



## **INVITATION TO NEGOTIATE**

**ITN Number 24-001**

**Sale and Development of All the  
Property at  
1707 LENA ROAD, BRADENTON,  
FLORIDA 34211**

**Parcel Identification Number 1462800359  
For Sale and Development**

**January 5, 2024**

**Manatee County Property Management Department  
Property Acquisition Division  
1112 Manatee Avenue West  
Suite 800  
Bradenton, Florida 34205**

**INVITATION TO NEGOTIATE (ITN) FOR THE SALE AND DEVELOPMENT OF ALL THE PROPERTY LOCATED AT 1707 LENA ROAD, BRADENTON, FLORIDA 34211 (PARCEL IDENTIFICATION NUMBER 1462800359)**

Manatee County, a political subdivision of the State of Florida (County) is seeking proposals from interested organizations authorized to operate in the State of Florida (Proposers), for the purchase and development of all the County - owned, vacant land located at 1707 LENA ROAD, BRADENTON, FLORIDA 34211, (Parcel Identification Number 1462800359) ("Property").

**DATE, TIME, AND PLACE DUE**

The Due Date and Time for submission of Proposals in response to this ITN is February 20, 2024, at 2:00 P.M. ET. Proposals must be delivered to the following location: Manatee County Administration Building, 1112 Manatee Avenue West, Suite 800, Bradenton, Florida 34205 and must be time-stamped by an employee of the Property Acquisition Division prior to the Due Date and Time.

**SOLICITATION INFORMATION CONFERENCE**

There will be no Solicitation Information Conference for this solicitation.

**Important: A prohibition of lobbying is in place. Review Section A.04 carefully to avoid violation and possible sanctions.**

**SUBMISSION OF PROPOSALS**

In order to receive consideration, Proposers must meet the minimum qualification requirements and comply with the following instructions. Proposals will be accepted from a single business entity, joint venture, partnership, or corporation.

All items listed below are **REQUIRED**. The contents of the sealed package containing the Proposal must include:

**TAB 1: Overview**

**All pages shall be on 8.5"x11" paper. Conceptual drawings and architectural renderings shall not exceed 11"x17" in size.**

1. One-page Letter of Interest (double-sided, if necessary).
2. Provide a Project Summary (no more than 3 pages, single-sided maximum).
3. Conceptual design plans for the project
4. Documentation evidencing that Proposer is a non-profit or for-profit organization authorized to do business in the State of Florida

## **TAB 2: Purchase Price and Proof of Funds**

1. State the proposed purchase price.
2. Provide a cost breakdown and total estimate for the construction of the proposed improvements.
3. Provide proof of available funds to close on the Property, proof of the ability to secure adequate financing, or proof of available funds to develop the Property and to construct the proposed improvements within the timeframe provided by the Proposer. Any resulting contract may include a performance guarantee provision. Credit references should be included and if the project is being financed, a pre-approval letter from a financial institution is required. Cash bidders shall provide proof of funds in the form of a letter from a reputable financial institution.

## **TAB 3: Development Approach and Design Plans**

1. Provide a detailed project approach, including the proposed strategy for the development of the property, phases, and construction.
2. Provide architectural renderings of the proposed development and any outdoor amenities, innovative and/or energy-efficient design features, etc. that would be applicable.
3. Provide a narrative explaining how your proposed development will add value and compatibility to the community while addressing the general needs of the community and of the area where the Property is located.

## **TAB 4: Development Team**

1. Provide a resume for each member of the development team and their experience.
2. Provide a summary of all experience relevant to the Proposer's ability to successfully execute the Proposal.

## **TAB 5: Timeline**

1. Provide a comprehensive timeline of the key steps in the development of the project and the anticipated date for any/all certificates of occupancy to be issued. Timeline should depict major project milestones, including but not limited to: any due diligence/inspection work; securing financing, if applicable; obtaining rezoning of the Property and any necessary comprehensive plan amendments, if applicable; etc.

## 2. **Maximum Due Diligence Phase: 6 months**

- Due diligence phase includes title, survey, environmental and any other inspections.
- The Development Team is solely responsible for the Due Diligence

Submit:

- One (1) bound, original clearly identifying Proposer and marked "ORIGINAL".
- Two (2) bound copies clearly identifying Proposer and marked "COPY" with all required information and identical to the original.
- Three (3) electronic format copy(s) clearly identifying Proposer.

Electronic format copies should be submitted on separate Universal Serial Bus (USB) portable flash memory drives or Adobe Acrobat<sup>®</sup> portable document format (PDF) **in one file that includes TABS 1-5 and the required form in Attachment B, along with any supporting documentation.** Do not password protect or otherwise encrypt electronic proposal copies. Electronic copies must contain an identical proposal to the ORIGINAL.

Submit the Proposal in a sealed package with the following information clearly marked on the outside of the package: ITN No. 24-001, Sale and Development of All of Property at 1707 Lena Road, Bradenton, Florida 34211, Proposer's name, and Proposer's address. Proposals must be received by the Manatee County Property Acquisition Division, located at 1112 Manatee Avenue West, Suite 800, Bradenton, Florida 34205, and must be time-stamped by an employee of the Property Acquisition Division prior to the Due Date and Time stated above.

### **DEADLINE FOR QUESTIONS AND CLARIFICATION REQUESTS**

The deadline to submit all questions, inquiries, or requests concerning interpretation, clarification or additional information pertaining to this Invitation to Negotiate to the Manatee County Property Acquisition Division is January 26, 2024, at 3:00 PM EST. Questions and inquiries should be submitted via email to the designated contact shown below.

