

REQUEST FOR PROPOSALS

FOR THE MANAGEMENT AND/OR DEVELOPMENT OF THE BYRON CARLYLE THEATER COMPLEX

RFP # 39-07/08

RFP DUE DATE: SEPTEMBER 30, 2008 at 3:00 P.M.

Maria Estevez, Senior Procurement Specialist
PROCUREMENT DIVISION
1700 Convention Center Drive Miami Beach, FL 33139
mariaestevez@miamibeachfl.gov

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MIAMIBEACH



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

PROCUREMENT DIVISION
Tel: 305-673-7490, Fax: 786-394-4002

PUBLIC NOTICE

FOR THE MANAGEMENT AND/OR DEVELOPMENT OF THE BYRON CARLYLE THEATER COMPLEX

Request for Proposals (RFP) No. 39-07/08

Scope of Services

The City of Miami Beach is soliciting responses from proposers for the management and/or development of the Byron Carlyle Theater Complex located at 500 71st Street, between Byron Avenue and Carlyle Avenue.

It is anticipated that the successful proposer will negotiate with the City for a long-term contract with an initial term of five (5) years, with an option to renew for an additional five (5) year term, at the City's sole discretion.

Sealed proposals will be received until **3:00 PM on September 30, 2008** at the following address:

**City of Miami Beach
City Hall
Procurement Division - Third Floor
1700 Convention Center Drive
Miami Beach, Florida 33139**

Any proposal received after 3:00 PM on September 30, 2008 will be returned to the proposer unopened. The responsibility for submitting proposals before the stated time and date is solely the responsibility of the proposer.

The City will not be responsible for delays caused by mail, courier service, including U.S. Mail, or any other occurrence.

A Pre-Proposal Submission Meeting is scheduled for August 21, 2008, at 10:00 A.M. at the following address:

**City of Miami Beach
City Hall – Fourth Floor
1700 Convention Center Drive
City Manager's Large Conference Room
Miami Beach, Florida 33139**

The City of Miami Beach is using RFP Depot, a central notification system which provides bid notification services to interested vendors. RFP Depot allows for vendors to register online and receive notification of new bids, amendments and awards. Vendors with Internet access should review the registration options at the following website: www.rfpdepot.com

If you do not have Internet access, please call the RFP Depot's vendor support group at 801-765-9245.

Attendance (in person or via telephone) to this Pre-Proposal submission meeting is encouraged and recommended as a source of information, but is not mandatory. Proposers interested in participating in the pre-Proposal submission meeting via telephone must follow these steps:

(1) Dial the TELEPHONE NUMBER: 1-800-915-8704 (Toll-free North America)

(2) Enter the MEETING NUMBER: *2659980* (note that number is preceded and followed by the star (*) key).

Proposers who are interested in participating via telephone, please send an e-mail to mariaestevez@miamibeachfl.gov expressing your intent to participate via telephone at least one business day in advance of the meeting.

THE CITY OF MIAMI BEACH RESERVES THE RIGHT TO ACCEPT ANY PROPOSAL DEEMED TO BE IN THE BEST INTEREST OF THE CITY OF MIAMI BEACH, OR WAIVE ANY INFORMALITY IN ANY PROPOSAL. THE CITY OF MIAMI BEACH MAY ALSO REJECT ANY AND ALL PROPOSALS.

YOU ARE HEREBY ADVISED THAT THIS REQUEST FOR PROPOSALS IS SUBJECT TO THE FOLLOWING ORDINANCES/RESOLUTIONS, WHICH MAY BE FOUND ON THE CITY OF MIAMI BEACH WEBSITE: <http://web.miamibeachfl.gov/procurement/>

- CONE OF SILENCE -- ORDINANCE NO. 2002-3378
- CODE OF BUSINESS ETHICS -- RESOLUTION NO. 2000-23879.
- DEBARMENT PROCEEDINGS -- ORDINANCE NO. 2000-3234.
- PROTEST PROCEDURES -- ORDINANCE NO. 2002-3344.
- LOBBYIST REGISTRATION AND DISCLOSURE OF FEES -- ORDINANCE NO. 2002-3363.
- CAMPAIGN CONTRIBUTIONS BY VENDORS - ORDINANCE NO. 2003-3389.

- LIVING WAGE REQUIREMENT --ORDINANCE NO. 2001-3301. Pursuant to City of Miami Beach Living Wage Ordinance, as codified in Chapter 2, Division 6, Section 2-407 thru 2-410 of the Miami Beach Code, all service groups or individuals, entering into a contract with the city shall pay to all its employees, a living wage of not less than \$8.56 an hour with health benefits, or a living wage of not less than \$9.81 an hour without health benefits. For a covered employer to group or individual with the living wage provision by choosing to pay the lower wage scale (\$8.56/hour) when a covered employer also provides health benefits, such health benefits shall consist of payment of at least \$1.25 per hour toward the provision of health benefits for covered employees and their dependents.

The following documents are available for review and/or downloading at the following website address: <http://web.miamibeachfl.gov/procurement/scroll.aspx?id=23514>

1. North Beach Town Center Plan 2007
2. Byron Carlyle Theater Complex Pictures
3. Byron Carlyle Theater Feasibility Report, January 2006
4. Enterprise Zone Site Report

Sincerely,



Gus Lopez, CPPO
Procurement Director



MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

PROCUREMENT Division
Tel: 305.673.7490 Fax: 786.394.4002

RFP No. 39-07/08

NOTICE TO PROSPECTIVE PROPOSERS

If not submitting a proposal at this time, please detach this sheet from the RFP documents, complete the information requested, and return to the address listed above.

NO PROPOSAL SUBMITTED FOR REASON(S) CHECKED AND/OR INDICATED:

- Not responding due to workload issues.
- Not responding due to minimum experience requirement.
- Not responding due to specifications/scope of services.
- Not responding due to timely payment issues.
- OTHER. (Please specify) _____

We do do not want to be retained on your mailing list for future proposals for the type or product and/or service.

Signature: _____

Title: _____

Company: _____

Note: Failure to respond, either by submitting a proposal or this completed form, may result in your company being removed from the City's bid list.



