



LETTER TO THE COMMISSION

LTC No: 25-229

TO: Honorable Mayor and Members of the Fort Lauderdale City Commission
FROM: Rickelle Williams, City Manager *RW*
DATE: November 5, 2025
SUBJECT: **City Hall Project Update - Proposer Questions and City Responses**

The purpose of this Letter to the Commission (LTC) is to inform the City Commission that the City received forty-nine (49) written questions from shortlisted proposers by the established deadline of October 29, 2025. City staff, in coordination with the City's technical and financial advisors and consultants, provided consolidated responses (Attachment 1) to the shortlisted proposers on October 31, 2025.

The City Hall unsolicited proposal review process is now in Phase 2, which focuses on the submission of supplemental responses from the shortlisted proposers. The supplemental responses will provide detailed data on construction cost assumptions, financing structures, developer qualifications, P3 experience, and facilities management capabilities. In addition, the responses and will further refine proposed design concepts and scheduling parameters necessary to support the City's comparative evaluation. As part of the City's question response package, staff provided each proposer with a Litigation History Certification (Attachment 2).

Many of the forty-nine (49) questions submitted by shortlisted proposers had recurring themes, some of which are highlighted below for your reference. The additional themes and topics are included in Attachment 1.

Clarifications Regarding GMP/Cost Reasonableness

- While the City has not requested a Guaranteed Maximum Price (GMP) at this stage, shortlisted proposers were nonetheless instructed to include reasonable cost assumptions based on the parameters outlined in the Supplemental Information Request Package Version 2. The City has also requested the submission of a full project budget to allow for a comprehensive review of total project cost, financial structure and value comparability across submissions. The City has confirmed that evaluation will not be based on "low-bid" but rather will incorporate a more holistic and value-focused approach.

Clarifications on Weighting and Scoring Approach

- Since the project's delivery method remains under consideration and the information submitted by proposers is preliminary, staff have clarified that numerical scores or formal weightings will not be applied at this phase. Instead, the evaluation will proceed under the framework established in Section Eight (8) of the Supplemental Information Request Package Version 2, which identifies specified principal areas of review. This framework is intended to allow for comparative analysis across proposers while preserving flexibility to ensure alignment with the City's objectives. Quantitative scoring and weighting methodologies may be developed later in the process, in consultation with the City's financial and technical advisors.

Upcoming Timeline and Milestones

- The timeline and milestones for this phase, including those completed to date and those that are forthcoming, are outlined below:

Milestone	Deadline
[COMPLETED] Request Package Distribution	Tuesday, October 21, 2025
[COMPLETED] Request Package (Version Two) Distribution	Tuesday, October 28, 2025
[COMPLETED] Proposer(s) Questions to the City & City Responses to the Proposer(s)	<u>Proposer Question Submission Deadline:</u> Wednesday, October 29, 2025 <u>City Response Deadline:</u> Friday, October 31, 2025
Request Package Response Submission	Monday, November 10, 2025 (12:00 p.m.)
Presentation Materials Submission	Thursday, November 20, 2025 (4:59 p.m.)
Proposer Presentations	Tuesday, December 2, 2025 (1:30 p.m.)
Final Ranking Decision	Tuesday, December 2, 2025 (6:00 p.m.)
Resolution Providing Notice of Decision to Proceed and Authorizing Negotiations	Tuesday, December 2, 2025 (6:00 p.m.)

Presentation Format and Order

- The presentations are scheduled for the City Commission Conference Meeting on December 2, 2025, with each proposer presenting individually during its assigned time slot. Presentations are anticipated to be approximately thirty (30) minutes in length, followed by additional time for City Commission-led questions and discussion. The presentation order, participation details, and structure will be provided on or before December 2, 2025.
- Staff prepared a recommended presentation outline to be used as a guide by proposers. While not mandatory, the outline is intended to assist proposers with structuring their presentations in a logical sequence beginning with team introductions, followed by project approach, design concept, financial structure, delivery methodology, and closing remarks. The objective is to ensure that all proposers address the key evaluation areas within the allotted time frame, while preserving flexibility for each team's individual approach.

Treatment of Financial Materials and Confidential Submissions

- Several questions were raised regarding the treatment of financial statements and other materials that may purportedly contain confidential, proprietary, or trade secret information. City staff has clarified that all submissions remain subject to Florida's public records requirements. Staff has also clarified that proposers are solely responsible for designating any portions of their submissions that they assert to be exempt from disclosure under Florida's Public Records laws, and such designations must cite the specific statutory basis for the claimed exemption.

City staff will continue to oversee the evaluation process in accordance with the published timeline and will provide ongoing updates to the City Commission as the process advances toward the December 2, 2025 presentations and final ranking.

For questions, please contact Ben Rogers, Assistant City Manager, at (954) 828-3781 or BRogers@fortlauderdale.gov.

