



# Development Opportunity

**Issue Date:** September 3, 2021

**Title:** **CATALYTIC OPPORTUNITY SITES – 2021**

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## SECTION 1. GENERAL INFORMATION

- 1.1 The City of Ocala requests qualified development teams to submit proposals for consideration for any or all of the available catalytic opportunity sites described in Section 4.
- 1.2 All terms and conditions of this request, any addenda, proposer's submissions, and future negotiated terms are incorporated into the contract by reference as set forth herein.
- 1.3 All dates and information contained herein may be extended, changed, or updated within the listing at [www.bidocala.com](http://www.bidocala.com). **Proposers are responsible for verifying all listing information before submitting a response to the solicitation.**
- 1.4 **ANTI-LOBBYING:** Any bidder/proposer violating anti-lobbying in Section 7 will have their proposal rejected and will not be considered further.
- 1.5 **ANTI-COLLUSION STATEMENT/PUBLIC DOMAIN:** Proposer shall not divulge, discuss, or compare this Request for Proposal with any other proposer or collude with any other proposer in the preparation of this response in order to gain an unfair advantage in the award of this contract. By submitting a response, Proposer acknowledges all information contained herein is part of the public domain as defined in the Public Records Act, Chapter 119, F.S.

## SECTION 2. TIME SCHEDULE

- 2.1 The City will attempt to use the following time schedule:

Description	Date and Time
<b>Development proposals accepted until</b>	<b>November 30, 2022 2:00 PM</b>
Proposals will be considered promptly upon receipt	
City Council Approval Date	<b>TBD</b>

*NOTE: These dates are estimated dates only and subject to change.*

- 2.2 The City will receive submittals until the time and date cited in Section 2.1. Proposers shall submit one (1) complete submittal package to [cmfitsemons@ocalafl.org](mailto:cmfitsemons@ocalafl.org) for evaluation. Responses received by any other method will not be considered.

## SECTION 3. OVERVIEW AND PROJECT SUMMARY

### 3.1 Recent History of Downtown and Midtown

In 2004, the City approved a Downtown Master Plan that identified numerous public and privately owned sites that were classified as catalytic opportunity sites for the revitalization of the city's downtown core. Several public/private initiatives followed without success and in 2007 the great recession took hold impacting Ocala in ways more severe than many parts of the country or the state. Interest in development or reinvestment in the downtown did not resume until 2015 and is continuing throughout the City and surrounding Marion County.

The recent infusion of public and private investment with an improving economy, and the implementation of several innovative renovation grants, has spurred additional private interest and investment in other building renovations aimed at providing new retail, residential and office offerings in the downtown. In addition to greatly enhancing the quality of life for its residents, these progressive and highly competitive steps have had a profound effect on making Downtown Ocala a "destination" location. The city now offers robust, regular entertainment, numerous cultural, retail and restaurant offerings that now consistently attract a discretionary spending draw from a surrounding 75-mile radius.

In April of 2016, the City of Ocala issued a request for Letters of Interest for the preparation of a Midtown Master Plan (the "Plan"). A map showing the boundary and location of Midtown in relation to surrounding areas of the city is attached as **Exhibit A – Midtown Location Map**. Midtown is an area with several dominant uses: professional office, judicial, retail, social service, a historic residential district, cultural arts, institutional and light manufacturing. As it relates to office and retail uses, higher than average vacancy, mobility limitations, and a lack of reinvestment have resulted in an environment that may give a casual observer the impression that social service impacts are overly dominant and have had a dampening effect on street and vehicular activity.

City Council approved the final Plan on June 6, 2017, the Plan is attached as **Exhibit B – Midtown Master Plan**. Interested proposers are strongly encouraged to study and understand the Plan and, after thorough review, contact city staff for additional background information or to clarify any information contained in the Plan.

This Development Opportunity is relative to the currently available City-owned catalytic opportunity sites identified in Midtown Ocala.

Foundationally, the Plan provides proposers with existing condition information, Midtown's missions and goals, land use and development concepts, supporting strategies to further improve Midtown and a priority listing of implementation steps for the city and its partners to follow in order to fully reach the results this Plan now envisions. While the selected proposers and property owners work to implement those portions of the Plan that fulfill their development goals, the city will earnestly and methodically work to implement the mobility and connectivity enhancements needed to support many of the other development strategies in the Plan.

This Development Opportunity seeks to obtain proposals from experienced developers or teams of niche developers for creative and sustainable mixed-use development and/or the specific use development for

the available sites. Market interest and successful development of the publicly owned sites may interest the owners of the private catalytic opportunity sites to consider private external interest in the potential redevelopment or maximization of their holdings. All of the identified catalytic opportunity sites are located in a subarea of a qualified Community Redevelopment Area (CRA). As such, the various tools afforded by this designation will be used, as justified, to assist proposers and the city achieve the desired goals.

