DELRAY BEACH
COMMUNITY REDEVELOPMENT AGENCY

REQUEST FOR PROPOSALS
CRA NO. 2023-04
WORKSPACE OPERATOR FOR
98 NW 5th AVENUE

ISSUE DATE
FRIDAY, JUNE 16, 2023

VOLUNTARY PRE-PROPOSAL MEETING
FRIDAY, JUNE 30, 2023
10:00AM EST

QUESTION SUBMITTAL DEADLINE
MONDAY, JULY 10, 2023
5:00PM EST

PROPOSAL SUBMISSION DEADLINE
MONDAY, JULY 31, 2023
2:00PM EST

CONTACT

CHRISTINE TIBBS, ASSISTANT DIRECTOR
DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY
20 NORTH SWINTON AVENUE
DELRAY BEACH, FL 33444
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561-276-8640

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I. INVITATION

The Delray Beach Community Redevelopment Agency ("CRA") is seeking proposals from qualified, experienced, and innovative Workspace Operators to program, activate, manage, oversee, and maintain the second-floor workspace at the CRA-owned commercial property located at 98 NW 5th Avenue, Delray Beach, Florida, 33444 ("Workspace Operator"), more specifically described in Article III and Article IV of this Request for Proposals ("RFP"). The Property is located within the Delray Beach Community Redevelopment District known as "The Set", and within the West Settlers Historic District of the City of Delray Beach — an area that was once a vital hub for the community's bustling Black-owned businesses.

Interested parties, hereinafter referred to as Proposers, are invited to submit a complete Proposal for consideration. Any submitted Proposal must clearly address and contain all items and forms requested.

Proposers are advised that Proposals submitted with irregularities, omissions, errors, deviations, and/or technicalities that, at the sole discretion of the CRA, do not meet the minimum requirements of the RFP, may result in a non-responsive determination. Proposers will not be given the opportunity to cure any irregularity, omission, error, deviation, and/or technicality. The CRA reserves the right to accept any Proposal(s) deemed to be in the best interest of the CRA, to waive any minor irregularities, scrivener's errors, omissions, deviations, and/or technicalities in any Proposal(s), or to reject any or all Proposal(s), and to re-advertise for new Proposal(s). It is at the sole discretion of the CRA to waive or not waive any irregularity, omission, error, deviation, and/or technicality.

The CRA is vested by the State of Florida pursuant to its powers under Florida Statutes, Chapter 163, Part III, the Community Redevelopment Act of 1969 as amended, with the authority to request proposals for the redevelopment of any area within its District in order to effectuate redevelopment pursuant to the goals and objectives of the CRA Redevelopment Plan (https://delraycra.org/wp-content/uploads/2019/04/Community-Redevelopment-Plan.pdf).

Proposals will be evaluated based on the procedures and criteria stated within Article VI of this RFP.

The CRA intends to negotiate an Agreement for a Workspace Operator upon the award of this RFP to a Proposer that best satisfies the evaluation criteria, *and* the selection of that Proposer is deemed to serve in the best interest of the CRA.

Proposers are required to submit one (1) original hard copy of their full Proposal in a hard cover binder, and one (1) electronic, searchable .pdf file of the full Proposal on a USB drive in a sealed package with the outside of the package marked "Request for Proposals CRA No. 2023-04, Workspace Operator for 98 NW 5th Avenue". All Proposals shall be delivered (mailed or hand-delivered) to the CRA at:

20 N Swinton Avenue, Delray Beach, Florida 33444
on or before 2:00PM EST on, Monday, July 31, 2023

The responsibility for submitting a Proposal at the correct location on or before the stated time and date is solely and strictly that of the Proposer. The CRA is not responsible for any delayed, late, misdelivered, or non-delivered Proposal(s), no matter the cause.

II. RFP OVERVIEW

RFP Issued	Friday, June 16, 2023
Pre-Proposal Meeting Date and Location Attendance is VOLUNTARY and is recommended but is not mandatory.	Friday, June 30, 2023 at 10:00AM EST In person at: Delray Beach CRA Office 20 N Swinton Avenue Delray Beach, FL 33444
Question Submittal Deadline	Monday, July 10, 2023 at 5:00PM EST Questions must be submitted in writing via email to: Christine Tibbs, Assistant Director tibbsc@mydelraybeach.com
Proposal Submission Due Date and Location	Monday, July 31, 2023 at 2:00PM EST Drop-Off or Mail Proposals to: Delray Beach CRA Office Attention: Christine Tibbs 20 N Swinton Avenue Delray Beach, FL 33444
Evaluation Committee	TBD
CRA Board Meeting	TBD

- The CRA reserves the right to advance or delay the above scheduled dates.

- Mailed Proposals will be considered timely when **received** by the CRA at the stated Location on or before the stated Due Date. All Proposals will be timestamped by the CRA when received. Proposals not received by the CRA by the Due Date at the stated Location shall not be reviewed or considered by the CRA.

BROADCAST

All documents related to this RFP, including any addenda, can be obtained from: (a) BidSync – www.bidsync.com; and (b) the CRA's website: www.delraycra.org.

Proposers who obtain solicitation information from sources other than those named above are cautioned that the RFP package may be incomplete and incomplete Proposal submittals may be deemed non-responsive by the CRA. BidSync is an independent entity and is not an agent or representative of the CRA. Communications to any independent entities does not constitute communications to the CRA. The CRA is not responsible for errors and omissions occurring in the transmission or downloading of any documents, addenda, plans, or specifications from these websites.

CONTACT PERSON

Any questions regarding the RFP documents and/or solicitation process must be submitted in writing to Christine Tibbs, Assistant Director at tibbsc@mydelraybeach.com. Questions must be received prior to the Question Submittal Deadline. Oral explanations, information, and instructions shall not be considered binding on the CRA. All prospective Proposers are encouraged to independently verify the accuracy of any information provided. Neither the CRA nor any of its agents or employees shall be responsible for the accuracy of any oral information provided to any Proposer.

III. LOCATION INFORMATION

The CRA-owned commercial property at 98 NW 5th Avenue ("Subject Property") is located in the West Atlantic Avenue corridor along Historic NW 5th Avenue within the Community Redevelopment District known as "The Set", and within the West Settlers Historic District of the City of Delray Beach — an area that was once a vital hub for the community's bustling Black-owned businesses.

The Set community brand was identified by long-standing residential and business communities surrounding the West Atlantic Avenue corridor, from I-95 to Swinton Avenue. The Set is predominately a single-family residential community with Delray Beach's main streets of Atlantic and Fifth Avenues traversing the east-west and north-south corridors of the western end of Downtown Delray Beach. The Subject Property is just minutes from I-95 and approximately thirty minutes from Fort Lauderdale International Airport and Palm Beach International Airport. Further, the Subject Property is within walking distance of shops and restaurants in Downtown Delray Beach and two miles from the beach.

Redevelopment and construction of the Subject Property is completed but does not currently have any tenants. The CRA is actively seeking tenants with day, night, and weekend operations for the ground floor units and the Workspace Operator for the second-floor workspace.

PROPERTY DESCRIPTION & MAP

The Subject Property (outlined in red) is located at the intersection of NW 1st Street and NW 5th Avenue – east of I-95 and just north of West Atlantic Avenue.

Parking:
There are two (2) on street parking spaces in front of the Subject Property on NW 1st Street.

A public parking lot is nearby on NW 5th Avenue (outlined in yellow.)