Attachments:

1. Proposer Questions and City Responses Package
2. Litigation History Certification

c: D'Wayne M. Spence, Interim City Attorney
David R. Soloman, City Clerk
Patrick Reilly, City Auditor
City Manager's Office
Department Directors

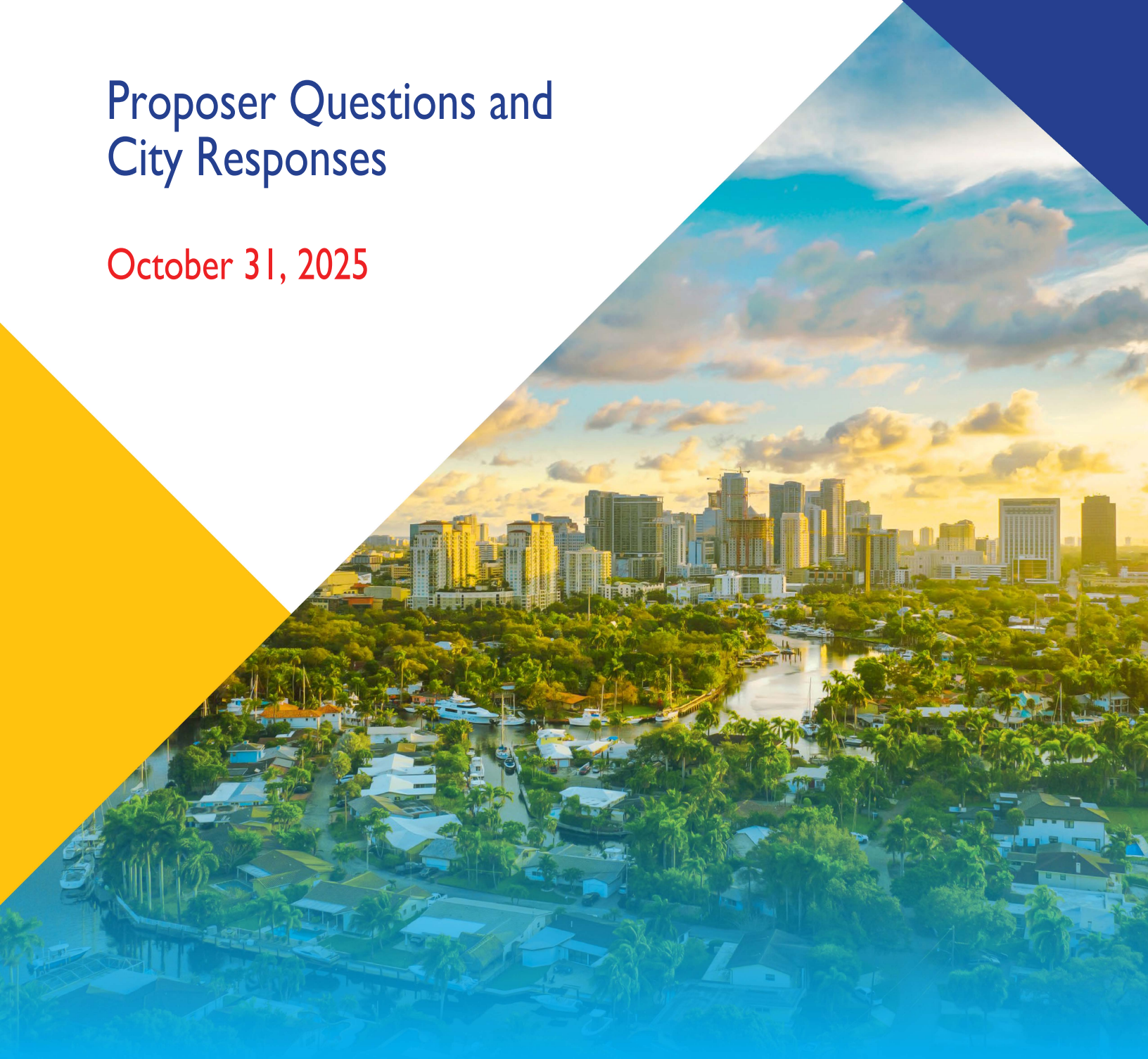


CITY OF FORT LAUDERDALE

CITY HALL PROJECT

Proposer Questions and
City Responses

October 31, 2025



A. Overview

The City of Fort Lauderdale distributed a Supplemental Information Request Package for Shortlisted Proposers on October 21, 2025. The City Commission provided feedback during the October 23, 2025, City Commission Conference Meeting. As a result, City staff distributed Version 2 of the Supplemental Information Request Package to City Hall Shortlisted Proposers (Revised Package) on Tuesday, October 28, 2025. Both packages provided a deadline for the shortlisted proposers to submit questions by October 29, 2025, with City responses to be provided on October 31, 2025.

The City received forty-nine (49) written questions before the deadline. This package is being distributed to all shortlisted proposers to ensure a uniform communication of the City's position and includes all the questions and the City responses. The responses are grouped by common themes, and some responses are consolidated to address similar questions.

The City understands the concerns that some of the shortlisted proposers brought forward related to long-term structure, risk transfer, and other considerations that may impact the overall costs of the project during the entire term. For some of these questions, additional discussions, planning, and design efforts need to take place before a decision can be made. The City requests that the shortlisted proposers use their subject matter expertise and industry benchmarks to deliver a defensible cost estimate that can be shared with the City Commission as part of its December 2, 2025, presentation.

