



Special City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
January 27, 2015

Mayor Philip Levine
Vice-Mayor Joy Malakoff
Commissioner Michael Grieco
Commissioner Micky Steinberg
Commissioner Edward L. Tobin
Commissioner Deede Weithorn
Commissioner Jonah Wolfson

City Manager Jimmy L. Morales
City Attorney Raul J. Aguila
City Clerk Rafael E. Granado

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach, entitled "Lobbyists," requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the Office of the City Clerk. Questions regarding the provisions of the Code should be directed to the Office of the City Attorney.

To request this material in alternate format, sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceedings, call 305.604.2489 and select 1 for English or 2 for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

In order to ensure adequate public consideration, if necessary, the Mayor and City Commission may move any agenda item to an alternate meeting date. In addition, the Mayor and City Commission may, at their discretion, adjourn the Commission Meeting without reaching all agenda items.

AGENDA

1. Call to Order – 4:00 p.m.
2. Pledge of Allegiance
3. Requests for Additions, Withdrawals, and Deferrals

We are committed to providing excellent public service and safety to all who live, work, and play in our vibrant, tropical, historic community.

REGULAR AGENDA

R2 - Competitive Bid Reports

- R2A Request For Approval To Issue Request For Proposals (RFP) No. 2015-103-ME, For The Development Of A Convention Headquarter Hotel Adjacent To The Miami Beach Convention Center.
(Office of the City Manager)

R7 - Resolutions

- R7A A Resolution Approving Addendum No. 4 To Request For Proposals No. 2014-294-ME, For Design/Builder Services For The Miami Beach Convention Center Renovation And Expansion Project (Project).
(Office of the City Manager)

End of Regular Agenda



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

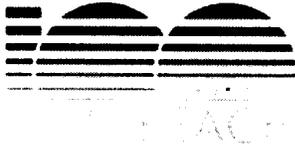
COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission
FROM: Jimmy L. Morales, City Manager
DATE: January 21, 2015
SUBJECT: **Updated Request to Hold a Special Meeting of the City Commission**

Pursuant to 2.04 of the City Charter, I hereby request that a Special Meeting of the City Commission be called in the Commission Chambers, Third Floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, for **Tuesday, January 27, 2015 at 4:00 p.m.** for the following purpose:

- Approval of the Headquarter Hotel Request for Proposal (RFP).
- Approval of an Addendum to the Miami Beach Convention Center Design Builder Request for Proposal (RFP).

JLM / MH



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission
FROM: Jimmy L. Morales, City Manager
DATE: January 12, 2015
SUBJECT: **Request to Hold a Special Meeting of the City Commission**

Pursuant to 2.04 of the City Charter, I hereby request that a Special Meeting of the City Commission be called for **Tuesday, January 27, 2015 at 4:00 p.m.** for the following purpose:

- Approval of the Headquarter Hotel Request for Proposal (RFP).

JLM / MH

R2

COMPETITIVE BID REPORTS

Condensed Title:

Request For Approval To Issue Request For Proposals (RFP) No. 2015-103-ME, For The Development Of A Convention Headquarter Hotel Adjacent To The Miami Beach Convention Center.

Key Intended Outcome Supported:

Improve alliance with key business sectors, namely hospitality, arts & international business with a focus on enhanced culture, entertainment & tourism.
Supporting Data (Surveys, Environmental Scan, etc.): N/A

Item Summary/Recommendation:

On December 18, 2014, the Mayor and City Commission adopted Resolution No. 2014-28885 directing the Administration to prepare a Request for Proposal and a proposed lease for an 800 room headquarter hotel located within the Convention Center Campus / District. A draft of RFP No. 2015-103-ME (the RFP) is attached as Exhibit "A".

KEY RFP REQUIREMENTS

- 1) HOTEL PROJECT REQUIREMENTS: Please reference item 4, Section 00100 of the RFP (page 4).
- 2) MINIMUM QUALIFICATIONS: Please reference item 9, Section 00100 of the RFP (page 10).
- 3) EVALUATION PROCESS: Please reference Section 0300 of the RFP (page 23).
- 4) PROPOSAL SUBMISSION REQUIREMENTS: Please reference Section 0400, RFP 2015-103-ME (page 25).

RECOMMENDATION
 The Administration recommends that the Mayor and City Commission authorize the issuance of Request for Proposals No. 2015-103-ME for the development of a Convention Headquarter Hotel adjacent to the Miami Beach Convention Center.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:		Amount	Account
<div style="border: 1px solid black; width: 40px; height: 40px; margin: 0 auto;"></div> OBPI	1		
	2		
	3		
	Total		

Financial Impact Summary:

City Clerk's Office Legislative Tracking:

Maria Hernandez, Extension 7284

Sign-Offs:

Department Director	Assistant City Manager	City Manager
AD MH	MT	JLM

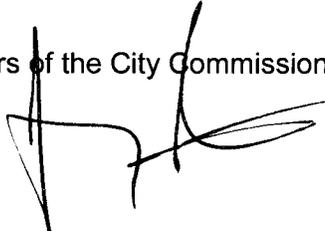
T:\AGENDA\2015\January\MBCC - Special Commission Meeting 1-27-15\Hotel RFP\SUMMARY - Approval to issue RFP 2015-103-ME.docx



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager 

DATE: January 27, 2015

SUBJECT: **REQUEST FOR APPROVAL TO ISSUE REQUEST FOR PROPOSALS (RFP) NO. 2015-103-ME, FOR THE DEVELOPMENT OF A CONVENTION HEADQUARTER HOTEL ADJACENT TO THE MIAMI BEACH CONVENTION CENTER.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

KEY INTENDED OUTCOME

Improve alliance with key business sectors, namely hospitality, arts & international business with a focus on enhanced culture, entertainment & tourism.

BACKGROUND

On September 10, 2014, the City Commission directed the Administration to prepare a traffic study related to the development of a convention center headquarter hotel on the City Commission approved site at the corner of 17th Street and Convention Center Drive, behind the Fillmore Theater (Refer to Exhibit A). In addition, the City Commission requested the Administration prepare a schedule for the potential procurement of a hotel developer. The proposed leasing of the City-owned hotel site to a private developer will require a referendum with 60% voter approval.

On October 22, 2014, staff presented a schedule based on two election scenarios, and ultimately recommended the November 2015 date, which does not require a special election. The Commission emphasized that the traffic study should be completed before a decision to move forward with the hotel developer procurement process could be made. A discussion item was referred to the Land Use and Development Committee and the Planning Board to review building parking requirements and height restrictions for the CCC District.

On December 18, 2014 the Mayor and City Commission adopted on first reading an Ordinance modifying parking requirements for convention halls and convention hotels in the CCC (Civic and Convention Center) District by lowering the Convention Hotel parking requirements to 0.4 spaces per unit, and increasing the height limit to 300 feet for hotels in the CCC District. Ordinance No. 2015-3919 was adopted at the January 14, 2015 Commission Meeting.

On December 18, 2014, the Mayor and City Commission adopted Resolution No. 2014-28885 directing the Administration to prepare a Request for Proposal and a proposed lease for an 800 room headquarter hotel located within the Convention Center Campus / District.

A draft of RFP No. 2015-103-ME (the RFP) is attached as Exhibit "A".

KEY RFP REQUIREMENTS

1. **HOTEL PROJECT REQUIREMENTS**

Please reference item 4, Section 00100 of the RFP (page 4).

2. **MINIMUM QUALIFICATIONS**

Please reference item 9, Section 00100 of the RFP (page 10).

3. **EVALUATION PROCESS**

Please reference Section 0300 of the RFP (page 23).

4. **PROPOSAL SUBMISSION REQUIREMENTS**

Please reference Section 0400, RFP 2015-103-ME (page 25).

TIMETABLE

Issuance of RFP	January 29, 2015
Issuance of Addendum with Form of Development and Ground Lease Agreement	February 18, 2015
Pre-Submittal Meeting	February 26, 2015 at 2:00 pm local time
Deadline for Receipt of Questions	March 30, 2015 at 5:00 pm local time
Proposal Due	April 10, 2015 at 3:00 pm local time
Selection Committee Interview/Ranking	May 7, 2015
Commission Approval Selection	May 20, 2015
Commission Approval of Referendum Language and Development and Ground Lease Agreement	July 27, 2015
Lease Referendum	November 3, 2015

CONCLUSION

The Administration recommends that the Mayor and City Commission authorize the issuance of Request for Proposals No. 2015-103-ME for the development of a Convention Headquarter Hotel adjacent to the Miami Beach Convention Center.

Attachments:

Exhibit A: Request for Proposals (RFP) No. 2015-103-ME (Draft)

JLM/MT/MH/AD

T:\AGENDA\2015\January\MBCC - Special Commission Meeting 1-27-15\Hotel RFP\MEMO - Approval to issue MBCC Hotel RFP 2015-103-ME - Final with JS Edit.docx

Preliminary Draft 1/23/15

REQUEST FOR PROPOSALS

FOR THE DEVELOPMENT OF A CONVENTION HEADQUARTER HOTEL
ADJACENT TO THE MIAMI BEACH CONVENTION CENTER

RFP No. 2015-103-ME

RFP ISSUANCE DATE: JANUARY 29, 2015

PRE-PROPOSAL MEETING DATE: FEBRUARY 26, 2015 AT 2:00 PM LOCAL TIME

PROPOSAL DUE DATE: APRIL 10, 2015 AT 3:00 PM LOCAL TIME

ISSUED BY:

MIAMIBEACH

Maria Estevez, *Assistant Director*
DEPARTMENT OF PROCUREMENT MANAGEMENT
1700 Convention Center Drive, Miami Beach, FL 33139
305.673.7000 x 7490 | MariaEstevez@miamibeachfl.gov
www.miamibeachfl.gov

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APPENDIXES:

- A. PROPOSAL CERTIFICATION, QUESTIONNAIRE & REQUIREMENTS AFFIDAVIT
- B. SITE DIAGRAM
- C. MIAMI BEACH STR MARKET DATA
- D. MBCC EVENTS AND ATTENDANCE
- E. PROPOSED HOTEL PROGRAM AREAS FORM



MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139,
www.miamibeachfl.gov
DEPARTMENT OF PROCUREMENT MANAGEMENT
Tel: 305.673.7490, Fax: 786.394.4006

PUBLIC NOTICE

**REQUEST FOR PROPOSALS (RFP) No. 2015 ____ (the "RFP")
FOR THE DEVELOPMENT OF A CONVENTION HEADQUARTER HOTEL
ADJACENT TO THE MIAMI BEACH CONVENTION CENTER (THE "PROJECT")
Miami Beach, Florida**

The City is seeking proposals from capable developers interested in submitting a proposal for the leasing of a City of Miami Beach-owned site adjacent to the Miami Beach Convention Center for the development of an 800-room convention headquarter hotel and other improvements as further described herein.

A **Non-Mandatory** Pre-Proposal Conference is scheduled for **February 26, 2015 at 2:00 pm** local time at the following location:

**Miami Beach Convention Center
1901 Convention Center Drive
Miami Beach, Florida 33139**

Attendance (in person or via telephone) to this meeting is **not mandatory but strongly encouraged**. Proposers interested in participating in the meeting via telephone must follow these steps:
Web Address: <https://global.gotomeeting.com/join/505139557>

To join the conference call:
Dial +1 (773) 897-3000
Access Code: 505-139-557

Sealed proposals in response to this RFP must be received by the City of Miami Beach Department of Procurement Management, 3rd Floor, 1700 Convention Center Drive, Miami Beach, Florida 33139, by **April 10, 2015 at 3:00 pm** local time.

Sincerely,

Alex Denis
Director, Procurement Management Department

00100. INSTRUCTIONS TO PROPOSERS:

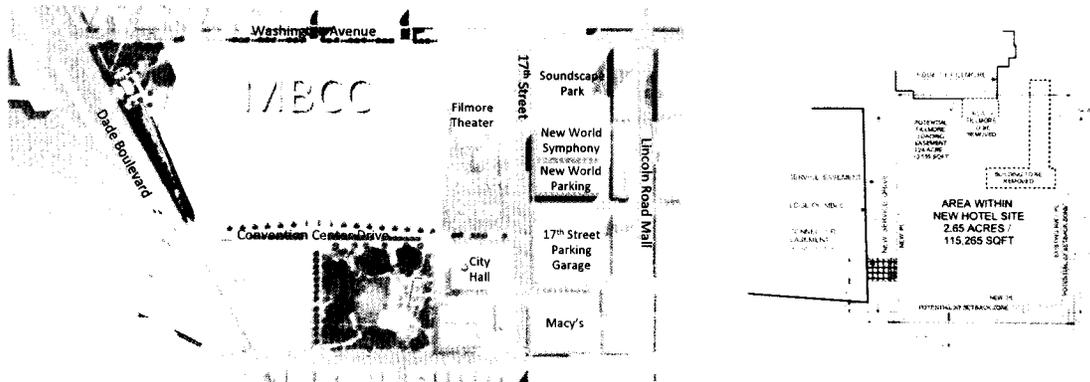
1. **General.** This Request for Proposals (RFP) is issued by the City of Miami Beach, Florida (the "City") as the means for prospective proposers ("Proposers") to submit their qualifications, approach, conceptual design, and financial and other terms for the City's consideration, with respect to the leasing of the 2.65 acre City -owned site adjacent to the Miami Beach Convention Center ("MBCC"), as depicted in Appendix B to this RFP (the "Hotel Site"), for the development, design, construction, and operation of a full-service convention headquarter hotel with approximately (but not-to-exceed) 800 hotel rooms and related improvements ("Hotel"), including the design, construction and operation of an enclosed overhead pedestrian walkway connecting the Hotel and the MBCC ("Skybridge"), as each is more fully described in Section 3 below (collectively, the "Hotel Project").

All documents released in connection with this RFP, including all appendixes and addenda, whether included herein or released under separate cover, comprise the solicitation, and are complementary to one another and, together, establish the complete terms, conditions and obligations of the Proposers and, subsequently, the successful Proposer(s), if this RFP results in an award. The successful Proposer that enters into a Development and Ground Lease Agreement ("Lease") with the City pursuant to this RFP shall be referred to herein as the "Developer."

2. **Public Participation.** The role of the public sector in the Hotel Project will be limited to the leasing of the Hotel Site at a market rate. The City shall not provide, nor should Proposers rely on, any public funding or public financing for the Hotel Project. In the event a Proposer's approach or business model contemplates the use of MBCC meeting rooms or other space, any use of such MBCC space by the Proposer shall be at the MBCC's prevailing/market rates and subject to availability.
3. **Voter Referendum Required:** Pursuant to Section 1.03(b)(3) of the City Charter, the lease of the Hotel Site for a term of 10 years or greater is subject to approval by vote of at least 60% of the voters voting thereon in a City-wide referendum ("Referendum"). The City anticipates placing the Referendum question on the ballot for the November 3, 2015 general election, provided the Lease between the City and the Developer is finalized on or before July 27, 2015, in advance of the pertinent Miami-Dade County election deadlines related to submission of ballot questions. The Lease shall be contingent upon voter approval in accordance with the City Charter. In the event the Referendum is not successful, the Lease shall be null and void.
4. **Hotel Project Requirements:** The Hotel Project shall include the following minimum requirements:
 - a. The Hotel must include approximately, but no more than, 800 separately keyed sleeping rooms capable of individual rental on a day-to-day overnight basis to hotel patrons and guests; conference space for meetings and other events, including ballroom and breakout rooms; kitchen facilities used for room service and serving conference and meeting rooms; food and beverage operations of a size consistent with other food and beverage or restaurant facilities at comparable convention hotels with a 4-diamond rating from the American Automobile Association; at least one non-specialty retail facility which may consist of a sundry and/or coffee shop selling products such as newspapers, coffee, overnight supplies and travel necessities; and a pool, fitness center and spa. The Proposers may propose for the Hotel to include other elements or operations (other than the prohibited uses specified below), provided all such elements or operations shall be subject to City approval at the City's sole discretion.
 - b. In accordance with the City's Land Development Regulations, the Hotel must include on-site a minimum of 0.4 parking spaces per room (including all ancillary uses), and the maximum height cannot exceed 300 feet.
 - c. The Developer will be responsible for demolishing any existing structures on the Hotel Site and the areas adjacent to the Hotel Site that are depicted in Exhibit B as areas for removal or demolition, including the Fillmore Theater annex and the building at 555 17th Street. The Developer will also be responsible for

design, permitting and construction of certain off-site improvements, including enclosing the Fillmore Theater in the area of the demolition.

