




OFFICE OF THE COUNTY ADMINISTRATOR

M E M O R A N D U M

TO: The Honorable Chair and Members of the
Board of County Commissioners

FROM:  Mark S. Woodard, County Administrator

SUBJECT: Request for Negotiation (RFN) for Sale or Lease of Toytown

DISTRIBUTION: Mike Meidel, Economic Development Director

DATE: June 23, 2015

In 2007, Resolution 07-38 authorized the transfer of the Toytown site to the Pinellas County Industrial Development Authority to support County economic development goals and seek opportunities for the sale or lease of the property. During 2007 and 2008 an RFN was issued, proposals received, firms ranked and a Purchase and Sale Agreement was executed. Due diligence and development efforts continued through 2009 and 2010. In 2011, the sale and development project was mutually terminated.

Interest in the development of the Toytown site has increased in recent months. In order to determine the level of formal interest, we are seeking concurrence to solicit proposals for the sale or lease of the site through a Request for Negotiation. We are preparing to once again promote the availability of this property to the development community and select the proposal that best serves the interests of Pinellas County and the public.

The attached RFN was used to solicit proposals in 2007. We propose to amend the evaluation criteria to include consideration for positive impacts to tourism and community accessibility as benefits to the county and the public. If this meets with approval a solicitation for proposals for the property would begin in July with proposals due in 30-45 days.

**BOARD OF COUNTY
COMMISSIONERS**

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Joseph Lauro, CPPO/CPPB
Director

**PINELLAS COUNTY ECONOMIC DEVELOPMENT AUTHORITY (PCEDA)
NOTICE OF REQUEST FOR NEGOTIATION
SALE OR LEASE OF PROPERTY – TOYTOWN SITE, ST. PETERSBURG
RFN 067-0374-P(JL)**

DUE DATE FOR STATEMENT OF INTEREST: 3:00 PM, JULY 27, 2007

Sealed statements of interest are solicited regarding the real property described herein for the purpose of entering into negotiations to complete the sale and purchase, or lease, of the property in order to advance one or more Pinellas County economic development goals. The PCEDA will consider all qualified responses to this RFN, and evaluate each response based on the evaluation criteria established in the RFN document attached.

1) WRITTEN REQUESTS FOR INTERPRETATIONS/QUESTIONS/CLARIFICATIONS

No oral interpretations will be made to any firms as to the meaning of information contained in this RFN. All questions pertaining to the terms and conditions or scope of work of this RFN must be sent in writing (mail/Email/or fax - see below) to the Pinellas County Purchasing Department and received no later than the deadline contained in this RFN document. Responses to questions may be handled as an addendum to this RFN and will become part of the RFN document and will be posted on the Purchasing Department web site (www.pinellascounty.org/purchase). The PCEDA will not be responsible for any other explanation or interpretation of this RFN, other than that received through the addenda process. (Fax number 727/464-5531) (Email jlauro@co.pinellas.fl.us) (Address below in paragraph 2a)

2) SUBMISSION OF STATEMENT OF INTEREST:

- a) Statements of interest will be opened immediately after the submittal date and time (3:00 PM) by the Pinellas County Purchasing Department, 400 South Fort Harrison Avenue, Annex Building, 6th Floor, Clearwater, FL 33756. The public may attend the proposal opening, but may not immediately review any documents submitted. The names of respondents only will be read aloud at the time of opening. Pursuant to Section 119.07(3)(m), all documents submitted shall be subject to review as public records 10 days from opening, or earlier if an intended decision is reached before the 10-day period expires. Late submittals will not be accepted.
- b) Statements of interest shall be enclosed in sealed envelopes or packages, addressed to the Purchasing Department, Pinellas County. The name and address of the firms, the date and hour of the submittal, and the title shall be placed on the outside of the envelope.
- c) Interested parties are advised that exceptions to any of the terms contained in this RFN must be identified in its response to the RFN. Failure to do so may lead the PCEDA to declare any such term non negotiable. Desire to take exception to will not disqualify a party from consideration for award.

