

# **THE ABCs OF CRAs**

## **DEALMAKING**

### **RLIs, RFQs and RFPs**

## What is Community Redevelopment?

Activities or projects of a county, municipality or CRA in a community redevelopment area for:

- the elimination and prevention of the development or spread of slum and blight;
- reduction or prevention of crime;
- provision of affordable housing; and
- revitalization of coastal resort and tourist areas.

## What is a Community Redevelopment Project?

- Broadly interpreted by the courts to give deference to legislative determinations that the project serves a public purpose
- Installation, construction, reconstruction of streets, utilities, parks, and playgrounds
- Public areas of major hotels in support of convention centers including meeting and banquet facilities, parking garages, lobbies and other improvements
- “Area wide improvements” such as sidewalks and swale improvement projects

# CRA Procurement

- CRA is a Special District under Chapter 189
- Most CRAs are Dependent Special Districts
- CRAs are not subject to local government procurement policies
- CRA procurement is regulated by Florida Statutes
- CRAs may create their own procurement policies

4.2 Real Property Acquisition and Disposition. The acquisition, conveyance and leasing of real property by the CRA shall be done in accordance with Chapter 163, Part III, Florida Statutes.

4.3 Purchasing Goods and Services. Except for employment contracts as provided for elsewhere in these By-Laws, and for purchases that must be made under specific requirements of law or the CRA Board, the Executive Director or his written designee(s) may procure goods or services up to and including Twenty-Five Thousand Dollars (\$25,000.00) per purchase or contractual agreement. It is the intent of this provision that the amount of disbursement to a vendor providing goods or a contractor providing services not singularly or cumulatively exceed Twenty-Five Thousand Dollars (\$25,000.00) without the approval by motion of the CRA Board. The CRA Board must approve by motion all procurements for goods or services in excess of Twenty-Five Thousand Dollars (\$25,000.00). Except as provided, nothing contained herein is intended to limit the authority of the Executive Director or the CRA Board from procuring goods or services under the terms and conditions of a third party contract procured by another unit of state or local government when deemed in the best interest of the CRA.

#### ARTICLE 5

#### FISCAL MATTERS

5.1 Fiscal Year. The fiscal year of the CRA shall begin on October 1 and end on September 30 of each year.

5.2 Budget. The Executive Director shall prepare an annual budget and work program for the CRA's approval for each fiscal year, and such other budgets as the Commissioners may determine. The CRA shall not expend any funds other than those in the budget or otherwise authorized by the Board, provided that the Commissioners shall have the power to amend its budget as may from time to time be necessary.

5.3 Accounting Practices. The CRA shall comply with applicable Florida law and all regulations of the Florida Department Financial Services, or its successor, regarding uniform accounting practices and procedures for units of local government.

5.4 Annual Audit. The Executive Director shall arrange for an independent financial audit of the Redevelopment Trust Fund each fiscal year and a report of such audit by an independent certified public accountant in accordance with the provisions of Section 163.387(8), Florida Statutes. The CRA shall provide a copy of such report to each taxing authority contributing to the Redevelopment Trust Fund. The auditors shall be selected by the Board. The auditor of the CRA may not be the same auditor doing the annual audit of the City.

5.5 Annual Report. The CRA shall file with the City and with Miami-Dade County, on or before March 31 of each year, a report of its activities for the preceding

# CRA Procurement

Applicable Statutes include:

- Section 255.20 – Local bids and contract for public construction works: This statute requires that any Special District seeking to construct or improve a public building, structure or other public construction works must competitively award to an appropriately licensed contractor each project estimated to cost more \$300,000. Competitively award means to award contracts based on the submission of sealed bids, proposals submitted in response to a Request for Proposal (RFP)

# CRA Procurement

Applicable Statutes include:

- Section 287.055 – Acquisition of professional architectural, engineering landscape architectural, or surveying and mapping services: This statute is commonly known as the Consultants' Competitive Negotiations Act (CCNA). It provides for a qualifications based selection process which necessitates a Request for Qualification (RFQ)

# Disposal of CRA Property

- Many CRA redevelopment projects involve the disposition of CRA real property
- Projects may include downtown redevelopment through land assembly and sale, affordable housing, purchase and leaseback of commercial properties
- In all instances, the disposal of real property in a CRA area is subject to the requirements of Section 163.380



