

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>_____*</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes _____ No _____

Budget Account No: Fund _____ Dept _____ Unit _____ Object _____
 Program _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

* This item and the disposal of the County's real estate interest in the Wedge Property will have no fiscal impact. However, in early 2006, it was represented to the Board that participation in the TOD would likely result in revenues to the County including covering the then \$8M investment in the new DOH Admin Building (which was subsequently approved as a 12M contribution). In December 2006, the projected costs to the County for participation in the TOD were estimated at an additional outlay of between \$2M and \$13M depending on the outcome of a number of assumptions listed identified and considered by the BCC. In addition, the item identified a potential accelerated funding requirement of \$46M again depending on the outcome of assumptions previously delineated.

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

Jim Durl 12-9-09
 OFMB 12/14/09
 PM 12-9-09
 Contract Development and Control
Archie Jacobowitz 12/11/09
 At the time of our review this RFP was in draft format.

B. Legal Sufficiency:

H. Jal 12/14/09
 Assistant County Attorney

C. Other Department Review:

 Department Director

This summary is not to be used as a basis for payment.

Background and Policy Issues Continued:

The CRA has expressed concern over the value of the housing and how it may impact the purchase price/lease revenue derived and certainly the requirement will have an impact on the bottom line but Staff believes it appropriate in terms of;

- supporting the Board's efforts toward affordable housing,
- to ensure a use that supports transit ridership, and
- supporting an appropriate mix of uses that contribute to the ultimate success of the TOD District.

Financial Feasibility and Market Approach Selection Criteria

County Staff believes that evaluating the financial feasibility of the project, including market demand for and projected absorption of the proposed uses, proforma analysis of costs, sources of project revenue, and overall assumptions as to profitability is a critical element of the selection from the beginning of the process and has included a requirements that the Proposer submit a Feasibility Analysis as part of the Phase 1 submittal.

While there is no disagreement over the scope of the Analysis, the CRA has requested that the Phase 1 requirement present the issue in a more narrative format, with the specific, detailed analysis being completed as part of the Phase 2 submittal when the more detailed development plan is complete and the Analysis can reflect the most current market conditions and development plan.

County Staff understands that the Analysis submitted in Phase 1 will necessarily be preliminary and subject to change based upon more detailed information developed during Phase 2 of the process. However, Staff feels strongly that the uses proposed and "locked in" as part of Phase 1 must be supported by an analysis of the historical absorption and current market conditions. In addition, the framework for analyzing the overall financial feasibility of the project will be established in the initial Analysis, which framework will help the County identify marginal assumptions or high risk elements of a Proposal and serving as the basis for analyzing subsequent updates and changes proposed and the impact of those updates/changes on the projected success of the project.

Staff believes that it has addressed the concerns raised by the CRA by acknowledging that the initial Analysis will be preliminary and by allowing the Proposer to update his analysis in Phase 2 with respect to those factors that are likely to be modified during the preparation of the Phase 2 submittal such as; timing, square footage of uses previously identified, costs of development, funding sources, payment to County, and contributions to CRA and SFRTA.

Weighting of Selection Criteria

The weighting of the selection criteria reflects the Board's priorities and interest in the proposals and needs to appropriately mirror the Board's objectives for proceeding with the RFP. No notable issues remain among the Partners with respect to the weighting of the selection criteria.

RFP NO. 2009-104-RCH

**Request For Proposals (RFP) To Lease or Purchase
Property Known as the Wedge Property Within the City of West Palm Beach and
the Proposed Transit Oriented Development District**

Requested by Palm Beach County

December 2009

DRAFT

SECTION I

REQUEST FOR PROPOSAL (RFP) GENERAL INFORMATION

A. Purpose

The Palm Beach County Board of County Commissioners is soliciting proposals from qualified parties to lease or purchase approximately 2.0 acres together with the lease or purchase of approximately 3.7 acres of air rights over the County's Intermodal Transit Center. The County desires to lease and/or sell the property to enhance pedestrian and mass transit opportunities and to stimulate the development of the West Palm Beach Transit Oriented Development (TOD) District.

B. Background

This RFP is being issued by the Board of County Commissioners (County) in cooperation with several public agencies including the City of West Palm Beach (WPB), the West Palm Beach Community Redevelopment Agency (WPB CRA), the Florida Department of Transportation (FDOT), Treasure Coast Regional Planning Council (TCRPC) and the South Florida Regional Transit Authority (SFRTA), individually referred to as a Partner and collectively as Partners. If the RFP results in a contract award, the contract will be with the County. The County, through its Facilities Development & Operations Department (FDO)/Property and Real Estate Management Division (PREM), will administer this RFP, facilitate negotiations, and document the transaction according to the requirements of this RFP and the subsequent negotiations. PREM will be the lead in all aspects of the selection and administration of the contract. Throughout the RFP process, coordination between County and the County's Partners will be conducted seamlessly to the Respondents, unless a specific Respondent is instructed to work directly with a Partner. Due to the high level of internal coordination that will be required between the County and the Partners, and the desire to have the process seamless to the Respondents, the County will act as the single point of contact for all matters relating to this RFP, representing the County as well as the Partners. As such, all references in this document are to the County

although the County's representations, obligations or direction in negotiations may be those of the Partners and ultimately become the responsibility of, or obligation to, a specific Partner.

The property being offered for sale and/or lease is a County-held, triangular shaped parcel known as "the Wedge". The property encompasses the majority of the larger "Wedge" block. The property is located on the east side of Clearwater Drive, on the south side of Banyan Boulevard and west of the South Florida Rail Corridor (also known by its former ownership – the CSX Railroad) within the municipal limits of the City of West Palm Beach. The property was purchased in 1992 through a partnership between the Federal Transportation Authority (FTA), FDOT, the County and WPB. Conditions of the FTA grant funding as well as the FDOT Joint Participation Agreement (JPA) that pertain to the 1992 purchase remain in place, thereby encumbering and impacting the development of the property. Of particular note is the potential requirement for a National Environmental Policy Act (NEPA) review and associated actions. The City owns the eastern-most portion of the "Wedge" block, generally located east of the South Florida Rail Corridor and west of the Tamarind Avenue right-of-way. The general location of the "Wedge" property and TOD District is illustrated in Exhibit A-1 (WPB TOD District General Location Map), and the general property ownership within the TOD District, including the "Wedge" property, is illustrated in Exhibit A-2 (WPB TOD District General Property Ownership Map).

From the time the Wedge property was purchased, development of the property in a manner that would accommodate and promote multiple modes of transportation were contemplated. A public/private mixed use development has always been thought to be the most effective use of the property and the best way to support and increase transit ridership. To that end, both the County and SFRTA began their efforts to enhance transit and multi-modal transportation opportunities within downtown West Palm

Beach, beginning with 1) the double tracking and construction of an elevated pedestrian crosswalk to facilitate interactions between the Wedge, the station, other transportation opportunities, and downtown West Palm Beach, and 2) the construction of the County's Intermodal Transit Center (ITC).

As these public transit projects were being implemented, TCRPC and the City led an effort to plan for a larger TOD District. The vision for this District expanded beyond the Wedge property to also include the four City blocks located immediately east of the Wedge and the railroad tracks. This District is more particularly described as the area bound by the Wedge and Tamarind Avenue on the west, Banyan Street on the north, Sapodilla Avenue on the east and Fern Street on the south (depicted in Exhibits A-1 and A-2). After much input from the various public entities, private interests, and the community, a concept for the TOD District was created and is now reflected through the WPB Downtown Master Plan (DMP) and urban regulations. The general project goals for the WPB TOD District, as envisioned in the 2005 charrette, are included as Exhibit "B" to the RFP. The City's current DMP (adopted 2009) specifically addresses the land development regulations for the three (3) Transit Oriented Development subdistricts: TOD-25, TOD-10, and TOD-8, which are included as Exhibit "M-1". The Wedge property is located within the TOD-25 subdistrict and the TOD-25 regulations are included as Exhibit "M-2". The permitted uses within the TOD-25 subdistrict are included as Exhibit "M-3". Respondents are advised that these exhibits are only portions of the City of West Palm Beach land development regulations which are specific to the TOD subdistricts and are therefore encouraged to review the entire code for all applicable City requirements.

The Wedge property, while physically separated from the remainder of the TOD District by the railroad tracks and Tamarind Avenue, needs to be developed with the success of the entire TOD District in mind. Capitalizing on its direct and immediate

proximity to mass transit, elevated intensity entitlements, and permissible mix of uses, the property's development potential and opportunities are significant. At the same time, the project goals for the entire TOD District must be central to any proposal for development of the Wedge property such that the property bears an appropriate share of the key public uses envisioned as components of the larger TOD District that require financial subsidy. These key public uses include workforce housing, transit infrastructure, and transit-related parking.

The expansion of mass transit utilization and introduction of compatible uses via development of the Wedge property is intended to serve as the impetus for fostering development of the entire TOD District. Accordingly, maintaining existing mass transit facilities and services and expanding transit ridership must be primary objectives in evaluating all development proposals for the Wedge property. The uncompromised ability to adhere to conditions and requirements that are contained within a prevailing interlocal agreement between the County and SFRTA is also of utmost importance despite underlying limitations for the sale/lease and ultimate development of the Wedge property. The SFRTA Agreement is attached to this RFP as Exhibit "K".