The City reminds the shortlisted proposers that Section Nine provides the opportunity for the shortlisted proposers to provide any additional feedback or recommendations for the project.

The information requested in this document is intended solely for informational and evaluation purposes to facilitate a comparison among the shortlisted proposers for the City Hall project. The supplemental materials do not constitute a commitment by either the City or the proposer, nor are the responses intended to serve as a final representation of actual design, construction, or financing costs. The information will, however, be utilized to assess each of the proposers' experience with and capability to successfully deliver the City Hall project through a public-private partnership. All terms, conditions, and financial obligations related to the project will be subject to further negotiations – upon selection of a firm – and formalized through an interim agreement and/or a comprehensive agreement.

B. Proposal Format & Administrative Details

Questions 1 and 2:

- I. Is there a page limit for written responses to the supplemental information request?

2. Because of the notes in the package relating to a clear and concise response from proposers, please confirm that the structure of the proposer's response should only be addressing answers to items #1 to #18 in Section 7 and an optional Appendix for developer feedback as noted in Section 9.

Response: There is not a page limit for written responses to the Original or Version 2 of the Supplemental Information Request Package for Shortlisted Proposers. However, proposers are expected to provide clear, concise and self-contained (complete) narrative responses. Supporting materials (e.g., financial information, organizational charts, safety records, project case studies) may be included in appendices for supplemental reference, provided they are clearly organized and cross-referenced. For consistency across submissions, narrative responses must be prepared using 8.5" x 11" pages, minimum 11-point black font size, and one-inch margins that ensure the text is easily legible. Text should be single-spaced, with section headings corresponding to the numbering of the Supplemental Information Request Package. Page numbers must appear on each page, and all files must be clearly labeled to identify the submitting team.

As provided in Version 2 of the Supplemental Information Request Package dated October 28, 2025, proposers should structure their submissions to address: (i) the required responses to Section Seven (Questions 1–26, including all subparts); (ii) the required presentation materials described in Section 10, which must be submitted by November 20, 2025, in advance of the December 2, 2025 presentations; and (iii) any optional developer feedback as outlined in Section 9. The narrative response must be clear and self-contained (complete), with appendices used only to provide supporting documentation that is clearly indexed and cross-referenced.

C. Team Composition & Clarifications

Question 3:

3. We would like to clarify and confirm that the Balfour Beatty team includes Johnson Controls International (JCI), the leading facilities management provider for P3 projects in North America. We believe JCI has [sic] inadvertently left off the description of our team, whilst FM providers have been included on other bidders' descriptors. Should this project go down a DBFM route, JCI will be integral to the solution provided.

Response: Proposers are responsible for the accuracy and completeness of their submissions. Facilities management providers, if identified in a proposal, will be evaluated in accordance with the criteria set forth in the Supplemental Information Request Package. To the extent any previously omitted information is directly responsive to a supplemental

question, it may be included in the applicable supplemental submission, provided it is timely submitted by the stated deadline.

D. Evaluation Approach & Criteria

Questions 4 - 7:

4. Please confirm that the City does not intend to evaluate proposals simply on the basis of "lowest cost," as the values submitted by all proposers at this stage are technically non-binding, and also make broad assumptions with respect to variables like initial design concepts (designs will likely be adjusted) and the City's ultimate affordability thresholds (assumed, but unknown). We think this is an important clarification to make in order to avoid incentivizing unrealistically low estimates that will inevitably change.

5. Reference is made to the projected budgetary impacts over the term of the agreement and yet earlier in the documentation it is clearly stated that that the GMP is unable to be determined at this stage. Further, there is no payment mechanism developed for the operational period which will directly affect the annual FM and lifecycle cost. Given bidders have a two week period to develop pricing in response to the recently issued Supplemental Information Request Package we respectfully suggest that it would be in the best interests of the City not to evaluate any pricing given by bidders at this stage as there is no contract commercial structure to base the price off of.

6. On the evaluation section, you state that you will evaluate the projected budgetary impacts over the term of the agreement, while later stating that you will evaluate cost reasonableness. Could you please confirm if you are looking to evaluate the lowest cost or if you are looking to evaluate the costs that most align with recent market prices?

7. Related to the previous question, can the City please clarify whether it is looking for the lowest price or for the option that minimizes funding from the City by maximizing revenue-generating activities?

Response: The City will evaluate proposals holistically, taking into consideration all requested information when ranking and/or recommending one or more shortlisted proposer(s) to the City Commission. Cost reasonableness and long-term value will be assessed in conjunction with other key factors, including technical competency, financial feasibility, proposer experience, and responsiveness to Commission directives. The City will not evaluate a proposal solely based on lowest cost; rather, the evaluation will focus on whether each proposer's assumptions, projected costs, and delivery approach are credible, supportable, and consistent with prevailing market conditions, industry best practices, and the City's affordability objectives over the term of the agreement. As part of this process, the City and its consultants will conduct an independent review of each

supplemental submission including, but not limited to: an assessment of financing mechanisms, capital stack, lifecycle costs, annual budgetary impacts, and potential credit and bond capacity implications. Construction and cost estimates will be reviewed against available benchmarks and current local market data, with particular focus on the reasonableness and defensibility of assumptions regarding project components, materials, and amenities. Final financial terms, including any guaranteed maximum price, will be negotiated in subsequent phases and formalized through a definitive agreement.