**CRA PROJECT NO.: CRA2011-05**  
**REQUEST FOR PROPOSALS**  
**WEST ATLANTIC AVENUE PROPERTIES**  
  
**A REDEVELOPMENT OPPORTUNITY**  
**IN**  
**DOWNTOWN DELRAY BEACH**



RELEASE DATE: December 19, 2010  
SUBMISSION DEADLINE: March 9, 2011 @ 2:00 pm

**THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY**

Howard Lewis, Chair  
Tom Carney, Vice Chair  
Peter Arts, First Vice-Chair  
William "Bill" Branning, Treasurer  
Veronica Covington  
Herman Stevens  
Cathy Balestriere

**INVITATION**

The Delray Beach Community Redevelopment Agency (CRA) hereby requests proposals from interested parties for the lease or purchase and redevelopment of properties owned by the Delray Beach CRA, or under contract for purchase by the CRA. The redevelopment sites are located on the south side of West Atlantic Avenue, between SW 6<sup>th</sup> and 10<sup>th</sup> Avenues, within the West Atlantic Avenue business corridor. The majority of the redevelopment sites are zoned CBD (Central Business District – West Atlantic Neighborhood) with a portion zoned RM (Medium Density Residential). The sites that are currently under the ownership of the CRA contain 7.7 acres more or less. A legal description of the individual parcels is provided in Appendix "C" of this RFP. Proposers may submit development proposals which include a portion of or all of the sites, depending upon their particular needs.

The CRA has prepared a conceptual master plan (Appendix "A") indicating a development pattern of structures along the West Atlantic Avenue frontage with a combination of surface and structured parking to the rear of the properties fronting W. Atlantic Avenue. A shared parking arrangement will serve as the desired development program for this project with parking available to the general public that could be shared by future developments. The development program includes the construction of multi-story single or mixed-use buildings. The desired uses include office, retail, hotel and neighborhood-oriented uses. Residential uses are acceptable, but not a priority. It is the CRA's intent to ensure that the project is designed and constructed in general accord with the conceptual design and, as such, the CRA is also open to participating with the developer on the project.

The CRA is vested by the State of Florida pursuant to its powers under Florida Statutes, Chapter 163, Part III, the Community Redevelopment Act of 1969 as amended, with the authority to request proposals for the redevelopment of any area within its district in order to effectuate redevelopment pursuant to the goals and objectives of the CRA Redevelopment Plan.

Factors that the CRA will use in judging the proposals include, but are not limited to, the proposer's experience and financing capabilities, the number of new jobs being created, the quality of planning, urban design and architecture, the services and/or economic benefit made available by the project to the surrounding community, the percentage and pricing structure of the residential component (if proposed), and the proposal's consistency with the Community Redevelopment Plan (CRA Plan), Downtown Master Plan, Southwest Area Neighborhood Redevelopment Plan, West Atlantic Avenue Redevelopment Plan and the recently updated Downtown Cluster Study. Selection criteria are discussed in more detail within this RFP. In addition, the CRA will also consider the proposer's ability to implement the project in an expeditious manner.

Upon receipt of an acceptable proposal and a negotiated contract with the successful proposer, as well as the applicant's compliance with conditions precedent to closing, the CRA will close on the property as described in the Request for Proposals (RFP), or as

## Disposal of CRA Property

- A CRA may sell, lease, dispose of, or otherwise transfer real property or any interest therein acquired by it for community redevelopment in a community redevelopment area to any private person, or may retain such property for public use, and may enter into contracts with respect thereto for residential, recreational, commercial, industrial, educational, or other uses, in accordance with the community redevelopment plan

## Disposal of CRA Property

- CRA real property or interest may be sold, leased, otherwise transferred, or retained at a value determined to be in the public interest for uses in accordance with the community redevelopment plan and in accordance with such reasonable disposal procedures as any county, municipality, or CRA
- Real property acquired by the CRA which, in accordance with the provisions of the community redevelopment plan, is to be transferred as rapidly as feasible in the public interest, consistent with the carrying out of the provisions of the community redevelopment plan

# Disposal of CRA Property

- Prior to disposition of any real property or interest therein, a CRA must give public notice of such disposition by publication in a newspaper having a general circulation in the community, at least 30 days prior to the execution of any contract to sell, lease, or otherwise transfer real property
- Prior to the delivery of any instrument of conveyance, a CRA must invite proposals from, and make all pertinent information available to, private redevelopers or any persons interested in undertaking to redevelop or rehabilitate a community redevelopment area or any part thereof. Such notice shall identify the area or portion thereof and shall state that proposals must be made by those interested within 30 days after the date of publication of the notice and that such further information as is available may be obtained at such office as is designated in the notice.