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

PROCUREMENT DIVISION
Tel: 305-673-7490, Fax: 305-673-7851

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SECTION I - OVERVIEW AND PROPOSAL PROCEDURES:

A. INTRODUCTION / BACKGROUND

The purpose of this Request for Proposals (RFP) is to select a proposer for the Management and/or Development of the Byron Carlyle Theater Complex, located at 500 71st Street, between Byron Avenue and Carlyle Avenue.

The Byron Carlyle Theater Complex (the "Theater"), located at 500 71st Street, between Byron Avenue and Carlyle Avenue, originally opened in December 1968 as twin cinemas hosting first-run movies in the heart of North Beach. A total of 994 seats were originally built, with the large auditorium having a capacity of 590 seats. In the mid-1970s, the Theater was re-developed into a multiplex cinema; the larger auditorium to the west was subdivided into five (5) smaller theaters. The Theater continued to operate until it was sold by its owner, Wometco Enterprises, when the City of Miami Beach purchased it in 2001, for \$1.7 million.

Phase I of the renovation of the Theater (\$1.7 million) was completed by the City's Property Management Division during approximately 16 months of design and construction for the Theater on the eastern portion of the complex. The total seating capacity for the renovated Theater is 304, with 158 seats in the orchestra level, and 138 seats in the mezzanine level, in addition to 8 ADA seats.

The western portion of the complex and certain back stage needs of the Theater were not incorporated into the renovation due to space limitations and the need to not exceed 50% of the value of the structure in renovation costs that would have required the whole structure to be brought up to current code standards. These standards include the need to elevate the floor to meet FEMA Flood Elevation requirements. Any new improvements done to the western portion of the complex would also require the structure to comply with the current Florida Building Code. Although it was initially intended to renovate the western portion of the building, as of yet, funding has not been available. That portion of the building remains closed and cannot be used per Code. In January 2006, C3TS (consultant) completed a feasibility study for the City's Capital Improvement Projects Department that looked into various adaptive re-use scenarios for the un-renovated western portion of the building. The options presented included a black box theater, dance studio, film and digital media programs, retail and commercial space, as well as other needs to support the existing theater on the eastern portion of the complex. A copy of the feasibility study will be provided as part of this RFP.

TRENDS

The Byron Carlyle Theater was extremely successful during its first year of operation during the 2004/05 fiscal year, which coincided with the Colony Theater being closed for renovations, exceeding its booking and income projections by 262%. However, bookings significantly declined following the reopening of the more desirable Colony Theatre (the "Colony") in January 2006. The Colony continues to be heavily booked for the 2007/08 season. Although the Byron Carlyle is attracting some groups who are unable to book the Colony, there has not been enough spillover to keep the Byron Carlyle at previously booked levels.

The vast majority of users for both theaters have been local non-profit arts groups (most of them Cultural Arts Council grant recipients) booking from one to three days at a time, with one or two public shows. Commercial users are few, and the opening of the Arsht Performing Arts Center's Black Box Theater has reduced that number further.

In July 2007, the City Commission adopted a resolution that gave the Administration more flexibility to negotiate rates and encourage longer run productions, with the hope of increasing usage of the facility and providing additional programming. Two (2) independent Spanish language theater productions took advantage of the flexible rates during the summer and winter of 2007. They enjoyed some success with an extended run production. Unfortunately, very few organizations have availed themselves of this program and bookings in the current fiscal year have declined. While the Colony Theater has experienced bookings for almost all available dates, the Byron Carlyle, as illustrated in the below chart, continues to remain under utilized.

	Q1	Q2	Q3	Q4	
2005 Actuals	41	39	68	1	149
2006 Actuals	53	44	11	5	113
2007 Actuals	26	49	32	26	133
2008 Projected	53	15	16	1	85

The last three fiscal years have yielded operating deficits for the Byron Carlyle, ranging from approximately \$195,000 in 2006, to a projected deficit of approximately \$170,000 in the current fiscal year.

As a result of the aforementioned decline and in an effort to maximize the potential of the Theater Complex, the City Commission directed the City Administration to research and propose alternatives for the privatization of the Byron Carlyle Theater during their retreat on May 2 & 3, 2008. Subsequently, at the July 9, 2008, Finance and Citywide Projects Committee meeting, the Committee directed staff to place this item on the next City Commission agenda.

The City recommends continuing the current management structure on an interim basis until the conclusion of the RFP process.

PROPERTY DETAILS

- Legal Description: Normandy Beach South PB21-54 lots 1-2-11 & 12, BLK 14 Lot Size Irregular or #19658-49900531.
- Assessed Value: \$5,276,117; Land value of \$2,903,750 and the building value at \$2,372,367.
- Lot size: 25,250 square feet
- Building size: 28,335 square feet.
- Zoning: CD-3 (Commercial High Density)
- Parking: There is a metered parking lot on the south west side of the building with 15 parking spaces across the alley from the site. There is also a municipal parking lot across the street to the east of the building, and metered street parking on the east side of the site. There is no off street or on street parking exclusive for the theater. There is however, 320 public parking spaces located at municipal parking lot at 72nd Street and Collins Avenue, and 51 public parking spaces located at 72nd Street and Carlyle Avenue.
- Theater seating capacity: 304 seats. 158 seats in the lower level and 138 seats in the mezzanine level in addition to the 8 ADA accessible seating in both levels.

Note: The Byron Carlyle Theater is located in the Miami Beach Enterprise Zone, which provides corporate income tax credit and sales tax refund benefits for job creation. In addition to the Enterprise Zone information included in the attached (which is mainly overview and the various forms & instructions), refer to www.floridaenterprisezone.com for more information on the Enterprise Zone.