3) COSTS INCURRED DURING RFN PROCESS

All expenses involved with the preparation and submission of RFN's, or any work performed in connection therewith, shall be borne solely by the proposer. No payment will be made for any responses received, or for any other effort required of, or made by, the proposer prior to contract commencement.

PLEASE ADDRESS REPLY TO:
400 South Ft. Harrison, Sixth Floor
Clearwater, Florida 33756
Phone: (727) 464-3311
FAX: (727) 464-3925
Website: www.pinellascounty.org/purchase



4) LOBBYING

Lobbying of Evaluation Committee Members, PCEDA Employees, Pinellas County Government Employees, or elected officials regarding requests for proposals, request for qualifications, bids or contracts, during the pendency of bid protest, by the bidder/proposer/protestor or any member of the bidder/proposer/protestor staff, an agent of the bidder/proposer/protestor, or an person employed by any legal entity affiliated with or representing an organization that is responding to the request for proposal, request for qualification, bid or contract, or has a pending bid protest is strictly prohibited either upon advertisement or on a date established by the Board of County Commissioners and shall be prohibited until either an award is final or the protest is finally resolved by the County Administrator or Purchasing Director; provided, however, nothing herein shall prohibit a prospective bidder/proposer from contacting the Purchasing Department to address situations such as clarification and/or questions related to the procurement process. For purposes of this provision lobbying activities shall include but not be limited to, influencing or attempting to influence action or non-action in connection with any request for proposal, request for qualification, bid or contract through direct or indirect oral or written communication or an attempt to obtain goodwill of person and/or entities specified in this provision. Such actions may cause any request for proposal, request for qualification, bid or contract to be rejected.

5) TIMELINE

- | | |
|---|----------------|
| a) Advertisement of Request for Negotiation | March 23, 2007 |
| b) Deadline for questions/clarifications | July 13, 2007 |
| c) Request for Negotiations due in Purchasing
by 3:00 PM | July 27, 2007 |

PROPERTY DESCRIPTION::

- | | |
|--------------------|--|
| ▪ Size: | 241 MOL Acres |
| ▪ Parcel Numbers: | 13-30-16-91620-000-0001 and 14/30/16/11358/000/0650 |
| ▪ Future Land Use: | Recreation/Open Space |
| ▪ Zoning: | RS-150 |
| ▪ Location: | South of Roosevelt Blvd, East of and adjacent to I-275 |
| ▪ Jurisdiction: | St. Petersburg, Florida |

Sincerely,

Joe Lauro, CPPB/CPPO
Director of Purchasing

**Request For Negotiations Relating to the Sale or Lease of Property
Toytown Site, St. Petersburg, Florida
RFN 067-0374-P(JL)**

1. PURPOSE:

The Pinellas County Economic Development Authority (PCEDA) seeks statements of interest in response to this Request for Negotiations (RFN) to enter into negotiations to complete the sale and purchase or lease of the property identified in paragraph 2 (the "Property") in order to advance one or more Pinellas County economic development goals. These include increasing the tax base, generating net sale proceeds and/or income, reducing expenses, strengthening and diversifying the economy, creating/retaining value-added jobs within the County, and preserving/improving quality of life for County residents. The PCEDA will consider all qualified responses to this RFN, and evaluate each response based on the evaluation criteria established in paragraph 4 in accordance with the procedure set out herein. RESPONDERS ARE ADVISED THAT NO NEGOTIATIONS ARE FINAL, AND NO TERMS, PROVISIONS, OR UNDERSTANDINGS ARE BINDING AND ENFORCEABLE UNTIL APPROVED IN A WRITTEN CONTRACT OR LEASE AUTHORIZED BY THE BOARD OF COUNTY COMMISSIONERS AS PROVIDED IN PARAGRAPH 4 HEREIN.

2. DESCRIPTION OF PROPERTY:

- Size: 241 MOL Acres
- Parcel Numbers: 13-30-16-91620-000-0001 14/30/16/11358/000/0650
- Future Land Use: Recreation/Open Space
- Zoning: RS-150
- Location: South of Roosevelt Blvd, East of and adjacent to I-275
- Jurisdiction: St. Petersburg, Florida

The property is a closed Class 1 Landfill. The closure was certified in 1991 and the landfill is currently operating under a closure permit. The landfill records and closure permit documents are available for inspection through the Purchasing Department. Any work on the site will require modification of the existing closure permit and attainment of permit(s) in accordance with Florida Chapter 62.701.

