sacrifice quality. Describe the way your team maintains quality control during the pre-construction and construction phases. Provide some examples of how these techniques were used in the projects you identified.
 4. Describe the way in which you will develop and maintain the project schedule. How often do you update those schedules? For one of your previously listed projects provide examples of how these techniques were used. Include specific examples of scheduling challenges and how your team solved them.
 5. What are the key risk factors that you envision given the project scope, schedule, location and type described for the RBUD project? Describe how your risk assessment matrix will be produced for the RBUD project. Provide a sample risk assessment matrix (for a project of similar size and scope).

TAB 8: LOCAL VENDOR PREFERENCE

Under the City's Procurement Code, the City has a preference for local businesses. A local business, for the purposes of the application of the local vendor preference, means a bidder which has a permanent, physical place of business within the corporate city limits, and a

valid business tax receipt and certificate of occupancy applicable to the required goods, services, or construction items being procured.

TAB 9: SBE/M/WBE FORMS (Schedules 1-4)

Describe how your team members enlists small, women, local, and minority owned business enterprises and involve them in your project.

TAB 10: COMPLETED STANDARD FORMS

- 1) Proposer's Certification
- 2) Addendum Page
- 3) Drug Free Workplace
- 4) Public Entity Crimes Statement
- 5) Schedule 1 – Participation for Small Business Enterprises
- 6) Schedule 2 – Letter of Intent to Perform as a Small Business Sub-Contractors
- 7) Schedule 3- Local Business Participation
- 8) Schedule 4- Letter of Intent to Perform as a Local Business

Addendum to RFQ

No negotiations, decisions, or actions in connection with this solicitation request shall be initiated or relied upon by a Proposer as a result of any oral discussions with a City or District employee, agent, officer, or consultant. Only those communications regarding this RFQ which are in writing from the City's Procurement Department will be considered as a duly authorized expression on behalf of the RBUD. Written responses of the City to a Proposer's questions will be forwarded by the City to all Proposers.

Only written communications from Proposers which are signed by persons who are authorized to contractually bind the Proposers will be recognized by the City as duly authorized expressions on behalf of the Proposers. Any questions arising from this RFQ must be submitted via email to the contact email address of Althea Pemsel, Director of Procurement as provided under the section entitled "Submission Instructions and Requirements". In order for technical questions to be answered in a timely manner, they must be received no later than June 25, 2021 by 5:00p.m. Eastern Standard Time.

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Evaluation Criteria

These evaluation criteria will be utilized by the City's Evaluation Committee to score each proposal.

Evaluation Criteria	Maximum Points
Organization and Team Information (Tab 3)	10 Points
Team Project Experience (Tab 4)	20 Points
Financial Capability, Viability, and Plan (Tab 5)	20 Points
Project Innovation, Development and Management Plan (Tab 6)	35 Points
Local Vendor Preference (Tab 7)	<u>15 Points</u>
Meet or Exceed 15%	15 Points
15% Participation	10 Points
> 15% Participation	05 Points
Total Possible Points	100 Points

Evaluation Process

1. There will be a two-step evaluation process. The first step will determine if the proposal is either responsive or non-responsive to the RFQ and evaluation of the information submitted by the proposer. The RBUD may reject proposals determined to be non-responsive. Subsequent to the responsiveness review, the Evaluation Committee will review and evaluate all responsive proposals as outlined herein.
2. All responsive proposals will be evaluated and scored based on the written Evaluation Criteria, which will be the basis for short-listing the firms. The intent of the scoring of the written proposal is for Proposers to indicate their interest, plan, relevant experience, financial capability and plan, project concept and management, local building wealth program, and organization structure and project team.
3. Subsequent to the evaluation committee shortlisting, the top three Proposers will then have the opportunity to present their proposal to the District Board. The Board will issue an

invitation for oral presentations to be given to the Board for a final selection. The shortlisted proposers shall be required to provide the PowerPoint presentation that will be used in the oral presentation to the Board 24 hours in advance and Board staff will print the presentation for distribution to the Board members prior to the actual presentation. No revisions to the submitted presentation will be allowed after it is submitted.

4. Oral presentations provide the Proposers an opportunity to share their vision, experience, capability, and expertise with the Board to reach a final ranking(s).
5. Based upon a review of the presentations and proposals, the Board will rank proposers to allow City Staff to begin negotiating an Interim Agreement and/or Comprehensive Agreement.
6. The City reserves the right to select more than one Proposer, and to have separate or concurrent negotiations as permissible by Florida Statute.
7. The City reserves the right to negotiate any element of the proposals deemed in the best interest of the City.

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General Conditions

Proposer's Responsibility

Before submitting a response, each Proposer shall be solely responsible for making any and all investigations, evaluations, and examinations, as necessary, to ascertain all conditions and requirements affecting the full performance of the contract.

Costs Incurred by Proposers

All expenses involved with the preparation and submission of Proposals, or any work performed in connection therewith, shall be the sole responsibility (and shall be at the sole cost and expense) of the Proposer, and shall not be reimbursed by the RBUD.

