



CITY OF CLERMONT, FLORIDA

REQUEST FOR PROPOSAL

FORMER COOPER MEMORIAL LIBRARY SITE

The City of Clermont, Florida invites interested qualified parties to submit proposals for the acquisition or lease and proposed use of property generally known as the “former Cooper Memorial Library Site” located in downtown Clermont on the northwest corner of Montrose Street and Lake Avenue. The 1.15 acre site fronts Montrose Street to the south; Minneola Avenue to the north; and Lake Avenue to the east in Clermont, Lake County, Florida. (See attached property map)

PROJECT SCOPE AND INTENT

In recent years, there have been significant investments in the downtown and neighboring areas of the City of Clermont. This Request for Proposals reflects the city’s commitment to encourage the continuation of such investments in the downtown in a structured and dynamic way. The purpose of this Request for Proposals is to select a proposal for a public/private partnership to lease or purchase, develop, market and manage a mixed-use development project. The project could contain, but will not be limited to, a combination of such uses as:

- (1) Residential Units;
- (2) Commercial and Office Space
- (3) Restaurant;
- (4) Associated recreational amenities;
- (5) Parking.

Any proposed project will be expected to meet on-site parking requirements per code.

PROCESS

The City will undertake a multistep process based on the following: After a review of “initial response” as outlined below, and recommendations from City Staff, the City Council will request selected developers to present formal

Proposals for consideration. The Initial Response and subsequent Proposals must be submitted in accordance with the terms and conditions of this Request for Proposals. Requests for additional information in regard to the RFP for this Property must be submitted in writing to:

Ms. Tracy Ackroyd, City Clerk
City of Clermont
685 West Montrose Street
Clermont, Florida 34712
Phone: (352) 241-7330
Fax: (352) 394-2379

For interested parties, the City of Clermont will hold a mandatory pre-submission conference at the City of Clermont City Hall located at 685 West Montrose Street, Clermont, FL on Thursday, October 9, 2008 at 10:00 A.M. Interested parties will be given the opportunity to ask questions of City representatives concerning the project, the City's goals with respect to the development of the project, submission requirements and the selection procedure.

Each submittal shall be marked on the outside in bold letters as follows: **CITY OF CLERMONT, INITIAL RESPONSE, FORMER COOPER MEMORIAL LIBRARY DEVELOPMENT PROJECT.** No facsimile copies will be accepted. All of the Letters of Interest received will be forwarded for review and evaluation by the selection committee.

The City reserves the right to accept any proposals deemed to be in the best interest of the City, to waive any irregularities in any proposals, or to reject any and/or all proposals and to re-advertise for new proposals. In evaluating each proposal, City staff will consider, but not be limited to, the proposer's experience, and capabilities, the proposer's financial strength, the terms and conditions offered for acquisition of the property, the market and economic viability of the proposed project concept and the appropriateness of the proposed uses and design relative to the immediate area and the City of Clermont. Following review by the review committee, the initial response will be forwarded to the Clermont City Council with recommendations. A short list of three (3) or more qualified teams will be selected by the Clermont City Council and asked to submit a full development proposal.

UNDER NO CIRCUMSTANCES SHOULD ANY PROSPECTIVE PROPOSER OR ANYONE ACTING FOR OR ON BEHALF OF A PROSPECTIVE PROPOSER, SEEK TO INFLUENCE OR GAIN THE SUPPORT OF ANY MEMBER OF THE CITY COUNCIL OR THE CITY STAFF FAVORABLE TO THE INTEREST OF ANY PROSPECTIVE PROPOSER. LIKEWISE, CONTACT WITH THE CITY COUNCIL OR CITY STAFF AGAINST THE INTERESTS OF OTHER PROSPECTIVE PROPOSERS IS PROHIBITED.

INITIAL RESPONSE CONTENT: (this is to develop a short list of interested parties)

The Initial Response should include, at a minimum, the following components:

1. Letter of Interest.
2. Project Overview: Please include:
 - Proposed uses;
 - Conceptual size;
 - Economic impact;
 - Management plan (lease or purchase);
 - Compensation to the City of Clermont;
 - Other benefits for the residents of Clermont
3. Proposer (Firm) Information: Please include:
 - Firm name, address, telephone and fax numbers;
 - Ownership/organization structure;
 - Parent company (if applicable);
 - Officers and principals;
 - Firm size;
 - The name of the representatives authorized to negotiate with the City or its representative;
 - In-house capabilities and services; and
 - If this assignment is to be performed by joint venture participation, include the percentage breakdown of each firm's participation.
 - Previous Relevant Development Experience: Provide information on projects of similar scope and complexity. This should include specific experience with:
 - i. Public sector projects;
 - ii. Public/private joint venture projects;
 - iii. Mixed-use projects;
 - iv. The various uses proposed for this project.