Within the last year, the County completed construction and is now operating the ITC on the southern majority of the Wedge property. The ITC consists of 18 bus bays and passenger waiting areas; connects multiple modes of local and regional mass transportation to one another; and provides easy transit access for pedestrian and automobile patrons. These modes include County bus service (Palm Tran), regional commuter rail (Tri-Rail), Amtrak, Greyhound, and the WPB downtown trolley circulator. Palm Tran currently uses 13 of the 18 bus bays in operating ten (10) routes from the ITC, which leaves existing accommodations for future expansion. The ITC was constructed pursuant to FTA guidelines using funding from FDOT and FTA. There are a number of permits, approvals and other documents that apply to the ITC

(Exhibit "J-1 – J-16"), some of which contain conditions or requirements that will impact the development contemplated pursuant to this RFP. As aforementioned, the potential requirement for a NEPA review and action is a critical consideration for the development of the property.

C. Timetable

The *anticipated* schedule and deadlines for the RFP are as follows:

<u>Activity</u>	<u>Date, Time and Location</u>
Issue RFP	Advertised in the Palm Beach Post on Sunday, January 10, 2010 and Sunday, January 17, 2010.
Pre-Proposal Meeting	At 2:00 PM on Wednesday, February 10, 2010, in Conference Room 1W-49, 2633 Vista Parkway, West Palm Beach, FL 33411.
Phase I Proposal Deadline	At 2:00 PM on Thursday, March 11, 2010, (Proposal Due Date) at the: 1 st Floor Reception Desk, 2633 Vista Parkway, West Palm Beach, FL 33411-5605.
Phase I Evaluation Process	Immediately thereafter, the proposals will be opened and the names of the Respondents will publicly be read aloud. Proposals received after the due date and time are late, will not be considered, and will be returned to the Respondent unopened. Estimated 30-60 days depending on quantity and quality of proposals
Publication of Phase I Evaluation Results	Will be published within 5 business days of completion of the Evaluation Process
Phase II Proposal Submittal Deadline	Estimated 90-120 days after publication to allow proposers to prepare Phase II Final Selection submittals
Phase II Evaluation Process	Estimated 30-60 days for this process to be completed
Publication of Phase II Evaluation Results	Will be published within 5 business days of completion of the Evaluation Process
FTA and Partner Review of Selection	Estimated 30-60 days depending on time required for FTA review
Presentation to Board of County Commissioners	1 Day

D. Contact Person

The Contact Person for this RFP is Ross C. Hering, Director, Palm Beach County Property and Real Estate Management (PREM) Division. His mailing address, fax and e-mail address are:

2633 Vista Parkway
West Palm Beach, FL 33411-5605
Telephone: (561) 233-0217
Fax No.: (561) 233-0210
E-mail: rhering@pbcgov.org

Except during the Pre-Proposal Conference, explanation(s) desired by Proposer(s) regarding the meaning or interpretation of this RFP must be requested from the contact person in writing (letter, fax or e-mail). Respondents are advised that from the date of release of this RFP until award of the contract, **no contact with County or personnel related to this RFP is permitted**, except as authorized by the contact person and/or in conjunction with scheduled Respondents activities. Any such unauthorized contact shall not be used as a basis for responding to this RFP and may result in the disqualification of the Respondent's submittal. All parties that have received copies of this RFP directly from Palm Beach County will be advised of any changes to this RFP, and all parties that submit proposals will receive notification by U.S. Mail or via facsimile of the proposal which is recommended for selection.

No alterations of the RFP documents, including the Format for Response as required herein, will be permitted without prior written approval from the County Attorney's Office and the PREM Division. Such approved alterations will be distributed by way of written addendum to all Proposers known to the Contact Person.

E. Pre-Proposal Meeting

The purpose of the Pre-Proposal Meeting is to: 1) review the intent and requirements of the RFP in detail with potential Respondents, 2) discuss the format and requirements of the submittal in relation to the County's evaluation of the proposals,

and 3) receive input from potential Respondents as to how best to modify the RFP for clarity, consistency and for closer alliance to information typical to industry standards. Respondents are encouraged to thoroughly read the RFP prior to the Pre-Proposal Meeting and send as many professional representatives as necessary to participate meaningfully as to the business terms as well as technical aspects of the response. The Pre-Proposal Meeting is intended to be the only time that changes to the RFP (by non-County entities) will be considered and subsequently issued as an addendum. As such, attendance at the Pre-Proposal Meeting is highly recommended and encouraged, although not a mandatory prerequisite for responding to the RFP.

F. Lobbying – “Cone of Silence”

Proposers are advised that the “Palm Beach County Lobbyist Registration Ordinance” (see Exhibit “P”) prohibits a proposer or anyone representing the proposer from communicating with any Commissioner, or Commissioner’s staff, regarding its proposal (i.e. a “Cone of Silence”). This “Cone of Silence” shall be in effect as of the deadline to submit the response to this RFP, and shall terminate at the time the Board of County Commissioners (“Board”), or a County Department authorized to act on behalf of the Board, awards or approves a contract, rejects all proposals, or otherwise takes action which ends the solicitation process. The exceptions to the “Cone of Silence” specifically include contract negotiations during any public meeting; contract negotiations between any County employee and the intended awardee; public presentations made to the Board; or any written correspondence at any time with any Employee, County Commissioner, or advisory board member or Selection Committee member, unless specifically prohibited by the applicable competitive solicitation process. A breach of this “Cone of Silence” may result in the disqualification of a Respondent’s submittal.

G. Proposal Security and Bonds

The Respondent with the Proposal determined by the Board of County Commissioners to be highest ranked will be required to submit a Proposal Security within five (5)

business days of the Board's decision and prior to commencing negotiations. Failure to produce a Proposal Security within the timeframe will result in the Proposal being rejected and the County commencing negotiations with the second highest ranked Proposal. The Proposal Security (in the form of, at proposer's option, cashier's check, certified check, money order or bond in favor of the County) in the amount of \$100,000 shall secure the Proposer's obligation to negotiate in good faith and to enter into a contract with the County on the terms set forth in its Proposal and to furnish performance bonds as described hereunder covering the faithful performance of the contract and the payment of all obligations arising there under. Should the Proposer refuse to abide by the terms, representations and conditions set forth in its Proposal and to enter into such Contract and furnish the required bonds and insurance, the Proposal Security shall be forfeited to the County as agreed upon liquidated damages, not as penalty. If a Proposer fails to execute a Contract for the project, the proposer may be suspended or debarred from bidding on future projects for a period of two (2) years, in accordance with the Palm Beach County Purchasing Ordinance. The County will have the right to retain the Proposal Security of Proposers until either (a) the Contract has been executed and the bonds and insurance have been furnished, or (b) all Proposals have been rejected.

The Proposer shall furnish bonds covering the full and faithful performance of the Contract and the payment of all obligations arising there under in such form and amount as the County may prescribe. Bonds may be secured through the Proposer's usual sources provided the surety is authorized to do business in the State of Florida.

No later than 14 days prior to the commencement of construction, the successful Proposer shall furnish the following to the County, on the forms provided in the bidding documents:

1. Public Construction Bond in the amount of 100% of the construction cost of all improvements proposed for the Wedge property.
2. Guarantee

Such Public Construction Bond shall incorporate by reference all of the terms and conditions of the Contract, including but not limited to the Proposer and surety's obligation for liquidated damages as well as surety's acknowledgment regarding any and all provisions addressing or regarding "no damages for delay".

The surety company, in addition to the above requirements, shall be currently listed with the United States Department of Treasury for an amount greater than the contract amount. The Proposer, at the time of his execution of the construction contract, shall provide, with the Performance and Payment Bonds described above, a copy of the surety company's current valid Certificate of Authority issued by the United States Department of the Treasury under SS 31, U.S.C. 9304-9308. The bond and guarantee shall be written on forms provided by the County.

The proposer shall require the attorney-in-fact who executes the required bonds on behalf of the Surety to affix thereto a certified and current copy of his Power of Attorney.

H. Modified Proposal

A Respondent may submit a modified proposal to replace all or any portion of a previously submitted proposal up until the proposal due date and time. The Selection Committee will only consider the latest version of the proposal or modified portion thereof. Modifications received after the due date and time are late, will not be considered, and will be returned to the Respondent unopened.

I. Standard Terms of Contract

The County has standard terms of contracts which differ from those utilized by the private sector and which are not subject to negotiation. Such standard terms that will be included in any Contract executed with the successful Proposer will include, without limitation, an inability to indemnify private parties and pay attorney fees in the event of disputes and/or litigation. In addition, the County has certain minimum

insurance standards which the successful Proposer will have to comply. Those insurance requirements will be determined by the County's Risk Management Department and are likely to be substantially more expensive to comply with than would normally be required in private transactions.

Since the County will be making a selection in part based on the Respondent's/developer's specific qualifications, any Contract will contain language that any assignment of the Contract will require the County's approval after the County has determined, in its sole opinion, that the proposed assignee has qualifications equal to or greater than that of the Contract holder.

J. Postponement/Cancellation

The County may, at its sole and absolute discretion, reject any and all, or parts of any and all proposals; re-advertise this RFP; postpone or cancel this RFP process; or waive any irregularities in this RFP or in the proposal received as a result of this RFP.

K. Cost Incurred by Proposers

All expenses involved with the preparation and submission of proposals to the County, and any work performed in connection therewith, shall be borne by the proposer with no recourse to Palm Beach County.

L. Oral Presentation(s)

The County may require certain Respondents to make oral presentations, and possibly answer questions, in support of their proposal or to exhibit or otherwise demonstrate the information contained therein.