PARCEL CONTROL NUMBER:
12434616010200110

LEGAL DESCRIPTION:
DELRAY TOWN OF N 50 FT OF E 135 FT OF BLK 20 (LESS E 5 FT NW 5TH AVE & TRGLR PAR & W 1.50 FT ALLEY & TRGLR PAR R/WS)

BUILDING DESCRIPTION

Two-Story Commercial Building
Approximately 6,617 sq. ft.
Elevator and Stair Access
On Street Parking (Two (2) Spaces) and Public Parking Lot at 40 NW 5th Avenue

First Floor:
Five (5) Units: Each Unit is approximately: 650 sq. ft. – 664 sq. ft.
Each Unit Contains: One (1) Bathroom and One (1) Janitor's Closet

Second Floor:
Workspace: Approximately 3,320 sq. ft.
Fully Furnished, Open Work Areas, Conference Rooms, Restrooms, Office Suites, Private Telephone Booths

Lease Rate Range for second-floor Workspace:
To be negotiated between $10 - $20 per sq.

NOTE: THIS RFP IS ONLY FOR THE SECOND-FLOOR WORKSPACE.

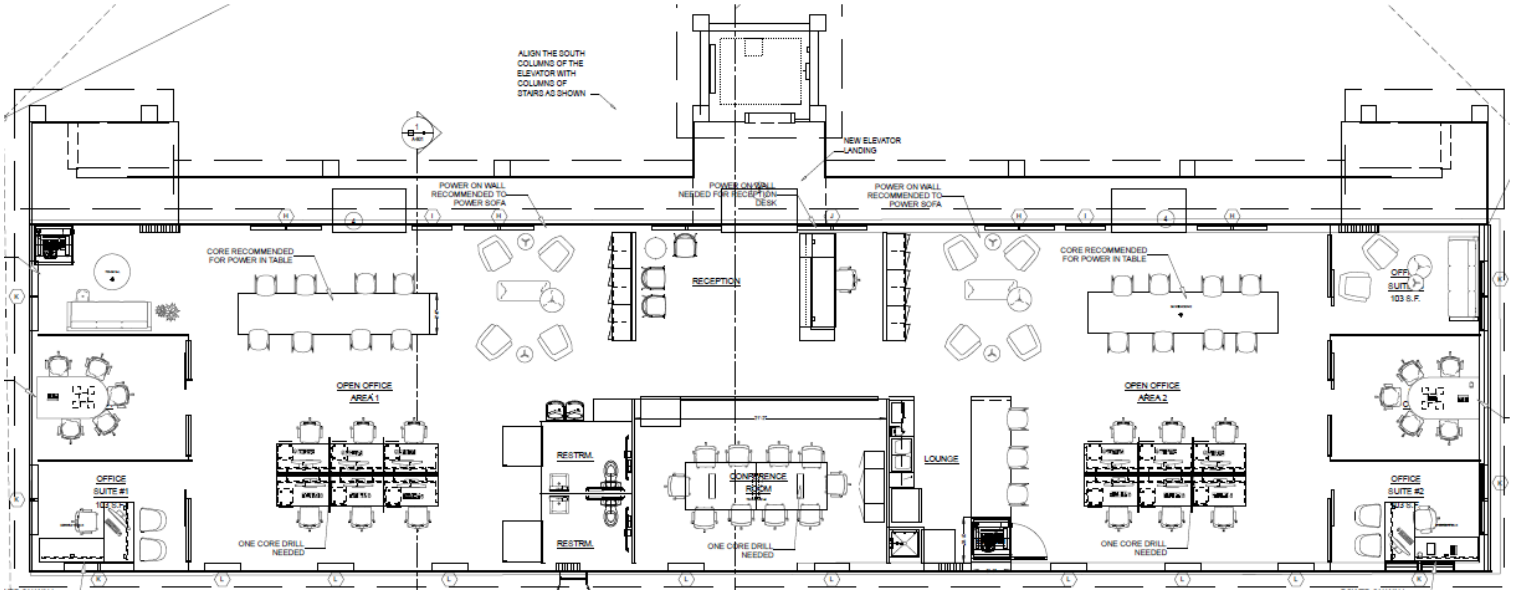
EXTERIOR PROPERTY PHOTOS

View on NW 5th Avenue

View on NW 1st Street

INTERIOR BUILDING LAYOUT

Second Floor Workspace:



IV. WORKSPACE OPERATOR

A. Objective

The CRA intends to enter into a Workspace Operator Agreement ("Agreement") with an entity possessing a proven track record of delivering high-quality services and programming as well as the infrastructure and experience in launching, growing, supporting, and managing small companies within a shared workspace environment. Services and programming are to be delivered for the CRA-owned commercial property located at 98 NW 5th Avenue, Delray Beach, Florida, 33444. Services and programming under the Workspace Operator Agreement are restricted to the second-floor workspace.

Historic NW/SW 5th Avenue was once a vital business area of black-owned businesses. The vision for 98 NW 5th Avenue is captured in the West Atlantic Master Plan and CRA Community Redevelopment Plan, as a vibrant local economy that will house a diverse range of businesses, including retail stores, café eateries, and service providers, all carefully curated to cater to the preferences and demands of the adjacent local community. In 2012, the West Atlantic Area Needs Assessment was conducted, and it identified a series of goals for the West Atlantic neighborhood, including accommodating retail space for local retailers. Additionally, the "Focus on 5th Initiative" Phase I was later launched in November 2016 with the intent of activating CRA-owned properties with in-area career services and industry learning centers, filling vacant and underutilized properties along the corridor with activities and local enterprises designed to increase vibrancy and foot traffic, building patronage of local area businesses, inspiring an active business community of innovation featuring new co-ops, coworking spaces, incubators and live-work units, cultivate an 'incubating and high-growth environment' to help local entrepreneurs to start-up, innovate and scale and encourage private capital investment and quality job creation. Furthermore, the CRA's Community Redevelopment Plan includes the NW & SW 5th Avenue corridor under the NW & SW 5th Avenue Beautification Project #2.1. The objective of Project #2.1 is to revitalize the NW & SW 5th Avenue corridor into a thriving district for neighborhood businesses and cultural activities with the strategic provision of diverse neighborhood shopping, services, and cultural facilities that will serve to enhance overall business activity and pedestrian activity in the area.

98 NW 5th Avenue has undergone a remarkable transformation since the CRAs acquisition of the Subject Property in 2018 and now, it emerges as a vibrant two-story, affordable commercial rental space with five (5) individual units on the ground floor and a shared workspace on the second floor. The redeveloped building was designed to meet the evolving needs and aspirations of The Set community which includes the desire to have a mix of businesses and service offerings that are oriented toward serving the local neighborhood. 98 NW 5th Avenue is uniquely positioned to serve as a catalyst for further development in the area and as a hub of economic activity where the authenticity of a historical community meets the potential of small business development and, where untapped opportunities meet to create synergy between entrepreneurism, culture, recreation, and education for current and next-generation residents.

The Workspace Operator will assist in bringing these elements to fruition while also furthering the goals and objectives of the CRA Community Redevelopment Plan and West Atlantic Master Plan for the successful redevelopment of the NW & SW 5th Avenue corridor.

B. Workspace Operator Services Agreement (Agreement)

The Agreement will be negotiated between the Successful Proposer (a Proposer who is awarded the RFP by the CRA Board) and the CRA. The specifications, terms, and conditions of the Agreement will be subject to the mutual written agreement of both parties.

Subject to CRA Board approval, the term of the Agreement between the CRA and the Successful Proposer will be for an initial two (2) year period and may be renewed for up to four (4) additional one (1) year periods thereafter, subject to the mutual written agreement of both parties.

C. Workspace Operator/Successful Proposer's Responsibilities

The responsibilities of the Workspace Operator include, but are not limited to, the following:

To provide the staffing and resources for the day-to-day management, programming, and oversight of the second floor workspace and its users, including collecting fees from users; managing and maintaining operating schedule for the space; providing quarterly financial and programming reports to the CRA; having employees available during operating hours during the entirety of the term of the Agreement; establishing procedures for the operation of the workspace; implementing a comprehensive business plan; managing facility operations; and promoting the workspace and its services and programs within the local community. Along with providing support for entrepreneurs and small businesses, the Workspace Management Company should feature programming that provides career training and education for Delray's small business community, providing opportunities for growth and development of business skills.