## Disposal of CRA Property

- The CRA shall consider all such redevelopment or rehabilitation proposals and the financial and legal ability of the persons making such proposals to carry them out; and the CRA may negotiate with any persons for proposals for the purchase, lease, or other transfer of any real property acquired by it in the CRA. The CRA may accept such proposals as it deems to be in the public interest and in furtherance of the purposes of the statute.

REQUEST FOR PROPOSALS  
GROUND LEASE/MANAGEMENT SERVICES FOR CRA OWN  
RENTAL PROPERTIES



RELEASE DATE: June 26, 2011  
SUBMISSION DEADLINE: July 26, 2011 @ 2:00 pm

THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY  
20 NORTH SWINTON AVENUE  
DELRAY BEACH, FL 33444

**INVITATION**

The Delray Beach Community Redevelopment Agency (CRA) hereby requests proposals from interested parties specializing in the leasing of residential affordable housing apartments to enter into a Ground Lease – Property Management Agreement (“Agreement”) for rental properties owned by the Delray Beach CRA. Preference will be given to not-for-profit entities involved in supplying affordable housing in the City of Delray Beach.

**A. Objectives**

The CRA intends to enter into an “Agreement” (**Exhibit “A”**) with one or more qualified non-profit or private entity(ies) specializing in the provision of affordable housing. The proposals shall state the proposer’s experience, and must contain the terms and conditions that are being offered. Entities are invited to propose management services for a portion of or all of the properties. The property management services will assist in furthering the goals and objectives of the CRA, particularly the CRA’s goals and objectives that support affordable housing initiatives, as contained in the CRA’s redevelopment plan, and are in the best interest of the CRA.

Subject to CRA Board approval, the term of the “Agreement” between the CRA and the selected entity(ies) will be for an initial five (5) year period, and may be renewed for up to one (1) additional five (5) period thereafter, subject to mutual agreement. Expenses incurred by the CRA during the term of the “Agreement”, including, but not limited to property insurance, real estate taxes, legal fees, etc., are to be paid by the lessee on a reimbursable basis to the CRA (lessor).

**B. Overview / Background of Properties**

The properties that are the subject of this RFP are described below, and are located as illustrated in **Exhibit “B” – Location Maps**.

1. **La France Apartments (140 NW 4<sup>th</sup> Avenue)** is a senior housing complex with a minimum age requirement of 60 years of age and income requirement not to exceed 80% of the Palm Beach County *Adjusted Median Income* (as defined by the Florida Housing Finance Authority) in order to qualify as a resident. The complex consists of 8 efficiency and 6 one-bedroom apartments with associated parking and laundry facilities and requires an on-site resident manager. Renovation of the apartment complex was completed in October 2007 and utilized SHIP (State Housing Initiatives Partnership) program funding for a portion of the renovations costs. The SHIP guidelines dictate that at least 4 of the units are rented to individuals or families with Very-Low Income - 60% of the Palm Beach County *Adjusted Median Income* (as defined by the Florida Housing Finance Authority), and a minimum 3 units are rented at or below Low Income - 80% of the Palm Beach County *Adjusted Median Income* (as defined by the Florida Housing Finance Authority). It is noted, pursuant to the City of Delray Beach development

## RLIs, RFQs and RFPs

- RLIs, RFQs and RFPs can take many different forms
- A Request for Letter of Interest/Information (RLI) is simplest format and may usually consist of a page or two
- RFQs and RFPs are generally more detailed in nature but can also consist of only a page or two
- The main difference between an RFQ and an RFP is that an RFQ will generally not contain a price proposal

# RLIs, RFQs and RFPs

RFQs and RFPs should have the following components:

Objective: This section should identify the purpose of the solicitation.



agreed to pursuant to the contract negotiated between the proposer and the CRA. Please note that the CRA typically does not close on property until the development has received all of the necessary approvals, including building permits, and financing for the construction is fully in place.

Proposers are required to submit one (1) unbound original and ten (10) copies, sealed and marked on the outside of the package "West Atlantic Avenue Redevelopment Proposal", delivered to the City of Delray Beach Purchasing Division in City Hall, 100 NW 1<sup>st</sup> Avenue, Delray Beach, FL 33444 on or before 2:00 pm on March 9, 2011.