The Development Opportunity attempts to provide insights and guidance for proposers and architects in the hopes of receiving proposals that offer practical solutions, ideas and development that follow key mixed-use design principles. Precedent images, architectural mock-ups and sample, relevant pro forma analyses are offered for each catalytic opportunity site in the Plan. For the purposes of this Development Opportunity, the "Project Area" includes the four publicly owned properties for which development proposals are sought.

As referenced in the Plan, these sites have specific desired mixed-use development criteria; others have specific development needs while other sites are open to highest and best use proposals. Information pertaining to the sites for which proposals were received remains in this document to show proximity to the remaining sites and the potential for complimenting and synergistic development of the remaining available catalytic sites.

Over the past decade, the City has commissioned a variety of studies that examined the desired and potential development for properties in the Downtown and Midtown as a whole.

Proposers are encouraged to review the exhibits that are provided with this Development Opportunity for the *2004 Downtown Ocala Master Plan* (Exhibit C), the *2010 Ocala 2035 Vision Plan* (Exhibit D), *Vision Based Comprehensive Plan* (Exhibit E), *Central Business Zoning District (B-3)* (Exhibit F), *2010 Downtown Parking Master Plan* (Exhibit G), and the *2013 Gibbs Downtown Retail Study* (Exhibit H).

The Downtown Master Plan and the Ocala 2035 Vision Plan offer insights of the desired level of development intensity and uses that have been previously supported by City Council and the community. The Downtown Parking Master Plan offers insight to parking capacities, forecasts, challenges, and possible solutions. The 2013 Gibbs Downtown Retail Study offers analysis and insight of the retail challenges and opportunities present in our downtown along with quantified estimates of the types and amounts of new mixed-use development that appear economically supportable. Proposers should carefully consider the current validity of the previous forecasts and the recommendations and conclusions provided in those documents. While City Council is not bound to the historical recommendations contained in any of these previous studies, much of the information remains valuable and relative to today's market.

### 3.2 Additional key data and proposal options

As it relates to the city owned sites, City Council is not opposed to the receipt of proposals that offer unconventional or emerging trend designs, uses, funding alternatives or other development concepts that were not envisioned at the time of the aforementioned studies or contemplated in the Midtown Master Plan as long as those deviations complement the existing architecture and businesses, achieve the desired development goals and are economically feasible for the City to consider further exploration. However, economically feasible, attractive, and smart residential development components on sites that work in concert with other mixed uses and the surrounding area are very strongly preferred.

In addition to the analysis provided by Economic & Planning Systems, as part residential visioning and pro forma data included in the Plan for sites 1&2 (Fire Station and Concord Lot), the city retained Zimmerman/Volk Associates, Inc. (ZVA). ZVA is a nationally recognized expert on the market feasibility of redevelopment and new urbanism. A link to their website can be found at <http://www.zva.cc/>. ZVA performed an even deeper analysis of residential market potential for sites 1&2. Because housing elements are the city's number one development desire for Midtown, it is critically important that the city and the proposer have an accurate understanding of these catalytic site's most desired housing types, acceptable price points, optimum square footages and finishes, target consumer groups, associated income levels and likely draw areas. The completed study results are attached as **Exhibit I-Residential Market Potential Analysis**. The city will rely heavily upon on this data in its review of any proposal submitted to determine if proposal sections pertaining to housing elements are in sync with this fine-tuned housing data. The proposer must submit sufficient data that unequivocally supports the viability of their proposed development.

Additionally, proposers should clearly demonstrate that they have a sound understanding and experience with implementing mixed-use concepts, a demonstrated understanding of market preferences and dynamics, and if applicable, strong, successful experience in adaptive reuse.

Beginning in the early 1990s, the Downtown subarea of the CRA began using annual Tax Increment Finance (TIF) revenue to fund upgrades to infrastructure, encourage façade improvements, remove blighted buildings, and spur residential development close to the Downtown core. Other funding sources including grants have been used to fund streetscape and lighting improvements throughout the CRA. In 2015, \$2.0 million dollars in CRA funds were applied to the construction of the new \$5.6 million-dollar parking garage.

The Osceola Trak is a linear park that extends along Osceola Avenue between SE 3<sup>rd</sup> Street and NE 5<sup>th</sup> Street. The purpose of the linear park is to provide connection, in a recreational form, of the downtown to the cultural arts district in Tusawilla Park. Among other aspects, key to the success of the linear park will be its perceived safety, comfort, effective crossing at State Road 40 and supporting features that will draw pedestrians to and through the connecting trail. The Osceola Trak design concept is attached as **Exhibit J**.

### 3.3 Incentives

The City of Ocala is looking for development projects that do not rely on City incentives to make the project feasible. The City is not looking to be an equity partner in any single project rather, providing appropriate incentives that assist in the development of the project and provides public benefits to the citizens of Ocala. The City is willing to consider developer incentives if justifiably needed.

Suggested and required incentives must be identified and quantified for each site submitted by the proposer. The rationale for each incentive desired must be explained sufficiently to justify its particular need. The City will not consider incentives requested as compensation for risk. Incentives must be tied to the project's economic feasibility and the proposer's ability to develop the improvement. The City does not have the ability to provide short-term cash incentives. When necessary, proposers should carefully consider incentive options that would provide long-term but equivalent return to the proposer that are based upon win/win scenarios for the proposer and the City.