The Successful Proposer will be a paying tenant of the second-floor workspace for a rate to be negotiated. It is the responsibility of the Proposer to submit with their Proposal a fee structure on how income will be generated from user and program fees in order to sustain operations. The Workspace Operator's responsibilities will be more particularly described within the Agreement with the CRA.

The Set community has a robust history and sense of community pride. This pride has led the community to be resilient and persevere over the years. With the opportunity to develop a highly desired portion of The Set, it is important that Proposers take the rich heritage and spirit of The Set community into consideration when designing proposed programming for the Subject Property.

D. Property Owner's/CRA's Responsibilities

The responsibilities of the **Property Owner i**nclude, but are not limited to the following:

To provide Lessee with keys and access to the second-floor workspace, to provide Lessee with copies of warranties and contracts related to the Subject Property, to maintain and pay for property insurance on the Subject Property and pay property taxes for the Subject Property.

The Lessor's Responsibilities will be more particularly described within the Agreement between the Successful Proposer and the CRA.

V. PROPOSER'S MINIMUM QUALIFICATION AND EXPERIENCE REQUIREMENTS AND PROPOSAL SUBMITTAL REQUIREMENTS

The following information and documents must be submitted with each Proposal. Failure to provide any of the information or documents, or failure to provide the information in the required format, may be cause for determination that the Proposer is non-responsive, at the sole and absolute discretion of the CRA. Proposals deemed non-responsive may be disqualified, rejected, and receive no further consideration at the sole and absolute discretion of the CRA.

Proposers must submit all documents and forms as required - fully completed and signed.

Proposers shall prepare their Proposal utilizing the same format as outlined below in Article V, Section B, Proposal Submission Format. Each Proposal must contain a "Table of Contents" and each item listed within the Table of Contents must be separated by labelled tabbed divider.

The Proposer shall submit one (1) original hard copy of the full Proposal containing in a hard cover binder, and one (1) electronic, searchable .pdf file of the full Proposal on a USB drive. Double-sided printing is permitted, provided that the Proposal complies with the format set forth in Article V, Section B, Proposal Submission Format.

Do not include additional information not requested in this RFP, unless specified in an Addendum. Proposers are not to submit any information in response to this RFP that has not been specifically requested or which the Proposer considers confidential. Submission of any confidential information will be deemed a waiver of any confidentiality or other such protection, which would otherwise be available to the Proposer, except as specifically permitted under State of Florida Statutes. The submission of such documentation may adversely affect the evaluation of the Proposal by the Evaluation Committee.

This RFP requires the use and submission of specific CRA forms. The CRA forms shall not be expanded or altered. Failure to utilize the CRA's forms will result in the rejection of the Proposal as non-responsive at the sole and absolute discretion of the CRA.

The CRA reserves the right to validate any and all information submitted by a Proposer. At its sole and absolute discretion, the CRA may disqualify any Proposer if the CRA determines that their Proposal does not sufficiently document qualifications and experience. Further, at its sole and absolute discretion, the CRA may request and require that additional information be provided by a Proposer.

The Proposal must be manually and duly signed by an authorized agent with an original signature in full. Anyone signing the Proposal as an agent, must submit evidence of signature authority.

Proposers understand that submitting a Proposal to this RFP does not constitute an agreement between the CRA and the Proposer. Proposer has no contract right or expectation by submitting to the CRA a response to this RFP.

The following describes the information that must be provided to the CRA in order for the CRA to consider a Proposal. Failure to provide any of the information or failure to provide the information in the required format may be cause for the CRA to reject the Proposal. The CRA retains the right at its sole and absolute discretion to reject any Proposal that does not meet the requirements of this RFP.

A. Proposal Requirements

1. TAB #1 – Table of Contents:

The Table of Contents should follow in sequential order as specified in in Article V, Section B, Proposal Submission Format. All pages of the Proposal must be consecutively numbered and correspond to the Table of Contents.

2. TAB #2 – Proposer's Information:

Proposers shall provide the following information within their Proposal:

- Description of the Proposer's Company: Please include (a) Company name, address, telephone and fax numbers, and email address; (b) ownership and legal organization structure; (c) parent company if it is a subsidiary; (d) identify and provide the officers and principals including names, roles, addresses, telephone numbers, and federal business identification numbers; and (4) copies of appropriate certifications and licenses.

- Partner or Affiliated Firm: please include (a) firm name, address, telephone and fax numbers, and email address for each Partner, Equity Partner, or Affiliated firm participating in the provision of services outlined in this RFP; (b) ownership structure and/or affiliation with the Prime Firm; and (c) identify and provide officers and principals and key personnel of the Partner or Affiliated firm, including names, roles, addresses, telephone numbers, and federal business identification numbers.

- Key Personnel: Description and qualifications of all key personnel, staff, employees, etc. for the Proposer shall include what these Key Personnel's roles and responsibilities will be. Key Personnel shall include: (1) the Proposer Company Executive(s); (2) support staff, employees, personnel, etc.; (3) and all other key personnel who will be assigned to the Workspace, if applicable. Provide a brief description to include qualifications and years of experience for each individual, as well as resumes. If Key Personnel have not been selected, Proposers must describe its method of selection and general approach to the hiring and development of the Key Personnel. Note: Successful Proposer(s) must provide their own support staff to provide the required services and programming of the Workspace for the term of the Agreement.

- Information on any Sub-Consultants that the Proposer has or will have a contract with, other than the employees of the Proposer, who will assist in the performance of providing services and programming for the Workspace required under this RFP.

- Provide an organization chart identifying all individuals who will participate in the provision of services and programming outlined in this RFP. Only individuals that will be actively involved and directly engaged in programming, activating, managing, overseeing, and maintaining the Workspace and their qualifications and experience should be provided.

- Provide a copy of the Proposer's City of Delray Beach Business Tax Receipt, if available at the time of submission. If not available, the Successful Proposer will need to provide one before an Agreement can be finalized. It is the policy of the CRA that as a condition of award of an Agreement, the Successful Proposer and all sub-consultants/sub-contractors obtain a City of Delray Beach Business Tax Receipt (or Contractor's

Registration, if applicable). It is the sole responsibility of Proposers to supply copies of all required Business Tax Receipts.

- If the Proposer is a not-for-profit entity, a copy of the not-for-profit determination letter, or a copy of the application for 501(c)(3), tax exempt status submitted to the Internal Revenue Service.

- If the Proposer is a not-for-profit entity, a complete list of the Entity's Board of Directors including names, addresses and phone numbers and the name of the Entity's Executive Director. If the entity is affiliated with another entity, please provide a statement representing the nature of the affiliation along with the other entity's name, address, phone number, and a listing of the Board of Directors.

- Proposers shall complete and submit the Proposal Acknowledgment Form provided in Article IX, Required Forms.

Note: Proposers shall be licensed and authorized to conduct business in the State of Florida for the last five (5) years under its current business name (current business name means the actual official name on file with the State of Florida of the entity submitting the Proposal). Proposers shall provide the necessary documentation to support the above.

3. TAB #3 – Narrative/Executive Summary:

Proposers shall include a general introduction statement identifying the party responding to this RFP and a brief overview and description of the company. In addition, Proposers shall provide a summarized explanation of its qualifications and experience managing similar facilities and why it is the most qualified to provide the required services and programming for the Workspace to the Delray Beach CRA.

4. TAB #4: Proposal:

Proposals shall include a thorough explanation of the services and programming for the Workspace that the Proposer will provide to the CRA at the Subject Property. Proposals shall also include a thorough plan and explanation of how the Proposer intends to operate the Workspace, including unique features, opportunities, activations, events, etc.

Proposer(s) should demonstrate how the vision for the Workspace will create an economically viable destination that will complement the adjacent residential community and the rich history of The Set. Proposers should include any and all information they believe would be beneficial for the Evaluation Committee to consider when reviewing the Proposer's Proposal.

