

MIAMI BEACH

Invitation to Negotiate (ITN)

2025-253-DF

City-owned Building Space Available for Lease
at 1701 Meridian Avenue Unit 4

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SECTION 0200

INSTRUCTIONS TO BIDDERS & GENERAL CONDITIONS

1. GENERAL. This Invitation to Negotiate (ITN) is issued by the City of Miami Beach, Florida (the "City") as the means for prospective Bidders to submit their qualifications, proposed scopes of work, and cost proposals (the "proposal") to the City for the City's consideration as an option in achieving the required scope of services and requirements as noted herein. All documents released in connection with this solicitation, including all appendixes and addenda, whether included herein or released under separate cover, comprise the solicitation and are complementary to one another and together establish the complete terms, conditions, and obligations of the Bidders and, subsequently, the successful Bidder(s) (the "contractor[s]") if this ITN results in an award.

The City utilizes Bidnet Direct (www.bidnetdirect.com) for automatic notification of competitive solicitation opportunities and document fulfillment, including the issuance of any addendum to this ITN. Any prospective Bidder who has received this ITN by any means other than through Bidnet Direct must register immediately with Bidnet Direct to ensure it receives any addendum issued to this ITN. Failure to receive an addendum may result in disqualification of the proposal submitted.

2. BACKGROUND & PURPOSE.

The City-owned ground-floor commercial space at 1701 Meridian Avenue (the "Building"), Unit 4, will be available for lease starting 2025. The site drawings for Unit 4 are available in Appendix A attached herein. This prime retail location offers excellent visibility and foot traffic, benefiting from its proximity to City Hall and surrounding office buildings. Spanning approximately 535 square feet (SF), the space, currently used as an office site, features a flexible layout ideal for a variety of commercial uses, including retail, office, or service-oriented businesses.

The City envisions this space as a versatile retail location, centrally located with high pedestrian traffic, offering great potential for tenants (the "Bidders") focused on serving the local community. With the current lease expiration approaching, the City is eager to secure a new tenant who will contribute to the area's vibrancy while enhancing the utility of this prime commercial space. The specific lease term for this agreement shall be determined during negotiations.

The City seeks responses from Bidders interested and qualified to maintain, manage, and operate a commercial space at the ground floor retail area of the City-owned Building (adjacent to City Hall). The successful Bidder will be responsible for rent and its prorated share of property operating expenses (common area maintenance, real estate taxes, insurance, etc.) based on the tenant's square footage for the ground-level portion of the building. Bidders are to propose a rental structure for the City's consideration, along with a public benefit program.

2.1 Interested Parties. Interested parties are invited to submit proposals in accordance with Section 0300. A Pre-proposal conference will be held in accordance with Section 0100, Sub-sections 6 and 7. Responsive proposals will be evaluated in accordance with the criteria found in Section 0400.

3. SCOPE OF SERVICES REQUIRED.

The following scope of services shall set forth the basis for the operation of the commercial/retail space. All operations shall be in strict compliance with all Federal, State of Florida, Miami-Dade County and the City of Miami Beach standards including but not limited to:

- Maintaining the highest possible standards of consumer protection
- Immediately correcting any identified sanitation deficiencies.
- Conducting employee training programs.
- Providing proper materials, equipment, and facilities for the services.
- Ensuring employees maintain the highest safety and cleanliness standards.

Upon execution of the Agreement, the awarded Bidder shall furnish the City with a security deposit equal to two (2) months of base rent. In the event the awarded Bidder defaults, the City shall be entitled to retain said security deposit as liquidated damages, as well as pursue any and all other legal remedies provided herein or as may be provided by applicable law,

3.1 Facility

As described herein, the City will grant the Operator the exclusive right to manage and operate the commercial space. "Commercial space" shall refer to a general-purpose retail or service area. Permitted uses are for commercial retail space for the use of service, retail and/or food sales. It shall be the awarded Bidder's sole responsibility and cost to maintain the commercial space in accordance with the highest applicable standards and regulations, including the interior, assigned outdoor area, and major building systems (e.g., plumbing, electrical, and mechanical).