- d. The Developer will be provided a non-exclusive easement to the service lane that currently services the MBCC South loading docks and Fillmore loading docks.
- e. The Developer will be provided an aerial easement over the service lane that currently services the MBCC South loading docks, for the construction and operation of the Skybridge and its connection to the MBCC at the second level. The Skybridge design shall be subject to the City's approval and shall be comparable in quality of finishes and construction of the MBCC Renovation and Expansion Project (addressed more fully in Section 00200 below).
- f. The Developer shall be solely responsible for all costs and expenses associated with the development, design, construction, equipping, and installation of all furniture, fixtures, equipment and other improvements relating to the Hotel Project, its subsequent operation or use, and all alterations, repairs or replacements thereof.
- g. The Hotel must be operated continuously as a full-service convention hotel. The Hotel Project shall not be used by Developer, nor shall Developer permit the use thereof, for any unlawful or illegal business, use or purpose, or for any business, use or purpose which is immoral or disreputable (including without limitation, "adult entertainment establishments"), or for any gambling or wagering of any nature or kind whatsoever (whether or not such use is permitted by applicable law).
- h. To the fullest extent possible, the design of the Hotel Project must complement its surroundings and minimize its impact on the neighborhood, as reasonably determined by City.
- i. The City's interest in the Hotel Site and in the Lease awarded pursuant to this RFP, as the same may be modified, amended or renewed, will not at any time be subject or subordinate to (a) any mortgage now or hereafter placed upon Developer's interest in the Lease, or (b) any other liens or encumbrances hereafter affecting Developer's interest in the Lease. City shall at all times have a first priority right to payment of rent due to City under the Lease. The Lease shall contain commercially reasonable terms intended to facilitate traditional financing.
- j. The Developer must accept the Hotel Site in its "AS IS" condition, with all faults and patent or latent defects, and with no representation or warranties by City of any kind whatsoever with respect to the Hotel Site or the condition, feasibility, value or financial prospects of the Hotel Project.
- k. The rights granted under the Lease shall be non-exclusive and City reserves the right to grant similar privileges and similar leases to other lessees on other City-owned or leased property, and to take any and all actions (including the leasing of City property other than the Hotel Site for any lawful purpose) that City is permitted to take under federal, state, and local law.
- l. Hotel guests can utilize the 1,400 parking spaces at the 17th Street Garage and the 800 spaces above the MBCC for overflow parking at the prevailing market rates, on a first come/first serve basis and in the same manner as available to members of the general public. All revenues generated by such parking shall inure solely to the City.
- m. Developer shall fund the costs associated with placing the Referendum on a general election ballot, estimated at \$25,000.
- n. The flag of the Hotel must be an "Approved Brand," which shall mean (a) each of the following national hotel operators but only if its reputation for quality and quality of operation, at the time Developer engages such operator, is generally known and recognized by the hotel industry as not having substantially declined, as of the time in question, in comparison to their reputation for quality and quality of operation as of the effective date of the Lease: Marriott (e.g., the Marriott, Marriott Marquis or JW Marriott brands), Westin, Omni, Hyatt Regency, Sheraton, La Meridien, or Hilton, or (b) any other hotel operator Approved by City in its sole discretion.



5. **Room Block Requirements.** The Developer must agree, and must cause any hotel operator to agree, to the following minimum room block agreement (“Room Block Agreement”) terms:

- a. A City-wide Event is an event requiring a three-night stay with at least 1,500 guest rooms on peak with at least 115,000 gross square feet of MBCC space utilized for one day or more while the event is being held. A City-wide Event shall also include the annual Orange Bowl and any Super Bowl, even though it may not utilize the MBCC.
 - (i) For City-wide Events that are to occur at least 30 months in the future, Developer will make available for City-wide Events eighty percent (80%) of all guest rooms (and associated suites), for up to 14 nights per calendar month. Developer can book rooms in excess of that amount at its discretion, at the rate of its choosing.
 - (ii) For City-wide Events that are to occur between 18 and 30 months in the future, Developer will make available for City-wide Events eighty percent (80%) of all guest rooms (and associated suites) if rooms and space are available, and will make available for City-wide Events eighty percent (80%) of all guest rooms (and associated suites) for one consecutive four-day period each month. The Developer will determine the four-day period and will notify City on a monthly basis. Developer can book rooms in excess of that amount at its discretion, at the rate of its choosing.
- b. Room Block Release
 - (i) City and the Greater Miami Convention & Visitors Bureau (“GMCVB”) will provide Developer a list of known release dates on a periodic basis (not less than semi-annual) listing all future dates the Center cannot be utilized for City-wide Events due to maintenance, move in/out periods, or any other reason (“Known Release Dates”). Developer will be free to book 100% of the rooms on any of these dates. If a Known Release Date is removed on a subsequent list, the date(s) will fall back under this room block agreement unless the Developer has already booked such dates(s).
 - (ii) Developer can seek a release of rooms from the City for in-house groups in the 30 months and out period, and such release will be given unless (i) City/GMCVB is actively negotiating with another group for the period covered by the request for release or (ii) City/GMCVB has historically booked the dates covered by the request for release to a City-wide Event. If a release is given and a subsequent City-wide Event desires to use the previously released

dates, Developer will use its best efforts to accommodate the needs of the proposed City-wide Event.

- c. Room Block Pricing (excluding Super Bowl and Orange Bowl)
 - (i) Developer shall submit its initial offer to participate in a City-wide Event room block at a rate determined in Developer's sole discretion ("Initial Offer").
 - (ii) Developer shall submit each January 1 a Minimum Event Block Rate Schedule (hereinafter defined) and Special Event Block Rate Schedule (hereinafter defined) for each day for the next five years.
 - (iii) The Minimum Event Block Rate Schedule shall be 105% of Developer's good faith forecast of the group room rates that will be included in the pro forma budget or that are used in projections or forecasts by Developer in making its decisions, and planning for, group bookings in the operation of the Hotel.
 - (iv) The Special Event Block Rate Schedule shall be 100% of Developer's good faith forecast of the group room rates that will be included in the pro forma budget or that are used in projections or forecasts by Developer in making its decisions, and planning for, group bookings in the operation of the Hotel.
 - (v) For up to 14 nights per calendar month, if prior to acceptance of the Initial Offer, City reasonably and in good faith believes that it might be in the City's best interest to require the Developer to offer a City-wide Event an alternative rate structure, City may elect to require the Hotel to offer a rate lower than the rate in the Initial Offer, but in no event lower than the rate in the Minimum Event Block Rate Schedule. If the City-wide Event occurs beyond the five-year schedule, the Minimum Event Block Rate shall be determined using a usual and customary industry inflation factor as reasonably agreed upon by Developer, Operator and City.
 - (vi) For up to six City-wide Events per year, if prior to acceptance of the Initial Offer the City reasonably and in good faith believes that it might be in the City's best interest to require the Developer to offer the City-wide Event an alternative rate structure, City may elect to require the Hotel to offer a rate lower than the rate in the Initial Offer, but in no event lower than the rate in the Special Event Block Rate Schedule. If the City-wide Event occurs beyond the five-year schedule, the Special Block Rate shall be determined using a usual and customary industry inflation factor as reasonably agreed upon by Owner, Operator and City. City-wide Events utilizing this clause count toward the maximum 14 nights per month subject to this room block commitment.
- d. Rooms booked pursuant to the Room Block Agreement will be subject to the normal booking policies of the Developer, including advance deposits, cancellation periods and cancellation fees, etc.
- e. The City intends for the Room Block Agreement to constitute a restriction against the Hotel Site, running with the land.
- f. Term shall continue until the earlier to occur of the following events: (i) the Convention Center is no longer designated by the City as its principal convention center, or (ii) the Convention Center is no longer operated and maintained in a manner consistent with other first-class convention centers, with the standard for same to be set out in the Room Block Agreement.

6. **Development and Ground Lease Agreement:** The City will issue an addendum to this RFP by the date outlined in the **Anticipated RFP Timetable** section with the form of the Lease. Following the selection of the Developer, and prior to July 27, 2015, the City and Developer must execute a binding Lease that will include the minimum Hotel Project requirements and address the following topics/subjects:

- a. Term of the Agreement.
- b. Lease payment and related terms.
- c. Developer's evidence to City of the required private debt and equity financing.
- d. Mechanisms for funding Developer's equity and private debt.
- e. Coordination of scheduling of construction of the MBCC, Convention Center Drive, and Hotel Project.
- f. The outside date by which all conditions for possession of the Hotel Site must take place; outside date for Developer's construction loan closing; target dates for construction, including outside date for commencement of construction and completion of construction, and opening date for the Hotel.
- g. Identification of the first Hotel Brand/Initial Hotel Operator.
- h. Covenant to continuously operate a full-service convention headquarter hotel and limitations on the right of the Developer to change the Brand/Operator without prior City approval, except to other Approved Brand/Operators.
- i. Design development and planning for the Project, including:
 - i. The Developer's responsibility for the planning, design, development and construction of the Hotel, including the selection, engagement and payment of architects, consultants, contractors, subcontractors and others engaged in connection with planning, development and construction of the Hotel.
 - ii. The City's role, in its proprietary capacity, in reviewing and providing input to the conceptual plans, design development plans, and final plans and specifications relating to the Hotel Project. The Lease will require prior City approval of any material change to the City approved plans, which will not be unreasonably withheld. Notwithstanding the foregoing, the Developer shall be solely responsible for obtaining all required final, non-appealable approvals in accordance with the City's Land Development Regulations.
 - iii. Adherence to the minimum parking requirement and maximum height restriction.
 - iv. Hotel set-backs and landscape design consistent with the surrounding area.
 - v. Developer's obligation with regard to construction, operation, and maintenance of the Hotel Project, including Skybridge.
- j. Execution of Ancillary Agreements
 - i. Execution of the Room Block Agreement and the joinder therein by the Brand/Operator.
 - ii. Execution of a Fillmore Loading Dock Easement, Convention Center Service Drive

Easement Agreement and the Skybridge Easement and License Agreement.

- k. Other Terms, including but not limited to the following:
- i. Limitations on assignment by Developer (other than as collateral for private debt financing).
 - ii. Representations, warranties and covenants.
 - iii. Defaults and Remedies.
 - iv. Insurance.
 - v. Indemnification and release.
7. **PublicPurchase.** The City utilizes **PublicPurchase** (www.publicpurchase.com) for automatic notification of competitive solicitation opportunities and document fulfillment, including the issuance of any addenda to this RFP. Any prospective Proposer who has received this RFP by any means other than through **PublicPurchase** must register immediately with **PublicPurchase** to assure it receives any addendum issued to this RFP. **Failure to receive an addendum may result in disqualification of a Proposal.**
8. **Proposal Submittal Team Members.**
- a. Required:
 - i. The City is seeking a commercial real estate developer experienced in the design, construction, financing and/or operation of hotel properties ("Proposer"). For the avoidance of doubt, the Proposer does not include third-party lenders or equity investors that may be associated with the Proposers. The Proposer must have developed at least two (2) hotels with at least 500 rooms each within the last 20 years, and obtained predominantly (more than 50%) private financing (such as private commercial loans and equity), for each such hotel.
 - ii. As part of their required submission, Proposers must identify the design or lead architect team members only at this point in time (the "Design Team"). Design Team members must include the primary design/lead architect, who must have designed at least one (1) completed hotel with at least 500 rooms or more within the last fifteen (15) years. Proposers do not need to include the "architect of record" at this point in time. Other design team members (i.e. landscape designers, etc.) are not required, but can be included in the submittal.
 - b. Other/Not Required:
 - i. Proposers may include construction firms as part of their proposal submission, but it is not required.
 - ii. Proposers should specify which hotel brands Proposers intend to consider for the Hotel. Proposers are not required to otherwise include hotel brands as part of their proposals at this time (other than to identify hotel brands the Proposer intends to consider), unless the hotel brand operator is itself a Proposer.

9. **Minimum Qualifications:** In order for proposals to be deemed responsive, Proposers must meet the minimum qualifications set forth below. **Non-responsive proposers will be disqualified from consideration.**
- a. The Proposer must have developed at least two (2) hotels with at least 500 rooms each within the last 20 years, and obtained predominantly (more than 50%) private financing (such as private commercial loans and equity), for each such hotel.
 - b. Proposers must identify a Design Team, with a primary design/lead architect, who must have designed at least one (1) completed hotel with at least 500 rooms or more within the last fifteen (15) years.

10. **Anticipated RFP Timetable.** The tentative schedule for this solicitation is as follows:

Issuance of RFP	January 29, 2015
Issuance of Addendum with Form of Development and Ground Lease Agreement	February 18, 2015
Pre-Submittal Meeting	February 26, 2015 at 2:00 pm local time
Deadline for Receipt of Questions	March 30, 2015 at 5:00 pm local time
Proposal Due	April 10, 2015 at 3:00 pm local time
Selection Committee Interview/Ranking	May 7, 2015
Commission Approval Selection	May 20, 2015
Commission Approval of Referendum Language and Development and Ground Lease Agreement	July 27, 2015
Lease Referendum	November 3, 2015

The City reserves the right to postpone the date for receipt and opening of proposals and will make a reasonable effort to give at least five (5) calendar days written notice of any such postponement to each prospective proposer.

11. **Proposal Submission:** One (1) unbound original proposal, 20 copies, and one electronic PDF (in one file) on a flash drive or CD must be received on or before the date stipulated in the **Anticipated RFP Timetable** section. The original proposal and all copies must be submitted to the Department of Procurement Management in a sealed envelope or container stating on the outside, the Proposer's name, address, telephone number, RFP number, title, and due date. Any proposals received after time and date specified will be returned to the Proposer unopened. The responsibility for submitting a proposal before the stated time and date is solely and strictly the responsibility of the Proposer. The City is not responsible for delays caused by mail, courier service, traffic, weather or any other occurrence.