Questions and inquiries regarding the ITN process should be submitted via email to the Property Acquisition Division whose contact information is shown below and who is authorized by the Property Acquisition Division Manager in accordance with A.04 of Attachment "A" of this ITN:

**Peter Morrow, Senior Real Property Specialist**

**Phone: (941) 748-4501, ext. 6913**

**Email: [peter.morrow@mymanatee.org](mailto:peter.morrow@mymanatee.org)**

**Manatee County Property Management Department  
Property Acquisition Division**

Questions and inquiries regarding interpretation, clarification or additional information pertaining to this ITN should be submitted via email to the Property Acquisition Division Manager whose contact information is shown below:

**Charles Meador, Property Acquisition Division Manager**

**Phone: (941) 748-4501, ext. 6289**

**Email: [charles.meador@mymanatee.org](mailto:charles.meador@mymanatee.org)**

**Manatee County Property Management Department**

Questions and Clarification Requests submitted after the Questions and Clarification Requests deadline will not be accepted. No verbal Questions and Clarification Requests will be honored. Responses to Questions and Clarification Requests will be sent via email from either the Property Acquisition Division to the email address from which the Questions and Clarification Request was received.

AUTHORIZED FOR RELEASE:

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**Attachment "A": General Terms and Conditions of the Invitation to Negotiate for the *Sale and Development of all the Property at 1707 LENA ROAD, BRADENTON, FLORIDA 34211 (Parcel Identification Number 1462800359)***

**Attachment "B": Forms (Must be returned with proposal)**

1. Proposal Certification Form

**Attachment "C": Legal description and sketch of area**

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## **1. INTRODUCTION: OVERVIEW & PROPERTY INFORMATION**

The Property, Parcel Identification Number 1462800359, located at 1707 Lena Road, Bradenton, Florida, is vacant and consists of approximately 160.99 Acres or 7,012,718 Square Feet and is located in an unincorporated area of Manatee County.

The Property was acquired by Manatee County in 2020 via Warranty Deed and recorded as Instrument Number 202041124675, of the Public Records of Manatee County, Florida. The Property was approved by the Board of County Commissioners for the establishment of the Central County Complex.

The Property's current zoning designation is Suburban Agriculture (A-1). The purpose of this district is to permit short-term agricultural and related uses and to provide for areas transitioning from rural to suburban character.

## **2. COMMUNICATIONS**

All communications related to this ITN, including Questions and Clarification Requests, must be submitted in writing or via email to [peter.morrow@mymanatee.org](mailto:peter.morrow@mymanatee.org) or [charles.meador@mymanatee.org](mailto:charles.meador@mymanatee.org). All inquiries or Questions and Clarification Requests pertaining to this ITN must be submitted no later than January 26, 2024, at 3:00 PM EST.

## **3. CRITERIA FOR SALE AND DEVELOPMENT**

The purpose of this ITN is to solicit offers to develop all of a 160.99 acre tract of land. The County is seeking Proposals from organizations who have the financial and organizational capacity to develop the Property by providing a cost-efficient and innovative development to the community.

The Due Date and Time for submission of Proposals in response to this ITN is February 20, 2024, at 2:00 PM EST. Proposals must be delivered to the following location: Manatee County Administration Building, 1112 Manatee Ave. West, Suite 800, Bradenton, Florida 34205 and must be time-stamped by an employee of the Property Acquisition Division prior to the Due Date and Time. Proposals will be opened immediately following the Due Date and Time at the Manatee County Administration Building, 8<sup>th</sup> Floor, Suite 800.

Proposal(s) received after the Due Date and Time will not be considered. It will be the sole responsibility of the Proposer to deliver their proposal to the Manatee County Property Acquisition Division for receipt on or before the Due Date and Time. If a proposal is sent by U.S. Mail, courier or other delivery services, the Proposer will be solely responsible for its timely delivery to the Property Acquisition Division. Proposals

delayed in delivery will not be considered, will not be opened at the public opening, and arrangements will be made for the return of the Proposal to the Proposer.

Proposer acknowledges that all information contained within their Proposal is public record, as defined in Chapter 119, "Public Records", of Florida Statutes. No information should be labeled confidential unless exempted under said laws.

The successful candidate shall have proven experience in the design, construction, and project management of this type of proposed development. Additionally, the successful candidate shall be environmentally and ecologically sensitive throughout all aspects of the project and bear the full expense and burden of obtaining all relevant approvals in accordance with state and local laws.

#### **4. MINIMUM QUALIFICATIONS TO BE CONSIDERED**

**A.** To qualify for any consideration, the Proposer(s) must present proof of any licensing or certification which will be required by law to perform the services required in the scope of services in this ITN or contained in the proposal. Proposals may be presented by a single business entity, a joint venture, or partnership, or corporation.

**B.** Proposers shall demonstrate capability in performing or overseeing the performance of the services described within the scope of services set forth herein with a preference for substantial, current, and verifiable experience. In the event more than one entity is joining in making this proposal, each entity shall set forth its respective experience and qualifications for those areas the entity intends to perform.

If subcontractors are to be used in your proposal to meet the minimum qualifications, detail the business entities, description of the service provided, and responses in the same level of detail and tabbed order as instructed in this ITN for the Proposer.

**C. Similar Projects.** To validate experience, expertise and capabilities, Proposers shall provide the following details for each of the Proposer(s)' relevant past similar projects:

- The name and location of the Client and the project, the year of performance and the date the project was fully operational and accepted.
- The specific details of the project including the components and subcontractors utilized.



- Specify the name, title, and email and telephone for the Clients' contract manager for the project.

