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PRE-PROPOSAL MEETING

February 7, 2017

REQUEST FOR PROPOSALS

BERTH & TERMINALS: BERTH 1 AGREEMENT

RFP # 01-2017

RFP Issue Date: January 15, 2017

Sealed Proposals Due: March 31, 2017

Solicitation

The Port is soliciting proposals for the Highest and Best Use of “Berth #1”. Berth #1 is located adjacent to the Port of Palm Beach Cruise Terminal and its Maritime Office Complex. Berth #1 is 450 feet in length, although can be modified to accommodate more than 1-2 vessels, while the available width varies with a minimum of 50 feet wide. The water depth will be maintained by the Port, at -25 feet MLW. Berth #1 is located adjacent to the Intracostal Waterway and a vessel can transit to the sea buoy in 15 minutes.

The berth is currently being used by a yacht repair company to support a 260 foot long floating dry-dock.

Berth #1



Solicitation Goals

The Port's goals for the Site are as follows:

1. Maximize sustainable revenues from the use and operation of the Site
2. Secure business that supports, enhances, or diversifies current maritime operations and is compatible with the Port's maritime operations
3. Maintain and enhance environmental performance
4. Maximize the indirect economic benefit from Port operations to the surrounding local community and region
5. Comply with and support the Port's policies.

Site Specifications

1. The wharf is constructed of sheet piles with soil anchor/deadman tie back system
2. The dock area is a concrete asphalt pavement section consisting of 4" - Type "S" asphalt, 14" crushed concrete base material and 12" stabilization, along with the associated drainage
3. The width of the pavement area varies but is a minimum of 50' wide
4. Potable water and shore power are available on the berth

Submission Requirements

1. Cover sheet/company information
2. Knowledge/Experience
3. Land Area Intended Use
4. Term
5. Intended Use of Site/Berth
6. Improvements
7. Port Revenue
8. Financial Capacity

Attachment 1



NON COLLUSION DECLARATION

RFP No.: 01-2017 Berth & Terminals: Berth 1 Lease

(To Be Executed By Respondent and Submitted With Proposal)

I, _____, declare as follows:

That I am the _____ of _____, the party making the attached proposal; that the attached proposal is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the proposal is genuine and not collusive or sham; that the Respondent has not directly or indirectly induced or solicited any other Respondent to put in a false or sham proposal, or that anyone shall refrain from proposing; that the Respondent has not in any manner, directly or indirectly, sought by agreement, communication, or to fix any overhead, profit, or cost element of the proposal price, or of that of any other Respondent, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the proposal are true; and further, that the Respondent has not, directly or indirectly, submitted his or her proposal price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, proposal depository, or to any member or agent thereof to effectuate a collusive or sham proposal.

Any person executing this declaration on behalf of a Respondent that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder.

I declare under penalty of perjury under the laws of the State of Florida that the foregoing is true and correct.

Executed this _____ day of _____, 201 , at
_____, Florida

Signature

Attachment 2



RFP Acknowledgement and Signature Form

RFP No.: 1-2017 BERTH & TERMINALS: BERTH 1 AGREEMENT

The undersigned, having carefully examined the Site to be used and occupied, the local conditions of the Site, the Content of this RFP, and documents made available for this project, proposes to enter into a lease with the Port of Oakland consistent with the requirements in this RFP, including all of its component parts, and to comply with all applicable Port policies.

Addendum Acknowledgement

The following addendum (addenda) is (are) acknowledged in this RFP: _____

Acknowledgement and Signature:

1. No Proposal is valid unless signed in ink by the person authorized to make the proposal. By signing below, the undersigned certifies that he/she is authorized to make the proposal.
2. I have carefully read, understand and agree to the terms and conditions on all pages of this RFP.
3. The Proposal submitted by Proposer is accurate and complete.

Respondent's Name and Title: _____

Company Name: _____

Address: _____

Telephone: _____ Fax: _____

Email: _____

Contractor License # (if applicable): _____ Expiration Date: _____

Federal Tax Identification Number: _____

Authorized Signature: _____ Date: _____

Attachment 3



INSURANCE ACKNOWLEDGEMENT STATEMENT:

RFP No.: 01-2017 BERTH & TERMINALS: BERTH 1 AGREEMENT

I hereby certify that _____ (Legal Name of Respondent) agrees to meet all of the Port's Insurance requirements included in this RFP and Respondent will be able to evidence such insurance when and if awarded an Agreement.