In addition, Proposers should incorporate answers to the questions below and include a copy of their Business Plan and Company Strategic Plan, if applicable.

Workspace Design and Operation:

1. Describe track record of delivering similar services and programming, including your capacity, infrastructure, and experience in launching, growing, supporting, and managing a shared workspace environment.

2. What are the expected immediate outputs, short, medium and long-term goals for Delray Beach businesses as clients of the Workspace?

3. How will the proposed services achieve these results?

4. How will the Workspace structure contribute to its success?

5. Are the activities likely to result in stated outputs/outcomes?

6. Success record back three years.

7. If applicable, how many businesses have you successfully served?

8. How do you define success? Provide examples.

9. What metrics do you use and are they clearly stated? Please demonstrate success rate.

10. How and in what capacity will workforce development be incorporated into your programming and/or operations?

11. What makes your proposal innovative?

Scalability

12. How will the Workspace help scale-up Delray Beach businesses?

13. Does your Workspace business plan demonstrate growth in the larger Delray Beach business community?

14. How are metrics used to measure scalability?

Sustainability

15. How likely is it that the services/benefits the Workspace provide for sustainability to Delray Beach client businesses for 5 years, 10 years?

16. Are the long-term goals for businesses clearly defined? Does the Workspace have a defined strategic plan to successfully reach these long- term goals?

17. What is your projected success rate for businesses as members of the Workspace?

Organizational Capacity Decision Guidance

18. Does the Proposer have enough motivation and capacity to incubate Delray Beach businesses and manage the Workspace and achieve its mission and goals?

19. Does the Proposer have, or have the ability to hire staff (full-time and part-time) and volunteers with the necessary skills, expertise and experience?

20. Does the Proposer and staff have the necessary skills and experience to contribute to the Workspace goal of serving Delray Beach businesses?

21. Does the Proposer demonstrate sufficient resources, equipment, and staff?

Financial Plan

22. What is the rent structure and terms you are proposing?

Note: The Successful Proposer will be a paying tenant of the second-floor workspace for a rate to be negotiated. It is the responsibility of the Proposer to submit with their proposal a fee structure on how income will be generated from user and program fees in order to sustain operations. A preliminary operating pro forma should be included in Tab #6.

5. TAB #5: Experience and Qualifications of the Proposer:

Proposers must have a minimum of five (5) years of experience specializing in the programming, activation, management, oversight, and maintenance of a shared workspace environment.

Proposers shall provide the following information within their Proposal:

- Proposers shall provide a thorough explanation of its qualifications and relevant experience programming, activating, managing, overseeing, and maintaining similar facilities and why it is the most qualified to operate the Workspace for the CRA.

- Property Reference Forms: Proposers shall provide a minimum of three (3) examples of existing workspace facilities currently or previously under their management, similar in size, scope, and complexity as the Subject Property described in this RFP. Submitted examples shall include the name and address of the property, years under the Proposer's management, a brief description of the property, including number of units, number of tenants and/or users, and a brief description of the services provided by the Proposer.

- Proposer Reference Forms: Proposers shall provide a minimum of three (3) references from existing clients/customers or other professional references. Submitted references shall include the reference's name, address, phone number, any comments from the reference, and the reference's signature and date signed. The CRA reserves the ability to contact submitted references.

Notes:
Proposers shall be entities with a proven track record of delivering high-quality services and programming as well as the infrastructure and experience in launching, growing, supporting, and managing small companies within a shared workspace environment.

Proposers shall be licensed and authorized to conduct business in the State of Florida for the last five (5) years under its current business name (current business name means the actual official name on file with the State of Florida of the entity submitting the Proposal). Proposers shall provide the necessary documentation to support the above.

Successful Proposer(s) must have sufficient insurance coverage in types and amounts, as required and approved by the CRA, to be in force at the time the Agreement takes effect, and the Successful Proposer(s) must maintain the insurance for the term of the Agreement. The CRA shall be named as an additional insured on all applicable policies.

6. TAB #6: Financial Information & Legal Disclosures:

Proposers shall provide the following information:

- Proposers shall provide a preliminary operating pro forma estimating the operating income and expenses for the proposed Workspace (minimum 3 years) to demonstrate financial feasibility. Note: The Successful Proposer will be a paying tenant of the second-floor workspace for a rate to be negotiated. It is the responsibility of the Proposer to submit with their proposal a fee structure on how income will be generated from user and program fees in order to sustain operations.

- The Proposer must provide a copy of its most recent financial statements, which shall include a current (audited, if available) financial statement, a balance sheet, a three-year statement of past income, and a projected one-year income statement for the current fiscal year for the Proposer (and its parent entity if it is a subsidiary, if applicable). Tax returns may be substituted for financial statements.

- Information regarding any prior or pending bankruptcies, legal or administrative actions, past or pending, which occurred during the past ten (10) years for the Proposer must be disclosed. The CRA reserves the right to conduct its own research, investigation, background checks, and credit checks on the proposing entity, and its officers, agents, and representatives.

7. TAB #7: Additional Considerations:

Identify any additional or unique resources, capabilities, or assets which the Proposer believes would be beneficial for the Evaluation Committee to consider when reviewing the Proposer's qualifications.

8. TAB #8: RFP Required Forms:

Proposers shall provide the following information with their Proposal Package:

- Conflict of Interest Disclosure Form
- Scrutinized Companies Certification Pursuant to Florida Statutes § 287.135
- Notification of Public Entity Crimes Law
- Notification of Public Records Law
- Drug-Free Workplace
- Non-Collusion Affidavit

THIS SECTION IS INTENIONALLY BLANK.

B. Proposal Submission Format

Proposers shall prepare and submit their Proposals in the format stated below. Failure to comply with this format may result in the Proposal being deemed non-responsive. All original hardcopy Proposal submissions shall be bound in a hard cover binder and tabbed, and all electronic Proposal submissions need to be in bookmarked and searchable .pdf file format on a USB drive. To ensure that all Proposals can be evaluated on an equitable basis, this RFP requires each Proposer to provide the required information in a prescribed format and organization.

Required Proposal Submission Format:

- Tab 1: Table of Contents

- Tab 2: Proposer's Information
  - Proposal Acknowledgement Form
  - Description of the Proposer's Company
  - Partner or Affiliated Firm Information
  - Key Personnel
  - Information on any Sub-Consultants
  - Organization Chart
  - City of Delray Beach Business Tax Receipt
  - Documentation that the Proposer has been licensed and authorized to conduct business in the State of Florida for the last five (5) years under its current business name

- Tab 3: Narrative/Executive Summary

- Tab 4: Proposal
  - Thorough explanation and plan for operating the Second-Floor Workspace
  - Responses to Questions #1-22

- Tab 5: Experience and Qualifications of the Proposer
  - All information requested as listed in Article V, Section A of this RFP.
  - Property Reference Forms (minimum of three (3))
  - Proposer Reference Forms (minimum of three (3))

- Tab 6: Financial Information
  - Preliminary Budget and Project Pro Forma
  - Requested Financial Information
  - Disclosure of prior or pending bankruptcies, legal or administrative actions, past or pending

- Tab 7: Additional Considerations

- Tab 8: RFP Required Forms
  - Conflict of Interest Disclosure Form
  - Scrutinized Companies Certification Pursuant to Florida Statutes § 287.135
  - Notification of Public Entity Crimes Law
  - Notification of Public Records Law
  - Drug-Free Workplace
  - Non-Collusion Affidavit

C. Proposal Submission Due Date and Location

A complete Proposal for this RFP shall be delivered (by hand or via mail) in accordance with the following:

Proposal Submission Due Date:	**Monday, July 31, 2023 by 2:00PM EST.**
Proposal Submission Location:	**Delray Beach CRA Office** **20 N Swinton Avenue** **Delray Beach, Florida 33444**

Proposals must be submitted in a sealed package and clearly marked on the outside with:

RFP CRA NO. 2023-04
WORKSPACE OPERATOR FOR
98 NW 5th AVENUE

Proposals received at any other location than the aforementioned, or after the Proposal Submission Due Date, shall be deemed non-responsive, and shall not be considered. The responsibility for submitting a Proposal at the correct location before the stated Due Date is solely and strictly that of the Proposer. The CRA is not responsible for any delayed, late, misdelivered, or non-delivered Proposal(s), no matter the cause. Proposals not received by the CRA by the Due Date at the stated Location shall not be reviewed or considered by the CRA and will be returned to the Proposer unopened.