After County validates the minimum qualifications have been met, responsive Proposals will be considered by an evaluation committee established by the County Administrator.

## **5. PROPOSED USE OF PROPERTY AND ZONING DESIGNATION**

- The respondent shall indicate what development is proposed for the site and the required zoning needed for this development.
- The respondent is responsible for properly researching the allowable uses and types of structures that can be permitted on the Property.

## **6. PROPOSAL REQUIREMENTS**

In order to receive consideration, Proposers must meet the minimum qualification requirements and comply with the instructions and requirements found in this ITN. Proposals will only be accepted from organizations authorized to operate in the State of Florida.

All documents issued pursuant to this ITN are distributed electronically and available for download at no charge at [https://mymanatee.org/departments/property\\_management/property\\_acquisition/surplus\\_property](https://mymanatee.org/departments/property_management/property_acquisition/surplus_property). Documents may be viewed and downloaded for printing using Adobe Reader<sup>®</sup> software.

Additionally, the ITN and all related documents are available for public inspection at the Manatee County Property Acquisition Division, 1112 Manatee Avenue West, Suite 800, Bradenton, Florida 34205. Call (941) 748-4501, ext. 6913 to schedule an appointment. Documents are available between the hours of 8:00 A.M. and 4:00 PM EST, Monday through Friday, except for County holidays.

The County, at its sole discretion, reserves the right to select Respondents to provide an oral presentation of their Proposal.

## **7. ORGANIZATION OF PROPOSALS**

Proposals must be organized and arranged as described in the Submission of Proposals of this ITN. Proposals must clearly indicate the legal name, address, and telephone number of the Proposer. Proposals must be signed by an individual authorized to make representations for the Proposer.

## **8. REVIEW OF PROPOSALS**

The County will conduct a due diligence review of all proposals received to determine if the Proposer is responsible and responsive. To be responsive, a Proposer must submit a proposal that conforms in all material respects to the requirements of this ITN and contains all the information, fully completed attachments and forms, and other documentation required. Proposals that are deemed non-responsive will not be considered or evaluated.

To be responsible, a Proposer must meet the minimum qualification requirements and have the capability to purchase and develop the proposed project. Proposals submitted by Proposers that are deemed non-responsible will not be considered or evaluated.

Proposals that do not clearly demonstrate the Proposer's ability to successfully purchase and develop the Property as proposed will be deemed ineligible and will not be considered.

The examination and evaluation of the proposals submitted in response to this solicitation generally requires a period of not less than ninety (90) calendar days from the Due Date and Time.

## **9. EVALUATION FACTORS**

Evaluation of proposals will be conducted by an evaluation committee. Each evaluation committee member will evaluate and score the proposals for each of the evaluation criteria.

The committee reserves the right to provide a final score without conducting interviews, presentations, and/or demonstrations with Proposers. Therefore, each Proposer must ensure that its proposal contains all the information requested in this ITN and reflects Proposer's best offer.

The committee will consider all information submitted by each responsible and responsive Proposer, clarification information provided by Proposer, information obtained during the interview/presentation/demonstration, feedback received from Proposer's references, and any other relevant information received during any investigation of Proposer, to ascertain the ability of the Proposer(s) to perform the scope of services as stated in this ITN.

**A. EVALUATION CRITERIA**

The following evaluation criteria have been established for this ITN:

<b>Criteria</b>	<b>Maximum Score</b>
Purchase Price and Proof of Funds	30
Development Approach and Design	25
Plans Development Team	25
Timeline	20

**B. CLARIFICATIONS/INTERVIEWS /PRESENTATIONS/ DEMONSTRATIONS**

As part of the evaluation process the evaluation committee may request additional information or clarification from Proposers for the purpose of further evaluation of (a) conformance to the solicitation requirements, (b) the abilities of the Proposer, and (c) understanding of the proposal submitted. Additional information and/or clarification must be submitted by Proposer within the requested time-period.

Additionally, interviews, presentations and/or demonstrations may be conducted with Proposers as part of the evaluation process. If conducted, the evaluation committee will decide which of those proposals are deemed by the committee as having a reasonable probability of being selected for award. The Proposers for this 'short-list' of proposals will be invited to meet with the committee. Proposers shall decide to attend the interviews, presentations and/or demonstrations if invited. The interviews, presentations and/or demonstrations are closed to the public to the extent permitted by law.

The committee reserves the right to provide a final score without conducting interviews, presentations, and/or demonstrations with Proposers. Therefore, each Proposer must ensure that its proposal contains all the information requested in this ITN and reflects Proposer's best offer.

**C. BEST AND FINAL OFFER (BAFO)**

The County may request a BAFO if additional information or modified proposals are necessary for the evaluation committee to complete its evaluation and scoring. The information received from the BAFO will be used by the evaluation committee to re-evaluate and re-score the Proposers.

## **D. SCORING OF PROPOSALS**

The evaluation committee will determine from the responses to this ITN and subsequent investigation as necessary, the Proposer(s) whose proposal(s) best meet the County's requirements and recommend the County enter into negotiations for an agreement.

In its review, the evaluation committee may take the following actions:

- a. Review all responses pursuant to the evaluation factors stated herein
- b. Short list Proposers to be further considered in oral interview/presentation/product demonstrations
- c. Recommend commencement of negotiations to the County Administrator
- d. Reject all proposals received and cancel the Invitation to Negotiate
- e. Receive written clarification of proposal

## **E. AWARD**

Award of an Agreement is subject to the successful negotiations and the approval of either the County Administrator or the Board of County Commissioners.

