



SUBMIT TO: PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS 400 S. FT. HARRISON AVENUE ANNEX BUILDING – 6TH FLOOR, CLEARWATER, FL 33756	 REQUEST FOR NEGOTIATION	
ISSUE DATE: February 18, 2016	<i>SUBMITTALS RECEIVED AFTER SUBMITTAL DATE & TIME WILL NOT BE CONSIDERED</i>	
TITLE: Sale of Property – Highway Patrol Station	RFN NUMBER: 156-0173-P (SS)	
<p style="text-align: center;">DEADLINE FOR WRITTEN QUESTIONS: April 6, 2016</p> <p style="text-align: center;">SUBMIT QUESTIONS TO: SUE STEELE, CPPB AT ssteele@pinellascounty.org</p> <p style="text-align: center;">Phone: 727-464-4776 Fax: 727/464-3925</p>		
<p style="text-align: center;">NOTICE OF REQUEST FOR NEGOTIATION (RFN)</p> <p style="text-align: center;"><u>DUE DATE FOR STATEMENT OF INTEREST:</u></p> <p style="text-align: center;"><u>April 19, 2016</u></p>		 Director of Purchasing

TO ALL INTERESTED PROVIDERS:

Sealed statements of interest are solicited regarding the sale of the property described herein. The purpose of which is to enter into negotiations to complete the sale of property in order to advance one or more Pinellas County development goals. These include increasing the tax base, generating income, reducing expenses, strengthening and diversifying the economy, creating/retaining value-added jobs within the County, and preserving/improving quality of life for County Residents. PCEDA will consider all qualified responses to this RFN, and evaluate each response based on the evaluation criteria established in the RFN document attached.

Specific Requirements:

1. **WRITTEN REQUESTS FOR INTERPRETATIONS/CLARIFICATIONS:**

No oral interpretations will be made to any firms as to the meaning of this RFN. All questions pertaining to the terms and conditions or scope of work of this proposal must be sent in writing (as per above) to the Purchasing Department and received no later than the deadline specified in RFN. Responses to questions may be handled as an addendum if the response would provide clarification to requirements of the proposal. All such addenda shall become part of the RFN documents. The County will not be responsible for any other explanation or interpretation of the proposed RFN. The Purchasing Department will be unable to respond to questions received after the specified deadline.

2. STATEMENTS OF INTEREST:

- a. Statements of interest will be opened immediately after the submittal date and time (3:00 PM) by the Pinellas County Purchasing Department, 400 South Fort Harrison Avenue, Annex Building, 6th Floor, Clearwater, FL 33756. The public may attend the opening, but may not immediately review any submittals. The names of respondents only will be read aloud at the time of opening. Pursuant to Florida Statute, Section 119.071(1)(b)2, all submittals shall be subject to review as public records 30 days from opening, or earlier if an intended decision is reached before the 30-day period expires. Late submittals will not be accepted.
- b. Statements of interest and changes thereto shall be enclosed in sealed envelopes or packages, addressed to the Purchasing Department, Pinellas County. The name and address of the firms, the date and hour of the proposal submittal, and the title shall be placed on the outside of the envelope.
- c. Interested parties are advised that exceptions to any terms and conditions contained in this RFN must be stated with specificity in its response to the RFN as provided herein. Interested parties are deemed to have accepted and to be bound by the RFN terms and conditions that does not take exception to in its response. The County reserves the right to modify or add terms and conditions based upon the exceptions stated by the statement of interest, or to declare any terms and conditions non-negotiable, as determined by the County in its sole discretion.

3. COSTS INCURRED BY PROPOSERS:

All expenses involved with the preparation and submission of RFN's to the County and any oral presentations, or any work performed in connection therewith, shall be borne solely by the interested party(s). No payment will be made for any responses received, or for any other effort required of, or made by, the interested party(s) prior to contract commencement unless otherwise specified in this RFN.