The awarded Bidder shall accept the space in "as-is" condition. Any improvements to the space shall be at awarded Bidder's sole expense and responsibility; provided, however, that any plans for such improvements shall be submitted to the City Manager or his designee for prior written approval. Upon termination and/or expiration of this Agreement, all personal property and non-permanent trade fixtures may be removed by Operator without causing damage to the Commercial Space. Any agreement(s) resulting from this ITN may be subject to additional clauses related to food sales including, but not limited to, sponsorship or marketing agreements that are currently in effect, and restaurant ware and packaging in relation to the City's sustainable and resilient goals.

3.2 Term:

Initial Term. The term of the Agreement resulting from this RFP shall be for an initial term of five (5) years.

Option to Renew. The City, through its City Manager, will have the option to extend for two (2) additional two-year periods at the City's sole discretion. The successful Contractor shall maintain, for the entirety of any renewal period, the same terms and conditions included within the originally awarded Contract. Continuation of the Contract beyond the initial period, and any option subsequently exercised, is a City prerogative and not a right of the successful Contractor.

3.3. Financial Considerations and Percentage of Gross (PG)

The total area of the premises, collectively known as "the Commercial Space," is approximately 535 SF. The interior area of the Commercial Space will be subject to execution of a lease agreement between the City and awarded Bidder. The Bidder shall pay its proportionate share of the building operating expenses, currently in the amount of \$19.07 per square foot (PSF), which is reconciled annually by the City and subject to change accordingly, and minimum fix base rent starting at \$53.00 PSF with a three (3) percent annual escalation. The City retains the right to negotiate a percentage rent program with the awarded Bidder.

Bidder is to propose a rental structure for the City's consideration. The awarded Bidder will be responsible for rent and its prorated share of property operating expenses (common area maintenance, real estate taxes, insurance, etc. based on tenant's square footage) for the ground level portion of the Building.

The City requires an annual audit of awarded Bidder's gross receipts, independent of any other business affiliations for each contract year, beginning with commencement date. The City retains the right to negotiate a percentage rent program with the awarded Bidder.

4. ANTICIPATED ITN TIMETABLE. The tentative schedule for this solicitation is as follows:

ITN Issued	February 28, 2025
Site Visit	March 10, 2025 at 11:00 am ET

	17 th Street and Meridian Avenue Northeast Corner Miami Beach, FL 33139
Pre-Proposal Meeting	March 10, 2025 at 2:00pm ET Microsoft Teams Need help? Join the meeting now Meeting ID: 278 094 005 499 Passcode: gp6J5vK7 Dial in by phone Phone Number: 786-636-1480 Phone conference ID: 376 087 002, then #
Deadline for Receipt of Questions	March 31, 2025, at 5:00 pm ET
Responses Due	April 14, 2025, at 3:00 pm ET Microsoft Teams Need help? Join the meeting now Meeting ID: 239 515 631 815 Passcode: Lv3gM3Ju Dial in by phone Phone Number: +1 786-636-1480 Phone Conference ID: 255 862 911, then #
Evaluation Committee Review	TBD
Tentative Commission Approval	TBD
Contract Negotiations	Following Commission Approval

5. PROCUREMENT CONTACT. Any questions or clarifications concerning this solicitation shall be submitted to the Procurement Contact noted below:

Procurement Contact:

Danny Flores

Telephone:

305-673-7000 ext. 26652

Email:

dannyflores@miamibeachfl.gov

Additionally, the City Clerk is to be copied on all communications via email at RafaelGranado@miamibeachfl.gov or via facsimile: 786-394-4188.

The Bid title/number shall be referenced in all correspondence. All questions or requests for clarification must be received no later than seven (7) calendar days prior to the date proposals are due as scheduled in Section 0100-3. All responses to questions/clarifications will be sent to all prospective Bidders in the form of an addendum.