D. Additional Submittal Guidelines

Only one (1) Proposal from any one company will be considered in response to this RFP. Sub-consultants/sub-contractors may be included in a Proposal, and they may be included in more than one (1) Proposal submitted by more than one (1) Proposer. Any company that submits a Proposal shall not be a sub-consultant/sub-contractor on another Proposal submitted under this RFP.

It is the policy of the CRA that as a condition of award of an Agreement, the Successful Proposer and all sub-consultants/sub-contractors obtain a City of Delray Beach Business Tax Receipt. It is the sole responsibility of Proposers to supply copies of all required Business Tax Receipts.

E. Changes/Modifications/Alterations to Submitted Proposals

A Proposer may submit a modified Proposal to replace all or any portion of a previously submitted Proposal or withdraw a Proposal at any time prior to the Proposal Submission Due Date. All modifications or withdrawals shall be made in writing, to Christine Tibbs, Assistant Director, via email at tibbsc@mydelraybeach.com. Oral/Verbal modifications are prohibited, and they will be disregarded. Written modifications will not be accepted after the Proposal Submission Due Date. The CRA will only consider the latest version of the Proposal.

VI. EVALUATION AND SELECTION

A. Evaluation and Selection Procedures

Sealed proposals may be submitted to the **Delray Beach CRA Office at 20 N Swinton Avenue, Delray Beach, Florida, 33444** until **2:00PM EST on Monday, July 31, 2023**. CRA Staff will open the Proposals immediately after that time and review them for responsiveness and compliance with submission requirements, including verification that each Proposal includes all information, documentation, and forms required. CRA Staff is responsible for the review of all Proposals for responsiveness before distributing them to the Evaluation Committee. However, responsiveness determinations may be made at any time prior to contract reward.

Proposers are advised that Proposals submitted with irregularities, omissions, errors, deviations, and/or technicalities that, at the sole discretion of the CRA, do not meet the minimum requirements of the RFP, may result in a non-responsive determination. Proposers will not be given the opportunity to cure any irregularity, omission, error, deviation, and/or technicality. It is at the sole discretion of the CRA to waive or not waive any irregularity, omission, error, deviation, and/or technicality. At any time during the evaluation process, the CRA may conduct any investigations, inquiries, or any other action it deems necessary to fairly review a Proposal.

The CRA will establish an Evaluation Committee to review and score all responsive Proposals in accordance with the requirements of this RFP and criteria listed below. The Evaluation Committee will determine whether a Proposer is responsible, has the capacity to fully perform the Workspace Operator functions as stated in this RFP, and has the integrity and reliability that will ensure good faith performance. CRA Staff will calculate the total score for each responsive Proposal reviewed and scored by the Evaluation Committee.

The Evaluation Committee may shortlist Proposers deemed the most highly qualified to perform the required Workspace Operations and ask those Proposers to hold brief oral presentations at a later date.

Subsequent to oral presentations with the shortlisted Proposers, the Evaluation Committee will re-evaluate and re-score the Proposals, in conjunction with the oral presentations. CRA Staff will calculate the final score for each shortlisted Proposer and finalize the composite scores.

Please note that the Evaluation Committee does not need to request oral presentations. For this reason, each Proposer should ensure that its Proposal contains all the information and documentation requested in this RFP.

The final scores will be forwarded to the CRA Executive Director. If the CRA Executive Director determines that there are any scoring irregularities, errors, deviations, technicalities, or any issue that may result in unfair scoring of the proposals, the CRA Executive Director, in her sole and absolute discretion, may request that the Evaluation Committee reconvene and rescore the proposals. After which, the CRA Executive Director will place the RFP onto a CRA Board meeting agenda and the CRA Board will have the following options:

a) Accept the Evaluation Committee's scores and the CRA Board may elect to award an Agreement to a Proposer to operate the second floor Workspace for the Subject Property; or

b) Reject the Evaluation Committee's scores and select a Proposer to operate the second floor Workspace for the Subject Property that the CRA Board believes will serve in the CRA's best interests; or

c) Cancel the RFP at any time, and/or reject all submitted Proposals, and/or direct CRA Staff to re-issue the RFP.

The CRA reserves the right to negotiate such terms and conditions with the Successful Proposer as it is determined to be in the CRA's best interest, which is determined at the CRA's sole and absolute discretion. In the event a contract is not negotiated to the CRA's satisfaction, the CRA may abandon such negotiations, and at its sole and absolute discretion, may commence negotiations with the next ranked Proposer. However, the CRA is under no obligation to enter into or continue contract negotiations with any proposer. All Proposers should be familiar with the requirements of Florida Statutes Chapter 163.380 to which this solicitation is subject.

Any and all decisions by the CRA to modify the schedule described herein, to request additional information from Proposers, to reject insufficient or unclear Proposals, to formulate an objective point system for review, to form the Evaluation Committee, to calculate the scores of the proposals, to negotiate an agreement, to abandon negotiations, to approve an agreement, etc., shall be at the CRA's sole and absolute discretion. The CRA reserves its right to cancel this RFP at any time, and/or reject all submitted Proposals, and/or re-issue the RFP. Submittal of a Proposal to this solicitation on the part of any and all Proposers constitutes acceptance of this policy.

B. Evaluation Criteria

Proposals have the possibility to receive a total maximum of 100 points. Proposals will be reviewed and scored by the Evaluation Committee according to the following requirements and respective weight:

REQUIREMENTS	POINTS
Qualifications the Proposer (including References)	**25 Points**
Experience of the Proposer (including References)	**35 Points**
Proposer's Narrative	**15 Points**
Proposer's Proposal	**25 Points**
	100 Total Points

VII. GENERAL TERMS AND CONDITIONS

A. Inspection of Site

Any interested party may arrange, by appointment, to visit the Subject Property of this RFP. Please contact Christine Tibbs, Assistant Director, at (561) 276-8640 or via email: tibbsc@mydelraybeach.com to schedule an appointment.

Potential Proposers should carefully examine the Subject Property before submission of a Proposal and make all necessary investigations to inform themselves thoroughly as to all difficulties involved in the completion of all services required pursuant to the mandates and requirements of this RFP. No plea of ignorance of conditions or difficulties that may hereafter exist, or of conditions or difficulties that may be encountered in the execution of the Workspace Operations pursuant to the Proposal as a result of failure to make the necessary examinations and investigations, will be accepted as an excuse for a failure or omission on the part of the Successful Proposer to fulfill, in every detail, all of the requirements, as defined in the subsequent Agreement, nor will they be accepted as a basis for any claims whatsoever for extra compensation or for an extension of time.

B. Cone of Silence/No Lobbying

As to any matter relating to this RFP, any Proposer, team member, or anyone representing a Proposer is advised that they are prohibited from contacting or lobbying the CRA Chair, any CRA Commissioner, CRA Staff, or any other person working on behalf of the CRA on any matter related to or involved with this RFP. For purposes of clarification, a Proposer's representatives shall include, but not be limited to, the Proposer's employees, partners, attorneys, officers, directors, consultants, lobbyists, or any actual or potential subcontractor or consultant of the Proposer and the Proposer's team. There will be an opportunity for inquiries to be made of CRA Staff during the scheduled voluntary Pre-Proposal Meeting. All inquiries must be in writing and directed to the CRA (tibbsc@mydelraybeach.com). Any violation of this condition may result in rejection and/or disqualification of the Proposer. This "Cone of Silence/No Lobbying" is in effect from the date of issuance of this RFP and shall terminate at the time the CRA Board selects a Proposer and awards an Agreement, rejects all Proposals, or otherwise takes action which ends the solicitation process.