To develop the property with land uses that are not permitted under the current Recreation/Open Space Future Land Use designation would require amending the Future Land Use Map of the City of St. Petersburg's Comprehensive Plan and the Countywide Plan Map. These amendments would involve several public hearings and would be reviewed by the city and county, regional and state agencies. An amendment to the property's zoning would also be necessary.

The property is included within the Gateway Area wide Development of Regional Impact (DRI). Developments of Regional Impact are larger development projects that are required to undergo a state-mandated review process to ensure that multi-jurisdictional impacts from these large projects are adequately addressed. All development within the Gateway Areawide DRI must occur in accordance with the DRI Development Order adopted by the City of St. Petersburg. The DRI Development Order currently identifies the property for Recreation/Open Space use, and contains other requirements and conditions that affect development of the property. It is anticipated that development of the property will depend upon the City amending the Development Order for the Gateway Areawide DRI.

In 2004, the Pinellas County Board of County Commissioners adopted Ordinance No. 04-18, which prohibits residential development of any type within 2,000 feet of the boundary of the Pinellas County Solid Waste Disposal Facilities without a variance being granted by the Board of

County Commissioners. Since the western portion of the subject site is located within 2,000 feet of the County's Sod Farm Landfill located on the west side of I-275, a developer would first have to apply for and receive from the Board of County Commissioners a variance from the restrictions of this Ordinance before constructing any residential structures on this portion of the site.

3. EVALUATION CRITERIA:

The following criteria will be used to evaluate responses to this RFN. Responders shall include sufficient information to allow the PCEDA to thoroughly evaluate the response, and each response submitted shall be evaluated by the PCEDA as provided in paragraph 5 based on the following criteria:

1. Net Sale Proceeds and/or Income Generated by the Transaction.
2. Intended Use(s) of the Property
 - a. Preference will be given to proposals that include recreational uses and open space, especially those that address needs identified in the Pinellas County Recreation, Open Space and Culture System Master Plan that are appropriate for this location.
 - b. Preference will be given to uses that appear on the targeted industry list as determined by Enterprise Florida.
 - c. PCEDA properties are intended for immediate reuse and not for purchase as investments.
3. Value of Future Tax Payments
 - a. The anticipated amount and type (class A office space, production space, residential or hotel units, recreational uses etc.) of major capital investment to be made within 5 years in connection with the project, and the year that each investment will be completed. This will not include any sums generated by the purchase or lease of the Toytown site itself.
 - b. Any anticipated capital investment in real and personal property beyond the next 5 years.
 - c. Any anticipated tax revenues generated by business on the property.
4. Number of Jobs Created
 - a. The total number and type (production, office, distribution, retail, etc.) of permanent net new Pinellas County jobs created as a result of the project.
 - b. The number of temporary construction-related jobs that would be created in Pinellas County during the build-out of the site for each year of development.
5. Wages & Benefits
 - a. The anticipated average wage of new jobs created as a result of the project (total wages of new workers, not including benefits, divided by the total number of new jobs) by type of job.
 - b. The average wage of temporary construction-related jobs that would be created in Pinellas County as a result of the project (wages of workers, not including benefits, divided by the total number of jobs).
 - c. The benefits package that will likely be offered to employees (insurance, pensions, etc.) by type of job.
6. Expense Reduction
 - a. The County expenses that will be reduced or eliminated as a result of the project.
7. Other Benefits to the County or Its Citizens
 - a. The number and type of jobs that might be provided to workers in socio-economically distressed areas such as Enterprise Zones, HUB zones and the like.
 - b. Consideration will be given to non-profit or public sector projects that would enhance the County's ability to create/retain jobs or would otherwise contribute to an improved local economy (e.g., R&D facilities, business incubators, Small Business Development Centers).
 - c. The amount and type of revenues the project would generate for other Pinellas County businesses both during construction and ongoing operations.
 - d. Preference will be given to projects of unusual quality or stature that would serve as a catalyst to further job creation.