6. PRE-PROPOSAL MEETING OR SITE VISIT(S). A pre-proposal meeting or site visit(s) may be scheduled. Attendance for the pre-proposal meeting shall be via web conference and recommended as a source of information but is not mandatory. Bidders interested in participating in the Pre-Proposal Meeting must follow these steps:

Microsoft Teams [Need help?](#)

[Join the meeting now](#)

Meeting ID: 278 094 005 499

Passcode: gp6J5vK7

Dial in by phone

Phone Number: 786-636-1480
Phone conference ID: 376 087 002, then

Bidders who are participating should send an email to the contact person listed in this ITN expressing their intent to participate.

7. PRE-PROPOSAL INTERPRETATIONS. Oral information or responses to questions received by prospective Bidders are not binding on the City. They will be without legal effect, including any information received at a pre-submittal meeting or site visit(s). The City, by means of Addenda, will issue interpretations or written addenda clarifications that are considered necessary by the City in response to questions. Only questions answered by written addenda will be binding and may supersede terms noted in this solicitation. The addendum will be released through *Bidnet Direct*. Any prospective Bidder who has received this ITN by any means other than through *Bidnet Direct* must register immediately with *Bidnet Direct* to ensure it receives any addendum issued to this ITN. Failure to receive an addendum may result in disqualification of the proposal. Written questions should be received no later than the date outlined in the **Anticipated ITN Timetable** section.

8. CONE OF SILENCE. This ITN is subject to, and all Bidders are expected to be or become familiar with, the City's Cone of Silence Requirements, as codified in Section 2-486 of the City Code. Bidders shall be solely responsible for ensuring that all applicable provisions of the City's Cone of Silence are complied with and shall be subject to any sanctions, as prescribed therein, including rendering their response voidable, in the event of such non-compliance. Communications regarding this solicitation are to be submitted in writing to the Procurement Contact named herein with a copy to the City Clerk at rafaelgranado@miamibeachfl.gov.

9. ADDITIONAL INFORMATION OR CLARIFICATION. After proposal submittal, the City reserves the right to require additional information from Bidders (or Bidder team members or sub-consultants) to determine qualifications (including, but not limited to, litigation history, regulatory action, or additional references) and financial capability (including, but not limited to, annual reviewed/audited financial statements with the auditors notes for each of their last two complete fiscal years).

10. BIDDER'S RESPONSIBILITY. Before submitting a response, each Bidder shall be solely responsible for making any investigations, evaluations, and examinations, as it deems necessary, to ascertain all conditions and requirements affecting the full performance of the Contract. Ignorance of such conditions and requirements, or failure to make such evaluations, investigations, and examinations, will not relieve the Bidder from any obligation to comply with every detail and with all provisions and requirements of the Contract and will not be accepted as a basis for any subsequent claim whatsoever for any monetary consideration on the part of the Bidder.

11. DETERMINATION OF AWARD. The City Manager may appoint an evaluation committee to assist in the evaluation of proposals received. The evaluation committee is advisory only to the city manager. The city manager may consider the information provided by the evaluation committee process or may utilize other information deemed relevant. The City Manager's recommendation need not be consistent with the information provided by the evaluation committee process and takes into consideration Miami Beach City Code Section 2-369, including the following considerations:

- (1) The ability, capacity, and skill of the Bidder to perform the Contract.
- (2) Whether the Bidder can perform the Contract within the time specified, without delay or interference.
- (3) The character, integrity, reputation, judgment, experience, and efficiency of the Bidder.
- (4) The quality of performance of previous contracts.
- (5) The previous and existing compliance by the Bidder with laws and ordinances relating to the Contract.

The City Manager may recommend to the City Commission the Bidder(s) s/he deems to be in the best interest of the City or may recommend rejection of all proposals. The City Commission shall consider the City Manager's recommendation and may approve such recommendation. The City Commission may also, at its option, reject the

City Manager's recommendation and select another Proposal or Proposals that it deems to be in the best interest of the City, or it may also reject all Proposals.