M. Proprietary/Confidential Information

Respondents are hereby notified that all information submitted as part of, or in support of, proposals will be available for public inspection after the opening of proposals as scheduled herein or later modified, in compliance with Chapters 119 and 286, Florida Statutes, commonly known as the "Public Records Law" and the "Government in the Sunshine Law", respectively.

N. Non-Discrimination

Palm Beach County does not discriminate on the basis of race, disability, color, sex, sexual orientation, gender identity or expression, religion, ancestry, age, marital status or national origin. Palm Beach County provides equal housing opportunities to all individuals.

O. Rules; Regulations: Licensing Requirements

The Respondent shall comply with all laws, ordinances, and regulations applicable to the Agreement contemplated herein, including those applicable to conflict of interest and collusion. Respondents are presumed to be familiar with all federal, state, and local laws, ordinances, codes, and regulations that may in any way affect the contract, especially Executive Order No. 11246 entitled "Equal Employment Opportunity" and as amended by Executive Order No. 11375, as supplemented by the Department of Labor Regulations (41 CFR, Part 60).

P. Public Entity Crimes Statement - Ineligible Proposers

A person or affiliate who has been placed on the State of Florida convicted vendor list following a conviction for a public entity crime may not submit a proposal for a period of thirty-six (36) months from the date of being placed on the convicted vendor list (see Exhibit "N").

Q. Drug Free Workplace Certification

Respondent shall submit with their proposal an executed Drug Free Workplace Certification (Exhibit "O") indicating that Respondent has implemented a Drug Free Workplace Program which meets requirements of Section 287.087, Florida Statutes.

R. Disclaimer

All documents and information, whether written, oral or otherwise, provided by County relating to this RFP are being provided solely as an accommodation and for informational purposes only, and County is not making any representations or warranties of any kind as to the truth, accuracy or completeness, or the sources thereof.

County shall have no liability whatsoever relating to such documents and information

and all parties receiving the same shall not be entitled to rely on such documents and information, but shall have a duty to independently verify the accuracy of the information contained therein.

SECTION II

SELECTION PROCESS

A. Overview

To maintain efficiency and fairness throughout the RFP preparation and review process, and to minimize initial burdens on Respondents, the selection process for this RFP will be conducted in two (2) phases. The first phase (Preliminary Response/Short List Selection) is intended as an initial evaluation of the Respondents' qualifications, project approach, development concept, and general project feasibility. This Preliminary Response will be utilized by the Selection Committee to identify the five Proposals ("Finalists") which best meet the RFP objectives. The second phase (Final Selection) requires the Finalists to submit more refined and specific details in support of the development proposal, which becomes the basis for further evaluation by the Selection Committee and ultimate selection by the Board of County Commissioners. Additional information pertaining to the selection process is provided through the remainder of this Section.

B. Review of Proposals for Responsiveness

Within 3 business days of the public opening, a staff representative of PREM and the City of West Palm Beach together will conduct a strictly objective ("pass/fail") review to determine if each proposal is responsive to the RFP. A responsive proposal is one which has been signed, has been submitted by the specified submission time, and which has addressed all required elements of the RFP as identified in the Preliminary Response Proposal Checklist attached as Exhibit "B" to the RFP. In the review for responsiveness, there will be no evaluation of the content or quality of the responses, only that the proposal is complete and all required elements completed. Proposals

deemed to be non-responsive will be rejected without being presented to the Selection Committee for consideration. As such, a Respondent(s) who fails to comply with the required and/or desired elements of this RFP does so at their own risk. The list of responsive proposals will be posted at the PREM Division, and the non-responsive Respondents will be notified in writing.

C. Selection Procedure

The Selection Committee will review and consider only those proposals which are determined to be responsive. The Selection Committee will evaluate each responsive Proposal using the documentation submitted pursuant to the Format for Preliminary Response (Exhibit "D") and applying the Phase 1 Preliminary Selection Criterion established later herein. The Finalists will proceed to Phase 2 Final Selection, which requires the submission of a significantly more detailed proposal package containing the requirements for Phase 2 Final Selection as set forth in Exhibit "E". The Selection Committee will evaluate the Finalists to determine if they meet the minimum Project Requirements established in Exhibit "C." Concurrently, the Selection Committee will evaluate the Finalists using the documentation submitted pursuant to the Format for Final Submittal (Exhibit "E") and applying the Phase 2 Final Selection Criteria established later herein. **Proposals which do not meet the minimum requirements will be eliminated from further consideration and will not be ranked by the Selection Committee.**

The two Proposals ranked highest by the Selection Committee will be sent to the FTA for review and comment prior to the Proposals being recommended for selection by the Board of County Commissioners. The comments of the FTA will be included in the presentation to the Board of County Commissioners.

The Proposal which receives the highest rank (highest point total and lowest numeric rank number) by the Selection Committee shall be recommended to the Board of County Commissioners for selection. However, the Board of County Commissioners

may conduct an independent review of the Proposals that proceed to Phase 2 Final Selection and the Selection Committee rankings prior to voting on a final selection and giving direction to commence negotiations.

The Respondent with the Proposal determined by the Board of County Commissioners to be highest rank will be required to submit its Proposal Security within five (5) business days of the Board's decision and prior to commencing negotiations. Failure to produce a Proposal Security within the timeframe will result in the Proposal being rejected and the County commencing negotiations with the second highest ranked Proposal. In this case, the second highest ranked Proposal will be required to produce a Proposal Security within five (5) business days of being notified that of the County's intent to commence negotiations.

Since the Proposals will be publically discussed by the Selection Committee and by the Board of County Commissioners, it is possible that the details of the Proposal may change throughout the solicitation process. However, no changes shall be permitted to modify the minimum requirements of the RFP or impact the competitiveness of the process. In addition, negotiations with the Respondent whose proposal receives the highest ranking cannot involve changes to the County's requirements or the Respondent's proposal which would, by their nature, affect the basis of the competitive selection process to an extent that would change the relative ranking of the Proposal. In addition, any change made after selection is strictly subject to acceptance/approval by the County. Inability or unwillingness to abide by the original proposal will be regarded as a default and reason for the County to terminate negotiations with that Respondent. If the Respondent with the highest ranked proposal cannot successfully negotiate an agreement, the County may terminate said negotiations and begin negotiations with the Respondent having the next highest ranked proposal. This process may continue until County approval of an agreement or all Respondents have

been rejected. No Respondent(s) shall have any rights or claims against the County arising from such negotiations.

D. Proposal Security

As previously discussed above, the Proposal determined to be the highest ranked by the Board of County Commissioners will be required to submit its Proposal Security within five (5) business days of the Board's decision and prior to commencing negotiations.

E. Rights of Appeal

This RFP is exempt from the Purchasing Code, and as such, there is no administrative appeal procedure. Issues with respect to any substantive requirements of this RFP must first be addressed prior to and/or during the Pre-Proposal Meeting. Failure to file a written objection to a substantive requirement within five (5) days of the Pre-Proposal Meeting shall waive any right of the Proposer to challenge such substantive requirement. Respondents may appeal any procedural issues and/or recommendations for an award directly to the Board of County Commissioners.

SECTION III

PROPOSAL REQUIREMENTS

All proposals should be in sealed envelopes, the outside of the envelope inscribed with "RFP NO. 2009-104-RCH", and delivered to the contact person as identified in Section I.(D). The sealed envelope containing the Preliminary Response should contain the Preliminary Response Proposal Checklist, Exhibit "B", indicating that each requirement has been addressed together with the Proposal addressing all items included in Exhibit "D". While poor formatting, poor documentation, and/or incomplete or unclear information may not be cause to reject a proposal as non-responsive, such substandard submissions may adversely impact the evaluation of the proposal.

SECTION IV

PROPOSAL SELECTION

A. Selection Committee

Both the Preliminary Response and Final Selection Committee will consist of eight (8) representatives: three (3) from the County representing the Departments of Facilities Development & Operations, Engineering and Public Works, and Palm Tran; one (1) from the City of West Palm Beach; one (1) from the West Palm Beach Community Redevelopment Agency; one (1) from Treasure Coast Regional Planning Council; one (1) from Florida Department of Transportation; and one (1) from the South Florida Regional Transportation Authority.

B. Phase 1 Preliminary Response/Short List Selection Criterion

During the Phase 1 Preliminary Response/Short List Selection, proposals shall be evaluated on the following criteria and be awarded not more than the maximum points for each criterion as indicated below.

Phase 1 Preliminary Response/Short List Selection Criteria

<i>Evaluation Criteria</i>	<i>Maximum Points to be Awarded</i>
1. Preliminary Master Plan Concept	25 Points
2. Financial Feasibility and Market Approach	20 Points
3. Respondent and Developer Qualifications (including financial strength of developer)	55 Points

- 1. Preliminary Master Plan Concept.** The Selection Committee will evaluate the information contained in Exhibit "D", Format for Preliminary Response, Section 3.
- 2. Financial Feasibility and Market Approach.** The Selection Committee will evaluate the information contained in Exhibit "D", Format for Preliminary Response, Section 4.
- 3. Respondent and Developer Qualifications.** The Selection Committee will evaluate the information contained in Exhibit "D", Format for Preliminary Response, Section 5.

Each Selection Committee member will numerically rank the Proposals based on the points assigned in each criterion. The Proposal with the highest number of points will receive that Committee Member's highest ranking (lowest numeric rank value). The rankings of all Committee Members will then be totaled. No greater than the five (5) Proposals with the lowest overall numeric rank will continue to the Phase 2 Final Selection.

