

REQUEST FOR PROPOSAL 16-1289MW

MANATEE COUNTY AQUATIC & RECREATION COMPLEX

Manatee County, a political subdivision of the State of Florida (hereinafter "Manatee County" or "County") will receive proposals from individuals, corporations, partnerships, and other legal entities authorized to do business in the State of Florida, to provide **Design, Build, Operate, Maintain and Finance models for Manatee County Aquatic & Recreation Complex.**

DATE, TIME and PLACE DUE: Proposals will be received until June 1, 2016 at 4:00 P.M. at which time they will be publicly opened at Manatee County Purchasing Division, 1112 Manatee Avenue West, Conference Room - Suite 803, Bradenton, FL 34205. All interested parties are invited to attend this opening.

NON-MANDATORY INFORMATION CONFERENCE:

In order to ensure all prospective proposers have sufficient information and understanding of the County's needs, an **Information Conference will be held at: 10:00 A.M. on May 12, 2016 at the Manatee County Administration Center, 1112 Manatee Avenue West in the Manatee Conference Room on the 4th floor, Bradenton, FL 34205.** Attendance is not mandatory, but is highly encouraged.

A **Non-Mandatory Site visit** will be held immediately following the Information conference at the proposed site located at 400 Cypress Creek Boulevard, Bradenton.

DEADLINE FOR CLARIFICATION REQUESTS: May 23, 2016 at 5:00 PM shall be the deadline to submit all inquiries, suggestions, or requests concerning interpretation, clarification or additional information pertaining to this Request for Proposal to the Manatee County Purchasing Division. This deadline has been established to maintain fair treatment for all potential proposers, while ensuring an expeditious transition to a final agreement.

AUTHORIZED FOR RELEASE: 

REQUEST FOR PROPOSAL 16-1289MW
MANATEE COUNTY AQUATIC & RECREATION COMPLEX

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Important: A prohibition of lobbying is in place. Please review Section A.09 carefully to avoid violation and possible sanctions.

AUTHORIZED CONTACT:

Melissa M. Wendel, CPPO, Purchasing Official
(941) 749-3014, Fax (941) 749-3034
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Manatee County Financial Management Department
Purchasing Division

REQUEST FOR PROPOSAL 16-1289MW MANATEE COUNTY AQUATIC & RECREATION COMPLEX

SECTION A INSTRUCTIONS TO PROPOSERS

In order to receive consideration, proposers must comply with the following instructions. Proposals may be presented by a single business entity, joint venture, partnership or corporation.

A.01 PUBLIC SEALED PROPOSAL OPENING

Sealed proposals will be **publicly opened** at **Manatee County Purchasing Division, 1112 Manatee Avenue West, Suite 803, Bradenton, Florida 34205**, in the presence of County officials at the time and date stated, or at such time as the final call for proposals is made. All proposers or their representatives are invited to attend the sealed proposal opening.

No review or analysis of the proposals will be conducted at the public opening. Manatee County will receive proposals at the time and date stated and will make public at the opening the names of the business entities which submitted a proposal and city and state in which they reside.

Any proposals received after the final call for proposals has been made will not be considered. It will be the sole responsibility of the proposer to have their proposal delivered to the Manatee County Purchasing Division for receipt on or before the stated time and date. If a proposal is sent by U.S. Mail, the Proposer will be responsible for its timely delivery to the Purchasing Division. Proposals delayed by mail will not be considered, will not be opened at the public opening, and arrangements will be made for their return at the proposer's request and expense.

A.02 SEALED & MARKED PROPOSAL

The contents of your sealed package will include: **One (1) signed Original (marked Original) and Six (6) Copies (each marked Copy) and four (4) labeled CDs or flash drives.** The electronic copy will be in a pdf format and submitted on a CD or USB flash drive which is non-returnable. ***All physical and electronic copies shall be identical.***

Your complete proposal package will be submitted in one sealed package addressed from your company (name and address) and clearly marked on the outside "**Sealed Proposal 16-1289MW: Design, Build, Operate, Maintain, and Finance model for Manatee County Aquatic and Recreation Complex**" and addressed to:

Manatee County Purchasing Division
1112 Manatee Avenue West, Suite 803
Bradenton, FL 34205

Proposals will clearly indicate the legal name, address and telephone number of the proposer (company, firm, partnership, or individual). Proposals will be signed

above the typed or printed name and title of the signer. The signer will have the authority to bind the proposer to the submitted proposal.

A.03 SECURING PROPOSAL DOCUMENTS & ADDENDA

Request for Proposals and all documents issued pursuant to the Request for Proposal are available for download at no charge at mymanatee.org by clicking on "Bids and Proposals" on the left side of the home page. You may view and print these pdf files using Adobe Reader software.

Manatee County may also use DemandStar to distribute proposals. Visit the DemandStar website at www.Demandstar.com for more information regarding this service. Participation in the DemandStar system is not a requirement for doing business with Manatee County.

Complete copies of the Request for Proposal and all related documents are available for public inspection at the Manatee County Purchasing Division, 1112 Manatee Avenue West, Suite 803, Bradenton, FL 34205, or by calling (941) 749-3014. Appointments are encouraged. Documents are available between the hours of 8:00 AM and 5:00 PM Monday through Friday, with the exception of holidays.

In addition, Manatee County informs Manatee Chamber of Commerce of all active solicitations, who then distributes the information to their members.

If any addenda are issued to this Request for Proposal, Manatee County will post the documents on the Purchasing Division's web page at <http://www.mymanatee.org/purchasing>, and then by clicking on "Bids and Proposals". If the original solicitation was broadcast via DemandStar, the addenda will also be broadcast on the DemandStar distribution system to "Plan Holders" on this web service.

It will be the responsibility of each proposer, prior to submitting their proposal, to contact Manatee County Purchasing Division at (941)749-3014, to determine if addenda were issued and to acknowledge receipt of same on Attachment A, Proposal Signature Form.

A.04 PROPOSAL EXPENSES

Any and all expenses for making and submitting proposals to Manatee County are to be borne by the proposer.

A.05 CLARIFICATION PERIOD

Each proposer will examine all Request for Proposal documents and will judge all matters relating to the adequacy and accuracy of such documents. Any inquiries, suggestions or requests concerning interpretation, clarification or additional information pertaining to the Request for Proposal will be made in writing and sent to the Manatee County Purchasing Division. Manatee County will not be responsible for oral interpretations given by any County employee, representative, or others. The issuance of a written addendum by the Purchasing Division is the only official method whereby interpretation, clarification or additional information can be given.

DEADLINE FOR CLARIFICATION REQUESTS: **March XX, 2016 at 4:00 P.M.** will be the deadline to submit all inquiries, suggestions, or requests concerning interpretation, clarification or additional information pertaining to this Request for Proposal to Manatee County Purchasing Division.

This deadline has been established to maintain fair treatment for all potential proposers, while ensuring an expeditious transition to a final agreement.

A.06 FALSE OR MISLEADING STATEMENTS

Proposals which contain false or misleading statements or which provide references which do not support an attribute or condition claimed by the proposer, may be rejected. If, in the opinion of Manatee County, such information was intended to mislead County in its evaluation of the proposal, and the attribute, condition or capability is a requirement of this proposal, it will be the basis for rejection of the proposal. Such proposer will be disqualified from eligibility to perform the work described in this Request for Proposal, and may also be disqualified from furnishing future goods or services to and from submitting any future bids or proposals to supply goods or services to Manatee County.

A.07 RULES FOR WITHDRAWAL OR REVISION OF OPENED PROPOSALS

A proposal which is submitted prior to the deadline may be withdrawn or revised anytime prior to but not after the deadline for receipt of proposals provided that the request for withdrawal or revision is in writing and executed by the proposer's duly authorized representative. The request for withdrawal or revision of the proposal must be filed with Manatee County Purchasing Division before the deadline of receipt for proposals. The withdrawal of a proposal will not prejudice the right of the proposer to submit a new proposal, provided the proposer can submit the new proposal by the deadline stated herein.

A.08 JOINT VENTURES

All proposers intending to submit a proposal as a Joint Venture are required to have filed proper documents with the Florida Department of State, the Division of Professions, Construction Industry Licensing Board and any other state or local licensing agency prior to submitting the proposal (see Section 489.119 Florida Statutes).

A.09 LOBBYING

After the issuance of any Request for Proposal, prospective proposers, or any agent, representative or person acting at the request of such proposer will not contact, communicate with or discuss any matter relating in any way to the Request For Proposal with any officer, agent or employee of Manatee County other than the Purchasing Official or as directed in the Request for Proposal. This prohibition includes copying such persons on all written communication, including email correspondence. This requirement begins with the issuance of a Request for Proposal and ends upon execution of the final contract or when the proposal has been cancelled. Violators of this prohibition will be subject to sanctions as provided in the Manatee County Code of Laws.

A.10 EXAMINATION OF PROPOSALS

The examination of the proposal and the proposer generally requires a period of not less than ninety (90) calendar days from the opening date of the proposals.

A.11 ERRORS OR OMISSIONS

Once a proposal is opened, Manatee County will not accept any request by any proposer to correct errors or omissions in the proposal.

A.12 DISQUALIFICATION DUE TO NON-RESPONSIVENESS

Manatee County reserves the right to determine that any proposal received which does not contain all of the information, attachments, verification, forms or other information, may be considered non-responsive and therefore be disqualified from eligibility to proceed further in the Request for Proposal process.

A.13 RESERVED RIGHTS

Manatee County reserves the right to accept or reject any and/or all proposals, to waive irregularities and technicalities, and to request resubmission. Any sole response received by the due date may or may not be rejected by County depending on available competition and timely needs of Manatee County. County reserves the right to award the contract to a responsible proposer submitting a responsive proposal, with a resulting negotiated agreement which is most advantageous and in the best interests of County.

County will be the sole judge of the proposal, and the resulting negotiated agreement that is in its best interest and its decision will be final. Also, County reserves the right to make such investigation as it deems necessary to determine the ability of any proposer to perform the work or service requested. Information County deems necessary to make this determination will be provided by the proposer. Such information may include, but will not be limited to: current financial statements prepared by an independent CPA; verification of availability of equipment and personnel; and past performance records.

A.14 APPLICABLE LAWS

Proposer must be authorized to transact business in the State of Florida. All applicable laws and regulations of the State of Florida and ordinances and regulations of Manatee County will apply to any resulting agreement. Any involvement with any Manatee County procurement will be in accordance with Manatee County Code of Laws, Chapter 2-26.

A.15 TAXES

Manatee County is exempt from Federal Excise and State Sales Taxes. (F.E.T. Cert. No. 59-78-0089K; Florida Sales Tax Exempt Cert. No. 85-8012622206C-6); therefore, the proposer is prohibited from delineating a separate line item in his proposal for any sales or service taxes. Nothing herein will affect the proposer's normal tax liability.

The successful proposer will be responsible for the payment of taxes of any kind and character including but not limited to sales, consumer, use, and other similar taxes payable on account of the work performed and/or materials furnished under the award in accordance with all applicable laws and regulations during the performance of the work. Nothing herein will affect the proposer's normal tax liability.

A.16 SCRUTINIZED COMPANIES

Section 287.135, Florida Statutes, prohibits agencies from contracting with companies, for goods or services over \$1,000,000.00, that are on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List. Both lists are created pursuant to section 215.473, Florida Statutes.

At the time a company submits a proposal for a contract or before the company enters into or renews a contract with an agency or governmental entity for goods or services of \$1,000,000.00 or more, the company must certify that the company is not on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List.

A.17 COLLUSION

By offering a submission to this Request for Proposal, the Proposer certifies the Proposer has not divulged to, discussed or compared his proposal with other proposers and has not colluded with any other proposer or parties to this proposal whatsoever. Also, the Proposer certifies, and in the case of a joint proposal, each party thereto certifies, as to their own organization that in connection with this proposal:

- a. any prices and/or data submitted have been arrived at independently, without consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices and/or cost data, with any other proposer or with any competitor;
- b. any prices and/or cost data quoted for this proposal have not been knowingly disclosed by the proposer prior to the scheduled opening directly or indirectly to any competitor;
- c. no attempt has been made or will be made by the proposer to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition;
- d. the only person or persons interested in this proposal as principal or principals is/are named therein and that no person other than therein mentioned has any interest in this proposal or in the contract to be entered into; and
- e. no person or agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees.

A.18 CODE OF ETHICS

With respect to this proposal, if any proposer violates, directly or indirectly, the ethics provisions of the Manatee County Procurement Code and/or Florida criminal or civil laws related to public procurement, including but not limited to Florida Statutes Chapter 112, Part II, Code of Ethics for Public Officers and Employees, such proposer will be disqualified from eligibility to perform the work described in this Request for Proposal, and may also be disqualified from furnishing future goods or services to and from submitting any future bids or proposals to supply goods or services to Manatee County.

A.19 PUBLIC ENTITY CRIMES

In accordance with Section 287.133, Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposals on leases or real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

In addition, Manatee County Code of Laws Chapter 2-26 Article V prohibits the award of County contracts to any person or entity who/which has, within the past 5 years, been convicted of, or admitted to in court or sworn to under oath, a public entity crime or of any environmental law that, in the reasonable opinion of the Purchasing Official, establishes reasonable grounds to believe the person or business entity will not conduct business in a reasonable manner.

To ensure compliance with the foregoing, Manatee County Code of Laws requires all persons or entities desiring to contract with Manatee County to execute and file with the Purchasing Official an affidavit, executed under the pain and penalties of perjury, confirming that person, entity, and any person(s) affiliated with the entity, does not have such a record and is therefore eligible to seek and be awarded business with Manatee County. Proposer is to complete Attachment "B" and submit with your proposal.

A.20 AMERICANS WITH DISABILITIES

Manatee County does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of County's functions including one's access to participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation for an information conference or proposal opening should contact the person named on the cover page of this document at least twenty-four (24) hours in advance of either activity.

A.21 EQUAL EMPLOYMENT OPPORTUNITY

In accordance with Title VI of the Civil Rights Act of 1964, Title 15, Part 8 of the Code of Federal Regulations and the Civil Rights Act of 1992, Manatee County hereby notifies all proposers that it will affirmatively ensure minority business enterprises are afforded full opportunity to participate in response to this Request For Proposal and will not be discriminated against on the grounds of race, color, national origin, religion, sex, age, handicap, or marital status in consideration of award.

A.22 MINORITY AND/OR DISADVANTAGED BUSINESS ENTERPRISE

The State of Florida Office of Supplier Diversity provides the certification process and maintains the State database of certified MBE/DBE firms. Additional information may be obtained by calling 850-487-0915 or at <http://www.osd.dms.state.fl.us/iframe.htm>

A.23 PUBLIC DISCLOSURE

Upon receipt, all inquiries and responses to inquiries related to this Request for Proposal become public records and are subject to public disclosure consistent with Chapter 119, Florida Statutes.

Proposals become subject to disclosure thirty (30) days after the opening or if a notice of intended award decision is made earlier than this time as provided by Florida Statute 119.071(1)(b). No announcement or review of the offer shall be conducted at the public opening. If the County rejects all offers and concurrently announces its intent to reissue the solicitation, initial offers are exempt until Manatee County provides notice of its intended decision or, thirty (30) days after the opening of the new offers.

Pursuant to Florida Statutes 119.0701, to the extent successful Proposer is performing services on behalf of the County, successful Proposer must:

- a. Keep and maintain public records that ordinarily and necessarily would be required by the County in order to perform the service;
- b. Provide the public with access to public records on the same terms and conditions that the County would provide and at a cost that does not exceed the cost provided in Florida Statute Chapter 119, or as otherwise provided by law;
- c. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law, and;
- d. Meet all requirements for retaining public records and transfer, at no cost, to the County all public records in possession of successful Proposer upon termination of the awarded agreement and/or purchase order and destroy any duplicate or confidential public records that are exempt from public records disclosure requirements. All records stored electronically must be provided to the County in a format this is compatible with the County's information technology systems.

A.24 TRADE SECRETS

Manatee County Government is subject to the Florida Public Records law (Chapter 119, Florida Statutes), and all documents, materials, and data submitted to any solicitation as part of the response are governed by the disclosure, exemption and confidentiality provisions relating to public records in Florida Statutes. Except for materials that are “trade secrets” or “confidential” as defined by applicable Florida law, ownership of all documents, materials and data submitted in response to the Request for Proposal shall belong exclusively to the County.

To the extent that Proposer desires to maintain the confidentiality of materials that constitute trade secrets pursuant to Florida law, trade secret material submitted must be identified by some distinct method that the materials that constitute a trade secret, and Proposer shall provide an additional copy of the proposal that redacts all designated trade secrets. By submitting materials that are designated as trade secrets and signature of the Proposer on its Proposal, Proposer acknowledges and agrees:

- a. That after notice from the County that a public records request has been made for the materials designated as a trade secret, the Proposer shall be solely responsible for defending its determination that submitted material is a trade secret that is not subject to disclosure at its sole cost, which action shall be taken immediately, but no later than 10 calendar days from the date of notification or Proposer will be deemed to have waived the trade secret designation of the materials;
- b. That to the extent that the proposal with trade secret materials is evaluated, the County and its officials, employees, agents, and representatives in any way involved in processing, evaluating, negotiating contract terms, approving any contract based on the proposal, or engaging in any other activity relating to the competitive selection process are hereby granted full rights to access, view, consider, and discuss the materials designated as trade secrets through the final contract award;
- c. To indemnify and hold the County, and its officials, employees, agents and representatives harmless from any actions, damages (including attorney’s fees and costs), or claims arising from or related to the designation of trade secrets by the Proposer, including actions or claims arising from the County’s non-disclosure of the trade secret materials.
- d. That information and data it manages as part of the services may be public record in accordance with Chapter 119, Florida Statutes and Manatee County public record policies. Proposer agrees, prior to providing goods/services, it will implement policies and procedures, which are subject to approval by the County, to maintain, produce, secure, and retain public records in accordance with applicable laws, regulations, and County policies including but not limited to Section 119.0701, Florida Statutes.

Notwithstanding any other provision in the solicitation, the classification as trade secret of the entire proposal document, line item and/or total proposal

prices, the work, services, project, goods, and/or products to be provided by Proposer is not acceptable to the County and will result in a determination that the proposal is non-responsive; the classification as trade secret of any other portion of a proposal document may result in a determination that the proposal is non-responsive.

A.25 E-VERIFY

Prior to the employment of any person under this contract, the successful proposer shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of (a) all persons employed during the contract term by the successful proposer to perform employment duties within Florida and (b) all persons, including subcontractors, assigned by the successful proposer to perform work pursuant to the contract with Manatee County. For more information on this process, please refer to United States Citizenship and Immigration Service site at: <http://www.uscis.gov/>.

Only those individuals determined eligible to work in the United States shall be employed under this contract.

By submission of a proposal in response to this Request for Proposal, the successful proposer commits that all employees and subcontractors will undergo e-verification before placement on this contract.

If County has reasonable objection to any subcontractor, the county may request the successful proposer to submit an acceptable substitute without an increase in contract sum or contract time.

If successful proposer declines to make any such substitution, the County may award the resulting agreement to the next lowest qualified proposer that proposes to use acceptable subcontractors, who County does not make written objection to. In the event the successful proposer declines to make any such substitution post award, the County may exercise its right to terminate the agreement.

The successful proposer shall maintain sole responsibility for the actions of its employees and subcontractors. New employees brought in after contract award shall follow the same requirement stated above for the life of the contract.

END SECTION A

SECTION B

SCOPE OF SERVICES

B.01 INTRODUCTION - PROJECT OVERVIEW

Manatee County, a political subdivision of the State of Florida, ("County") is seeking competitive proposals for the financing, development, design, construction, operation, maintenance, and marketing (turnkey solution) of a first quality Aquatic and Recreation Complex, (hereinafter referred to as "Destination") on County owned property within the newly developed Tom Bennett Park on Parcel B (see Exhibit B) adjacent to Interstate 75.