12. NEGOTIATIONS. Following selection, the City reserves the right to enter into further negotiations with the selected Bidder. Notwithstanding the preceding, the City is in no way obligated to enter into a contract with the selected Bidder in the event the parties are unable to negotiate a contract. It is also understood and acknowledged by Bidders that no property, Contract, or legal rights of any kind shall be created at any time until and unless an Agreement has been agreed to, approved by the City, and executed by the parties.

13. BIDNET DIRECT. The Procurement Department utilizes Bidnet Direct, a Supplier-to-Government electronic bidding (e-Bid) platform. If you would like to be notified of available competitive solicitations released by the City, you must register and complete your vendor qualifications through Bidnet Direct <https://www.bidnetdirect.com/florida/cityofmiamibeach>. Registration is easy and will only take a few minutes. For detailed instructions on how to register, complete vendor qualifications, and submit electronic bids, visit <https://www.miamibeachfl.gov/city-hall/procurement/for-approval-how-to-become-a-vendor/>.

If you need help registering, please get in touch with BidnetDirect's Support Department at 1-800-835-4603, option 2, or support@bidnet.com.

14. HOW TO MANAGE OR CREATE A VENDOR PROFILE ON VENDOR SELF SERVICE (VSS). In addition to registering with Periscope S2G, the City encourages vendors to register with our online Vendor Self-Service web page, allowing City vendors to easily update contacts, attachments (W-9), and commodity information. The Vendor Self-Service (VSS) webpage (<https://selfservice.miamibeachfl.gov/vss/Vendors/default.aspx>) will also provide you with purchase orders and payment information.

Should you have any questions or comments, do not hesitate to submit them to vendorsupport@miamibeachfl.gov.

15. SUPPLIER DIVERSITY. In an effort to increase the number and diversity of supplier options in the procurement of goods and services, the City has established a registry of LGBT-owned businesses, as certified by the National LGBT Chamber of Commerce (NGLCC), and small and disadvantaged businesses, as certified by Miami-Dade County. See authorizing resolutions [here](#).

If your company is certified as an LGBT-owned business by NGLCC or as a small or disadvantaged business by Miami-Dade County, click on the link below to be added to the City's supplier registry (Vendor Self-Service) and bid system (Bidnet Direct). These are two different systems, and you must register for both.

Click to see acceptable certification and to register: <https://www.miamibeachfl.gov/city-hall/procurement/how-to-become-a-vendor/>.

16. E-VERIFY. As a contractor, you are obligated to comply with the provisions of Section 448.095, Fla. Stat., "Employment Eligibility." Therefore, you shall utilize the US Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Contractor during the term of the Contract and shall expressly require any subcontractors performing work or providing services pursuant to the Contract to utilize the US Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the Contract term.

SECTION 0200**GENERAL CONDITIONS**

FORMAL SOLICITATIONS TERMS & CONDITIONS - GOODS AND SERVICES. By virtue of submitting a proposal in response to this solicitation, Bidder agrees to be bound by and in compliance with the Terms and Conditions for Services (dated 10.27.2022), incorporated herein, which may be found at the following link:

<https://www.miamibeachfl.gov/city-hall/procurement/standard-terms-and-conditions/>

GENERAL CONDITIONS FOR CONSTRUCTION CONTRACTS. By virtue of submitting a bid in response to this ITB, Bidder agrees that all work shall be bound by and in compliance with the General Conditions for Construction Contracts (dated 4/13/20), incorporated herein, located at:

<https://www.miamibeachfl.gov/city-hall/procurement/standard-terms-and-conditions/>

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SECTION 0300 PROPOSAL SUBMITTAL INSTRUCTIONS AND FORMAT

1. ELECTRONIC RESPONSES (ONLY). Proposals must be submitted electronically through Bidnet Direct on or before the date and time indicated, Hard copy proposals or proposals received through email or facsimile are not acceptable and will be rejected.