The City will consider appropriate incentives such as permitting assistance, city impact fee waivers, land donation, public infrastructure improvements, and Community Redevelopment Area grant assistance.

Additional incentives will be reviewed on a case by case basis. Generally, the City desires to sustain a fiscally responsible approach to providing incentives for catalytic sites to ensure the greatest amount of impact for the City and its residents. Therefore, the City will strive to provide incentives not to exceed 10% investment and/or a five-year return on investment as calculated by ad valorem tax and electric utility revenue for a catalytic project.

#### SECTION 4. SCOPE OF WORK

- 4.1 Each site proposal should outline the conceptual design and intended use details of the proposed development. Proposers should be able to provide estimated square footage amounts that will be developed for each type of use. When applicable, proposers should reference how their proposed development is in sync with existing and surrounding development and with the various city report data referenced above or how the proposed project otherwise specifically achieves the overarching city goals. For development concepts that are not in sync with the city report data, the proposer should provide sufficient justification for why their proposal addresses equally important needs not previously envisioned with evidence the proposed development will be economically successful and sustainable.
- 4.2 **Proposals can include projects for any, and all sites, but not separately as a component of a site.** Proposed development of a catalytic opportunity site must include the necessary expertise and capacity of a proposer or team of proposers to complete the entire development of the site within a contractual time-bonded framework.
- 4.3 **Sites:** The sites listed below are part of this solicitation. Each site indicates current availability to receive development proposals. Sites currently unavailable will remain in the solicitation.

### Concord Lot

**STATUS: Site available**

This 1.15-acre city-owned property abuts NE 2nd Street to the north, NE 1st Street to the south, NE 1st Avenue to the east, and the historic seven-story Sovereign Building to the west across N. Magnolia Avenue. The property is currently used as a surface parking lot with no buildings. Historically, this was the site of the city's main post office and was a primary generator of activity for most surrounding development. The site is zoned Form Based Code (FBC) with a designated land use of High Intensity/Central Core. The FBC allows for density to be calculated based on FAR rather than unit density. The FAR is 8.0 within the High Intensity/Central Core land use designation. The total square footage of the site is approximately 50,094. The site is located in the parking exempt zone. If a proposer wishes to provide onsite parking, standard parking dimensions are 9.5 wide by 19 feet in depth however can be reduced to 9 wide by 17 feet in depth due to the site location within the High Intensity/Central Core. The property is located in the Downtown CRA. The FBC is attached as **Exhibit K-Form Based Code**.

The City is seeking sustainable mixed-use development for this parcel to include any combination of the following preferred mixed uses: retail, residential, restaurant, office, entertainment, or cultural. If allowable, the inclusion of an appropriately scaled green space element is preferred. As indicated above, although this parcel is in a parking exempt zone, proposers of the site shall include onsite structured or surface parking as part of their

proposal. Development of this site will displace much current parking use and create additional pressure for even more parking. Proposers can incorporate areas outside of the site such as parking spaces, rights-of-way, other properties, etc. in their proposals.

As a mixed-use product, proposers should carefully consider how the development will contribute and increase connection and associated draw to and from the evolving nearby downtown core, and the geographical areas and many public improvements that border Midtown in all directions. Proposers should carefully consider how the development will contribute to a vibrant street life and a pedestrian oriented public realm with a variety of amenities. Public restrooms are also preferred. Each building should be aesthetically attractive and provide an accessible, safe environment.

Buildings shall be located close to the street to create a defining street wall with parking occurring on-site, in structured parking or behind buildings. All building elevations that front on a street shall be considered primary facades with a public building entry. For retail applications, the first-floor façade shall have a high proportion of windows (transparency) to encourage pedestrian activity. Activation of the pedestrian realm is critically important and proposals should address how activation will occur. Proposers should also carefully consider and demonstrate how the combination of particular mixed uses is compatible and will create optimum synergy between the mixes of uses. Proposers should clearly indicate each type of use they envision on the property, the approximate square footage for each use, the approximate location of the use on the property, and the timeframe of when each use will be developed within the total development cycle envisioned for the site.

## City Lot #6\*

### STATUS: **Site available**

The City of Ocala hereby gives notice of its intent to dispose of public property within its Downtown Ocala Community Redevelopment Subarea, and to invite proposals from qualified developers for the redevelopment of Parcel# 2854-042-000 (City Lot #6). All pertinent information will be made available to persons interested in redeveloping the property pursuant of Florida Statute §163.380, and consistent with the Downtown Ocala Community Redevelopment Subarea Plan, Downtown Master Plan and Midtown Master Plan.