4. LOBBYING:

Lobbying shall be prohibited on all county competitive selection processes, and contract awards pursuant to this division, including but not limited to requests for proposals, requests for quotations, requests for qualifications, bids or the award of purchasing contracts of any type. The purpose of this prohibition is to protect the integrity of the procurement process by shielding it from undue influences prior to the contract award or the competitive selection process is otherwise concluded. However, nothing herein shall prohibit a prospective bidder/proposer/protestor from contacting the purchasing department or the county attorney's office to address situations such as clarification and/or questions related to the procurement process.

Lobbying of evaluation committee members, county government employees, or elected/appointed officials, or advisory board members regarding request for proposals, requests for quotations, requests for qualifications, bids, or purchasing contracts, by the bidder/proposer any member of the bidder's/proposer's staff, any agent or representative of the bidder/proposer, or any person employed by any legal entity affiliated with or representing a bidder/proposer/protestor, is strictly prohibited from the date of the advertisement, or on a date otherwise established by the board of county commissioners, until either an award is final or the competitive selection process is otherwise concluded. Any lobbying activities in violation of this section or on behalf of a bidder/proposer shall result in the disqualification or rejection of the proposal, quotation, statement of qualification, bid or contract.

For purposes of this provision, lobbying shall mean influencing or attempting to influence action or non-action, and/or attempting to obtain the goodwill of persons specified herein relating to the selection, ranking, or contract award in connection with any request for proposal, request for quotation, requests for qualification, bid or purchasing contract through direct or indirect oral or written communication. The final award of a purchasing contract shall be the effective date of the purchasing contract.

Any evaluation committee member, county government employee or elected/appointed official, or advisory board member who has been lobbied shall immediately report the lobbying activity to the director of purchasing.

5. PUBLIC RECORDS/TRADE SECRETS:

Pinellas County Government is subject to the Florida Public Records law (Chapter 119, Florida Statutes), and all documents, materials, and data submitted to any solicitation as part of the response are governed by the disclosure, exemption and confidentiality provisions relating to public records in Florida Statutes. Except for materials that are “trade secrets” or “confidential” as defined by applicable Florida law, ownership of all documents, materials, and data submitted in response to the solicitation shall belong exclusively to the County.

To the extent that Proposer desires to maintain the confidentiality of materials that constitute trade secrets pursuant to Florida law, trade secret material submitted must be identified by some distinct method that the materials that constitute a trade secret, and Proposer shall provide an additional copy of the proposal that redacts all designated trade secrets. By submitting materials that are designated as trade secrets and signature of the Proposer on its Proposal, Proposer acknowledges and agrees:

- (i) that after notice from the County that a public records request has been made for the materials designated as a trade secret, the Proposer shall be solely responsible for defending its determination that submitted material is a trade secret that is not subject to disclosure at its sole cost, which action shall be taken immediately, but no later than 10 calendar days from the date of notification or Proposer will be deemed to have waived the trade secret designation of the materials;
- (ii) that to the extent that the proposal with trade secret materials is evaluated, the County and its officials, employees, agents, and representatives in any way involved in processing, evaluating, negotiating contract terms, approving any contract based on the proposal, or engaging in any other activity relating to the competitive selection process are hereby granted full rights to access, view, consider, and discuss the materials designated as trade secrets through the final contract award;
- (iii) to indemnify and hold the County, and its officials, employees, agents and representatives harmless from any actions, damages (including attorney’s fees and costs), or claims arising from or related to the designation of trade secrets by the Proposer, including actions or claims arising from the County’s non-disclosure of the trade secret materials.
- (iv) that information and data it manages as part of the services may be public record in accordance with Chapter 119, Florida Statutes and Pinellas County public record policies. Proposer agrees, prior to providing goods/services, it will implement policies and procedures, which are subject to approval by the County, to maintain, produce, secure and retain public records in accordance with applicable laws, regulations, and County Policies including but not limited to Section 119.0701, Florida Statutes.

Notwithstanding any other provision in the solicitation, the classification as trade secret of the entire proposal document, line item and/or total proposal prices, the work, services, project, goods, and/or products to be provided by Proposer, or any information, data, or materials that may be part of or incorporated into a contract between the County and the Proposer is not acceptable to the County and will result in a determination that the proposal is nonresponsive; the classification as trade secret of any other portion of a proposal document may result in a determination that the proposal is non-responsive.