A Bidder may submit a modified proposal to replace all or any portion of a previously submitted proposal until the deadline for proposal submittals. The City will only consider the latest version of the bid.

Electronic proposal submissions may require the uploading of attachments. All documents should be attached as separate files in accordance with the instructions included in Section 4 below. Attachments containing embedded documents or proprietary file extensions are prohibited. It is the Bidder's responsibility to ensure that its bid, including all attachments, is uploaded successfully.

Only proposal submittals received and time stamped by Bidnet Direct prior to the proposal submittal deadline shall be accepted as submitted in a timely manner. Late bids cannot be submitted and will not be accepted. Bidders are cautioned to allow sufficient time for the submittal of bids and uploading of attachments. Any technical issues must be submitted to Bidnet Direct by contacting 1-800-835-4603, option 2 or support@bidnet.com. The City cannot assist with technical issues regarding submittals and will in no way be responsible for delays caused by any technical or other issue.

It is the sole responsibility of each Bidder to ensure its proposal is successfully submitted in Bidnet Direct prior to the deadline for proposal submittals.

2. NON-RESPONSIVENESS. Failure to submit the following requirements shall result in a determination of non-responsiveness. Non-responsive proposals will not be considered.

1. Question Tab in Bidnet Direct
2. Failure to comply with Minimum Eligibility Requirement (See Appendix A, Section A1).
3. Failure to submit Financial Proposal (Tab 4 below)

3. OMITTED OR ADDITIONAL INFORMATION. Failure to complete and submit the Question Tab (submitted electronically) and the Financial Proposal (Tab 4 below) with the bid and by the deadline for submittals shall render a proposal non-responsive. Non-responsive proposals will not be considered. With the exception of the Question Tab (completed and submitted electronically) and the Financial Proposal, the City reserves the right to seek any omitted information/documentation or any additional information from Bidder or other sources, including but not limited to any Tenant or principal information, applicable licensure, resumes of relevant individuals, client information, financial information, or any information the City deems necessary to evaluate the capacity of the Bidder to perform in accordance with contract requirements. Failure to submit any omitted or additional information in accordance with the City's request shall result in the proposal being deemed non-responsive.

4. ELECTRONIC PROPOSAL FORMAT. In order to maintain comparability, facilitate the review process, and assist the Evaluation Committee in the review of proposals, it is strongly recommended that proposals be organized and tabbed in accordance with the tabs and sections as specified below. The electronic submittal should be tabbed as enumerated below and contain a table of contents with page references. The electronic proposal shall be submitted through the "Documents" tab in Bidnet Direct.

TAB 1	Cover Letter & Minimum Qualifications Requirements
1.1 Cover Letter and Table of Contents. The table of contents should indicate the tabs, sections with tabs and page numbers to facilitate the evaluation committee's review. The cover letter must be signed by a principal or agent able to bind the firm.	

TAB 2**Experience & Qualifications**

2.1 Qualifications of Proposing Bidder. Submit detailed information regarding the relevant experience and proven track record of the Bidder and/or its principals in providing the scope of services similar as identified in this solicitation, including experience in providing a similar scope of services in the private or public sector within the last five (5) years. Similar services are defined as a service, office, or retail store that Bidder and/or its principals are currently operating, with the required proven track record in a like-kind venue as City's current location available for lease. The determination of similarity shall be solely at the City's discretion. If applicable, provide any current service locations operated within the City of Miami Beach.

For each reference that the Bidder submits as evidence of similar experience, the following is required: facility name; location; description provided; relative inspection records or applicable documentation evidencing continuous and violation-free operation; licenses; and year(s) and term of engagement. For each engagement, identify whether the experience is for the Bidder or for a principal (include name(s) of principal(s)).

