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County Administrator
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Department of Airports
www.pbia.org

AMENDMENT NO. 1
RFP NO. LN 17-7

JUNE 19, 2017

LEASE AND DEVELOPMENT OF VACANT LAND
PALM BEACH COUNTY PARK (LANTANA) AIRPORT

This Amendment No. 1 is issued to provide additional information and clarification to the Request for Proposals (RFP).

Proposers are advised of the following information pertaining to the RFP:

1. The sign-in sheet from the Pre-Proposal Conference held on June 16, 2017 is attached as Attachment "A" to this Amendment No. 1.
2. The PowerPoint presentation from the Pre-Proposal Conference held on June 16, 2017 is attached as Attachment "B" to this Amendment No. 1.
3. At the Pre-Proposal Conference held on June 16, 2017, the following questions were asked by interested parties:

Q1. Is there any official division of the +/-19-acre parcel (that is the subject of this RFP) from the rest of the property (i.e. the entire Airport) or will it continue to be included?

A1. Attachment "2" to the RFP is a Sketch and Legal Description of the +/-19-acre parcel that is the subject of this RFP. The +/-19-acre parcel is part of the entire Airport, which consists of approximately 305.37 acres. The +/-19-acre parcel is referred to as "Subsidiary Development Area No. 1" ("SDA-1") on the final site plan for the Airport (see Exhibit "A" to Attachment "3" to the RFP) and will remain a part of the Airport property, regardless of how SDA-1 is developed.

Q2. Which title exceptions apply only to the +/-19-acre parcel that is the subject of this RFP?

A2. Attachment "4A" to the RFP is a title commitment that covers the entire +/- 305.37 acre Airport, including the subject +/- 19-ac parcel. The Sketch and Legal Description of the Property (Attachment "2" to the RFP) identifies those title exceptions in the title commitment (Attachment "4A") that apply to the subject +/- 19-ac parcel. Copies of the instruments for those title exceptions in the title commitment (Attachment "4A") that apply to the subject +/- 19-ac parcel are included in Attachment "4B" to the RFP.

Q3. *In the Lease (Attachment "9" to the RFP) there are two mentions of a government agency demanding to take over the facilities at the airport, and if that were to happen for 90 days or more, the obligations of the Lease would end. Is it spelled out anywhere what the circumstances would need to be for that to occur?*

A3. Specific circumstances which might result in the assumption or takeover of the Airport by the United States are not outlined in the Lease. Rather, the Lease outlines the provisions which would provide a mechanism whereby the Tenant may terminate the Lease.

Section 15.04 of the Lease enables the Tenant to terminate the Lease in the event of "[the] lawful assumption by the United States Government or any authorized agency thereof, of the operation, control or use of the Airport and facilities, or any substantial part or parts thereof, in such a manner as to substantially restrict the operation of Tenant, for a period of at least ninety (90) days."

Section 23.09 of the Lease provides that "[in] the event a United States governmental agency shall demand and take over the entire facilities of the Airport or the portion thereof wherein the Premises are located for public purposes for a period in excess of ninety (90) days, either party may terminate this Lease by providing written notice of such termination to the other party and the parties shall thereupon be released and fully discharged from any and all liability hereunder arising after such termination or as a result thereof. This Section shall not act or be construed as a waiver of any rights Tenant may have against the United States as a result of such taking."

Q4. *What about property tax treatment of this parcel?*

A4. The Property is currently tax exempt by virtue of its ownership by Palm Beach County. The Tenant-owned improvements would be subject to ad valorem taxes. Typically, the Property Appraiser creates a Parcel Control Number (PCN) for the improvements, which are then taxed and the Tenant directly receives a tax bill.

Q5. *Is the +/- 6-acres at the northeast corner of Lantana Road and Congress Avenue part of this RFP?*

A5. No. A separate RFP would need to be issued for the +/- 6-acres at the northeast corner of Lantana Road and Congress Avenue. A separate RFP could be issued if the Department of Airports determined there was sufficient interest in that property, which would be a separate RFP process. There is also commercial/industrial property west of the Palm Beach International Airport (PBIA) for which an RFP was recently issued and which is still on our website (RFP PB 17-5).

PROPOSERS ARE REMINDED THAT IF CHANGES OR CLARIFICATION(S) TO PROVISIONS OF THE LEASE ARE REQUESTED, SUCH SPECIFIC CHANGES OR CLARIFICATION(S) SHOULD BE SUBMITTED IN WRITING PRIOR TO THE DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS/QUESTIONS (3:00 P.M., LOCAL TIME, ON MONDAY, JUNE 26, 2017).

All other terms and conditions of Request for Proposals # LN 17-7 remain the same and unchanged. Proposers are reminded of the following:

The Department will accept Written Comments/Questions with a deadline of 3:00 p.m., local time, on Monday, June 26, 2017, to the Contact Person listed in Section 1.9.

The Deadline for Submission of Proposals remains 3:30 p.m. local time, on Tuesday, July 18, 2017, at the Reception Desk, Department of Airports, 846 Palm Beach International Airport, West Palm Beach, FL 33406-1470.