Proposers are permitted to propose a mix of rides and attractions in their proposals, and may include a mix of attractions or rides allowing for cold weather operations and options for non-swimmers; however, preference will be given to proposals which give primary focus on a water park theme and which primarily feature water-focused rides and attractions.

Proposers are permitted to propose accessory lodging or supporting ancillary uses as a part of their proposal. The Aquatic and Recreation Complex, and any proposed ancillary or accessory uses, shall be subject to the requirements of the Manatee County Land Development Code and Comprehensive Plan, which may require the successful Proposer to apply for development approvals from the County in its capacity as the local land use authority. Award of a successfully negotiated agreement entered into pursuant to the RFP, shall be contingent upon compliance with the Land Development Code and Comprehensive Plan and the granting of any such required development approvals. In accordance with applicable law, neither the award nor execution of a negotiated agreement shall be construed to contractually commit the County to grant such development approvals.

The objective is to offer a first class recreational amenity to the community and to promote tourism through the provision of a destination which attracts families, teens and youth, and to establish a venue that will positively and sustainably affect the area's economic growth and compliment other developing programs in the County.

The +/-20 acre site, as indicated on Parcel B (see Exhibit B), located at 400 Cypress Creek Boulevard, Bradenton, Florida 34208, Parcel ID 1111101009 (hereinafter referred to as "Site") affords high visibility. Immediately to the south of the Site is an automobile dealership and showroom (Toyota of Lakewood). Southwest, on the same divided four lane entry road, is a Wal-Mart Superstore, and just beyond that, to the south and east are numerous fast food restaurants, a Cracker Barrel and major chain hotels, including a Days Inn and a Holiday Inn Express. To the north and east, within one mile of the Site is a large RV park. The highly visible Site features almost direct access to and from the interstate in both directions via Highway 64 access ramps and is visible approximately one quarter mile from Interstate 75 in both directions.

Proposals shall provide a Destination which will provide residents innovative and contemporary designs that will expand visitation to the area. The County seeks a qualified, reliable private partner that will offer market driven solutions to improve the Site through a ground lease, license and/or common land agreement.

B.02 THE PROPERTY

The Destination would be built on a parcel that lies within the one hundred and eighty-eight (188) acres of Tom Bennett Park, under continuing development. The Site is adjacent to Interstate 75, the major north-south traffic artery for the west coast of Florida. According to State Highway Department traffic counts, on average approximately 89,500 vehicles pass by this Site daily. The area held for the Destination is currently open land and is currently zoned as Planned Development - Public Interest. A major reclaimed water line is proximate to the Site.

The proposed Destination should contain attractions and elements commonly found in contemporary and successful recreational centers and may include rides and features such as a lazy river, wave or mini-wave (with zero depth entry designed for very young children), surf pool, bowls, inner tube/mat racer slides, slide towers, flow riders, family raft rides, water coaster and interactive play areas. Attractions and elements should appeal to visitors of all ages.

B.03 UNIQUE CONSIDERATIONS

The Site is part of the existing Tom Bennett Park. Portions not included in Parcel B are subject to various restrictions imposed through a Florida Communities Trust (FCT) grant. Parcel B is free of any FCT imposed restrictions.

The design and locations of access points shall be consistent with the Public Works standards manual and the approved park site plans. The type and dimensions of any auxiliary lanes required at access locations shall be determined based on the findings of an operational analysis prepared consistent with a methodology that has been reviewed and approved by Manatee County Public Works.

Utility line and water line easements may be required. The Tom Bennett Park Utility as built drawings, Exhibit C, are provided for your information.

The Southwest Florida Water Management District (SWFWMD) ERP Short Form Modification Approval, Exhibit D and the Southwest Florida Water Management District ERP Short Form Modification Application, Exhibit E are attached for your information. Proposers shall indicate the estimated amount of impervious surface their proposals contemplate.

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.

The existing stormwater system constructed for Parcel A at Bennett Park, was constructed for the entire park and is subject to FCT restrictions. If the Proposer successfully obtains the approval of FCT, SWFWMD and the concurrence of the

County, a portion of the existing excess pond capacity on Parcel A may be utilized by Proposer.

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 improvements with impervious surfaces within the boundaries of Parcel A.

B.04 GENERAL DESIGN AND/OR CONSTRUCTION REQUIREMENTS

The successful Proposer may have broad discretion over the design and premise of the Destination, subject to its compliance with park development and approval of traffic circulator plans. The proposed design is expected to create a synergy with the underlying theme of Manatee County Parks and Natural Resources Department Mission Statement of offering opportunities for “*Creating Lifelong Memories*” through recreational opportunities. The County will retain final approval over the proposed design to ensure it is consistent with the Parks and Natural Resources Department’s mission and the County’s overall objectives.

The successful Proposer shall be responsible for meeting all zoning, building, environmental, planning and construction code requirements and obtaining all associated permits within and outside the Destination area. This requirement shall, at minimum, be inclusive of design and permitting for:

- all rides and attractions
- support buildings, allowing for additional ancillary uses including the development of accessory lodging and the possible use of additional property provided successful proposer obtains approval for such use and utilization of the existing storm water ponds through Florida Communities Trust and from County.
- equipment areas
- parking
- accessory road
- traffic signalization and entrances necessary to provide seamless access for patron vehicles, service vehicles, on-site trolley vehicles and pedestrians between all attraction areas

In addition, the successful Proposer shall comply with all federal, state, and local regulatory requirements. There is a building height limitation of 35 feet, not including rides, on this Site. The successful Proposer will provide for on-site parking. The number and location of required spaces shall be determined by both provisions of the Code and County facility/Destination requirements.

B.05 SCHEDULE

Proposer shall indicate the proposed schedule and operating hours including any seasonal fluctuations or periods of closure throughout the year. The area has a

peak season of December 1 through May 15, when tourists mostly visit and when families are looking for entertainment. Summers attract mostly locals interested in finding relief from the heat and humidity as well as activities during summer recess from school. Each element may also have differing peaks within those seasonalities and varying hours of operations may exist, dictated by economic realities.

B.06 TECHNICAL, FINANCIAL AND OPERATIONAL REQUIREMENTS

The successful Proposer is expected to:

- Finance, design, develop, operate, market and maintain a family oriented Destination on the Site depicted as Parcel B on the Site Map as set forth in Exhibit B.
- Include all support buildings normally found at similar Destinations such as pump buildings and other such support facilities.
- Demonstrate experience successfully operating and managing an Aquatic and Recreational Complex of a similar scope and size.
- Successfully provide ancillary Destination related retail and merchandising goods.
- Provide ancillary facilities such as lockers, shower stations, restrooms, and rest areas separate from water activities.
- Provide proper lighting and security 24 hours a day, 365 days a year.
- Provide for marketing in cooperation with Manatee County Parks and Natural Resources Department and the Manatee County Tourist Development Council, and other future entities that may be developed.
- Provide various food concessions with seating area to in-park and possibly external patrons, including catering and after-hours food service. The concessions may have an outside serving window that is accessible to patrons of the Destination as well as adjacent park patrons.
- Provide landscaping, lighting, noise management, and on site signage plans which conform to the requirements for the proposed Destination and which are complimentary to the surrounding park property.
- Participate in public hearing process for the general development plan and/or the preliminary site plan.

B.07 DEVELOPMENT

The successful Proposer shall have proven experience in the design, construction, and operation management of this type of Destination development and shall be responsible for managing the development of the Destination subject to County review and approval.

Award of project is subject to final approval and expiration of the objection period of land use amendments and zoning modifications.

The successful Proposer shall be responsible for submitting the final site design for County approval and all related costs associated with final site plan approval shall be borne by the Proposer. County may consider participating in costs associated with the final zoning application and hearing process, where cost sharing will be for the overall benefit of Manatee County.

The successful Proposer shall design and construct a Destination that incorporates current leading water conservation technologies, through engineered solutions for water re-use, water reclamation and aquifer recharge, and one that maintains a high water quality result within the system.

The successful Proposer shall be environmentally and ecologically sensitive in the design, construction and operation of the facility. The successful Proposer shall incorporate state of the art attractions that are innovative, provide excitement for a broad range of ages and are safely presented to the visiting public. The successful Proposer shall provide for special events and activities and the potential for show type presentations.

To the extent Proposer contemplates use of any portion of the land designated as Parcel A which is governed by the Florida Communities Trust grant terms, the County may consider Proposer's concept and the related compensation offered to County; however, the successful proposer must bear the full expense and burden of obtaining all relevant needed approvals, including FCT approval.

END SECTION B

SECTION C

FORM OF PROPOSAL

This section identifies specific information which must be contained within each proposer's submitted proposal.

The information each proposer provides will be used to determine those proposers with perceived ability to perform the scope of services as stated in this Request for Proposal which may best meet the overall needs of Manatee County. A review with those proposers reasonably susceptible of being selected for award may be conducted for the purposes of clarification of both ability and benefit to Manatee County. For more information, refer to Section D, Evaluation of Proposals.

C.01 INFORMATION TO BE SUBMITTED

To qualify for consideration, the proposer(s) must present proof of any licensing or certification which will be required by law to perform the work set out in Section B, Scope of Services.

After Manatee County validates the submitted licensing or certification, complying Proposals will be considered by an evaluation committee.

When preparing proposals for consideration, **separate by section** and **arrange with tabs** in the same order as listed herein and with the same subsection numbering and headings. For example; C.01.1. Cover Page. C.01.2 General Qualifications. C.01.3 Past Experience and Ability, and so forth. Proposals organized in this manner will facilitate an expedient review.

- C.01.1 Provide a **cover page**, general introductory statement and table of contents. Provide proof of any licensing or certification required by law to perform the work and/or provide the services and generally describe your proposal in summary form.
- C.01.2 Provide a description of Proposers' **general qualifications** and the general qualifications for all parties to the Proposer. General qualifications shall include background and size, professional credentials, corporate location and contact information and legal status in providing the service enumerated in this Request for Proposal. If more than one proposer is jointly filing a proposal, details must be provided to clearly demonstrate individual roles and responsibility for all components of the project. Label and tab sections in the following manner: C.01.3.a. Design Team. C.01.3.b. Construction Team. C.01.3.c. Financing Team and so forth.

C.02 LEGAL STRUCTURE

- C.02.1 Identify each **principal of the proposer and other key personnel** who will be interacting with Manatee County. Key personnel will include all partners, managers, seniors, and other professional staff that will perform work and/or services in this project. Do not include personnel that will not have a key role in providing services. Describe each person's respective area of expertise. Provide an organizational chart depicting the structure, lines of authority and communication.

For each identified person, provide a personal resume which includes vital information of all key individuals who will be assigned to this project. Resumes shall also include the following information:

- a. Full name and title
- b. Professional credentials
- c. Experience / Qualifications / Training
- d. Individual's intended roles and duties in providing services pursuant to this Request for Proposal
- e. Relevant experience on previous similar projects
- f. Office address and web address
- g. Email address and telephone number

Please Note: After proposal submission, but prior to contract award, if any, Proposer shall be obligated to advise County of any changes, intended or otherwise, to the key personnel identified in its Proposal.

- C.02.2 Proposer shall clearly demonstrate its **past experience and ability**. State the number of years Proposer has been in existence, the current number of employees that the primary markets served. Describe in detail the Proposers' past experience in providing the planning, design, construction and operation of similar recreational facilities.

Provide the same **past experience and ability** for all parties to the Proposer, including design team, construction team, financing team, operations team, management team, and marketing team. Label and tab sections in the following manner: C.02.2.a. Design Team. C.02.2.b. Construction Team. C.02.2.c. Financing Team and so forth.

- C.02.3 Clearly demonstrate your company's substantial, current and verifiable **similar past projects** to the work and/or services described within the scope of services set forth herein. In the event more than one entity is joining in making this proposal, each entity shall set forth its respective similar past projects. Proposers shall provide the following details indicating Proposers' relevant past performance on similar projects:

- i. Name of the client;

- ii. Specific details about the services provided, including each of the components (financing, design, construction marketing, maintenance, and operation).
- iii. Specify any subcontractors utilized and in what capacity;
- iv. Total dollar value of the contract;
- v. Duration of the contract, including begin and end dates;
- vi. Specify the name, title, telephone, and email for the client's contract manager;
- vii. Statement or notation of whether Proposer is/was the developer, prime contractor or subcontractor or sub consultant;
- viii. The results of the project; and if no longer the contractor, please advise why.

C.02.3 Provide an **explanation of the proposers' legal capacity** to perform all facets of the scope of services. Include a description of corporate or other structure and governance, and detail the legal capabilities of proposer(s) relevant to performing the scope of services. If more than one proposer is teaming up to file a proposal, any prior work any two or more joint proposers have performed before should be detailed.

Disclose all general partners, all limited partners with ownership of 20% or more and all stockholders with ownership of 20% or more. In the case of an LLC, disclose the Principal and the managing member and all other members.

Joint venture firms must provide an affidavit attesting to the formulation of a joint venture and provide either proof of incorporation as a joint venture or a copy of the formal joint venture agreement between all joint venture parties, indicating their respective roles, responsibilities, and levels of participation in the project.

C.02.4 Provide any and all information concerning any **prior or pending litigation**, either civil or criminal, involving a governmental agency or which may affect the performance of the services to be rendered herein, in which the Proposer, any of its partners, employees or subcontractors is or has been involved within the last three years.

C.03 DESIGN AND CONTRUCTION

C.03.1 Provide your company's **project approach and specific project timeline**. Provide a narrative of the project approach and how this approach meets Manatee County objectives. Include an explanation of

your company's technical ability to perform all facets of the scope of services.

The specific project timeline shall be developed in GANTT or other project charting software format and shall include key tasks and their duration, to be used in delivering the project as described in Section B, Scope of Services. The timeline shall cover the period from contract award to opening of the Destination and shall include detail for design, construction, start up, operations and maintenance phases.

C.03.2 The Proposer shall indicate its plan for **access** to the Destination, including specifics addressing parking, added traffic infrastructure, traffic management, and maintenance of same. Design approach shall also consider ease of operations, maintenance and future growth and improvements. Proposer shall indicate the estimated amount of impervious surface Proposer's concept requires.

C.03.3 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.

The existing stormwater system constructed for Parcel A at Bennett Park, was constructed for the entire park and is subject to FCT restrictions. If the Proposer successfully obtains the approval of FCT, SWFWMD and the concurrence of the County, a portion of the existing excess pond capacity on Parcel A may be utilized by Proposer.

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 improvements with impervious surfaces within the boundaries of Parcel A.

The Southwest Florida Water Management District ERP Short Form Modification Approval, Exhibit D and the Southwest Florida Water Management District ERP Short Form Modification Application, Exhibit E are attached for your information. Proposers shall indicate the **estimated amount of impervious surface** their proposals contemplate.

C.03.4 Provide assurance to the County that any and all **utility infrastructure upgrades** that may be required or upgrades to increase capacity will be obtained by the successful Proposer and all expense for same shall be borne by the successful Proposer.

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.

C.03.5 Describe and provide **conceptual plans** for the provision of design and construction and include **artists' renderings** for the Destination in its

entirety including all attractions/elements/rides, equipment, support buildings, ancillary facilities/services, accessory lodging, lighting, and the layout of the Destination, etc. Conceptual plans shall indicate only what is actually being proposed. If future improvements are envisioned, same shall be shown on a separate **future site plan**. Provide specifics on type and quantity of proposed rides. Provide **floor plans** of accessory lodging units, if proposed.

- C.03.6 Describe all efforts and techniques which will be employed by successful Proposer to be a **good neighbor**.
- C.03.7 The Proposer shall describe its intended efforts to ensure the community is afforded the opportunity to offer its input and provide details that fully address nighttime lighting, noise mitigation, and any other potential issues.
- C.03.8 Describe innovative design techniques including but not limited to: **green initiatives, environmental sustainability and water conservation** (as described in Section B.07 herein) and/or any other cost-reduction methods or measures to be employed. As an example, Proposers should provide information in their Proposal to demonstrate its application of the following:
- Maximizing use of on-site sources of water;
 - Choosing equipment that is water and energy efficient;
 - Installing automatic shutoffs, solenoids and controllers to turn water off when not in use;
 - Installing flow restrictors when possible; and,
 - Eliminating once through cooling.
- C.03.9 Submit a **staffing level statement** for the design team and the construction team, detailing how many total employees work for each team at any one time, including temporary and part-time employees.
- C.03.10 Include a **subcontractor plan** detailing how subcontractors will be used on the design team and on the construction team and to what extent. County reserves the right to request additional information in the same level of detail and tabbed order as the proposal.
- C.03.11 Provide a statement of **bonding ability** for the construction. Bonds covering the construction component must meet the provision of Florida Statute 255.20.

C.04 FINANCING

- C.04.1 Provide an **explanation of the proposers' financial capacity** to perform all parts of the scope of services. Identify key personnel responsible for

financing and, if more than one proposer is jointly filing a proposal, details must be provided to demonstrate financial capacity of all proposers. Describe in detail:

- ability to access and/or provide all the necessary funding to complete the project and all start-up activities proposed.
- ability to provide necessary funding to ensure continued operation of the Destination throughout the proposed term.

C.04.2 Provide the proposer's most **recent independently prepared annual financial summary statement**. Such statements will include balance sheets and profit and loss statements. Such documentation may include but is not limited to its most recent certified financial statements as of a date not earlier than the end of the Proposer's preceding official tax accounting period, with a statement in writing, signed by a duly authorized representative, stating that the present financial condition is materially the same as that shown on the balance sheet and income statement submitted, or with an explanation for a material change in the financial condition. If certified financial statement are not available, provide latest available financial statements (balance sheet and income statement) and letters of credit availability from accredited financial institutions, or other relevant documents; and the latest two years of the federal tax returns. Include credit reports including limits.

Provide authorization for a Manatee County auditor and/or financial analysts to have **access to your financial records, including any and all records prepared by an independent firm**, or the financial records of other entities for which you have ownership interest. Such access will occur at the primary location of the proposer, or such other location as may be agreed, for the purposes of verifying financial representations, and/or to review and assess the historical and current financial capacity of your business entity and its expected ability to meet ongoing financial obligations as proposed to Manatee County.

Manatee County's audit and /or financial analysts will report their findings in a summary report to the Manatee County Purchasing Official, which will be placed in the proposal files for subsequent use and review.

C.04.3 Provide details of Proposer's **investment costs** of proposed Destination including attractions/elements/rides, equipment, support buildings, ancillary facilities/services etc. Proposer shall provide detailed information concerning Proposer's minimum investment and total investment and the timeframe for such investment.

C.04.4 Present a **flow chart of borrower entity** (list investors/officers and percentage of ownership.)

C.04.5 Provide **proposed cost of design and construction, including all FFE** in accordance with the requirements stated in Section B Scope of Services. Costs shall be broken down into major components and trades. Identify and include items that you foresee being needed during the performance of this project.

- C.04.6 Provide **cash flow analysis and indicate funding source** for each phase of the project including implementation of the project and extending for the term of the agreement. This section should identify the quantity of loans and the source of the funding for each component of the proposed project.

Provide financing information to include available financing options and pre-approved/approved financing plans. Indicate whether third party governmental funds are assumed as a funding source and if so, disclose the source.

- C.04.7 Provide a statement of **bonding ability** both for the construction phase and the ongoing performance of the proposed contract. Performance guarantees will be provided in the form of bonds, letter of credit, parent company guarantees, and/or lender guarantees. Include any strategies offered which limits liability and which are designed to protect the investment of the parties.

Performance guarantees 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 the agreed upon term of agreement for operations.

- C.04.8 Submit a **staffing level statement** for your Financing Team, detailing how many total employees work for this team at any one time, including temporary and part-time employees. List the ratio of full-time employees to part-time, and temporary employees.

C.05 OPERATIONS, MAINTENANCE, AND MARKETING PLAN

- C.05.1 Provide a **Ten Year Business Marketing Plan** (including marketing plan and budget, tax and debt service liability, target audience and sales plans, and how management intends to achieve revenue goals, management's ideas of introducing new attractions/rides, promote the Destination to the community, etc.).
- C.05.2 Provide a **Pro Forma Statement** showing ten (10) years of project revenues, income, sales and expenses for the Project in the form as provided in the sample Pro Forma, Exhibit A. Include projected revenues by source for any items not already identified on the pro forma (add detail, i.e: ticket sales, concessions, merchandise, special event revenues, etc.)