The City of Ocala and the Ocala Community Redevelopment Agency envisions City Lot #6, as a catalytic site for private sector development of a multi-level parking structure or mixed-use development with supporting development infrastructure. This 1.16-acre parcel is currently used as a surface parking lot; owned and managed by the City of Ocala. Respondents may submit proposals for construction of a parking garage that offers between 600 and 700 parking spaces. Other preferred options which may be incorporated in the development of a parking garage include mixed-use components such as retail, residential, office and conference space. Public restrooms are also preferred. If a mixed-use development project is proposed, parking accommodations on the site must be included in the proposal. Although the site resides along a parking exempt street type, the existing parking infrastructure is not sufficient to meet the needs of a solely mixed-use development.

The property is located within the boundaries of the downtown Form Base Code (FBC) and a parking garage and/or mixed-use development is a permitted use at this location. City Lot #6 is within walking distance to several other vacant catalytic sites in the Midtown area. City Lot #6 is also in walking distance to the Marion County Judicial Center, existing and emerging businesses, the Downtown Square, Osceola Trak and the Tuscowilla Park



and Cultural Arts District. It is anticipated a proposed parking structure will offer paid, leased, and reserved parking.

*\*A minimum 30-day notice requirement for this CRA parcel is established by Florida Statutes; however, the City provided a 45-day period Notice. Submittal deadline was Wednesday, August 21, 2019 by 2:00 PM, no proposals were received. The Ocala City Council and the Community Redevelopment Agency reserve the right to reject any future proposals and re-notice the property, or to take any other action deemed to be in the best interests of the City and the Community Redevelopment Agency as provided for by statute.*



## American Legion Building

**STATUS: Site NOT available**

This 7,276 square foot building is embedded in the heart of Tusawilla Park and is within easy walking distance to the catalytic redevelopment sites identified in the Midtown Master Plan. This building was constructed in 1933, only 16 years after the construction of Tusawilla Park, and the building is an attractive historical reminder of the park's inception. A floor plan and pictures of this building are attached as **Exhibit M – American Legion Floor Plan and Pictures**.

The building is surrounded by Lake Tusawilla to the west, tennis courts to the north, open park space to the south, and NE 7<sup>th</sup> Avenue to the east. The building has been kept in good condition and is currently vacant.

The City is interested in leasing the building to a user interested in repurposing the building as an eating and drinking establishment, catering business, or events venue. A complementing and supporting retail component may also be added. At the present time, there are no other competing uses or the availability of non-event regular provisioning of food or drink for this high public utilization area. Alterations or additions to the building by the lessee are permissible, but some of the aspects of the building's historical character shall either be retained as they exist or restored to their original form at the end of the user's lease period. The aspects to be retained shall be determined during negotiation of a lease, but could include floors, walls, and/or the fireplace in the large meeting room. The City is not interested in

very long-term leases but is sensitive to the required lease period a lessee will need to recover capital investments in the property. The duration of any negotiated lease will be balanced by the value of the improvements proposed.

The City is also interested in improving access to Tuscahill Park and to this site by extending NE 6<sup>th</sup> Street from NE 8<sup>th</sup> Avenue to NE 7<sup>th</sup> Avenue/Sanchez Avenue, restricting NE 7<sup>th</sup> Avenue to pedestrian traffic only north of NE 6<sup>th</sup> Street, and converting NE 7<sup>th</sup> Avenue to a two-way road south of NE 6<sup>th</sup> Street. The city is also interested in a parking lot being constructed in an open space on the south side of the building. These improvements would make the site much easier to access from NE 3<sup>rd</sup> Street or SR 40 to south, and from NE 8<sup>th</sup> Avenue to the east. In addition, people will be able to walk to the site from many of the arts and recreation-related attractions in Tuscahill Park.

Tuscahill Park, built in 1917, is programmed with an outdoor stage, tennis courts, playground equipment, basketball courts, picnic shelters, public restrooms, and a baseball field. Tuscahill Park is also the home of the Reilly Arts Center, Discovery Center, and the Ocala Outdoor Sculpture Competition. It is adjacent to Ocala Union Station, which will soon house the Magnolia Art Xchange (MAX) art incubator, and the Tuscahill Art Park.

Proposers are encouraged to review the Midtown Master Plan and the Tuscahill Park Master Plan to review improvements that have already been implemented in this area and the other envisioned improvements planned for this area. This site is within the Community Redevelopment Area – Downtown Subarea so a number of redevelopment tools and a dedicated reoccurring funding source is available through the year 2028 to continue revitalization of the area.

## Microbrewery Residential/Retail Component

**STATUS: Site NOT available**

The City negotiated a microbrewery as shown the illustration below and is seeking proposals for a residential/retail/commercial component of this redevelopment project which would result in a pedestrian-oriented public/private realm with a variety of amenities. Each building should be aesthetically attractive and provide visible and direct access to the public realm or ROW. This site has an ascending north to south slope and proposers should carefully consider how building placement and design may maximize vista benefits and attractors, as well as management of storm water drainage and flows. Storm water capacity is available in the ponds at Lake Tuscahill. Building architecture should be complementary to the best examples of historic buildings in the Tuscahill Historic District, Tuscahill Park and Downtown Ocala. According to the Form-Based Code, buildings in this area shall be built 11' from the curb, and the open space shall be screened with a street wall or dedicated to the pedestrian realm. The aim is to create a defining street wall with parking occurring on-site, within structured parking or behind buildings. All building elevations that front on a street shall be considered primary façades.