C. Phase 2 Final Selection Criteria

During the Phase 2 Final Selection, proposals shall be evaluated on the following criteria and be awarded not more than the maximum points for each criterion as indicated below.

Phase 2 Final Selection Criteria

<i>Evaluation Criteria</i>	<i>Maximum Points to be Awarded</i>
1. Master plan and uses including 1) operational compatibility with the ITC; 2) parking accommodations for SFRTA and Tri-Rail; 3) support/springboard for development of remainder of the TOD; 4) mass transit ridership potential; and 5) support for economic development and community redevelopment objectives.	45 Points
2. Purchase/Lease Terms & Revenue to Mass Transit Service Providers	15 Points
3. Development Team Qualifications	15 Points
4. Project Financial Feasibility	15 Points
5. Contingencies to Closing	10 Points

- 1. Master plan and proposed use(s) including; 1) operational compatibility with the ITC; 2) parking accommodations for SFRTA and Tri-Rail; 3) support/springboard for development of remainder of the TOD; 4) mass transit ridership potential; and 5) support for economic development and community redevelopment objectives. The Selection Committee will**

evaluate the information contained in Exhibit "E", Format for Final Submittal, Section 2 in assigning points to this criterion.

2. **Purchase/Lease Terms and Revenue to Mass Transit Providers.** The Selection Committee will evaluate the information contained in Exhibit "E", Format for Final Submittal, Section 3 in assigning points to this criterion.
3. **Development Team Qualifications.** The Selection Committee will be based on the information provided in Exhibit "D", Format for Final Submittal, Section 4 in assigning points to this criterion.
4. **Project Financial Feasibility.** The Selection Committee will evaluate the information contained in Exhibit "E", Format for Final Submittal, Section 5 in assigning points to this criterion.
5. **Contingencies to Closing.** The Selection Committee will consider the information provided in Exhibit "E", Format for Final Submittal, Section 6 in assigning points to this criterion.

Each Selection Committee member will numerically rank the proposals based on the points assigned in each criterion. The proposal with the highest number of points will receive that Committee Member's highest ranking (lowest numeric rank number). The rankings of all Committee Members will then be totaled. The proposal with the lowest overall numeric rank total will be considered the highest ranking proposal. The highest ranked proposal will be presented the Board of County Commissioners for review, ratification of the Selection Committee's rankings and to direct Staff to commence negotiations with the Respondent that submitted the highest ranked proposal.

D. Contract Award

The lease or contract award recommendation, if any, shall be made for the Respondent whose proposal best satisfies the County's requirements as determined by the Selection Committee after the Selection Committee completes its negotiations with the Respondent that submitted the highest-ranking proposal. Respondents acknowledge

that the Selection Committee is only making an advisory recommendation to the Board of County Commissioners, and the Board of County Commissioners can therefore rank proposals independent from the Selection Committee and award whichever proposal it determines to be in the County's best interest. In the event that no Respondent submits a proposal that is acceptable to the County, the County will have the option to extend the proposal response period, issue a revised RFP, or postpone or cancel the RFP. Palm Beach County has the option to accept or reject any or all proposals for any reason whatsoever, in the County's sole and absolute discretion. This RFP does not by itself obligate the County. The County's obligation will commence only if a contract is approved by the Board of County Commissioners. The County will not be responsible for any work done by the Respondents, even work done in good faith, if a rejection, re-advertisement, postponement or cancellation occurs prior to the lease or contract execution by the County.

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EXHIBITS

- A-1 WPB TOD District General Location Map
- A-2 WPB TOD District General Property Ownership Map
- B. Preliminary Response Proposal Checklist
- C. Minimum Project Requirements
- D. Format for Preliminary Response – Phase 1 Short List Selection
- E. Format for Final Submittal – Phase 2 Final Selection
- F. Traffic Study Requirements
- G-1. Disclosure of Beneficial Interest (Landlord) with Exhibit A and B
- G-2. Disclosure of Beneficial Interest (Seller) with Exhibit A and B
- H. FTA Grant Agreement
- I. FDOT Joint Participation Agreements
- J. Intermodal Transit Center Approvals and Permits
 - J-1. DAC Case No. 07-10 Final Order dated May 9, 2007 and Project Concept Plan
 - J-2. PPRC Formal Site Plan Review (No. 06-17) Approval Letter dated August 8, 2007 and Related Plans
 - J-3. Plat (Book 110 Pages 191-192)
 - J-4. DAC Case No. 08-06 Final Order dated May 14, 2008 and Submitted Drawings
 - J-5. Site Plan Amendment Approval Letter dated May 22, 2008 and Related Plans
 - J-6. DAC Case No. 08-06 Final Order dated December 10, 2008 and Amended Fence Location
 - J-7. Site Plan Amendment Approval Letter dated January 12, 2009 and Related Plans
 - J-8. Minor Amendment Approval Letter dated August 17, 2009 and Related Plans
 - J-9. Summary of Past NEPA Actions
 - J-10. Categorical Exclusion
 - J-11. Site Assessment Report and Approval Letters
 - J-12. Limited Scope Remedial Action Plan and Approval Letters
 - J-13. Source Removal Report
 - J-14. SFWMD ERP No. 50-08717-P dated August 25, 2008
 - J-15. SFWMD ERP No. 50-50-08717-P dated December 11, 2008
 - J-16. SFWMD Water Use Permit No. 50-08733-W dated September 3, 2008
- K. South Florida Regional Transit Authority Agreement
- L. West Palm Beach Transit Oriented Development Charrette Report Excerpt - Project Goals
- M. West Palm Beach Land Development Regulations
 - M-1. WPB Downtown Master Plan Zoning Atlas
 - M-2. TOD-25 Subdistrict Specific Regulations
 - M-3. TOD-25 Subdistrict Permitted Use Table
- N. Public Entity Crimes Statement
- O. Drug Free Workplace Certification
- P. Ordinance No. 2003-018 (Palm Beach County Lobbyist Registration Ordinance) as amended by Ordinance No. 2003-055

EXHIBIT "B" TO THE RFP
PRELIMINARY RESPONSE PROPOSAL CHECKLIST

- ____(INITIALS) 1. **Proposal Section 1**, submit the information identified as Items 1A-1F in Section 1 of Exhibit "D" to the RFP. **MAKE SURE THAT THE PROPOSAL EXECUTIVE OVERVIEW IS SIGNED BY THE RESPONDENT.**
- ____(INITIALS) 2. **Proposal Section 2**, submit an executed Exhibit "G-1" or Exhibit "G-2", as applicable, to the RFP, "Disclosure of Beneficial Interest."
- ____(INITIALS) 3. **Proposal Section 3**, submit the information identified as:
- Items 3A-3D in Section 3 of Exhibit "D" to the RFP
- ____(INITIALS) 4. **Proposal Section 4**, submit the information identified as Items 4A-B in Section 4 of Exhibit "D" to the RFP.
- Pursuant to Item 4B of Exhibit "D" to the RFP, include a check in the amount of \$5,000 made payable to the Board of County Commissioners for review of the Financial Feasibility and Market Analysis
- ____(INITIALS) 5. **Proposal Section 5**, the information identified as Items 5A-5J in Section 5 of Exhibit "D" to the RFP.
- ____(INITIALS) 6. **Proposal Section 6**, an executed Exhibit "N" to the RFP, "Public Entity Crimes Statement."
- ____(INITIALS) 7. **Proposal Section 7**, an executed Exhibit "O" to the RFP, "Drug-Free Workplace Certificate."
- ____(INITIALS) 8. **Executed Original/Copies**, submit one (1) complete hard package of all required information including any required executed originals, and submit ten (10) hard copies of the complete package. In addition to the preceding, Respondent shall also submit an electronic file of the complete package.

EXHIBIT "C" TO THE RFP MINIMUM PROJECT REQUIREMENTS

In 2006, the County began the design of the ITC with a vision for a public/private transit related development for the remainder of the site. With the future public/private development in mind, the ITC was designed to: 1) minimize the amount of property required for the ITC, 2) utilize the least developable portion of the irregularly-shaped parcel, and 3) provide space within the ITC for footers/pilings to be installed in support of future vertical construction over the ITC without such installations causing an interruption to mass transit service or ITC operations.

SFRTA public parking also exists on the site and was constructed pursuant to an agreement between SFRTA and the County. This agreement recognizes the requirement for replacement parking in the event of future development, including the potential for those replacement spaces to be accommodated within structured parking. SFRTA does not charge its patrons for parking, and adherence to this policy is a requirement of all Proposers, whether provided through physical and/or operational methods. The existing SFRTA elevated crosswalk was designed for connections to both surface level improvements as well as potential connections to elevated crossovers of the proposed private development, both of which are subject to approval of an access easement agreement.

Respondents may submit proposals for development of the northern +/-2-acre portion of the property only and/or for development (through the purchase/lease of air rights) above the ITC. The County will not consider a fee-simple sale of the property underlying the ITC.

All proposals will be required to evaluate the federal and state requirements that govern both: 1) the acquisition of the real property rights, pursuant to the original FTA funding agreement and state JPA, and 2) the federal requirements that apply to the development of the property. The County has provided herewith copies of the Federal/FTA Funding Agreement and State/FDOT JPA Agreements. Each Respondent will be required to evaluate each and in turn provide a narrative as to the proposed project's general approach to achieving compliance with these development requirements.