The County reserves the right to accept or reject any and all proposals, to waive irregularities and technicalities, to request additional information and documentation, and to cancel this solicitation at any time prior to execution of the contract. The County reserves the right to award the contract to a responsive and responsible Proposer which in its sole determination is the best value and in the best interests of the County.

The County reserves the right to investigate as it deems necessary to determine the ability of any Proposer to fulfill any aspect of their Proposal. Upon request by the County, Proposer shall provide all such information to the County. Additional information may include, but will not be limited to, current financial statements prepared in accordance with generally accepted accounting practices and certified by an independent CPA or official of Proposer; verification of availability of equipment and personnel; and past performance records.

## **10. NEGOTIATION OF THE AGREEMENT**

### **A. GENERAL**

The following general terms and conditions apply to the proposal submitted for consideration and the subsequent negotiations:

1. The proposal will serve as a basis for negotiating an agreement, but not compel adherence to its terms or conditions.
2. Upon submission, all proposals become the property of the County which has the right to use any or all ideas presented in any proposal submitted in response to this ITN whether or not the proposal is accepted.
3. All products and papers produced in the course of this engagement become the property of the County upon termination or completion of the engagement.

## **B. NEGOTIATIONS**

The negotiation process is designed to establish the terms, conditions and covenants of the contract and assure the County obtains the best value.

The negotiations may be conducted as a single negotiation or with multiple Proposers. Negotiations with multiple respondents may occur either concurrently or consecutively.

The meetings held between the County and the respondent(s) during the negotiation phase may be designated by the County as exempt from being held as public meetings by Section 286.0113 (2)(a)2.(b)1., Florida Statutes.

Negotiation strategy meetings held by the County's staff may be exempt by section 286.0113 (2)(a)2.(b)2., Florida Statutes.

The parties will negotiate the term of the agreement, and the circumstances in which it may be renewed, assigned, or terminated.

The parties will negotiate matters of insurance, liability, record-keeping, auditing, and all other relevant contractual matters.

## **C. AGREEMENT**

The selected Proposer or Proposers shall be required to negotiate an agreement, in a form and with provisions acceptable to Manatee County.

Negotiated agreements may or may not include elements of this ITN or the

resulting successful proposal where alternative terms or conditions become more desirable to the County, and the parties agree to such terms.

All agreements must be in writing and signed by the parties. No oral agreement, offer or other discussion between the County and a Proposer or any employee or officer of the County shall not constitute a valid or binding contract or agreement.

## **11. PROPOSAL EXPENSES**

All costs incurred by Proposer in responding to this ITN will be the sole responsibility of the Proposer. Manatee County shall not be liable for any costs incurred by the Proposer for preparing and submitting any response to this ITN, including participating in any interviews, presentations, demonstrations, travel or for any other activities or occurrences related in any way to this ITN.

## **12. GENERAL TERMS AND CONDITIONS**

Proposers shall comply with the General Terms and Conditions set forth in Attachment "A."

## **13. ORDINANCE NUMBER 14-26, MANATEE COUNTY SURPLUS LANDS ORDINANCE**

- Property conveyance must comply with County Ordinance Number 14-26, and Florida Statutes Chapter 125.35.

## ATTACHMENT "A"

### **General Terms and Conditions of the Request for Proposals for the *Property at 1707 LENA ROAD, BRADENTON, FLORIDA 34211 (Parcel Identification Number 1462800359)***

#### **A.01 WITHDRAWAL OF PROPOSAL AND CHANGES TO ITN**

Proposers may withdraw Proposals under the following circumstances:

- If Proposer discovers a mistake(s) prior to the Due Date and Time. Proposer may withdraw its proposal by submitting a written notice to the Property Acquisition Division. The notice must be received in the Property Acquisition Division prior to the Due Date and Time for receiving proposals. A copy of the request shall be retained, and the unopened proposal returned to the Proposer; or
- After the Proposals are opened but before a contract is signed, Proposer alleges a material mistake of fact if the mistake is evident in the solicitation document; or Proposer submits evidence which clearly and convincingly demonstrates that a mistake was made in the Proposal. Requests to withdraw a Proposal must be in writing and must be approved by the Property Acquisition Division Manager.

Once a proposal is opened, the County will not accept any request by Proposer to correct errors or omissions in the proposal other than as identified in this paragraph.

Any interpretations, corrections, or changes to this ITN will be made by addenda. Addenda will be posted on [https://mymanatee.org/departments/property\\_management/property\\_acquisition/surplus\\_property](https://mymanatee.org/departments/property_management/property_acquisition/surplus_property). All addenda are a part of the ITN, and each Proposer will be bound by such addenda. It is the responsibility of each Proposer to read and comprehend all addenda issued. Failure of any Proposer to acknowledge an issued addendum in its Proposal will not relieve the Proposer from any obligation contained therein.

If the Proposer requests modifications to the ITN documents, the Proposer must provide detailed justification for each modification requested. The County will determine what changes will be acceptable to the County and changes approved by the County will be issued in a written addendum.

Manatee County will not be responsible for oral interpretations given by other sources including County staff, representative, or others. The issuance of a written addendum by the Property Acquisition Division is the only official method whereby interpretation,

clarification or additional information will be given.

## **A.02 APPLICABLE LAWS**

Proposer must be a non-profit or for-profit organization authorized to operate in the State of Florida. All applicable laws and regulations of the State of Florida, ordinances and regulations of Manatee County will apply to any resulting contract. This solicitation process will be conducted in accordance with Manatee County Code of Ordinances Chapter 2-2.