12. **Pre-Proposal Conference:** A Pre-Proposal Conference will be held on the date and time specified in the **Anticipated RFP Timetable** section. The pre-proposal conference will be held at the Miami Beach Convention Center located at 1901 Convention Center Drive, Miami Beach, Florida 33139. Attendance (in person or via telephone) to this meeting is **not mandatory but strongly encouraged**. Proposers interested in participating in the meeting via a webinar can log into Web Address: <https://global.gotomeeting.com/join/505139557> or dial (773) 897-3000; Access Code: 505-139-557.
13. **Procurement Contact:** Any questions or clarifications concerning this solicitation shall be submitted to **Maria Estevez, 305-673-7490, mestevez@miamibeachfl.gov** via email or in writing, with a copy to the City Clerk's Office, Rafael E. Granada via e-mail: RafaelGranado@miamibeachfl.gov; or facsimile: 786-394-4188. The RFP title/number shall be referenced on all correspondence. All questions or requests for clarification must be received no later than the date and time in the **Anticipated RFP Timetable** section. All responses to questions/clarifications will be sent to all prospective Proposers in the form of an addendum.
14. **Pre-Proposal Interpretations:** Oral information or responses to questions received by prospective Proposers are not binding on the City and will be without legal effect, including any information received at pre-submittal meeting or site visit(s). The City by means of Addenda will issue interpretations or clarifications considered necessary by the City in response to questions. Only questions answered by written addenda will be binding and may supersede terms noted in this solicitation. Addendum will be released through PublicPurchase. Any prospective Proposer who has received this RFP by any means other than through PublicPurchase must register immediately with PublicPurchase to assure it receives any addendum issued to this RFP. Failure to receive an addendum may result in disqualification of proposal. Written questions should be received no later than the date outlined in the **Anticipated RFP Timetable** section.
15. **Cone Of Silence:** This RFP is subject to, and all proposers are expected to be or become familiar with, the City's Cone of Silence requirements, as codified in Section 2-486 of the City Code. Proposers shall be solely responsible for ensuring that all applicable provisions of the City's Cone of Silence are complied with, and shall be subject to any and all sanctions, as prescribed therein, including rendering their response voidable, in the event of such non-compliance. Communications regarding this solicitation are to be submitted in writing to the Procurement Contact named herein with a copy to the City Clerk at rafaelgranado@miamibeachfl.gov.
16. **Modification / Withdrawals Of Responses:** Proposer may submit a modified response to replace all or any portion of a previously submitted response up until the due date and time. Modifications received after the response due date and time will not be considered. Responses shall be irrevocable until contract award unless withdrawn in writing prior to the due date, or after expiration of 120 calendar days from the opening of responses without a contract award. Letters of withdrawal received after the response due date and before said expiration date, and letters of withdrawal received after contract award will not be considered.
17. **Postponement/Cancellation/Acceptance/Rejection:** The City may, at its sole and absolute discretion, reject any and all, or parts of any and all, responses; re-advertise this RFP; postpone or cancel, at any time, this RFP process; or waive any irregularities in this RFP, or in any responses received as a result of this RFP. Reasonable efforts will be made to either award the Lease or reject all proposals within one-hundred twenty (120) calendar days after proposal opening date. A Proposer may withdraw its proposal after the expiration of one hundred twenty (120) calendar days from the date of proposal opening by delivering written notice of withdrawal to the Department of Procurement Management prior to award of the contract by the City Commission.
18. **Costs Incurred by Proposers:** All expenses involved with the preparation and submittal of responses, or any work performed in connection therewith, shall be the sole responsibility (and shall be at the sole cost

and expense) of the respondent, and shall not be reimbursed by the City.

19. **Exceptions to RFP:** Proposers must clearly indicate any exceptions they wish to take to any of the terms in this RFP, and outline what, if any, alternative is being offered. All exceptions and alternatives shall be included and clearly delineated, in writing, in the response. The City, at its sole and absolute discretion, may accept or reject any or all exceptions and alternatives. In cases in which exceptions and alternatives are rejected, the City shall require the Proposer to comply with the particular term and/or condition of the RFP to which Proposer took exception to (as said term and/or condition was originally set forth on the RFP).
20. **Florida Public Records Law:** Proposers are hereby notified that all responses including, without limitation, any and all information and documentation submitted therewith, are exempt from public records requirements under Section 119.07(1), Florida Statutes, and s. 24(a), Art. 1 of the State Constitution until such time as the City provides notice of an intended decision or until thirty (30) days after opening of the responses, whichever is earlier. Additionally, in the event an agreement is entered into with a proposer pursuant to this RFP, Proposer agrees to be in full compliance with Florida Statute 119.0701 including, but not limited to, agreement to: (a) Keep and maintain public records that ordinarily and necessarily would be required by the public agency in order to perform the services; (b) provide the public with access to public records on the same terms and conditions that the public agency would provide the records and at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law; (c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law; (d) Meet all requirements for retaining public records and transfer, at no cost, to the public agency all public records in possession of the contractor upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the public agency in a format that is compatible with the information technology systems of the public agency.
21. **Negotiations:** The City reserves the right to enter into further negotiations with the selected Proposer. Notwithstanding the preceding, the City is in no way obligated to enter into a contract with the selected Proposer in the event the parties are unable to negotiate a contract. It is also understood and acknowledged by Proposers that no property, contract or legal rights of any kind shall be created at any time until and unless a Development and Ground Lease Agreement has been agreed to; approved by the City; executed by the parties, and approved pursuant to the Referendum.
22. **Protest Procedure:** Proposers that are not selected may protest any recommendation for selection of award in accordance with the proceedings established pursuant to the City's bid protest procedures, as codified in Sections 2-370 and 2-371 of the City Code (the City's Bid Protest Ordinance). Protests not timely made pursuant to the requirements of the City's Bid Protest Ordinance shall be barred.
23. **Observance Of Laws:** Proposers are expected to be familiar with, and comply with, all Federal, State, County, and City laws, ordinances, codes, rules and regulations, and all orders and decrees of bodies or tribunals having jurisdiction or authority which, in any manner, may affect the scope of services and/or project contemplated by this RFP (including, without limitation, the Americans with Disabilities Act, Title VII of the Civil Rights Act, the EEOC Uniform Guidelines, and all EEO regulations and guidelines). Ignorance of the law(s) on the part of the Proposer will in no way relieve it from responsibility for compliance.
24. **Default:** Failure or refusal of the selected Proposer to execute a contract following approval of such contract by the City Commission, or untimely withdrawal of a response before such award is made and approved, may result in a claim for damages by the City and may be grounds for removing the Proposer from the City's vendor list.
25. **Conflict Of Interest:** All Proposers must disclose, in their response, the name(s) of any officer, director,

agent, or immediate family member (spouse, parent, sibling, and child) who is also an employee of the City of Miami Beach. Further, all Proposers must disclose the name of any City employee who owns, either directly or indirectly, an interest of ten (10%) percent or more in the proposer entity or any of its affiliates.

26. **Proposer's Responsibility:** Before submitting a response, each Proposer shall be solely responsible for making any and all investigations, evaluations, and examinations, as it deems necessary, to ascertain all conditions and requirements affecting the full performance of the contract. Ignorance of such conditions and requirements, and/or failure to make such evaluations, investigations, and examinations, will not relieve the Proposer from any obligation to comply with every detail and with all provisions and requirements of the contract, and will not be accepted as a basis for any subsequent claim whatsoever for any monetary consideration on the part of the Proposer.
27. **Relationship to The City:** It is the intent of the City, and Proposers hereby acknowledge and agree, that the selected Proposer is considered to be an independent contractor, and that neither the Proposer, nor the Proposer's employees, agents, and/or contractors, shall, under any circumstances, be considered employees or agents of the City.
28. **Public Entity Crime:** A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crimes may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to public entity, may not be awarded or perform work as a contractor, supplier, sub-contractor, or consultant under a contract with a public entity, and may not transact business with any public entity in excess of the threshold amount provided in Sec. 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.
29. **Compliance with The City's Lobbyist Laws:** This RFP is subject to, and all Proposers are expected to be or become familiar with, all City lobbyist laws. Proposers shall be solely responsible for ensuring that all City lobbyist laws are complied with, and shall be subject to any and all sanctions, as prescribed therein, including, without limitation, disqualification of their responses, in the event of such non-compliance.
30. **Debarment Ordinance:** This RFP is subject to, and all proposers are expected to be or become familiar with, the City's Debarment Ordinance as codified in Sections 2-397 through 2-406 of the City Code.
31. **Compliance with the City's Campaign Finance Reform Laws:** This RFP is subject to, and all Proposers are expected to be or become familiar with, the City's Campaign Finance Reform laws, as codified in Sections 2-487 through 2-490 of the City Code. Proposers shall be solely responsible for ensuring that all applicable provisions of the City's Campaign Finance Reform laws are complied with, and shall be subject to any and all sanctions, as prescribed therein, including disqualification of their responses, in the event of such non-compliance.
32. **Code of Business Ethics:** Pursuant to City Resolution No.2000-23879, the Proposer shall adopt a Code of Business Ethics ("Code") and submit that Code to the Procurement Division with its response or within five (5) days upon receipt of request. The Code shall, at a minimum, require the Proposer, to comply with all applicable governmental rules and regulations including, among others, the conflict of interest, lobbying and ethics provision of the City of Miami Beach and Miami Dade County.
33. **American with Disabilities Act (ADA):** Call 305-673-7490 to request material in accessible format; sign language interpreters (five (5) days in advance when possible), or information on access for persons with disabilities. For more information on ADA compliance, please call the Public Works Department, at 305-673-7000, Extension 2984.

34. **Acceptance of Gifts, Favors, Services:** Proposers shall not offer any gratuities, favors, or anything of monetary value to any official, employee, or agent of the City, for the purpose of influencing consideration of this response. Pursuant to Sec. 2-449 of the City Code, no officer or employee of the City shall accept any gift, favor or service that might reasonably tend improperly to influence him in the discharge of his official duties.
35. **Special Notices:** You are hereby advised that this RFP is subject to the following ordinances/resolutions, which may be found on the City of Miami Beach website:

<http://web.miamibeachfl.gov/procurement/scroll.aspx?id=2351034T34T>

- CONE OF SILENCE..... CITY CODE SECTION 2-486
- PROTEST PROCEDURES..... CITY CODE SECTION 2-371
- DEBARMENT PROCEEDINGS..... CITY CODE SECTIONS 2-397 THROUGH 2-485.3
- LOBBYIST REGISTRATION AND DISCLOSURE OF FEES..... CITY CODE SECTIONS 2-481 THROUGH 2-406
- CAMPAIGN CONTRIBUTIONS BY VENDORS..... CITY CODE SECTION 2-487
- CAMPAIGN CONTRIBUTIONS BY LOBBYISTS ON PROCUREMENT ISSUES..... CITY CODE SECTION 2-488

- PREFERENCE FOR FLORIDA SMALL BUSINESSES OWNED AND CONTROLLED BY VETERANS AND TO STATE-CERTIFIED SERVICE-DISABLED VETERAN BUSINESS ENTERPRISES..... CITY CODE SECTION 2-374
- FALSE CLAIMS ORDINANCE..... CITY CODE SECTION 70-300
- ACCEPTANCE OF GIFTS, FAVORS & SERVICES..... CITY CODE SECTION 2-449

Note: Ordinances may be amended any time prior to the receipt of bids. The most recently approved ordinance or version shall apply.

36. **Occupational Health and Safety:** In compliance with Chapter 442, Florida Statutes, any toxic substance listed in Section 38F-41.03 of the Florida Administrative Code delivered as a result of this proposal must be accompanied by a Material Safety Data Sheet (MSDS) which may be obtained from the manufacturer.
37. **Environmental Regulations:** The City reserves the right to consider a proposer's history of citations and/or violations of environmental regulations in investigating a proposer's responsibility, and further reserves the right to declare a proposer not responsible if the history of violations warrant such determination in the opinion of the City. Proposer shall submit with its proposal, a complete history of all citations and/or violations, notices and dispositions thereof. The non-submission of any such documentation shall be deemed to be an affirmation by the Proposer that there are no citations or violations. Proposer shall notify the City immediately of notice of any citation or violation which proposer may receive after the proposal opening date and during the time of performance of any contract awarded to it.
38. **Veteran Business Enterprises:** Pursuant to City Code Section 2-374, the City shall give a preference to a responsive and responsible Proposer which is a small business concern owned and controlled by a veteran(s) or which is a service-disabled veteran business enterprise, and which is within five percent (5%) of the lowest responsive, responsible proposer, by providing such proposer an opportunity of providing said goods or contractual services for the lowest responsive proposal amount (or in this RFP, the highest proposal amount). Whenever, as a result of the foregoing preference, the adjusted prices of two (2) or more proposers which are a small business concern owned and controlled by a veteran(s) or a service-disabled veteran business enterprise constitute the lowest proposal pursuant to an RFP or oral or written request for quotation, and such proposals are responsive, responsible and otherwise equal with respect to quality and service, then the award shall be made to the service-disabled veteran business enterprise.

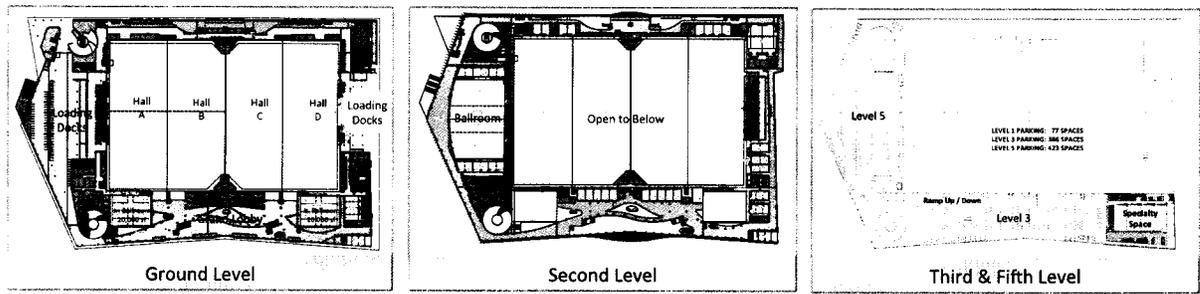
39. **Mistakes.** Proposers are expected to examine the terms, conditions, specifications, delivery schedules, proposed pricing, and all instructions pertaining to the goods and services relative to this RFP. Failure to do so will be at the Proposer's risk and may result in the Proposal being non-responsive.
40. **Copyright, Patents & Royalties.** Proposer shall indemnify and save harmless the City of Miami Beach, Florida, and its officers, employees, contractors, and/or agents, from liability of any nature or kind, including cost and expenses for, or on account of, any copyrighted, patented, or unpatented invention, process, or article manufactured or used in the performance of the contract, including its use by the City of Miami Beach, Florida. If the Proposer uses any design, device or materials covered by letters, patent, or copyright, it is mutually understood and agreed, without exception, that the proposal prices shall include all royalties or cost arising from the use of such design, device, or materials in any way involved in the work.
41. **Manner of Performance.** Proposer agrees to perform its duties and obligations in a professional manner and in accordance with all applicable local, State, County, and Federal laws, rules, regulations and codes. Lack of knowledge or ignorance by the Proposer with/of applicable laws will in no way be a cause for relief from responsibility. Proposer agrees that the services provided shall be provided by employees that are educated, trained, experienced, certified, and licensed in all areas encompassed within their designated duties. Proposer agrees to furnish to the City any and all documentation, certification, authorization, license, permit, or registration currently required by applicable laws, rules, and regulations.
42. **Non-Discrimination.** The Proposer certifies that it is in compliance with the non-discrimination clause contained in Section 202, Executive Order 11246, as amended by Executive Order 11375, relative to equal employment opportunity for all persons without regard to race, color, religion, sex or national origin. In accordance with the City's Human Rights Ordinance, codified in Chapter 62 of the City Code, Proposer shall prohibit (and cause hotel operator to prohibit) discrimination by reason of race, color, national origin, religion, sex, intersexuality, gender identity, sexual orientation, marital and familial status, and age or disability in the sale, lease, use or occupancy of the Hotel Project or any portion thereof.
43. **Laws, Permits and Regulations.** The Proposer shall obtain and pay for all licenses, permits, and inspection fees required to complete the work and shall comply with all applicable laws.
44. **Disputes.** In the event of a conflict between the documents, the order of priority of the documents shall be as follows:
 - A. Any contract or agreement resulting from the award of this RFP; then
 - B. Addendum issued for this RFP, with the latest Addendum taking precedence; then
 - C. The RFP; then
 - D. The Proposer 's proposal in response to the RFP.
45. **Indemnification.** The Developer shall indemnify and hold harmless the City and its officers, employees, agents and instrumentalities from any and all liability, losses or damages, including attorney's fees and costs of defense, which the City or its officers, employees, agents or instrumentalities may incur as a result of claims, demands, suits, causes of actions or proceedings of any kind or nature arising out of, relating to or resulting from the performance of the agreement by the contractor or its employees, agents, servants, partners, principals or subcontractors. The Developer shall pay all claims and losses in connection therewith, and shall investigate and defend all claims, suits or actions of any kind or nature in the name of the City, where applicable, including appellate proceedings, and shall pay all costs, judgments, and attorney's fees which may be incurred thereon. The Developer expressly understands and agrees that any insurance protection required by the Lease or otherwise provided by the contractor shall in no way limit the responsibility to indemnify, keep and save harmless and defend the City or its officers, employees, agents

and instrumentalities as herein provided. The above indemnification provisions shall survive the expiration or termination of the Lease.