I declare under penalty of perjury under the laws of the state of Florida that the information I have provided herein is true and correct and is of my own personal knowledge.

BY: _____
Date

Print Name

Title

Attachment 4



PUBLIC ENTITY CRIMES STATEMENT:

RFP No.: 01-2017 BERTH & TERMINALS: BERTH 1 AGREEMENT

**SWORN STATEMENT PURSUANT TO
SECTION 287.133(3)(a)
FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES**

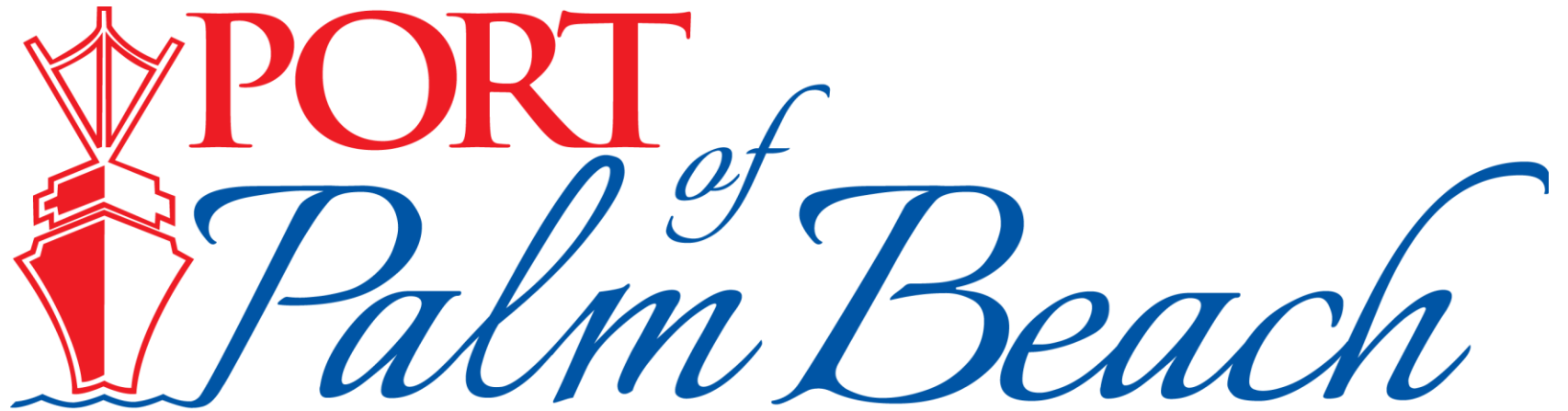
THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

1. This Sworn Statement is submitted to the PORT OF PALM BEACH DISTRICT ("PORT") by _____, whose business address is _____, and (if applicable) its Federal Employer Identification Number (FEIN) is: _____. (If the entity has no FEIN, include the Social Security Number of the individual signing this Sworn Statement: _____).
2. I understand that a "public entity crime" as defined in Florida Statutes '287.133(1)(g), means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or of the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
3. I understand that a "convicted" or "conviction" as defined in Florida Statutes '287.133(1)(b), means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.
4. I understand that an "affiliate" as defined in Florida Statutes '287.133(1)(a), means:
 - (a) A predecessor or successor of a person convicted of a public entity crime; or
 - (b) An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.



An aerial photograph of a port facility. The water is a clear, vibrant blue-green. In the upper left, a large industrial area is filled with stacks of shipping containers and several large cargo ships docked at a pier. To the right, a modern, multi-story building with a glass facade sits on a small peninsula. Further right, a marina is filled with numerous sailboats and yachts docked at long wooden piers. A yellow double-headed arrow points from a white box containing the text 'Berth 1' to a specific dock structure in the water. The sky is clear and bright, suggesting a sunny day.

Berth 1



Questions?