Question 8:

8. Please can City confirm when the evaluation criteria, weightings and any scoring methodology will be finalized so that we can tailor our responses to best meet the City's needs.

Response: The project's delivery method is still under consideration, and when considering that the information submitted by proposers is preliminary and non-binding, the City has elected not to assign numerical scores or weightings at this stage. Instead, the evaluation will follow the framework outlined in Section Eight of the Supplemental Information Request Package (Version 2, dated October 28, 2025), which identifies the principal areas of evaluation: Financial Structure and Feasibility; Cost Reasonableness and Value; and Responsiveness and Completeness. Each area encompasses multiple evaluative components that allow for comparative analysis and ensure alignment with the City's affordability, performance, and procurement objectives. While lower overall cost will not be the sole determinant of ranking, value for money, cost defensibility, responsiveness, and overall feasibility will remain central considerations.

Question 9:

9. When watching the commission meeting on October 23rd we noted that Ben Rogers (Assistant City Manager) mentioned that audited financial statements for key team members would also be requested, but this information is not included in the current version of the supplemental information request package. Do we need to submit this information with our submission? In addition, Commissioner Sorensen requested additional information relating to P3 experience, construction experience, design experience, and facilities management experience. Does the City intend to issue an amendment to the request for a supplemental information package to include this additional information?

Response: City staff incorporated the direction provided by the City Commission during the October 23, 2025, Conference Meeting into Version 2 of the Supplemental Information Request Package, issued October 28, 2025. Accordingly, no further amendment is anticipated. Although the language in Version 2 does not replicate the Commission's discussion verbatim, it reflects the substance of the directives provided.

Specifically, audited financial statements are addressed in Item 21, and the additional experience categories identified by the Commissioners including Public-Private Partnership (P3) experience, facilities-management experience, litigation history, and bonding capacity, have been incorporated into the revised response requirements. Proposers should rely on Version 2 as the governing document.

E. Public Records, Confidentiality, and Redactions

Questions 10 – 15:

10. Can you please confirm that the lead developer financial statements will remain confidential and not shared publicly through the City Commission website?

11. To protect confidentiality of Financial Statements and other financial information of privately held companies on our team, we request that the City allows for Financial Statements and other sensitive financial information related to this question #21 be excluded from the hard copy submission and instead submitted in a standalone password-protected USB.

12. City has stated that everything submitted will become public information. Does the City intend to make the submissions previously made to Jacobs public?

13. City has stated that everything submitted will become public information. Could the City confirm that any submissions made (whether informational or the presentations) will be kept confidential until the decision has been made by the Commission and then be made public?

14. Some of the materials we will be submitting may be commercially proprietary information such as trade secrets. With reference to the Public Records Notice set forth under Section 6 (Instructions), would the City please confirm that shortlisted proposers will be permitted to mark certain pages and/or quantitative information as being exempt and not subject to the access requirements under the Sunshine Laws?

15. Following on from the Question immediately above, to the extent that the City confirms that shortlisted proposers will be permitted to assert one or more exemptions from public access, would the City like shortlisted proposers to submit a redacted submission and a clean submission?

Response: If shortlisted proposers have redacted content, then the shortlisted proposer is required to submit both a clean and a redacted version of their submission. Pursuant to Chapter 119, Florida Statutes and Article I, Section 24(a) of the Florida Constitution, proposal materials are public records and subject to inspection and copying unless specifically confidential or exempt under Florida law. Proposers are solely responsible for

identifying any portion of their submission they contend is confidential and exempt, citing the precise statutory basis for each claimed exemption and clearly marking the applicable sections. The City will review such designations and handle the materials consistent with law; however, all submissions remain subject to Florida's public records requirements, and information asserted as exempt may still be disclosed if a public records request is received and the claimed exemption is not legally supported. Financial statements and other materials will be made publicly available unless a valid exemption is properly asserted, as determined by the City.

F. Delivery Method and Interim Agreement Period

Question 16:

16. Will the City pick a PDA developer and a delivery model (DBFOM vs. DBF) on December 2nd? Various proposers, including our team, may not pursue the project if delivered as a DBF.

Response: The City Commission has not determined a final delivery method. However, the Commission has directed staff to prepare a resolution for consideration at its December 2, 2025, Regular Meeting to select a developer. If a proposer is only interested in pursuing a DBFOM structure, such proposer should indicate that position in its response.

Question 17:

17. Can the City please elaborate on the anticipated duration of the Interim Agreement? Should proposers expect that period to last the required duration to obtain all permits and arrange committed financing (if applicable)?

Response: The City Commission has indicated an interest in expediting the process. The duration of the Interim Agreement will be mutually determined by the City and the selected proposer and will be structured to include the elements necessary to complete negotiations for a Comprehensive Agreement.

G. Furniture, Fixtures, and Equipment (FFE)

Question 18:

18. Does the City anticipate that it will be providing FFE or should bidders include that cost in their estimate? Please confirm that City will be responsible for the ongoing lifecycle of FFE.

