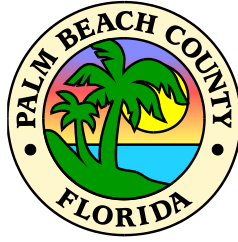


Palm Beach County
Board of County Commissioners
Paulette Burdick, Mayor
Melissa McKinlay, Vice Mayor
Hal R. Valeche
Dave Kerner
Steven L. Abrams
Mary Lou Berger
Mack Bernard



County Administrator
Verdenia C. Baker

Department of Airports
www.pbia.org

AMENDMENT NO. 1
REQUEST FOR PROPOSALS # PB 17-5

MAY 15, 2017

LEASE AND DEVELOPMENT OF VACANT LAND
PALM BEACH INTERNATIONAL 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 May 3, 2017 is attached as Attachment "A" to this Amendment No. 1.
2. The PowerPoint presentation from the Pre-Proposal Conference held on May 3, 2017 is attached as Attachment "B" to this Amendment No. 1.
3. Attachment "3" – Entitlement Information/Process – to the RFP is hereby deleted in its entirety and replaced with Attachment "3" – Entitlement Information/Process – attached as Attachment "C" to this Amendment No. 1. The document has been revised to incorporate an updated copy of Attachment "A" (Airport Zoning Overlay). The copy of Attachment "3" on our website at <http://www.pbia.org/business/bids/> will be updated.
4. Attachment "5" – Environmental Assessment – to the RFP is attached as Attachment "D" to this Amendment No. 1. The document will be posted as Attachment "5" – Environmental Assessment on our website at <http://www.pbia.org/business/bids/>.
5. Attachment "9" – Example Development Site Lease Agreement – to the RFP is hereby deleted in its entirety and replaced with Attachment "9" – Example Development Site Lease Agreement (Revision 1) – (the "Lease") attached as Attachment "E" to this Amendment No. 1. Changes are shown in redline format. The copy of Attachment "9" on our website at <http://www.pbia.org/business/bids/> will be updated.
6. At the Pre-Proposal Conference held on May 3, 2017, the following questions were asked by interested parties:

Q1. *What road(s) provide direct access to the site?*

A1. Portions of the site border Wallis Road (on the north); Haverhill (on the west); and Post Road (on the east). Access from Military Trail would be via Wallis Road, or from the Southern Boulevard Frontage Road, via Post Road.

Q2. *Will the additional 13 acres of property be made available if requested?*

A2. Section 3.3.1, Description of the Project, of the RFP, subsection (d), provides that proposers should include the anticipated off-site stormwater drainage requirements, if any. Proposer should indicate if proposer desires to use all or a portion of "Parcel RFS-3" (identified on Attachment "2", consisting of approximately 13.1987+ acres (574,936+ square feet)), to satisfy stormwater drainage requirements (dry retention only) associated with the development Property. Use of "Parcel RFS-3" for stormwater drainage purposes shall be subject to negotiation; provided, however, proposer will be required to pay for use of any off-site area used for drainage purposes in an amount equal to the per square foot rate proposed for use of the Property.

Section 10.03, Water, Industrial and Sanitary Sewage Systems, of the Lease (Attachment "9" to the RFP) provides that "...*Tenant shall satisfy all stormwater drainage requirements applicable to Tenant's development within the boundaries of the Premises and shall not use adjacent County-owned property to satisfy stormwater drainage requirements, unless approved by County by amendment to this Lease or by separate agreement or easement. In the event County authorizes stormwater drainage requirements to be satisfied, in part, outside of the boundaries of the Premises on adjacent County-owned property, Tenant acknowledges and agrees that the first one-half (½) inch of stormwater runoff must be pretreated within the Premises prior to discharging into the primary drainage system to ensure that any potential releases of pollutants or contaminants with the Premises are controlled and isolated...*"

Q3. *Will the 13 acres suggested for drainage area be at additional cost?*

A3. See Answer (2) above.

Q4. *If the Property is used for warehouse storage, is the site subject to the Unified Land Development Code?*

A4. Development of the Property is governed by the Airport Zoning Overlay (AZO) in the Palm Beach County Unified Land Development Code (ULDC). As a non-airport related use, the AZO requires compliance with other Articles in the ULDC, including but not limited to Art. 4, 5, 6 and 7. See Attachment "3", Entitlement Information/Process, to the RFP.

Q5. *What is the selection process?*

A5. See Section 2.13, Selection Process, in the RFP document.

Q6. *What are the height restrictions governing site by zoning code and department?*

A6. See Attachment "7", Height Information, to the RFP.