**A. Development Objectives**

The CRA's preference for redevelopment of the properties is a single-phased project with a mix of uses consisting of Class "A" office space with retail and restaurant use components on the ground floor and/or a hotel use as well as public/shared parking. Residential units are not considered to be a priority use for the properties; however proposals including a residential use in conjunction with a non-residential use will be considered.

Proposals must be consistent with the City of Delray Beach's Land Development Regulations, Community Redevelopment Plan (CRA Plan), West Atlantic Avenue Redevelopment Plan (WAARP), Downtown Master Plan, Southwest Area Neighborhood Redevelopment Plan, and the Downtown Cluster Study. The Downtown Master Plan and the West Atlantic Redevelopment Plan call for "gradual redevelopment, with an emphasis on the preservation and enhancement of existing neighborhoods, while promoting a pedestrian friendly corridor that has a mix of residential, commercial, and civic functions." The West Atlantic Redevelopment Plan also suggests that the area is, in the long term, "well suited to absorb office space demand". In addition, WAARP promotes the shared parking concept. The properties are located in the area designated as "Cluster 1" in the *Downtown Cluster Analysis and Retail Strategy*. The study and its most recent update suggest that successful retail uses in this cluster may not only serve the surrounding neighborhoods, but the entire city and its visitors as well. An urban-style grocery store (up to approximately 28,000 sq. ft.), a pharmacy, specialty apparel, restaurants, gift shops, as well as non-retail services may be appropriate. The site's proximity to I-95 and "Cluster 2", which contains numerous government facilities and the tennis stadium, also lend support for office and hotel uses. The CRA Plan recognizes the downtown as a strategic location for office space, and it emphasizes the importance of the creation of high-paying jobs as an important complement to service sector jobs. The Plan states that downtown workers would support and strengthen other downtown businesses and would strengthen the residential real estate market.

Development Design

Buildings on Atlantic Avenue should be no more than four-stories, situated adjacent to the public right-of-way, with lighted, wide and uninterrupted pedestrian sidewalks. The proposed project should have on-street parking along the public right-of-way, as

**REQUEST FOR PROPOSALS – INDEPENDENT AUDITING SERVICES**

**I. INTRODUCTION**

**A. Objective(s)**

**The North Miami Community Redevelopment Agency (CRA) is soliciting proposals from qualified firms of certified public accountants to enter into a contract to perform an audit of the CRA's financial statements for the fiscal year ending September 30, 2009 in accordance with all of the applicable financial reporting and other requirements governing Community Redevelopment Agencies created pursuant to Chapter 163 of Florida Statutes, with the option on the part of the CRA to extend the contract for auditing of the CRA's financial statements for up to two (2) subsequent fiscal years. The requirements regarding CRA audit and annual reporting obligations are included in Florida Statutes Section 163.387(8), Section 218.39, Section 163.356(3)(c), and Section 189.418.**

**B. Proposal Instructions**

**1. Submission of Sealed Proposals**

One unbound original and ten (10) bound copies of the response to this RFP should be submitted on or before 4 P.M. EDT, on Thursday, April 30, 2009 to:

Mr. Tony E. Crapp, Sr., Executive Director  
North Miami Community Redevelopment Agency  
615 N.E. 124 Street  
North Miami, Florida 33161  
Phone (305) 899-0272

Proposals received after this date and time will not be considered.

The CRA reserves the right to reject any and all proposals, to waive any informalities or irregularities not involving price in any proposals received, to solicit new proposals, or take any other such actions that may be deemed to be in the best interest of the CRA.

**NARANJA LAKES COMMUNITY REDEVELOPMENT AGENCY**

**REQUEST FOR PROPOSALS**

**FOR**

**UP TO \$15 MILLION LOAN**

**RFP #2010-01**

**I. INTRODUCTION**

**A. Objective**

The objective of this Request for Proposals (the "RFP") is to identify the institution that can provide the Naranja Lakes Community Redevelopment Agency (the "CRA") with a loan of up to approximately \$15 Million at the lowest overall borrowing cost, pursuant to certain terms and conditions. The primary purpose for which the CRA is seeking this financing is to (a) refinance existing debt of approximately \$7.5 million relative to the completed Phase I of the CRA Project (as defined below) and (b) financing the improvements relative to Phase II of the CRA Project. The loan will be secured by a first-lien pledge of the tax increment revenues of the CRA.