6. TIMELINE:

The County reserves the right to modify dates and time:

Release of Request for Negotiation:	February 18, 2016
Deadline for Questions/Clarifications:	April 6, 2016
Statements of Interest due in Purchasing by 3:00 PM:	April 19, 2016

7. **PURPOSE:**

The Pinellas County Economic Development Authority (PCEDA) seeks statements of interest in response to this Request for Negotiations (RFN) to enter into negotiations to complete the sale and purchase of the property identified in paragraph 8 (the "Description of Property") in order to advance one or more Pinellas County economic development goals. These include increasing the tax base, generating net sale proceeds and/or income, reducing expenses, strengthening and diversifying the economy, creating/retaining value-added jobs within the County, and preserving/improving quality of life for County residents. The PCEDA will consider all qualified responses to this RFN, and evaluate each response based on the evaluation criteria established in paragraph 9 in accordance with the procedure set out herein. RESPONDERS ARE ADVISED THAT NO NEGOTIATIONS ARE FINAL, AND NO TERMS, PROVISIONS, OR UNDERSTANDINGS ARE BINDING AND ENFORCEABLE UNTIL APPROVED IN A WRITTEN CONTRACT AUTHORIZED BY THE BOARD OF COUNTY COMMISSIONERS AS PROVIDED IN PARAGRAPH 17 HEREIN.

8. **BACKGROUND:**

In 1960, Pinellas County deeded the property at 7651 U.S. Highway 19 North, Pinellas Park, to the Department of Safety of the State of Florida (State) for use as a Highway Patrol Station. A deed restriction stated that if the property ceased to be used as a Highway Patrol Station, ownership would automatically revert to the County. In November 2014 the State ceased using the property and deeded it to the County.

9. **DESCRIPTION OF PROPERTY:**

The Legal Description (Exhibit A) and Location Map (Exhibit B) are attached. The County will grant the Proposed Easements shown on the location map to the City of Pinellas Park prior to the sale of the property. The sketch and descriptions of the proposed easements are attached as Exhibit C, and Exhibit D.

10. **SITE IMPROVEMENTS:** The site is improved with a concrete block building constructed in 1961 and containing a total of 4,980 square feet. The existing improvements were considered not to contribute to the market value of the property.

11. **PARCEL DETAILS:**

- Parcel No.: 27/30/16/00000/420/0200
- Approximately 74,524 square feet or 1.711 acres of land
- Zoning: "P" Public Zoning District (City of Pinellas Park)
- Future Land Use Designation: Institutional (I)
- Flood Insurance Rate Map (FIRM) Panel No.:12103C0208H, Map Date: 8-8-2009,
- Flood Zone X. The drainage canal located at the east end of the property is identified as a (F) Flood Control facility. (Information from March 2015 appraisal of the parcel)

12. **ENVIRONMENTAL REPORTS:**

Source Removal Report – Exhibit E
Environmental Site Assessment – Exhibit F

13. **SURVEY:** Pinellas County will not provide a current survey

14. **TERMS AND CONDITIONS OF SALE:**

The successful bidder shall pay for State documentary stamps, recording of deeds and the cost of recording any corrective instruments at closing. The County will deliver to buyer a County Deed pursuant to §125.411 Florida Statutes, conveying the property to bidder in fee simple, and all other documents necessary for the closing of this transaction, in accordance with the terms of the executed sale agreement. All deeds of conveyance by Pinellas County shall convey only the interest of the County in the Property covered thereby, and shall not be deemed to warrant the title, or to represent any statement of facts concerning the same. Closing shall be held in Pinellas County, at the office of the attorney or other closing agent designated by the buyer.

15. **DISCLAIMER:**

As Is, conveyance by County Deed.