C. Questions

Questions and inquiries concerning this RFP and the specifications contained herein shall be submitted in writing via email to Christine Tibbs, Assistant Director, at tibbsc@mydelraybeach.com no later than Monday, July 10, 2023, 5:00PM EST. Late or misdelivered questions may not receive a response in a subsequent addendum.

Any discrepancies, errors, or ambiguities in the RFP or addendum (if any) should also be reported in writing. If applicable, the CRA will issue a written addendum to the RFP clarifying such conflicts or ambiguities. It is agreed that any such alleged discrepancies, errors, or omissions will not be construed against the drafting party.

CRA Staff will issue responses to timely received questions and any other clarifications the CRA deems necessary via written addendum prior to the Proposal Submission Due Date. Proposers should not rely on any representations, statements, or explanations other than those made in this RFP and in any written addendum to this RFP. Oral explanations, information and instructions shall not be considered binding on the CRA. Neither the CRA nor any of its agents or employees shall be responsible for the accuracy of any oral information provided to any Proposer.

Where there appears to be conflict between the RFP and any addendum issued, the last addendum issued shall prevail.

Any issued addendum will only be made available on the CRA webpage, www.delraycra.org, and at www.bidsync.com. It is the Proposer's sole responsibility to ensure its review and receipt of all addendum.

D. Agreement Terms and Conditions

Proposers should note that certain provisions contained within a potential Agreement with the CRA are non-negotiable. These include, without limitation, applicability, and compliance with applicable laws (e.g., Federal Statutes, State Statutes, County and City Codes), venue, hold harmless, duty to defend, indemnity and insurance, and cancellation for convenience or due to lack of funding by the CRA.

E. Award of Agreement

An Agreement may be awarded to the Successful Proposer for the Workspace Operator by the CRA Board. The CRA reserves the right to execute or not execute, as applicable, an Agreement with the Successful Proposer, when it is determined to be in the CRA's best interest. The CRA does not represent that any award will be made. The award and execution of an Agreement shall comply with the CRA's Purchasing Policies, and the terms and specifications stated herein.

F. Unauthorized Work

The Successful Proposer shall not begin work until the CRA issues a written Notice to Proceed ("NTP"). Such NTP shall constitute the CRA's authorization to begin work. Any unauthorized work performed by the Successful Proposer, prior to receiving the NTP, or during the term of the Agreement, shall be deemed non-compensable by the CRA. The Successful Proposer shall not have any recourse against the CRA for prematurely performing any unauthorized work.

G. Sub-Contractor(s)/Sub-Consultant(s)

For purposes of this RFP, the terms "Sub-Consultant" and "Sub-Contractor" are used interchangeably. A Sub-Consultant or Sub-Contractor is any individual, firm, entity, company, or organization, other than the employees of the Proposer, who has or will have a contract with the Proposer to assist in the performance of the operations of the second floor Workspace required under this RFP. A Sub-Consultant shall be paid directly by the Proposer and shall not be paid directly by the CRA. The Proposer must clearly identify in its Proposal the Sub-Consultants to be utilized to operate the second floor Workspace. The CRA retains the right to accept or reject any Sub-Consultant proposed in accordance with Article V, "Proposer's Minimum Qualification and Experience Requirements and Proposal Submittal Requirements," or proposed prior to execution of the Agreement. Any and all liabilities regarding the use of a Sub-Consultant shall be borne solely by the Successful Proposer, and insurance for each Sub-Consultant must be approved by the CRA and maintained in good standing throughout the duration of the Agreement. Neither the Successful Proposer nor any of its Sub-Consultants are considered employees, partners, affiliates, or agents of the CRA. Failure to list all Sub-Consultants and provide the required information may disqualify any unidentified Sub-Consultants from performing work under this RFP. Proposers shall include in their Proposal the requested Sub-Consultant information.

H. Insurance

The CRA reserves the right to ensure and require that the insurance coverages provided by the Successful Proposer are proper and that the insurers are licensed or otherwise qualified to do business in the State of Florida. If at any time during the term of the Agreement, the CRA should determine that it is in its best interests to insist on an alternative insurance provider, it may do so and the Successful Proposer agrees to comply with the CRA's decision. The CRA also reserves the right to review, modify, or amend any required coverages, limits, and endorsements during the life of a contract and any extensions thereof. The CRA further reserves the right, but not the obligation, to review and reject any insurer providing coverage on the company's behalf because of the insurer's poor financial condition or due to the insurer's failure to operate legally in the State of Florida.

I. Protest

A recommendation for award or rejection of award may be protested by a Proposer through filing a type-written protest with the CRA office. The Proposer shall file its type-written protest with the CRA, Monday through Friday, between the hours of 8:00 AM EST and 5:00 PM EST, excluding legal holidays. Protests shall contain the name, address, and phone number of the petitioner, name of the petitioner's representative (if any), and the title and number of the solicitation. Additionally, the protest shall be signed by an authorized agent of the Proposer and notarized. The protest shall specifically describe the subject matter, facts giving rise to the protest, and the action requested from the CRA. The protest shall be limited to 15 type-written pages. The written protest must be received within three business days from the time of initial posting of the intended award. Notice of Intent to Award shall be posted on the CRA's website, www.delraycra.org, and on BidSync, www.bidsync.com. Failure to file a timely formal written protest within the time period specified shall constitute a waiver by the Proposer of all rights of protest.

The letter of protest shall be accompanied by a non-refundable protest application fee of five thousand dollars ($5,000). The protest application fee must be a cashier's check, a certified check, or an attorney's trust account check made payable to the Delray Beach Community Redevelopment Agency. Failure to provide the required protest application fee shall deem the protest as incomplete and invalid.

THIS SECTION IS INTENTIONALLY BLANK.

VIII. DISCLOSURE AND DISCLAIMERS

This RFP is being issued by the CRA. As more fully set forth in this RFP, any action taken by the CRA in response to Proposals made pursuant to this RFP, or in making any award or failure or refusal to make any award pursuant to such Proposals, or in any cancellation of award, or in any withdrawal or cancellation of this RFP, either before or after issuance of an award, shall be without any liability or obligation on the part of the CRA.

In its sole and absolute discretion, the CRA may withdraw this RFP either before or after receiving Proposals, may accept or reject Proposals, and may accept Proposals which deviate from this RFP. In its sole discretion, the CRA may determine the qualifications and acceptability of any Proposer submitting Proposals in response to this RFP.

Following submission of a Proposal, the Proposer agrees to promptly deliver such further details, information and assurances including, but not limited to, financial and disclosure data, relating to the Proposal and/or the Proposer, including the Proposer's affiliates, officers, directors, shareholders, partners and employees, as requested by the CRA.

The information contained herein is provided solely for the convenience of Proposers. It is the responsibility of a Proposer to assure itself that information contained herein is accurate and complete. Neither the CRA, nor its representatives, provide any assurances as to the accuracy of any information in this RFP. Any reliance on the contents of this RFP, or on any communications with CRA representatives shall be at each Proposer's own risk. Proposers should rely exclusively on their own investigations, interpretations and analyses in connection with this matter. This RFP is being provided by the CRA without any warranty or representations, express or implied, as to its content, accuracy or completeness, and no Proposer or other party shall have recourse to the CRA if any information herein contained shall be inaccurate or incomplete. No warranty or representation is made by the CRA that any proposal conforming to these requirements will be selected for consideration, negotiation or approval.