## **A.03 TAXES**

Manatee County is exempt from Federal Excise and State Sales Taxes. (F.E.T. Cert. No. 59-78-0089K; Florida Sales Tax Exempt Cert. No. 85-8012622206C-6). Therefore, the Proposer is prohibited from delineating a separate line item in its Proposal for any sales or service taxes. The Successful Proposer will be responsible for the payment of taxes of any kind, including but not limited to sales, consumer, use, and other similar taxes payable on account of the work performed and/or materials furnished under the award in accordance with all applicable laws and regulations.

## **A.04 CONTACT WITH STAFF**

Upon advertising this ITN, prospective Proposers, or any agent, representative or person acting at the request of such prospective Proposer shall not contact, communicate with, or discuss any matter relating in any way to the ITN with any agent, official or employee of Manatee County, other than the Property Acquisition Division Manager or their authorized designee. Failure to comply with this provision may result in the disqualification of the Proposer, at the discretion of the County. All inquiries pertaining to this ITN shall be submitted in accordance with the ITN instructions stated herein.

This prohibition begins with the advertisement of the ITN and ends upon execution of a contract with a Proposer, or upon cancellation of the advertisement, whichever comes first. Violation of this prohibition may result in the Proposer being deemed non-responsible. Notwithstanding the foregoing, after the County selects and enters into a contract with a Proposer, Proposer may communicate with those members of County staff, consultants, or third parties designated by the County.

## **A.05 COLLUSION**

By submitting a Proposal in response to this ITN, the Proposer certifies that it has not divulged to, discussed, or compared its Proposal with other Respondents and has not colluded with any other Proposer or parties to this ITN whatsoever. Also, Proposer



certifies, and in the case of joint Proposers, each party thereto certifies, as to its own organization that in connection with the Proposal:

- Any cost estimates and data submitted have been arrived at independently, without consultation, communication, or agreement, for the purpose of limiting competition, as to any matter relating to such cost estimates and data, with any another Proposer or with any competitor.
- Any cost estimates and data quoted for this Proposal have not been knowingly made available by the Proposer prior to the scheduled Opening Date and Time directly or indirectly to any competitor.
- No attempt has been made or will be made by the Proposer to induce any other person or entity to submit or not to submit a Proposal for the purpose of limiting competition.
- The only person or persons interested in this Proposal as principal or principals is/are named therein and that no person other than the person or persons named has any interest in this Proposal; and
- No person or agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee except bona fide employees or established commercial agencies maintained by the Respondent for the purpose of doing business.

A Proposal may be disqualified if a Proposer submits more than one Proposal or if there is evidence that collusion occurred.

#### **A.06 PUBLIC ENTITY CRIMES**

Pursuant to Subsection 287.133(a), Florida Statutes, 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 bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, 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 bids, 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 Florida Statute 287.017 for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list.

In addition, Manatee County Code of Laws Chapter 2-26 Article V prohibits the award of County contracts to any person or entity who/which has, within the past 5 years, been convicted of, or admitted to in court or sworn to under oath, a public entity crime or of

any environmental law that, in the reasonable opinion of the County, establishes reasonable grounds to believe the person or business entity will not conduct business in a reasonable manner.

The failure of a Proposer to promptly supply information in response to an inquiry made by the County may be grounds for rejection of a Proposal.

#### **A.07 PUBLIC RECORD DISCLOSURES**

Upon receipt, all inquiries and responses to inquiries related to this Request for Proposals become "Public Records" and shall be subject to public disclosure consistent with Florida Statute, Chapter 119.

Proposals become subject to disclosure thirty (30) days after the opening or if a notice of intent to award decision is made earlier than this time as provided by Florida Statutes § 119.071(1)(b). No announcement or review of the proposals shall be conducted at the public opening.

If County rejects all proposals and concurrently notices its intent to reissue the solicitation, the rejected proposals are exempt from public disclosure until such time the County provides notice of an intended decision concerning the reissued solicitation or until County withdraws the reissued solicitation. A proposal is not exempt for longer than twelve (12) months after the initial notice of rejection of all proposals.

Pursuant to Florida Statute 119.0701, to the extent successful Proposer is performing services on behalf of County, successful Proposer must:

- Keep and maintain public records required by public agency to perform the service. That information and data it manages as part of the services may be public record in accordance with Chapter 119, Florida Statutes and Manatee County public record policies. Proposer agrees, prior to providing goods/services, it will implement policies and procedures, which are subject to approval by County, to maintain, produce, secure, and retain public records in accordance with applicable laws, regulations, and County policies including but not limited to Section 119.0701, Florida Statutes.
- Upon request from the public agency's custodian of public records, provide the public agency with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Florida Statutes, Chapter 119, or as otherwise provided by law.
- Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as

authorized by law for the duration of the contract term and following completion of the contract if the successful Proposer does not transfer the records to the public agency.

- Upon completion of the contract, transfer, at no cost, to the public agency all public records in possession of contractor or keep and maintain public records required by the public agency to perform the service. If the successful Proposer transfers all public records to County upon completion of the contract, the successful Proposer shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the successful Proposer keeps and maintains public records upon completion of the contract, the successful Proposer shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to County, upon request from County's custodian of public records, in a format that is compatible with the information technology systems of County.

#### **A.08 AMERICANS WITH DISABILITIES**

Manatee County does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of County's functions including one's access to participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation for an information conference or Proposal opening should contact the Property Acquisition Division at least twenty-four (24) hours in advance of either activity.