The following documents are available for review and/or downloading at the following website address: <http://web.miamibeachfl.gov/procurement/scroll.aspx?id=23514>

- 1 North Beach Town Center Plan 2007
- 2 Byron Carlyle Theater Complex Pictures
- 3 Byron Carlyle Theater Feasibility Report, January 2006
- 4 Enterprise Zone Site Report

B. RFP TIMETABLE

The anticipated schedule for this RFP and contract approval is as follows:

RFP Issued	July 22, 2008
Pre-proposal submission meeting	August 21, 2008
Deadline for receipt of questions	September 19, 2008
Deadline for receipt of Proposals	September 30, 2008 at 3:00 P.M.
Evaluation Committee meeting	October 2008
Commission approval authorizing negotiations	October 2008
Contract negotiations	November 2008
Projected contract start date	November 2008

C. PROPOSALS SUBMISSION

An original and ten (10) copies of complete proposals must be received no later than 3:00 p.m. on September 30, 2008, at the following address:

**City of Miami Beach
City Hall
Procurement Division -- Third Floor
1700 Convention Center Drive
Miami Beach, Florida 33139**

The original and all copies must be submitted to the Procurement Division in a sealed envelope or container stating on the outside the Proposer's name, address, telephone number, RFP number and title, and due date. **No facsimile, electronic, or e-mail responses will be considered.**

The responsibility for submitting a response to this RFP to the Procurement Division on or before the stated time and date will be solely and strictly that of the Proposer. The City will in no way be responsible for delays caused by the U.S. Post Office or caused by any other entity or by any occurrence. Responses received after the RFP due date and time will not be accepted and will not be considered.

D. Requirement for City Contractors to Provide Equal Benefits for Domestic Partners (the "Ordinance")

Proposers are advised that this RFP and any contract awarded pursuant to this procurement process shall be subject to the applicable provisions of Ordinance No. 2005-3494, entitled "Requirement for City Contractors to Provide Equal Benefits for Domestic Partners (the "Ordinance")." The Ordinance applies to all employees of a Contractor who works within the city limits of the City of Miami Beach, Florida, and the Contractor's employees located in the United States, but outside of the City of Miami Beach limits, who are directly performing work on the contract within the City of Miami Beach.

All Proposers shall complete and return, with their proposal, the "Declaration: Non-discrimination in Contracts and Benefits" form contained herein. The City shall not enter into any contract unless the Proposers certifies that such firm does not discriminate in the provision of Benefits between employees with

Domestic Partners and employees with spouses and/or between the Domestic Partners and spouses of such employees.

Contractors may also comply with the Ordinance by providing an employee with the Cash Equivalent of such Benefit or Benefits, if the City Manager or his designee determines that:

- a. The Contractor shall complete and return the "Reasonable Measures Application" contained herein, and the Cash Equivalent proposed; AND.
- b. The Contractor shall complete and return the "Substantial Compliance Authorization Form" contained herein.

It is important to note that Contractors are considered in compliance if Contractor provides benefits neither to employees' spouses nor to employees' Domestic Partners.

E. PRE-PROPOSAL SUBMISSION MEETING

A Pre-Proposal submission meeting is scheduled for **August 21, 2007 at 10:00 A.M.** at the following address:

**City of Miami Beach
City Hall – Fourth Floor
City Manager's Large Conference Room
1700 Convention Center Drive
Miami Beach, Florida 33139**

Attendance (in person or via telephone) is encouraged and recommended as a source of information, but is not mandatory. Proposers interested in participating in the pre-RFP submission meeting via telephone must follow these steps:

- (1) Dial the TELEPHONE NUMBER: 1-800-915-8704 (Toll-free North America)
- (2) Enter the MEETING NUMBER: *2659980* (note that number is preceded and followed by the star (*) key).

Proposers who are interested in participating via telephone, please send an e-mail to the contact person listed below, expressing your intent to participate via telephone.

F. CONTACT PERSON/ADDITIONAL INFORMATION/ADDENDA

The contact person for this RFP is **Maria Estevez** at phone: 305-673-7234; fax: 786-393-4002; or e-mail: **mestevez@miamibeachfl.gov**. Communications between a proposer, bidder, lobbyist and/or consultant and the Procurement Division are **limited to matters of process or procedure**.

Requests for additional information or clarifications must be made **in writing** to the Procurement Division. Facsimile or e-mail requests are acceptable. Please send all questions to mestevez@miamibeachfl.gov and a copy to guslopez@miamibeachfl.gov and City Clerk's Office RobertParcher@miamibeachfl.gov no later than the date specified in the RFP timetable.

The Procurement Division will issue replies to inquiries and any other corrections or amendments, as it deems necessary, in written addenda issued prior to the deadline for responding to the RFP. Proposers should not rely on representations, statements, or explanations, other than those made in this RFP or in any written addendum to this RFP. **Proposers should verify with the Procurement Division prior to submitting a proposal that all addenda have been received.**

Proposers are advised that oral communications between the Proposer, or their representatives, and the Mayor or City Commissioners and their respective staff, or members of the City's administrative staff (to include the City Manager and his staff), or evaluation committee members, is prohibited.

G. MODIFICATION/WITHDRAWALS OF PROPOSALS

A Proposer may submit a modified proposal to replace all or any portion of a previously submitted proposal up until the proposal due date and time. Modifications received after the proposal due date and time will not be considered.

Proposals shall be irrevocable until contract award unless withdrawn in writing prior to the proposal due date or after expiration of **120** calendar days from the opening of Proposals without a contract award. Letters of withdrawal received after the proposal due date and before said expiration date and letters of withdrawal received after contract award will not be considered.

H. RFP POSTPONEMENT/CANCELLATION/REJECTION

The City 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, at any time, this RFP process; or waive any irregularities in this RFP, or in any Proposals received as a result of this RFP.

I. COSTS INCURRED BY PROPOSERS

All expenses involved with the preparation and submission of Proposals to the City, or any work performed in connection therewith, shall be the sole responsibility of the Proposer(s) and shall not be reimbursed by the City.

J. EXCEPTIONS TO RFP

Proposers must clearly indicate any exceptions they wish to take to any of the terms in this RFP, and outline what alternative is being offered; which exceptions and alternatives shall be included and clearly delineated in proposers' submittal response. The City, at its sole and absolute discretion, may accept or reject the exceptions. In cases in which exceptions are rejected, the City shall require the Proposer to comply with the particular term and/or condition of the RFP which proposer takes exception to (as said term and/or condition was originally set forth on the RFP).