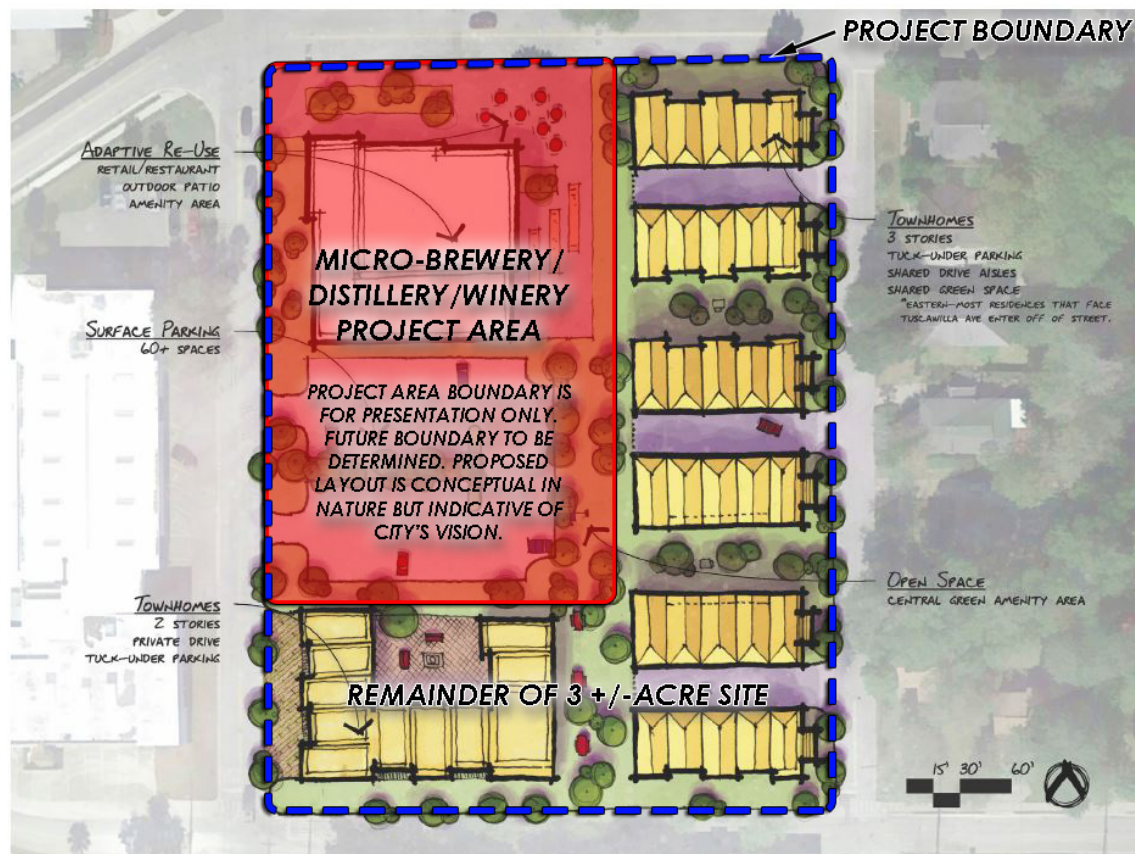
For retail applications, the first-floor façade shall have a high proportion of windows (transparency) to encourage pedestrian activity. Proposers should also carefully consider and demonstrate how the combination of a particular mix of uses is compatible and will create optimum synergy between the mixes of uses. Proposers should clearly indicate each type of use they envision on the property, the approximate square footage for each use, the approximate location of the use on the property, and the timeframe of when each use will be developed within the total development cycle envisioned for the site.

The 2017 Midtown Master Plan identified this site as a key catalytic site for redevelopment. This property presents numerous adaptive reuse and development opportunities. Of the catalytic sites, this site is enviously positioned to capture the best views and access to Tuscahill Park and its water bodies. It abuts the Tuscahill Historic District and is one of the key activity points for the Osceola Trak.



The entire 3-acre city-owned property (composed of 7 parcels) abuts NE 3rd Street and Tuscawilla Park to the north, NE 2nd Street to the south, NE Tuscawilla Avenue and the Tuscawilla Historic District to the east, and NE Watula Avenue to the west. Four parcels on the northern side of the block contain a decommissioned City of Ocala fire station, a separate recreation and parks administration building, and a small parking lot with 11 spaces. The designated future land use is High Intensity/Central Core with a minimum density of 12 units per acre or 0.20 FAR and a maximum density/intensity of 8.0 FAR. The block lies in the City's new Form-based Code Zoning District (FBC), refer to **Exhibit J-Form Based Code**.