#### **A.09 EQUAL EMPLOYMENT OPPORTUNITY**

In accordance with Title VI of the Civil Rights Act of 1964, Title 15, Part 8 of the Code of Federal Regulations and the Civil Rights Act of 1992, Manatee County hereby notifies all Proposers that it will affirmatively ensure minority business enterprises are afforded full opportunity to participate in response to this Request for Qualifications and will not be discriminated against on the grounds of race, color, national origin, religion, sex, age, handicap, or marital status in consideration of award.

**ATTACHMENT "B"**

**Form**

**PROPOSAL CERTIFICATION**

**THE APPLICANT CERTIFIES THAT THE DATA IN THIS APPLICATION AND ITS VARIOUS SECTIONS, INCLUDING BUDGET DATA, ARE TRUE AND CORRECT TO THE BEST OF HIS/HER KNOWLEDGE AND THAT THE FILING OF THIS APPLICATION HAS BEEN DULY AUTHORIZED.**

**SUBMITTED BY:** \_\_\_\_\_  
Name of Agency (Type or Print)

\_\_\_\_\_  
Name (Type or Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Official Title

\_\_\_\_\_  
Date

**AUTHORIZED BY:** \_\_\_\_\_  
Name (Type or Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Official Title

\_\_\_\_\_  
Date

***STAFF USE ONLY:***

**Proposal received by Manatee County Manatee County Property Management Department on:**

\_\_\_\_\_ at \_\_\_\_\_ by \_\_\_\_\_  
(date) (time) (Signature Of Staff)

**ATTACHMENT “C”**

**Legal description and sketch**

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**LEGAL DESCRIPTION  
 (AS PREPARED BY THE SURVEYOR)**

**EXHIBIT "A"**

A PARCEL OF LAND LYING IN SECTION 36, TOWNSHIP 34 SOUTH, RANGE 18 EAST AND SECTION 31, TOWNSHIP 34 SOUTH, RANGE 19 EAST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF THE AFOREMENTIONED SECTION 36; THENCE, LEAVING SAID CORNER AND ALONG THE SOUTH LINE OF SAID SECTION 36, N89°15'50" W, 1860.63 FEET TO THE INTERSECTION OF THE EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1990, PAGE 5911 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE, LEAVING SAID SOUTH LINE OF SECTION 36 AND ALONG THE EAST AND NORTH LINE OF SAID LANDS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 1990, PAGE 5911, N00°24'46"E., 211.10 FEET; THENCE N.89°13'18"W, 617.13 FEET TO ITS INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF LENA ROAD (PUBLIC RIGHT-OF-WAY, WIDTH VARIES), AS DESCRIBED IN OFFICIAL RECORDS BOOK 1808, PAGE 5679 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE, LEAVING SAID NORTH LINE AND ALONG SAID EAST RIGHT-OF-WAY LINE, THE FOLLOWING CALLS: N.12°03'08" W, 502.47 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE IN A NORTHERLY DIRECTION ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 774.07 FEET AND A CENTRAL ANGLE OF 15°20'06", 207.18 FEET TO THE POINT OF TANGENCY; THENCE N.02°26'33"E, 845.96 FEET; THENCE N.13°45'19"E, 50.98 FEET; THENCE N.02°28'33"E, 1008.22 FEET; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE S87°03'40"E, 1245.44 FEET; THENCE N89°59'14"E., 395.00 FEET; THENCE N89°59'11"E., 572.14 FEET; THENCE S.89°14'48"E, 360.09 FEET TO ITS INTERSECTION WITH AN EXISTING FENCE LINE, SAID FENCE LINE BEING AN AGREED UPON BOUNDARY LINE OF THE MUSGRAVES AND MANATEE COUNTY; THENCE ALONG SAID FENCE LINE THE FOLLOWING CALLS: S.01°46'40"W, 1456.22 FEET; THENCE S.87°46'33"E., 13.14 FEET; THENCE S.01°19'26"W., 1318.467 FEET TO THE POINT OF BEGINNING.

LESS A TOWER LEASE AREA AND "ADDITIONAL LEASED LANDS" AS RECORDED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 2762, PAGE 5749, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

SUBJECT TO: ANY EASEMENTS AND RIGHT-OF-WAYS OF RECORD.

BEING A PORTION OF LANDS DESCRIBED IN O.R. BOOK 2090, PAGE 2591, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

**SURVEYOR'S REPORT**

1. This sketch is not a boundary survey.
2. Bearings shown on this map are based on Florida State Plane Coordinate System, West Zone, as referenced to the North American Datum of 1983(2011) adjustment and are shown in u.s. survey feet. control for this survey was established using real time Kinematic-Global Positioning System (RTK GPS), a bearing of N89°15'50"W was used on the South line of Section 36, Township 34 South, Range 18 East.
3. This map is intended to be displayed at a scale of 1"=500' or smaller.
4. This sketch and description is comprized of two (2) sheets and is not considered full and complete without both sheets.
5. This survey map and report (if applicable) or the copies thereof are not valid without the original signature and original seal of a Florida licensed Surveyor and Mapper.
6. There was no recorded Deed provided for the east boundary line agreement, this information was verbal from Manatee County personnel, and agrees with physical occupation of lands.
7. Parcel contains 7,012,718± square feet or 160.99± acres more or less.