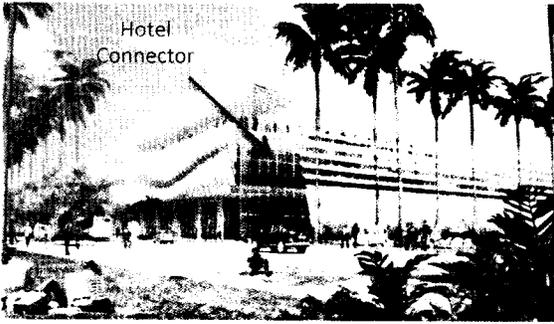
46. **Demonstration of Competency.** The City may consider any evidence available regarding the financial, technical, and other qualifications and abilities of a Proposer, including past performance (experience), in making an award that is in the best interest of the City.
47. **Supplemental Information.** City reserves the right to request supplemental information from Proposers at any time during the RFP solicitation process.

00200. BACKGROUND:

1. **Convention Center Renovation:** The City is renovating and expanding the MBCC to "Class A" standards. In general, the Project includes all exhibit halls (500,000 sf), meeting rooms, pre-function, and support spaces such as loading docks, kitchens, bathrooms, MEP systems, and exterior areas. In addition, the MBCC is to be expanded to accommodate a new 60,000 square foot ballroom and additional meeting space. Upon completion the MBCC is to offer 186,900 square feet of ballroom and meeting space. The Project will also include the conversion of approximately 880 surface parking spaces in the "P-Lot" into a 6.5-acre public park. Convention Center Drive and the Collins Canal seawall will be refurbished. New parking replacing the existing spaces will be incorporated on the roof of the building.



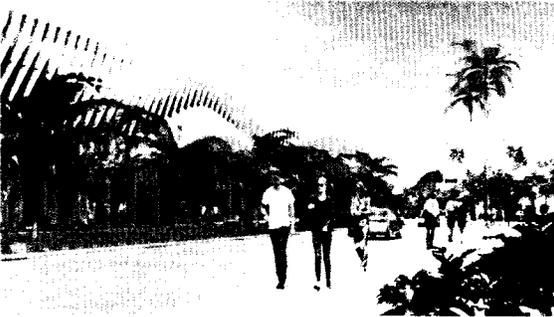
The MBCC is being renovated and expanded under a design-build contract. The City has hired Fentress Architects as its Design Criteria Professional ("DCP"). Fentress has completed the Design Criteria Package and the project is out to bid to shortlisted Design-Builders. Shortlisted Design-Builders include firms led by Clark Construction and Hunt Construction. Bids are planned to be received on February 27, 2015 and the City is planning on selecting the Design-Builder by mid April 2015. It is anticipated that the Design-Builder will focus on completing the construction documentation in 2015 and begin site work. In 2016, the focus will be on renovating the North half of the MBCC and beginning the new ballroom construction to the North. In 2017 the south portion of the MBCC is to be renovated and the ballroom completed. In 2018 the park and Convention Center Drive is planned to be completed. The phasing schedule may change once the Design-Builder is selected. It is hoped that the proposed hotel will open in 2018, prior to the Art Basel event.



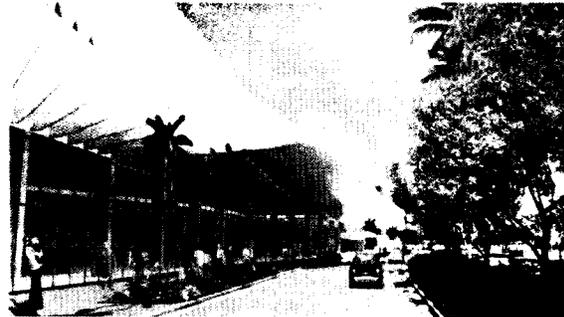
Conv. Ctr. Drive Adjacent to Hotel Site



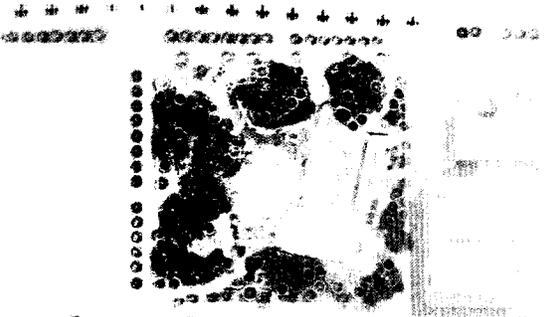
Washington Ave Ballroom (NE Corner)



Washington Avenue



Conv. Ctr. Drive Main Entrance



Park Master Plan



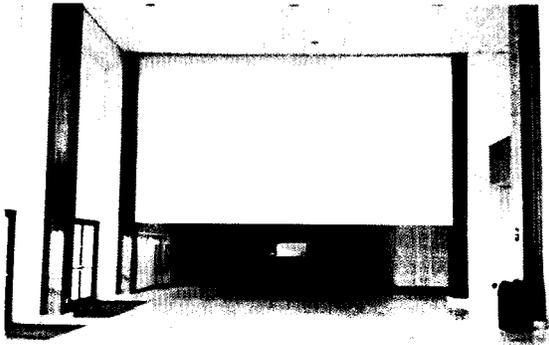
Outdoor Pavilion



Veteran's Memorial



Park Pavilion



Existing Lobby



New Lobby



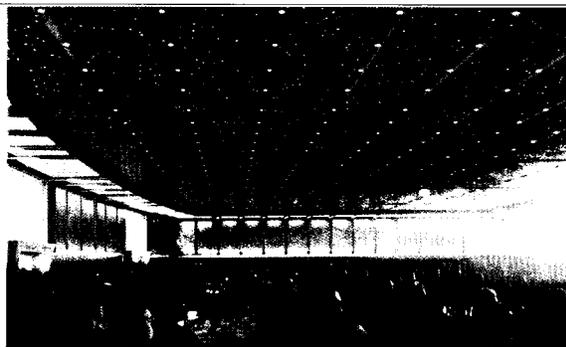
New Lobby



New Lobby



Existing Ballroom



New Grand Ballroom



New VIP Lobby



New VIP Room

2. **Miami Beach Hotel Market:** Miami Beach hosts a dynamic hotel market with a wide array of hotel products ranging from exclusive beachfront properties, to eclectic historic hotels, to nationally branded hotels. According to Smith Travel Research (STR), the market includes more than 150 full-service and select-service hotels and nearly 18,000 hotel rooms.

Since 1987, overall market occupancy has averaged 68.6% and over the past four years has been in the mid to upper 70%-range. Occupancy was at its highest level in 2013 at 78% and its second highest level in 2014 at 77%.

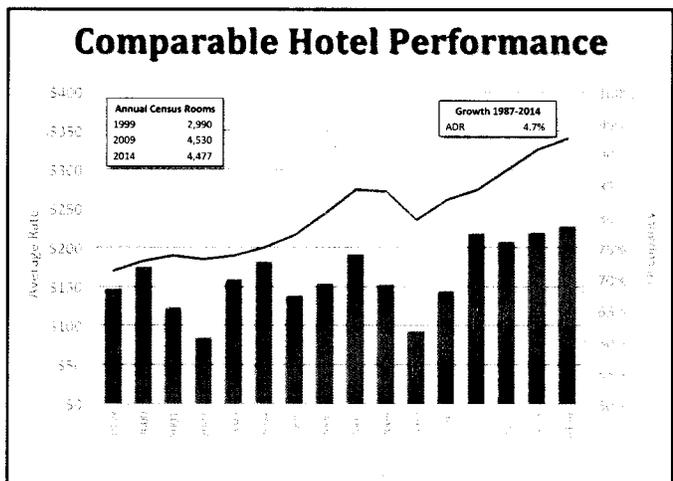


From an average daily rate (ADR) perspective, overall growth since 1987 has averaged 4.8% annually, growing at a pace faster than inflation. Over the past decade, annual growth has averaged 6% and ADR is projected to be \$251 in 2014, an all-time high.

There are limited hotel development opportunities in Miami Beach. In 1987, the market offered approximately 17,600 hotel rooms and in 2014, the market offers approximately 17,900 hotel rooms.

Miami Beach comparable full service hotels have also experienced solid performance and are among the best performers in the nation. To benchmark the market that the proposed convention headquarter hotel will broadly compete with, a STR Trend report is provided for the following hotels:

- 1,440-room Fontainebleau Miami Beach
- 790-room Loews Miami Beach Hotel
- 627-room Eden Roc Miami Beach
- 393-room The James Royal Palm
- 349-room W Hotel South Beach
- 308-room Shore Club South Beach
- 251-room The Palms Hotel & Spa
- 224-room Marriott Stanton South Beach
- 95-room Hilton Bentley



STR data was available for this set of hotels beginning in 1999. Since 1999, occupancy has averaged 70.6%, slightly higher than the overall market. Over the past four years, occupancy has been in the upper 70%-range and is projected to finish 2014 at 79%, the peak over the time period.

From an ADR perspective, growth has averaged 4.7%, similar to the overall market; however, rates at the comparable hotels generate a premium of \$50-\$90 on average over the market-wide hotels. **In 2014, ADR at the comparable hotels is projected to be \$340 in 2014** as compared to \$251 in the overall market.

See [Appendix C](#) for actual Market and Comparable Hotel STR Trend Reports.

3. **MBCC Events:** Since 2009, the MBCC has hosted between 94 and 134 events annually that have attracted from 589,000 to 738,000 attendees. It is estimated that these events and attendees generate from 103,000 to nearly 230,000 hotel room nights annually over the same period. Note that in Fiscal 2010, Miami hosted the Super Bowl, which mainly impacted citywide events and their respective room nights that were hosted at the MBCC. In 2014, the MBCC hosted 134 events that attracted 738,000 attendees that generated more than 141,000 room nights. See Appendix D for a listing of 2013 and 2014 events and attendance figures.

**MBCC
Events, Attendance and Room Nights**

	Number of Events	Attendance	Room Nights
FY 2009	94	632,700	229,000
FY 2010*	105	708,800	103,100
FY 2011	118	661,600	199,200
FY 2012	132	661,300	175,500
FY 2013	115	589,700	132,600
FY 2014	134	738,000	141,400

* Super Bowl in Miami.
Source: MBCC and GMCVB.

4. **Booking Policy Change:** The MBCC room night impact has been hindered by the quality of the MBCC, lack of an adjacent HQ hotel, and a booking policy that allows preferred booking of prime convention dates with several non-room night generating events. The City is considering a new booking policy that places the focus on providing booking priority to events that generate room nights. Specifically, the new booking policy is proposed to provide that events can book the MBCC 24 months or more in advance provided that they utilize a minimum of 115,000 sq. ft. of MBCC exhibit space and require a minimum of three nights with 1,500 hotel rooms occupied on the peak night in Miami-Dade County. The City plans to consider this change in booking policy at its February 2015 meeting.
5. **Additional Documents:** Prospective Proposers may access the following additional information about the Hotel Site and MBCC Project at _____:
- a) The Design Criteria Package for the MBCC Project;
 - b) Hotel Site Survey;
 - c) MBCC Design Criteria Package civil drawings related to the Hotel site;
 - d) Geotechnical report related to the MBCC site;
 - e) Amaresco geothermal system record documents;
 - f) Phase I environmental Study for the MBCC site;
 - g) Phase II Environmental Study for the Hotel Site (available in early March); and
 - h) Asbestos demolition survey of the portion of the Fillmore Theater to be demolished and the 555 17th Street building (available in early March).
6. **No Warranties or Representations By City.** Any information provided by City under this RFP is solely to provide background information for the convenience of the Proposers. City makes no representations or

warranties, express or implied, of any kind whatsoever with respect to any of the matters identified in this RFP, including but not limited to the matters referenced in this Division 00200.

00300. EVALUATION PROCESS

1. **Evaluation Committee Process.** An Evaluation Committee, appointed by the City Manager, shall meet to evaluate each response in accordance with the requirements set forth in this solicitation. If further information is desired, Proposers may be requested to make additional written submittals and/or oral presentations to the Evaluation Committee. The evaluation of responses will proceed in a two-step process, as set forth below. Step 1 will consist of the qualitative criteria listed below to be considered by the Evaluation Committee. Step 2 will consist of the quantitative criteria established below, to be added to the Evaluation Committee results by the Department of Procurement Management.

Step 1 Evaluation (100 Points). The Evaluation Committee shall meet to evaluate each response in accordance with the qualifications criteria established below for Step 1, Qualitative Criteria. In doing so, the Evaluation Committee may:

- a. Review and score all responses received utilizing the Weighted Criteria
- b. Short-list proposers to be further considered in oral presentations
- c. Interview selected proposers
- d. Re-score interviewed proposers utilizing the Weighted Criteria
- e. Recommend to City Manager

Proposers will be evaluated on the following Weighted Criteria

- 30 points – Hotel finance plan and Proposer financial capabilities
- 25 points – Proposed financial and other terms of the Development and Ground Lease Agreement
- 20 points – Hotel program, conceptual design and preliminary development budget
- 10 points - Proposer experience and qualifications
- 10 points – Design Team experience and qualifications
- 5 points - Organization plan
- 100 points - Total

Step 2 Evaluation (5 Points). Following the results of Step 1 Evaluation Qualitative criteria, the Department of Procurement Management shall award an additional 5 points to any Proposer who is a State-Certified Service-Disabled Veteran Business Enterprise.

Evaluation Committee Ranking. At the conclusion of the Evaluation Committee Step 1 scoring, Step 2 Points will be added to each Evaluation Committee member's scores by the Department of Procurement Management. Step 1 and 2 scores will be converted to rankings in accordance with the example below:

		Proposer A	Proposer B	Proposer C
Committee Member 1	Step 1 Points	82	76	80
	Step 2 Points	10	7	5
	Total	92	84	85
	Rank	1	3	2
Committee Member 2	Step 1 Points	90	85	72
	Step 2 Points	10	7	5
	Total	100	92	79
	Rank	1	2	3
Committee Member 2	Step 1 Points	80	74	66
	Step 2 Points	10	7	5
	Total	90	81	72
	Rank	1	2	3
Low Aggregate Score		3	7	8
Phase I Ranking		1	2	3

2. **City Manager Process:** Following the Evaluation Committee process, the City Manager will recommend to the City Commission the Proposer he deems to be in the best interest of the City, or may recommend rejection of all proposals. While the City Manager may consider the Evaluation Committee process, his recommendation need not be consistent with the Evaluation Committee's results (including the scoring results identified herein) and takes into consideration Miami Beach City Code Section 2-369, including, without limitation, the following considerations:
 - a) The ability, capacity and skill of the proposer to perform the contract.
 - b) Whether the proposer can perform the contract within the time specified, without delay or interference.
 - c) The character, integrity, reputation, judgment, experience and efficiency of the respondent.
 - d) The quality of performance of previous contracts.
 - e) The previous and existing compliance by the proposer with laws and ordinances relating to the contract.