16. **RECENT APPRAISAL VALUES:**

- Appraisal Prepared by: Tod Marr & Associates, LLC on May 28, 2015
- Restricted Appraisal Prepared by: Omni Realty Group, LLC on June 2, 2015

17. EVALUATION CRITERIA:

The following criteria will be used to evaluate responses to this RFN. Responders shall include sufficient information to allow the PCEDA to thoroughly evaluate the response, and each response submitted shall be evaluated by the PCEDA based on the following criteria:

- A. Highest Net Sale Proceeds and/or Income Generated by the Transaction.
- B. Highest and Best Intended Use(s) of the Property
 - 1) Preference will be given to proposals that facilitate the types of uses that appear on the targeted industry list as determined by Enterprise Florida. These employment industries have been selected based on their ability to bring additional money into the local economy.
 - 2) PCEDA properties are intended for immediate reuse and not for purchase as investments.
- C. Highest Value of Future Tax Payments
 - 1) The anticipated amount and type (office space, production space, or retail space, etc.) of major capital investment to be made within 5 years in connection with the project, and the year that each investment will be completed. Preference will be given to proposals with higher values of future tax payments.
 - 2) Any anticipated capital investment in real and personal property beyond the next five (5) years.
 - 3) Any anticipated tax revenues generated by new business operations on the property.
- D. Highest Number of Jobs Created
 - 1) Preference will be given to proposals with higher total numbers of permanent net new high-wage Pinellas County jobs that are created as a result of the project. Wage levels of at least 115% of the average annual wage of the county, MSA or state are considered the minimum that would be considered to generate higher levels of future economic impact.
 - 2) The number of temporary construction-related jobs that would be created in Pinellas County during the build-out of the site for each year of development.
- E. High Wages & Benefits
 - 1) The anticipated average wage of new jobs created as a result of the project (total wages of new workers, not including benefits, divided by the total number of new jobs) by type of job. Preference will be given to proposals with higher values of future economic impact based on the level of wages. Wage levels of at least 115% of the average annual wage of the county, MSA or state are considered the minimum that would be considered to generate higher levels of future economic impact.
 - 2) The average wage of temporary construction-related jobs that would be created in Pinellas County as a result of the project (wages of workers, not including benefits, divided by the total number of jobs). Higher wages levels will be given preference.
 - 3) The benefits package that will likely be offered to employees (insurance, pensions, etc.) by type of job.
- F. Other Benefits to the County or Its Citizens
 - 1) The highest number and type of jobs that might be provided to workers in socio-economically distressed areas such as HUB zones and the like.
 - 2) Preference will be given to projects that include unique proposals that would enhance the County's ability to create/retain jobs or would otherwise contribute to an improved local economy (e.g., R&D facilities, business incubators, Small Business Development Centers).
 - 3) Preference will be given to projects of unusual quality or stature that would serve as a catalyst to further job creation.
 - 4) If residential uses are included as part of the project, preference will be given to proposals that advance the community housing goals of Pinellas County.
 - 5) Preference will be given to proposals that include greater amounts of purchases made from other Pinellas County businesses.
 - 6) Preference will be given to projects that advance the redevelopment goals of Pinellas County, especially those identified in *Pinellas by Design, an Economic Development and Redevelopment Plan for the Pinellas Community*. This would include such planning practices as transit-oriented development, sustainability, and low impact development.
 - 7) Any other positive, unique social or civic benefits that would result from the project.
- G. Ability of Applicant to Complete Proposed Project
 - 1) Sufficient information is required to support the company's ability and financial capacity to attain the development project(s), job creation and capital investment goals described in the proposal. Additional preference will be given to proposals demonstrating the highest capacity.