TAB 3**Approach and Methodology**

Submit detailed information on how Bidder plans to accomplish the required scope of services detailed in Section 0300, subsection 3. In addition, Bidders are to provide, but need not be limited to, the following detailed information (as applicable):

- Business plan
- Proposed use (i.e. service/retail/office/food concept)
- management team
- number of employees and roles
- interior/exterior improvements
- equipment
- layout and furniture
- hours of operation (subject to negotiations)
- evaluating customer satisfaction
- responding to complaints
- Point of Sale (POS) system, tracking and reporting sales

TAB 4**Financial Proposal**

Submit financial proposal, which addresses, but need not be limited to:

- Rental structure

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SECTION 0400

PROPOSAL EVALUATION

1. EVALUATION COMMITTEE. An Evaluation Committee, appointed by the City Manager, may meet to evaluate each Proposal in accordance with the qualitative criteria set forth below. In doing so, the Evaluation Committee may review and score all proposals received, with or without requiring presentations. It is important to note that the Evaluation Committee is advisory only and does not make an award recommendation to the City Manager or the City Commission. The City Manager will utilize the results to take one of the following actions:

- a. In the event that only one responsive proposal is received, the City Manager, after determination that the sole responsive proposal materially meets the requirements of the ITN, may, without an evaluation committee, recommend to the City Commission that the Administration enter into negotiations; or
- b. The City Manager may recommend that the City Commission authorize negotiations or award a contract to one or more firms in accordance with Section 0100, Sub-section 11; or
- c. The City Manager may Recommend that the City Commission short-list one or more firms for further consideration by the Evaluation Committee; or
- d. The City Manager may recommend to the City Commission that all firms, if more than one (1) responsive submittal is received, be rejected.

2. PRESENTATIONS BY SHORT-LISTED FIRMS. If a short-listing of firms responding to this ITN is approved, the short-listed firms may be required to make presentations to and be interviewed by the Evaluation Committee. In further considering the short-listed firms, the Evaluation Committee will utilize the criteria set forth in Sub-section 4 below.

3. TECHNICAL ADVISORS. The City, at its discretion, may utilize technical or other advisers to assist the evaluation committee or the City Manager in evaluating proposals.

4. EVALUATION OF QUALITATIVE FACTORS (EXPERIENCE & QUALIFICATIONS, APPROACH & METHODOLOGY, AND FINANCIAL PROPOSAL). The Evaluation Committee shall only consider qualitative factors in Tabs 2, 3, and 4. The Evaluation Committee shall not consider quantitative factors (e.g., exceptions to the lease agreement) in its review of proposals. The Evaluation Committee's role is solely in an advisory capacity to the City Manager. The results of the Evaluation Committee process do not constitute an award recommendation. The City Manager may utilize, but is not bound by, the results of the Evaluation Committee process, as well as consider any feedback or information provided by staff, consultants or any other third-party, as well as consideration of the quantitative factors, in developing an award recommendation to be presented to the City Commission for consideration. In its review of proposals received, the Evaluation Committee may review and score all proposals, with or without conducting interview sessions, in accordance with the following criteria. The Procurement Department will assign points for Veteran's Preference, pursuant to Section 2-374 of the City Code, as applicable.

Qualitative Criteria	Maximum Points
Experience & Qualifications	50
Approach and Methodology	20

Financial Proposal	30
TOTAL AVAILABLE POINTS for Qualitative Criteria	100
Veteran's Preference Points	5
TOTAL AVAILABLE POINTS for Qualitative and Veteran's Preference Criteria	105

6. QUANTITATIVE CRITERIA. Following the results of the evaluation of the qualitative criteria by the Evaluation Committee, the Bidders may receive additional points, which will be added by City staff. Veterans' Preference points will be assigned in accordance with Section 2-374 of the City Code.