3. **City Commission Process:** The City Commission shall consider the City Manager's recommendation and may approve such recommendation. The City Commission may also, at its option, reject the City Manager's recommendation and select another proposer, which it deems to be in the best interest of the City, or it may also reject all responses.

Once the City Commission approves the ranking, the City will enter into contract negotiations with the top ranked firm. If the City and selected firm cannot agree on contractual terms, the City will terminate negotiations and begin negotiations with the next ranked firm, continuing this process with each firm in rank order until agreeable terms can be met or the procurement is terminated. Contract negotiations and execution will take place as quickly as possible after selection.

00400. PROPOSAL SUBMISSION REQUIREMENTS

Proposal packages must contain all the information requested and executed documents as required. Proposal packages which do not include all required documentation, or are not submitted in the required format, or do not have the appropriate signatures on each document, may be deemed non-responsive. The City reserves the right to request any documentation omitted. Proposer must submit the documentation within three (3) calendar days upon request from the City, or the proposal may be deemed non-responsive. Proposal packages which are declared to be non-responsive will receive no further consideration.

Proposers may not dictate the circumstances under which the documents are deemed to be confidential. Only the Florida State Legislature may determine which public records are subject to disclosure and which are not. Moreover, a private party cannot render public records exempt from disclosure merely by designating as confidential the material it furnishes to the City. The desire of the private party to maintain privacy of certain materials filed with the City is of no consequence unless such materials fall within a legislative created exemption to Chapter 119, Florida Statutes. Proposers should assume that all documents submitted shall be available for public inspection and copying in accordance with the Florida Public Records Act.

RESPONSE FORMAT

In order to maintain comparability, facilitate the review process, and assist the Evaluation Committee in review of responses, responses need to be organized and tabbed in accordance with the sections and manner specified below. Hard copy submittals should be bound and tabbed as enumerated below, and contain a table of contents with page references. Proposers should prepare their submittal on 8.5 x 11 paper. Please feel free to include other materials, such as covers, appendices, brochures, etc. at your discretion. The recommended number of pages the City desires for each submittal item is indicated below. These are recommendations only and actual pages may exceed the recommendation.

TAB 1	Executive Summary
<ol style="list-style-type: none"> 1. Cover Page, Letter, and Table of Contents. The cover letter must indicate Proposer and be signed by same. 2. Proposal Overview. Provide a brief summary describing your proposal (recommend 2-3 pages) 3. Minimum Qualifications: Submit verifiable information documenting Proposer's compliance with the Minimum qualifications section of this RFP. <ol style="list-style-type: none"> 3.1. Provide a list of at least two 500+ room hotels the Proposer has developed and obtained predominantly private financing for within the last 20 years. For each hotel, include the hotel name, number of rooms, square feet of meeting/ballroom space, year opened, project cost, and reference contact information. 3.2. Summarize the Design Team's qualifications and experience, with a primary design/lead architect who must have designed at least one (1) completed hotel with at least 500 rooms or more within the last fifteen (15) years. 	
TAB 2	Organization Plan
<p>Summarize the organizational structure of the team, including:</p> <ol style="list-style-type: none"> 1. Organizational Chart: An organizational chart depicting the structure and lines of authority and communication. Include a narrative that describes the intended structure regarding project management, accountability and compliance with the terms of the RFP. 2. Key Personnel: Identify all key personnel who will be assigned to the Project and their intended roles and responsibilities. Indicate and provide contact information for the primary individuals leading this process and 	

those authorized to commit for the Proposer.

3. **Other team members:** Provide a list of any other key team members, such as additional financing resources, construction, other design team members, etc. For each team member provide a description of their role, relevant firm qualifications and experience, and resumes of key personnel.
4. **Resumes:** Provide resumes of the team's key personnel who will be assigned to the Project that demonstrate their experience and qualifications, education and performance record. Provide two references for each key person.
5. **Local Employment:** Include aspirational goals as a percentage of total project employment that will be City of Miami Beach and Miami-Dade County residents. Include your approach to providing periodic reporting to monitor success. At a minimum, the City shall require monthly progress reports to be submitted to the City Commission documenting success throughout the Project duration.

TAB 3 Proposer Experience & Qualifications

Summarize the Proposer's experience with developing and financing convention hotels, including:

1. **Company Information:** Provide background information, including company history, years in business, number of employees, and any other information communicating capabilities and experience. (recommend 1 page)
2. **Relevant Experience:** Summarize projects where the Proposer has developed and privately financed convention hotels of similar size and scope as that described in this RFP. (Recommend 1 page per project) Two of the projects must include hotels with 500 or more rooms each within the last twenty (20) years for which the Proposer obtained predominantly private financing. All projects listed must include:
 - a. Project name, number of rooms, square feet of meeting and ballroom space, location and images
 - b. Design team name(s) and roles (designer, construction documentation, interiors, etc.)
 - c. Year project opened (or "in Design" or "Under Construction")
 - d. Summary of Proposer's role
 - e. Identification of the individuals that worked on the project and will work on this project
 - f. Project development cost
 - g. Summary of project capital funding and Proposer's role in raising the capital
 - h. Summary of the role of the public sector, if any
 - i. Reference contact information

TAB 4 Design Team Experience & Qualifications

Summarize the Design Team's experience with designing completed convention hotels or similar projects, including:

1. **Company Information:** Provide background information, including company history, years in business, number of employees, and any other information communicating capabilities and experience. (recommend 1 page)
2. **Relevant Experience:** Summarize projects where the design team has designed similar hotels as is described in this RFP. (Recommend 1 page per project). List convention hotels first, followed by other similar projects. For each project include:
 - a. Project name, number of rooms, square feet of meeting and ballroom space, location, and images
 - b. Design team names(s) and roles (designer, construction documentation, interiors, etc.)
 - c. Year project opened (or "In Design" or "Under Construction")
 - d. Summary of Designer's role
 - e. The names of the key project architects, highlighting any individuals who will also work on this project

- f. Project development cost
- g. Reference contact information

TAB 5 Hotel Program, Conceptual Design and Preliminary Development Budget

1. **Hotel Program:** Provide a table summarizing the Hotel program utilizing the form in Appendix E.
2. **Brands:** Specify which hotel brand(s) you intend to consider for the Hotel. Each Proposer shall be solely responsible to clear with the named hotel brand that there are no restrictions that would limit the brand's ability to operate the hotel.
3. **Preliminary Development Budget:** Provide a summary of the development budget, including estimated construction hard costs, architecture/engineering, furniture, fixtures and equipment (FF&E), development fee, other soft costs and required fees, pre-opening/working capital, art in public places (1.5% of construction costs per City Code Section 82-537), contingency and escalation, financing costs, and any other unique project costs.
4. **Architectural Diagrams:** Provide conceptual architectural diagrams of floor plans, elevations and renderings of the proposed Hotel Project. It is expected that the conceptual design for the Hotel Project will further the City's design standards, and continue the City's legacy as a home to many architecturally significant buildings designed by nationally and internationally-recognized architects. It is further expected that the conceptual design of the Hotel Project will be architecturally harmonious with the surrounding area, including the design for the MBCC Renovation and Expansion Project (including its public park components), New World Symphony, Soundscape Park, and Lincoln Road.
5. **Schedule:** Provide a development schedule outlining key design, construction start, and opening dates.

TAB 6 Financing Plan and Financial Capability

1. **Site Lease:** Summarize your proposal to lease the Hotel Site, including 1) the desired term; 2) percentage rent in the form of a percentage of gross operating revenues (to include all revenues and income of any nature derived directly or indirectly from the use or operation of the Hotel or the Hotel Site, consistent with the Uniform System of Accounts for the Lodging Industry, 10th Revised Edition); 3) a schedule of annual proposed fixed minimum rent payment by year for the term, and 4) a summary of any other payments referenced in the form of Lease to be issued by Addendum on or about February 18, 2015. The annual rent paid will be the greater of the percentage rent or the minimum fixed payment. When assessing the net present value of percentage rent, the City will calculate percentage rent using a common gross revenue proforma for each submittal.
2. **Plan:** Summarize your plan to finance the Hotel, specifying the planned level of Proposer equity participation, planned level and identification of known third-party equity participation, planned level of third-party equity that needs to be raised, expected financing role of the manager/operator, the amount of third-party debt, relationships and history with lenders, and the willingness to provide the required level of any anticipated debt guarantees.
3. **Operating Pro forma:** Provide a 10-year hotel pro forma delineating operating statistics (ADR, occupancy, RevPAR, F&B per occupied room night) operating revenues (Rooms, F&B, Telephone, Parking, other), departmental expenses (Rooms, F&B, Telephone, Parking, other), undistributed expenses (administrative & general, sales & marketing, repairs and maintenance, utilities), fixed expenses (management fees, Insurance, property taxes, site lease), and capital reserves.
4. **Capital Cash Flows:** Provide a 10-year summary of the capital cash flows delineating net operating income's application to debt and equity, including the calculation of annual leveraged and unleveraged cash-on-cost returns. Include a summary of all material assumptions.
5. **Financial Capabilities:** Provide the Proposer's most recent annual reviewed/audited financial statement with the auditor's notes. Such statements should include, as a minimum, balance sheets (statements of financial position) and statements of profit and loss (statement of net income). Also provide financial information for any for any other equity investor included in the proposal, as well as related information concerning the equity

investor's track record with similar developments.

TAB 7 Development and Ground Lease Agreement

A Microsoft Word version of the form of the Development and Ground Lease Agreement will be issued as an addendum by the date indicated in the **Anticipated RFP Timetable** section of this RFP. Proposers must clearly indicate any exceptions they wish to take to any of the terms in this Agreement, and what, if any, alternative proposed revisions are being offered. All exceptions and alternatives shall be included and clearly delineated by redlining the City's form agreement in this tab. In addition, a redlined Microsoft Word version shall be submitted on a USB Drive. Notwithstanding the foregoing, in no event shall any of the Proposer's terms be inconsistent or in conflict with the Hotel Project minimum requirements and the Room Block minimum requirements set forth in Sections 4 and 5 of Division 00100 of the RFP; the failure to adhere to such requirements shall render a Proposer non-responsive.

TAB 8 Forms

Provide a completed Certification, Questionnaire & Requirements Affidavit (Appendix A) signed by the Proposer.

TAB 9 Other

Provide any other information the Proposer believes will help the City understand the team's capabilities.

APPENDIX A



MIAMI BEACH

Proposal Certification, Questionnaire & Requirements Affidavit

PROCUREMENT DEPARTMENT
1700 Convention Center Drive
Miami Beach, Florida 33139

Solicitation No: 2014-294-ME	Solicitation Title: Design-Builder Services for the Miami Beach Convention Center Renovation and Expansion	
Procurement Contact: Maria Estevez	Tel: 305-673-7490	Email: mestevez@miamibeachfl.gov

PROPOSAL CERTIFICATION, QUESTIONNAIRE & REQUIREMENTS AFFIDAVIT

Purpose: The purpose of this Proposal Certification, Questionnaire and Requirements Affidavit Form is to inform prospective Proposers of certain solicitation and contractual requirements, and to collect necessary information from Proposers in order that certain portions of responsiveness, responsibility and other determining factors and compliance with requirements may be evaluated. **This Proposal Certification, Questionnaire and Requirements Affidavit Form is a REQUIRED FORM that must be submitted fully completed and executed.**

1. General Proposer Information.

FIRM NAME:		
No of Years in Business:	No of Years in Business Locally:	No. of Employees:
OTHER NAME(S) BIDDER HAS OPERATED UNDER IN THE LAST 10 YEARS:		
FIRM PRIMARY ADDRESS (HEADQUARTERS):		
CITY:		
STATE:		
TELEPHONE NO.:		
TOLL FREE NO.:		
FAX NO.:		
FIRM LOCAL ADDRESS:		
CITY:		
STATE:		
PRIMARY ACCOUNT REPRESENTATIVE FOR THIS ENGAGEMENT:		
ACCOUNT REP TELEPHONE NO.:		
ACCOUNT REP TOLL FREE NO.:		
ACCOUNT REP EMAIL:		
FEDERAL TAX IDENTIFICATION NO.:		

The City reserves the right to seek additional information from Proposer or other source(s), including but not limited to: any firm or principal information, applicable licensure, resumes of relevant individuals, client information, financial information, or any information the City deems necessary to evaluate the capacity of the Proposer to perform in accordance with contract requirements.

1. **Veteran Owned Business.** Is Proposer claiming a veteran owned business status?
 YES NO

SUBMITTAL REQUIREMENT: Proposers claiming veteran owned business status shall submit a documentation proving that firm is certified as a veteran-owned business or a service-disabled veteran owned business by the State of Florida or United States federal government, as required pursuant to ordinance 2011-3748.

2. **Conflict Of Interest.** All Proposers must disclose, in their proposal, the name(s) of any officer, director, agent, or immediate family member (spouse, parent, sibling, and child) who is also an employee of the City of Miami Beach. Further, all proposers must disclose the name of any City employee who owns, either directly or indirectly, an interest of ten (10%) percent or more in the proposer entity or any of its affiliates.

SUBMITTAL REQUIREMENT: Proposers must disclose the name(s) of any officer, director, agent, or immediate family member (spouse, parent, sibling, and child) who is also an employee of the City of Miami Beach. Proposers must also disclose the name of any City employee who owns, either directly or indirectly, an interest of ten (10%) percent or more in the proposer entity or any of its affiliates

3. **References & Past Performance.** Proposer shall submit at least three (3) references for whom the proposer has completed work similar in size and nature as the work referenced in solicitation.

SUBMITTAL REQUIREMENT: For each reference submitted, the following information is required: 1) Firm Name, 2) Contact Individual Name & Title, 3) Address, 4) Telephone, 5) Contact's Email and 6) Narrative on Scope of Services Provided.

4. **Suspension, Debarment or Contract Cancellation.** Has proposer ever been debarred, suspended or other legal violation, or had a contract cancelled due to non-performance by any public sector agency?
 YES NO

SUBMITTAL REQUIREMENT: If answer to above is "YES," proposer shall submit a statement detailing the reasons that led to action(s).

5. **Vendor Campaign Contributions.** Proposers are expected to be or become familiar with, the City's Campaign Finance Reform laws, as codified in Sections 2-487 through 2-490 of the City Code. Proposers shall be solely responsible for ensuring that all applicable provisions of the City's Campaign Finance Reform laws are complied with, and shall be subject to any and all sanctions, as prescribed therein, including disqualification of their proposals, in the event of such non-compliance.

SUBMITTAL REQUIREMENT: Submit the names of all individuals or entities (including your sub-consultants) with a controlling financial interest as defined in solicitation. For each individual or entity with a controlling financial interest indicate whether or not each individual or entity has contributed to the campaign either directly or indirectly, of a candidate who has been elected to the office of Mayor or City Commissioner for the City of Miami Beach.