**B. Instructions**

**1. Sealed Responses**

One unbound original and ten (10) bound copies of the response to this RFP should be submitted on or before 5:00 P.M. EDT, on \_\_\_\_\_, 2010 to:

Jorge Fernandez, Coordinator  
Community Redevelopment & Municipal Services Division  
Office of Strategic Business Management  
Miami-Dade County  
Stephen P. Clark Center  
111 N.W. 1<sup>st</sup> Street, Suite 2210  
Miami, FL 33128  
Phone (305) 375-5143

Responses received after this date and time will not be considered.

**NARANJA LAKES COMMUNITY REDEVELOPMENT AGENCY**

**REQUEST FOR PROPOSALS**

**RFP #2006-01**

**CONSTRUCTION MANAGEMENT SERVICES  
(OWNER'S REPRESENTATIVE)**

**I. INTRODUCTION**

**A. Objectives**

The Naranja Lakes Community Redevelopment Agency (the "CRA"), pursuant to Section 287.055, Florida Statutes, is soliciting proposals from qualified persons and/or firms to provide professional construction management services (including architectural and engineering services) as an owner's representative to the CRA in connection with the review and monitoring of construction of the CRA Project (as defined below) being constructed by Naranja Lakes Construction LLC (the "Developer") for the CRA and Miami-Dade County (the "County") pursuant to the Redevelopment Agreement (as defined below). The CRA shall also have the option to request that the selected person or firm provide additional construction management services as an owner's representative to the CRA in connection with other CRA projects within the CRA Redevelopment Area (see map).

The selected person or firm shall serve as the "CRA Representative" pursuant to the Redevelopment Agreement. Its primary responsibilities will be to (i) review and recommend contract awards based on bids received; (ii) review and approve payment requests submitted by Developer; (iii) review and make recommendations pertaining to change orders, design changes and budget reallocations; and (iv) requiring the Developer to maintain as-built drawings and other records including any testing results. Additionally, the selected person or firm shall also meet with the Developer on a regular basis regarding the construction schedule and related issues. Finally, the selected person or firm shall also visit the construction site when necessary and provide the CRA and the County with independent analysis whenever additional reviews or coordination is required.

As its initial task, the selected person or firm shall prepare a "Preliminary Report" for delivery to the CRA and County providing an analysis of the amounts previously paid to the Developer to date (approximately \$5,000,000) as set forth in the twenty-one (21) Requests for Payment submitted by the Developer to the CRA and County including an analysis of any changes in scope, materials and quantities from what is set forth in the revised Master Plan of Improvements attached to the First Amendment to the

## RLIs, RFQs and RFPs

RFQs and RFPs should have the following components:

Instructions: The instructions clearly state, at a minimum, (a) where, when and how many proposals should delivered, (b) response contents and (c) the process for requesting additional information.

## 2. Proposal Requirements

Each proposal should address all pertinent areas as delineated and described below and be specific relative to meeting the objective as delineated in section I.A. of this RFP. Any conditions should be clearly stated. The failure to disclose substantive terms, conditions and covenants may be considered cause for the proposal to be rejected by the CRA.

Proposals should contain, but not be limited to the following considerations:

1. Eligibility - authorization by the State Board of Accountants to conduct audits.
2. Experience of your firm in relation to the scope of audits for the CRA.
3. A list of similar local governments or pertinent accounts served by your firm.
4. Your staff assignments and availability to complete the audit on a timely basis.
  - Participation of senior audit personnel assigned to the engagement.
  - Frequency of contact with fiscal personnel.
  - Availability of staff to respond to questions within the scope of the engagement and the hourly charge, if any, for services outside the scope of the audit.
5. Audit firm staff stability history - what assurances can you provide the CRA regarding the assignment of your permanent personnel to the engagement.
6. Describe capability to audit computerized accounts receivable systems and to audit during the development of a completely computerized bookkeeping system.
7. Procedures used to transmit audit adjustments and the reasons for them along with management recommendations to the responsible personnel within the District structure.
8. Detailed audit plan that includes, but not is limited to:
  - a. Special reports, exhibits, and schedules to be provided:
    - Accounts report.
    - Balance sheet.
    - Schedule of cash.
    - Statements of changes in financial position.
    - Notes to financial statement

## L. Bid Bond

The proposer must submit with the proposal, a Bid Bond from an acceptable surety or cash sum represented by a cashier's check in favor of the CRA in an amount equal to ten (10) percent of the offered price. In no case shall the Bid Bond be less than fifteen thousand dollars (\$15,000). The initial bid bond will be returned after one hundred twenty (120) days from the date of delivery (submission deadline) to any proposer who has not been selected to negotiate a contract with the CRA during that period or with any proposer with whom any negotiations have been terminated. For the successful proposer, the bid bond will be returned at the time of execution of the contract for sale and purchase of the property and a deposit has been made as part of the contract.