FTA's primary interest in the property is to protect its investment in the property (both real estate and improvements) as well as to create revenue for mass transit and/or enhance mass transit ridership. FTA has supported both public providers of mass transit service operating from this Property (i.e. Palm Tran and SFRTA/Tri-Rail) by funding the land acquisition and the improvements for the SFRTA surface parking. Because of these previous funding agreements, the FTA has the ability to influence the outcome of the RFP, although not directly a participant. In addition, the SFRTA may have legal remedies that are separate from its participation in this RFP and which may influence the outcome of the RFP. As such, it is critical that all Proposers understand the delicate partnerships of the various parties that have brought the Property to where it is today and maintain open communications with each at all times during the RFP. Proposers may contact the agencies directly (and in the case of the SFRTA, Proposers may **not** contact the person designated as the Selection Committee member) at any time during the RFP. Any information provided by an agency, who is a partner to this RFP, represents the opinions of the individual agency and not the County or the Selection Committee.

Of particular note are the requirements of the National Environmental Policy Act (NEPA). The County and SFRTA have conducted mandatory NEPA reviews and received approvals to proceed with their respective projects. There are requirements of those approvals that survive the completion of those projects and will therefore impact a proposed development either during the development phase and/or on an on-going basis. The Respondent will be required to demonstrate how the proposed project will allow for continuous compliance with these approvals. The Respondent may be required to submit an application for NEPA review for the entirety of its project, including any impacts the proposed development may have on the

County's and SFRTA's existing approvals. The County and the SFRTA hereby make no representations that approval of a Respondent's proposal will not require further environmental remediation of the property on which the ITC and/or SFRTA parking lie. All such application procedures and any ensuing remediation will be undertaken at the Respondent's cost with no recourse to Palm Beach County or its partners. Further, any remediation or work required on the ITC property shall produce NO interruption in the continuous operation of the ITC or related mass transit service.

Due to: 1) the existence of grant agreements (both County and SFRTA) with the FTA which impact any development of the Wedge, 2) the importance of understanding how the requirements of the FTA and other applicable Federal regulations may impact the Project and the County's review, and 3) the involvement of the FTA in the RFP review process, the County is requiring that the Proposer engage a consultant recognized for their experience and expertise in Federal, specifically FTA, requirements.

MINIMUM RFP REQUIREMENTS

Only proposals (regardless of building and/or site aspects) meeting the following minimum requirements shall be rendered responsive and subsequently considered by the Selection Committee.

1. Comply will all requirements of both the FTA grant and FDOT JPA funding used for land acquisition.
2. Comply with all requirements of previously issued NEPA approvals.
3. Comply with all existing government approvals and permits.
4. Comply with all Federal, State and local laws, codes and regulations.
5. Maintain the continuous and unimpeded operation of the ITC and uncompromised compliance with all regulatory requirements throughout the development of the proposed project and upon achieving project completion.
6. Provide the Wedge's appropriate share of workforce and/or affordable housing or financial equivalent.
7. Provide a minimum of 250 parking spaces on behalf of the SFRTA for use by, and at no charge to, SFRTA patrons. Additional parking spaces for use by, and at no charge to, SFRTA and Palm Tran employees is required to replace any of those 40 employee parking spaces that currently exist on the northern +/-2.0 acres of the property and are lost as a result of the proposed development; for a combined minimum requirement of not greater than 290 parking spaces.

EXHIBIT "D" TO THE RFP
FORMAT FOR PRELIMINARY RESPONSE

Each proposal must contain the following information in order to be determined responsive and evaluated by the Selection Committee. The format for the response to the RFP shall be as specified in this exhibit. The Respondent may submit such additional information, in the applicable Section, as Respondent considers pertinent to indicate the financial and/or operational capabilities of the Respondent relative to the specific proposal.

Section 1. Overview of Proposal

This section shall include an executive narrative overview of the proposal and include the following information about the Respondent:

- 1A. Name of Respondent/Firm
- 1B. Principal Office/Mailing Address
- 1C. Contact Person Representing Respondent/Firm
- 1D. Telephone Number of Contact Person
- 1E. Fax Number of Contact Person
- 1F. Email Address of Contact Person

This executive overview must be signed by the Respondent.

Section 2. Disclosure of Beneficial Interests Statements

This section shall include a completed Disclosure of Beneficial Interest Statement included as Exhibit "G-1" or Exhibit "G-2", as applicable, to this RFP and on the form provided without modification. Exhibit "G-1" shall be used for proposals involving the lease of property. Exhibit "G-2" shall be used for proposals involving the purchase of property.

Palm Beach County reserves the right to verify any/all information/references that is submitted by Respondent. County reserves the right to obtain credit information on individuals and entities listed in Exhibit "G-1" or "G-2".

Section 3. Proposal Requirements

The following is the minimum information required to demonstrate compliance with the Minimum Proposal Requirements. All graphic representations shall be on 8.5" x 11" paper with a duplicate full size sheet (24" x 36") for any scaled drawings. Respondents may provide additional information necessary to demonstrate compliance.

If the Respondent wants the Selection Committee to include in its consideration the impact of simultaneous development of other properties which are located within or adjacent to the TOD District ("Additional Property"), the Proposer may do so providing that: 1) the Respondent is the Owner or contract purchaser of the property that is being included for consideration at the time of proposal submittal, and 2) the Respondent includes the Additional Property in its responses to Sections 3 and 4 of this Exhibit.

Preliminary Master Plan Concept

- A. Provide a conceptual master plan concept for the proposed building(s) and improvements on the "Wedge" property (at a scale of +/- 1:50), as well as a master plan(s) showing the relationship of buildings/improvements proposed on the "Wedge" and the larger TOD District (at a scale of +/- 1:200).
- B. Indicate the anticipated use(s), tenant mix, and development intensity (building height and estimated square footage, number of residential units, maximum enrollment, number of rooms, etc. as applicable) and number of parking spaces.

- C. Show integration of the project with both the ITC and SFRTA elevated pedestrian rail crossing.
- D. Provide a narrative indicating how the conceptual master plan concept would meet City and County planning objectives for the TOD District, including the ability to act as a catalytic anchor to generate additional redevelopment in the area; to incorporate physical and/or programmatic elements that enhance the transit-supportive nature of the area; and to serve as an exemplary model of sustainable development practice.

Section 4. Financial Feasibility and Market Analysis

The County desires to ensure the financial feasibility of the Project and market demand/acceptance thereof for the benefit of the larger TOD District. In addition, as has been described in this RFP, development of the "Wedge" property requires Proposers to address financial obligations to State and Federal agencies. As a component property within the larger TOD District, development of the "Wedge" property also requires construction of, or payment of the cash equivalent for, an appropriate share of workforce/affordable housing. Therefore, the requirements of this Section are established to uphold and demonstrate adherence to the underlying intentions of this RFP in an objective manner, while at the same time ensuring the integrity of proposals selected to proceed to Phase 2 Final Selection.

- A. Obtain at its cost and expense and submit with its Proposal, a Feasibility and Market Analysis prepared by a recognized consultant and include an executive overview of the analysis. The Analysis shall:
 - 1) examine historical absorption of the proposed uses in the downtown West Palm Beach area;
 - 2) project future demand and absorption;
 - 3) project lease/sale revenues;
 - 4) analyze costs to acquire land and construct improvements;
 - 5) identify projected sources of funding;
 - 6) project ability to obtain financing for development;
 - 7) provide an overall proforma spreadsheet analysis of project costs, revenues, funding from all sources, and projected profit/loss; and
 - 8) provide an overall financial feasibility determination for the Project as proposed.

The County understands that the Analysis will be preliminary and based upon the broad concepts submitted with the Phase 1 proposal. However, identification of potential cost and funding issues and overall financial structure of the project is essential to analyzing the Proposer's approach to and viability of the proposed project. Changes to the Analysis in Phase 2 are expected, but changes should be based upon information developed and obtained subsequent to submission of the Phase 1 proposal and clearly explained.

- B. Proposer and their consultants are advised that the County will obtain an independent review of the Analysis, and each Proposer will be responsible for reimbursing the County for the cost of such review, as established in item B. below.
 - 1) Provide a check in the amount of **\$5,000** for performance of an independent review of the Financial Feasibility and Market Analysis.

Section 5. Respondent and Developer Qualifications

The ability of the Respondent to demonstrate a commitment to the successful design, completion and operation of the proposed project, as well as assemble a team of professionals with experience in support of those objectives, will also be a significant criterion for consideration by the Selection Committee in both phases of review. As a result, the following shall be submitted in the Preliminary Response:

- A. Identification of the Respondent and master developer (if different). For each, 1) identify relevant and specific experience in projects of similar size, nature and complexity, and 2) provide a professional resume for each of the identified individuals.