6. **Code of Business Ethics.** Pursuant to City Resolution No.2000-23879, each person or entity that seeks to do business with the City shall adopt a Code of Business Ethics ("Code") and submit that Code to the Procurement Management Department with its response or within five (5) days upon receipt of request. The Code shall, at a minimum, require the proposer, to comply with all applicable governmental rules and regulations including, among others, the conflict of interest, lobbying and ethics provision of the City of Miami Beach and Miami Dade County.

SUBMITTAL REQUIREMENT: Proposer shall submit firm's Code of Business Ethics. In lieu of submitting Code of Business Ethics, Proposer may submit a statement indicating that it will adopt, as required in the ordinance, the City of Miami Beach Code of Ethics, available at www.miamibeachfl.gov/procurement/.

- 7. **Prevailing Wage:** Intentionally omitted.
- 8. **Equal Benefits for Employees with Spouses and Employees with Domestic Partners.** Intentionally omitted.
- 9. **Public Entity Crimes.** Section 287.133.(2)(a), Florida Statutes, as currently enacted or as amended from time to time, states 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 proposal, Proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a proposal, Proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit proposals, Proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in section .287.017. for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list.

SUBMITTAL REQUIREMENT: No additional submittal is required. By virtue of executing this affidavit document, Proposer agrees with the requirements of Section 287.133, Florida Statutes, and certifies it has not been placed on convicted vendor list.

- 10. Have you ever failed to complete any work awarded to you? If so, where and why?
 YES NO

SUBMITTAL REQUIREMENT: If yes, submit information on project, agency, agency contact and reason why contractor failed to complete work.

- 11. Has a surety company ever intervened to assist a governmental agency or other client of the Proposer in completing work that the Proposer failed to complete?
 YES NO

SUBMITTAL REQUIREMENT: If yes, submit owner names, addresses and telephone numbers, and surety and project names, for all projects for which you have performed work, where your surety has intervened to assist in completion of the project, whether or not a claim was made.

- 12. **Bankruptcy.** Has the Proposer filed any bankruptcy petitions (voluntary or involuntary) which have been filed by or against the Proposer, its parent or subsidiaries or predecessor organizations during the past five (5) years. Include in the description the disposition of each such petition.
 YES NO

SUBMITTAL REQUIREMENT: If yes, list and describe all bankruptcy petitions (voluntary or involuntary) which have been filed by or against the Proposer, its parent or subsidiaries or predecessor organizations during the past five (5) years. Include in the description the disposition of each such petition.

- 13. **Litigation History.** Has Proposer or any principal or employee of the Proposer (relating to professional endeavors only) been the subject of any claims, arbitrations, administrative hearings and lawsuits brought by or against the Proposer or its predecessor organization(s) during the last five (5) years, including any disputes with hotel brands or hotel operators within the last ten (10) years.
 YES NO

SUBMITTAL REQUIREMENT: If yes, list all case names; case, arbitration or hearing identification numbers; the name of the project over which the dispute arose; a description of the subject matter of the dispute; and the final outcome of the claim.

14. Has the Corporation, Officers of the Corporation, Principal Stockholders, Principals of the Partnership or Owner of Sole Proprietorship ever been indicted, debarred, disqualified or suspended from performing work for the Federal Government or any State or Local Government or subdivision or agency thereof?
 YES NO

SUBMITTAL REQUIREMENT: If yes, list the specific cases and the charging agency.

15. **Principals.** Provide the names of all individuals or entities (including your sub-consultants) with a controlling financial interest. The term "controlling financial interest" shall mean the ownership, directly or indirectly, of 10% or more of the outstanding capital stock in any corporation or a direct or indirect interest of 10% or more in a firm. The term "firm" shall mean any corporation, partnership, business trust or any legal entity other than a natural person.
16. **Acknowledgement of Addendum.** After issuance of solicitation, the City may release one or more addendum to the solicitation which may provide additional information to proposers or alter solicitation requirements. The City will strive to reach every proposer having received solicitation through the City's e-procurement system, PublicPurchase.com. However, proposers are solely responsible for assuring they have received any and all addendum issued pursuant to solicitation. This Acknowledgement of Addendum section certifies that the proposer has received all addendum released by the City pursuant to this solicitation. Failure to obtain and acknowledge receipt of all addendum may result in proposal disqualification.

Initial to Confirm Receipt		Initial to Confirm Receipt		Initial to Confirm Receipt	
	Addendum 1		Addendum 6		Addendum 11
	Addendum 2		Addendum 7		Addendum 12
	Addendum 3		Addendum 8		Addendum 13
	Addendum 4		Addendum 9		Addendum 14
	Addendum 5		Addendum 10		Addendum 15

If additional confirmation of addendum is required, submit under separate cover.

17. **Art in Public Places (AIPP):** By virtue of submitting a proposal to this RFP, Proposer certifies that is will comply with the Art in Public Places (AIPP) requirements of the City pursuant to Sections 82-536 to 82-612 of the City Code without limitation and that any resulting project plans, designs and guaranteed maximum price (GMP) shall be fully compliant with the AIPP requirements.
18. **Minimum Hotel Project and Room Block Requirements.** By signing the Proposer Certification required as part of this RFP, Proposer hereby certifies that its proposal submission adheres to and satisfies the minimum Hotel Project requirements set forth in Sections 4 and the Room Block requirements set forth in Section 5 of Division 00100 of this RFP, and that, if selected, all such terms shall be included in the Lease.

Proposer specifically acknowledges and agrees that the failure to comply with and/or agree to the foregoing requirements referenced in Sections 4 and 5 of Division 00100 of this RFP shall render Proposer non-responsive.

DISCLOSURE AND DISCLAIMER SECTION

The solicitation referenced herein is being furnished to the recipient by the City of Miami Beach (the "City") for the recipient's convenience. Any action taken by the City in response to Proposals made pursuant to this solicitation, or in making any award, or in failing or refusing to make any award pursuant to such Proposals, or in cancelling awards, or in withdrawing or cancelling this solicitation, either before or after issuance of an award, shall be without any liability or obligation on the part of the City.

In its sole discretion, the City may withdraw the solicitation either before or after receiving Proposals, may accept or reject Proposals, and may accept Proposals which deviate from the solicitation, as it deems appropriate and in its best interest. In its sole discretion, the City may determine the qualifications and acceptability of any party or parties submitting Proposals in response to this solicitation.

Following submission of a Bid or Proposal, the applicant agrees to deliver such further details, information and assurances, including financial and disclosure data, relating to the Proposal and the applicant including, without limitation, the applicant's affiliates, officers, directors, shareholders, partners and employees, as requested by the City in its discretion.

The information contained herein is provided solely for the convenience of prospective Proposers. It is the responsibility of the recipient to assure itself that information contained herein is accurate and complete. The City does not provide any assurances as to the accuracy of any information in this solicitation.

Any reliance on these contents, or on any permitted communications with City officials, shall be at the recipient's own risk. Proposers should rely exclusively on their own investigations, interpretations, and analyses. The solicitation is being provided by the City without any warranty or representation, express or implied, as to its content, its accuracy, or its completeness. No warranty or representation is made by the City or its agents 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 solicitation, the selection and the award process, or whether any award will be made. Any recipient of this solicitation who responds hereto fully acknowledges all the provisions of this Disclosure and Disclaimer, is totally relying on this Disclosure and Disclaimer, and agrees to be bound by the terms hereof. Any Proposals submitted to the City pursuant to this solicitation are submitted at the sole risk and responsibility of the party submitting such Proposal.

This solicitation is made subject to correction of errors, omissions, or withdrawal from the market without notice. Information is for guidance only, and does not constitute all or any part of an agreement.

The City and all Proposers will be bound only as, if and when a Proposal (or Proposals), as same may be modified, and the applicable definitive agreements pertaining thereto, are approved and executed by the parties, and then only pursuant to the terms of the definitive agreements executed among the parties. Any response to this solicitation may be accepted or rejected by the City for any reason, or for no reason, without any resultant liability to the City.

The City is governed by the Government-in-the-Sunshine Law, and all Proposals and supporting documents shall be subject to disclosure as required by such law. All Proposals shall be submitted in sealed proposal form and shall remain confidential to the extent permitted by Florida Statutes, until the date and time selected for opening the responses. At that time, all documents received by the City shall become public records.

Proposers are expected to make all disclosures and declarations as requested in this solicitation. By submission of a Proposal, the Proposer acknowledges and agrees that the City has the right to make any inquiry or investigation it deems appropriate to substantiate or supplement information contained in the Proposal, and authorizes the release to the City of any and all information sought in such inquiry or investigation. Each Proposer certifies that the information contained in the Proposal is true, accurate and complete, to the best of its knowledge, information, and belief.

Notwithstanding the foregoing or anything contained in the solicitation, all Proposers agree that in the event of a final un-appealable judgment by a court of competent jurisdiction which imposes on the City any liability arising out of this solicitation, or any response thereto, or any action or inaction by the City with respect thereto, such liability shall be limited to \$10,000.00 as agreed-upon and liquidated damages.

Preliminary Draft 1/23/15

The previous sentence, however, shall not be construed to circumvent any of the other provisions of this Disclosure and Disclaimer which imposes no liability on the City.

In the event of any differences in language between this Disclosure and Disclaimer and the balance of the solicitation, it is understood that the provisions of this Disclosure and Disclaimer shall always govern. The solicitation and any disputes arising from the solicitation shall be governed by and construed in accordance with the laws of the State of Florida.

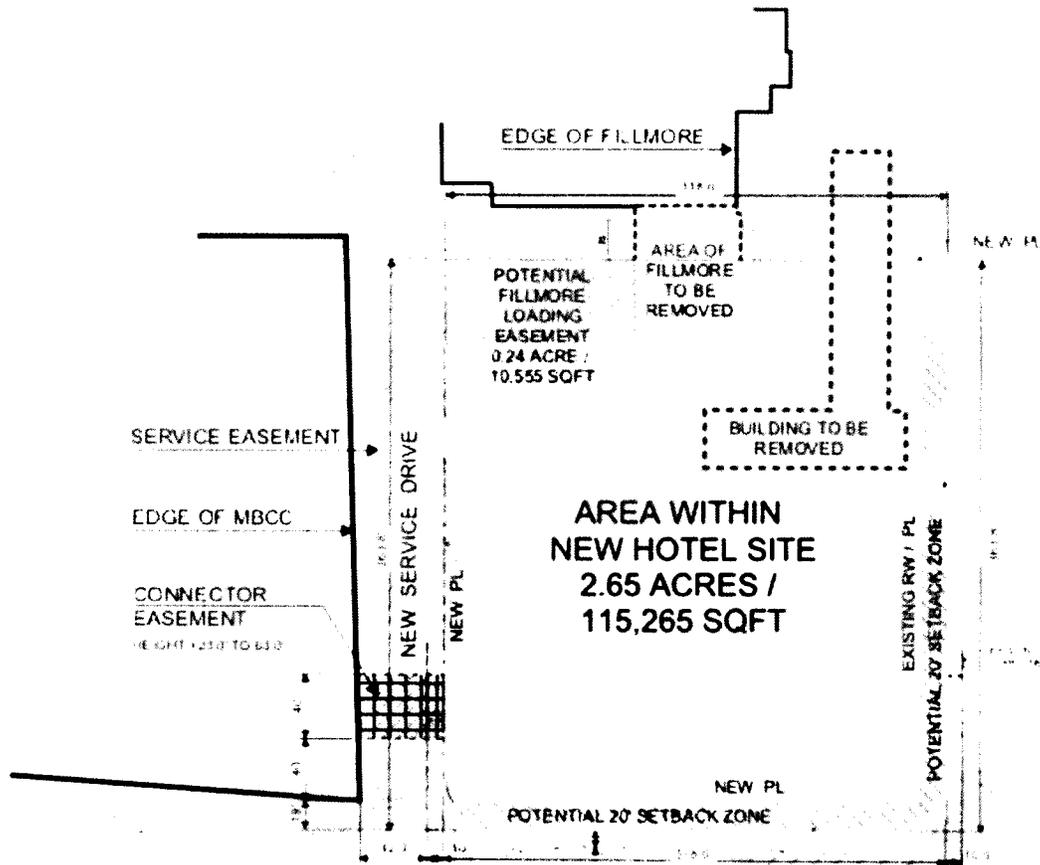
APPENDIX B



MIAMI BEACH

Hotel Site

PROCUREMENT DEPARTMENT
1700 Convention Center Drive
Miami Beach, Florida 33139



APPENDIX C



MIAMI BEACH

Miami Beach STR Trend Reports

PROCUREMENT DEPARTMENT
1700 Convention Center Drive
Miami Beach, Florida 33139

APPENDIX D



MIAMI BEACH

MBCC Events and Attendance

PROCUREMENT DEPARTMENT
1700 Convention Center Drive
Miami Beach, Florida 33139

FY 2014

Start Date	End Date	Description	Type	Attendance
10/26/13	10/26/13	Save Dade Halloween Ball	Banquet	880
11/14/13	11/14/13	VIP Drivers Party	Banquet	50
12/05/13	12/05/13	Citi Private Reception	Banquet	95
12/05/13	12/05/13	Boca Museum of Art Reception	Banquet	40
12/06/13	12/06/13	NSI Insurance Group - Vistage	Banquet	25
12/06/13	12/06/13	ArtNexus Museum Circle 2013	Banquet	15
12/06/13	12/06/13	Mount Holyoke College Reception	Banquet	90
12/07/13	12/07/13	John Hopkins University Alumni Reception	Banquet	40
12/07/13	12/07/13	Washington University in St Louis Brunch Reception	Banquet	120
12/07/13	12/07/13	George Washington University Alumni House	Banquet	0
12/15/13	12/15/13	Children's Holiday Party	Banquet	500
01/23/14	01/23/14	Millionaires Club Award Celebration	Banquet	100
01/24/14	01/24/14	World Gate Reception	Banquet	600
05/17/14	05/17/14	MBSHS Prom 2014	Banquet	450
05/23/14	05/26/14	Memorial Day Week-end Meal Program	Banquet	4,500
05/29/14	06/02/14	JP Morgan Chase	Banquet	30
09/03/14	09/03/14	MBCC InCard Anniversary	Banquet	800
09/16/14	09/16/14	World OutGames Miami 2017	Banquet	300
09/23/14	09/23/14	LGBT Visitors Center(Pink Flamingo Event)	Banquet	200
10/12/13	10/13/13	Sweat USA Fitness & Wellness Festival	Consumer Show	2,000
10/25/13	10/27/13	Miami Beach Antique Jewelry & Watch Show	Consumer Show	950
11/08/13	11/17/13	43 Annual South Florida Auto Show	Consumer Show	140,000
12/04/13	12/08/13	Art Basel in Miami Beach	Consumer Show	70,000
01/02/14	01/06/14	Discover the Dinosaurs	Consumer Show	19,732
01/30/14	02/03/14	Original Miami Beach Antique Show	Consumer Show	12,000
01/31/14	02/01/14	The Nissan Total Health & Fitness Expo - Presented by The Miami Herald & El Nuevo Herald	Consumer Show	35,000
02/13/14	02/17/14	Progressive Insurance - Miami International Boat Show	Consumer Show	149,980
02/22/14	02/22/14	Solefest Miami Sneaker Convention Tradeshow	Consumer Show	400
03/21/14	03/24/14	Miami Home Design & Remodeling Show	Consumer Show	35,000
04/11/14	04/13/14	Dinosauria Experience	Consumer Show	3,000
04/13/14	04/13/14	Aging Healthy Fair	Consumer Show	400
04/19/14	04/19/14	The Sole Xchange	Consumer Show	500
04/26/14	04/26/14	Forgiato Fest	Consumer Show	2,000
05/05/14	05/06/14	eMerge Americas Technology Conference	Consumer Show	5,000
05/08/14	05/10/14	MGLFF Screening (Miami Gay & Lesbian Film)	Consumer Show	675
05/20/14	05/20/14	Autism Today 2014	Consumer Show	120
05/30/14	06/01/14	South Florida Boat Show	Consumer Show	5,000
05/29/14	06/02/14	NACA Save the Dream Tour	Consumer Show	1,600
06/06/14	06/08/14	World Vapor Expo	Consumer Show	3,460
06/08/14	06/08/14	SoleCon	Consumer Show	250
06/23/14	06/24/14	Hang Suites Tradeshow	Consumer Show	200
06/28/14	06/28/14	Rene Mey Spiritual Conference	Consumer Show	70
07/03/14	07/06/14	Florida Supercon	Consumer Show	32,150
07/10/14	07/11/14	MTO Reg & Comedy Show	Consumer Show	500
07/27/14	07/27/14	Monster Energy DUB Show Tour	Consumer Show	3,500
07/26/14	07/26/14	The SoleXchange	Consumer Show	700
07/31/14	08/01/14	US Marshals Jewelry Auction	Consumer Show	30
08/29/14	09/02/14	Miami Home Design & Remodeling Show	Consumer Show	16,000
08/29/14	08/31/14	Miami New Construction Show	Consumer Show	7,000
09/27/14	09/28/14	Miami Spa Aesthetic and Wellness Expo	Consumer Show	250