The FBC is a flexible zoning district based on design more than uses. It mandates no parking minimums, but places emphasis on the transitions between the public and private realms. The total area of the site is approximately 130,680 square feet. Standard parking dimensions are 9.5 feet wide by 19 feet deep and a slight reduction of those dimensions is possible based upon other design criteria which will be determined at site review. The property is located in the East Ocala CRA. The city block has an approximate 8-foot grade change from south to north. The need for onsite storm water retainage is not anticipated for this development request.



*Exact site boundaries will be determined during negotiations.*

The property was cleared of several houses recently and the only remaining onsite active improvements are the two above-referenced buildings and a parking area. The Fire Station operation was relocated a few blocks away as part of a new First Responder campus that provided replacement fire and police stations. The services provided in the Recreation and Parks Administration building will also be relocated elsewhere in the city as redevelopment of this site warrants.

**SECTION 5. INSTRUCTIONS TO RESPONDING FIRMS**

- 5.1 All proposals must be submitted by email to [cmfitsemons@ocalafl.org](mailto:cmfitsemons@ocalafl.org) by or before **2:00 PM**, on the listing end date/bid close date at [www.bidocala.com](http://www.bidocala.com) under the appropriate listing.
- 5.2 Proposals may be submitted any time during until the listing end date and will be considered promptly upon receipt. Any proposals received after the stated time and date will not be considered.
- 5.3 Proposals may not be submitted by any other means other than as described in Section 5.1. The City will not accept proposals sent by U.S. Mail, private couriers, or fax.
- 5.4 Proposals not conforming to the instructions provided herein will be subject to disqualification at the sole option of the City.
- 5.5 Each Catalytic Site shall remain open for proposals until a successful proposal is received and a development agreement negotiation process is started. All submitted proposals will be available for public inspection once a development agreement has been approved; therefore confidential information should not be submitted. Indicate in your proposal what information is confidential; an additional redacted copy is required.
- 5.6 This is a non-binding Development Opportunity until such time as the City negotiates and approves a development agreement with the successful proposer(s)/respondent(s).

**SECTION 6. INQUIRIES**

- 6.1 Questions concerning this Development Opportunity must be submitted in writing to [cmfitsemons@ocalafl.org](mailto:cmfitsemons@ocalafl.org). Binding written responses will be emailed to the proposer asking the question.
- 6.2 Any questions, clarifications, or changes that impact the Development Opportunity offering will also be posted electronically under the corresponding listing on [www.bidocala.com](http://www.bidocala.com). It is the responsibility of the proposers to check for updates and addenda.

**SECTION 7. LOBBYING AND PROPOSER CONTACT**

- 7.1 PROPOSERS ARE HEREBY ADVISED THAT CONTACT IS NOT PERMITTED WITH ANY CITY PERSONNEL, ELECTED OFFICIAL, OR BOARD MEMBER RELATED TO OR INVOLVED WITH THIS REQUEST. PROPOSERS ARE RESTRICTED FROM DISCUSSING THEIR SUBMITTALS AND THIS SOLICITATION WITH COMPETING FIRMS UNDER THIS LISTING. ALL ORAL OR WRITTEN INQUIRIES MUST BE DIRECTED THROUGH THE ASSIGNED PROCUREMENT PERSONNEL.
- 7.2 LOBBYING IS DEFINED AS ANY ACTION TAKEN BY AN INDIVIDUAL, FIRM, ASSOCIATION, JOINT VENTURE, PARTNERSHIP, SYNDICATE, CORPORATION, AND ALL OTHER GROUPS WHO SEEK TO INFLUENCE THE GOVERNMENTAL DECISION OF A CITY COUNCIL MEMBER OR ANY CITY PERSONNEL AFTER ADVERTISEMENT AND PRIOR TO THE CITY COUNCIL VOTE ON THE AWARD OF THIS CONTRACT. CONTACT WITH OTHER SUBMITTING PROPOSERS IS RESTRICTED AFTER ADVERTISEMENT AND PRIOR TO THE CITY COUNCIL VOTE ON THE AWARD OF THIS CONTRACT.
- 7.3 ANY PROPOSER OR ANY INDIVIDUALS THAT LOBBY ON BEHALF OF PROPOSER OR INTERACT WITH OTHER PROPOSERS AS DESCRIBED IN 7.1 AND 7.2 DURING THE TIME SPECIFIED WILL RESULT IN REJECTION/DISQUALIFICATION OF THEIR PROPOSAL UNDER SAID REQUEST FOR PROPOSALS.

**SECTION 8. CITY OF OCALA PROTEST POLICY**

- 8.1 ANY PROPOSER WHO IS ADVERSELY AFFECTED BY THE RECOMMENDED AWARD MAY FILE A PROTEST WITHIN THE TIME PRESCRIBED IN THE CITY OF OCALA PROCUREMENT POLICY LOCATED AT <http://www.bidocala.com/vendor-resources/>.
- 8.2 FAILURE TO POST BOND WITH THE CITY OR TO ADHERE STRICTLY TO THE REQUIREMENTS OF STATUTES AND CITY OF OCALA RULES PERTAINING TO PROTESTS WILL RESULT IN SUMMARY DISMISSAL BY THE CONTRACTING OFFICER FOR THE CITY.