C.05.3 Include **assumptions and ramp-up details**. Inflated statements, unreasonable expectations or statements skewed outside normal operating ranges may be evaluated as less desirable. (See sample Pro-Forma, Exhibit A). Separate the development phase (design/construction) for the operation phase (operation, management and maintenance).

C.05.4 Submit a **staffing level statement** for your Operations, Maintenance, and Marketing Team(s), detailing how many total employees work for your firm at any one time, including temporary and part-time employees. List the ratio of full-time employees to part-time, and temporary employees.

Include number of anticipated staff proposed in total as well as staff ratio for season and off-season times. Advise if recruitment policies include local preferences and provide detail. Provide job descriptions and other detailed qualification information on all key personnel who will be assigned to this project. Provide a photograph or sketch of proposed uniforms for all levels of staff.

C.05.5 Include a **subcontractor plan** detailing how subcontractors will be used on the Operations, Maintenance, and Marketing Team(s) and to what extent. County reserves the right to request additional information in the same level of detail and tabbed order as the proposal.

C.05.6 Proposer shall provide the **anticipated annual schedule and operating hours** including any seasonal fluctuations and/or periods of closure throughout the year. Proposer shall indicate when and for how long does it anticipate being closed each year.

C.05.7 Additionally, the Proposer shall include methods that will be implemented to **gauge customer satisfaction and attendance figures**. The successful Proposer must be able to document satisfaction and attendance and provide it to the County upon request at any time during the term of the Agreement.

C.05.8 Manatee County is deeply committed to respecting the environment. Include a detailed description of the Proposer's **operational environmentally friendly practices**. Practices may include, but are not limited to the use of energy efficient practices, recycling and conservation measures in the operation of the Destination, the use of environmentally friendly cleaning products and recycling and waste management practices to be implemented by the Proposer in the operation of the Destination.

C.05.9 Provide a comprehensive description of **proposed policies and procedures concerning customer service and customer safety**. Include specific examples representing a proactive approach regarding customer service and customer safety.

- C.05.10 Provide a list of describing **proposed price schedules** for entrance fees, annual passes, the types of retail goods/merchandise sold, food, and any services and/or planned activities and its respective pricing. Provide methodology for establishment of the pricing. Identify circumstances that would cause entrance fees to change. Include price schedule discount information and identify who is eligible for a discount (college student, senior, Manatee County resident, military, etc.). Include fee schedule and pricing for shelter rentals, birthday parties, corporate events, etc.
- C.05.11 Describe **proposed ideas on future improvements** and planned new park elements/rides. Include projected timing. Describe Proposer's plan for maintaining a fresh, upgraded and renewed Destination to encourage new customers and repeat customers.
- C.05.12 Include **local employment** plans and/or goals as a percentage of total project employment of Manatee County residents. Include your approach to providing periodic reporting to monitor success in maintaining the percentage. Provide examples of reports.
- C.05.13 Include at least two (2) **references** of recreational venue such as the one mentioned in Section B Scope of Services, currently in operation, who can substantiate Proposer's qualifications, credentials and experience for operating. Do not duplicate references used for past performance.
- C.05.14 Disclose **any ownership interest in other entities** involved in these services which might reasonably be selected to perform work under the scope of services set forth in this Request for Proposal. This ownership disclosure will be included, whether such ownership occurs by the proposer through a parent, subsidiary or holding company or any other form of business entity. Submit entity names and the percent of ownership for each.

C.06 COMPENSATION

- C.06.1 The selected Proposer shall provide its **proposed tiered compensation payment plan** to the County including but not limited to:

Tier I: Initial Base Monthly Compensation for the period beginning on the Effective Date of any agreement issued as a result of this RFP to the Date of Beneficial Occupancy;

Tier II: Base Monthly Compensation to the County for the period beginning from Beneficial Occupancy to termination of the agreement, plus

Proposed Percentage of Monthly Gross Receipts less any sales tax collected under \$(Insert Dollar Amount) dollars per annum, and;

Proposed Percentage of Monthly Gross Receipts less any sales tax collected over \$(insert Dollar amount) dollars per annum.

County reserves the right to reject and/or counter all proposed compensation terms submitted by Proposer.

C.07 ADDITIONAL INFORMATION

C.07.1 Propose a term (duration) of the agreement. Identify any general business terms that are proposed. Identify if Proposer has taken any exception to the terms of this Solicitation. If so, indicate what alternative is being offered and the cost implications of the exception(s).

C.07.2 Submit any other additional information which would assist County in the evaluation of your proposal.

C.08 FORMS

Provide the completed and executed Attachments included in this Request for Proposal.

- a. Proposal Signature Form (Attachment A)
- b. Public Contracting and Environmental Crimes Certification (Attachment B)
- c. Joint Venture Agreement (Section A.08), if applicable

C.09 ENVIRONMENTAL SUSTAINABILITY

All proposers are encouraged to use as many environmentally preferable "green" products, materials, supplies, etc. as possible in order to promote a safe and healthy environment. Environmentally preferable are products or services that have a reduced adverse effect on the environment.

In addition, the proposer will submit a summary of their environmental sustainability initiative along with their proposal. This information will be used as a determining factor in the award decision when all other evaluative factors, including local preference policies are otherwise equal.

END SECTION C

SECTION D

EVALUATION OF PROPOSALS

D.01 EVALUATION FACTORS

Evaluation of proposals will be conducted by an evaluation committee. The evaluation committee's goal will be to identify the proposal(s) which will overall best meet the needs of Manatee County as determined from the proposals received and subsequent investigation by the County. The committee will consider the information requested in Section C for each responsive proposal submitted to ascertain the perceived ability of the proposer(s) to perform the scope of services as stated in this Request for Proposal. Once all proposals have been reviewed pursuant to the criterion in Section C the evaluation committee will determine from the responses to this Request for Proposal and subsequent investigation as necessary, the proposer(s) most qualified to be recommended to negotiate an agreement.

Unless noted, no weight is assigned to the evaluation factors.

D.02 REVIEW OF PROPOSERS AND PROPOSALS

In-person reviews may be conducted with proposers who are deemed reasonably susceptible of being received for award for the purposes of assuring full understanding of: (a) conformance to the solicitation requirements, (b) the abilities of the proposer, and (c) the proposal submitted.

Proposers will be available for presentations to and interviews with the evaluation committee, upon reasonable notification from the Purchasing Division. The date(s) and time(s) of any such presentations/interviews will be determined solely by County and may be closed to the public by the discretion of the Purchasing Official and to the extent permitted by law.

D.03 PRELIMINARY RANKING

An evaluation committee will determine from the responses to this Request for Proposal and subsequent investigation as necessary, the proposer(s) most qualified to be selected to negotiate an agreement.

In its review, the evaluation committee may take some or all of the following actions:

- review responses pursuant to the evaluation factors stated herein;
- short list proposers;
- recommend oral interview/presentation/product demonstrations;
- recommend commencement of negotiations;
- recommend rejection of proposals received; and/or,
- receive written clarification of proposal.

The evaluation committee's overarching goal is to identify the proposal which will best meet the overall needs of Manatee County as determined from the proposals received and subsequent investigation by the County.

D.04 RECOMMENDATION FOR NEGOTIATION

The evaluation committee will make a recommendation to the County Administrator as to the proposer which Manatee County should enter into negotiations, if any. The County Administrator will act upon that recommendation and if accepted, the successful proposer will be invited to enter negotiations led by Manatee County Purchasing Division.

Manatee County will post the Intent to Negotiate, in the same manner as the original RFP document was posted (refer to Section A.03) prior to commencing negotiations with the selected proposer(s).

END SECTION D

SECTION E: **NEGOTIATION OF THE AGREEMENT**

E.01 GENERAL

- a. The proposal will serve as a basis for negotiating an agreement, but not compel adherence to its terms or conditions.
- b. Upon submission, all proposals become the property of Manatee County which has the right to use any or all ideas presented in any proposal submitted in response to this Request for Proposal whether or not the proposal is accepted.
- c. All products and papers produced in the course of this engagement become the property of Manatee County upon termination or completion of the engagement.

E.02 AGREEMENT

The selected proposer(s) will be required to negotiate an agreement in a form and with provisions acceptable to Manatee County.

Negotiated agreements may or may not include all elements of this Request for Proposal or the resulting successful proposal where alternative terms or conditions become more desirable to Manatee County, and the parties agree to such terms.

E.03 AWARD

Award of an agreement is subject to the successful negotiations and the approval of either the County Administrator or the Board of County Commissioners (as provided for in the current Manatee County Procurement Code).

The parties will negotiate the terms and conditions of the agreement, which may or may not include renewal, assignment, termination, insurance, auditing or any other relevant contractual term and the circumstances in which it may be renewed, assigned or terminated.

END SECTION E

ATTACHMENT A

PROPOSAL SIGNATURE FORM REQUEST FOR PROPOSAL #15-0248MW

The undersigned acknowledges receipt of the following addendum:

Addendum # _____ Date Received: _____ Initials: _____

Addendum # _____ Date Received: _____ Initials: _____

Addendum # _____ Date Received: _____ Initials: _____

Addendum # _____ Date Received: _____ Initials: _____

The undersigned represents that:

- (1) by signing the proposal, that he/she has the authority and approval of the legal entity purporting to submit the proposal and any additional documentation which may be required such as the Joint Venture Agreement or Joint Venture Affidavit, if applicable;
- (2) all facts and responses set forth in the proposal are true and correct;
- (3) if the proposer is selected by County to negotiate an agreement, that the proposer's negotiators will negotiate in good faith to establish an agreement to provide the services described in the Scope of Services of this Request for Proposal;
- (4) the proposer which includes all companies included in a partnership or joint venture, is not on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List.

Print or type proposer's information below:

Name of Proposer

Telephone Number

Street Address

Email Address

Web Address

Print Name & Title of Authorized Officer

Signature of Authorized Officer

Date

ATTACHMENT B

PUBLIC CONTRACTING AND ENVIRONMENTAL CRIMES CERTIFICATION

SWORN STATEMENT PURSUANT TO SECTION 2-26 ARTICLE V, MANATEE COUNTY PROCUREMENT CODE

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

This sworn statement is submitted to Manatee County by _____
[print individual's name and title]

For _____
[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:

I understand that no person or entity shall be awarded or receive a county contract for public improvements, procurement of goods or services (including professional services) or a county lease, franchise, concession or management agreement, or shall receive a grant of county monies unless such person or entity has submitted a written certification to County that it has not:

(1) been convicted of bribery or attempting to bribe a public officer or employee of Manatee County, the State of Florida, or any other public entity, including, but not limited to the Government of the United States, any state, or any local government authority in the United States, in that officer's or employee's official capacity; or

(2) been convicted of an agreement or collusion among proposers or prospective proposers in restraint of freedom of competition, by agreement to bid a fixed price, or otherwise; or

(3) been convicted of a violation of an environmental law that, in the sole opinion of the County's Purchasing Director, reflects negatively upon the ability of the person or entity to conduct business in a responsible manner; or

(4) made an admission of guilt of such conduct described in items (1), (2) or (3) above, which is a matter of record, but has not been prosecuted for such conduct, or has made an admission of guilt of such conduct, which is a matter of record, pursuant to formal prosecution. An admission of guilt shall be construed to include a plea of nolo contendere; or

(5) where an officer, official, agent or employee of a business entity has been convicted of or has admitted guilt to any of the crimes set forth above on behalf of such and entity and pursuant to the direction or authorization of an official thereof (including the person committing the offense, if he is an official of the business entity), the business shall be chargeable with the conduct herein above set forth. A business entity shall be chargeable with the conduct of an affiliated entity, whether wholly owned, partially owned, or one which has common ownership or a common Board of Directors.

For purposes of this Form, business entities are affiliated if, directly or indirectly, one business entity controls or has the power to control another business entity, or if an individual or group of individuals controls or has the power to control both entities. Indicia of control shall include, without limitation, interlocking management or ownership, identity of interests amount family members, shared organization of a business entity following the ineligibility of a business entity under this Article, or using substantially the same management, ownership or principles as the ineligible entity.

Any person or entity who claims that this Article is inapplicable to him/her/it because a conviction or judgment has been reversed by a court of competent jurisdiction, shall prove the same with

documentation satisfactory to Manatee County's Purchasing Official. Upon presentation of such satisfactory proof, the person or entity shall be allowed to contract with Manatee County.

I UNDERSTAND THAT ANY CONTRACT OR BUSINESS TRANSACTION SHALL PROVIDE FOR SUSPENSION OF PAYMENTS, OR TERMINATION, OR BOTH, IF THE PURCHASING DIVISION OR THE COUNTY ADMINISTRATOR DETERMINES THAT **SUCH PERSON OR ENTITY HAS MADE FALSE CERTIFICATION.**

[Signature]

STATE OF FLORIDA
COUNTY OF _____

Sworn to and subscribed before me this _____ day of _____, 201____ by_____.

Personally known _____ OR Produced identification _____
[Type of identification]

_____ My commission expires_____.
Notary Public Signature

[Print, type or stamp Commissioned name of Notary Public]

Signatory Requirement - In the case of a business entity other than a partnership or a corporation, this affidavit shall be executed by an authorized agent of the entity. In the case of a partnership, this affidavit shall be executed by the general partner(s). In the case of a corporation, this affidavit shall be executed by the corporate president.

Exhibit A

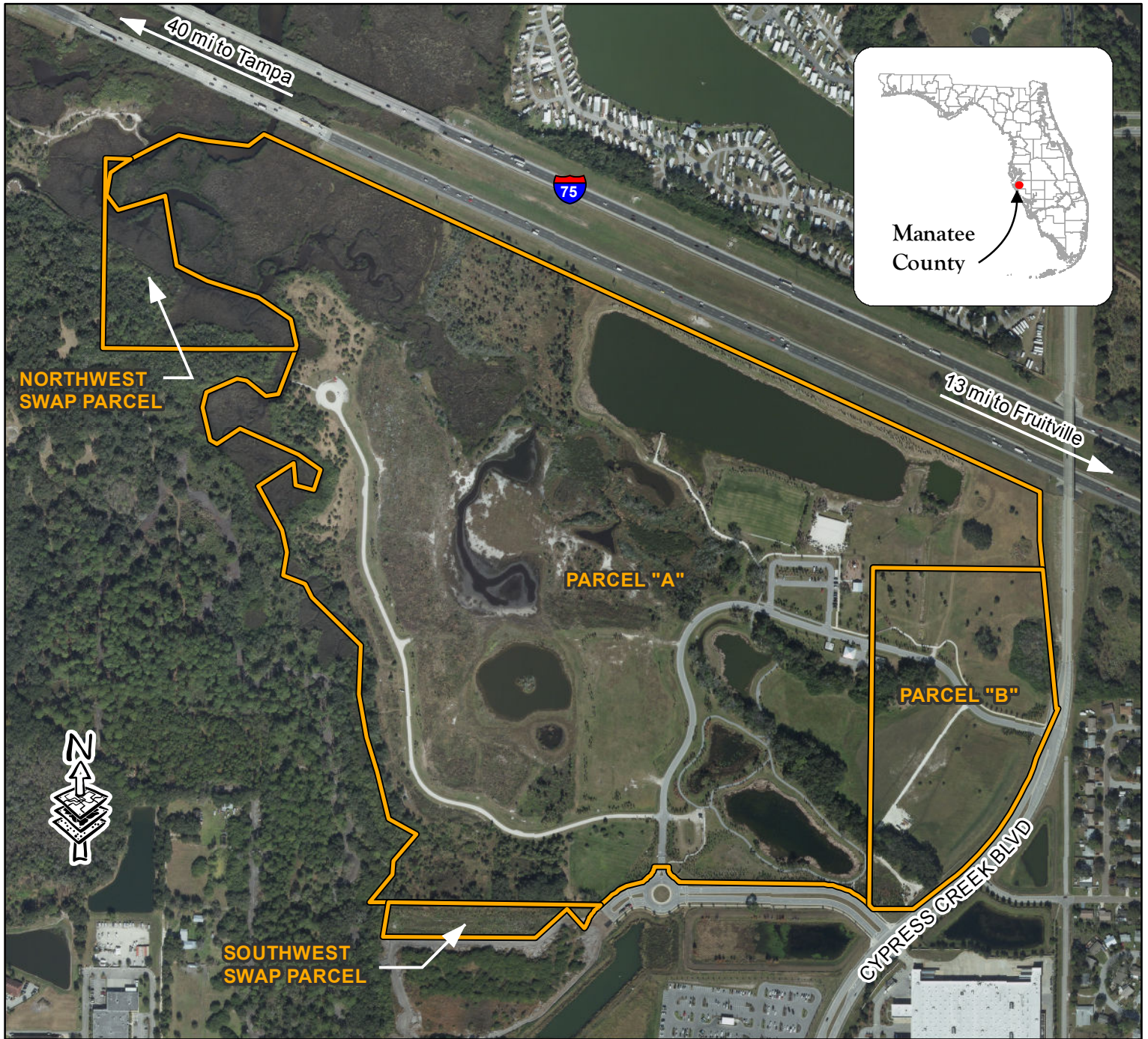
Pro Forma

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Exhibit B Site Map



NOT A SURVEY - FOR ILLUSTRATIVE AND INFORMATIONAL PURPOSES ONLY



PRELIMINARY SITE PLAN / FINAL SITE PLAN / CONSTRUCTION PLANS

FOR

BENNETT PARK PHASE 1

MANATEE COUNTY PROPERTY MANAGEMENT

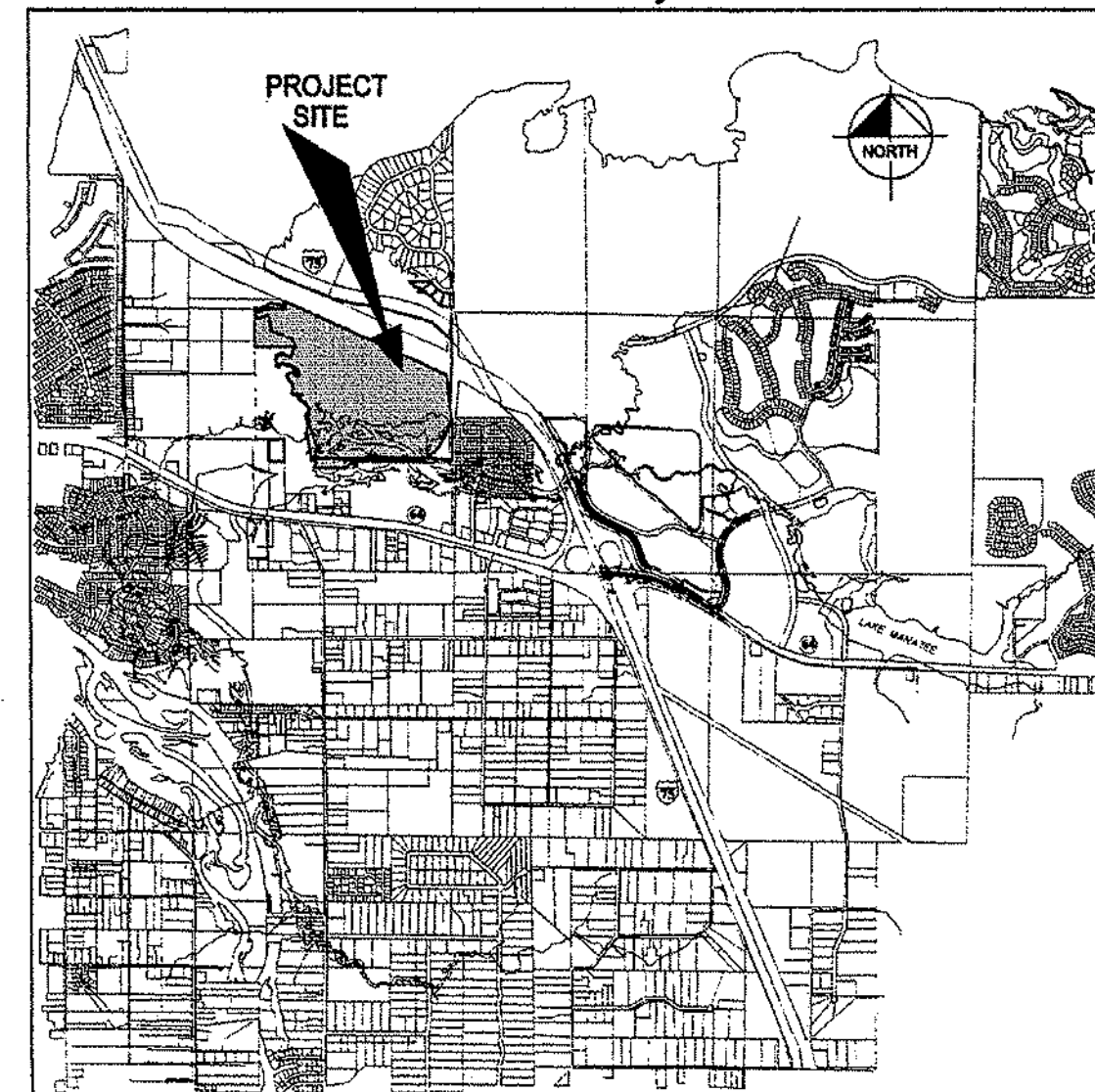
LOCATED IN SECTIONS 22 & 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST

MANATEE COUNTY, FLORIDA

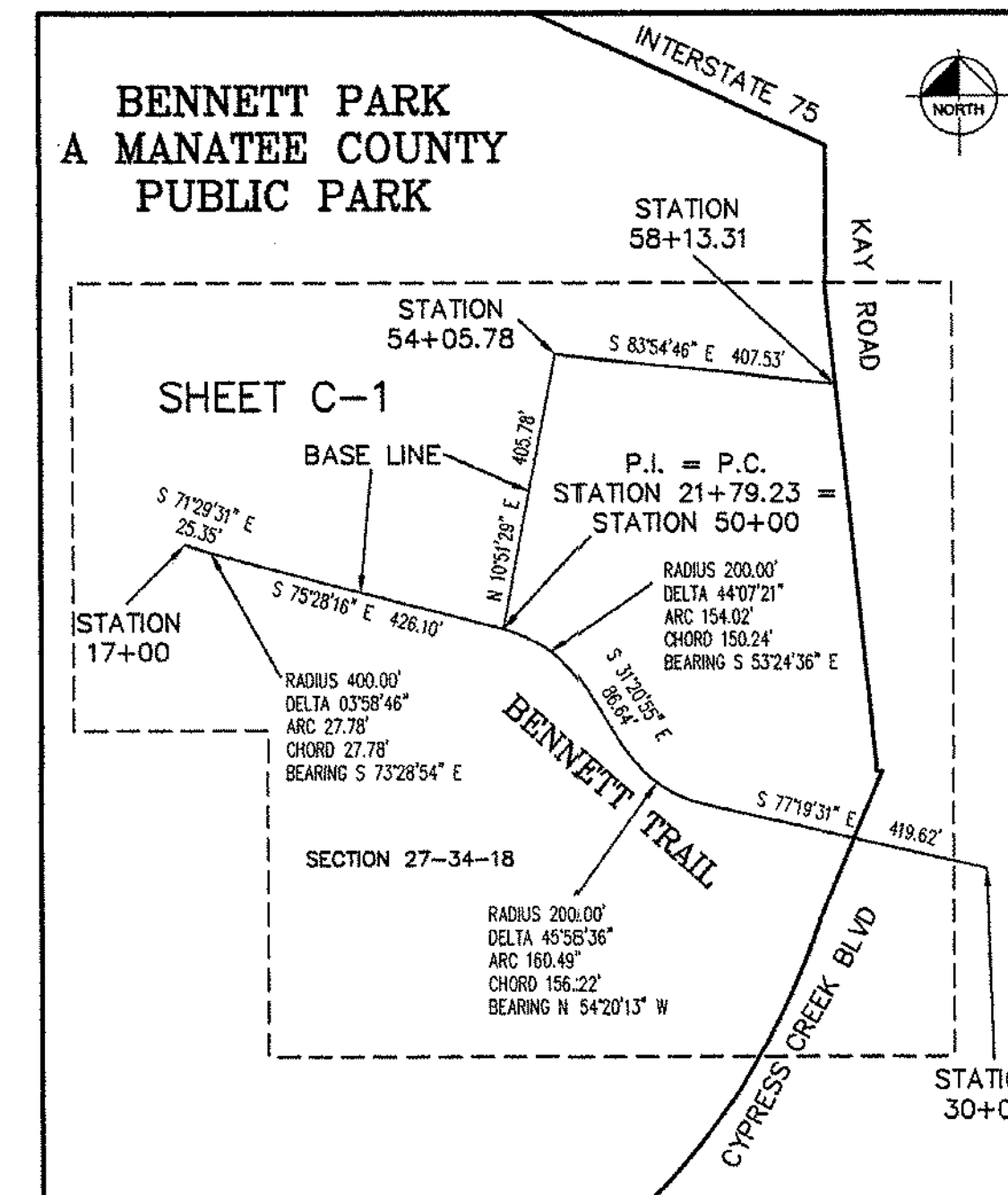
JANUARY, 2010



PROJECT LOCATION



VICINITY MAP
N.T.S.



BASELINE DETAIL
N.T.S.

GENERAL CONSTRUCTION NOTES:

1. THERE SHALL BE NO CHANGE OR DEVIATION FROM THESE PLANS UNLESS PRIOR APPROVAL BY THE ENGINEER.
2. ALL CLEARING AND GRUBBING DEBRIS TO BE REMOVED FROM SITE AND IS PART OF CLEARING AND GRUBBING ITEM.
3. IT IS THE INTENT OF THE OWNER THAT CERTAIN TREES BE DESIGNATED TO BE SAVED AND PROTECTED BY THE CONTRACTOR. IT IS ASSUMED THESE TREES ARE HEALTHY AND ARE EXPECTED TO BE PART OF THE LANDSCAPE DEVELOPMENT. THEREFORE, IF ANY TREE(S) DAMAGED BY CONSTRUCTION OPERATION OR BY OTHER MEANS (EXCLUDING LIGHTNING, WINDSTORM AND OTHER ACTS OF GOD) PERISH WITHIN THE CONSTRUCTION PERIOD, IT WILL BE THE RESPONSIBILITY OF THE CONTRACTOR TO REMOVE AND DISPOSE OF THEM AS PART HIS CONTRACT. NO ADDITIONAL COMPENSATION WILL BE MADE BY THE OWNER FOR THE LABOR, MATERIAL OR MACHINERY REQUIRED TO REMOVE SAID TREE(S).
4. WHERE EXCAVATIONS ARE IN CLOSE PROXIMITY OF TREES, THE CONTRACTOR SHALL USE EXTREME CARE TO NOT DAMAGE THE ROOT SYSTEMS. NO EQUIPMENT, SUPPLIES OR VEHICLES SHALL BE STORED OR PARKED WITHIN THE DRIP LINE OF THE TREES TO REMAIN AND PRESERVED. IT WILL BE THE RESPONSIBILITY OF THE CONTRACTOR TO INFORM ALL OF HIS EMPLOYEES AND SUBCONTRACTORS OF THIS REQUIREMENT AND TO ENFORCE SAME.
5. LAY SOD AROUND ALL INLETS, MITERED ENDWALLS, HEADWALLS, SWALES, LAKE & SWALE SIDE SLOPES, AND 2' WIDE STRIP ADJACENT TO ALL CURBING, AND AS DIRECTED BY THE ENGINEER. ALL PROPOSED GROUND ELEVATIONS ARE FINISHED SOD ELEVATIONS. FINISHED EARTHWORK GRADING WILL BE 0.2 FEET BELOW ELEVATIONS SHOWN TO ALLOW FOR SOD THICKNESS. SODDING INCLUDES MAINTAINING SLOPES AND SOD UNTIL COMPLETION AND ACCEPTANCE OF TOTAL PROJECT OR GROWTH IS ESTABLISHED WHICHEVER COMES LAST. ALL EROSION SILTATION AND MAINTAINING GRADES IS THE RESPONSIBILITY OF THE CONTRACTOR UNTIL PROJECT IS COMPLETE AND EXCEPTED BY OWNER.
6. "CALL SUNSHINE STATE ONE CALL OF FLORIDA INC." 811, BRIGHT HOUSE CABLE, TECO GAS, VERIZON PHONE COMPANY, MANATEE COUNTY UTILITIES, MANATEE COUNTY PUBLIC WORKS PRIOR TO CONSTRUCTION AND CONNECTION TO EXISTING UTILITIES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROTECT EXISTING UTILITIES FROM DAMAGE.
7. ALL UTILITY LINES, STORM DRAIN LINES AND ACCESSORIES SUCH AS, BUT NOT LIMITED TO: MANHOLES, CLEANOUTS, SEWER AND WATER SERVICES, VALVES, FIRE HYDRANTS AND INLETS WILL BE CONSTRUCTED TO ALIGNMENT AND LOCATIONS SHOWN ON PLANS UNLESS OTHERWISE DIRECTED BY THE ENGINEER.
8. CLEARING, GRUBBING, STRIPPING, AND COMPACTING WILL BE INSPECTED BY THE ENGINEER PRIOR TO FILLING.
9. PRIOR TO THE START OF CONSTRUCTION ACTIVITIES, PRESERVE AREAS WITHIN AND ADJOINING THE AREA OF CONSTRUCTION ACTIVITY SHALL BE PROTECTED BY ERECTION OF TREE PROTECTION BARRICADES AND/OR SILT BARRIERS. TREE PROTECTION SHALL MEET THE STANDARDS OF MANATEE COUNTY. SILT BARRIERS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BEST MANAGEMENT PRACTICE GUIDELINES AND THE BMP DETAILS SHOWN ON SHEETS B-1 AND B-2 OF THESE PLANS. THE ENGINEER WILL DETERMINE THE EXTENT AND TYPE OF PROTECTIVE MEASURES TO BE CONSTRUCTED FOR PROTECTION OF PRESERVE AREAS SUBJECT TO THE ADDITIONAL BMP MEASURES MAY BE NECESSARY TO ENSURE THAT TURBID WATER IS NOT DISCHARGED FROM THE CONSTRUCTION SITE. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING COMPLIANCE WITH THE STORMWATER POLLUTION PLAN, THE M.P.D.E.S. PERMIT AND THE ENVIRONMENTAL RESOURCE PERMIT. APPROVAL OF THE APPROPRIATE WATER MANAGEMENT DISTRICT AND MANATEE COUNTY. THE ENGINEER SHALL BE NOTIFIED WHEN PRESERVE AREA BARRICADES AND BARRIERS ARE IN PLACE.
10. TOPOGRAPHIC AND BOUNDARY INFORMATION PROVIDED BY ZNS ENGINEERING, L.C. AND WILSON MILLER.
11. THE BEST MANAGEMENT PRACTICES (BMPs) MANUAL SHALL GOVERN THE ASPECTS OF DEVELOPMENT ACTIVITY THROUGHOUT ALL THE PHASES OF THIS PROJECT.
12. ALL DETAILS AND SPECIFICATIONS SHALL ADHERE TO MANATEE COUNTY STANDARDS, LATEST REVISION.
13. REMOVAL OF ALL EXOTIC NUISANCE PLANT SPECIES FROM UPLAND PORTIONS OF THE SITE SHALL BE COMPLETED PRIOR TO THE FIRST CERTIFICATE OF OCCUPANCY ISSUANCE OR FINAL PLAT APPROVAL, IN ACCORDANCE WITH LDC 715.4.
14. ALL DISTURBED AREAS SHALL BE HYDROSEED UNLESS NOTED OTHERWISE.
15. CONTRACTOR TO PROVIDE A DE-WATERING PLAN TO THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFMD) AND OBTAIN AUTHORIZATION FROM THE SWFMD PRIOR TO COMMENCING DE-WATERING ACTIVITIES WITHIN THE EXISTING PONDS.

NOTE: THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

CERTIFICATE OF SURVEYOR

I, THE UNDERSIGNED PROFESSIONAL SURVEYOR AND MAPPER, HEREBY CERTIFY THAT THIS RECORD OF SURVEY WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF IS A TRUE AND CORRECT REPRESENTATION OF THE LAND AS SHOWN AND DESCRIBED, AND THAT IT MEETS THE "MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA", CHAPTER 53-17, FLORIDA ADMINISTRATIVE CODE.

William R. Knight, Jr. 2/9/11
WILLIAM R. KNIGHT, JR., P.S.M.
FLORIDA CERTIFICATE NO. LS 4554
SAMPEY, BURCHETT & KNIGHT, INC. - LB 7009

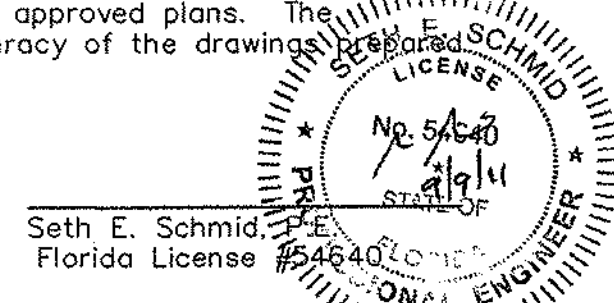
Engineer's Certificate

I, the undersigned Professional Engineer, hereby certify that to the best of my knowledge and belief, and based on the certification provided by the Surveyor of Record, the improvements depicted hereon have been constructed in substantial compliance with the approved plans. The undersigned Engineer is not certifying the accuracy of the drawings.

Kimley-Horn and Associates, Inc.
2601 Cattleman Road, Suite 200
Sarasota, FL 34232
CA 00000696

Date of Certification:

Sheet List Table			
Sheet Number	Sheet Title	Sheet Number	Sheet Title
A-1	TITLE SHEET	C-1	MASTER UTILITY PLAN
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A-2	GENERAL NOTES	C-4	WATER DETAILS
A-3	AERIAL SITE PLAN	C-5	SANITARY SEWER DETAILS
A-4	EXISTING CONDITIONS PLAN	C-6	SANITARY SEWER DETAILS
A-5	HORIZONTAL CONTROL PLAN	C-7	GRINDER PUMP STATION DETAILS
A-6	PHASE 1 SITE PLAN	L-1	OVERALL LANDSCAPE PLAN
A-6A	MASTER SITE PLAN	L-2	BASIC LANDSCAPE PLAN - OVERALL
A-7	HABITAT IMPACT AND COMPENSATION PLAN	L-3	BASIC LANDSCAPE PLAN - ACTIVE AREA ENLARGEMENTS
A-8	PARKING PLAN	L-4	BASIC LANDSCAPE PLAN - BIOSWALE ENLARGEMENTS
B-1	BEST MANAGEMENT PRACTICES PLAN	L-5	BASIC LANDSCAPE PLAN - ENTRY ENLARGEMENTS
B-2	BEST MANAGEMENT PRACTICES DETAILS	L-6	TREE TRUST FUND PLAN
B-3	MASTER DRAINAGE PLAN	L-7	LANDSCAPE NOTES
B-4A	PAVING GRADING AND DRAINAGE PLAN	L-8	LANDSCAPE DETAILS
B-4B	PAVING GRADING AND DRAINAGE PLAN	L-9	LIGHTING PLAN
B-4C	PAVING GRADING AND DRAINAGE PLAN	L-10	ATHLETIC FACILITY DETAILS
B-4D	PAVING GRADING AND DRAINAGE PLAN	L-11	PARK ENTRY MONUMENT DETAILS
B-4E	PAVING GRADING AND DRAINAGE PLAN		
B-4F	PAVING GRADING AND DRAINAGE PLAN		
B-4G	PAVING GRADING AND DRAINAGE PLAN		
B-4H	PAVING GRADING AND DRAINAGE PLAN		
B-4I	PAVING GRADING AND DRAINAGE PLAN		
B-5	SIDEWALK SIGNAGE AND STRIPING PLAN		
B-6	DRAINAGE DETAILS		
B-7	DRAINAGE DETAILS		
B-8	SIDEWALK AND ROAD DETAILS		
B-9	PARKING AND TREE PROTECTION DETAILS		
B-10	TYPICAL SECTIONS AND FISHING PIER DETAIL		
B-11	SMALL CONTROL STRUCTURE DETAIL		
B-12	GROSS SECTIONS		
B-13	MISCELLANEOUS POND SECTIONS		
B-14	MISCELLANEOUS SCRAPEDOWN SECTIONS		



Kimley-Horn and Associates, Inc.
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2601 CATTLEMAN ROAD, SUITE 200, SARASOTA, FL 34232
PHONE: 941-379-7600 FAX: 941-379-4352
WWW.KIMLEY-HORN.COM CA 00000696

COUNTY MAINTAINED WATER AND SEWER RECORD DRAWING

1	REVISIONS	DATE	BY
1	REVISED PER MANATEE COUNTY COMMENTS FROM 8/9/11	8/24/11	DU

APPLICANT:
CHARLIE BISHOP
MANATEE COUNTY PROPERTY MANAGEMENT
1112 MANATEE AVENUE WEST, 8th FLOOR
BRADENTON, FL. 34208
PHONE: 941-748-4501

ENGINEER:
KIMLEY-HORN AND ASSOCIATES INC.
2601 CATTLEMEN ROAD, SUITE 200
SARASOTA, FLORIDA, 34232
PH: 941-379-7600

ENVIRONMENTAL:
ECO CONSULTANTS, INC.
1523 8TH AVENUE W., SUITE B
PALMETTO, FL. 34221
PHONE: 941-722-0901

SURVEYOR:
ZNS ENGINEERING, L.C.
201 5th AVENUE DRIVE EAST
BRADENTON, FLORIDA 941-748-8080
PHONE: 941-748-8080
FAX: 941-748-3747

WILSON MILLER
6900 PROFESSIONAL PARKWAY EAST, SUITE 100
SARASOTA, FLORIDA 64240-8414
PHONE: 941-907-6900
FAX: 941-907-6910

UTILITY SERVICE PROVIDERS

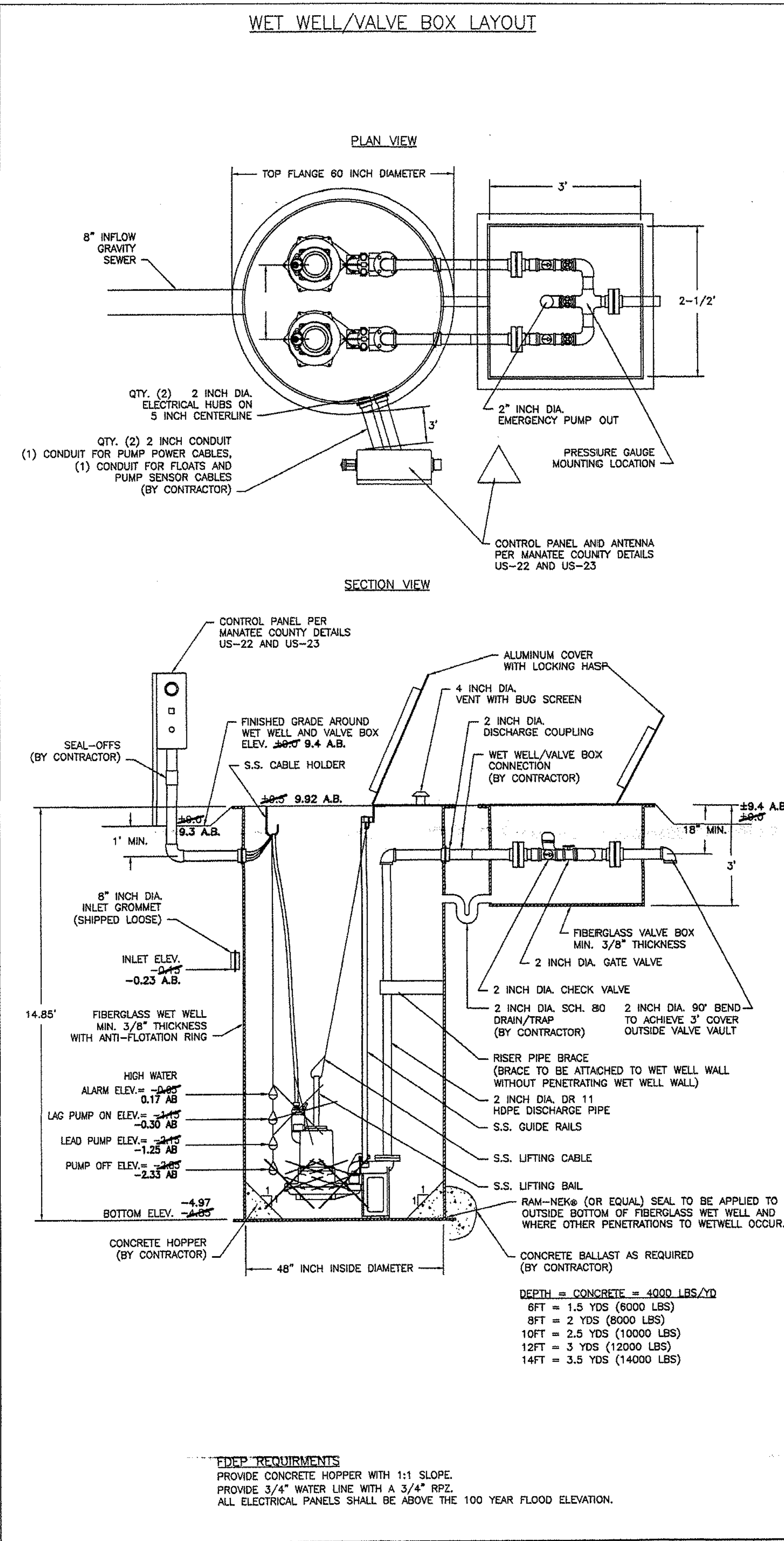
WATER: MANATEE COUNTY
SEWER: MANATEE COUNTY
ELECTRIC: FLORIDA POWER AND LIGHT
PHONE: VERIZON
WASTE: MANATEE COUNTY
CABLE: STRATEGIC TECHNOLOGIES
GAS: TECO

THE SITE CONSTRUCTION STAKEOUT SHALL BE PERFORMED UNDER THE DIRECTION OF A FLORIDA REGISTERED SURVEYOR. AUTOCAD FILES WILL BE FURNISHED TO AID IN THE SITE CONSTRUCTION STAKEOUT. ANY DISCREPANCIES FOUND BETWEEN AUTOCAD FILES AND SITE CONSTRUCTION PLANS SHALL BE BROUGHT TO THE ENGINEER'S ATTENTION FOR CLARIFICATION PRIOR TO THAT STAKEOUT.