Q7. *Can the site be used for rooftop equipment? Can hoists and crane be used, and what is the time schedule approval of crane usage?*

A7. Any development on the property, as well as any temporary equipment (cranes, lifts, etc.) used in the construction activities associated with the development, must meet the requirements of Title 14 of the Code of Federal Regulations (14 CFR) [Part 77](#). In doing so, the project proponent must submit information on an FAA Form 7460-1, Notice of Proposed Construction or Alteration. Information pertaining to the requirements and the process for submitting can be found at <https://oeaaa.faa.gov>.

Q8. *Are utilities close to the property?*

A8. See Attachment “6”, [Utility Maps](#), to the RFP.

Q9. *What is the capacity in the area for traffic concurrency development?*

A9. Traffic concurrency information is included in Attachment “3”, [Entitlement Information/Process](#), to the RFP.

Q10. *Is there any additional architectural review by the airport?*

A10. While there is “architectural review”, per se, all plans must be approved by the Department. Proposers should review [Article 7 – Construction of Improvements](#), in Attachment “9”, the [Lease](#), to the RFP, for additional information on construction requirements and the process of plan approval. Non-airport development may also be subject to ULDC Art. 5 Architectural Review. See Attachment “3”, [Entitlement Information/Process](#), to the RFP.

Q11. *Will County regulations cover review and signage buffer zone/ is there an additional use list or restrictions list?*

A11. Palm Beach County’s ULDC requirements apply to the Property, as well as review by the Department of Airports, as provided in Answer (10) above.

Q12. *Are there any exemptions from the County’s property development regulations (such as landscaping)?*

A12. See Answer (4) above.

Q13. *Are there restrictions for outside storage such as above ground storage tanks or gas/propane tanks?*

A13. See Answer (4) above.

Q14. *Do the obstruction review requirements apply to cranes?*

A14. See Answer (7) above

Q15. *Is the property being offered "as is"?*

A15. Yes; subject to the Proposer/Tenant having the right to complete inspection of the Property, it is being offered in "AS IS CONDITION". Proposers should review Section 4.05, Condition and Use of the Premises, of the Lease (Attachment "9" to the RFP) which provides, in part: "...Except as otherwise provided for herein, and subject to Tenant's rights to complete inspections pursuant to Sections 3.04, 3.05, 3.06, and 3.07 Tenant accepts the Premises in its "AS IS CONDITION" and "WITH ALL FAULTS," together with all defects, latent and patent, if any..."

Q16. *Will the County provide a survey and topographic information, or soil borings?*

A16. Palm Beach County will provide a boundary survey. The Proposer/Tenant would complete its own topographic survey and soil borings. Section 3.07 of the Lease (Attachment "9" to the RFP) provides for a 90-day period following the Effective Date of the Lease, in which to complete inspections (including physical inspection; soil investigation; environmental assessment; topographic studies; and engineering, utilities and site planning studies). Advance inspections by a proposer may be completed at an earlier date upon completion of an Entry Agreement.

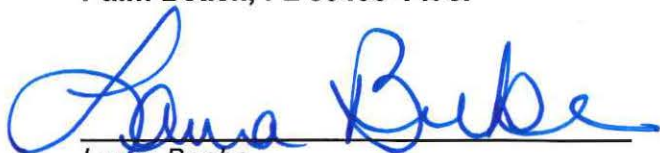
Q17. *Are there any further restrictive uses in the PBIA-O Buffer Zone, including restrictions related to presidential visits?*

A17. The Palm Beach International Airport Overlay (PBIA-O) does not include lands within the Airport Master Plan, of which the Property is a part. This site is within the Airport Zoning Overlay (AZO). Uses allowed in the AZO are identified in ULDC Art. 3 Table 3.B.2.B. – Airport Use Regulations. Adult entertainment and billboards are prohibited in the AZO. We are unaware of any specific restrictions applicable to the Property as a result of presidential visits.

All other terms and conditions of Request for Proposals # PB 17-5 remain the same and unchanged. Proposers are reminded of the following:

Although the Deadline for Submission of Written Comments/Questions has passed, the Department will accept Written Comments/Questions pertaining to the matters included within this Amendment No. 1, with a deadline of 3:00 p.m., local time, on Wednesday, May 17, 2017, to the Contact Person listed in Section 1.9.

The Deadline for Submission of Proposals remains 3:30 p.m. local time, on Wednesday, May 31, 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**

**MAY 3, 2017
PRE-PROPOSAL CONFERENCE
SIGN-IN SHEET**

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

**MAY 3, 2017
PRE-PROPOSAL CONFERENCE
POWERPOINT PRESENTATION**

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

Revised Attachment "3" - Entitlement Information/Process – to the RFP

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

Attachment "5" – Environmental Assessment – to the RFP

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

Revised Attachment "9" – Example Development Site Lease Agreement (Revision 1) – to the RFP