K. SUNSHINE LAW

Proposers are hereby notified that all proposals, including with or without limitation any and all information and documentation submitted will be available for public inspection after opening of Proposals, in compliance with Chapter 286, Florida Statutes, (the Florida "Government in the Sunshine Law").

L. NEGOTIATIONS

The City may award a contract on the basis of initial offers received, without discussion, or may require Proposers to give oral presentations based on their Proposals. The City reserves the right to enter into further negotiations with the top-ranked Proposer, (following authorization of negotiations by the City). No Proposer shall have any rights in the subject project or property or against the City arising from such negotiations. Notwithstanding the proceeding, the City is in no way obligated to enter into a contract with the top-ranked and/or successful proposer, in the event the parties are unable to negotiate a contract.

M. PROTEST PROCEDURE

Proposers that are not selected may protest any recommendation for selection of award in accordance with the proceedings established pursuant to City of Miami Beach Ordinance No. 2002-3344. **Protest(s) not timely made pursuant to the requirements of Ordinance No. 2002-3344 shall be barred.**

N. RULES; REGULATIONS; LICENSING REQUIREMENTS

Proposers are expected to be familiar with, and comply with, all Federal, State, County, and City laws, ordinances, codes, and regulations that may in any way affect the services offered, including without limitation the Americans with Disabilities Act, Title VII of the Civil Rights Act, the EEOC Uniform Guidelines, and all EEO regulations and guidelines. Ignorance of the law(s) on the part of the Proposer will in no way relieve it from responsibility for compliance.

O. DEFAULT

Failure or refusal of a Proposer to execute a contract following award by the City Commission, or untimely withdrawal of a proposal before such award is made and approved, may result in forfeiture of that portion of any surety required as liquidated damages to the City. Where surety is not required, such failure may result in a claim for damages by the City and may be grounds for removing the Proposer from the City's vendor list.

P. CONFLICT OF INTEREST

All Proposers must disclose, with in their proposal, the name(s) of any officer, director, agent, or immediate family member (spouse, parent, sibling, and child) who is also an employee of the City of Miami Beach. Further, all Proposers must disclose the name of any City employee who owns, either directly or indirectly, an interest of ten (10%) percent or more in the Proposer entity or any of its affiliates.

Q. COMPLIANCE WITH THE CITY'S LOBBYIST LAWS

All Proposers are expected to be or become familiar with all City of Miami Beach Lobbyist laws, as amended from time to time. Proposers shall ensure that all City of Miami Beach Lobbyist laws are complied with, and shall be subject to any and all sanctions, as prescribed herein, including disqualification of their Proposals, in the event of such non-compliance.

R. PROPOSER'S RESPONSIBILITY

Before submitting a proposal, each Proposer shall be solely responsible for making any and all investigations and examinations, as it seems necessary, to ascertain all conditions and requirements affecting the full performance of the contract. Ignorance of such conditions and requirements, and/or failure to make such investigations and examinations, will not relieve the Proposer from any obligation to comply with every detail and with all provisions and requirements of the contract documents, and will not be accepted as a basis for any subsequent claim whatsoever for any monetary consideration on the part of the Proposer.

S. RELATIONSHIP TO THE CITY

It is the intent of the City, and proposers hereby acknowledge and agree, that the successful Proposer is considered to be an independent contractor and that neither the Proposer, nor the Proposer's employees, agents, and/or contractors, shall, under any circumstances, be considered employees or agents of the City.

T. PUBLIC ENTITY CRIME (PEC)

A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crimes may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to public entity, may not be awarded or perform work as a contractor, supplier, sub-contractor, or consultant under a contract with a public entity, and may not transact business with any public entity in excess of the threshold amount provided in Sec. 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

U. CONE OF SILENCE

Pursuant to Section 2-486 of the City Code (entitled "Cone of Silence") proposers are hereby advised that the Cone of Silence requirements listed herein shall apply.

V. DEBARMENT ORDINANCE

Proposers are hereby advised that this RFP is further subject to City of Miami Beach Ordinance No. 2000-3234 (Debarment Ordinance). Debarment may constitute grounds for termination of the contract, as well as, disqualification from consideration on any future City of Miami Beach RFP, RFQ, RFLI, or bid.

W. PROHIBITED CAMPAIGN CONTRIBUTIONS BY VENDORS

Pursuant to Section 38-6 of the City Code, no person who is a vendor to the City shall give a campaign contribution directly, or through a member of the person's immediate family, or through a political action committee, or through any other person, to a candidate, or to the campaign committee of a candidate, for the offices of mayor or commissioner. No candidate, or campaign committee of a candidate for the offices of mayor or commissioner, shall solicit or receive any campaign contribution from a person who is a vendor to the City, or through a member of the person's immediate family, or through a political action committee, or through any other person on behalf of the person. This prohibition applies to natural persons and to persons who hold a controlling financial interest in business entities.

X. CODE OF BUSINESS ETHICS

Pursuant to Resolution No.2000-23879 each person or entity that seeks to do business with the City shall adopt a Code of Business Ethics ("Code") and submit that Code to the Procurement Division with your bid/response or within five days upon receipt of request.

The Code shall, at a minimum, require your firm or you as a sole proprietor, to comply with all applicable governmental rules and regulations including, among others, the conflict of interest, lobbying and ethics provision of the City Code.

Y. AMERICAN WITH DISABILITIES ACT

Call 305-673-7490/VOICE to request material in accessible format; sign language interpreters (five days in advance when possible), or information on access for persons with disabilities. For more information on ADA compliance please call Robert Halfhill, Public Works Department, at 305-673-7631.

Z. ACCEPTANCE OF GIFTS, FAVORS, SERVICES

Proposers shall not offer any gratuities, favors, or anything of monetary value to any official, employee, or agent of the City, for the purpose of influencing consideration of this proposal.

Pursuant to Sec. 2-449 of the City Code, no officer or employee of the City shall accept any gift, favor or service that might reasonably tend improperly to influence him in the discharge of his official duties.