18. **SELECTION OF A RESPONSE FOR NEGOTIATIONS:**

Each response timely submitted shall be evaluated by a committee, and ranked based upon the evaluation criteria. The PCEDA, through its Director and after appropriate authorization, may enter into negotiations with the highest ranked responder for a purchase and sale agreement, or other agreement specifying terms of the transaction, ("Contract") for the Property. The PCEDA will schedule an initial negotiation meeting to commence negotiations, and negotiations will conclude within one hundred and eighty (180) days of the initial negotiation meeting upon the submittal by the highest ranked responder of a final reply, which shall be due on a date established by the PCEDA ("Negotiation Process"). If negotiations are successful, the Contract will be submitted to the Board of County Commissioners, for final approval. If approved, the transaction will be closed in accordance with the terms of the Contract. If the PCEDA does not successfully negotiate a Contract with the highest ranked responder within the one hundred and eighty (180) day negotiation period, and the PCEDA does not elect to extend the Negotiation Process, then the PCEDA may enter into a Negotiation Process with the next highest ranked responder.

To be considered, each response must include FORM A – Qualifications of Responder, and FORM B – PROPOSAL FORM. Responses to the RFN are to be signed in ink by an authorized principal of the responder. Responses are to be submitted in a sealed envelope. The face of the envelope shall indicate the name and address of the responder and title of the response to the RFN. One (1) original and eight (8) copies, and one (1) electronic media copy (CDs/DVDs or Travel Drives in PDF format). The preferred method is PDF conversion from the Proposer's source files (to minimize file size and maximize quality and accessibility) rather than scanning so that the County can open, print, read and save the pdf file you have created. To ensure consistency, the electronic copy should be ONE file document and in the same order as the paper original. If this is not possible, the electronic copy files should be in the same order as the paper copy, with a directory listing of the files. of the response shall be submitted.

Response are to be submitted to Pinellas County Purchasing Department, 400 S. Ft. Harrison Avenue, 6th Floor, Clearwater, FL 33756 by the date and time indicated on the cover sheet.

19. **INSPECTION OF PROPERTY:**

Any potential responder that desires to inspect the property should contact **Elizabeth Lewis** with Pinellas County **Department of Real Estate Management** at **727-464-4136** to arrange for access for inspections. Inspection must be completed no later than the question deadline listed on page 1.

20. **AS IS PURCHASE:**

Should the property which is the subject of this RFN be purchased it is being offered "as is," in its condition as of the date of the execution of the contract. The successful purchaser will be required to acknowledge and agree that the PCEDA makes no warranties or representations of any kind or nature concerning the condition of the Property, including but not limited to any improvements thereon, the subsurface soils, groundwater, land use and zoning, site contamination or hazardous waste, or fitness for responder's intended use of the Property, and that the purchaser has not relied on any warranties or representations of any kind from the PCEDA, or its agents or representatives, in completing the closing unless otherwise specifically provided for in the contract. The PCEDA will transfer title with a Special District Deed (Quitclaim Deed). The County will cooperate with successful purchaser to transfer any necessary permits. The buyer may choose to purchase title insurance and survey updates to meet buyer's needs

21. **GENERAL CONDITIONS:**

- a) Responses will be opened immediately after the submittal date and time. The public may attend the response opening, but may not immediately review any responses submitted.
- b) Responder is advised that exceptions to any of the terms contained in this RFN must be identified in its response to the RFN. Failure to do so may lead PCEDA to declare any such term non-negotiable. Responder's desire to take exception to a non-negotiable term will not disqualify it from consideration for award.
- c) The PCEDA reserves the right to select the responder that it believes will serve the best interest of Pinellas County.
- d) The PCEDA reserves the right to reject any or all responses to the RFN.
- e) The PCEDA reserves the right to cancel the entire Request for Negotiations, or to extend deadlines for submittals or the Negotiation Process.

- f) The PCEDA reserves the right to remedy or waive technical or immaterial errors in the Request for Negotiations or in responses submitted.
- g) The PCEDA reserves the right to request any necessary clarifications or data without changing the terms of the response.

FORM A – QUALIFICATIONS OF RESPONDER

Title: Sale of Property – Highway Patrol Station

THE FOLLOWING INFORMATION IS REQUIRED IN ORDER THAT YOUR RESPONSE MAY BE REVIEWED AND PROPERLY EVALUATED.