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE DESIGN OF THIS PROJECT, AS PREPARED UNDER MY PERSONAL DIRECTION AND CONTROL, COMPLIES WITH ALL APPLICABLE STANDARDS, INCLUDING THE "MANUAL OF UNIFORM MINIMUM STANDARDS FOR DESIGN, CONSTRUCTION AND MAINTENANCE FOR STREETS AND HIGHWAYS" AS ADOPTED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION PURSUANT TO SUBSECTIONS 335.075(1) AND (4), FLORIDA STATUTES AND MANATEE COUNTY LAND DEVELOPMENT REGULATIONS.

THIS DOCUMENT IS PROTECTED BY SECTION 106 OF THE "UNITED STATES COPYRIGHT ACT". REPRODUCTION OR ALTERATION OF THIS DOCUMENT OR THE INFORMATION CONTAINED HEREON BY ANY MEANS WHATSOEVER IS STRICTLY PROHIBITED WITHOUT THE PRIOR WRITTEN CONSENT OF KIMLEY-HORN AND ASSOCIATES, INC. CONSENT IS HEREBY GRANTED SPECIFICALLY TO GOVERNMENTAL AGENCIES TO REPRODUCE THIS DOCUMENT IN COMPLIANCE WITH F.S. CHAPTER 119.	SETH E. SCHMID, P.E. FLORIDA LICENSE NUMBER: 54640 DATE:	DATE JANUARY, 2010
		PROJECT NO. 048441010
		SHEET NUMBER A-1

Approval Type:	PRELIMINARY SITE PLAN / FINAL SITE PLAN / CONSTRUCTION PLANS	Project Name:	BENNETT PARK PHASE 1
APPROVED:	Date	File Number	
PROJECT PLANNER (PD)			
PROJECT ENGINEER (PW)			
CONCURRENCY (PD)			
NATURAL RESOURCES DEPT.			
ENVIRONMENTAL HEALTH			
FIRE DISTRICT			
OWNER/AGENT			
ATTENTION:	THE COMBINATION OF THIS SIGNED PLAN AND ACCOMPANYING APPROVAL LETTER CONSTITUTES THE COMPLETE APPROVAL DOCUMENT. BOTH DOCUMENTS SHOULD BE PROVIDED TO INTERESTED PARTIES AND SUBMITTED WITH ANY BUILDING PERMIT APPLICATION		



GENERAL NOTES

AS-BUILT

DESIGN CONDITIONS

MAKE/YEAR HYDROMATIC / 2010

SERIAL #'S G00106392 & G00106396

MODEL HPG2000 HPG2000M3.2

GPM 21.6

VOLTAGE 230 V

DISCHARGE 1.25"

2 HP

52.7 FT/TDH

THREE PHASE

4.50" IMPELLER

3450 RPM

PUMPS SHALL BE OF THE SUBMERSIBLE TYPE. EACH PUMP SHALL BE MOUNTED ON A 82" RAIL SYSTEM. THE RAIL SYSTEM SHALL BE SELF ENGAGING RESULTING IN A LEAKPROOF COUPLING. THE RAIL SYSTEM SHALL INCLUDE THE BASE ELBOW, DISCHARGE FLANGE ASSEMBLY, 81" 304SS GUIDE RAILS, 316SS UPPER GUIDE BRACKET, 316SS LIFTING BAIL AND CABLE, AND A SIX-HOOK 316SS CABLE HOLDER. THE RAIL SYSTEM SHALL BE MOUNTED AND PRE-PIPED BY THE PUMP SUPPLIER.

PUMP CONSTRUCTION

THE PUMP VOLUTE, MOTOR AND SEAL HOUSING SHALL BE CONSTRUCTED OF CAST IRON, ASTM A-48. ALL EXTERNAL FASTENERS SHALL BE SERIES 300 STAINLESS STEEL. THE PUMP SHAFT SHALL BE CONSTRUCTED OF SERIES 416 STAINLESS STEEL.

IMPELLER

THE IMPELLER SHALL BE OF MULTI-VANE, SEMI-OPEN BRONZE CONSTRUCTION. THE IMPELLER SHALL INCLUDE PUMP-OUT VANES ON THE BACK OF THE IMPELLER AND SHALL BE STATICALLY AND HYDRAULICALLY BALANCED.

CUTTERS

A TWO-STAGE CUTTER ASSEMBLY SHALL BE MOUNTED ON THE SUCTION SIDE OF THE PUMP WITH DIRECT DISCHARGE INTO THE PUMP IMPELLER. THE GRINDER SHALL BE CAPABLE OF GRINDING ALL MATERIALS FOUND IN NORMAL DOMESTIC SEWAGE, INCLUDING PLASTICS, RUBBER, SANITARY WIPERS, DISPOSABLE DIAPERS AND WOOD PARTICLES, INTO A FINE SLURRY. BOTH THE STATIONARY AND ROTATING CUTTERS SHALL BE CONSTRUCTED OF HARDENED 440C STAINLESS STEEL.

MOTOR

THE MOTOR SHALL BE MOUNTED IN A SEALED, SUBMERSIBLE TYPE HOUSING. THE STATOR SHALL BE SECURELY HELD IN PLACE WITH A REMOVABLE END RING AND THREADED FASTENERS FOR EASE OF REMOVAL WITHOUT THE USE OF HEAT OR A PRESS. THE MOTOR WILL HAVE TWO HEAVY-DUTY BALL BEARINGS; ONE UPPER (RADIAL) AND ONE LOWER (THRUST), TO SUPPORT THE SHAFT. THE MOTOR SHALL BE EQUIPPED WITH A WINDING THERMOSTAT THAT AUTOMATICALLY SHUTS THE MOTOR OFF IN CASE OF MOTOR OVERHEATING.

SEAL CHAMBER

THE PUMP SHALL HAVE TWO MECHANICAL SEALS, MOUNTED IN TANDEM WITH AN OIL CHAMBER BETWEEN THE SEALS. THE PUMP SHALL BE EQUIPPED WITH A SEAL LEAK DETECTION PROBE AND WARNING SYSTEM BY USING A SEAL FAILURE SENSOR INSTALLED IN THE SEAL CHAMBER.

WET WELL

THE PUMP SUPPLIER SHALL PROVIDE THE FIBERGLASS WET WELL. THIS GLASS FIBER-REINFORCED POLYESTER BASIN SHALL BE CONSTRUCTED OF A COMMERCIAL GRADE OF GLASS FIBER AND SHALL BE PROVIDED WITH AN ANTI-FLOTATION RING WITH A MINIMUM DIAMETER OF THREE INCHES LARGER THAN THE BASIN DIAMETER. THE RAIL SYSTEM, INTERNAL PIPING AND DISCHARGE CONNECTIONS SHALL BE PRE-INSTALLED BY THE PUMP SUPPLIER.

HATCH COVER

THE HATCH COVER SHALL BE 2/3 HINGED TO ALLOW FOR MAXIMUM ACCESS TO THE WET WELL. THE HATCH COVER SHALL BE ALUMINUM WITH STAINLESS STEEL FASTENERS, RATED FOR 150 PSF OR GREATER. THE HATCH COVER SHALL INCLUDE A SINGLE OR DUAL DOOR OF DIMENSIONS SPECIFIED BY THE PUMP MANUFACTURER FOR PROPER PUMP CLEARANCE. THE COVER SHALL BE MANUFACTURED BY US FABRICATION, OR EQUAL.

VALVE BOX

THE VALVE BOX IS FIBERGLASS WITH ALUMINUM LOCKABLE COVER. STANDARD SIZE VALVE BOX IS 3' X 2 1/2' X 3'.

VALVES

VALVES SHALL BE SEWAGE SWING CHECK WITH CLEAN-OUT PORTS AND BRASS GATE VALVES.

FLOATS

FLOATS SHALL BE ANCHOR SCIENTIFIC ROTO-FLOATS OR EQUAL.

SUPPLIER

PUMP SUPPLIER SHALL PROVIDE SUBMERSIBLE PUMPS, SLIDE RAIL ASSEMBLIES, CONTROL PANEL, FLOAT SWITCHES, ALUMINUM HATCHES AND ACCESSORIES TO INSURE PROPER OPERATIONS AND WARRANTY. THE COMPLETE PACKAGE PUMPING STATION SHALL HAVE PUMP BASES, RAIL ASSEMBLIES, AND DISCHARGE PIPING ASSEMBLED BY BARNEY'S PUMPS INC. READY FOR FIELD INSTALLATION.

PUMP PACKAGE SHALL BE SUPPLIED BY BARNEY'S PUMPS INC. IN LAKELAND (863-665-8500), CORAL SPRINGS (954-346-0669), OR JACKSONVILLE (904-260-0669), FL.

CYPRESS CREEK BOULEVARD BORE LOG

AS PROVIDED BY

BANYAN BAY UTILITIES, INC.

NOTE: NOT FIELD VERIFIED BY SURVEYOR OR ENGINEER

DATE: 12-1-10

DESCRIPTION: DRILLING UNDER CYPRESS

JOB NAME: BENNETT PARK

PIPE SIZE: 6" WATER

CUSTOMER: BBC

10-3'2"

20-5'9"

30-6'11" EOP

40-7'2"

50-7'9"

60-7'3"

70-7'5"

80-7'0"

90-6'10" EOP

100-5'10"

110-4'8"

COUNTY MAINTAINED
WATER AND SEWER
RECORD DRAWING

Kimley-Horn and Associates, Inc.

2009 KIMLEY-HORN AND ASSOCIATES, INC.
2601 CATTLEMEN ROAD, SUITE 200, SARASOTA, FL 34232
PHONE: 941-379-7600 FAX: 941-379-4352
WWW.KIMLEY-HORN.COM CA 0000696

ASHLEY M. MIELE, P.E.
FLORIDA LICENSE NUMBER 88476

KHA PROJECT 048441010

DATE JANUARY 2010

SCALE AS SHOWN

DESIGNED BY KHA

DRAWN BY KHA

CHECKED BY AMM

GRINDER PUMP STATION DETAILS

BENNETT PARK PHASE 1

PREPARED FOR MANATEE COUNTY PROPERTY MANAGEMENT FLORIDA

SHEET NUMBER C-7

REV	DATE	BY	REVISIONS
1	4/19/2010	TEG	REVISED PER COUNTY UTILITY COMMENTS
2	2/10/2010	L/RK	REVISED PER COMMENTS



Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899

(352) 796-7211 or 1-800-423-1476 (FL only)

SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)

On the Internet at: WaterMatters.org

An Equal
Opportunity
Employer

Bartow Service Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Service Office
6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Service Office
7601 Highway 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

June 15, 2011

Manatee County Property Management, Attn: Charlie Bishop
1112 Manatee Avenue West
Bradenton, FL 34205

Subject: **Notice of Final Agency Action for Approval**
ERP Short Form
Project Name: Bennett Park - Phase 1
App ID/Permit No: 649880 / 44026355.009
County: MANATEE
Letter Received: May 19, 2011
Expiration Date: April 15, 2015
Sec/Twp/Rge: S27/T34S/R18E, S22/T34S/R18E

Reference: Chapters 40D-4 and 40, Florida Administrative Code (F.A.C.)
Sections 373.4141 and 120.60, Florida Status (F.S)

Dear Permittee(s):

Your request to modify Environmental Resource Permit (ERP) No. 43026355.006 by Short Form has been approved. This modification authorizes:

1. Construction of an additional 0.66 acres of impervious area including 0.25 acre of road widening, 0.02 acre of additional stabilized base at the southern parking lot, 0.28 acre of additional sidewalk/path, and 0.11 acre for a maintenance storage area. The additional impervious area is less than that which was approved for Phase 1 under ERP 43026355.006. Water quality treatment and attenuation are addressed in the existing ERP No. 43026355.006.

2. As-built documentation for works approved in this Short Form Modification shall be reflected on the record drawings for ERP No. 43026355.006.

3. All other terms and conditions of Permit No. 43026355.006, dated April 15, 2010, and entitled Bennett Park - Phase 1, apply.

Plans and information you submitted to support your request to modify this permit will be kept on file.

Final approval is contingent upon no objection to the District's action being received by the District within the time frames described below.

You or any person whose substantial interests are affected by the District's action regarding a permit may request an administrative hearing in accordance with Sections 120.569 and 120.57, F.S., and Chapter 28-106, F.A.C., of the Uniform Rules of Procedure. A request for hearing must: (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's action, or proposed action, (2) state all material facts disputed by the person requesting the hearing or state that there are no disputed facts, and (3) otherwise comply with Chapter 28-106, F.A.C. Copies of Sections 28-106.201 and 28-106.301, F.A.C. are enclosed for reference. A request for hearing must be filed with (received by) the Agency Clerk of the District at the District's Brooksville address within 21 days of receipt of this notice.

Receipt is deemed to be the fifth day after the date on which this notice is deposited in the United States mail. Failure to file a request for hearing within this time period shall constitute a waiver of any right you or such person may have to request a hearing under Sections 120.569 and 120.57, F.S. Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding the District's action in this matter is not available prior to the filing of a request for hearing.

Enclosed is a "Noticing Packet" that provides information regarding District Rule, 40D-1.1010, F.A.C., which addresses the notification of persons whose substantial interests may be affected by the District's action in this matter. The packet contains guidelines on how to provide notice of the District's action, and a notice that you may use.

Approved construction plans are part of the permit, and construction must be in accordance with these plans. *These drawings are available for viewing or downloading at www.watermatters.org.*

If you have questions regarding this letter modification, please contact Ken Kohn, at the Sarasota Service Office, extension 6540. For assistance with environmental concerns, please contact Tasha Bowers, extension 6538.

Sincerely,

Ross T. Morton, P.W.S., Director

Sarasota Regulation Department

Enclosures: Section 28-106.201 and 28-106.301, F.A.C.
Notice of Packet (42.00-039)

cc: Terri L Behling
Seth Schmid P.E., Kimley-Horn & Assoc Inc

**PART II HEARINGS INVOLVING
DISPUTED ISSUES OF MATERIAL FACT**

28-106.201 Initiation of Proceedings.

(1) Unless otherwise provided by statute, and except for agency enforcement and disciplinary actions that shall be initiated under Rule 28-106.2015, F.A.C., initiation of proceedings shall be made by written petition to the agency responsible for rendering final agency action. The term "petition" includes any document that requests an evidentiary proceeding and asserts the existence of a disputed issue of material fact. Each petition shall be legible and on 8 1/2 by 11 inch white paper. Unless printed, the impression shall be on one side of the paper only and lines shall be doublespaced.

(2) All petitions filed under these rules shall contain:

(a) The name and address of each agency affected and each agency's file or identification number, if known;

(b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;

(c) A statement of when and how the petitioner received notice of the agency decision;

(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

(e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;

(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and

(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

(3) Upon receipt of a petition involving disputed issues of material fact, the agency shall grant or deny the petition, and if granted shall, unless otherwise provided by law, refer the matter to the Division of Administrative Hearings with a request that an administrative law judge be assigned to conduct the hearing. The request shall be accompanied by a copy of the petition and a copy of the notice of agency action.

Specific Authority 120.54(3), (5) FS. Law Implemented 120.54(5), 120.569, 120.57 FS. History-New 4-1-97, Amended 9-17-98, 1-15-07.

**PART III PROCEEDINGS AND HEARINGS
NOT INVOLVING DISPUTED ISSUES OF
MATERIAL FACT**

28-106.301 Initiation of Proceedings

(1) Unless otherwise provided by statute and except for agency enforcement and disciplinary actions initiated under subsection 28-106.2015(1), F.A.C., initiation of a proceeding shall be made by written petition to the agency responsible for rendering final agency action. The term "petition" includes any document which requests a proceeding. Each petition shall be legible and on 8 1/2 by 11 inch white paper or on a form provided by the agency. Unless printed, the impression shall be on one side of the paper only and lines shall be doubled-spaced.

(2) All petitions filed under these rules shall contain:

(a) The name and address of each agency affected and each agency's file or identification number, if known;

(b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;

(c) An explanation of how the petitioner's substantial interests will be affected by the agency determination;

(d) A statement of when and how the petitioner received notice of the agency decision;

(e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;

(f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action;

(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action; and

(h) A statement that no material facts are in dispute.

Specific Authority 120.54(5) FS. Law Implemented 120.54(5), 120.569, 120.57 FS. History-New 4-1-97, Amended 9-17-98, 1-15-07, 12-24-07.



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Opportunity
Employer

Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)
On the Internet at: WaterMatters.org

Bartow Service Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Service Office
6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Service Office
7601 Highway 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

NOTICING PACKET PUBLICATION INFORMATION

PLEASE SEE THE NEXT PAGE OF THIS NOTICE FOR A LIST OF FREQUENTLY ASKED QUESTIONS (FAQ)

The District's action regarding the issuance or denial of a permit, a petition or qualification for an exemption only becomes closed to future legal challenges from members of the public ("third parties"), if 1.) "third parties" have been properly notified of the District's action regarding the permit or exemption, and 2.) no "third party" objects to the District's action within a specific period of time following the notification.