SECTION II -- SCOPE OF WORK/SPECIFICATIONS

The City has not predetermined a specific use for the theater complex and proposers are encouraged to submit proposals that meet the needs of the community and provide both daytime and nighttime uses. The City is open to proposals that consider the use of the current theater facility on the eastern portion of the complex, the unrenovated western portion of the facility or for the overall complex. Proposers have the ability to submit proposals for the use or development of the entire complex or only for one portion of the complex. Moreover, proposers are free to recommend alternative (non-theatrical) uses for each portion or all of the complex.

The proposer will be responsible for any renovation or alterations to the current facility; the maintenance of the building and equipment; the marketing of the facility; coordination of facility's utilization and scheduling; and any and all other responsibilities as may be required for the proposed use.

It is anticipated that the successful proposer will negotiate with the City for a long-term contract with an initial term of five (5) years, with an option to renew for an additional five (5) year term, at the City's sole discretion.

The successful proposer would work closely with the following:

- 1) The Mayor and City Commission.
- 2) The Tourism and Cultural Development Department.
- 3) The Miami Beach Cultural Arts Council. This City board acts in an advisory capacity to the City Commission on matters regarding cultural affairs.

GOALS AND OBJECTIVES:

The goal of this RFP is the selection of an organization/consortium to develop and implement arts, entertainment, cultural-themed uses and / or other potential uses for all or part of the Byron Carlyle theater complex, while managing and operating all or a portion of the complex in a first class, high quality, state-of-the-art manner that meets the needs of the residents, visitors, tourists, City businesses, and the general public. To that end, proposals should present a comprehensive, well-articulated program for use and/or development of a portion or all of the complex, complete with supporting documentation, including design sketches, if necessary, that will enhance the vitality of the 71st Street corridor and neighboring business district (refer to the North Beach Town Center Plan provided with the RFP);

A specific use for the facility has not yet been determined. Therefore, proposers are encouraged to submit proposals that provide daytime and nighttime uses. The City will accept proposals for the use and development of the entire complex or only for one portion of the complex. Moreover, proposers are free to recommend alternative uses and are not required to maintain the current (theater) programming.

Proposers must present their experience, reputation and financial and managerial capability appropriate for the successful development of a project of this type, and they must present a year-round program of quality and interest to the City of Miami Beach and North Beach community.

Furthermore, the City has multiple objectives which proposers must successfully address:

- to efficiently operate the facility, while minimizing or eliminating direct costs to the City;
- to properly maintain and safeguard the City's capital investment in the facility through the exercise of the highest standards of maintenance and preservation and, as the need arises, make or recommend capital improvements;
- to manage day-to-day operations of all or the portion of the facility for which the proposer is submitting a proposal;

- to oversee and provide superior services to users of the facility and patrons and visitors attending the facility, thereby maximizing customer satisfaction as exhibited by an industry-wide positive image;
- to achieve the greatest possible profit by developing and implementing innovative ways to generate revenue and penetrate new markets, attract new events and promote the facility to maximize usage, during daytime and evening hours;
- to actively solicit, promote, or co-promote the facility and the proposed program(s);
- to create a comprehensive strategic plan for the future of all or a portion of the facility;
- to achieve all objectives with the least possible disruption to the City and its citizens;
- to achieve all objectives in a professional manner, consistent with best industry practices and all applicable laws and ordinances;
- to respond to the ever-changing needs of the community and users of the facility with recommendations for expansions, renovations and upgrades of services;

MINIMUM REQUIREMENTS / QUALIFICATIONS

Proposers must provide the following information:

- 1) **Contact Information:** Present the proposer's current name, former names (if applicable), business address, telephone number, and primary contact, including the business resumes of all senior officers and partners.
- 2) **Organizational Form:** Provide a narrative summary of the nature and structure of the proposer's organization (e.g. corporation, partnership, sole proprietorships, joint venture, or other) and how the proposal addresses each of the goals as indicated in the RFP.
- 3) **An identification of the entities** that will be involved, a description of the roles they will play (e.g., partner, management group, property manager, building lessee, event programmer/presenter), the contractual relationships within the team, the financial responsibilities and percentage of ownership (if applicable) of each team entity, a description and evidence of the nature of each entity's commitment to the project, and a summary of the team's past experience in working together. A description of each of the entities' experience in similar projects and roles must be included, including location, type of facility, beginning and ending dates of involvement, and information about any continued financial or operating interest in each. Include specific previous relevant experience with public entities, including reference contact information. The City may ask for supporting documentation substantiating claims of previous experience. Identify the principal person who will speak for the responding entity and any other key participants who will be involved in negotiating the contract terms. Specify whether the respondent entity is or intends to form a corporation, a general or limited partnership, a joint venture, a 501(c)(3) corporation, or other type of business association to carry out the proposed activities. The respondent must also provide a minimum of the most current two consecutive years of financial statements for the entity(ies) and/or principal(s) that comprise or will comprise the respondent. The City will treat financial statements submitted under this procedure as either business data or RFP data pursuant to Florida Statutes. However, the City assumes no liability should this data be ruled public data by a court of competent jurisdiction.
- 4) **Organization Philosophy and Approach:** Provide a description of the proposer's overall philosophy and approach to the development, use, management and operation of the facility. Describe any proposed initiatives specific to a proposed management approach for the facility, focusing especially on how the proposer plans to accomplish the City's goals and objectives. This should include a description of the type of proposed uses for all or the portion of the facility for which the proposer is submitting a

proposal; whether or not the proposal contemplates the use of all or the portion of the facility; the content of any proposed programming (proposers should be aware that any proposed content should be suitable for a municipal venue); any research or analysis to support the need or potential success of the proposed use; as well as other pertinent information that will aid the City in making a determination. Reference to all of all or part of the facility specifically refers to the eastern (renovated theater) and western (unrenovated) portions of the facility. Proposers may submit proposals for all or part of the facility.