Laura Beebe

Deputy Director, Airports Business Affairs

**ATTACHMENT "A"
TO
AMENDMENT NO. 1**

**JUNE 16, 2017
PRE-PROPOSAL CONFERENCE
SIGN-IN SHEET**

**PRE-PROPOSAL CONFERENCE – RFP # LN 17-7
 LEASE AND DEVELOPMENT OF VACANT LAND
 +/- 19-ACRES - PALM BEACH COUNTY PARK (LANTANA) AIRPORT
 FRIDAY, JUNE 16, 2017, 10:00 A.M.
SIGN-IN SHEET**

Please print clearly

NAME	COMPANY / REPRESENTING (you may list more than one name if desired)	ADDRESS	TELEPHONE	EMAIL (list more than one if desired)
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**ATTACHMENT "B"
TO
AMENDMENT NO. 1**

**JUNE 16, 2017
PRE-PROPOSAL CONFERENCE
POWERPOINT PRESENTATION**



Request for Proposals RFP LN 17-7

**Lease & Development of Vacant Land
+/- 19-Acres West of the
Palm Beach County Park (Lantana)
Airport**

PALM BEACH COUNTY PARK (LANTANA) AIRPORT (LNA) Overview

- Owned by Palm Beach County, operated and managed by its Department of Airports.
- General aviation (GA) airport with 3 runways, located approximately 6 miles south of the Palm Beach International Airport (PBIA).
- In 2016, the Airport had over 250 based aircraft and approximately 110,000 annual aircraft operations.
- The general aviation aircraft types operating at the Airport include a majority of single-engine piston aircraft, helicopters, and multi-engine piston and turboprop.

Purpose of the Project

- Provide for the development and operation of compatible uses on the Property.
- To maximize the use of the Property; and
- To generate revenues to the County commensurate with the opportunity offered for the operation and maintenance of the County's Airport System.

Location of Property Offered



Location of Property Offered +/- 19 Acres



Lease Opportunity

- **Property Offered** - Up to 19± acres of unimproved land located on the east side of South Congress Ave., north of Lantana Rd., across from the JFK Medical Center, in unincorporated Palm Beach County.
- **Zoning & Land Use Designation** – Public Ownership (PO) Zoning designation with a Utilities and Transportation (U/T) Future Land Use designation. Development of the Property is governed by the Airport Zoning Overlay (AZO) as provided in the Palm Beach County Unified Land Development Code (ULDC). Additional information regarding the entitlement process for the Property can be found in Attachment “3” to the RFP.
- **Minimum Site Size** – Five (5) acres (217,800 s.f.)
- **Maximum Lease Term** – Fifty (50) years; including renewal(s)

Lease Opportunity (cont'd)

- **Proposed Uses** - Compatible commercial or industrial uses, such as warehouse, retail or office purposes, including medical, dental or professional office, parking, restaurant or hotel.
- **Incompatible Uses** - The Property shall not be used for any use determined incompatible with the Airport, including, but not limited to, residential uses, schools, churches and adult entertainment. Incompatible land uses also include wildlife-attracting land uses such as landfills, antennae transmitting signals that interfere with radio transmissions and/or navigational aids, and structures that may impact the Airport's airspace.

Site Information

- Location Map
- Title Commitment
- Survey
- Environmental Assessment
- Entitlement Information
- Geotechnical Evaluation

Proposal Requirements

- **Rental** – not less than \$0.75 per square foot. (In the event the entire +/- 19.11 acre (832,415 square foot) site is leased to a single tenant, the minimum ground rental rate shall be \$0.65 per square foot)
- **Lease Term** – maximum term of 50 years from the date of beneficial occupancy. Proposers may propose one or more renewal terms provided that the total maximum term shall be not more than 50 years.
- **Percentage Rental** – if a hotel is proposed – the minimum percentage rental shall be 3.5% of annual Hotel Revenues. Proposers may (but are not required to) propose percentage rental for non-hotel commercial uses.
- **Uses** – Compatible commercial or industrial uses, such as warehouse, retail or office purposes, including medical, dental or professional office, parking, restaurant or hotel.
- **Leasehold Area** – must propose to lease no less than 5 acres (217,800 sq. ft.) of unimproved ground.

Proposal Requirements

- **Minimum Capital Investment** – the minimum capital investment for the design and construction of tenant improvements on the Property. No minimum dollar amount specified as a part of the RFP.
- **Experience** – proposers are required to include a detailed history of their pertinent experience in the lease and development of similar projects within the preceding 10 years.
- **Project Approach** - proposers are required to provide detailed information regarding their proposed project.
- **Lease Option** – if the minimum proposal requirements are met, a proposer may propose an option to lease all or a portion of the remaining property not to exceed 12 months for an option fee of not less than \$0.19 per square foot.

Required Documents

Section 3 of RFP

- Identifies the information required to be submitted as a part of your proposal. A checklist can also be found in Appendix C.

Required Appendices

- Proposal Response Form (Appendix A)
 - Signature page must be signed and sealed or notarized.
- Drug-Free Workplace Certification (Appendix B)

\$5,000 Proposal Guarantee (Section 3.5 of RFP) – the proposal guarantee must be included with your proposal. Failure to do so will result in the disqualification of your proposal.

Exceptions

- Proposers should generally identify all proposed changes, alternatives and exceptions (“Exceptions”) to the Example Development Site Lease Agreement (Attachment “9”) in their Proposals.
- Proposers may **NOT** propose changes to the Minimum Proposal Requirements set forth in Section 3 of the RFP (i.e., Maximum Term, Minimum Ground Rental, etc...).
- Proposers may only request the Department consider changes to the Minimum Proposal Requirements prior to the Deadline for Submission of Written Comments/Questions.

Timetable

- **Deadline for Submission of Written Comments/Questions:**
3:00 p.m., Monday, June 26, 2017
- **Proposal Deadline:** 3:30 p.m., Tuesday, July 18, 2017
(Cone of Silence goes into effect)
- **Selection Committee Meeting Date:** TBD
- **Lease Award Date:** TBD

Amendments

- All amendments to the RFP will be posted on the Department's website www.pbia.org under "Airport Business", "Airport Bids & RFPs".
- It is the sole responsibility of proposers to routinely check this website for amendments that may be issued prior to the deadline for submission of proposals.
- Proposers should not rely on any representations or statements that are not contained in the RFP or a formal written amendment to this RFP.

QUESTIONS?