Notification of "third parties" is provided through publication of certain information in a newspaper of general circulation in the county or counties where the proposed activities are to occur. Publication of notice informs "third parties" of their right to challenge the District's action. If proper notice is provided by publication, "third parties" have a 21-day time limit in which to file a petition opposing the District's action. A shorter 14-day time limit applies to District action regarding Environmental Resource Permits linked with an authorization to use Sovereign Submerged Lands. However, if no notice to "third parties" is published, there is no time limit to a party's right to challenge the District's action. The District has not published a notice to "third parties" that it has taken or intends to take final action on your application. If you want to ensure that the period of time in which a petition opposing the District's action regarding your application is limited to the time frames stated above, you must publish, at your own expense, a notice in a newspaper of general circulation. A copy of the Notice of Agency Action the District uses for publication and guidelines for publishing are included in this packet.

Guidelines for Publishing a Notice of Agency Action

1. Prepare a notice for publication in the newspaper. The District's Notice of Agency Action, included with this packet, contains all of the information that is required for proper noticing. However, you are responsible for ensuring that the form and the content of your notice comply with the applicable statutory provisions.
2. Your notice must be published in accordance with Chapter 50, Florida Statutes. A copy of the statute is enclosed.
3. Select a newspaper that is appropriate considering the location of the activities proposed in your application, and contact the newspaper for further information regarding their procedures for publishing.
4. You only need to publish the notice for one day.
5. Obtain an "affidavit of publication" from the newspaper after your notice is published.
6. Immediately upon receipt send the **ORIGINAL** affidavit to the District at the address below, for the file of record. **Retain a copy of the affidavit for your records.**

Southwest Florida Water Management District
Records and Data Supervisor
2379 Broad Street
Brooksville, Florida 34604-6899

Note: If you are advertising a notice of the District's proposed action, and the District's final action is different, publication of an additional notice may be necessary to prevent future legal challenges. If you need additional assistance, please contact us at ext. 4360, at the Brooksville number listed above. **(Your question may be on the FAQ list).**

FAQ ABOUT NOTICING

1. **Q.** Do I have to do this noticing, and what is this notice for?
A. You do not have to do this noticing, unless you are issued a permit classified as an "Individual". You need to publish a notice if you want to ensure that a "third party" cannot challenge the District's action on your permit, exemption, or petition at some future date. If you choose not to publish, there is no time limit to a third party's right to challenge the District's action.
2. **Q.** What do I need to send to the newspaper?
A. The enclosed one page notice form entitled "Notice of Final Agency Action (or Proposed Agency Action) By The Southwest Florida Water Management District." You must fill in the blanks before sending it.
3. **Q.** Do I have to use the notice form, or can I make up my own form?
A. You do not have to use our form. However, your notice must contain all information that is in the form.
4. **Q.** Do I send the newspaper the whole form (one page) or just the top portion that has blanks?
A. Send the full page form which includes the NOTICE OF RIGHTS section on the bottom half.
5. **Q.** The section 50.051, F.S. (enclosed) proof of publication form of uniform affidavit has blanks in the text. Do I fill in these blanks and send that to the newspaper?
A. No. That section shows the affidavit the newspaper will send you. They will fill in the blanks.
6. **Q.** If someone objects, is my permit or exemption no good?
A. If you publish a notice and a "third party" files a request for administrative hearing within the allotted time, the matter is referred to an administrative hearing. While the case is pending, generally, you may not proceed with activities under the challenged agency action. When the hearing is complete, the administrative law judge's (ALJ) recommendation is returned to the District Governing Board, and the Governing Board will take final action on the ALJ's recommendation. There is no time limit for a "third party" to object and file a request for administrative hearing if you do not publish a notice.

CHAPTER 50, FLORIDA STATUTES

LEGAL AND OFFICIAL ADVERTISEMENTS

50.011	Where and in what language legal notices to be published.
50.021	Publication when no newspaper in county.
50.031	Newspapers in which legal notices and process may be published.
50.041	Proof of publication; uniform affidavits required.
50.051	Proof of publication; form of uniform affidavit.
50.061	Amounts chargeable.
50.0711	Court docket fund; service charges; publications.

50.011 Where and in what language legal notices to be published.-

Whenever by statute an official or legal advertisement or a publication, or notice in a newspaper has been or is directed or permitted in the nature of or in lieu of process, or for constructive service, or in initiating, assuming, reviewing, exercising or enforcing jurisdiction or power, or for any purpose, including all legal notices and advertisements of sheriffs and tax collectors, the contemporaneous and continuous intent and meaning of such legislation all and singular, existing or repealed, is and has been and is hereby declared to be and to have been, and the rule of interpretation is and has been, a publication in a newspaper printed and published periodically once a week or oftener, containing at least 25 percent of its words in the English language, entered or qualified to be admitted and entered as periodicals matter at a post office in the county where published, for sale to the public generally, available to the public generally for the publication of official or other notices and customarily containing information of a public character or of interest or of value to the residents or owners of property in the county where published, or of interest or of value to the general public.

History.--s. 2, ch. 3022, 1877; RS 1296; GS 1727; s. 1, ch. 5610, 1907; RGS 2942; s. 1, ch. 12104, 1927; CGL 4666, 4901; s. 1, ch. 63-387; s. 6, ch. 67-254; s. 21, ch. 99-2.

Note.--Former s. 49.01.

50.021 Publication when no newspaper in county.

When any law, or order or decree of court, shall direct advertisements to be made in any county and there be no newspaper published in the said county, the advertisement may be made by posting three copies thereof in three different places in said county, one of which shall be at the front door of the courthouse, and by publication in the nearest county in which a newspaper is published.

History.--RS 1297; GS 1728; RGS 2943; CGL 4667; s. 6, ch. 67-254.

Note.--Former s. 49.02.

50.031 Newspapers in which legal notices and process may be published.

No notice or publication required to be published in a newspaper in the nature of or in lieu of process of any kind, nature, character or description provided for under any law of the state, whether heretofore or hereafter enacted, and whether pertaining to constructive service, or the initiating, assuming, reviewing, exercising or enforcing jurisdiction or power, by any court in this state, or any notice of sale of property, real or personal, for taxes, state, county or municipal, or sheriff's, guardian's or administrator's or any sale made pursuant to any judicial order, decree or statute or any other publication or notice pertaining to any affairs of the state, or any county, municipality or other political subdivision thereof, shall be deemed to have been published in accordance with the statutes providing for such publication, unless the same shall have been published for the prescribed period of time required for such publication, in a newspaper which at the time of such publication shall have been in existence for 1 year and shall have been entered as periodicals matter at a post office in the county where published, or in a newspaper which is a direct successor of a newspaper which together have been so published; provided, however, that nothing herein contained shall apply where in any county there shall be no newspaper in existence which shall have been published for the length of time above prescribed. No legal publication of any kind, nature or description, as herein defined, shall be valid or binding or held to be in compliance with the statutes providing for such publication unless the same shall have been published in accordance with the provisions of this section. Proof of such publication shall be made by uniform affidavit.

History.--ss. 1-3, ch. 14830, 1931; CGL 1936 Supp. 4274(1); s. 7, ch. 22858, 1945; s. 6, ch. 67-254; s. 1, ch. 74-221; s. 22, ch. 99-2.

Note.--Former s. 49.03.

50.041 Proof of publication; uniform affidavits required.

(1) All affidavits of publishers of newspapers (or their official representatives) made for the purpose of establishing proof of publication of public notices or legal advertisements shall be uniform throughout the state.

(2) Each such affidavit shall be printed upon white bond paper containing at least 25 percent rag material and shall be 8.5 inches in width and of convenient length, not less than 5.5 inches. A white margin of not less than 2.5 inches shall be left at the right side of each affidavit form and upon or in this space shall be substantially pasted a clipping which shall be a true copy of the public notice or legal advertisement for which proof is executed.

(3) In all counties having a population in excess of 450,000 according to the latest official decennial census, in addition to the charges which are now or may hereafter be established by law for the publication of every official notice or legal advertisement, there may be a charge not to exceed \$2 for the preparation and execution of each such proof of publication or publisher's affidavit.

History.--s. 1, ch. 19290, 1939; CGL 1940 Supp. 4668(1); s. 1, ch. 63-49; s. 26, ch. 67-254; s. 1, ch. 76-58.

Note.--Former s. 49.04.

50.051 Proof of publication; form of uniform affidavit.-

The printed form upon which all such affidavits establishing proof of publication are to be executed shall be substantially as follows:

NAME OF NEWSPAPER
Published (Weekly or Daily)
(Town or City) (County) FLORIDA

STATE OF FLORIDA

COUNTY OF _____:

Before the undersigned authority personally appeared _____, who on oath says that he or she is _____ of the _____, a _____ newspaper published at _____ in _____ County, Florida; that the attached copy of advertisement, being a _____ in the matter of _____ in the _____ Court, was published in said newspaper in the issues of _____.

Affiant further says that the said _____ is a newspaper published at _____, in said _____ County, Florida, and that the said newspaper has heretofore been continuously published in said _____ County, Florida, each _____ and has been entered as periodicals matter at the post office in _____, in said _____ County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this _____ day of _____ (year)____, by _____, who is personally known to me or who has produced (type of identification) as identification.

_____(Signature of Notary Public)_____

_____(Print, Type, or Stamp Commissioned Name of Notary Public)_____

_____(Notary Public)_____

History.-s. 2, ch. 19290, 1939; CGL 1940 Supp. 4668(2); s. 6, ch. 67-254; s. 1, ch. 93-62; s. 291, ch. 95-147; s.23, ch 99-2; s. 3, ch. 99-6.

Note.-Former s. 49.05.

50.061 Amounts chargeable.-

(1) The publisher of any newspaper publishing any and all official public notices or legal advertisements shall charge therefore the rates specified in this section without rebate, commission or refund.

(2) The charge for publishing each such official public notice or legal advertisement shall be 70 cents per square inch for the first insertion and 40 cents per square inch for each subsequent insertion, except that:

(a) In all counties having a population of more than 304,000 according to the latest official decennial census, the charge for publishing each such official public notice or legal advertisement shall be 80 cents per square inch for the first insertion and 60 cents per square inch for each subsequent insertion.

(b) In all counties having a population of more than 450,000 according to the latest official decennial census, the charge for publishing each such official public notice or legal advertisement shall be 95 cents per square inch for the first insertion and 75 cents per square inch for each subsequent insertion.

(3) Where the regular established minimum commercial rate per square inch of the newspaper publishing such official public notices or legal advertisements is in excess of the rate herein stipulated, said minimum commercial rate per square inch may be charged for all such legal advertisements or official public notices for each insertion, except that a governmental agency publishing an official public notice or legal advertisement may procure publication by soliciting and accepting written bids from newspapers published in the county, in which case the specified charges in this section do not apply.

(4) All official public notices and legal advertisements shall be charged and paid for on the basis of 6-point type on 6-point body, unless otherwise specified by statute.

(5) Any person violating a provision of this section, either by allowing or accepting any rebate, commission, or refund, commits a misdemeanor of the second degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

(6) Failure to charge the rates prescribed by this section shall in no way affect the validity of any official public notice or legal advertisement and shall not subject same to legal attack upon such grounds.

History.-s. 3, ch. 3022, 1877; RS 1298; GS 1729; RGS 2944; s. 1, ch. 12215, 1927; CGL 4668; ss. 1, 2, 2A, 2B, ch. 20264, 1941; s. 1, ch. 23663, 1947; s. 1, ch. 57-160; s. 1, ch. 63-50; s. 1, ch. 65-569; s. 6, ch. 67-254; s. 15, ch. 71-136; s. 35, ch. 73-332; s. 1, ch. 90-279.

Note.-Former s. 49.06.

50.0711 Court docket fund; service charges; publications.-

(1) The clerk of the court in each county may establish a court docket fund for the purpose of paying the cost of publication of the fact of the filing of any civil case in the circuit court of the county by the style and of the calendar relating to such cases. This court docket fund shall be funded by \$1 mandatory court cost for all civil actions, suits, or proceedings filed in the circuit court of the county. The clerk shall maintain such funds separate and apart, and the proceeds from this court cost shall not be diverted to any other fund or for any purpose other than that established in this section. The clerk of the court shall dispense the fund to the designated record newspaper in the county on a quarterly basis.

(2) A newspaper qualified under the terms of s. 50.011 shall be designated as the record newspaper for such publication by an order of the majority of the judges in the judicial circuit in which such county is located, and such order shall be filed and recorded with the clerk of the circuit court for such county. The designated record newspaper may be changed at the end of any fiscal year of the county by a majority vote of the judges of the judicial circuit of the county ordering such change 30 days prior to the end of the fiscal year, notice of which order shall be given to the previously designated record newspaper.

(3) The publishers of any designated record newspapers receiving payment from this court docket fund shall publish, without additional charge, the fact of the filing of any civil case, suit, or action filed in such county in the circuit. Such publication shall be in accordance with a schedule agreed upon between the record newspaper and the clerk of the court in such county.

(4) The publishers of any designated record newspapers receiving revenues from the court docket fund established in subsection (1) shall, without charge, accept legal advertisements for the purpose of service of process by publication under s. 49.011(4), (10), and (11) when such publication is required of persons authorized to proceed as indigent persons under s. 57.081.

History.--s. 46. ch. 2004-265.

**NOTICE OF FINAL AGENCY ACTION BY
THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT**

Notice is given that the District's Final Agency Action is approval of the ERP STANDARD GENERAL on 0.66 acres to serve PARKS AND RECREATION AREAS known as Bennett Park - Phase 1. The project is located in MANATEE County, Section/Township/Range S27/T34S/R18E, S22/T34S/R18E. The permit applicant is Manatee County Property Management, Attn: Charlie Bishop whose address is 1112 Manatee Avenue West Bradenton, FL 34205. The permit No. is 44026355.009.

The file(s) pertaining to the project referred to above is available for inspection Monday through Friday except for legal holidays, 8:00 a.m. to 5:00 p.m., at the Southwest Florida Water Management District 6750 Fruitville Road, Sarasota, Florida 34240-9711.

NOTICE OF RIGHTS

Any person whose substantial interests are affected by the District's action regarding this permit may request an administrative hearing in accordance with Sections 120.569 and 120.57, Florida Statutes (F.S.), and Chapter 28-106, Florida Administrative Code (F.A.C.), of the Uniform Rules of Procedure. *A request for hearing must (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's action, or final action; (2) state all material facts disputed by each person requesting the hearing or state that there are no disputed facts; and (3) otherwise comply with Chapter 28-106, F.A.C.* A request for hearing must be filed with and received by the Agency Clerk of the District at the District's Brooksville address, 2379 Broad Street, Brooksville, FL 34604-6899 within 21 days of publication of this notice (or within 14 days for an Environmental Resource Permit with Proprietary Authorization for the use of Sovereign Submerged Lands). Failure to file a request for hearing within this time period shall constitute a waiver of any right such person may have to request a hearing under Sections 120.569 and 120.57, F.S.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the District's final action may be different from the position taken by it in this notice of final agency action. Persons whose substantial interests will be affected by any such final decision of the District on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding the District's final action in this matter is not available prior to the filing of a request for hearing.

Manatee County Property Management, Attn: Charlie Bishop
1112 Manatee Avenue West
Bradenton, FL 34205

Seth Schmid P.E.
Kimley-Horn & Assoc Inc
2601 Cattlemen Road, Suite 200
Sarasota, FL 34232

Terri L Behling
6750 Fruitville Road
Sarasota, FL 34240



SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

ENVIRONMENTAL RESOURCE PERMIT (ERP) MODIFICATION SHORT FORM

SUBMIT FIVE COPIES OF THIS FORM AND OTHER RELATED INFORMATION TO ONE OF THE DISTRICT OFFICES LISTED BELOW. NO FEE REQUIRED. PLEASE PRINT OR TYPE ALL TEXT. To qualify for a modification using this modification short form, the permittee must submit sufficient information with this application so that a request for additional information is not required to verify compliance with the permit rules and threshold qualifications for modification, and a separate Statement of Completion and As-built is not required to verify compliance with the permit.

May 12, 2011

Date

Bartow Regulation
170 Century Blvd.
Bartow, FL 33830-7700

Brooksville Regulation
2379 Broad St.
Brooksville, FL 34604-6899

Tampa Regulation
7601 US Hwy 301 N
Tampa, FL 33637-6759

Sarasota Regulation
6750 Fruitville Rd.
Sarasota, FL 34240-9711

Subject: Request for Modification of ERP No. 43026355 - 006 (rev #)

Project Name: Bennett Park - Phase 1

County/City: Manatee / Bradenton

Total Acreage/Project Acreage: 180.51 / 69.53

Sec(s)/Twp(s)/Rge(s): 27 / 34S / 18E

To Whom It May Concern:

This is a request to modify the District approved ERP construction permit pursuant to Section 40D-4.331(2)(b) 1. - 6., Florida Administrative Code (F.A.C.). The requested modification does not: (1) expand or substantially alter the permit authorization (substantially alter means a change to the project that affects either the system design, construction or operation, which is reasonably expected to lead to substantially different water resource or environmental impacts and requires detailed permitting review and evaluation), (2) increase the authorized off site discharge, (3) impact the environmental features of the project, (4) decrease the required retention/detention, (5) decrease the required flood control elevations for roads or buildings, or (6) decrease pollution removal efficiency. Attached is documentation (plans, drawings, calculations, etc.) which addresses these requirements and supports the request for a modification. The undersigned Engineer certifies that the engineering features of this surface water management system have been:

(check one)



designed by me or under my responsible charge,



reviewed by me or under my responsible charge;

and in my professional opinion, the system conforms with sound engineering principles and all applicable rules and specifications.

Signature of Owner/Permittee (Applicant)
or Authorized Agent*

Charlie Bishop, Director, Manatee County Property Management Dept.

Owner/Permittee (Applicant) Company Name/Title (if applicable)

1112 Manatee Avenue West, Bradenton, FL 34205

Owner/Permittee (Applicant) Address, City, State Zip

(941) 749 - 3017

Owner/Permittee (Applicant) Phone No.

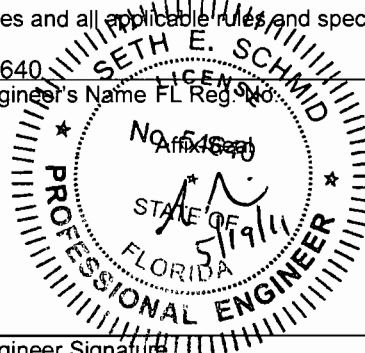
Charlie Bishop (941) 749 - 3017
Contact Name (for owner) and Phone No.

Manatee County Property Management Department
Operation & Maintenance (O&M) Entity

Charlie Bishop (941) 749 - 3017
O&M Contact Name and Phone No.

*Attach a signed letter of authorization from the owner, except for corporate officers.

54640
Engineer's Name FL Reg. No.



Engineer Signature Date 05/12/11

Kimley-Horn and Associates, Inc.
Engineer Company Name

2601 Cattlemen Road, Suite 200
Engineer Company Address, City, State Zip

(941) 379 - 7600
Engineer Company Phone No.



Form LEG-R.013.01 (4/09)
Rule 40D-4.331(2)(b), F.A.C.



Kimley-Horn
and Associates, Inc.

649880

May 19, 2011

■
Suite 200
2601 Cattlemen Road
Sarasota, Florida
34232

Mr. Kenneth A. Kohn, P.E.
Southwest Florida Water Management District
6750 Fruitville Road
Sarasota, Florida 34240

Re: Bennett Park – Phase 1, ERP Short Form Modification
ERP #43026355.006

Our Ref: 048441010

Dear Mr. Kohn:

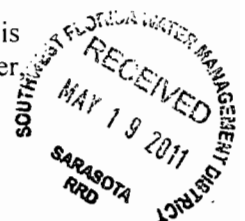
Per our previous coordination with you, we are submitting the attached Short Form application for modification to the Environmental Resource Permit (ERP) referenced above. Our modifications consist of the following:

1. Widening the internal park roadway from 24 feet to 28 feet to accommodate a bike path. The road widening extends from the entrance at Cypress Creek Boulevard to the proposed road along the southern boundary of Bennett Park.
2. The addition of approximately 1,550 LF of sidewalk or shell path to the park.
3. The addition of a fenced outdoor storage area for the maintenance building.
4. The addition of a stabilized base at the southern parking lot to access the relocated ADA parking spaces.