- 5) **Marketing Plan:** Provide a marketing plan for the facility and the proposed use(s). The proposer must submit information which describes its approach to a successful venue. The proposer should describe its marketing and promotional concepts to attract visitors and guests that will take advantage of Miami Beach's unique position. The proposer should also provide a plan which will maximize revenue to the City and how it intends to generate new local business.
- 6) **Subcontractor Information and Qualifications:** The successful proposer may elect to subcontract some portions of the services or uses. While specific subcontractors may not be identified until after award of the management or operation agreement, wherever the proposer intends to subcontract certain services or uses, the specific services or uses must be identified in this section of the proposal.
- 7) **Scope of Proposal:** Proposers must provide information describing the proposed strategies, policies and procedures to be employed in managing/developing/operating the facility.
- 8) **A term sheet that outlines proposed contract terms and conditions.** Each submittal must include a specific proposal for the proposed revenues to be shared with the City as compensation to the City for the exclusive use and operation of the Byron Carlyle Theater. It should be noted by the proposer that the City typically receives a minimum guarantee and a percentage of gross revenues. If the proposal contemplates different uses for different portions of the complex, then the term sheet must reflect the proposed terms and conditions for each portion.
- 9) If applicable, a preliminary **capital pro forma** showing the detailed sources and uses of funds (debt, equity and other) to manage and operate the portion(s) of the complex that are proposed, and/or undertake proposed capital equipment purchases and capital improvements during the initial five years of the agreement. Information as to the status of securing those funds should be included, and inclusion of a conditional financing commitment is strongly encouraged. Proposer **MUST** clearly indicate any public assistance to be requested.
- 10) A preliminary five-year **operating pro forma**. Include the assumptions underlying the income and expense projections. Clearly indicate the sources and amounts of revenues and provisions for a capital improvement reserve. Also show the Cash-on-Cash Return and Internal Rate of Return and describe proposed distribution or utilization of net operating income. If the proposal is for the entire complex and/or contemplates different uses for different portions of the complex, a pro forma for each use should be submitted.
- 11) A **staffing plan** that includes an organizational chart showing key management personnel and identification of onsite management.
- 12) **Operating Plan:** Proposer shall describe the operating policies and procedures to be employed by the operator to manage and/or operate all or a portion of the facility. Describe any proposed initiatives which would improve the management and/or reduce the operational cost of all or portion of the facility. The proposer should also describe its approach to financial management systems, employee management and administrative policies and procedures.
- 13) A **transition plan** if applicable, for the assumption of booking and management duties from the current Management Agreement.
- 14) Any other information that would help City staff understand and evaluate the concept.

SECTION III – PROPOSAL FORMAT

Proposals must contain the following documents, each fully completed, and signed as required. If any items are omitted, Proposers must submit the documentation within five (5) calendar days upon request from the City, or the proposal shall be deemed non-responsive. **The City will not accept fee/cost information after deadline for receipt of Proposals.**

1. Table of Contents

Outline in sequential order the major areas of the Proposal, including enclosures. All pages must be consecutively numbered and correspond to the table of contents.

2. Proposal Points to Address:

Proposer must respond to all minimum requirements listed below. Proposals which do not contain such documentation may be deemed non-responsive.

- a) **Introduction letter** outlining the Proposer's professional specialization; provide past experience to support the qualifications of the Proposer. Proposers shall submit documents that provide evidence as to the capability to provide and implement the services as outlined in this RFP.
- b) **Proposers must provide documentation** which demonstrates their ability to satisfy all of the minimum requirements detailed in Section II of this RFP.
- c) **References:** List at least five (5) client references, to include contact name, title, company, address, telephone number, **e-mail address**, fax number.
- d) **Qualifications of Proposer:** Outline in detail the experience and qualifications of the business and individual members of the Proposer entity and experience of Proposer and/or Proposer members in providing similar projects/programs as the one proposed.

Provide an organizational chart of all personnel and consultants to be used on this project/program and their qualifications. A resume of each individual, including education, experience, and any other pertinent information, shall be included for each team member to be assigned to this Project.

e) Past Performance Client Survey Information:

Past performance information will be collected on all Proposers. Proposers are required to identify and submit their best projects. Proposers will be required to send out Performance Evaluation Surveys to each of their clients.

Please provide your client with the Performance Evaluation Letter and Survey attached herein on pages 37 and 38, and request that your client submit the completed survey to Maria Estevez, at (Fax) 786-394-4002 or (e-mail) mariaestevez@miamibeachfl.gov; and a copy to Gus Lopez, at (Fax) 786-394-4007 or (e-mail) guslopez@miamibeachfl.gov. **The City will not accept Client Surveys sent to the Procurement Division from the office of the Proposer. Surveys must be sent to the Procurement Division directly from your client's office(s).** Proposers are responsible for making sure their clients return the Performance Evaluation Surveys to the City. The City reserves the right to verify and confirm any information submitted in this process. Such verification may include, but is not limited to, speaking with current and former clients, review of relevant client documentation, site-visitation, and other independent confirmation of data.

5. Acknowledgment of Addenda:

(IF REQUIRED BY ADDENDUM) and Proposer Information forms.

6. Any other Documents Required by this RFP.

SECTION IV – EVALUATION/SELECTION PROCESS

The procedure for Proposal evaluation and selection is as follows:

1. Request for Proposals issued.
2. Receipt of proposals.
3. Opening of responses and determination if they meet the minimum standards of responsiveness.
4. An Evaluation Committee, appointed by the City Manager, shall meet to evaluate each proposal in accordance with the requirements of this RFP. Proposers may be requested to make additional written submissions or oral presentations to the Evaluation Committee.
5. The Evaluation Committee shall recommend to the City Manager the proposal or proposals acceptance of which the Evaluation Committee deems to be in the best interest of the City. The Evaluation Committee shall base its recommendations on the following factors, for a total of 100 possible points:
 - 1) Experience and qualifications of the proposer – **20 points**
 - 2) Experience and qualifications of proposer's key staff - **15 points**
 - 3) Organization philosophy and approach to include the demonstrated ability to achieve the goals and objectives of the City, including the quality, suitability and sustainability of the program/concept within the community – **20 points**
 - 4) Term sheet to include proposed revenue to the City – **18 points**
 - 5) Staffing, operating and transition plan – **12 points**
 - 6) Preliminary five-year pro forma, including capital pro forma (if applicable) – **15 points**