Start Date	End Date	Description	Type	Attendance
10/16/13	10/19/13	4Life International Convention	Convention	8,500
10/25/13	10/26/13	Team Global Convention burger king was in september / not october	Convention	6,300
01/22/14	01/24/14	SLINX	Convention	7,000
04/30/14	05/01/14	Going Global -British Council	Convention	1,500
06/25/14	06/28/14	MASCC/ ISOO 2014 International Cancer Care Symposium	Convention	885
10/06/13	10/06/13	Healing Powers of Master Turyan	Meeting	400
10/20/13	10/20/13	El mensaje que cubrira toda la tierra	Meeting	500
11/07/13	11/10/13	Mama Gena's School of Womanly Arts	Meeting	470
11/07/13	11/07/13	Fire Lieutenant Exam	Meeting	365
01/14/14	01/15/14	UNUM Leadership Meeting	Meeting	65
01/18/14	01/18/14	Holistic Globe Networks	Meeting	290
01/23/14	01/23/14	Achievers Team Rally	Meeting	300
01/23/14	01/23/14	Midwest Expansion Leaders	Meeting	200
01/25/14	01/26/14	Bitcoin Miami	Meeting	550
01/29/14	01/30/14	Team GOJO 2014	Meeting	70
03/03/14	03/04/14	BikBok Angels-The Miami Missions	Meeting	280
03/30/14	03/30/14	Ater Tumti	Meeting	300
04/05/14	04/06/14	Ash the Experience Workshop	Meeting	400
04/07/14	04/07/14	PDRI Customs Broker Exam	Meeting	95
04/16/14	04/18/14	The Impact Conference @ Sustainatopia	Meeting	200
04/25/14	04/25/14	Southern Dist. of FL Bench and Bar Conf. 2014	Meeting	723
04/25/14	04/25/14	Diversity Day/Youth Empowerment Conference	Meeting	400
05/08/14	05/13/14	The Reconnection Seminars	Meeting	250
05/15/14	05/18/14	17th Annual Pediatric Board Review Course	Meeting	220
05/14/14	05/14/14	NAF Student/Industry Conference	Meeting	1,700
05/29/14	05/29/14	Whole Foods Corporate Meeting	Meeting	250
06/04/14	06/04/14	GMCVB Marketing & Planning Retreat	Meeting	250
06/06/14	06/27/14	New Generation Leadership & Workforce Institute	Meeting	75
07/30/14	07/31/14	12th Annual Pregnant Women, Infants, and Toddlers Conference	Meeting	300
08/01/14	08/01/14	The Adobe Photoshop Down & Dirty Master FX Tour with Corey Barker	Meeting	200
08/18/14	08/18/14	Art Basel Annual Training	Meeting	100
08/20/14	08/20/14	The Setai Job Fair	Meeting	50
08/21/14	08/21/14	Church Event	Meeting	600
08/25/14	09/25/14	Thompson Hotels Job Fair	Meeting	500
08/29/14	08/29/14	IATSE Training	Meeting	0
09/03/14	09/03/14	Rene Mey Spiritual Convention	Meeting	110
09/03/14	09/04/14	Bus Operator Exam	Meeting	1,700
09/12/14	09/12/14	Volunteer Florida 20th Anniversary	Meeting	920
09/16/14	09/17/14	LexisNexis Risk Solutions "SCORE" Team Meeting	Meeting	30
10/08/13	10/08/13	Fiesta Bowl	Special Event	750
10/08/13	10/09/13	The Setai Miami Beach Job Fair	Special Event	155
10/18/13	10/18/13	The Setai Miami Beach	Special Event	100
10/26/13	10/27/13	America's Got Talent Casting Call	Special Event	2,500
11/02/13	11/05/13	Qi Activation Tour	Special Event	470
11/17/13	11/17/13	Titans of Dance Workshop	Special Event	800
12/04/13	12/04/13	Photo Shoot	Special Event	360
12/18/13	12/18/13	Shelborne Wyndham Grand Hotel Career Fair	Special Event	100
01/11/14	01/12/14	Volleyball Tournament	Special Event	3,000
01/21/14	01/21/14	The Setai Job Fair	Special Event	100
01/25/14	01/26/14	Healthy, Sexy, & Delicious	Special Event	12

Preliminary Draft 1/23/15

Start Date	End Date	Description	Type	Attendance
02/22/14	02/22/14	South Florida Nationals	Special Event	4,000
03/16/14	03/16/14	Battle of the Boutique Fashion Show	Special Event	25
04/06/14	04/06/14	CHEERSPORT Cheerleading Competition	Special Event	2,000
04/27/14	04/27/14	AIDS Walk Miami - 26th Anniversary	Special Event	2,800
05/15/14	05/18/14	Miami International Fashion Week	Special Event	7,000
05/17/14	05/17/14	Miami Dance Movement:Summer Workshop	Special Event	320
05/30/14	06/01/14	Showcase Miami 2014	Special Event	200
06/07/14	06/07/14	Americas Extreme Talent Reality Show Auditions	Special Event	10
07/11/14	07/13/14	IDOL Cheer Camp	Special Event	150
09/27/14	09/28/14	Jump Dance Convention	Special Event	1,600
10/01/13	10/03/13	Asia America Tradeshow	Trade Show	7,800
10/03/13	10/06/13	Jewelers International Showcase	Trade Show	12,000
10/10/13	10/10/13	SFI Condo & HOA Expo	Trade Show	800
10/28/13	10/29/13	17th America's Food & Beverage Show	Trade Show	4,000
01/11/14	01/13/14	Jeweler's International Showcase	Trade Show	10,600
01/16/14	01/16/14	Small Business Expo 2014	Trade Show	3,100
01/22/14	01/24/14	Informex	Trade Show	4,000
01/29/14	01/31/14	ITEXPO 2014	Trade Show	3,500
02/27/14	03/01/14	Graphics of the Americas	Trade Show	8,000
02/27/14	02/28/14	MiaGreen Expo & Conference	Trade Show	982
03/11/14	03/13/14	Cruise Shipping Miami 2014	Trade Show	11,000
03/19/14	03/21/14	Tissue World America 2014	Trade Show	1,833
03/24/14	03/29/14	Winter Music Conference	Trade Show	2,500
03/29/14	03/31/14	Jeweler's International Showcase	Trade Show	10,000
04/05/14	04/07/14	International Congress of Esthetics	Trade Show	6,387
04/08/14	04/10/14	Asia America Spring Tradeshow	Trade Show	3,000
04/10/14	04/10/14	2014 Spring SFI Condo & HOA Expo	Trade Show	850
06/09/14	06/13/14	LE Miami	Trade Show	800
06/19/14	06/21/14	China Sourcing	Trade Show	5,000
06/17/14	06/18/14	HostingCon	Trade Show	2,000
07/19/14	07/22/14	Swimwear Show 2015	Trade Show	10,000
08/06/14	08/08/14	FIME International Medical Expo	Trade Show	6,000
09/08/14	09/10/14	Asia America Tradeshow	Trade Show	2,000
09/16/14	09/17/14	HD Americas	Trade Show	2,000

Total Events: 134
Attendance: 737,954

FY 2013

Start Date	End Date	Description	Type	Attendance
11/02/12	11/03/12	Santiago-Cameron Wedding	Banquet	100
11/07/12	11/07/12	BNI South Beach	Banquet	100
12/06/12	12/06/12	Boca Raton Museum of Art	Banquet	30
12/06/12	12/06/12	American Patrons of Tate	Banquet	30
12/06/12	12/06/12	Citi Private	Banquet	30
12/07/12	12/07/12	Art Nexus	Banquet	15
12/07/12	12/07/12	Mt Holyoke College	Banquet	100
12/07/12	12/07/12	UBS	Banquet	30
12/08/12	12/08/12	George Washington University-Alumni House	Banquet	50
12/08/12	12/08/12	Washington University in St Louis	Banquet	100
01/06/13	01/06/13	Hebrew Academy Gala 2013	Banquet	340
01/26/13	01/26/13	LEO Awards	Banquet	650
03/29/13	03/29/13	Whole Foods Market Training & Job Fair	Banquet	0
05/09/13	05/09/13	Whole Foods Meeting	Banquet	0
05/23/13	05/27/13	Memorial Day MBP- Meal Services	Banquet	0
06/01/13	06/01/13	Miami Beach Senior High School Prom	Banquet	525
06/01/13	06/01/13	Miami Beach Chamber of Commerce Gala	Banquet	1,200
06/26/13	06/26/13	Miami Beach Chamber of Commerce- InCard Anniversary	Banquet	0
08/06/13	08/06/13	KOTRA Luncheon Presentation	Banquet	150
09/17/13	09/17/13	Pink Flamingo Awards Luncheon	Banquet	200
10/05/12	10/07/12	Miami Beach Antique Jewelry & Watch Show	Consumer Show	1,698
10/07/12	10/07/12	Healing Powers of Master Turyan	Consumer Show	450
11/09/12	11/18/12	South Florida Auto Show	Consumer Show	102,711
12/05/12	12/09/12	Art Basel Miami Beach	Consumer Show	70,000
12/28/12	12/29/12	Life in Color formerly DayGlow	Consumer Show	11,000
01/11/13	01/13/13	Franchise Expo South	Consumer Show	8,000
01/25/13	01/26/13	Nissan Total Health & Fitness Expo	Consumer Show	34,193
01/31/13	02/04/13	Original Miami Beach Antique Show	Consumer Show	16,181
02/14/13	02/18/13	Progressive Insurance - Miami International Boat Show	Consumer Show	100,689
02/23/13	02/23/13	South Florida Nationals	Consumer Show	4,000
03/22/13	03/24/13	Miami Home Design & Remodeling Show	Consumer Show	15,000
03/27/13	03/27/13	HLPAs Career Expo	Consumer Show	300
05/18/13	05/18/13	DUB Show Tour	Consumer Show	5,052
05/19/13	05/20/13	Miami Beach Beauty Show	Consumer Show	500
05/31/13	06/02/13	South Florida Boat Show	Consumer Show	5,000
06/28/13	06/30/13	Magic: The Gathering Grand Prix	Consumer Show	3,150
08/30/13	09/03/13	Miami Home Design & Remodeling Show	Consumer Show	21,000
08/30/13	09/02/13	Miami Beach Summer RV Show	Consumer Show	700
10/14/12	10/17/12	AFP Annual Conference	Convention	6,000
10/24/12	10/26/12	TCT 2012	Convention	11,763
03/02/13	03/05/13	American Academy of Dermatology Annual Meeting	Convention	19,488
09/23/13	09/26/13	Burger King Corporation	Convention	2,600
10/18/12	10/18/12	2012 Fall SFI Condo & HOA Expo	Meeting	1,000
11/07/12	11/07/12	The Setai Miami Beach	Meeting	150
11/10/12	11/10/12	The Education Fund	Meeting	550
11/14/12	11/15/12	Microsoft Q2: Season of Launch MIAMI	Meeting	430
11/16/12	11/16/12	1st International Vehicle Registration and License Plate Security Seminar	Meeting	20
01/18/13	01/20/13	2013 IMIA Conference	Meeting	500
01/28/13	01/30/13	XORCOM	Meeting	50
03/25/13	03/26/13	Annual Pregnant Women, Infants, & Toddlers Conference	Meeting	300

Start Date	End Date	Description	Type	Attendance
04/06/13	04/06/13	Andrew Wommack Ministries	Meeting	800
04/09/13	04/09/13	HydroPeptide Regional Training	Meeting	25
04/11/13	04/11/13	Douglas Elliman Meeting	Meeting	40
04/17/13	04/19/13	The Impact Conference @ Sustainatopia	Meeting	400
04/26/13	04/26/13	Diversity History Day	Meeting	400
04/27/13	04/27/13	Holistic Globe Networks	Meeting	300
05/15/13	05/15/13	AOHT Student Conference	Meeting	550
06/07/13	06/28/13	The New Generation Leadership	Meeting	230
06/27/13	06/27/13	GMCVB Marketing & Planning Retreat	Meeting	220
08/12/13	08/14/13	2013-2014 Annual Pre-Service Training Conference	Meeting	1,300
09/13/13	09/13/13	Adobe Photoshop Seminar Tour	Meeting	420
10/06/12	10/06/12	POWERADEZERO SHAUN T BOOT CAMP	Special Event	200
11/03/12	11/06/12	Qi Revolution Tour	Special Event	420
11/04/12	11/04/12	American Dance Awards Training	Special Event	100
11/09/12	11/11/12	Mama Gena's School of Womanly Arts	Special Event	350
11/17/12	11/18/12	Qi Production Meeting	Special Event	30
12/13/12	12/14/12	Magic City Hair & Make-Up	Special Event	100
12/15/12	12/16/12	Braco Gazing Seminar	Special Event	0
12/16/12	12/16/12	Children's Holiday Party	Special Event	500
12/30/12	01/06/13	Iglesia de Dios Church Service	Special Event	200
01/06/13	01/06/13	The BAMA Bowl Bash & VIP Dinner	Special Event	1,391
01/11/13	01/13/13	Braco Gazing Seminar	Special Event	2,111
01/12/13	01/13/13	Volleyball Tournament	Special Event	3,000
02/02/13	02/02/13	Beer Fest	Special Event	1,000
02/03/13	02/03/13	One of a Kind Collectibles Auction	Special Event	300
02/23/13	02/24/13	Volleyball Tournament	Special Event	3,000
03/11/13	03/12/13	Mounted Memories Signing	Special Event	15
03/18/13	03/22/13	Winter Music Conference	Special Event	1,975
03/20/13	03/23/13	Miami Beach International Fashion Week	Special Event	2,000
04/06/13	04/06/13	Forgiato Fest	Special Event	3,000
04/20/13	06/01/13	Celebrity Star Event	Special Event	400
04/28/13	04/28/13	AIDS Walk Miami 2013	Special Event	2,600
05/01/13	05/01/13	People United for Christ Seminar	Special Event	1,500
05/04/13	05/05/13	Relay for Life	Special Event	500
05/07/13	05/07/13	Chamber Joint Meeting	Special Event	0
06/04/13	06/04/13	High Tide on the Beach	Special Event	70
06/08/13	06/08/13	Promoter's Coalition	Special Event	0
06/08/13	06/08/13	The SoleXchange & Solefest Sneakers & Apparel Tradeshow	Special Event	600
06/08/13	06/08/13	Naam Yoga Class	Special Event	130
06/25/13	06/28/13	Political Institute for Women	Special Event	20
07/12/13	07/13/13	White Affair	Special Event	673
07/12/13	07/14/13	IDOL Cheerleading Showcase	Special Event	400
07/13/13	07/15/13	Miami Take Over 2013	Special Event	750
07/26/13	07/28/13	Salsa Dance Congress	Special Event	1,952
09/12/13	09/16/13	NACA Save the Dream Tour	Special Event	1,900
09/12/13	09/16/13	Wells Fargo Home Mortgage- NACA	Special Event	40
09/28/13	09/29/13	Jump Dance Miami	Special Event	1,200
08/07/13	08/09/13	FIME International Medical Expo	Trade Show	16,683
10/04/12	10/07/12	Jewelers International Showcase	Trade Show	9,000
01/19/13	01/21/13	Jewelers International Showcase	Trade Show	10,000