For the most part, the addition of these features was in locations where the existing grade was above the floodplain elevation. In the case of the road widening, the road was expanded within the footprint of the project by steepening roadside slopes so that no new encroachment was created above what was accounted for in the original permit. Additionally, widening the road in this way resulted in no additional wetland or Other Surface Waters (OSW) impacts.

The modifications described above had the following impervious area associated with them: 0.25 acres for the road widening, 0.02 acres for the additional stabilized base at the southern parking lot, 0.28 acres for the additional sidewalk/path, and 0.11 acres for the maintenance storage area. (See attached Exhibit 1.) This represents an increase of 0.66 acres of impervious area to the project. The ERP referenced above included 6.1 acres of impervious area. This represents the impervious area in Phase 1 of the Bennett Park project. However,

■
TEL 941 379 7600
FAX 941 379 4352





Kimley-Horn
and Associates, Inc.

this was a conservative estimate. The total actual impervious area of Phase 1 is 5.09 acres (see attached Exhibit 1). Therefore, the total impervious area for Phase 1, including the modifications, is 5.75 acres which is less than the permitted amount of 6.1 acres. Additionally, the storm water management system was designed for a total of 19.85 acres to accommodate both Phase 1 and the anticipated impervious area from the future Phase 2.

The following table summarizes the impervious areas for the approved stormwater management system, approved Phase 1 impervious area, and the additional impervious area resulting from the changes to the plans.

IMPERVIOUS AREA SUMMARY				
DESIGN TOTAL IMPERVIOUS AREA	APPROVED PHASE 1 IMPERVIOUS AREA	ACTUAL PHASE 1 IMPERVIOUS AREA	ADDITIONAL PHASE 1 IMPERVIOUS AREA	TOTAL PHASE 1 IMPERVIOUS AREA
19.85 ac.	6.1 ac.	5.09 ac.	0.66 ac.	5.75 ac.

The modifications described above were added to the site so that they did not impact the storm water facilities or reduce the permitted volume of the storm water facilities. Because the storm water management system was designed for a total impervious area from both Phase 1 and Phase 2 and because the total Phase 1 impervious area including the modifications does not exceed the permitted Phase 1 impervious area, the modifications are consistent with the permit regarding both water quality and quantity.

Sheets B-4E, B-4F, and B-4H of the construction plans were revised and the cross sections on Sheet B-12 were revised to incorporate the modifications. These revised Sheets have been included with our Short Form modification application.

Should you have any questions regarding the information provided, please feel free to contact our office.

Very truly yours,

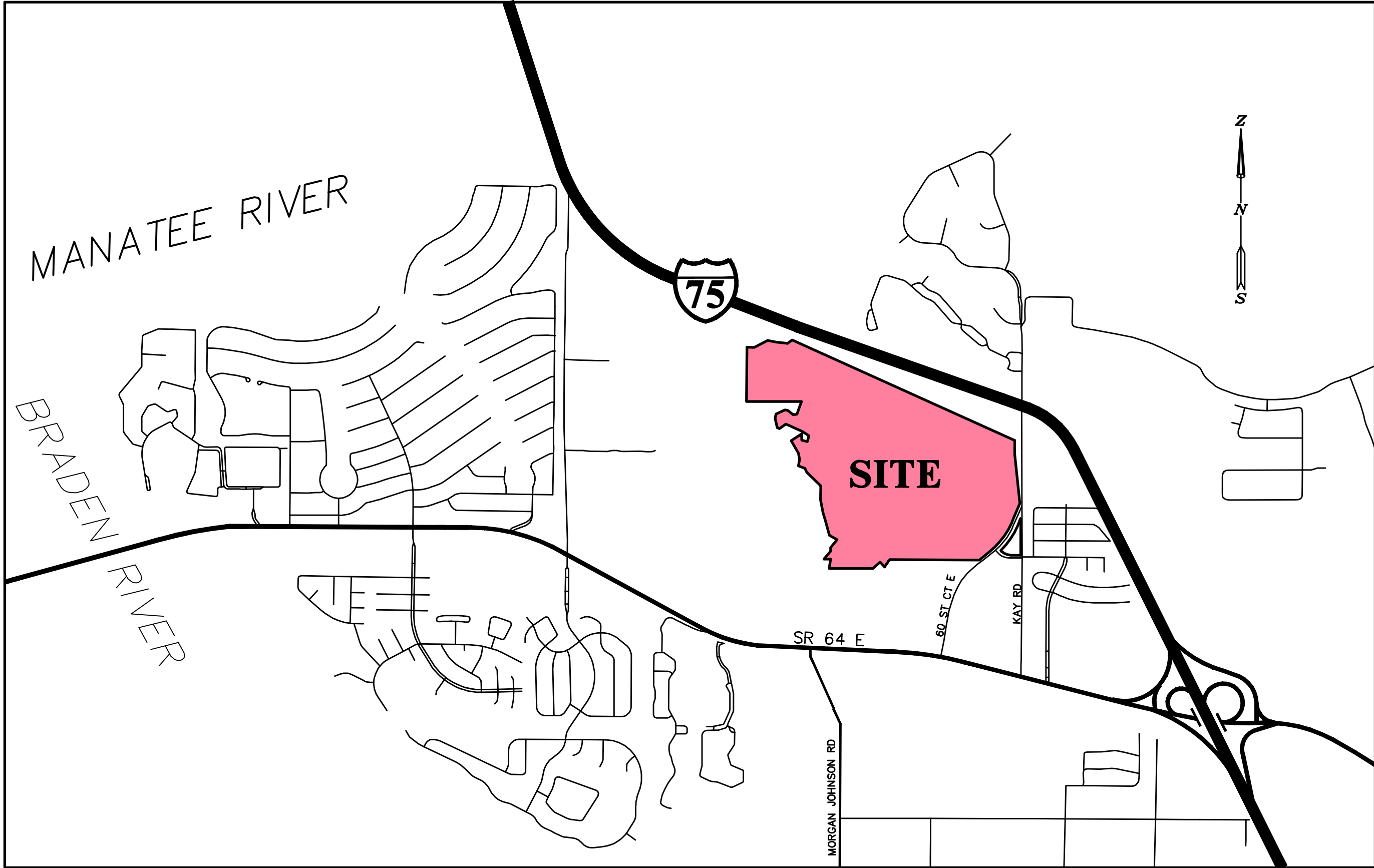
KIMLEY-HORN AND ASSOCIATES, INC.

Seth E. Schmid, P.E.

Attachments

SES/rrh (K:\SAR_URG\048441010 -
Bennett_Park\ADMIN\Permits\SWFWMD\051911_Mod\LTO_110519_SWFWMD_ERPmod_RRH.doc)





NOTES:

- BEARINGS ARE BASED ON THE EAST LINE OF SECTION 27, TOWNSHIP 34S, RANGE 18E, SHOWN AS HAVING A BEARING OF N. 00°08'31" EAST BASED ON THE FLORIDA STATE PLANE COORDINATES (WEST ZONE) NAD83 DERIVED FROM FOUND MONUMENTATION ESTABLISHED DURING THE 1988 MANATEE COUNTY GIS CONTROL SURVEY. THE DISTANCES SHOWN HEREON ARE GRID DISTANCES WITH A SCALE FACTOR OF 0.999970.
- THERE MAY BE LAND WITHIN THE BOUNDS OF THIS PARCEL WHICH MAY BE TERMED JURISDICTIONAL BY VARIOUS GOVERNMENT AGENCIES. THESE POSSIBLE JURISDICTIONAL AREAS HAVE NOT BEEN DEALT WITH AS PART OF THIS SURVEY.
- PORTIONS OF THE FIELDWORK FOR THIS SURVEY WERE UNDERTAKEN USING A TRIMBLE 4400 GLOBAL POSITIONING SYSTEM IN REAL TIME KINEMATIC MODE. REDUNDANCY WAS ACCOMPLISHED BY MULTIPLE OBSERVATIONS UTILIZING DIFFERENT BASE STATIONS AND DIFFERENT SATELLITE CONFIGURATIONS.
- THE DISCREPANCY IN DISTANCE ALONG THE RIGHT-OF-WAY LINE OF KAY RD. (786.64 DEED VERSUS 842.86 FIELD) IS ATTRIBUTABLE TO THE GEORGE A. ASPINALL SURVEY OF APRIL 6, 1977 WHICH UTILIZES A NAIL AND DISK AS THE NE CORNER OF SECTION 27 WHICH APPEARS TO BE SOUTH OF THE ACTUAL NE SECTION CORNER BY 55.82 FEET.
- THE ISSUE OF SOVEREIGNTY REGARDING THE STREAM WHICH FORMS THE WEST PROPERTY LINE OF THIS PARCEL HAS NOT BEEN DEALT WITH AS PART OF THIS SURVEY. THE CENTERLINE OF THIS STREAM HAS BEEN HELD AS THE WEST PROPERTY LINE BASED ON THE DEED DESCRIPTION OF THIS PROPERTY.
- THIS PARCEL LIES IN FLOOD ZONE AE (EL. 8) AS SHOWN ON FIRM PANEL 120153-0215-C AND 120153-0351-C WITH AN EFFECTIVE DATE OF JUNE, 1999.
- SUBJECT TO OIL AND MINERAL RIGHTS RECORDED IN DB 239 P. 141, DB 239 P. 368 AND DB. 240 P. 45.
- SUBJECT TO RIGHTS ACQUIRED BY STATE OF FLORIDA BY ORDER OF TAKING RECORDED IN ORB. 862 P. 111.

LEGEND:

○	IRON ROD SET (5/8" LB # 6982)	CH	CHORD DISTANCE
●	IRON MARKER FOUND (5/8" LB#6982, UNLESS OTHERWISE NOTED)	LB	LICENSED BUSINESS
⊙	NAIL & DISK (LB 6982, UNLESS OTHERWISE NOTED)	LS	LICENSED SURVEYOR
□	4" X 4" CONCRETE MONUMENT SET (LB #6982)	P.S.M.	PROFESSIONAL SURVEYOR AND MAPPER
■	4" X4" CONCRETE MONUMENT FOUND (AS NOTED)	COR	CORNER
IR	IRON ROD	(P)	PLAT DATA
CM	CONCRETE MONUMENT FOUND	(F)	FIELD DATA
FND	FOUND	(D)	DEED DATA
IP	IRON PIPE	ORB	OFFICIAL RECORD BOOK
PRM	PERMANENT REFERENCE MONUMENT	D.B.	DEED BOOK
PCP	PERMANENT CONTROL POINT	PG	PAGE
PT	POINT OF CURVATURE	R/W	RIGHT OF WAY LINE
PRC	POINT OF REVERSE CURVATURE	WD	WOOD
PCC	POINT OF COMPOUND CURVATURE	CONC	CONCRETE
(R)	RADIAL LINE	RR	RAILROAD
(NR)	NON-RADIAL LINE	ESMT	EASEMENT
Δ	CENTRAL ANGLE	POB	POINT OF BEGINNING
R	RADIUS	⊕	BENCHMARK
L	ARC LENGTH	⚡	UTILITY POLE W/ GUY ANCHOR
CB	CHORD BEARING	STG	STORAGE
		BLDG	BUILDING
		P.O.L.	POINT ON LINE
		—E—	OVERHEAD UTILITY LINES
		—X—	FENCE LINE
		—F.F.—	LIMITED ACCESS RIGHT OF WAY LINE
		F.F.	FINISHED FLOOR ELEVATION
		COR	CORNER
		OSW	OTHER SURFACE WATERS

DESCRIPTION: PARCEL "A"

COMMENCE AT THE NORTHEAST CORNER OF SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE RUN S 00°08'31" W ALONG THE EAST LINE OF SAID SECTION 27, A DISTANCE OF 3075.18 FEET; THENCE N 89°42'41" W, A DISTANCE OF 810.00 FEET TO THE POINT OF BEGINNING; THENCE N 89°42'41" W, A DISTANCE OF 2085.00 FEET TO THE CENTERLINE OF A SMALL STREAM; THENCE NORTHERLY ALONG THE CENTERLINE OF SAID STREAM TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF INTERSTATE 75 (STATE ROAD 93, SECTION 13075-2404) SAID POINT LYING N 08°16'32" W AT A DISTANCE OF 3231.50 FEET; THENCE S 65°45'33" E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 3563.00 FEET; THENCE S 00°05'03" W CONTINUING ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 206.54 FEET; THENCE S 05°56'19" E CONTINUING ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 121.49 FEET; THENCE N 89°42'41" W, A DISTANCE OF 707.50 FEET; THENCE S 00°08'31" W, A DISTANCE OF 1421.67 FEET TO THE POINT OF BEGINNING.

LYING AND BEING IN SECTIONS 22 & 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 153.08 ACRES

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

DESCRIPTION: PARCEL "B"

COMMENCING AT THE NORTHEAST CORNER OF SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE RUN S 00°08'31" W ALONG THE EAST LINE OF SAID SECTION 27, A DISTANCE OF 3075.18 FEET; THENCE N 89°42'41" W, A DISTANCE OF 627.80 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 89°42'41" W, A DISTANCE OF 182.09 FEET; THENCE N 00°08'31" E, A DISTANCE OF 1421.67 FEET; THENCE S 89°42'41" E, A DISTANCE OF 707.50 FEET; THENCE S 05°56'19" E ALONG THE SOUTHERLY LIMITED ACCESS RIGHT OF WAY LINE OF I-75 (SR 93, SECTION 13075-2404), A DISTANCE OF 582.28 FEET; THENCE S 89°51'29" E ALONG THE WESTERLY RIGHT OF WAY LINE OF KAY ROAD, A DISTANCE OF 8.82 FEET; THENCE S 23°16'33" W, A DISTANCE OF 223.80 FEET TO A POINT ON THE ARC OF A NON-TANGENTIAL CURVE TO THE RIGHT WHOSE RADIUS POINT LIES N 71°31'49" W, A DISTANCE OF 1110.00; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 641.21 FEET THROUGH A CENTRAL ANGLE OF 33°05'53" TO THE POINT OF TANGENCY; THENCE S 51°34'04" W, A DISTANCE OF 187.26 FEET TO THE POINT OF BEGINNING.

LYING AND BEING IN SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 20.49 ACRES

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

DESCRIPTION: BENNETT PARK SOUTHWEST SWAP PARCEL

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST; THENCE N 00°08'31"E ALONG THE EAST LINE OF SAID SECTION 27, A DISTANCE OF 2222.25 FEET; THENCE N 89°42'41"W, A DISTANCE OF 1929.53 FEET TO A POINT ON THE BOUNDARY OF THOSE LANDS DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 2178, PAGE 2035, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, FOR THE POINT OF BEGINNING; THENCE S 47°09'10"W, A DISTANCE OF 31.73 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT WHOSE RADIUS POINT LIES S 42°50'50"E, A DISTANCE OF 113.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 55.30 FEET THROUGH A CENTRAL ANGLE OF 28°02'20" TO A POINT OF REVERSE CURVATURE WITH A CURVE TO THE RIGHT WHOSE RADIUS POINT LIES N 70°10'00"W, A DISTANCE OF 100.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 33.66 FEET THROUGH A CENTRAL ANGLE OF 19°17'09" TO THE END OF SAID CURVE; THENCE N 42°36'49"W, A DISTANCE OF 105.84 FEET; THENCE S 47°09'53"W, A DISTANCE OF 176.31 FEET; THENCE S 90°00'00"W, A DISTANCE OF 637.66 FEET; THENCE N 09°14'25"E, A DISTANCE OF 145.11 FEET TO A POINT ON SAID BOUNDARY; THENCE S 89°42'41"E, ALONG SAID BOUNDARY, A DISTANCE OF 884.62 FEET TO THE POINT OF BEGINNING.

LYING AND BEING IN SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY FLORIDA.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

DESCRIPTION: BENNETT PARK NORTHWEST SWAP PARCEL

COMMENCING AT THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY FLORIDA; THENCE RUN S 89°32'32" E, ALONG THE NORTH LINE OF SAID SECTION 27, A DISTANCE OF 104.46 FEET TO THE CENTERLINE OF SAID SECTION AND THE NORTH LINE OF SAID LANDS, A DISTANCE OF 104.46 FEET TO THE CENTERLINE OF A CREEK, ALSO BEING A POINT ON THE EAST BOUNDARY OF SAID LANDS; THENCE SOUTHERLY, ALONG SAID CENTERLINE AND SAID EAST BOUNDARY, THE FOLLOWING 11 COURSES; (1)THENCE S 55°18'39"W, A DISTANCE OF 104.82 FEET; (2) THENCE S 08°35'08"W, A DISTANCE OF 91.83 FEET; (3) THENCE S 37°50'20"E, A DISTANCE OF 81.81 FEET; (4) THENCE N 71°47'49"E, A DISTANCE OF 113.46 FEET; (5) THENCE N 73°42'53"E, A DISTANCE OF 92.25 FEET; (6)THENCE S 09°50'24"E, A DISTANCE OF 296.23 FEET; (7)THENCE S 64°17'16"E, A DISTANCE OF 143.03 FEET; (8)THENCE S 72°55'04"E, A DISTANCE OF 219.07 FEET; (9)THENCE S 58°58'44"E, A DISTANCE OF 166.91 FEET; (10)THENCE S 12°23'45"E, A DISTANCE OF 11.18 FEET; (11) THENCE S 20°07'23"W, A DISTANCE OF 18.58 FEET TO THE END OF SAID CENTERLINE; THENCE S 89°54'07"W, A DISTANCE OF 803.15 FEET TO THE WEST BOUNDARY OF SAID LANDS; THENCE N 00°31'01"E, ALONG SAID WEST BOUNDARY, A DISTANCE OF 790.91 FEET TO THE POINT OF BEGINNING.

LYING AND BEING IN SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:

DESCRIPTION: PUBLIC ROAD

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST; THENCE N 00°08'31"E ALONG THE EAST LINE OF SAID SECTION 27, A DISTANCE OF 2222.25 FEET; THENCE N 89°42'41"W, A DISTANCE OF 1929.53 FEET TO THE POINT OF BEGINNING; THENCE N 47°09'10"E, A DISTANCE OF 47.44 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT WHOSE RADIUS POINT LIES S 42°50'50"E, A DISTANCE OF 250.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 154.28 FEET THROUGH A CENTRAL ANGLE OF 35°21'33" TO A POINT OF REVERSE CURVATURE WITH A CURVE TO THE LEFT WHOSE RADIUS POINT LIES N 34°38'25"W, A DISTANCE OF 87.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 18.55 FEET THROUGH A CENTRAL ANGLE OF 12°12'52" TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT WHOSE RADIUS POINT LIES S 48°51'17" E, A DISTANCE OF 88.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 19.69 FEET THROUGH A CENTRAL ANGLE OF 12°49'01" TO A POINT OF REVERSE CURVATURE WITH A CURVE TO THE LEFT WHOSE RADIUS POINT LIES N 34°02'17" W, A DISTANCE OF 45.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 43.73 FEET THROUGH A CENTRAL ANGLE OF 55°40'24" TO THE END OF SAID CURVE; THENCE N 00°17'19"E, A DISTANCE OF 2.41 FEET; THENCE S 89°42'41" E, A DISTANCE OF 60.00 FEET; THENCE S 00°17'19"W, A DISTANCE OF 2.41 FEET TO THE BEGINNING OF A CURVE TO THE LEFT WHOSE RADIUS POINT LIES S 89°42'41"E, A DISTANCE OF 45.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 43.73 FEET THROUGH A CENTRAL ANGLE OF 55°40'24" TO A POINT OF REVERSE CURVATURE WITH A CURVE TO THE RIGHT WHOSE RADIUS POINT LIES S 34°36'58" W, A DISTANCE OF 88.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 13.75 FEET THROUGH A CENTRAL ANGLE OF 08°57'06" TO A POINT OF REVERSE CURVATURE WITH A CURVE TO THE LEFT WHOSE RADIUS POINT LIES N 43°34'00"E, A DISTANCE OF 87.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 24.47 FEET THROUGH A CENTRAL ANGLE OF 16°07'00" TO THE END OF SAID CURVE; THENCE S 89°42'41" E, A DISTANCE OF 579.23 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT WHOSE RADIUS POINT LIES S 00°17'19"W, A DISTANCE OF 300.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 225.98 FEET THROUGH A CENTRAL ANGLE OF 43°09'31" TO THE END OF SAID CURVE; THENCE S 46°33'10" E, A DISTANCE OF 27.54 FEET; THENCE N 89°42'41" W, A DISTANCE OF 1134.98 FEET TO THE POINT OF BEGINNING

LYING AND BEING IN SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY FLORIDA.