## M. Deposits

A non-refundable application fee of \$250 will be required to cover processing costs. Checks should be made out to the Delray Beach Community Redevelopment Agency.

## N. Proposal Content

The following describes certain information that the CRA will require for the proposal. Failure to provide any of the information may be cause for reject of the proposal at the sole and absolute discretion of the CRA.

The proposer shall submit one (1) unbound original and ten (10) copies of the proposal describing the project and the proposer's qualifications in the following format with each section tabbed for ease of review:

- 1) The proposer must identify what portion or portions of the redevelopment site they are seeking to acquire and develop (i.e., entire site, west portion, east portion).
- 2) The proposer must state the anticipated uses within the redevelopment project. The uses must be currently permissible under the City of Delray Beach Land Development Regulations. Specify the total square footage of the project and the breakdown of each proposed use. Proposer may submit letters of intent from committed and/or potential tenants if possible.
- 3) The proposer must submit a conceptual site plan and one or two conceptual elevations on a sheet or sheets measuring 24" by 36" at a scale of one inch equals twenty feet (1" = 20'). The site plan should include, at a minimum, the location of proposed building(s) and the public streets surrounding the site. The plans must indicate the height(s) of all proposed buildings. Parking, sidewalks, and major landscaping features should be illustrated. In addition the Proposer should reduce the site plan

address, telephone, facsimile number, and e-mail address).

2. Please provide a Fixed Interest Rate for the full term of the loan. The rate should be stated as a fixed interest rate that will be held for a maximum of forty-five (45) days.
3. Fees and Expenses - Describe in detail all fees and expenses which the CRA will be responsible to pay to the lending institution and/or its legal counsel. The amounts stated in the proposal shall represent the maximum amounts payable to the lending institution by the CRA.
4. Conditions - Provide a listing of all conditions, covenants, terms or restrictions, other than those specified in this RFP, which would be included in your commitment to provide the loan. Also, please describe the procedures, if any, the Respondent may have in place to increase the amount of the loan in the future should the CRA request it.

**I. INSTRUCTIONS TO RESPONDENTS**

1. Respondents shall thoroughly examine and be familiar with this RFP. Failure of any respondent to receive or examine this document shall in no way relieve any respondent of obligations pertaining to this RFP or the subsequent contract.
2. Any modifications from the stated terms and conditions can result in the rejection of the response as not being responsive to this RFP.
3. Delivering the response to the CRA on or before the specified date and time will be solely and strictly the responsibility of the respondent. The CRA will in no way be responsible for delays caused by the United States Postal Service, or other courier services, or a delay caused by any other occurrence. Offers by telephone or fax will not be accepted.
4. The response deadline shall be strictly observed. Under no circumstances will a response delivered after the time specified be considered. Such responses to this RFP will be returned to the Respondent unopened.
5. Respondents will not be allowed to withdraw or modify their response.
6. The CRA reserves the right to reject the response of any respondent who has previously failed in the proper performance of a contract or to deliver on time other contracts similar in nature, or who in the opinion of the CRA, is not in the position to perform properly.
7. Federal, state, county and local laws, ordinances, rules and regulations that in any manner affect the items covered herein apply. Lack of knowledge by the Respondent will in no way be a cause for relief from responsibility.

- H. No successful respondent may assign any portion of the contractual agreement between the parties without prior written authorization by the CRA, which authorization may be withheld by the CRA in its sole discretion.
- I. Changes to the RFP may be made by and at the sole discretion of the CRA.
- J. Warranties - The respondent, in submission of its response, warrants to the CRA that it will comply with all applicable federal, state and local laws, regulations and orders in providing the services under the proposed documents.
- K. No price proposals are to be submitted with this RFP. Any proposal that contains a price proposal of any nature shall be deemed unresponsive and rejected by the CRA.

**IV. TENTATIVE SCHEDULE**

The CRA will attempt to adhere to the following schedule:

_____, 2010	RFP Issued
_____, 2010	Written responses due prior to 5:00 p.m. (EST)
_____, 2010	Determination of Respondent Rankings
_____, 2010	Approval by CRA Board
_____, 2010	Loan Closing

The CRA reserves the right to alter scheduled dates if necessary.