Relationship to District

It is the intent of the RBUD, and Proposers hereby acknowledge and agree, that the successful Proposer is an independent contractor, and that neither the Proposer, not the Proposer's employees, agents, partners, joint venturers, and/or contractors, shall, under any circumstances, be considered employees or agents of the District. Proposers must disclose any professional financial, and familial relationships with any persons employed directly or contractually by the District.

Public Entity Crimes

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 proposal on a contract to provide goods or services to a public entity; submit a proposal on a contract with a public entity for the construction or repair of a public building or public work;
- Submit proposals on leases of real property to a public entity;
- Be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity; and
- Transact business with any public entity in excess of the threshold amount provided in Section 287.017, FS, for Category Two (currently \$35,000) for a period of 36 months from the date of being placed on the convicted vendor list.

Scrutinized Companies

Section 287.135, Florida Statutes, prohibits a company from bidding on, submitting a proposal for, or entering into or renewing a contract for goods or services of any amount if, at the time of contracting or renewal, the company is on the Scrutinized Companies that Boycott Israel List, created pursuant to Section 215.4725, Florida Statutes, or is engaged in a boycott of Israel. Section 287.135, Florida Statutes, also prohibits a company from bidding on, submitting a proposal for, or entering into, or renewing a contract for goods or services of \$1,000,000 or more, that are on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector Lists which were created pursuant to Section 215.473, Florida Statutes.

Florida Public Records Law

In accordance with Chapter 119, Florida Statutes, and, except as may be provided by Chapter 119, Florida Statutes, and other applicable State and Federal Laws, all Proposers should be aware that the RFQ and the responses thereto are in the public domain and are available for public inspection and copying. If the Proposer is asserting that certain information in its Proposal is confidential and/or proprietary and/or exempt from public disclosure, then the Proposer is required to do the following:

- (1) Identify, with specificity, the information which the Proposer asserts is confidential and/or proprietary and/or exempt from public disclosure;
- (2) Place such information (including any applicable electronic media on which such information is contained in a sealed envelope that is separate from the Proposer's other Proposal documents;
- (3) Clearly label the envelope that contains the confidential, proprietary and/or exempt information as follows" 'EXEMPT FROM PUBLIC DISCLOSURE'" with Proposer's name and the RFQ number marked on the outside; and,
- (4) Specifically cite the applicable Florida Statute(s) that exempts such information from public disclosure – such citation must be placed on the sealed envelope and also on a separate document contained within the sealed envelope along with any relevant explanations.

The envelope that contains the Proposer's confidential/proprietary/exempt information must be submitted with the Proposer's other Proposal documents. Proposer is advised that failure to follow the aforementioned instructions may result in Proposer's alleged confidential/proprietary/exempt information being disclosed to the public. All submittals

received in response to this RFQ will become the property of the City of Riviera Beach and will not be returned. In the event of an award, all documentation produced as part of the contract will become the exclusive property of the City.

Be aware that the designation of an item as exempt from public disclosure by a Proposer may be challenged in court by any person or entity. By designation of material in your proposal as exempt from public disclosure, Proposer agrees to defend the City of Riviera Beach (and its employees, agents and elected and appointed officials) against all claims and actions (whether or not a lawsuit is commenced) related to Proposer's designation of materials as exempt from public disclosure and to hold harmless the City of Riviera Beach (and its employees, agents and elected and appointed officials) for any award to a plaintiff for damages, costs and attorneys' fees, and costs and attorneys' fees incurred by the City by reason of any claim or action related to your designation of material as exempt from public disclosure.

Special Terms and Conditions

The City anticipates executing an Interim Agreement with the responsive and responsible Proposer whose proposal is determined to be the most advantageous to the District, as determined and approved by the District's Board. The successful Proposer will have the opportunity to implement the Project through negotiation of mutually acceptable Interim and Comprehensive Agreements in accordance with Fla. Stat. 255.065, as approved by the District's Board.

During the term of the Interim Agreement, the successful Proposer and the District will attempt to negotiate a mutually acceptable Comprehensive Development Agreement. If they fail to do so within the time set forth in the Interim Agreement, the District may terminate the negotiations and, in its complete discretion, enter into an Interim Agreement with another Proposer.

No work shall commence until the City signs the Comprehensive Development Agreement documents, which shall not be binding until approved by the District's Board, Attorney, and the Proposer provides the necessary evidence of insurance and bonds as required in the Comprehensive Agreement.

NON-COLLUSION STATEMENT

By signing its Bid, the bidder certifies that its Bid is made independently and free from collusion. Bidder shall disclose below, to their best knowledge, any Riviera Beach 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 Riviera Beach 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. For purposes hereof, a person has a material interest if he/she directly or indirectly owns more than five percent (5%) of the total assets or capital stock of any business entity, or if they otherwise stand to personally gain if the contract is awarded to this proposer.

Failure of a bidder to disclose any relationship described herein shall be reason for debarment in accordance with the provisions of the City Procurement Code. Proposer, if doing business under an assumed name, i.e., an Individual, Association, Partnership, Corporation, or otherwise, shall be registered with the Florida Department of State, Division of Corporations.