CONTAINING 2.43 ACRES

CERTIFIED TO:

MANATEE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA
CHICAGO TITLE INSURANCE COMPANY
BLALOCK, WALTERS, HELD & JOHNSON, P.A.

REVISIONS:

EAST PARCEL & PUBLIC ROAD REMOVED FROM OVERALL PARCELL 01/11/07 JCC
S.W. SWAP AND PUBLIC ROAD REVISED 02/22/07 JCC
REVISED LINE TABLE 07/30/07 JCC
REVISED SW SWAP DESCRIPTION 07/30/07 JCC
REVISED SW & NW SWAP DESCRIPTIONS 10/22/07 JCC
REVISED SECTIONS 11/03/09 DR

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K:\WPFILES\LEGALS2006\BENNETT-BS-2006.docc

K:\PLOT FILES\PROJECTS\BENNETT\2007\SH1.plt

I, THE UNDERSIGNED PROFESSIONAL SURVEYOR & MAPPER HEREBY, CERTIFY THAT THIS RECORD OF SURVEY WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF IS A TRUE AND CORRECT REPRESENTATION OF THE LAND SHOWN AND DESCRIBED, AND THAT IT MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA" CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE.

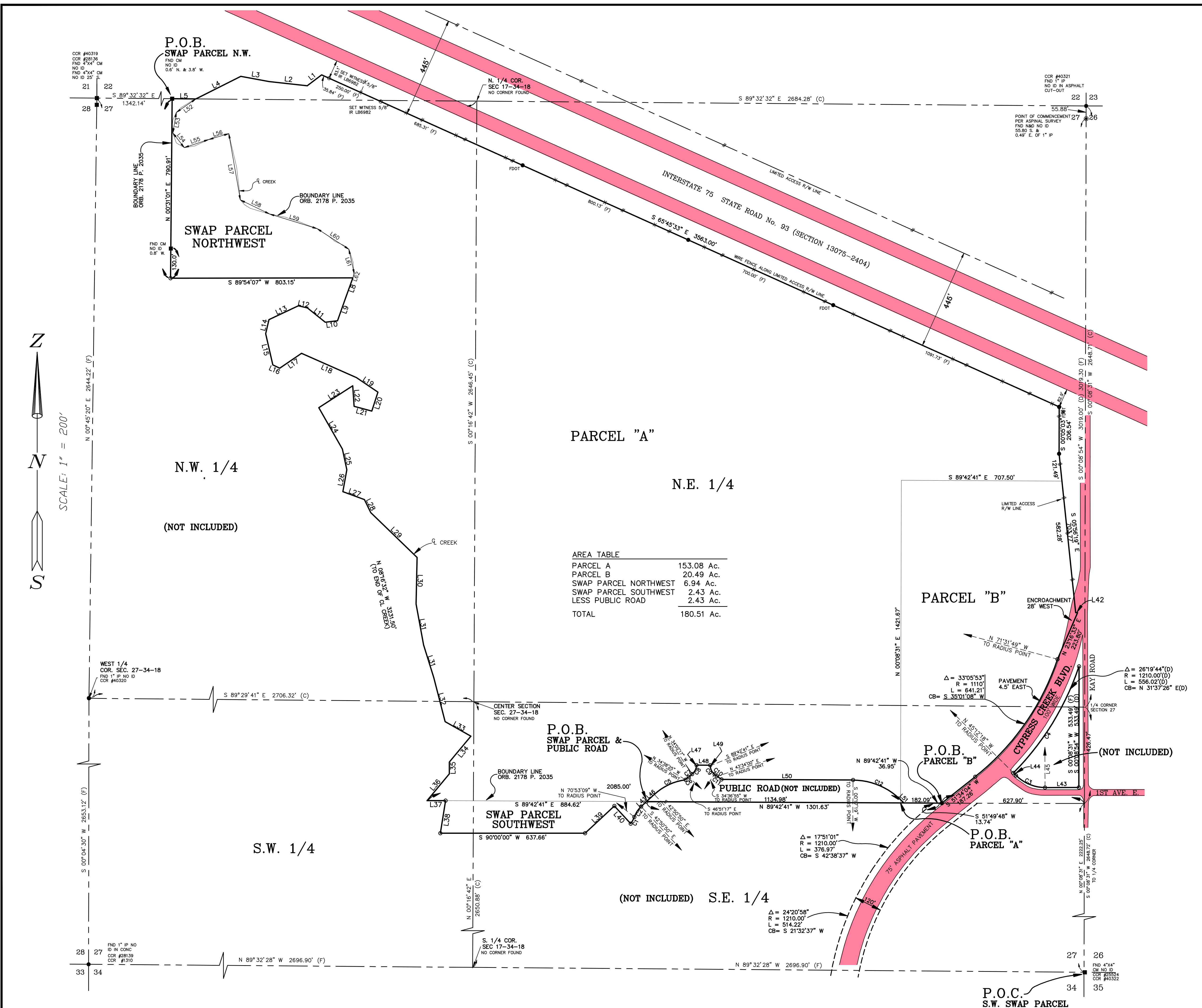
DATE OF FIELD SURVEY: 02/22/07 BY: R.E.M. EDGETON, P.S.M.
DATE OF CERTIFICATION 02/22/07 FLORIDA CERTIFICATE NO. 4292

ZNS Engineering, L.C.
Engineers, Planners, Surveyors, Landscape Architects & Environmental Consultants
CERTIFICATE OF AUTHORIZATION NO. LB 6982

201 5th AVENUE DRIVE EAST
POST OFFICE BOX 9448
BRADENTON, FLORIDA 34206
TELEPHONE (941) 748-8080

FAX (941) 748-3747
E-MAIL: ZNS@ZNSENG.COM

FILE T:\Howard\Bennett\BENNETT-07.dwg DATE SCALE 1" = 200 FT.
DRAWN JCC COMP RE-52 JOB NO. 00-39501 F.B. NO. XX PG. NO. XX SHEET 1 OF 2



LINE TABLE					
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N 53°05'49" E	79.75'	L34	N 39°50'28" E	148.02'
L2	S 83°45'20" E	168.98'	L35	N 00°00'00" E	52.09'
L3	S 79°31'05" E	126.37'	L36	N 39°46'58" E	153.37'
L4	N 63°21'10" E	221.67'	L37	N 89°42'41" W	81.47'
L5	N 89°32'32" W	104.46'	L38	N 09°14'25" E	145.11'
L6	N 20°00'23" E	89.94'	L39	S 47°09'53" W	176.31'
L9	S 19°23'04" W	110.52'	L40	N 42°36'49" W	105.84'
L10	N 82°45'43" E	54.70'	L41	S 47°09'10" W	31.73'
L11	S 51°04'06" E	100.56'	L42	S 89°51'26" E	8.82'
L12	S 76°50'10" E	41.10'	L43	S 89°47'55" W(F)	148.80' (F)
L13	N 64°54'43" E	143.17'	L43	S 89°47'42" W(D)	148.80' (D)
L14	N 13°09'33" E	63.84'	L44	N 44°20'08" W(F)	15.67' (F)
L15	N 12°57'10" W	141.20'	L44	N 44°20'18" W(D)	15.55' (D)
L16	N 64°28'06" W	33.97'	L47	N 01°12'05" W	178.00'
L17	N 55°31'31" E	116.40'	L48	N 47°09'10" E	47.44'
L18	N 66°06'20" W	264.61'	L49	N 00°17'19" E	2.41'
L19	N 55°58'08" W	113.99'	L48	S 89°42'41" E	60.00'
L20	N 17°47'14" E	87.80'	L51	S 00°17'19" W	2.41'
L21	S 74°51'55" E	80.83'	L50	S 89°42'41" E	579.23'
L22	S 04°01'32" E	90.51'	L53	S 48°33'10" E	27.54'
L23	N 57°08'54" E	177.79'	L54	S 55°18'39" W	104.62'
L24	N 29°39'20" W	210.09'	L55	S 09°35'08" W	91.83'
L25	N 12°14'10" W	93.20'	L56	S 37°50'20" E	81.81'
L26	N 10°29'59" E	98.04'	L55	N 71°47'49" E	113.46'
L27	N 68°55'17" W	101.27'	L58	N 73°42'53" E	92.25'
L28	N 28°04'56" W	64.43'	L57	S 09°50'24" E	296.23'
L29	N 45°52'50" W	283.57'	L58	S 64°17'16" E	143.03'
L30	N 01°16'23" E	205.18'	L60	S 72°55'04" E	219.07'
L31	N 10°27'01" W	182.98'	L60	S 56°58'44" E	166.91'
L32	N 14°22'55" W	200.43'	L61	S 12°23'45" E	111.18'
L33	N 60°40'24" W	130.52'	L62	S 20°00'23" W	18.58'

CURVE TABLE			
CURVE	DELTA	RADIUS	CHORD BEARING
C1	19°17'05"	113.00'	N 28°45'23" E
C2	12°02'20"	113.00'	S 33°08'00" W
C3	45°52'00"	178.00'	N 67°16'05" W(F)
C4	26°18'30"	1210.00'	N 31°37'56" E
C5	35°21'33"	250.00'	S 64°49'57" W
C6	12°12'52"	87.00'	N 49°15'09" E
C7	12°49'01"	88.00'	N 49°33'13" E
C8	55°40'24"	45.00'	N 28°07'31" E
C9	55°40'24"	45.00'	S 27°32'53" E
C10	08°57'06"	88.00'	N 50°54'32" W
C11	16°07'00"	87.00'	S 54°29'29" E
C12	43°09'31"	300.00'	S 68°07'56" E

- LEGEND:
- IRON ROD SET (5/8" LB # 6982)
 - IRON MARKER FOUND (5/8" LB#6982, UNLESS OTHERWISE NOTED)
 - NAIL & DISK (LB 6982, UNLESS OTHERWISE NOTED)
 - 4" X 4" CONCRETE MONUMENT SET (LB #6982)
 - 4" X 4" CONCRETE MONUMENT FOUND (LB#6982 UNLESS OTHERWISE NOTED)
 - 5/8" IRON ROD FOUND STAMPED FDOT
 - IR IRON ROD
 - CM CONCRETE MONUMENT
 - FND FOUND
 - IP IRON PIPE
 - N&D NAIL & DISK
 - PRM PERMANENT REFERENCE MONUMENT
 - PCP PERMANENT CONTROL POINT
 - PT POINT OF TANGENCY
 - PRC POINT OF REVERSE CURVATURE
 - PCC POINT OF COMPOUND CURVATURE
 - POC POINT ON CURVE
 - (NR) NON-RADIAL LINE
 - Δ CENTRAL ANGLE
 - R RADIUS
 - L ARC LENGTH
 - CB CHORD BEARING
 - CH CHORD DISTANCE
 - LS LICENSED SURVEYOR
 - P.S.M. PROFESSIONAL SURVEYOR AND MAPPER
 - COR CORNER
 - (F) FIELD DATA
 - (D) DEED DATA
 - (C) CALCULATED DATA
 - ORB OFFICIAL RECORD BOOK
 - D.B. DEED BOOK
 - PB PLAT BOOK
 - PG PAGE
 - R/W RIGHT OF WAY LINE
 - WD WOOD
 - CONC CONCRETE
 - RR RAILROAD
 - ESMT EASEMENT
 - POB POINT OF BEGINNING
 - BENCHMARK
 - UTILITY POLE W/ GUY ANCHOR
 - STG STORAGE
 - BLDG BUILDING
 - P.O.L. POINT ON LINE
 - E— OVERHEAD UTILITY LINES
 - X— FENCE LINE
 - F.F.— LIMITED ACCESS RIGHT OF WAY LINE
 - F.F.— FINISHED FLOOR ELEVATION
 - COR CORNER
 - OSW OTHER SURFACE WATERS
 - FH FIRE HYDRANT
 - WM WATER METER
 - BFP BACK FLOW PREVENTER
 - C/O CLEAN OUT
 - GV GATE VALVE
 - FM-GV FORCE MAIN GATE VALVE
 - SANITARY MANHOLE
 - CATCH BASIN
 - JUNCTION BOX
 - GV GATE VALE
 - FH FIRE HYDRANT
 - TEL PHONE PEDESTAL
 - CATV CABLE TV PEDESTAL
 - WM WATER METER
 - C/O CLEAN OUT
 - FOC FIBER OPTIC CABLE
 - +25.0 TYPICAL SPOT ELEVATION
 - W— "UNDERGROUND WATER" PAINT MARK
 - G— "UNDERGROUND GAS" PAINT MARK

BOUNDARY SURVEY
BENNETT PARK
LOCATED IN
SECTIONS 22 & 27, TOWNSHIP 34 S., RANGE 18 E.
MANATEE COUNTY, FLORIDA

K:\PLOT FILES\PROJECTS\BENNETT\2007\SH2.plt

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CERTIFICATE OF AUTHORIZATION No. LB 6982

201 5th AVENUE DRIVE EAST POST OFFICE BOX 9446 BRADENTON, FLORIDA 34206
FAX (941) 748-3747 E-MAIL: ZNS@ZNSENG.COM TELEPHONE (941) 748-8080

FILE T:\HOWARD\BENNETT\BENNETT-07.dwg DATE SCALE 1" = 200 FT.
DRAWN JCC COMP RE-52 JOB NO. 00-39501 F.B. NO. XX PG. NO. XX SHEET 2 OF 2

RESEARCH DATA SERVICES, INC.

777 SOUTH HARBOUR ISLAND BOULEVARD • SUITE 260
TAMPA, FLORIDA 33602
TEL (813) 254-2975 • FAX (813) 223-2986



BRADENTON AREA 2015 Value of Tourism

Prepared for:

Manatee County Board of County Commissioners
and
Bradenton Area Convention and Visitors Bureau

Prepared by:

Research Data Services, Inc.
www.ResearchDataLLC.com

February 23, 2016

Bradenton Area Value of Tourism (Calendar Year 2015)

Visitation Telemetry

	<u>2014</u>	<u>2015</u>	<u>Δ</u>
Feeder Markets (H/M/C)			
Florida	172,090	183,890	+6.9%
Southeast	57,040	62,210	+9.1%
Northeast	119,960	131,390	+9.5%
Midwest	126,180	137,440	+8.9%
Canada	26,400	27,440	+3.9%
Europe	82,710	90,380	+9.3%
<u>Markets of Opportunity</u>	<u>26,220</u>	<u>29,050</u>	<u>+10.8%</u>
Total	610,600	661,800	+8.4%

European Visitation

Total Europe	<u>82,710</u>	<u>90,380</u>	<u>+9.3%</u>
U.K./Ireland	39,450	41,780	+5.9%
Continental Europe	43,260	48,600	+12.3%

Number of Visitors Staying in Commercial Lodging (H/M/C)	610,600	661,800	+8.4%
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<u>Number of In Home Visitors (V F/R)</u>	<u>448,700</u>	<u>452,700</u>	<u>+0.9%</u>
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Number of Overnight Visitors (H/M/C + V F/R)	1,059,300	1,114,500	+5.2%
---	------------------	------------------	--------------

<u>Number of Day-Tripper Visitors</u>	<u>1,856,800</u>	<u>1,901,400</u>	<u>+2.4%</u>
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Total Number of Visitors (H/M/C + V F/R + Day-Trippers)	2,916,100	3,015,900	+3.4%
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Expenditures and Economic Impact

	<u>2014</u>	<u>2015</u>	<u>Δ</u>
Direct H/M/C Visitor Expenditures	\$451,637,300	\$512,440,400	+13.5%
<u>Direct V F/R Visitor Expenditures</u>	<u>\$135,148,400</u>	<u>\$138,932,600</u>	<u>+2.8%</u>
Direct Overnight Visitor Expenditures (H/M/C + V F/R)	\$586,785,700	\$651,373,000	+11.0%
<u>Direct Day-Tripper Visitor Expenditures</u>	<u>\$43,077,800</u>	<u>\$45,255,000</u>	<u>+5.1%</u>
Total Direct Visitor Expenditures (H/M/C + V F/R + Day-Trippers)	\$629,863,500	\$696,628,000	+10.6%
<hr/>			
Total Economic Impact (H/M/C + V F/R + Day-Trippers)	\$994,743,400	\$1,100,184,600	+10.6%
<hr/>			
Resort Tax Collections (Calendar Year)	\$10,606,265	\$11,976,933	+12.9%
<hr/>			
Tourism Industry Related Employment (Preliminary)	21,700	24,700 *	+13.8%
<hr/>			
Manatee County Visitors Pay State and Local Option Sales and Use Taxes (6.5%)	\$43.1 million	\$46.9 million	+8.8%
Estimated Motor Fuel and Gas Taxes Paid by Tourists	\$3.1 million	\$3.3 million	+6.5%
Visitors to the Area Save the Average Manatee Resident Household in Sales and Use Taxes Annually	\$328	\$346	+5.5%

* Source: Florida Department of Economic Opportunity preliminary Quarterly Census of Employment and Wages (QCEW) data.

Lodging Statistics

	<u>2014</u>	<u>2015</u>	<u>Δ</u>
Occupancy	70.7%	73.0%	+3.3%
January – March (Q1)	82.7%	87.0%	+5.2%
April – June (Q2)	73.4	74.6	+1.6%
July – September (Q3)	64.2	66.2	+3.1%
October – December (Q4)	62.3	64.3	+3.2%
<hr/>			
Average Daily Rate (ADR)	\$150.8	\$161.9	+7.4%
January – March (Q1)	\$168.5	\$184.0	+9.2%
April – June (Q2)	156.0	166.6	+6.8%
July – September (Q3)	141.1	152.1	+7.8%
October – December (Q4)	137.5	144.8	+5.3%

Visitor Profile/Demographics

	<u>2014</u>	<u>2015</u>
Length of Stay in the Bradenton Area	5.9 nights	5.8 nights
Size of Travel Party	2.8 people	2.9 people
Visitors Traveling by Personal Car/RV	47.6%	46.8%
Visitors Traveling by Air	51.0%	51.9%
Airport Deplaned (Base: Flew)		
Tampa	57.4%	57.3%
Sarasota/Bradenton	15.9	15.3
Orlando/Sanford	14.8	14.2

Visitor Profile/Demographics

	<u>2014</u>	<u>2015</u>
Party Composition		
Couples	53.4%	52.4%
Families	36.7	37.7
Singles	10.3	11.2
Purpose of Trip		
Vacation	70.4%	73.0%
Getaway	22.7	21.6
Visiting with Friends/Relatives	19.1	18.1
Satisfaction	97.4%	97.3%
Would Recommend	94.7%	94.6
Plan to Return	94.0%	94.9
<hr/>		
Average Age of Head of Household (years)	49.2	49.5
Median Annual Household Income	\$110,217	\$112,245

Bradenton Area Domestic Feeder Markets Calendar Year 2015

	<u>2014</u>	<u>2015</u>
Greater Orlando Area	9.9%	9.4%
Tampa/St. Petersburg	8.9	9.3
New York	6.5	5.8
Chicago	5.3	5.2
Pittsburgh	3.1	3.9
Philadelphia	3.7	3.3
Boston	3.3	3.0
Atlanta	2.8	2.6
Detroit	2.4	2.6
Indianapolis	2.2	2.3
Washington, D.C.	1.8	2.3