The Evaluation Committee will rank no less than three firms as follows:

The firm with more than 50% of the Committee Members' first-place ranking will be deemed the top-ranked firm. The second and third ranked firms will be ranked based on the total low aggregate ranked score. **For example**, a Committee of seven (7) members ranks the firms as follows:

Firm A.	Firm B.	Firm C.
4 - 1ST place votes (4x1=4)	2 - 1st place votes (2x1=2)	1 - 1st place votes (1x1=1)
1 -2nd place vote (1x2=2)	4 - 2nd place votes (4x2=8)	2 - 2nd place vote (2x2=4)
2 -3rd place votes (2x3=6)	1 - 3rd place votes (1x3=3)	4 -3rd place votes(4x3=12)
<hr/>	<hr/>	<hr/>
TOTAL LOW AGGREGATE RANKED SCORE 12	13	17

Firm A received more than 50% (4 out of 7) first place votes, and is therefore the top ranked firm. Firm B received a ranked score of 13, and is therefore, the second-ranked firm, and so forth. If no firm receives more than 50% of the first-place votes, then the top-ranked and subsequent ranked firms will be determined on the total low aggregate ranked score as shown on the above example.

The City may request, accept, and consider proposals for compensation to be paid, if any, under the contract only during competitive negotiations.

6. After considering the recommendation(s) of the Evaluation Committee, the City Manager shall recommend to the Mayor and Commission the proposal or proposals acceptance of which the City Manager deems to be in the best interest of the City.

7. The City Commission shall consider the City Manager's recommendation(s) as it deems appropriate, and approve the City Manager's recommendation(s); may make its own recommendation (s); may reject all proposals; or may prescribe such other action, as it deems necessary and in the best interest of the City.

In consideration of its recommendation, the Mayor and City Commission may consider and give preference and/or additional consideration to a proposal and/or proposals which, in the determination of the City Commission, provide a "community" and/or "public" benefit, which added benefit the City Commission may deem is in the best interest of the City of Miami Beach.

8. Following recommendation of award by the City Commission, negotiations between the selected Proposers and the City Administration take place to arrive at a contract. If the Mayor and Commission has so directed, the City Manager may proceed to negotiate a contract with a proposer other than the top-ranked proposer if the negotiations with the top-ranked proposer fail to produce a mutually acceptable contract within a reasonable period of time.
9. A proposed contract or contracts are presented to the Mayor and Commission for approval, modification and approval, or rejection.
10. If and when a contract or contracts acceptable to the respective parties is approved by the Mayor and Commission, the Mayor and City Clerk sign the contract(s) after the selected proposer(s) has (or have) done so.

By submitting a proposal, all Proposers shall be deemed to understand and agree that no property interest or legal right of any kind shall be created at any point during the aforesaid evaluation/selection process until and unless a contract has been agreed to and signed by both parties.

PROPOSER INFORMATION

Submitted by: _____

Proposer (Entity): _____

Signature: _____

Name (Printed): _____

Address: _____

City/State: _____

Telephone: _____

Fax: _____

E-mail: _____

It is understood and agreed by Proposer that the City reserves the right to reject any and all Proposals, to make awards on all items or any items according to the best interest of the City, and to waive any irregularities in the RFP or in the Proposals received as a result of the RFP. It is also understood and agreed by the Proposer that by submitting a proposal, Proposer shall be deemed to understand and agree that no property interest or legal right of any kind shall be created at any time until and unless a contract has been agreed to and signed by both parties.

(Authorized Signature)

(Date)

(Printed Name)

**REQUEST FOR PROPOSALS NO. 39-07/08
ACKNOWLEDGMENT OF ADDENDA**

Directions: Complete Part I or Part II, whichever applies.

Part I: Listed below are the dates of issue for each Addendum received in connection with this RFP: 39-07/08:

Addendum No. 1, Dated _____

Addendum No. 2, Dated _____

Addendum No. 3, Dated _____

Addendum No. 4, Dated _____

Addendum No. 5, Dated _____

Part II: _____ No addendum was received in connection with this RFP.

Verified with Procurement staff

Name of staff

Date

Proposer -Name

Date

Signature

DECLARATION

TO: City of Miami Beach
City Hall
1700 Convention Center Drive
Procurement Division
Miami Beach, Florida 33139

Submitted this _____ day of _____, 2008.

The undersigned, as Proposer , declares that the only persons interested in this Proposal are named herein; that no other person has any interest in this responses or in the contract to which this response pertains; that this response is made without connection or arrangement with any other person; and that this response is in every respect fair and made in good faith, without collusion or fraud.

The Proposer agrees if this response is accepted, to execute an appropriate City of Miami Beach document for the purpose of establishing a formal contractual relationship between the Proposer and the City, Florida, for the performance of all requirements to which the response pertains.

The Proposer states that the response is based upon the documents identified by the following number: RFP No. 02-07/08.

WITNESS

PRINTED NAME

WITNESS

PRINTED NAME

PROPOSER SIGNATURE

PRINTED NAME

TITLE

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

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

1. This sworn statement is submitted to _____
[print name of public entity]

by _____
[print individual's name and title]

for _____
[print name of entity submitting sworn statement]

whose business address is _____

and (if applicable) its Federal Employer Identification Number (FEIN) is _____ (If the
entity has no FEIN, include the Social Security Number of the individual signing this sworn
statement:

_____ .)

4. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), **Florida Statutes**, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any business with any public entity or with an agency or political subdivision of any other state or of the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

5. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b), **Florida Statutes**, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

6. I understand that an "affiliate" as defined in Paragraph 287.133 (1)(a), **Florida Statutes**, means:

- 1) A predecessor or successor of a person convicted of a public entity crime; or
- 2) An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

- 5) I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.
- 6) Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. **[indicate which statement applies.]**

_____ Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearings and the Final Order entered by the hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list. **[attach a copy of the final order]**

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES FOR CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