Response: Proposers should not include FFE costs in their supplemental responses. To the extent applicable, the scope, delivery, and responsibility for the lifecycle of FFE will be determined between the City and the selected developer during the Interim Agreement period.

H. Submission Deadline

Question 19:

19. In the first paragraph of page 5, it is stated that the deadline to update proposals is November 7, but the table below indicates a response submission deadline of November 10. Please confirm that it is November 10th.

Response: The City has corrected this discrepancy in Version 2 of the Supplemental Information Request Package for Shortlisted Proposers dated October 28, 2025. The deadline for supplemental response submissions is Monday, November 10, 2025, at 12:00 P.M. (EST).

I. Parking Garage Requirements

Questions 20 – 22:

20. As discussed during the Commission Meeting held on Oct 23, adding a podium parking garage with 1,000 spaces will increase the cost of the project significantly. Should we include this item as part of our base case, or should we consider this an add-on to our base budget?

21. Should all designs incorporate a 1,000-car parking garage or simply note the additional cost and timeline impacts of adding a parking garage? “Requesting information to understand the costs and timeline impacts of including a 1,000-space parking garage within the City Hall building podium” If all proposer designs should include a 1,000-car garage, is the City envisioning any setback from the street for the garage? For reference, using the full footprint of the existing City Hall lot for a 1,000-space parking garage would lead to an approximately 6-level parking structure.

22. The cover letter notes removal of the requirement of the 1,000-space podium parking structure, but asks for standalone cost estimates, one of which is in the podium or on the City Hall building parcel. Can you please confirm the requested option for a garage in the podium/within City Hall parcel needs to be 1,000 spaces?

Response: The City provided clarification in Version 2 of the Supplemental Information Request Package issued October 28, 2025. Proposers must provide standalone cost estimates for a 1,000-space parking garage in both scenarios: (a) integrated within the City Hall parcel as a podium option, and (b) constructed on an adjacent or alternative site. These parking garage estimates, including associated schedule impacts, must be presented separately from the base building design and construction costs and must not be incorporated into the project's financial projections or delivery methodology.

J. Cost Reporting, Breakdowns, and Budgets

Question 23:

23. Under Item 16 (Design and Construction Costs) of Section 7 (Response Expectations), would you please provide definitions for "Direct Costs", "Indirect Costs", "Overhead/Administrative Costs" and "Contingency" in order to enable standardized comparisons across bidders? It also makes reference to same "format", so we are requesting if the City has a template that shows the level of breakdown expected within these 4 categories. Response: The City provided a construction cost form in Version 2 which is required as part of the proposer's response.

Response: The definitions are:

I. Direct Costs.

These are costs that are specifically and directly attributable to the physical construction of the building. They typically include:

- I.1. Labor - Wages for workers directly involved in construction (e.g., carpenters, electricians, plumbers).
- I.2. Materials - Concrete, steel, drywall, fixtures, etc.
- I.3. Equipment - Rental or purchase of machinery used on-site.
- I.4. Subcontractor Fees - Payments to trade contractors for specific scopes of work.
- I.5. Site Work - Excavation, grading, foundation work.

Key characteristic - These costs can be traced directly to a specific project and are necessary to build the structure itself.

2. Indirect Costs.

These are costs that are not directly tied to physical construction activities, but are still necessary for the project to proceed. Examples include:

- 2.1. Design Fees - Architect, engineer, and consultant fees.
- 2.2. Permits and Inspections - Government fees for approvals and compliance.
- 2.3. Legal and Financing Fees - Costs associated with securing loans, legal counsel, and financial structuring.
- 2.4. Insurance and Bonds - Coverage for construction risks and performance guarantees.
- 2.5. Project Management - Salaries for project managers and support staff not directly involved in construction.

Key characteristic - These costs support the project but are not part of the actual building process.

3. Overhead / Administrative Costs.

These are general business expenses incurred by the developer, contractor, or design firm that are not project-specific, but are allocated across multiple projects. Examples include:

- 3.1. Office Rent and Utilities
- 3.2. Corporate Salaries - Executives, HR, accounting, etc.
- 3.3. Marketing and Business Development
- 3.4. IT Systems and Software
- 3.5. General Liability Insurance

Key characteristic - These costs are part of running the business and are often allocated to projects as a percentage of total costs or through a fee structure.

4. **Contingencies** are line items in each of the above category to address unforeseen and/or unknown costs and may be developed as percentage of the cost of the category.

Question 24:

24. Would it be possible for Jacobs to provide the Jacobs in-house form to normalize cost definitions and format across submissions? This may be helpful to support the following: “Each proposer shall use the same format and cost definitions to ensure comparability across submissions.”

Response: The City has provided a standardized construction cost form in Version 2 of the Supplemental Information Request, which must be used when preparing applicable responses. The form is intended to provide a uniform structure for cost reporting to support comparability across submissions.

Question 25:

25. Please confirm that responses to Section Seven supplemental questions 15, 16, 17 and 18 are all contained within the new item 19 Cost Breakdown Sheet and no other separate responses are needed for items 15 through 18.