Start Date	End Date	Description	Type	Attendance
01/30/13	02/01/13	ITEXPO 2013	Trade Show	6,961
01/31/13	02/01/13	MIAGREEN Expo & Conference	Trade Show	3,698
03/12/13	03/14/13	Cruise Shipping Miami	Trade Show	10,000
04/06/13	04/08/13	Jeweler's International Showcase	Trade Show	8,409
04/07/13	04/08/13	International Congress of Esthetics	Trade Show	3,000
04/11/13	04/11/13	2013 Spring SFI Condo & HOA Expo	Trade Show	950
04/23/13	04/25/13	IDEA 2013	Trade Show	6,700
06/10/13	06/13/13	LE Miami	Trade Show	800
06/10/13	06/10/13	Oribe Hair Show	Trade Show	1,800
06/19/13	06/21/13	The International Floriculture Expo	Trade Show	5,000
06/25/13	06/27/13	China/India Sourcing	Trade Show	5,275
07/20/13	07/23/13	Swimwear Show 2014	Trade Show	9,000
08/25/13	08/26/13	Miami Beach Convention & Beauty Show	Trade Show	6,000
09/17/13	09/18/13	The Water Expo	Trade Show	350
09/24/13	09/25/13	HD Americas	Trade Show	2,800

Total Events: 115

Total Attendance: 589,663

APPENDIX E



MIAMI BEACH

Proposed Hotel Program Areas Form

PROCUREMENT DEPARTMENT
1700 Convention Center Drive
Miami Beach, Florida 33139

Proposed Hotel Program Areas Form

	Units	Square Feet	Average Size
Guest Rooms			
Standard	#	SF	SF
Suites	#	SF	SF
Hospitality Suites	#	SF	SF
Guest Support Areas		SF	
Subtotal	#	SF	SF
Meeting Facilities			
Ballroom		SF	
Jr. Ballroom		SF	
Breakout Meeting		SF	
Total Leasable		SF	
Support		SF	
Subtotal		SF	
Food & Beverage			
Outlet 1	Seats	SF	
Outlet 2	Seats	SF	
Outlet 3	Seats	SF	
Outlet 4	Seats	SF	
Parking			
	Spaces	SF	
Support			
Lobby		SF	
Office		SF	
Pool		SF	
Spa		SF	
Fitness			
Other		SF	
Subtotal		SF	
TOTAL SF		SF	

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R7

RESOLUTIONS

Condensed Title:

A Resolution Of The Mayor And City Commission Of The City Of Miami Beach, Florida, Approving Addendum No. 4 To Request For Proposals No. 2014-294-ME, For Design/Builder Services For The Miami Beach Convention Center Renovation And Expansion Project (Project).

Key Intended Outcome Supported:

Improve alliance with key business sectors, namely hospitality, arts & international business with a focus on enhanced culture, entertainment & tourism.
Supporting Data (Surveys, Environmental Scan, etc.): N/A

Item Summary/Recommendation:

On July 30, 2014, the Mayor and City Commission authorized the issuance of RFP 2014-294-ME for Design Builder Services for the Project (the "RFP"), pursuant to Section 287.055 of the Florida Statutes, commonly referred to as the Consultant's Competitive Negotiation Act (CCNA).

On November 19, 2014, the Mayor and City Commission approved Resolution No. 2014-28848, pertaining to the ranking of the proposals with respect to Phase I of the RFP selection process.

On December 18, 2014, the Mayor and Commission approved Addendum No. 3 to the RFP, providing certain clarifications with respect to the Phase II evaluation process, and incorporating the Design Criteria Package and the form of Design-Build Agreement for the Project.

On January 21, 2015, the City received notice that Hunt Construction Group was formally withdrawing from the RFP process, leaving only one qualified bidder – Clark Construction Group.

As a result of the aforementioned, the proposed Addendum No. 4 to the RFP, attached hereto as Exhibit "A," modifies the Phase II Evaluation Process (Section 00305) and Instructions to Proposers (Section 00300). In addition, it provides a description for Add Alternate 14 – Parking Canopies.

RECOMMENDATION
 The Administration recommends that the Mayor and City Commission authorize the issuance of Addendum No. 4 to RFP 2014-294-ME for Design/Builder Services for the Miami Beach Convention Center Renovation and Expansion Project.

ADOPT THE RESOLUTION.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:		Amount	Account
<div style="border: 1px solid black; width: 50px; height: 50px; display: flex; align-items: center; justify-content: center;"> OBPI </div>	1		
	2		
	3		
	Total		

Financial Impact Summary:

City Clerk's Office Legislative Tracking:

Maria Hernandez, Extension 7284

Sign-Offs:

Department Director	Assistant City Manager	City Manager
AD  MH 	MT 	JLM 

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City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: January 27, 2015

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING ADDENDUM NO. 4 TO REQUEST FOR PROPOSALS NO. 2014-294-ME, FOR DESIGN/BUILDER SERVICES FOR THE MIAMI BEACH CONVENTION CENTER RENOVATION AND EXPANSION PROJECT (PROJECT).**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

KEY INTENDED OUTCOME

Improve alliance with key business sectors, namely hospitality, arts & international business with a focus on enhanced culture, entertainment & tourism.

BACKGROUND

On July 30, 2014, the Mayor and City Commission authorized the issuance of RFP 2014-294-ME for Design Builder Services for the Project (the "RFP"), pursuant to Section 287.055 of the Florida Statutes, commonly referred to as the Consultant's Competitive Negotiation Act (CCNA).

On November 19, 2014, the Mayor and City Commission approved Resolution No. 2014-28848, pertaining to the ranking of the proposals with respect to Phase I of the RFP selection process.

On December 18, 2014, the Mayor and Commission approved Addendum No. 3 to the RFP, providing certain clarifications with respect to the Phase II evaluation process, and incorporating the Design Criteria Package and the form of Design-Build Agreement for the Project.

On January 21, 2015, the City received notice that Hunt Construction Group was formally withdrawing from the RFP process, leaving only one qualified bidder – Clark Construction Group.

As a result of the aforementioned, the proposed Addendum No. 4 to the RFP, attached hereto as Exhibit "A," modifies the Phase II Evaluation Process (Section 00305) and Instructions to Proposers (Section 00300). In addition, it provides a description for Add Alternate 14 – Parking Canopies.

CONCLUSION

The Administration recommends that the Mayor and City Commission authorize the issuance of Addendum No. 4 to RFP 2014-294-ME for Design/Builder Services for the Miami Beach Convention Center Renovation and Expansion Project.

Attachments:

Exhibit A – Addendum No. 4 to RFP No. 2014-294-ME

JLM:MT:MH:AD

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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING ADDENDUM NO. 4 TO REQUEST FOR PROPOSALS NO. 2014-294-ME, FOR DESIGN/BUILDER SERVICES FOR THE MIAMI BEACH CONVENTION CENTER RENOVATION AND EXPANSION PROJECT (PROJECT).

WHEREAS, on July 30, 2014, the Mayor and City Commission authorized the issuance of RFP 2014-294-ME for Design Builder Services for the Project (the "RFP"), pursuant to Section 287.055 of the Florida Statutes, commonly referred to as the Consultant's Competitive Negotiation Act (CCNA); and

WHEREAS, on November 19, 2014, the Mayor and City Commission approved Resolution No. 2014-28848, pertaining to the ranking of the proposals with respect to Phase I of the RFP selection process; and

WHEREAS, on December 18, 2014, the Mayor and Commission approved Addendum No. 3 to the RFP, providing certain clarifications with respect to the Phase II evaluation process, and incorporating the Design Criteria Package and the form of Design-Build Agreement for the Project; and

WHEREAS, the proposed Addendum No. 4 to the RFP, attached hereto as Exhibit "A," provides additional clarifications and submittal requirements with respect to the Phase II selection process, including updated Phase II Evaluation Criteria.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH FLORIDA, that the Mayor and City Commission hereby approve and accept Addendum No. 4 to RFP 2014-294-ME for Design Builder Services for the Miami Beach Convention Center Renovation and Expansion Project ("Project") attached hereto as Exhibit "A."

PASSED and ADOPTED this _____ day of January, 2015.

Philip Levine, Mayor

ATTESTED BY:

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION


City Attorney

1-22-15

Date



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov
 PROCUREMENT DEPARTMENT
 Tel: 305-673-7490 Fax: 786-394-4002

ADDENDUM NO. 4
REQUEST FOR PROPOSALS NO. 2014-294-ME
 FOR DESIGN-BUILDER SERVICES FOR THE MIAMI BEACH CONVENTION CENTER RENOVATION
 AND EXPANSION PROJECT (THE "RFP")
 January __, 2015

This Addendum No. 4 to the above-referenced RFP is issued by the City to make certain clarifications and revisions as specified herein. The RFP is amended in the following particulars only.

1. MODIFICATION: Section 00305 – Phase II Evaluation Process

The Phase II evaluation process is hereby amended in its entirety and replaced with the following:

The City Manager shall evaluate the proposal based on the following Evaluation Criteria:

- The Guaranteed Maximum Price for the Base Bid and Add Alternates;
- Recommended Voluntary Alternate Proposals;
- Project Schedule;
- Organization Plan/Personnel;
- Approach & Methodology Plan;
- Construction Logistics Plan;
- Key Construction Subcontractor Experience; and
- Commitment to Achieve LEED Gold Certification with no ongoing cost to the City.

In performing his evaluation, the City Manager may request technical review of the proposal by City staff and advisors including, without limitation, the Design Criteria Professional (Fentress Architects), the City's retained Owner's Representative (Hill International, Inc.), and other City-retained MBCC Project consultants. The technical review may include an interview of the proposer, and recommendations with respect to potential acceptance of any Voluntary Alternate Proposals, if any.

The City Manager may also take into account Section 2-369 of the City Code, including the following considerations:

- a) The ability, capacity and skill of the proposer to perform the contract.
- b) Whether the proposer can perform the contract within the time specified, without delay or interference.
- c) The character, integrity, reputation, judgment, experience and efficiency of the respondent.
- d) The quality of performance of previous contracts.
- e) The previous and existing compliance by the proposer with laws and ordinances relating to the contract.

Upon conclusion of his evaluation (including consideration of any input from the aforesaid City staff and consultants' technical review), the City Manager shall make his written recommendation to the City Commission, which recommendation may be to authorize negotiations with the proposer or to reject the proposal in accordance with Section 2-367 of the City Code.

Except as specified herein, all references in the RFP and Addenda related to the Phase II Evaluation Committee and scoring are hereby deleted in their entirety.

2. MODIFICATION: Section 00300 – Instructions to Proposers

Section 5 is hereby amended as follows (additions are underlined; deletions are strike-throughs):

Determination Of Award: Pursuant to F.S. 287.055, the City shall first consider the qualifications of firms through the process outlined in Section 0305, Evaluation of Process. The Evaluation of proposals shall proceed in a two-phase process:

- A. Phase I – Proposals will be evaluated in accordance with the criteria established in Section 0305 for Phase I Evaluation. Following the Phase I Evaluation Process, the City Manager may recommend to the City Commission on or more respondents to be considered in Phase II. The number of respondents recommended to be short-listed for consideration in Phase II is solely at the discretion of the City Manager.
- B. Phase II – Short-listed Proposals will be evaluated in accordance with the criteria established in Section 0305 for Phase II Evaluation.

~~The results of both Phase I and Phase II evaluations will be considered by the City Manager who may recommend to the City Commission the respondent(s) he deems to be in the best interest of the City, or may recommend rejection of all responses. The City Manager's recommendation need not be consistent with the scoring results identified herein and takes into consideration Miami Beach City Code Section 2-369, including the following considerations:~~

- ~~f) The ability, capacity and skill of the proposer to perform the contract.~~
- ~~g) Whether the proposer can perform the contract within the time specified, without delay or interference.~~
- ~~h) The character, integrity, reputation, judgment, experience and efficiency of the respondent.~~
- ~~i) The quality of performance of previous contracts.~~
- ~~j) The previous and existing compliance by the proposer with laws and ordinances relating to the contract.~~

The City Commission shall consider the City Manager's recommendation for each phase and may approve such recommendation. The City Commission may also, at its option, reject the City Manager's recommendation and select another proposer (or proposers) and take such other action which it deems to be in the best interest of the City, ~~or it may also including, but not limited to rejection of all proposals. all responses.~~

~~Once the Phase II ranking is approved by the City Commission, the City will enter into contract negotiations with the top ranked firm. If the City and selected firm cannot agree on contractual terms, the City will terminate negotiations and begin negotiations with the next ranked firm, continuing this process with each firm in rank order until agreeable terms can be met or the procurement is terminated. In the event the City Commission authorizes contract negotiations with the proposer, such contract negotiations and execution will take place as quickly as possible after selection.~~

3. ADDITIONAL REQUIREMENT: Section 00315 – Phase II Response Format “ADD ALTERNATES” (Tab 8)

The Design Criteria Package included 13 Add Alternates. Below the specification for Add Alternate No. 14: Parking Canopies:

Base Bid: Do not provide parking canopies as shown on Architectural Drawings A2600, A6101, the referenced drawings noted on these plans and other applicable drawings. Do not provide lighting affixed to canopies as shown on Electrical Drawing Series E3400 and E3500, but do provide power at locations shown terminating at the top of the concrete base of the canopy columns. Do not provide parking canopy structure as shown on Structural Drawing Sections 21 & 22 on S5005.

Do provide concrete pedestal as shown in Structural Detail 18 on S5005. Provide coordination with Owner’s other contractor(s) providing the above scope of work and installation of photo voltaic or other energy-efficient panels.

Add Alternate: Provide Parking Canopies as shown on Architectural Drawings A2600, A6101, referenced drawings noted on these plans and other applicable drawings. Provide lighting as shown on Electrical Drawing Series E3400 and E3500. Provide parking canopy structure as shown on Structural Drawing Sections 21 & 22 on S5005 and Detail 18 on S5005.

All responses to questions or requests for clarifications, including any updates/clarifications to the form of Agreement, shall be sent to the Proposers in the form of an addendum. Any questions regarding this Addendum should be submitted **in writing** to the Procurement Management Department to the attention of the individual named below, with a copy to the City Clerk’s Office at RafaelGranado@miamibeachfl.gov

Contact: Maria Estevez	Telephone: 305-673-7000 ext. 7490	Email: mestevez@miamibeachfl.gov
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Proposers are reminded to acknowledge receipt of this addendum as part of your RFP submission.

Sincerely,

Alex Denis
Procurement Director

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