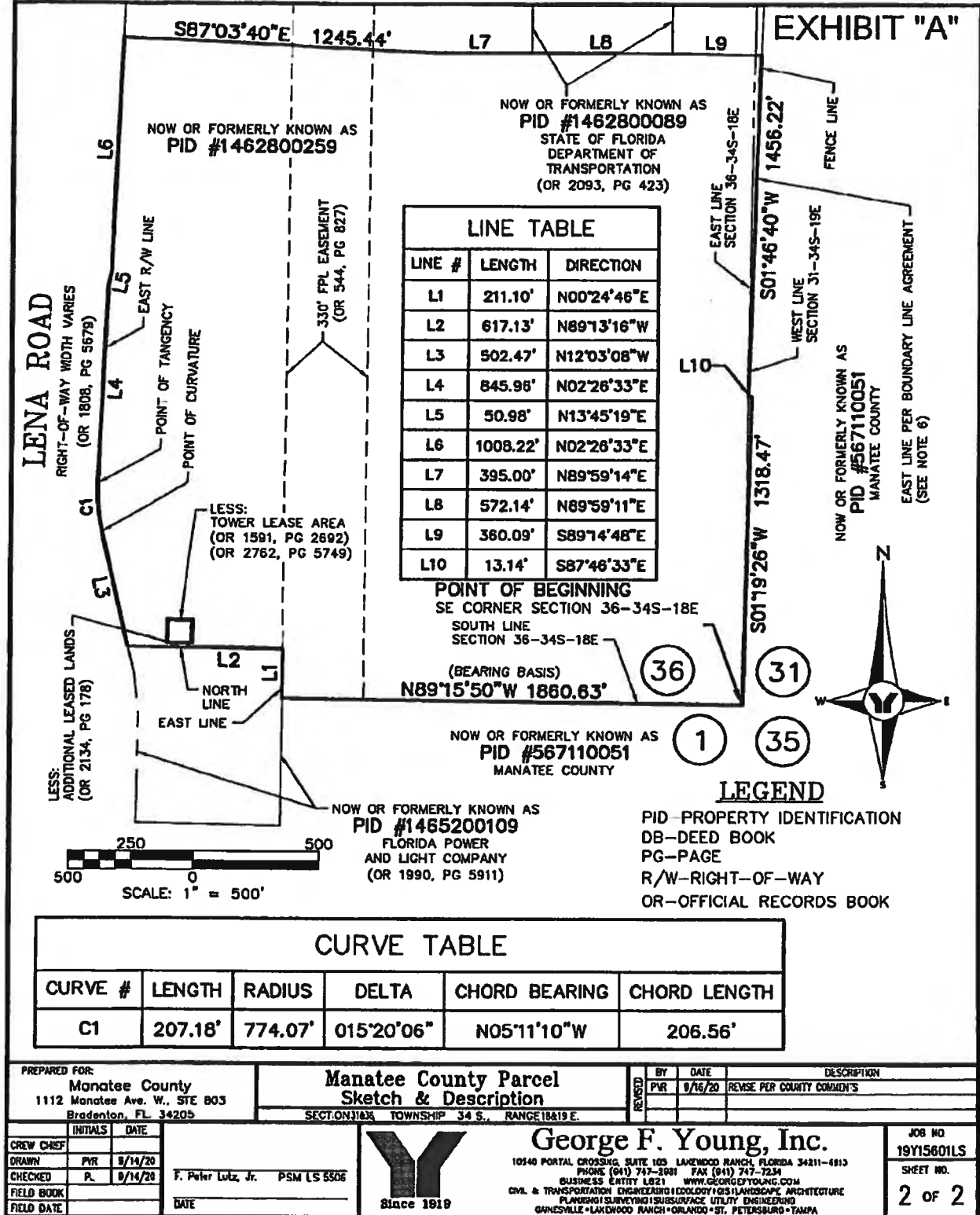
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 LOGON: Lutz, Peter  
 11/13/2020 9:54 AM

PREPARED FOR: Manatee County 1112 Manatee Ave. W., STE 803 Bradenton, FL 34205		<b>Manatee County Parcel Sketch &amp; Description</b>		BY DATE PVR 8/16/20 P.L. 11/12/20	DESCRIPTION REVISE PER COUNTY COMMENTS Revise Sec designation first line of legal
SECTION 31&36 TOWNSHIP 34 S. RANGE 18&19 E.		JOB NO. 19Y15601LS		<p><b>George F. Young, Inc.</b>                  10549 PORTAL CROSSING, SUITE 105 LAKEWOOD RANCH, FLORIDA 34211-4913                  PHONE (813) 747-2981 FAX (813) 747-7234                  BUSINESS ENTITY L201 WWW.GEORGEFYOUNG.COM                  CIVIL &amp; TRANSPORTATION ENGINEERING   GEOLOGY   GIS   LANDSCAPE ARCHITECTURE                  PLANNING   SURVEYING   SUBSURFACE UTILITY ENGINEERING                  GAINESVILLE • LAKEWOOD RANCH • OKLAHOMA • ST. PETERSBURG • TAMPA</p>	
CREW CHIEF	INITIALS DATE	F. Peter Lutz, Jr. DEBARCE 70229433 F. Peter Lutz, Jr. PSM LS 5505 11/13/2020			
DRAWN	PVR 8/14/20				
CHECKED	PL 8/14/20				
FIELD BOOK				SHEET NO. 1 OF 2	
FIELD DATE					