Response: Proposers must complete Item 19 (Construction Cost Breakdown Form) as part of their submission; however, separate narrative responses to Questions 15, 16, 17, and 18 are still required. Each of these questions addresses distinct elements of cost development and must be fully answered in addition to the information provided in the cost breakdown format.

Question 26:

26. Can the City please confirm that you expect to see a full project budget (i.e. inclusive of soft costs, developer fees, financing costs, etc.) in addition to the construction cost items requested in the breakdown form?

Response: Yes. The City expects proposers to provide a full project budget inclusive of all relevant cost components, including soft costs, developer fees, financing costs, and any other associated expenses, in addition to the construction cost items identified in the Construction Cost Breakdown Form. The objective is to ensure that the City can comparably evaluate total project cost, financial structure, and value comparability across all submissions.

K. Financial Statements, Capacity, and Bonding

Question 27:

27. Item 21 asks for the lead developer's three (3) most recent annual audited financial statements. We believe it is important to review audited financial statements for key members of each team, particularly lead contractors and facilities managers since they are

the entities that will absorb the first tranche of risk and will be the entities performing the work. Lenders will review financial statements from lead contractors and facilities managers. Would the City like bidders to provide audited financial statements for the past three years for the Design-Builder and the Facilities Manager?

Response: The City's evaluation will be based primarily on the financial capacity and stability of the lead developer, as the entity responsible for project delivery and financing. Proposers may, at their discretion, include additional financial information for key team members if doing so provides useful context or demonstrates greater overall financial strength. However, the City's principal focus will remain on the lead developer's audited financials. All financial information submitted remains subject to Florida's public records requirements, and proposers are responsible for designating any portion they assert is exempt from disclosure, with citation to the specific statutory basis for the claimed exemption.

Question 28:

28. What are the City's requirements of the FM provider in terms of financial capacity and surety in the event of substantial performance penalties? How will you determine that the FM provider has the financial wherewithal to perform over the 30-year term and as importantly in the event the FM provider fails to perform how will the city terminate and repair the FM provider's failures?

Response: The City has not yet determined the final project delivery method, and therefore has not finalized whether long-term facilities management (FM) services will be included. If an FM component is incorporated, the FM provider would be expected to serve as a subcontractor or affiliate under the lead developer, who will remain contractually responsible to the City for all performance obligations. Accordingly, the primary responsibility for ensuring that the FM provider possesses adequate financial capacity, surety support, and risk mitigation mechanisms will rest with the lead developer. In the event an FM provider fails to perform, the applicable agreement will define the each party's rights and remedies, including the ability to terminate and take measures to ensure continuity of operations and maintenance.

Proposers are encouraged to include, as part of their submissions, any recommended financial assurance mechanisms, surety instruments, or performance security structures that the City should consider in defining the FM provider's long-term financial capacity and accountability.

Question 29:

29. City requires us to provide the anticipated source of repayment. Please can City provide greater clarity on what is expected by this request? Are you anticipating us identifying where in waterfall of obligations City's payment obligations would sit?

Response: Yes. The City has not yet finalized the project delivery method, and therefore has not confirmed whether long-term facilities management (FM) services will be included. If a FM component is incorporated, the City, working in consultation with its financial advisors, will evaluate the financial capacity of any proposed FM provider consistent with industry standards for projects of comparable scale and duration. The City expects proposers to identify the anticipated source(s) of repayment within their financial models and pro forma submissions. Proposers should clearly indicate where the City's payment obligations would sit within the overall waterfall of project obligations and should reflect the anticipated flow of funds and repayment mechanisms supporting the proposed structure.

The City anticipates that its evaluation will consider audited financials, bonding capacity, or equivalent financial assurances sufficient to demonstrate the FM provider's ability to perform over the contract term. These details will be determined with input from the City's independent financial consultant and other subject matter advisors during negotiation of the Interim and Comprehensive Agreements. In the event of non-performance or default by the FM provider, the applicable agreement will define the City's rights and remedies. Proposers are encouraged to include, as part of their submissions, any recommended approaches or illustrative models for structuring repayment sources and payment priority within the project's financial framework, including how the City's obligations might be positioned within the overall funding waterfall.

Question 30:

30. Can the City clarify the specific parties within the proposer's team for whom the City wants to see demonstrated bonding capacity? This specific set of criteria is mentioned in the cover letter but not in the supplemental package. Is this for the general contractor / design-builder member of each team?

Response: Bonding capacity is expected of the entity responsible for construction risk (e.g., lead developer). Provide evidence of bonding capacity for the lead developer as relevant to your delivery model (e.g., FM provider under DBFOM).

L. Experience Requirements

Question 31:

31. Item 23 requests experience developing city halls. As this information was already requested and reviewed by Jacobs in the previous information submittal for the Developer, we assume that this request relates to other team members experience of designing, building and delivering City Halls. Please can the City confirm our approach is correct.

Response: Proposers should provide complete responses to all items in Section Seven, including those that may request information similar to materials previously submitted. This approach ensures that each proposer's supplemental submission is complete and self-contained, allowing the City to evaluate all responses consistently without cross-referencing earlier materials.