LOCAL VENDOR PREFERENCE

Under the City's Procurement Code, the City has a preference for local businesses. A local business, for the purposes of the application of the local vendor preference, means a bidder which has a permanent, physical place of business within the city limits, and a valid business tax receipt and certificate of occupancy applicable to the required goods, services, or construction items being procured. Post office boxes or locations at a postal service center are not verifiable and shall not be used for the purpose of establishing said physical address. If the business is a joint venture/partnership, it is sufficient for qualification as a local business if at least one party of the joint venture/partnership meets the test set forth in this section. The bidder shall have the burden of demonstrating that it meets this definition. Permanent physical location must be established for a minimum of twelve (12) months prior to the published date of this solicitation.

The application of the local vendor preference shall not change the actual cost proposal. Further, in no event will it cause the city to pay more than \$25,000.00 above the amount proposed by the non-local vendor which would have been recommended for award if the local vendor preference had not been applied.

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 bidder understands and agrees that in addition to all other remedies and consequences provided by law, the failure of the bidder 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 with the bidder as justification for termination.

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STANDARD FORMS

ATTACHMENT A

In addition to the proposal, the forms listed below are to be completed and submitted with your proposal.

- 1) Proposer’s Certification
- 2) Addendum Page
- 3) Drug Free Workplace
- 4) Public Entity Crimes Statement
- 5) Schedule 1 – Participation for Small Business Enterprises
- 6) Schedule 2 – Letter of Intent to Perform as a Small Business Sub- Contractors
- 7) Schedule 3- Local Business Participation
- 8) Schedule 4- Letter of Intent to Perform as a Local Business

NOTE: Please ensure that all these documents are completed and submitted with your response in accordance. Failure to do so may result in your bid not being considered for award.

SIGNATURE of AUTHORIZED REPRESENTATIVE

This signature page must be completed and included with the submittal.

By signing below, the undersigned acknowledges they are an expressly authorized agent of the Company/firm listed below.

Date: _____

Full Legal Name of Company: _____

Signature: _____

Printed Name: _____

Title: _____

ATTACHMENT A STANDARD FORMS



DRUG FREE WORKPLACE

Preference shall be given to businesses with drug-free workplace programs. Whenever two or more bids which are equal with respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie bids will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

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 893 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 the person authorized to sign the statement, I certify that this form complies fully with the above requirements.

THIS CERTIFICATION is submitted by _____ the (INDIVIDUAL'S NAME)

_____ of _____
(TITLE/POSITION WITH COMPANY/VENDOR) (NAME OF COMPANY/VENDOR)

who does hereby certify that said Company/Vendor has implemented a drug free workplace program which meets the requirements of Section 287.087, Florida Statutes, which are identified in numbers (1) through (6) above.

_____ DATE
SIGNATURE



PROPOSER’S CERTIFICATION

I have carefully examined the solicitation, Instructions, General and/or Special Conditions, Specifications, Terms and any other documents accompanying or made a part of this solicitation.

I hereby propose to furnish the goods or services specified herein and if applicable at the prices or rates quoted in my response. I agree that my proposal response will remain firm for a period of up to ninety (90) days in order to allow the City adequate time to evaluate the responses. Furthermore, I agree to abide by all conditions of the solicitation.

I certify that all information contained in this response is truthful to the best of my knowledge and belief. I further certify that I am duly authorized to submit this proposal on behalf of the vendor / contractor as its act and deed and that the vendor / contractor is ready, willing and able to perform if awarded the bid.

I further certify that this proposal is made without prior understanding, agreement, connection, discussion, or collusion with any person, firm or corporation submitting a response for the same product or service; no officer, employee or agent of the CITY OF RIVIERA BEACH or of any other bidder interested in said bid; and that the undersigned executed this Proposer’s Certification with full knowledge and understanding of the matters therein contained and was duly authorized to do so.

NAME OF BUSINESS

E-MAIL ADDRESS

BY:

SIGNATURE OF AUTHORIZED OFFICER

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

PRINTED NAME AND TITLE

SIGNATURE OF NOTARY

MAILING ADDRESS

MY COMMISSION EXPIRES: _____

CITY, STATE, ZIP CODE

PERSONALLY KNOWN
_____ OR PRODUCED

TELEPHONE NUMBER

IDENTIFICATION _____

FAX NUMBER

TYPE: _____



CITY OF RIVIERA BEACH

NOTIFICATION OF PUBLIC ENTITY CRIMES

LAW

Pursuant to Section 287.133, Florida Statutes (1995), you are hereby notified that 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 or 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 s. 287.017 [F.S.] for CATEGORY TWO [\$35,000.00] for a period of 36 months from the date of being placed on the convicted vendor list.

Acknowledged by: _____

Firm Name: _____

Signature: _____

Name & Title (Print or Type): _____

ATTACHMENT B
SCHEDULES 1-4

EXHIBIT A
CONCEPTUAL SITE PLAN

EXHIBIT B PROPERTY SURVEY