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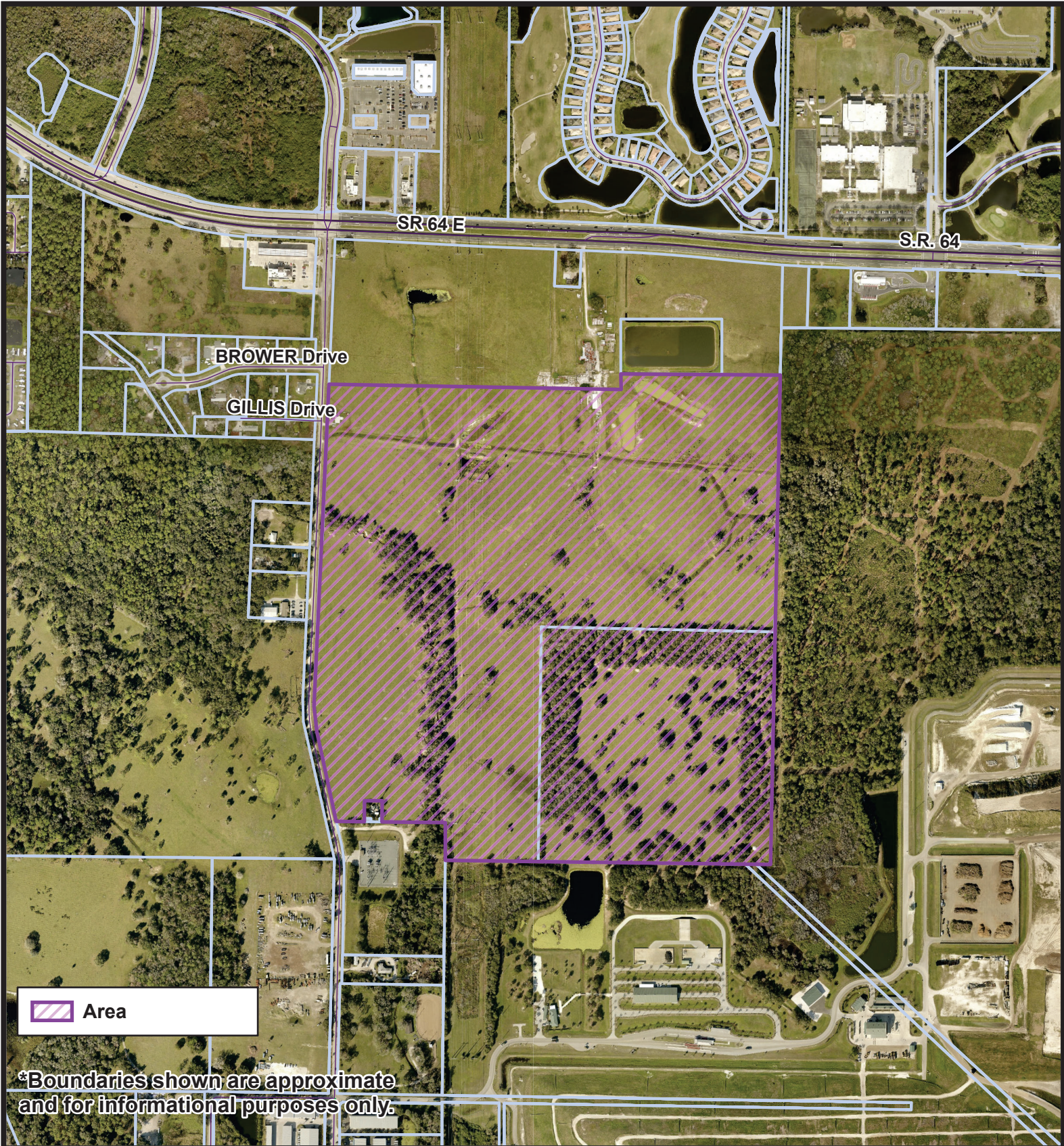


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**ATTACHMENT "D"**

**Aerial Map**



**AERIAL MAP**

**1707 LENA ROAD  
BRADENTON, FL 34211**



## **ATTACHMENT "E"**

### **Potential County restrictions for the development of the Property**

- A. Proposer shall design, permit and construct a two-lane, public road running approximately 1,500 feet east-west along the northern boundary of the Property (the "Access Road") in accordance with the current County's Engineering Standards Manual. The Access Road shall be subject to normal and customary driveway spacing requirements for a local road. The Access Road shall be immediately adjacent to the property owned by Musgrave Real Estate Holdings, Limited Partnership (the "MREH Property") and they and their successors shall have full access to the Access Road. The Proposer shall provide for the right-of-way and stormwater retention areas entirely on the Property. The Access Road shall not be subject to limitations for use by trucks. The intersection of the Access Road and Lena Road shall allow for right and left turns from the Access Road onto Lena Road to proceed both north and south. The name of the Access Road shall be "Musgrave Ranch Road" and shall be a public road.
- B. The County has identified approximately 0.23 acre of potential functional loss for wetland mitigation for the development of the MREH Property. The Proposer will utilize a portion of the Property for mitigation of these wetland impacts or may purchase mitigation credits for this functional loss at their cost.
- C. The County has calculated the volume of floodplain compensation for the development of the MREH Property at approximately 39 acre-feet, which shall be offset on the Property.
- D. The Proposer shall potentially build a 100,000 to 200,000 square foot warehouse for County use on the Property. The specifications of the warehouse shall be determined during the negotiations.
- E. Prior to any closing on the sale of the Property, the County may be required to secure a Release of Restrictions from Musgrave Real Estate Holdings, Limited Partnership.
- F. The Proposer shall install wastewater and potable water facilities in or adjacent to the Access Road to serve their development, the County's potential warehouse, and the MREH Property. The facilities shall be made public, at a minimum, along the Access Road and shall be sufficient to provide water and wastewater service for approximately 1,045,000 square feet of commercial development and shall provide connections points to serve the MREH Property.

G. The Proposer shall complete construction and certification of the Access Road, stormwater, floodplain compensation, wetland mitigation, and utility improvements. The turnover of the Access Road, stormwater piping, and utility improvements shall also be completed. This shall be completed within twelve (12) months of the real estate closing that coincides with the sale of the Property that is the subject of this ITN.