**SECTION 9. PREPARATION AND SUBMISSION**

- 9.1 Proposals must be clear, succinct, and **not exceed twenty (20) pages**, excluding conceptual site plans, attachment materials and proposal cover letter. All submittals should be complete and contain all required content. Ensure your proposal is the best offering and includes all considerations and design options for each site. Selection for development agreement negotiation may be based solely on your proposal. Well rated submittals will demonstrate a good grasp of the City's needs and scope intent.
- 9.2 Proposals failing to provide sufficient information and assurances of performance to accurately assess each category of the required services which fail to comply with the requirements and conditions of the solicitation will not be given further consideration.
- 9.3 **Organization of Proposal:** Respondents must provide all information as outlined below for this Development Opportunity. Additional materials in other formats, or pages beyond the stated page limit(s) may not be considered. Proposal responses shall be organized in the following manner:
- A. **Cover Letter** which shall be addressed as indicated on the cover page of this proposal (1 page – not included in page total).
- i. The Cover Letter will state the name of the person(s) authorized to represent the proposer in any negotiations, the name(s) of the person(s) authorized to sign any contract that may result, the contact person's name, mailing or street addresses, phone and fax numbers and email addresses. A legal representative of the successful firm authorized to bind the firm in contractual matters must sign the Cover Letter and the Proposal.
  - ii. The Cover Letter will also include a short narrative describing the respondent's understanding of the scope of work and their overall vision for the successful development of the site(s) the proposer is interested in, while addressing the site in conjunction with the City's desired outcomes, highest and best use, and creative offering to the City.
- B. **Project Team:\*\*** Identify key personnel, qualifications, any partnerships, subcontractors, and their specific project roles.
- i. Primary contact for company principal
  - ii. Extent of company's principal member's involvement
  - iii. Names of key members who will be assigned on this project, and:
    - their responsibilities on this project
    - experience on similar or related projects of this size and scope
    - unique qualifications

iv. Team qualifications and experience on similar or related projects:

- qualifications and relevant development experience
- project manager's experience with similar projects
- resources available to dedicate to the project

\* Proposers are cautioned to carefully select and commit to the listed Project Team members continuous involvement throughout the entire development project. This is evaluated in the selection process. Failure of the proposer to keep the entire stated Project Team in place throughout the term of the agreement will be considered a default condition in the development agreement.

C. **Respondent's Capabilities:** The Respondent and/or team must have extensive experience in developing economic projects. Identify the Respondent's and/or team's experience with developing private/public sector projects, economic development (private or public), and successful marketing of those projects:

- i. Describe up to three (3) public and/or private economic development or redevelopment projects, whereby respondent completed the market and pro-forma analysis, project financing, design, construction, and marketing of the project, within the last five (5) years.
- ii. Describe those projects which best characterize evidence of the respondent's ability to provide the development and potential adaptive reuse experience sought by this Development Opportunity.

D. **Respondent's Project Understanding and Approach:** Each firm should explain any market research or current experience that would support the type of uses being proposed for the site(s).

E. **Economic Feasibility Analysis/Proposed Cost:**

- i. Each firm is expected to identify their estimated cost of the project and provide a detailed pro forma for the scope of work described within the Development Opportunity.
- ii. A preliminary economic/feasibility analysis should be provided showing the overall construction costs and potential revenue from sale or direct lease payments, and potential increased tax revenues.

F. **Conceptual Site Plans/Supportive Material** *(not included as part of 20-page limit)*

- i. Supporting material must be relevant to the scope requested by the City for each site.
- ii. Conceptual site plans showing the respondent's initial thoughts regarding spatial development of the site(s), proposed uses, approximate square footage of each use, approximate number of parking spaces, and open/civic areas, if appropriate. Other information pertinent to this proposal may be included at the discretion of the firm/team.
- iii. Architectural elevations are not required of each proposed building; however, a typical architectural style showing compatibility with the City's design guidelines must be included.

## SECTION 10. PROPOSAL EVALUATION AND AWARD PROCESS

10.1 The City will evaluate proposals upon submission. Each Catalytic Site shall remain open for proposals until a proposal is received, and a development agreement negotiation process is started. The Development Opportunity will be updated on [www.bidocala.com](http://www.bidocala.com) to reflect a site is under negotiation or ineligible for proposal.