**V. OTHER INFORMATION**

- A. The CRA reserves the right to accept or reject any and all responses, to waive any irregularities or informalities in any response or in the RFP process, and to accept or reject any items or combination of items. The award will be to the institution whose response complies with all of the requirements set forth in this RFP and whose response, in the sole opinion of the CRA, is best taking into consideration all aspects of the Respondent's response.
- B. In the event that the successful respondent does not execute a contract within a time frame acceptable to the CRA, the CRA may give notice of intent to negotiate with the next most qualified respondent or to solicit new responses and may proceed to act accordingly.

# RLIs, RFQs and RFPs

RFQs and RFPs should have the following components:

Background Information: The inclusion of background information is optional and will vary based upon the solicitation.

The CRA reserves the right to reject any and all responses, to waive any informalities or irregularities in any responses received, to solicit new responses, or take any other such actions that may be deemed to be in the best interest of the CRA.

2. Response Contents

Each response should address all pertinent areas as delineated and described below and be specific. Any conditions should be clearly stated. The failure to disclose substantive terms, conditions and covenants may be considered cause for the response to be rejected by the CRA.

3. Questions, Additional Information

Respondents, their agents and/or associates shall refrain from contacting or soliciting, directly or indirectly, any member of the CRA Board, the CRA Attorney, County Commissioners and their staff, County Attorneys and/or the employees of the CRA and/or the County regarding the RFP during the selection process, which process begins on the issue date and terminates following the approval of the loan by the CRA Board. Failure to comply with this provision may result in disqualification of the respondent. All requests for clarifications or additional information must be made in writing and directed to:

Jorge Fernandez, Coordinator  
Community Redevelopment & Municipal Services Division  
Office of Strategic Business Management  
Miami-Dade County  
Stephen P. Clark Center  
111 N.W. 1<sup>st</sup> Street, Suite 2210  
Miami, FL 33128  
Phone (305) 375-5143  
Fax (305) 375-1569  
[jjorge@miamidade.gov](mailto:jjorge@miamidade.gov)

All such requests and CRA responses will be made available to all potential respondents. Graphic information regarding the Community Center may be provided upon request.

C. Background Information

In order to stimulate the redevelopment of the Naranja Lakes area after the destruction of Hurricane Andrew, and pursuant to the Community Redevelopment Act of 1969, Part III of Chapter 163, Florida Statutes, the Board of County Commissioners adopted the following: (a) Resolution No. 847-98 dated July 21, 1998 determining blight, as defined in Section 163.340 Florida Statutes, within the Redevelopment Area; (b) Ordinance No. 02-216 dated October 22, 2002 creating the CRA and appointing the members of the CRA Board; (c) Resolution No. R-418-03 dated May 6, 2003 approving the

Redevelopment Plan; and (d) Ordinance No. 03-106 dated May 6, 2003 establishing a redevelopment trust fund pursuant to Section 163.387 Florida Statutes, for deposit of tax increment revenues generated from the Redevelopment Area.

The Redevelopment Plan contains, among other things, a Master Plan of Improvements that provides for the CRA to cause the construction of certain roadway, streetscape, plaza, common use buildings and infrastructure improvements (the "CRA Project") within the Primary Redevelopment Project commonly known as Mandarin Lakes (the "Project"). In this regard, in 2003 the CRA entered into a Redevelopment Agreement with Miami-Dade County ("County"), Naranja Lakes Construction, LLC ("Developer") as well as Naranja Lakes Holdings, LLC and Naranja Lakes Holdings II, LLC, the then owners of the real property for the Project. The Redevelopment Agreement was amended in 2005 to, among other things, add D.R. Horton, Inc. as an owner-party since it purchased and developed part of the property comprising the Project.

Generally, the CRA Project is a capital intensive project that provides a portion of the infrastructure which supports the development of portions of the property and the delivery of single family homes and town homes to the ultimate end users. Pursuant to the Redevelopment Agreement, the Developer is tasked with constructing the CRA Project with the costs thereof to be reimbursed to the Developer from funds advanced by the County on behalf of the CRA. The CRA is then obligated to reimburse the County for the funds so advanced. Reimbursement to the Developer is contingent upon certain the achievement of certain benchmarks for housing construction and sales by the Project owners as set forth in the Redevelopment Agreement. Phase I of the CRA Project has been constructed and financed through a Sunshine State loan obtained by the County in the approximate amount of \$7.5 million. The CRA desires to refinance this debt in order to obtain more favorable loan terms. Phase II of the CRA Project has yet to be constructed. The Redevelopment Agreement provides that Phase II will be constructed for a Guaranteed Maximum Price of \$7,506,942.91. Commencement of construction of Phase II should occur in 2011 but the exact date has yet to be determined. Copies of the Redevelopment Agreement and First Amendment are available upon request.