- B.** Identification of experience(s) of the individuals identified in A. above working as a team on any other project. The Selection Committee will assign more points to teams with experience in projects which include a public/private collaborative, transit-oriented developments, vertical expansion atop operational facilities and projects involving federally imposed requirements/funding.
- C.** Annual reports for other projects that have been completed by the Respondent and/or master developer, which shall include at least two completed projects in any of the following four (4) categories that have been occupied and operational for no less than two years: 1) public/private collaborative; 2) vertical expansion of an occupied building or site; 3) construction on publicly-owned property that is subject to Federal regulations; or 4) a major transit improvement project.
- D.** References (name, title, employer/affiliation, work address, work phone number(s) and e-mail address(es)) for no less than two (2) public ownership representatives with whom the Respondent and master developer has developed similar projects in the past (independently or jointly). The references should be the person identified as the "Agreement Administrator" for those projects.
- E.** Letters of intent from financial institutions and/or other commitment/interest letters from prospective occupants.
- F.** A copy of the Respondent's audited Financial Statements and/or current fiscal year-to-date balance sheet and income statement, prepared in accordance with generally accepted accounting principles. (NOTE: These documents shall be provided for Respondent, owner-corporations of Respondent, and any person or business entity guaranteeing the performance of the Respondent).
- G.** A list of names and locations of currently owned commercial real estate and Respondent's percentage ownership as well as any such facilities currently managed by Respondent.
- H.** A statement as to whether the Respondent, or any of its owner participants has ever filed a petition for bankruptcy or been declared bankrupt. If applicable, identify the date, type of bankruptcy, amount of liabilities, amount of assets, and current status.
- I.** Provide a list of all claims, arbitrations, administrative hearings, lawsuits or criminal proceedings brought by or against the Respondent and Master Developer during the last five (5) years. The list shall include the name of the project over which the dispute arose; and a description of the subject matter of the dispute and the amount in dispute.
- J.** Provide two letters of intent from a surety company that is currently listed with the United States Treasury. The letter shall address the willingness of the surety to bond the Respondent's performance pursuant to the Agreement and shall be in an amount no less than \$100,000.
- K.** Provide two letters of intent from a surety company that is currently listed with the United States Treasury for an amount greater than then the estimated construction costs of all phases of development. The letter shall address the willingness of the surety to provide a 255.05 bond to secure the general contractor's performance pursuant to the Agreement.

Section 6. Public Entity Crimes Statement

Include an executed original of Exhibit "N" to this RFP.

Section 7. Drug Free Work Place Certification

Include an executed original of Exhibit "O" to this RFP.

Executed Original/Copies

Submit one (1) complete package of all required information including any original documents with required executions, and submit ten (10) additional copies of the complete package. In addition, Respondents shall also submit an electronic file of the complete package.

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EXHIBIT "E" TO THE RFP
FORMAT FOR FINAL SUBMITTAL

Each Phase 2 submittal must contain the following information in order to be evaluated by the Selection Committee. The format for the Final Submittal to the RFP shall be as specified in this Exhibit. The Respondent may submit such additional information, in the applicable Section, as Respondent considers pertinent to indicate the financial and/or operational capabilities of the Respondent relative to the specific proposal.

Together, all of the following is the minimum information required to demonstrate compliance with the Minimum Project Requirements, Exhibit "C". All graphic representations shall be on 8.5" x 11" paper with a duplicate full size sheet (24" x 36") for any scaled drawings. Respondents may provide additional information necessary to demonstrate compliance.

Section 1. Overview of Submittal

This section shall include an executive narrative overview of the Submittal and include the following information about the Respondent:

- 1A. Name of Respondent/Firm.
- 1B. Principal Office/Mailing Address.
- 1C. Contact Person Representing Respondent/Firm.
- 1D. Telephone Number of Contact Person.
- 1E. Fax Number of Contact Person.
- 1F. Email Address of Contact Person.

This executive overview must be signed by the Respondent.

Section 2. Master plan and proposed uses including; 1) operational compatibility with the ITC; 2) parking accommodations for SFRTA and Tri-Rail; 3) support/springboard for development of remainder of the TOD; 4) mass transit ridership potential; and 5) support for economic development and community redevelopment objectives.

If the Respondent wants the Selection Committee to include in its consideration the impact of simultaneous development of other properties which are located within the TOD or adjacent to the TOD ("Additional Property), the Proposer may do so providing that: 1) the Respondent is the Owner or contract purchaser of the property that is being included for consideration at the time of proposal submittal, and 2) the Respondent includes the Additional Property in its responses.

2A. Master Plan

The information provided in response to this Section needs to be consistent with the Master Plan provided in the Preliminary Section, but for the further detail. It shall be the Selection Committee's sole opinion as to whether the master plan submitted is substantially similar to that from the Preliminary Response submittal. Those submittals which are not found to be substantially similar shall be deemed to not meet the minimum requirements and will NOT be considered further.

- 1) Specify the use(s) and tenant mix, intensity (S.F. of buildings, number of residential units, maximum enrollment, number of rooms, etc. as applicable), and number of parking spaces. The County's use of this information will be limited primarily to ensuring compliance with the terms of this RFP and resulting Agreement by; 1) selection, 2) future review and approval of each and every application to any

governmental entity for any type of regulatory approval, and 3) the design reviews described below in 2F and 2K.

- 2) Provide a master plan(s) for the proposed building(s) and improvements on the "Wedge" property (at a scale of 1:50) as well as a master plan(s) for the relationship of buildings/improvements proposed on the "Wedge" and the larger TOD district (at a scale of 1:200). Components of the master plan shall also include the following:
 - a) Design concept drawings (i.e., height, stories/floors, massing, physical character) including elevations from the north, south, east, and west which show the context of the built environment adjacent to the proposed "Wedge" property development program.
 - b) Diagrams and street section drawings that indicate the relationship of proposed buildings/improvements on the "Wedge" property and the larger TOD District (e.g., parking, vehicular and pedestrian circulation, public open space, services).
 - c) Diagrams and section drawings of parking facilities, including locations, quantities, and form of ownership/management for various types of parking (e.g., SFRTA, other transit, residential (both rental and owner-occupied), non-residential, and general parking allotments).
- 3) Show integration of the project with both the ITC and SFRTA elevated pedestrian rail crossing.
- 4) Identify the location and number of all residential units, specifically identifying those that are workforce/affordable as well as anticipated ownership mix (rental vs. for sale). If no residential units are proposed, respond to this item with "Not Applicable" and provide a narrative explanation as to how the workforce/affordable housing minimum requirement of this RFP will be satisfied.

2B. Transportation Network and Project Circulation Studies

- 1) Complete the traffic study pursuant to the requirements of Exhibit "F" to this RFP.
- 2) Identify the specific locations of all proposed pedestrian accesses to the ITC and SFRTA elevated crosswalk structure. For each access point, provide a detail showing how the access will be secured.
- 3) Identify the location and nature of all easements that will be required from the County, SFRTA, FDOT and/or the City to implement the vehicular and non-vehicular transportation system included in the proposal.
- 4) Identify the traffic internalization potential of the proposed development program based on the uses proposed and latest version of the ITE trip generation manual and/or other commonly accepted traffic modeling principles. This information should be consistent with the Traffic Study as required pursuant to Exhibit "F" of this RFP.

2C. Parking Plan

- 1) Prepare a parking plan identifying all parking to be located within and dedicated to the proposed project, as well as typical dimensions and circulation, and assignment (e.g., spaces to be owned and/or assigned to specific uses, spaces to exist within common transit parking pool, spaces to exist within common other parking).
- 2) Identify, on the required parking plan, the location and number of spaces to be assigned to SFRTA for no-cost parking available for mass transit patrons.
- 3) Prepare and attach a parking operations plan that specifically includes and/or identifies the following:
 - a) the location of all SFRTA and Palm Tran *employee* parking (i.e. replacement of existing 40 spaces),
 - b) the location of all SFRTA patron parking (consistent with item 2) above),
 - c) a narrative explaining how access to the patron parking will be controlled to ensure that a minimum of 250 spaces are continuously assigned to SFRTA patron parking,

- d) whether and how many additional SFRTA *patron* parking spaces (beyond the minimum 250) can be accommodated within the Project if fully funded by the SFRTA,
 - e) how the SFRTA patrons will be allowed to use the spaces at no cost to those patrons. In the event that some sort of "validation" process is proposed, the proposer must clearly identify each and every step required by the patron(s) to have their parking ticket validated as well as all requirements of SFRTA staff with regard to the validation process. Proposals with the least requirements on mass transit patrons and SFRTA staff will receive higher scores on this criterion. In the event that the proposal suggests that SFRTA patrons enter the parking structure in the same manner as the occupants/visitors of the proposed development, the proposer shall clearly describe how the number of spaces allocated to SFRTA will be guaranteed, monitored and audited at all times without any interruption, and
 - f) responsibility for the ongoing maintenance of the required SFRTA and Palm Tran employee and patron parking spaces (a combined minimum requirement of not greater than 290 parking spaces), including all expectations for public financial contributions. Proposals with the least requirements for SFRTA and Palm Tran will receive higher scores on this criterion.
- 4) Include a narrative that explains the temporary accommodations, as well as the projected duration of that accommodation for the existing 163 parking spaces on the northern +/-2.0 acres of the property. All such accommodations shall be provided at the Respondent's sole cost with no recourse to Palm Beach County and/or its partners.

2D. Mass Transit Ridership Potential.

A primary goal for development of the Wedge property is to harmoniously coexist with the ITC while increasing mass transit ridership. The ability of the Respondent to demonstrate its proposal's positive impact on mass transit utilization will be critical to the FTA's approval of the proposed development. As a result, the Respondent shall:

- 1) Identify any proposed employer-based transit rider programs that will be mandatory for all occupants and included in all leases and/or applied by restrictive covenant.
- 2) Identify all proposed forms and locations of pedestrian interconnection between the proposed project and existing mass transit infrastructure that are intended to increase mass transit ridership.
- 3) Identify any proposed forms and locations of other transit modes that will be introduced to connect the proposed development of the Wedge property with the remainder of the TOD District.
- 4) Identify any parking strategies and/or programs designed to improve transit ridership.
- 5) Identify the overall projected increase in transit ridership (i.e. number of new mass transit patrons) as a result of the proposed development. Support the increase by using examples of ridership increases resulting from other such developments with an equivalent mix of uses proposed and located in South Florida or in other areas with similar transit infrastructure in place.