- e. Preference will be given to projects that advance the redevelopment goals of Pinellas County, especially those identified in *Pinellas by Design, an Economic Development and Redevelopment Plan for the Pinellas Community*.
 - f. If residential uses are included as part of the project, preference will be given to proposals that advance the community housing goals of Pinellas County.
 - g. Any other unique social or civic benefits that would result from the project.
8. Ability of Applicant to Complete Proposed Project
- a. Information to support the company's ability and financial capacity to attain the job creation and capital investment goals described in the proposal.
 - b. Information to support the company's ability to develop environmentally challenged sites.
 - c. Information to support the company's experience with developing closed landfills and the methods proposed to manage the existing closure permit and ongoing maintenance issues related to the landfill.

4. SELECTION OF A RESPONSE FOR NEGOTIATIONS:

Each response timely submitted shall be evaluated by a three person team, and ranked based upon the evaluation criteria. The PCEDA, through its Director, will enter into negotiations with the highest ranked responder for a purchase and sale, or lease, agreement ("contract") for the Property, and if negotiations are successful, the contract/lease will be submitted to the Board of County Commissioners, as the governing body of the PCEDA, for final approval, and the transaction will be closed in accordance with the terms of the contract/lease. The PCEDA will own or hold the lease-hold interest to the property at the time the sale or lease with the purchaser/lessee is approved. If the PCEDA does not successfully negotiate a contract, lease or other agreement specifying terms of the transaction with the highest ranked responder within one hundred and eighty (180) days of the announcement of the ranking responses, then the PCEDA will enter into negotiations with the next highest ranked responder.

To be considered, each response must include FORM A – Qualifications of Responder, and FORM B – PROPOSAL FORM, and responses to the RFN are to be signed in ink by an authorized principal of the responder. Responses are to be submitted in a sealed envelope. The face of the envelope shall indicate the name and address of the responder and title of the response to the RFN. One (1) original and six (6) copies of the response shall be submitted.

Responses are to be submitted to Pinellas County Purchasing Department, 400 S. Ft. Harrison Avenue, 6th Floor, Clearwater, FL 33756 by the date and time indicated in the cover sheet.

5. INSPECTION OF PROPERTY:

Any potential responder that desires to inspect the property should contact T.F. Armbruster with Pinellas County Utilities at 727-464-7582 to arrange for access for inspections.

6. AS IS PURCHASE:

Should the property which is the subject of this RFN be purchased it is being offered "as is," in its condition as of the date of the execution of the contract. The successful purchaser will be required to acknowledge and agree that the PCEDA makes no warranties or representations of any kind or nature concerning the condition of the Property, including but not limited to any improvements thereon, the subsurface soils, groundwater, land use and zoning, site contamination or hazardous waste, or fitness for responder's intended use of the Property, and that the purchaser has not relied on any warranties or representations of any kind from the PCEDA, or its agents or representatives, in completing the closing unless otherwise specifically provided for in the contract. The PCEDA will transfer title with a Special District Deed (Quitclaim Deed). The County will cooperate with successful purchaser to transfer all necessary permits. The buyer may choose to purchase title insurance and survey updates to meet buyer's needs.

7. GENERAL CONDITIONS:

- a) Responses will be opened immediately after the submittal date and time (3:00 PM) by the Pinellas County Purchasing Department, 400 South Fort Harrison Avenue, Annex Building, 6th Floor, Clearwater, FL 33756. The public may attend the response opening, but may not immediately review any responses submitted. The names of respondents only will be read aloud at the time of opening. Pursuant to Section 119.07(3)(m), all responses submitted shall be subject to review as public records 10 days from opening, or earlier if an intended decision is reached before the 10-day period expires. Late responses will not be accepted.
- b) Responder is advised that exceptions to any of the terms contained in this RFN must be identified in its response to the RFN. Failure to do so may lead PCEDA to declare any such term non-negotiable. Responder's desire to take exception to a non-negotiable term will not disqualify it from consideration for award.
- c) The PCEDA reserves the right to select the responder that it believes will serve the best interest of Pinellas County.
- d) The PCEDA reserves the right to reject any or all responses to the RFN.
- e) The PCEDA reserves the right to cancel the entire Request for Negotiations.
- f) The PCEDA reserves the right to remedy or waive technical or immaterial errors in the Request for Negotiations or in responses submitted.
- g) The PCEDA reserves the right to request any necessary clarifications or data without changing the terms of the response.