The CRA shall have no obligation or liability with respect to this RFP, or the evaluation and selection, and award processes contemplated hereunder. The CRA does not warrant or represent that any award or recommendation will be made as a result of the issuance of this RFP. All costs incurred by a Proposer in preparing and responding to this RFP are the sole responsibility of the Proposer. Any recipient of this RFP who responds hereto fully acknowledges all the provisions of this Disclosure and Disclaimer and agrees to be bound by the terms hereof. Any Proposal submitted pursuant to this RFP is at the sole risk and responsibility of the Proposer by submitting such a Proposal.

This RFP is made subject to correction of errors, omissions, or withdrawal without notice. Information contained in the RFP is for guidance only and each recipient hereof is cautioned and advised to independently verify all of such information. In the event of any differences between this Disclosure and Disclaimers and the balance of the RFP, the provisions of this Disclosure and Disclaimers shall govern.

The CRA reserves the right to select the Proposal which, in the opinion and sole discretion of the CRA, will be in the best interest and/or most advantageous to the CRA. The CRA reserves the right to waive any irregularities and technicalities and may, at its discretion, request re-submittal of Proposals. All expenses in preparing the Proposal and any re-submittals shall be borne by the Proposer.

The CRA and the Proposer will be bound only if and when a Proposal, as it may be modified, is approved and accepted by the CRA, and the applicable agreements pertaining thereto are approved, executed and delivered by the Successful Proposer to the CRA, and then only pursuant to the terms of

the agreements executed by the Proposer and the CRA. All or any responses to this RFP may be accepted or rejected by the CRA for any reason, or for no reason, without any resultant liability to the CRA.

The CRA is governed by the Sunshine Law and the Public Records Law of the State of Florida and all Proposals and supporting data shall be subject to disclosure as required by such laws. All Proposals shall be submitted in sealed form and shall remain confidential to the extent permitted by the Public Record Law until the date and time selected for opening responses.

THIS SECTION IS INTENTIONALLY BLANK.

IX. RFP REQUIRED FORMS

The forms listed below must be completed by an official having legal authorization to contractually bind the Proposer and must be submitted with the Proposal. Each signature represents a binding commitment upon the Proposer to provide the goods and/or services stated within this RFP and the Proposer's Proposal to the CRA if the Proposer is awarded an Agreement and an Agreement is successfully negotiated and executed.

- Proposal Acknowledgement Form
- Conflict of Interest Disclosure Form
- Scrutinized Companies Certification Pursuant to Florida Statutes § 287.135
- Notification of Public Entity Crimes Law
- Notification of Public Records Law
- Drug-Free Workplace
- Non-Collusion Affidavit
- Property Reference Form
- Proposer Reference Form

PROPOSAL ACKNOWLEDGEMENT FORM

The Proposer hereby acknowledges and affirms to the contents of this RFP, its response thereto, including without limitation, all addenda have been read, understood, and agreed to by assigning and completing the spaces provided below:

A. RFP Addendum Acknowledgment

Addendum No. 1, Dated _____
Addendum No. 2, Dated _____
Addendum No. 3, Dated _____
Addendum No. 4, Dated _____
Addendum No. 5, Dated _____

B. The undersigned certifies that they are authorized to sign for the Proposer.

C. The undersigned certifies that any and all information contained in response to this RFP is true and correct.

D. THE EXECUTION OF THIS FORM CONSTITUTES THE UNEQUIVOCAL OFFER OF PROPOSER TO BE BOUND BY THE TERMS OF ITS PROPOSAL, FOR NOT LESS THAN 90 DAYS, AND THE PROPOSER'S UNEQUIVOCAL OFFER TO BE BOUND BY THE TERMS AND CONDITIONS SET FORTH IN THIS SOLICITATION. FAILURE TO SIGN THIS SOLICITATION WHERE INDICATED, BY AN AUTHORIZED AGENT, SHALL RENDER THE PROPOSAL NON-RESPONSIVE. THE CRA MAY, HOWEVER, IN ITS SOLE DISCRETION, ACCEPT ANY PROPOSAL THAT INCLUDES AN EXECUTED DOCUMENT WHICH UNEQUIVOCALLY BINDS THE PROPOSER TO THE TERMS OF ITS PROPOSAL.

RFP CRA NO. 2023-04: WORKSPACE OPERATOR FOR 98 NW 5TH AVENUE

Proposer's Name: _____

Federal Employer Identification Number: _____

Principal Business Address:_____

Mailing Address: _____

Telephone Number(s): _____

Fax Number(s): _____

Email Address: _____

Authorized Agent Name and Title: _____

_____
(Signature of authorized agent)

Date: _____

CONFLICT OF INTEREST DISCLOSURE FORM

The award of this contract is subject to the provisions of Chapter 112, *Florida Statutes*. All Proposers must disclose within their Proposals: the name of any officer, director, or agent who is also an employee of Delray Beach Community Redevelopment Agency ("CRA").

Furthermore, all Proposers must disclose the name of any CRA employee who owns, directly, or indirectly, an interest of more than five percent (5%) in the Proposer's entity or any of its branches.

The purpose of this disclosure form is to give the CRA the information needed to identify potential conflicts of interest for evaluation team members and other key personnel involved in the award of this contract.

The term "conflict of interest" refers to situations in which financial or other personal considerations may adversely affect, or have the appearance of adversely affecting, an employee's professional judgment in exercising any CRA duty or responsibility in administration, management, instruction, research, or other professional activities.

Please check one of the following statements and attach additional documentation if necessary:

_____ To the best of our knowledge, the undersigned company has no potential conflict of interest due to any other Cities, Counties, contracts, or property interest for this Proposal.

_____ The undersigned entity, by attachment to this form, submits information which may be a potential conflict of interest due to other Cities, Counties, contracts, or property interest for this Proposal.

Acknowledged by:

_____
Proposer/ Company Name

_____
Authorized Agent Signature

_____
Authorized Agent Name and Title (Print or Type)

_____
Date

SCRUTINIZED COMPANIES CERTIFICATION PURSUANT TO *FLORIDA STATUTES* § 287.135

I, _____, on behalf of _____,
Print Name and Title Proposer Name

certify that_____ does not:
Proposer Name

1. Participate in a boycott of Israel; and
2. Is not on the Scrutinized Companies that Boycott Israel List; and
3. Is not on the Scrutinized Companies with Activities in Sudan List; and
4. Is not on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List; and
5. Has not engaged in business operations in Syria.

Submitting a false certification shall be deemed a material breach of contract. The Delray Beach Community Redevelopment Agency ("DBCRA") shall provide notice, in writing, to the Proposer of the DBCRA's determination concerning the false certification. The Proposer shall have ninety (90) days following receipt of the notice to respond in writing and demonstrate that the determination of false certification was made in error. If the Proposer does not demonstrate that the DBCRA's determination of false certification was made in error then the DBCRA shall have the right to terminate the contract and seek civil remedies pursuant to *Florida Statutes* § 287.135.

Section 287.135, *Florida Statutes*, prohibits the DBCRA from:

1) Contracting with companies for goods or services in any amount if at the time of bidding on, submitting a proposal for, or entering into or renewing a contract if the company is on the Scrutinized Companies that Boycott Israel List, created pursuant to Section 215.4725, F.S. or is engaged in a boycott of Israel; and

2) Contracting with companies, for goods or services over $1,000,000.00 that are on either the Scrutinized Companies with activities in the Iran Petroleum Energy Sector List, created pursuant to s. 215.473, or are engaged in business operations in Syria.

As the person authorized to sign on behalf of the Proposer, I hereby certify that the company/entity identified above in the section entitled “Proposer Name” does not participate in any boycott of Israel, is not listed on the Scrutinized Companies that Boycott Israel List, is not listed on either the Scrutinized Companies with activities in the Iran Petroleum Energy Sector List, and is not engaged in business operations in Syria. I understand that pursuant to section 287.135, Florida Statutes, the submission of a false certification may subject the company to civil penalties, attorney’s fees, and/or costs. I further understand that any contract with the DBCRA for goods or services may be terminated at the option of the DBCRA if the company is found to have submitted a false certification or has been placed on the Scrutinized Companies with Activities in Sudan list or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List.