Company Name:

Length of Time Company Has Been in Business:

Business Address:

How Long in Present Location:

Telephone Number:

Email Address:

Total Number of Current Employees:

Full Time:

Part Time:

COMMERCIAL AND/OR GOVERNMENTAL REFERENCES REGARDING PREVIOUS DEVELOPMENTS OF A SIMILAR NATURE:

**1.
Project Name and location:**

**2.
Project Name and location:**

Contact:

Contact:

Telephone/Fax:

Telephone/Fax:

Address:

Address:

City/State/Zip:

City/State/Zip:

Email Address:

Email Address:

**3.
Project Name and location:**

**4.
Project Name and location:**

Contact:

Contact:

Telephone/Fax:

Telephone/Fax:

Address:

Address:

City/State/Zip:

City/State/Zip:

Email Address:

Email Address:

FORM B- PROPOSAL FORM

Please submit for the purchase of property located at:

Title: Sale of Property – Highway Patrol Station

- Note for review – All of the criteria contained in Section 17 will be placed on Form B (in order) to ensure the firms submit all information requested.

Name of Firm _____

The information requested on proposal Form B is a summary only. As per the evaluation criteria, please submit information sufficient to allow the PCEDA to evaluate each submittal.

EVALUATION CRITERIA:

A. Proposed sales price, net to the PCEDA \$ _____

B. Intended use of property (as per B in evaluation criteria): _____

- **Land Use:** Describe each type of land use, associated acreage, estimated square feet of building space or other measurement (parking spaces etc.) devoted to the use(s) and overall capital investment related to the land use.

Type of Land Use	Acreage	Measurement (examples: Total Building Square Feet, Number of parking spaces)	Capital Investment

- List the anticipated amount and type (purchase of machinery/equipment, construction of buildings, etc.) of major capital investment to be made within five (5) years in connection with this project.

	Construction	Manufacturing Equipment	Other Equipment	Total
Year 1	\$	\$	\$	\$
Year 2	\$	\$	\$	\$
Year 3	\$	\$	\$	\$
Year 4	\$	\$	\$	\$
Year 5	\$	\$	\$	\$

FORM B - PROPOSAL (continued)

Title: Sale of Property – Highway Patrol Station

Name of Firm _____

C. Amount of capital investment in structures and equipment that would render property taxable (as per C in evaluation criteria).

- Describe the anticipated capital investment in real and personal property within five (5) years. (Do not include the value of the land purchased in this proposal.) _____

- Describe any portion of the above investments in real and personal property that would be owned by a tax-exempt organization(s). _____

D. Number of jobs created. Describe the type (Retail, Office, Hotel, Industrial etc.) and total number of new Pinellas County jobs anticipated to be created/retained as a result of this project (as per D in evaluation criteria).

Type	Number of new full-time jobs to be created	Date jobs will be created	Number of new part-time jobs to be created	Estimated Average Annual Wage of Job Type

E. Describe the highest wages and benefits of jobs created as a result of the project (as per E in evaluation criteria): _____

- Would any company cease operations or create/retain jobs outside of Pinellas without the sale of this property? If so, please indicate the other sites under consideration and the number of jobs affected: _____

FORM B - PROPOSAL (continued)

Title: Sale of Property – Highway Patrol Station

Name of Firm _____

F. Briefly describe any other benefits that might accrue to the county or its citizens as a result of this project (as per F in evaluation criteria): _____

G. Describe ability to successfully complete proposed project (as per G in evaluation criteria): _____

• Clearly describe all types and amounts of public investment (both on-site and off-site) required to complete this project: _____

• Please provide other information as it relates to the evaluation criteria identified: _____

FORM B - PROPOSAL (continued)

Title: Sale of Property – Highway Patrol Station

Company Name: _____

Contact Name: _____

Legal Corporate Name: _____

Business Address: _____

Phone: _____ **Fax:** _____ **E-Mail:** _____

I hereby agree to abide by all conditions of the RFN and certify that I am authorized to sign this proposal for the applicant.

Authorized Signature: _____

Printed Name & Title: _____

I hereby request the Board of County Commissioners to waive the mineral rights reservation required by Florida Statute §270.11.

Signature of Responder