2E. Workforce/Affordable Housing Requirement

In order for the Wedge property to achieve an appropriate share of workforce/affordable housing within the TOD District, a total of 30 workforce/affordable units are required to be located on the Wedge property, or an in-lieu payment ("cash-out") in an amount not less than \$81,500 per unit provided to the County, prior to commencement of development.

- 1) Identify whether the requirement for workforce/affordable housing will be met through a) construction of workforce/affordable residential units, b) cash-out of the requirement, or c) some combination of construction and cash-out.

- 2) Identify the total number of residential units being provided within the proposed project. Also identify the number of parking spaces and form of assignment for any market rate residential units within the proposed project. Identify whether these spaces will be in some form of a common pool and/or owned individually. If no residential units are proposed, respond with "Not Applicable".
- 3) Identify the location and number of workforce/affordable units to be provided within the proposed project, the gross square footage of each unit, and the total number of parking spaces and form of assignment allocated to the workforce/affordable units. If no workforce/affordable residential units are proposed, respond with "Not Applicable".
- 4) Identify the number of workforce/affordable units for which the Respondent is proposing to cash-out. If no cash-out is proposed, respond with "Not Applicable".
- 5) Identify the total cash contribution to the County for workforce/affordable units that are proposed to be cashed out. If no cash-out is proposed, respond with "Not Applicable".

2F. Project Impact on Intermodal Transit Center (ITC)

For any Respondent proposing to develop over the ITC, the following information shall be submitted:

- 1) Identify all uses and amounts proposed to be located above the ITC.
- 2) For each and every use located above the ITC, identify the number of ingress and egress trips and frequency in 15 minute cycles from 0700 to 0900 and 1530-1730 hours. In analyzing the impact of the Project during times outside those identified, 60-minute cycles may be used.
- 3) Identify the proposed point(s) of vehicular ingress and egress, if any, to the structure located above the ITC, demonstrating how same will not interfere with, or diminish, ingress and egress to the ITC.
- 4) Describe, in narrative format, the structural system to be used.
- 5) Graphically identify all footer/piling locations within the ITC property.
- 6) Provide a report that is signed and sealed by a registered structural engineer in the State of Florida certifying the ability to construct the proposed project and stage any construction activity/equipment on the ITC property in a manner that does not disrupt the continuous operation of the ITC or mass transit service.
- 7) Describe, in narrative format, the intended operation of the mechanical systems that will be used to ventilate the ITC after the construction of the project.
- 8) Identify the milestones at which the Respondent desires County review and approval of the design plans. The milestones and response to this item is directly correlated to the level of risk assumed by the Respondent and contingencies identified in Section 6 of this exhibit. Also included in the response should be the allowable duration of the County's review at each milestone (which cannot be any shorter than two (2) calendar weeks at each review) and reflected in the Project Schedule to be submitted pursuant to Section 2K of this exhibit.
- 9) Include a conceptual staging and construction phasing plan(s) that demonstrates how the project will NOT impact the continuous operation of the ITC and mass transit service.
- 10) Identify where all persons requiring access to the site, at any time during the development process, will park so that ITC and SFRTA parking operations are not compromised.
- 11) Provide a narrative as to how the Project will comply with all the on-going requirements of the City, State and Federal codes as they apply to Palm Tran and the SFRTA's operations.
- 12) Indicate whether the Respondent is proposing to modify the existing ITC site plan approval or replace the existing site plan in its entirety incorporating the existing, necessary on-going requirements.

2G. Economic Development

- 1) For each major task included in the Project Schedule, identify the type and number of full-time positions that will be working on the development of the Project. For each type of position, identify the average salary.
- 2) Identify the estimated value of work resulting from the development of the Project.
- 3) Identify the percentage of local firms will be used in the development of the Project. Only firms meeting the definition of the local firm as set forth in Palm Beach County Code Article IV, Part D Section 2-80.41 through 2-80.48 may be used. The successful Respondent will be required to guarantee that percentage of local participation in the Contract.
- 4) Identify the percentage of the total work that will be undertaken by Small Business Enterprises (SBE) in the development of the Project. Only firms meeting the County's definition of SBE as set forth in Palm Beach County Code Article IV Part C Section 2-80.21 through 2-80.34 may be counted.
- 5) Using the information contained in the Financial Feasibility and Market Analysis, identify the number of new full time jobs (in five-year increments through buildout) that will be created as a result of the specific uses proposed.

2H. Community Redevelopment

- 1) Identify the projected taxes that will be generated as a result of the Project.
- 2) Identify the public improvements which are proposed for which the Respondent is seeking a capital contribution from the Community Redevelopment Agency.

2I. Federal Regulation Analysis and Review

- 1) Include an evaluation, prepared by a project team member with specialization in Federal/FTA land acquisition and development transactions, demonstrating and explaining how the proposal complies with the requirements of the Federal/FTA grant agreement included as Exhibit "H" to this RFP.
- 2) Using the information presented in Section 3 below, provide a narrative summarizing how the proposed project furthers transit objectives. This narrative shall be in a form that is suitable and complete for inclusion in the County's submittal to the FTA requesting approval of the selected proposal and specific agreement(s) negotiated between the County and the Respondent.
- 3) Include an evaluation, prepared by a project team member with specialization in Federal/FTA land acquisition and development transactions demonstrating and explaining how the proposed project will comply with all development requirements. Any additional requirements which exist and are not included in the exhibit should be specifically identified in this evaluation as well as the proposed project's approach to compliance.
- 4) Include an evaluation demonstrating and explaining how the proposal complies with the requirements of the State/FDOT JPA Agreement attached as Exhibit "I". If the Respondent is seeking an amendment to the JPA to allow for development of the proposed project with no repayment of acquisition costs to FDOT, provide a narrative to serve as justification for a waiver of the repayment requirement.

2J. Environmental Compliance and Review

- 1) Include an evaluation, prepared by a project team member with specialization in preparing and processing NEPA applications, demonstrating and explaining how the proposal as submitted will be able to comply with NEPA requirements.
- 2) Submit an affidavit, signed and sealed by a project team member with specialization in preparing and processing NEPA applications, that he/she has thoroughly reviewed the County and SFRTA NEPA applications and approvals.

- 3) Identify whether the County and/or SFRTA NEPA approvals will require modification, abandonment, and/or other corrective action to accommodate the proposed project.
- 4) If the County's NEPA approval will require any action per item 3) above, identify the specific NEPA requirement(s) that trigger such action and the specific actions required on the ITC property to maintain the ITC's compliance with the requirements of the NEPA. For each action identified, explain the operational impact (including duration and costs) on the ITC.

2K. Project Schedule

Provide a project schedule which incorporates the following tasks:

- 1) negotiation of agreements with County;
- 2) County application to, and receipt of approval from, FTA;
- 3) design phases including each County review milestone and time allocated for each review and approval of plans by the County for impact on the ITC and consistency with the negotiated agreements between the County and applicable Respondent;
- 4) preparation and processing of each and every governmental regulatory approvals and permits, including the design and other preparatory activities for submittal of each application;
- 5) preparation and execution of all easements necessary for the construction of the proposed project;
- 6) pursuit and receipt of financial commitments;
- 7) closing/commencement of payments;
- 8) commencement and completion of both temporary and permanent SFRTA public parking accommodations;
- 9) commencement and completion of construction, including each phase of construction if applicable; and,
- 10) occupancy, including each phase of construction if applicable.

The Proposer's response to each and every item above shall be consistent with the Proposer's response to the correlating, but separate, submittal requirements.

Section 3. Purchase/Lease Terms & Revenue to Mass Transit Service Providers

An additional primary goal for development of the Wedge property is to derive a financial return for mass transit service providers. The ability of the Respondent to prepare its proposal in a manner that maximizes a reliable stream of revenue for mass transit through a purchase/lease agreement with the County will be a significant criterion for consideration by the Selection Committee. As a result, the following shall be submitted:

- 3A. Provide a comprehensive plan for financing the proposed project, including all sources of proposed funding (especially any Federal or State funding sources).
- 3B. Indicate how the required 250 parking spaces for SFRTA will be provided, including any proposed funding from public entities. Include any capital contribution required by SFRTA in support of the minimum parking allocation required by the RFP. Proposals that have no or the lowest capital contribution required of SFRTA will receive higher scores on this criterion. Respondents should be aware that the use of Federal funds (either by the Developer or by SFRTA) will trigger the "federalization" of the project. If this is proposed by the Respondent, ensure that all responses to this Exhibit assume that Federal requirements will be applied to the development.
- 3C. For any proposal that includes a purchase of either the non-ITC (i.e. northern) portion of the Wedge property, and/or the air rights over the ITC, the Respondent shall identify the proposed purchase price(s) for those real estate interests. The statement of proposed purchase price(s) shall specifically identify whether the price(s) assumes that 1) the FTA will waive reimbursement requirement for its contribution to the land acquisition, and 2)

the State/FDOT will waive the reimbursement requirement for their contribution to the land acquisition.

- 3D. For any proposal that includes the lease of either the non-ITC (i.e. northern) portion of the Wedge property and/or the air rights over the ITC, the Respondent shall identify the proposed annual land rent payment(s) for those real estate interests. The statement of proposed land rent payment(s) shall specifically identify 1) when the rent payment(s) will commence and end, 2) whether the price(s) assumes that the FTA will waive reimbursement requirement for their contribution to the land acquisition, and 3) whether the price(s) assumes that the State/FDOT will waive the reimbursement requirement for their contribution to the land acquisition.
- 3E. Indicate the level of developer financial commitment to the proposed project.