7. DETERMINATION OF FINAL RANKING. The sum of the evaluation criteria points will be converted to rankings in accordance with the example below:

		Bidder A	Bidder B	Bidder C
Committee Member 1	Qualitative Points	82	76	80
	Quantitative Points	22	15	12
	Total	104	91	92
	Rank	1	3	2
Committee Member 2	Qualitative Points	79	85	72
	Quantitative Points	22	15	12
	Total	101	100	84
	Rank	1	2	3
Committee Member 2	Qualitative Points	80	74	66
	Quantitative Points	22	15	12
	Total	102	89	78
	Rank	1	2	3
Low Aggregate Score		3	7	8
Final Ranking*		1	2	3

It is important to note that the results of the proposal evaluation process in accordance with Section 0400 does not represent an award recommendation. The City Manager will utilize the results of the proposal evaluation process, and any other information he deems appropriate, to develop an award recommendation to the City Commission, which may differ from the results of the proposal evaluation process and final rankings.

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APPENDIX A

MIAMI BEACH

Site Drawings

2025-253-DF
City-owned Building Space Available
for Lease
at 1701 Meridian Avenue Unit 4

PROCUREMENT DEPARTMENT
1755 Meridian Avenue, 3rd Floor
Miami Beach, Florida 33139

EXHIBIT 1

Demised Premises

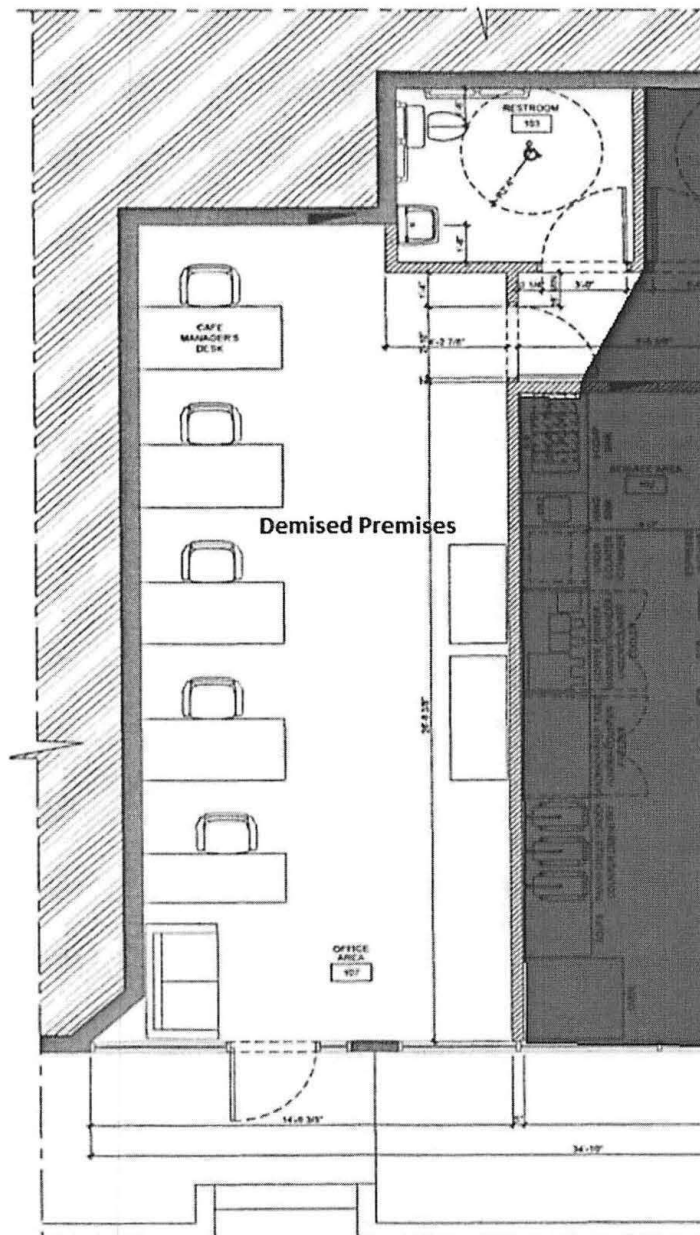


EXHIBIT 1a

UNIT 4