- 10.2 The City endeavors to notify developers if their proposal is accepted or rejected for negotiations no later than 30 days after submission. Proposals will be reviewed for negotiation selection on a first-come first-serve basis. A Site will become unavailable when a proposal is received unless the City rejects the proposal.
- 10.3 The City at its sole discretion may accept or reject any proposal of any part thereof, based on the City's best interests. The City reserves the right to waive any irregularities and technicalities and may, at its sole discretion, request a clarification or other information to evaluate any or all proposals.
- 10.4 During the evaluation process, the City has the right to require any clarification or change in order to understand the respondent's view and approach to the project and scope of work. Any changes to the development proposal and negotiated terms and will become part of the final development agreement.
- 10.5 If the City cannot reach a mutually beneficial agreement with a selected proposer, then negotiations will be terminated. The City may continue this process until an agreement is reached for each property, or the City decides to terminate this Development Opportunity.
- 10.6 The City reserves the right, prior to City Council approval, to cancel or terminate this solicitation, any negotiations, or the proposed agreement, without penalty.

## SECTION 11. EVALUATION CRITERIA

- 11.1 **Proposal Evaluation:** All criteria as a whole will be considered.
- 11.2 **Evaluation Criteria:** Each proposal shall be evaluated on the following non-prioritized criteria as follows:
- *Prior private development experience – where, when, brief scope of the improvements provided, and value of projects*
  - *Prior successful experience in public-private proposer agreements*
  - *Qualifications of the principles and their prior experience working together with others if combining external individuals or other companies*
  - *Proposed uses and development of the land*
  - *Public and private use component*
  - *Market justification*
  - *Ability to complete the project*
  - *Past performance completing similar projects*
  - *Ability to finance the project or support financing*
  - *Creative use of space*
  - *The estimated dollar amount/subsidy consideration, if any, the development of a project site requires*



**SECTION 12. CONFLICT OF INTEREST**

- 12.1 All firms must list all and any affiliations they have with other firms.
- 12.2 The award hereunder is subject to the provisions of Chapter 112, Florida Statutes, as amended, governing conflict of interest. All proposers must disclose with each proposal the name of any officer, director or agent who is also a public or City employee. Further, all Proposers must disclose the name of any public employee who owns directly or indirectly an interest of five percent (5%) or more in the proposer's firm or any of its branches. City of Ocala municipal employees, appointed persons, and elected officials (herein referred to as "employees") may engage in outside activities and hold financial interests subject to the requirements of City of Ocala Employee Handbook regulations, state law, and federal regulations and law, if applicable. Every employee who is an officer, director, agent, employee, or owner of a substantial interest in any business entity which does or anticipates doing business with the City of Ocala ("City") must complete an "Officer and Employee Disclosure Statement" and file the statement with the required procurement documents submitted to the respective procurement staff member. A statement must be submitted with every procurement response if the proposer has a disclosure to document. This statement is available at <http://www.bidocala.com/wp-content/uploads/Officer-and-Employee-Disclosure-Statement-and-Intro.pdf>

**SECTION 13. CITY REQUIRED CLAUSES**

- 13.1 **INDEMNIFICATION CLAUSE.** The successful proposer shall indemnify and hold harmless the City of Ocala, its officers, boards, commissions, agents and employees against any and all claims, demands, causes of action, suits, proceedings, damages, costs or liabilities (including costs or liabilities of the City with respect to its employees), of every kind and nature whatsoever, including, but not limited to, damages for injury or death or damages to person or property, regardless of the merit of any of the same, including any attorney fees, accountant fees, expert witness or proposer fees, court costs, per diem, expense traveling and transportation expense, or other costs or expense arising out of or pertaining to the performance of this Agreement by the successful proposer and for which the proposer would otherwise be responsible unless resulting from the negligence of City or its officers, boards, commissions, agents, or employees.
- 13.2 **MATERIALS.** All materials submitted as response to this solicitation shall become the property of the City.
- 13.3 **COST INCURRED IN RESPONDING.** The City is not liable for any cost incurred by any proposer interested in submitting a development proposal, or any selected proposer, prior to the execution of a contract.
- 13.4 **INDULGENCE.** Indulgence by the City on any non-compliance by the proposer does not constitute a waiver of any rights under this request.
- 13.5 **E-VERIFY.** The Proposer shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Proposer during the term of the contract and shall expressly require any subconsultants performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subconsultant during the contract term.
- 13.6 **ASSIGNMENT.** The final selected proposer shall not assign, transfer, convey, sublet, or otherwise dispose of any award, or any or all of its rights, obligations, or interests under this contract, without the prior written consent of the City.



13.7 **CONTRACTUAL ARRANGEMENTS.** A City development agreement will be drafted with the successful proposer(s) and all general City terms and conditions apply.

**SECTION 14. EXHIBITS**

Exhibit A - Midtown Location Map

Exhibit B - Midtown Master Plan

Exhibit C - 2004 Downtown Ocala Master Plan

Exhibit D - 2010 Ocala 2035 Vision Plan

Exhibit E - Vision Based Comprehensive Plan

Exhibit F - Central Business Zoning District B-3

Exhibit G - 2010 Downtown Parking Master Plan

Exhibit H - 2013 Gibbs Downtown Retail Study

Exhibit I - Residential Market Potential Analysis

Exhibit J - Osceola Trak Design Concept

Exhibit K - Form Based Code

Exhibit L - Concord Lot