_____
PROPOSER NAME

_____
AUTHORIZED AGENT SIGNATURE

_____
AUTHORIZED AGENT NAME & TITLE (PRINT)

_____
DATE

Must be executed and returned with the submitted Proposal to be considered.

NOTIFICATION OF PUBLIC ENTITY CRIMES LAW

Pursuant to Section 287.133, *Florida Statutes*, you are hereby notified that a person or affiliate who has been placed on the convicted contractors list following a conviction for a public entity crime may not submit a Bid/Proposal on a contract to provide any goods or services to a public entity, may not submit a Bid/Proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit Bids/Proposals on leases or real property to a public entity, may not be awarded or perform work as a contractor, supplier, sub-vendor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 [F.S.] for Category Two [$35,000.00] for a period of thirty-six (36) months from the date of being placed on the convicted contractors list.

Acknowledged by:

_____

Proposer/Company Name

_____

Authorized Agent Signature

_____

Authorized Agent Name and Title (Print)

_____

Date

PUBLIC RECORDS LAW

Notification of Public Records Law Pertaining to Public Contracts and Requests for Contractor Records Pursuant to Chapter 119, Florida Statutes

Pursuant to Chapter 119, *Florida Statutes*, Contractor shall comply with the public records law by keeping and maintaining public records required by the Delray Beach Community Redevelopment Agency ("CRA") in order to perform the service. Upon request from the CRA custodian of public records, contract shall provide the CRA 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 Chapter 119, *Florida Statutes* or as otherwise provided by law. Contractor shall 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 Contractor does not transfer the records to the CRA. Contractor upon completion of the contract, shall transfer, at no cost, to the CRA all public records in possession of the Contractor or keep and maintain public records required by the CRA in order to perform the service. If the Contractor transfers all public records to the CRA upon completion of the contract, the Contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Contractor keeps and maintains public records upon completion of the contract, the Contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the CRA, upon request from the CRA custodian of public records, in a format that is compatible with the information technology systems of the CRA.

IF THE AWARDED PROPOSER HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE AWARDED PROPOSER'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS, KIM PHAN, AT THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY, 20 N. SWINTON AVE., DELRAY BEACH FLORIDA AND MAY BE CONTACTED BY PHONE AT 561-276-8640 OR VIA EMAIL AT KIMP@MYDELRAYBEACH.COM.

Acknowledged by:

_____
Proposer/Company Name

_____
Authorized Agent Signature

_____
Authorized Agent Name and Title (Print)

_____
Date

DRUG-FREE WORKPLACE

_____is a drug-free workplace and has
(Proposer/Company Name)
a substance abuse policy in accordance with and pursuant to Section 440.102, *Florida Statutes*.

Acknowledged by:

_____
Proposer/Company Name

_____
Authorized Agent Signature

_____
Authorized Agent Name and Title (Print)

_____
Date

NON-COLLUSION AFFIDAVIT

STATE OF _____
COUNTY OF _____

Before me, the undersigned authority, personally appeared _____, who, after being by me first duly sworn, deposes and says of his/her personal knowledge that:

a. He / She is _____ of _____, the Proposer that has submitted a Proposal to perform work for the following:

RFP No.: _____ Title: _____

b. He / She is fully informed respecting the preparation and contents of the attached Request for Proposals, and of all pertinent circumstances respecting such Solicitation.

Such Proposal is genuine and is not a collusive or sham Proposal.

c. Neither the said Proposer nor any of its officers, partners, owners, agents, representatives, employees, or parties in interest, including this affiant, has in any way colluded, conspired, connived, or agreed, directly or indirectly, with any other Proposer, firm, company, or person to submit a collusive or sham Proposal in connection with the Solicitation and contract for which the attached Proposal has been submitted or to refrain from proposing in connection with such Solicitation and contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Proposer, firm, company, or person to fix the price or prices in the attached Proposal or any other Proposer, or to fix any overhead, profit, or cost element of the Proposal price or the Proposal price of any other Proposer, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against the Delray Beach Community Redevelopment Agency or any person interested in the proposed contract.

d. The price or prices quoted in the attached Proposal are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Proposer or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

_____
Authorized Agent Signature

Subscribed and sworn to (or affirmed) before me this _____ day of _____ 20__, by _____, who is personally known to me or who has produced _____ as identification.

SEAL

Notary Signature_____
Notary Name: _____
Notary Public (State): _____
My Commission No: _____
Expires on: _____

PROPERTY REFERENCE FORM

INSTRUCTIONS
Proposers shall provide a minimum of three (3) examples of existing commercial rental properties under its management that are similar in size, scope, and complexity as the Subject Property described in this RFP. Submitted examples shall include the name and address of the property, years under the Proposer's management, a brief description of the property, including square footage of building, number of tenants, and a brief description of the services provided by the Proposer.

The reference provided below should be for one (1) property reference.

FAILURE TO COMPLETE AND SUBMIT THIS FORM MAY RESULT IN THE PROPOSAL BEING REJECTED AS NON-RESPONSIVE.

Name of Property:
Property Address:
Property Owner/ Contact Information:
Years Under Proposer's Management:
Brief Description of the Property:
Brief Description of the Workspace Operator Services Provided by Proposer:
Compensation Received:

Proposer's Certification of Information
By signing below, I certify that all information stated above is true and correct to the best of my knowledge.

Authorized Agent Signature: _____
Authorized Agent Name and Title: _____
Date: _____

PROPOSER REFERENCE FORM

INSTRUCTIONS
Proposers shall provide a minimum of three (3) references. Submitted references shall include the reference's name, address, phone number, any comments from the reference, and the reference's signature and date signed. The CRA reserves the ability to contact submitted references.

The reference provided below should be for one (1) reference and shall be completed by the reference, not the Proposer.

FAILURE TO COMPLETE AND SUBMIT THIS FORM MAY RESULT IN THE PROPOSAL BEING REJECTED AS NON-RESPONSIVE.

Reference Name
Reference Address:
Reference Organization/Company:
Reference Title:
Reference Phone Number:
Reference Email:
Comments

Reference Certification of Information
By signing below, I certify that all information stated above is true and correct to the best of my knowledge.

Signature: _____
Name and Title: _____
Date: _____

DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY

ADDENDUM NO. 1
TO
REQUEST FOR PROPOSALS
CRA NO. 2023-04
WORKSPACE OPERATOR FOR 98 NW 5th AVENUE

JULY 31, 2023

TO ALL PROPOSERS AND OTHERS CONCERNED

The Delray Beach Community Redevelopment Agency ("CRA") has heretofore published an Request for Proposals ("RFP") dated June 16, 2023, with respect to its intent to receive and consider Proposals from qualified, experienced, and innovative Workspace Operators to program, activate, manage, oversee, and maintain the second-floor workspace at the CRA-owned commercial property located at 98 NW 5th Avenue, Delray Beach, Florida, 33444 ("Workspace Operator").

The intent of this Addendum is to address questions and/or errors, and to clarify other aspects of the RFP. Proposers submitting Proposals for the above-referenced RFP shall take note of the following changes, additions, deletions clarifications, etc., which shall become a part of and have precedence over anything shown or described otherwise.

PROPOSAL SUBMISSION DUE DATE AND TIME CHANGE:

Wherever applicable throughout the RFP document, Proposers are hereby advised that the Proposal Submission Due Date and Time is now **Thursday, August 10, 2023, at 12:00PM EST.** The location of delivery for the Proposals remains the CRA Office located at 20 N Swinton Avenue, Delray Beach, FL 33444.