Section 4. Development Team Qualifications

- 4A. Identification of the remainder of the project team members including the planner, architect/engineer, landscape architect, environmental consultant having experience in preparing and processing NEPA applications, construction manager, property manager, Federal regulation consultant having experience in grant and private development compliance on Federally funded property, and any/all others as may be applicable. For each team member 1) identify relevant and specific experience in projects of similar size, nature and complexity, 2) identify the specific personnel that will be assigned to the proposed project, and 3) provide a professional resume for each of the identified project team members and personnel.
- 4B. Identification of experience(s) of the project team members identified in 4A) above working as a team on any other project as well as the team's experience on any type of mixed-use development project. The Selection Committee is likely to be particularly interested in experience with projects located in South Florida, including public/private collaborative, and involving federally imposed requirements/funding.
- 4C. References (name, title, employer/affiliation, work address, work phone number(s) and e-mail address(es)) for no less than two (2) public ownership representatives with whom the Respondent has developed similar projects in the past. The references should be the person identified as the "Agreement Administrator" for those projects.
- 4D. A statement as to whether any of the team members, or any of its owner participants has ever filed a petition for bankruptcy or been declared bankrupt. If applicable, identify the date, type of bankruptcy, amount of liabilities, amount of assets, and current status.
- 4E. Provide a list of all claims, arbitrations, administrative hearings, lawsuits or criminal proceedings brought by or against the architect/engineer and construction manager during the last five (5) years. The list shall include the name of the project over which the dispute arose; a description of the subject matter of the dispute; and the amount in dispute.
- 4F. Provide two letters of intent from a surety company that is currently listed with the United States Treasury for an amount greater than the amount of the bond. The letter shall address the ability of the construction manager/general contractor to secure a bond in an amount no less than the estimated value of construction.

Section 5. Project Financial Feasibility

The Proposer shall modify the Financial Feasibility and Market Analysis provided in Phase 1 to update the data pertaining to timing, square footage of uses previously identified (and/or number of residential units, and/or other applicable measure(s) of intensity) and costs of development. The Proposer may also update the funding sources, payment to County, and funding required from CRA and SFRTA, if necessary. All updates/changes shall be clearly identified and explained. Changes to market absorption rates and proposed uses are not permitted.

Section 6. Contingencies to Closing

Identify any and all contingencies upon the Respondent's obligation to move forward with the proposed project. The description of the contingencies shall also identify whether the Respondent may request a time extension to the agreement with County and/or stipulations for termination. No contingency shall hold the County responsible for compensating the Respondent for any pre-termination cost/expense. Contingencies may pertain to, but are not necessarily limited to, the topics identified below:

- 1) Zoning and site plan approvals by City,
- 2) Approvals by County required by agreement,
- 3) Environmental approvals, and/or
- 4) Financing.

Section 7. Federal Certifications and Assurances

To the extent that the results of the analysis conducted pursuant to Section 2I of this Exhibit indicates that the proposed project is federalized or otherwise subject to federal regulation, the Proposer shall provide fully executed FTA certifications and assurances.

DRAFT

EXHIBIT "F" TO THE RFP **TRAFFIC STUDY REQUIREMENTS**

GENERAL

The intent of the West Palm Beach Transit Oriented Development (WPBTOD) Traffic Study is to identify the impacts to the local roadway network resulting from traffic that will be generated by the proposed development. Four "gateway" intersections have been identified as locations that are crucial to servicing the traffic that is destined for the WPB TOD and the downtown area for traffic coming from the west. The four "gateway" intersections are listed below:

- Okeechobee Boulevard at Tamarind Avenue / Parker Street
- Banyan Boulevard at Tamarind Avenue
- Banyan Boulevard at Australian Avenue
- Clearwater Drive at Australian Avenue

TRAFFIC STUDY METHODOLOGY USING MESOSCOPIC SUB AREA MODEL

The Florida Department of Transportation (FDOT) has developed a Mesoscopic Sub Area Model (model) that will accommodate certain specific proposal inputs for use in lieu of a traditional traffic study and to demonstrate traffic impacts. The model has been calibrated and run to provide AM and PM peak hour traffic projections based on assumed development scenarios for Blocks A, B, C, D and E (the latter being the Wedge) as shown in Table 1, which were produced through a planning charrette for the WPB TOD. The Respondent will input the socio-economic data for the specific proposal on the Wedge (the aforementioned assumption for Block E / the Wedge having been removed) for a run of the model to generate corresponding traffic volumes. The resulting AM and PM peak hour link traffic volumes will be used to project future turning movement traffic volumes for the gateway intersections.

Turning Movement Tools (TM Tools) will be used by County staff to project future turning movement volumes. Base-year turning movements, base-year peak-hour link volumes and model projections for peak-hour link volumes will be used for the purpose of generating these projections. Based on consensus during model development, the base year will be 2005. If base-year peak-hour traffic volumes are not available, daily traffic volume will be factored using peak-hour to daily ratios from adjacent traffic count locations.

The resulting future turning movement volumes will be the inputs for SYNCHRO analyses of the gateway intersections by County staff. In applying SYNCHRO, appropriate adjustments will be made to intersection signal timing to reflect reduced effective green-time due to delays resulting from nearby railroad crossings.

TRAFFIC STUDY METHODOLOGY USING LAYERING METHOD

The traffic study will be prepared using the standard methodology for a site impact analysis. Trip generation for Blocks A, B, C, and D will be based on the assumed development scenarios shown in Table 1, which were produced through a planning charrette for the WPB TOD. The Respondent will provide development level intensities for the Wedge that are consistent with the proposal. Mass transit modal split will be 9% and non-motorized modal split an additional 7%, based on consensus resulting from a related discussion during efforts by the Florida Department of Transportation (FDOT) to develop a Mesoscopic Sub Area Model for the WPB TOD (model). *Trip distribution will be based on the distribution derived by the model OR Trip distribution will be as shown in Table 2.* Future AM and PM peak-hour link volumes will be calculated by adding the proposed development traffic from the methodology above and the base-year peak-hour

traffic volumes. If base-year (2005 based on consensus during model development) peak-hour traffic volumes are not available, daily traffic volume will be factored using peak-hour to daily ratios from adjacent traffic count locations. The resulting AM and PM peak-hour link traffic volumes will be used to project turning movement traffic volumes for gateway intersections.

Turning Movement Tools (TM Tools) will be used by County staff to project future turning movement volumes. Base-year turning movements, base-year peak-hour link volumes and the projections for peak-hour link volumes will be used. The resulting future turning movement volumes will be the inputs for SYNCHRO analyses of the gateway intersections by County staff. In applying SYNCHRO, appropriate adjustments will be made to intersection signal timing to reflect reduced effective green time due to delays resulting from nearby railroad crossings.

DRAFT

TABLE 1
ASSUMED DEVELOPMENT SCENARIOS

DEVELOPMENT PROGRAM - TOD 2009

FED STATE COUNTY RED WEDGE	A	B	C	D	E	SF PERMITTED BY CODE			
						BASE	INCENTIVE	MAX CAP	
	0	300,000	0	0	0	300,000	834,441	303,433	1,137,874
	0	740,000	0	0	0	740,000	814,792	95,746	910,538
	50,000	15,000	600	720,000	0	785,600	780,670	129,904	910,574
	50,000	15,000	600	720,000	0	785,600	888,659	165,738	1,054,397
	15,000	100,000	200	240,000	125,000	480,200	1,831,228	0	1,831,228
TOTAL	115,000	1,170,000	1,400	1,980,000	125,000	3,091,400			

ASSUMPTIONS

1. FED future build-out of courthouse and office complex is 300,000.
2. State stock accommodates County, DGH Phase II, HDD, and Dimnick Phase II.
3. Residential SF is calculated at 1200 SF per unit to account for unit size and common areas.
4. MAX CAP is the maximum capacity allowed under the pre-right (base) FAR plus incentive FAR for each block.
5. Wedge site program is derived from original TCRCG charter.
6. Use rate is a recommendation only; other rates are possible depending upon parking calculations and building massing.
Use mix proposal closely approximates 2005 charter; state block modification allows for public office, removes private uses.

FOR DISCUSSION PURPOSES

TABLE 2
TRIP DISTRIBUTION

WEST PALM BEACH TOD TRAFFIC DISTRIBUTION							
Roadway	From	To	SITE				
			A	B	C	D	E
Tamarind	north	Banyan	5%	5%	5%	5%	5%
Tamarind	Banyan	site	40%	36%	33%	30%	0%
Tamarind	site	Okeechobee	60%	64%	67%	70%	0%
Parker	Okeechobee	south	5%	5%	5%	5%	5%
Australian	north	Banyan	15%	15%	15%	15%	15%
Australian	Banyan	Clearwater	14%	8%	3%	0%	15%
Australian	Clearwater	Okeechobee	14%	8%	3%	0%	68%
Australian	Okeechobee	south	10%	10%	10%	10%	10%
Banyan	Australian	Clearwater	29%	23%	18%	15%	0%
Banyan	Clearwater	Tamarind	29%	23%	18%	15%	12%
Banyan	Tamarind	east	10%	10%	10%	10%	10%
Okeechobee	west	Australian	45%	45%	45%	45%	45%
Okeechobee	Australian	Tamarind	41%	47%	52%	55%	13%
Okeechobee	Tamarind	east	10%	10%	10%	10%	10%