

Business Operations
J.E. Surash, P.E., Chief Business Officer

**SUBJECT: REQUEST FOR AUTHORIZATION FOR THE SUPERINTENDENT
TO FINALIZE A REQUEST FOR PROPOSAL FOR THE [REVIS D
COMMERCIAL DEVELOPMENT OF A BOARD-OWNED
PARKING FACILITY LOCATED AT 1302 N.E. 2 AVENUE, MIAMI,
FLORIDA**

COMMITTEE: FACILITIES MANAGEMENT

Background

At its meeting of November 19, 2003, the Board directed the Superintendent to initiate a Request For Proposal (RFP) for the possible commercial development of any or all existing Board-owned parking facilities in the vicinity of the School Board Administration Building (see location map), with the RFP criteria for the parcel located adjacent to the Performing Arts Center (parcel "A"), to be brought to the Board at its December meeting. It is staff's recommendation that the following RFP criteria, at a minimum, be established as the basis for the RFP, and that additional criteria be included as necessary to assure compliance with Risk Management, Legal, Finance, District Office Operations and other various staff department requirements.

Proposed minimum RFP criteria

The proposed minimum RFP criteria for commercial development of the site is:

- the proposer shall construct a parking garage on parcel "A", and shall make a minimum of 750 spaces available for District use, at no cost to the Board. In addition to the garage, the proposer may construct a mixed-use facility consisting of retail store space, office space and/or residential rental space; REVIS E
- the proposer is to include a mechanism to provide additional parking spaces to the District, at no cost, as staff levels increase from their current level over the term of the agreement;
- the proposer is to include a general description of terms and conditions of a proposed ground lease and parking garage management agreement (if applicable) between the proposer and the Board. Provisions shall include, at a minimum: proposed duration of the agreement(s); renewal provisions, if any; proposed annual remuneration to the District; maintenance of facility, grounds and equipment; provision of utilities; provision of building security; proposed use of premises; provision of liability insurance, in an amount of no less than one million dollars,

naming the Board as an additional insured; and indemnification of the Board from all liability which may arise as a result of the construction and operation of the facility;

- the proposer is to include any additional economic incentives to compensate the District for the long-term use of Board-owned land;
- the proposer shall be responsible for any and all costs associated with the construction and operation of the parking garage and mixed-use facility including, but not necessarily limited to, insurance, maintenance, custodial, utilities and security costs;
- the proposer or its designee shall retain all responsibility for the daily operation of the parking garage, with all proceeds derived from the management and/or operation of the parking garage to be collected by the proposer;
- the proposer shall establish an operating schedule and parking rates for the parking garage. However, the parking garage shall be available, free of charge, to District staff and visitors at all times that the School Board Administration Building (SBAB) is open or available for business, or required by District staff for work related purposes. Notwithstanding the above, the proposer may submit a proposed reduced quantity of reserved District parking spaces, from the minimum of 750, for the period after 6:00 p.m. on normal work days;
- at any time that any or all existing District parking facilities on parcel "A" are rendered unusable to District staff and visitors due to construction related activities, the proposer shall provide comparable parking facilities to the District, in close proximity to parcel "A", at no cost to the District;
- the proposed new parking garage shall be connected to the adjacent School Board Administration Building by a "sky-bridge", similar to those connecting other Board-owned buildings in the complex;
- other than providing parcel "A" under a long-term lease agreement, the District shall provide no funding or other economic incentives towards the construction of the parking garage;
- ownership of the parking garage and all improvements constructed on parcel "A" shall revert to the Board at the expiration, termination or cancellation of the agreement, and the proposer shall construct all improvements located on parcel "A" in a self-contained and free-standing manner so as to assure compliance with this provision. Furthermore, the proposer shall structure all leases or other legal encumbrances it may enter into for retail store space, office space or residential rental space, so that the term of same does not extend beyond the term of its agreement with the Board for use of parcel "A". In the event the Board elects to sell parcel "A" prior to the end of its agreement with the proposer, the Board agrees to

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make such a sale contingent on the purchaser of parcel "A" assuming the Board's obligations under the agreement for the balance of the term of the agreement; ADDED

- the proposer shall indemnify, defend and hold the Board harmless from all liability which may arise as a result of the proposer's construction and operation of the parking garage, and
- the Board shall review the terms and conditions proffered by the successful proposer and may, at its sole discretion and without penalty, choose to not enter into an agreement for the commercial development of the site.

In order to be considered for this project, in addition to addressing the above criteria, each proposer will be required to provide documentation relative to the following: experience and qualifications in building/operating large commercial parking garages; organization structure and staffing; proposed implementation plan and schedule; Joint Venture Agreement (if proposer is a joint venture); a minimum of three (3) professional/business references; Minority/Women Business Enterprise utilization; and financial capability. Each of the proposers responding to the RFP will be required to make a presentation to a selection committee. The selection committee will, in turn, make a recommendation to the Board for authorization to enter into an agreement to allow commercial development of the site. The proposed members of the selection committee are:

- Chief Business Officer or designee
- a representative from the Division of Business Development and Assistance
- Interim Assistant Superintendent of Facilities, Operations and Maintenance or designee
- Chief Financial Officer or designee
- a representative from the Office of Risk and Benefits Management
- School Board Attorney or designee (non-voting)
- a representative from the Performing Arts Center (non-voting)
- a representative from District Office Operations
- a representative from the Office of Capital Improvement Projects
- a representative from Procurement Management Services (non-voting)

The estimated timeline for implementation is as follows:

Procurement Contract Review Committee	December 4, 2003
Request Board approval to finalize RFP and approval of Selection Committee	December 10, 2003
Board authorization to issue RFP.....	January 14, 2004
Mailing of RFP.....	January 15, 2004
Pre-proposal Conference	January 29, 2004
Opening of Proposals	March 11, 2004
Evaluations by Selection Committee.....	March 19, 2004
Oral presentations (if required).....	March 24, 2004
Contract Award (tentative).....	April 14, 2004

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Because of the time sensitive nature of issuing the RFP for parcel "A", it is recommended that the Superintendent be directed to finalize the RFP, in substantial conformance with the above criteria, and to bring the proposed final version of the RFP to the Board, at its meeting of January 14, 2004, for final review and authorization to issue the RFP.] REVISION

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, authorize the Superintendent to:

1. finalize a Request For Proposal for the commercial development of a Board-owned parking facility located at 1302 N.E 2 Avenue, Miami, Florida, with RFP criteria to conform, substantially, to the terms noted above, and bring the proposed final version of the RFP to the Board, at its meeting of January 14, 2004, for final review and authorization to issue the RFP;] REVISION
2. bring the results of the RFP, along with a recommendation for further action, to the Board at a future Board meeting for comment and direction; and
3. approve the selection committee listed above to evaluate proposals submitted.

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