The deadline for submittal of the Initial Response is on or before 2:00 P.M. December 4, 2008. Written responses to request for additional information shall be distributed at the pre-submission conference described below and mailed to all parties to whom the original RFP was distributed as well as any parties which have requested in writing that the City include their name on the master distribution list for the former Cooper Memorial Library Site Request for Proposals. This RFP sets forth relevant information regarding the property being offered for development, the City of Clermont and its goals with respect to the development of this site, and the process for developer selection.

ADDITIONAL REQUIRED INFORMATION AFTER SHORT LIST

The selected developers will be asked to submit a formal development proposal for the property. The proposal will be evaluated on the basis of the written information plus history of other successful projects provided by the developer. The proposal package should include, at a minimum, the following components:

1. Conceptual Site Plan
2. Conceptual Building Plan
3. Timeline for Development
4. Financial information including recent financial statements (past three years)
5. Detailed Financial Plan
6. Team Organization: Provide an organizational chart identifying all individuals who would participate in the proposed project. Provide resumes and references for all proposed/development team members. Provide a statement of the relationship between the Proposer and any parent company or subsidiary that might also take part in the project. Please also provide the names and descriptions of any other persons, firms, or organizations that will be included by the Proposer as team member participants in the development of the project.
7. Felony Indictments/Convictions: Provide a statement relative to whether any of the “principals” referred to above have ever been charged with, indicted for, or convicted of, a felony.
8. Litigation History: List any litigation matter in the past five (5) years.
9. The City will require that the selected developer present a “Letter of Intent” from a lender as to its interest in financing the development prior to final negotiations. The City considers a reputable lender as in institution which has, in the opinion of the City, the financial capacity and experience to commit, fund and monitor the funding of loans necessary to complete this specific project.
10. Additional Considerations: Identify any additional or unique resources, capabilities or assets which the developer would bring to this project outside the scope of the project.

Proposals will consist of one (1) bound and signed original and ten (10) complete copies of the required information. One (1) of which shall be unbound and ten (10) of which shall be bound including any additional supporting materials. All proposals will be presented as 8 ½” x 11” documents.

The information will be tabbed according to each requested section. Each page will be numbered consecutively including the Letter of Transmittal, brochures, licenses, resumes, supplemental information, etc. Please package the work product samples separately from the proposal, labeling each sample clearly. If Proposers are submitting a joint venture, the information requested herein shall be submitted for all firms.

EVALUATION CRITERIA

Each proposal will be evaluated individually and in the context of all other proposals. Proposals must be fully responsive to the requirements described in the RFP, and to any subsequent requests for clarification or additional information made by the City through written addenda to this RFP. Proposals failing to comply with the submission requirements, or those unresponsive to any part of this RFP, may be disqualified.

The City has identified evaluative criteria against which each Proposal will be considered, including but not limited to the following:

- 1) Project benefit, compatibility, impact to historic downtown and citizens;
- 2) Project approach including property lease or acquisition;
- 3) Proposed development process and land use components;
- 4) Proposed role of the City and extent of public investment;
- 5) Financial capability to complete the project;
- 6) Managerial capability;
- 7) Technical expertise in similar projects;
- 8) Performance record of past development projects;
- 9) Market experience;
- 10) Staff, organization and industry reputation;
- 11) Compatibility with, and responsiveness to, the City objectives and goals.

REJECTION OR DISQUALIFICATION OF PROPOSALS

The City may reject or disqualify a proposal under any of the following circumstances:

- The Proposer misstates or conceals any material fact in the proposal.
- The Proposal does not strictly conform to applicable laws or any requirements of this RFP.
- The Proposal does not include documents, certificates, affidavits, acknowledgments or other information required by this RFP.
- The Proposer fails to acknowledge receipt of any formal addenda.
- The Proposal has not been executed by the Proposer through, or by an authorized officer or representative of the Proposer or Proposer team.

- The Proposer fails to comply with all provisions, requirements and prohibitions binding on all Proposers as herein set forth or fail to comply with applicable law.
- The City reserves the right to reject all proposals and/or re-advertise all or any part of this RFP when it is deemed in the best interest of the City to do so
- If the Proposer attempts to lobby or influence any member of the City Council or staff.

