



Financial Management Department
Purchasing Division
1112 Manatee Avenue West, Ste 803
Bradenton, FL 34205
Phone: (941) 749-3014
www.mymanatee.org

February 5, 2015

TO: ALL INTERESTED PROPOSERS

RE: REQUEST For PROPOSAL 15-0248MW, Manatee County Aquatic & Recreation Complex

ADDENDUM No. 3

Proposers are hereby notified that this Addendum shall be acknowledged within their proposal and shall be made a part of the above named Request for Proposal documents as if contained within the original.

The following items are issued to add to, modify, and clarify the Request for Proposal (RFP) documents. These items shall have the same force and effect as the original RFP documents. Proposals are to be submitted on the specified date, on or before the specified time, and shall conform to the additions and revisions listed herein.

ITEM 1: Section B.03 UNIQUE CONSIDERATIONS fifth, sixth & seventh paragraph currently read:

The existing stormwater system constructed for Parcel A at Bennett Park has a current capacity designed to accommodate the stormwater runoff from 14.1 acres of impervious surface. Of that capacity, the successful Proposer may utilize up to 11 acres to facilitate construction of the proposed Destination by allowing use of the existing pond system for stormwater runoff pending approval of Florida Communities Trust (FCT), Southwest Florida Water Management District (SWFWMD) and the County.

Proposers utilizing the extra capacity shall indicate how much use is contemplated. The County is desirous of reserving and retaining partial capacity for future growth and/or expansion of improvement with impervious surfaces within the boundaries of Parcel A.

Any stormwater needs beyond the 11 acres will be provided by successful Proposers either by proposing construction of an additional pond on Parcel B or through expanding the existing stormwater pond on Parcel A if approved by FCT, SWFWMD and the County.

Change Section B.03 UNIQUE CONSIDERATIONS, fifth paragraph to:

The existing stormwater system constructed for Parcel A at Bennett Park is not be available for use with the development of Parcel B. The successful proposer will be required to provide a stormwater management system acceptable in size and scope for its proposed development within the footprint of Parcel B.

Delete Section B.03 UNIQUE CONSIDERATIONS, sixth and seventh paragraph.

ITEM 2: Delete Section C.08, Item B, last section which reads as follows:

See Section B.03 for additional information and requirements to be submitted with each Proposer's Proposal which pertain to the stormwater system.

And replace Section C.08, Item B, last section with the following:

Proposer shall be responsible for a stormwater management system suitable for the size and scope of the proposed Design. Proposer shall include its proposed stormwater management system in the conceptual drawings to be submitted with their Proposal.

ITEM 3: Manatee County has received the following clarification request:

1. Section C. 06 I - It is not industry standard in the Amusement Park industry to provide a performance bond, the environmental factors and economic uncertainties are the main drivers that would prohibit this. It is suggested that this is addressed during contract negotiations.
2. Section C. 06 I - It is not industry standard in the Amusement Park industry to provide a bond to "cover the cost of completely removing the constructed complex", the environmental factors and economic uncertainties are the main drivers that would prohibit this. It is suggested that this is addressed during contract negotiations.

Manatee County's response to the clarification request is as follows:

Section C. 06 I provides as follows: Provide a statement of **bonding ability** both for the construction and for the ongoing performance of the proposed contract. Guarantees will be provided in the form of bonds, letter of credit, parent company guarantees, and/or lender guarantees. Bonds will be in such an amount as to cover the cost of completely removing the constructed complex and any installed sub-structures put in place to specifically support the complex should, for any reason Proposer and Proposers principal financial source(s) declare bankruptcy or any other catastrophic event cause cessation of operations before the end of agreed upon term of agreement for operations. Bonds covering the construction component must meet the provisions of F.S. 255.20.

This requirement asks proposers to provide a statement of their bonding ability. The first aspect of the requirement deals with guaranteeing the completion of the construction which would be proposed to be done on County-owned land. The County must protect itself, project subcontractors and workers, and its taxpayers by ensuring that entities it contracts with related to construction of structures on its property. The Florida statute cited in the requirement sets forth the requirement that bonding by for the full amount of the project. While the statute contemplates methods of guaranteeing the performance of the construction work by means other than a bond, bonding or other performance guarantee must be in place to ensure construction, once begun, will reach completion with all subcontractors and suppliers being paid. In like manner, the County will seek a bond or similar performance guarantee related to the operational aspect of the proposed park, addressing the components noted in requirement C. 06 I. The Manatee County Purchasing Division has reviewed the contention that an "industry standard" exists in this area, and does not find such a standard. However, the County does find that there is a firmly rooted standard for construction of public facilities of this nature on public lands that bonding to ensure

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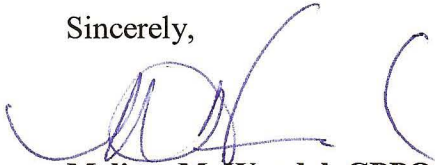
performance is common, and a best practice. While, as the questioner notes, the exact contours of the bonding requirement may be discussed in negotiations, proposers must, to be deemed responsive and responsible, at the proposal stage, “provide a statement of their bonding ability” as set forth in the requirement. The County’s evaluation process will include whether proposers are bondable.

All other terms and conditions of Request for Proposal 15-0248MW remain unchanged.

Proposals will be received until **March 5, 2015 at 4:00 p.m.** in the Purchasing Division Conference Room, 1112 Manatee Avenue West, Suite 803, Bradenton, FL 34205.

If you have submitted a proposal prior to receiving this addendum, you may request in writing that your original, sealed proposal be returned to your firm. All sealed Proposals received will be opened on the date stated.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Melissa M. Wendel', with a large, stylized flourish extending to the right.

Melissa M. Wendel, CPPO
Purchasing Official
MANATEE COUNTY GOVERNMENT