[signature]

Sworn to and subscribed before me this _____ day of _____, 2008

Personally known _____

OR Produced identification _____ Notary Public - State of _____

_____ My commission expires _____

(Type of Identification)

(Printed typed or stamped Commissioned name of Notary Public)

QUESTIONNAIRE

Proposer's Name:

Principal Office Address:

Official Representative:

**Individual
Partnership (Circle One)
Corporation**

**If a Corporation, answer this:
When Incorporated:**

In what State:

**If a Foreign Corporation:
Date of Registration with
Florida Secretary of State:**

Name of Resident Agent:

Address of Resident Agent:

President's Name:

Vice-President's Name:

Treasurer's Name:

Members of Board of Directors

Questionnaire (continued)

If a Partnership:

Date of organization:

General or Limited Partnership*:

Name and Address of Each Partner:

NAME

ADDRESS

_____	_____
_____	_____
_____	_____

*** Designate general partners in a Limited Partnership**

1. Number of years of relevant experience in operating same or similar business:_____

**2. Have any agreements held by Proposer for a project ever been canceled?
Yes () No ()**

If yes, give details on a separate sheet.

3. Has the Proposer or any principals of the applicant organization failed to qualify as a responsible Bidder/Proposer refused to enter into a contract after an award has been made, failed to complete a contract during the past five (5) years, or been declared to be in default in any contract in the last 5 years?

If yes, please explain:

Questionnaire (continued)

4. **Has the Proposer or any of its principals ever been declared bankrupt or reorganized under Chapter 11 or put into receivership? Yes () No ()**

If yes, give date, court jurisdiction, action taken, and any other explanation deemed necessary on a separate sheet.

5. **Person or persons interested in this RFP and Qualification Form have () have not () been convicted by a Federal, State, County, or Municipal Court of any violation of law, other than traffic violations. To include stockholders over ten percent (10%). (Strike out inappropriate words)**

Explain any convictions:

6. **Lawsuits (any) pending or completed involving the corporation, partnership or individuals with more than ten percent (10%) interest:**

A. List all pending lawsuits:

B. List all judgments from lawsuits in the last five (5) years:

C. List any criminal violations and/or convictions of the Proposer and/or any of its principals:

7. **Conflicts of Interest. The following relationships are the only potential, actual, or perceived conflicts of interest in connection with this proposal: (If none, state same.)**

Questionnaire (continued)

- 8. Public Disclosure.** In order to determine whether the members of the Evaluation Committee for this Request for Proposals have any association or relationships which would constitute a conflict of interest, either actual or perceived, with any Proposer and/or individuals and entities comprising or representing such Proposer and in an attempt to ensure full and complete disclosure regarding this contract, all Proposers are required to disclose all persons and entities who may be involved with this Proposal. This list shall include public relation firms, lawyers and lobbyists. The Procurement Division shall be notified in writing if any person or entity is added to this list after receipt of proposals.

Questionnaire (continued)

The Proposer understands that information contained in this Questionnaire will be relied upon by the City in awarding the proposed contract, and such information is warranted by the Proposer to be true and accurate. The Proposer agrees to furnish such additional information, prior to acceptance of any proposal relating to the qualifications of the Proposer, as may be required by the City Manager. The Proposer further understands that the information contained in this Questionnaire may be confirmed through a background investigation conducted by the City, through the Miami Beach Police Department. By submitting this Questionnaire the Proposer agrees to cooperate with this investigation, including but not limited to, fingerprinting and providing information for a credit check.

PROPOSER

WITNESS:

IF INDIVIDUAL:

Signature

Signature

Print Name

Print Name

WITNESS:

IF PARTNERSHIP:

Signature

Print Name of Firm

Print Name

Address

By:

General Partner

Print Name

ATTEST:

IF CORPORATION:

Secretary

Print Name of Corporation

Print Name

Address

By:

President

Print Name

(CORPORATE SEAL)



MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

PROCUREMENT DIVISION

Tel: 305.673.7490 , Fax: 786.394.4002

To:

Phone:

Fax:

E-mail:

Subject: Performance Evaluation of _____
Number of pages including cover: 2

To Whom It May Concern:

The City of Miami Beach has implemented a process that collects past performance information pursuant to the submittal of responses to this Request for Proposal (RFP) No. 39-07-08 entitled "For the Management and/or development of the Byron Carlyle Theater Complex." The information will be used to assist City of Miami Beach in the evaluation of proposals received in response to the RFP.

The company listed in the subject line has chosen to participate in this RFP. They have listed you as a past client for which they have provided services. Both the company and City of Miami Beach would greatly appreciate you taking a few minutes of your time to complete the accompanying questionnaire.

Please review all items in the following document and answer the questions to the best of your knowledge. If you cannot answer a particular question, please leave it blank. Please return this questionnaire to Maria Estevez by September 30, 2008 via fax: 786.394.4002; or e-mail mestevez@miamibeachfl.gov

Thank you for your time and effort.

Gus Lopez, CPPO
Procurement Director



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

PROCUREMENT DIVISION

Tel: 305.673.7490 , Fax: 786.394.4002

PERFORMANCE EVALUATION SURVEY

Name of Company: _____

Point of Contact: _____

Phone and E-mail: _____

Please evaluate the performance of the group or individual (10 means you are very satisfied and have no questions about hiring them again, 5 is if you don't know and 1 is if you would never hire them again because of very poor performance).If you don't know, please leave blank.

NO	CRITERIA	UNIT	
1	Performance of firm in providing management and operation of your facility	(1-10)	
2	Professionalism and ability to carryout the proposed plan	(1-10)	
3	Level of satisfaction with customer service	(1-10)	
4	Overall Satisfaction based on performance (comfort level in hiring vendor again).	(1-10)	

Overall Comments: _____

Agency or Contact Reference Business Name: _____

Contact Name: _____

Contact Phone and e-mail: _____

Date of Services: _____

Dollar Amount for Services: _____

Please return this questionnaire to Maria Estevez by September 30, 2008 via fax: 786.394.4002; or e-mail mestevez@miamibeachfl.gov