Since its inception and pursuant to an Interlocal Cooperation Agreement between the CRA and Miami-Dade County, the CRA has received, as its normal full revenues, all of the tax increments (as defined by State law) generated within the Redevelopment Area.

Exhibit A contains the history of taxable assessed valuation and the actual tax increment generation within the Redevelopment Area district from inception to date.

Exhibit B contains the most recent audited financial statements and annual activity report for the CRA.

## RLIs, RFQs and RFPs

RFQs and RFPs should have the following components:

Evaluation of Responses: This section should clearly state the basis upon which proposal will be evaluated and an award made.



II. EVALUATION OF PROPOSALS - CRITERIA

A. Evaluation and Award

Proposals will be evaluated on the basis of the scoring of the proposals as to technical merit based on responsiveness to the requested scope of services and engagement requirements as outlined in this RFP. A proposal may receive the maximum points (100 points) or a portion of this score depending on the merit of the submission, as judged by the Selection Committee in accordance with the following first-tier selection criteria:

1. Qualifications of firms including the team members assigned to the project (50 pts)
2. Knowledge and past experience of similar type projects (20 pts)
3. Past performance of the firm (20 pts)
4. Amount of work awarded and paid by the County and or other Municipalities / CRAs (5 pts)
5. Ability of team members to interface with the CRA / County (5 pts)

At the conclusion of the first-tier selection, a minimum of three (3) of the highest ranked proposals will be short-listed, or by a majority vote, the Selection Committee may determine the maximum number of firms to advance to the second-tier selection (oral presentations). Alternatively, the Selection Committee may waive the second-tier selection process by a majority vote and make a final recommendation to the CRA Board, that a contract be negotiated with the highest ranked responsive and responsible proposal, based on the first-tier criteria only.

If the Selection Committee chooses to proceed to the second-tier, the Selection Committee shall evaluate the short-listed proposals based on the following second-tier criteria:

1. Knowledge of project scope (50 pts)
2. Qualifications of team members assigned to the project (40 pts)
3. Overall ability to provide required services (10 pts)

The respondents will be ranked based on the highest to lowest overall score. The CRA will begin negotiations with the highest ranked institution and reserves the right to negotiate with other respondents should those negotiations not be successful.

B. Proposal Format

In order to assist the CRA in reviewing the responses, each proposal should include the following information:

these risks do apply to the CRA's Redevelopment Area. However, several mitigating factors also apply:

1. The proposed borrowings are using existing increments with no growth factors assumed;
2. The FY 2010 tax assessed valuation already reflects a significant reduction due to the recent economic downturn. The TAV for FY 2009 was \$\_\_\_\_ Billion and for FY 2010, it was determined to be \$\_\_ Billion which represents a \_\_\_\_% reduction between years;
3. Florida law provides significant protections for the collection of property taxes;
4. Debt service coverage is provided by the full gross tax increment (only adjusted by 95% per State law). For Fiscal Year 2010, this amount is estimated at \$\_\_\_\_ Million; and

H. Provisos

1. The CRA will not accept proposals with reserve requirements or other restrictions to revenues or requirements to maintain minimum balances in any bank account as a condition for the loan.
2. The CRA will not accept proposals that require the Respondent's approval before additional debt may be issued. Specification of an "Additional Bonds Test" as a condition to the loan is allowed.
3. The CRA will furnish, without charge to the successful bank, the opinion of GrayRobinson, P.A., counsel to the CRA, regarding the legality of all closing certificates and documents related to the transaction.

II. EVALUATION OF RESPONSES - CRITERIA

A. Evaluation and Award

Proposals will be evaluated on the basis of the overall lowest borrowing costs, the conditional terms of the proposed loan and compliance with the proposed structure and terms of the loan as outlined in this RFP. The CRA will begin negotiations with the highest ranked institution and reserves the right to negotiate with other respondents should those negotiations not be successful.

B. Response Format

In order to assist the CRA in reviewing the responses, each response should include the following information:

1. Legal name of the lending institution and primary contact person (include

# Questions?

**THANK YOU**