SCHEDULE

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| 1. Advertisement of RFP | September 11, 2008
September 18, 2008 |
| 2. Mandatory Pre-Submission Conference – City Hall | October 9, 2008 |
| Clermont City Hall
City of Clermont
685 West Montrose Street
Clermont, FL 34712 | |
| 3. Initial Response submission deadline | December 4, 2008 |
| 4. Presentations | To be determined |
| 5. Notify Selected Proposers (3) | To be determined |
| 6. Final Proposal Submission Deadline | Time and Date |
| 7. Presentations | To be determined |
| 8. Recommendations to City of Clermont | To be determined |

ADDITIONAL INFORMATION

All questions or requests for additional information must be submitted in writing no later than ten (10) days prior to the submission deadline and must be addressed to:

Ms. Tracy Ackroyd, City Clerk
City of Clermont
685 West Montrose Street
Clermont, FL 34712
Phone: (352) 394-4081

All questions or requests for additional information which are deemed appropriate by the City Clerk will be answered in writing and will be forwarded to all Proposers. Where provided, such written response may, at the City's option, constitute a written addendum to this RFP. Neither the City nor the City staff will be responsible for any explanation, clarification, or interpretation of this RFP not issued in writing by the City via written addenda.

DISCLOSURE AND DISCLAIMER

The Request for Proposals (RFP) is being issued by the City of Clermont (hereinafter known as the "City") as set forth in the RFP; the City Council will appoint City staff to make a recommendation to them concerning qualified Proposals. Any action taken by the City Council, or the City staff in response to proposals made pursuant to this RFP, or in making any award or failure or refusal to make any award pursuant to such proposals, or in any cancellation of award or in any withdrawal or cancellation of this RFP, either before or after issuance of an award, shall be without any liability or obligation on the part of the City or the City staff.

In its sole discretion, the City may withdraw this RFP either before or after receiving proposals, may accept or reject proposals, and may accept proposals which deviate from the RFP. In its sole discretion, the City may determine the acceptability of proposals and of any party or parties submitting proposals in response to this RFP.

Following submission of a proposal, the Proposer agrees to promptly deliver such further details, information and assurances, including, but not limited to, financial and disclosure data relating to the proposal and/or the Proposer, including the Proposer's affiliates, officers, Directors, shareholders, partners and employees, as requested by the City.

The information contained herein as provided solely for the convenience of Proposers.

It is the responsibility of a Proposer to assure itself that information contained herein is accurate and complete and to obtain and verify the accuracy of any other information necessary for purposes of the proposal. The City does not provide any assurances as to the accuracy of any information in this proposal. Any reliance on the contents of the RFP or on any communications with City representatives shall be at each Proposer's own risk. Proposers should rely exclusively on their own investigations, interpretations and analyses in connection with this matter. The RFP is being provided by the City without any warranty or representation, express or implied, as to its content; accuracy or completeness and no Proposer or other party shall have recourse to the City if any information herein contained shall be inaccurate or incomplete. No warranty or representation is made by the City that any proposal conforming to these requirements will be selected for consideration, negotiation or approval.

The City shall have no obligation or liability with respect to this RFP, or the selection and award process contemplated hereunder. The City does not warrant or represent that any award or recommendation will be made as a result of the issuance of this RFP. All costs incurred by a Proposer in preparing and responding to this RFP are the sole responsibility of the Proposer. Any recipient of this RFP who responds hereto fully acknowledges all the provisions of this disclosure and disclaimer and agrees to be bound by the terms hereof. Any proposal submitted pursuant to this RFP is at the sole risk and responsibility of the party submitting such proposal.

This RFP is made subject to correction or errors, omissions, or withdrawal without notice. Information contained in the RFP is for guidance only and each recipient hereof is cautioned and advised to independently verify all of such information. In the event of any differences between this Disclosure and Disclaimer and the balance of the RFP, the provisions of this Disclosure and Disclaimer shall govern.

Presentations by the Proposer may be required by to be made before the City staff or City Council, which will make a recommendation that may include one or more Proposers. Contract negotiations will take place with the first choice of the City and if a suitable contractual arrangement cannot be made, negotiations will commence with the second choice, and so on or the City may, at its sole option, withdraw this RFP.

The City reserves the right to select the proposal which in the opinion and sole discretion of the City will be in the best interest of and/or most advantageous to the City. The City reserves the right to waive any irregularities and technicalities and may at its discretion request re-submittal of proposals. All expenses in preparing the proposal and any re-submittals shall be borne by the Proposer.

The City and the Proposer will be bound only if and when a proposal, as it may be modified, is approved and accepted by the City, and the applicable written agreements pertaining thereto, are approved, executed and delivered by the Proposer and the City and then only pursuant to the terms of written agreements executed by the Proposer and the City. All or any responses to this RFP may be accepted or rejected by the City for any reason, or for no reason, without any resultant liability to the City or the City Staff.

The City and the City staff are governed by the Sunshine Law and the Public Records Law of the State of Florida and all proposals and supporting data shall be subject to disclosure as required by such laws. All proposals shall be submitted in sealed bid form and shall remain confidential to the extent permitted by the Public Records Law.