Question 32:

32. Will the City evaluate previous experience from FM groups in long-term (25+ years) performance-based contracts that include lifecycle elements? DBFOM contracts require this experience to effectively transfer risk to FM leads of each proposer. This experience is very different from property management experience, where there is no transfer of risk, no lifecycle elements and contracts are usually not longer than 7 years long and will facilitate higher leverage in projects leading to a lower overall cost of capital?

Response: To the extent the City proceeds with a delivery method that includes long-term facilities management (FM) obligations, the City will evaluate each proposer's demonstrated experience in long-term, performance-based contracts involving lifecycle maintenance and risk transfer. Such experience, which will be distinguished from routine property management activities, will be taken into account in assessing each proposer's overall capacity to perform under the applicable delivery model. Proposers are therefore asked to provide supporting evidence of this experience if providing a DBFOM structure.

Question 33:

33. In the last committee meeting it was discussed between City staff and the Commissioners that bidders should provide experience of building similar construction projects in Broward County. Should bidders submit experience their design-builder of building \$200m+ projects in Broward County?

Response: Per the conversation of the City Commission on October 23, 2025, Section Seven, Item 22 of Version 2 (dated October 28, 2025) was expanded to require proposers to provide information on prior experience delivering Public-Private Partnership (P3)

projects within the State of Florida. This requirement is intended to establish whether proposers possess relevant Florida-based P3 experience.

Question 34:

34. When watching the commission meeting on October 23rd we noted that Ben Rogers (Assistant City Manager) mentioned that audited financial statements for key team members would also be requested, but this information is not included in the current version of the supplemental information request package. Do we need to submit this information with our submission? In addition, Commissioner Sorensen requested additional information relating to P3 experience, construction experience, design experience, and facilities management experience. Does the City intend to issue an amendment to the request for a supplemental information package to include this additional information?

Response: City staff incorporated the direction provided by the City Commission during the October 23, 2025, Conference Meeting into Version 2 of the Supplemental Information Request Package, issued October 28, 2025. Accordingly, no further amendment is anticipated. Although the language in Version 2 does not replicate the Commission's discussion verbatim, it reflects the substance of the directives provided. Specifically, audited financial statements are addressed in Item 21, and the additional experience categories identified by the Commissioners including Public-Private Partnership (P3) experience, facilities-management experience, litigation history, and bonding capacity, have been incorporated into the revised response requirements. Proposers should rely on Version 2 as the governing document.

M. Facilities Management, Lifecycle, and Performance

Question 35:

35. Has the City determined which FM scopes of services will be retained by the City and which ones will be transferred to the FM provider?

Response: The City has not yet determined the final delivery method for the project, which in turn will dictate whether a facilities management (FM) provider will be engaged and, if so, which FM scopes of services will be retained by the City versus assigned to the FM provider. If applicable, and should the City proceed under a Design-Build-Finance-Operate-Maintain (DBFOM) structure, certain FM functions may be assigned to an FM provider through the Comprehensive Agreement. Conversely, if the project proceeds under a Design-Build-Finance (DBF) structure, ongoing operations and maintenance responsibilities are expected to remain with the City. These allocations, if applicable, will

be determined during the Interim Agreement phase and based on the delivery method ultimately approved by the City Commission.

Question 36:

36. Please also include the City's expectations for response times, rectification periods, and performance deductions for the noted scopes. If the answer to the above question regarding lifecycle capital repairs and replacements is that it will not be included, please elaborate on the City's methods for resolving repairs outside of the FM budget.

Response: The City has not yet determined the final delivery method for the project, which will dictate whether a facilities management (FM) provider will be engaged and, if so, the extent of that provider's responsibilities. Accordingly, specific expectations for response times, rectification periods, performance deductions, and lifecycle capital repairs or replacements have not yet been established. If applicable, these requirements will be developed during the Interim Agreement phase once the delivery structure is defined.

Question 37:

37. Does the City intend to have energy consumption performance requirements along with penalties? If so, please provide the performance specifications.

Response: These performance specifications will be developed as part of the Interim/Comprehensive Agreement negotiation.

Question 38:

38. Will lifecycle replace and repair capital be part of the monthly service fee? If yes, is it the City's expectation that the monthly service fee including FM and lifecycle capital will be fixed over the term subject to an annual agreed upon inflation index adjustment?

Response: The City has not yet determined the final delivery method for the project, which will dictate whether lifecycle repair and replacement responsibilities are assigned to a facilities management (FM) provider and whether such costs would be incorporated into a monthly service fee. If applicable, and should the City proceed under a Design-Build-Finance-Operate-Maintain (DBFOM) structure, the allocation of lifecycle capital responsibilities and the structure of any associated service fee will be determined during negotiations of the Interim and Comprehensive Agreements.

Question 39:

39. As with most DBFOM contracts, there is an end-of-term requirement for the facilities to be turned over to the owner in a working order subject to a Facilities Condition Index value. What is this metric for Fort Lauderdale as this will have implications on lifecycle capital estimations?

Response: The City has not yet determined the final project delivery method, and the potential applicability of long-term facilities management (FM) standards, including any end-of-term facility condition requirements, will depend on that determination. If a DBFOM structure is pursued, the City has not yet established an end-of-term Facilities Condition Index (FCI) or equivalent performance metric. Any applicable facility condition benchmarks, including FCI targets or turnover standards, will be determined during the Interim Agreement negotiation and finalized in the Comprehensive Agreement. These benchmarks will be developed in consultation with the City's technical and financial advisors to ensure that lifecycle capital planning aligns with the City's long-term asset management and budgetary objectives.