FORM A – QUALIFICATIONS OF RESPONDER
Toytown Site, St. Petersburg, Florida

THE FOLLOWING INFORMATION IS REQUIRED IN ORDER THAT YOUR RESPONSE MAY BE REVIEWED AND PROPERLY EVALUATED.

Company Name:		
Length of Time Company Has Been in Business:		
Business Address:		
How Long in Present Location:		
Telephone Number:	Fax Number:	
Total Number of Current Employees:	Full Time:	Part Time:

COMMERCIAL AND/OR GOVERNMENTAL REFERENCES REGARDING PREVIOUS DEVELOPMENTS OF A SIMILAR NATURE:

1. _____ Project Name and Location	2. _____ Project Name and Location
_____	_____
Contact	Contact
_____	_____
Telephone/Fax	Telephone/Fax
_____	_____
Address	Address
_____	_____
E mail address	E mail address
3. _____ Project Name and Location	4. _____ Project Name and Location
_____	_____
Contact	Contact
_____	_____
Telephone/Fax	Telephone/Fax
_____	_____
Address	Address
_____	_____
E mail address	E mail address

FORM B- PROPOSAL

**Please submit for the purchase or lease of property located at:
Toytown Site, St. Petersburg, Florida**

EVALUATION CRITERIA:

Proposed sales/lease price, net to the PCEDA \$ _____

Intended use of property: _____

Land Use: Describe each type of land use, associated acreage, estimated square feet of building space or other measurement (parking spaces etc.) devoted to the use(s) and overall capital investment related to the land use.

Type of Land Use	Acreage	Measurement (examples: Total Building Square Feet, Number of parking spaces, Number of ball fields)	Capital Investment

Amount of capital investment in structures and equipment that would render property taxable. Describe the anticipated capital investment in real and personal property within five (5) years. (Do not include the value of the land purchased/leased in this proposal.)

List the anticipated amount and type (purchase of machinery/equipment, construction of buildings, etc.) of major capital investment to be made within five (5) years in connection with this project.

	Construction	Manufacturing Equipment	Other Equipment	Total
Year 1	\$	\$	\$	\$
Year 2	\$	\$	\$	\$
Year 3	\$	\$	\$	\$
Year 4	\$	\$	\$	\$
Year 5	\$	\$	\$	\$

FORM B - PROPOSAL – CONTINUED
Toytown Site, St. Petersburg, Florida

Number of jobs created/retained. Describe the type (Retail, Office, Industrial etc.) and total number of new Pinellas County jobs anticipated to be created/retained as a result of this project.

Type	Number of new full-time jobs to be created	Date jobs will be created	Number of full-time jobs to be retained	Estimated Average Annual Wage of Job Type

Briefly describe typical employee benefits to be provided: _____

Would any company cease operations or create/retain jobs outside of Pinellas without the sale/lease of this property? If so, please indicate the other sites under consideration and the number of jobs affected: _____

Briefly describe any other benefits that might accrue to the county or its citizens as a result of this project: _____

Briefly describe the proposed method to manage the existing closure permit and ongoing maintenance issues related to the landfill. _____

Please provide other information as it relates to the evaluation criteria identified: _____

Company Name: _____

Contact Name: _____

Legal Corporate Name: _____

Business Address: _____

Phone: _____ **Fax:** _____ **E-Mail:** _____

I hereby agree to abide by all conditions of the Response and certify that I am authorized to sign this proposal for the applicant.

Authorized Signature: _____

Printed Name & Title: _____

I hereby request the Board of County Commissioners to waive the mineral rights reservation required by Florida Statute §270.11.

Signature of Responder