Question 40:

40. What are the City's expectations for FM reporting?

Response: The City has not yet determined the final project delivery method, and the applicability of long-term facilities management (FM) reporting requirements will depend on that determination. If an FM component is included, the City anticipates that detailed reporting expectations, including performance metrics, frequency, and format, will be developed during the Interim Agreement phase and finalized in the Comprehensive Agreement.

Question 41:

41. On Question 7, should proposers include an explicit callout line for rehabilitation expenses over the lifetime of the project as part of the maintenance reserves, as it is an important factor in long-term maintenance and handback requirements?

Response: The City has not yet determined the final project delivery method, which will ultimately dictate whether long-term facilities management, rehabilitation, and handback obligations apply. For evaluation purposes, and to ensure standardized financial assessments across shortlisted proposers, all financial models should include an explicit line item for rehabilitation and major repair expenses within their maintenance reserve projection and all relevant assumptions and basis for calculation.

Questions 42:

42. Reference is made to evaluation being made on lifecycle assumptions. Will the City be providing any guidance on its expectations with regards to residual life requirements to be set out in the contractual documents or information regarding payment mechanism philosophy to be set out in the contractual documents as these will fundamentally change the initial capital and ongoing lifecycle cost strategy and pricing as well as directly affecting the FM cost build up.

Response: The City has not yet determined the final delivery method or payment mechanism for the project, both of which will inform the structure of lifecycle cost assumptions. Lifecycle and residual-life requirements will be developed during negotiations of the Interim and Comprehensive Agreements. For purposes of the Supplemental Information Request, proposers should make reasonable and supportable lifecycle assumptions consistent with industry standards for projects of comparable scale and complexity. These assumptions should be clearly stated within the proposer's submission.

N.Risk Allocation, Legal, & Compliance

Questions 43 and 44:

43. Will the litigation history affidavit clarify applicability to the broader "project team"? Is this to be completed for all subconsultants listed in a given team's proposal?

44. Under "Responsiveness and Completeness" of Section 8 (Evaluation Criteria and Process Overview), there are no expressed criteria in which the litigation history of each development team will be evaluated and included as part of the staff recommendation. Would the City please advise of the evaluation criteria that it will utilize, and also whether the City is requesting additional information to be included as part of a shortlisted proposer's submission for wider team members in order to supplement any litigation-related information that may have been previously provided on behalf of the developer?

Response: Litigation history (affidavit) is a required submission from the lead developer and each proposer team member and will be considered within the overall responsiveness and risk assessment. The City and its consultants may conduct additional research and request clarifications for broader team members as needed. Proposers shall provide an affidavit for the lead developer and project team as defined in Version 2. If subconsultants are part of the team presented, include them.

Question 45:

45. Cost reasonableness - reference is made to what risk allowances are included in the price. This is challenging to provide without a contractual understanding of what risks are being taken by the private sector and what risks are being retained by the public sector. Please can City provide a perspective on its overarching philosophy or a risk matrix to help inform our response?

Response: The City has not yet finalized a definitive risk allocation framework. Proposers should therefore identify and clearly state the assumptions underlying their proposed risk allowances, including which risks they have assumed and which they have presumed to remain with the City. These assumptions will be taken into account when evaluating

overall cost reasonableness and value. Proposers are expected to base their cost assessments on credible benchmarks and prevailing market data and should be prepared to defend their underlying assumptions and risk allocations during their presentations before the City Commission. The City and its subject matter experts will evaluate the reasonableness and defensibility of each proposer's assumptions in the context of comparable projects and industry standards.

O. Commercial Terms and City Cost Reimbursement

Question 46:

46. On Question 4, the Request Package asks developers to be responsible for City costs during interim agreement up to \$350,000. Is it expected that these costs will be at risk?

Response: As stated in the Supplemental Information Request Package (Version 2, dated October 28, 2025), shortlisted proposers are expected to assume responsibility for reimbursing the City's costs associated with negotiations and due diligence, including outside counsel fees, up to a maximum amount of \$350,000. These amounts will not be reimbursed by the City as they are considered part of each proposer's participation costs in the procurement process. The specific terms and payment mechanism will be addressed in the Interim Agreement.

P. Proposer Presentations

Questions 47 – 49:

47. Can City confirm the procedures for the presentation on Dec 2nd? We have seen in other public procurements that presentations are made in a closed setting and the video of the presentations are made public afterwards. If all four presentations are in a public setting, we are concerned that the team that goes fourth will have a considerable advantage over the team that goes first as they will be able to listen to the previous presentations and augment what they say accordingly.

48. Is there a page limit for presentations? We note that the 30-minute time limit is 'encouraged'. Will bidders be limited to 30 minutes or if a bidder strays over the timeframe, will they be able to finish their presentation?

49. Can the City provide an agenda, or criteria, that each proposer should address in their 30-minute presentations?

Response: The City Commission presentations will be conducted in sequential sessions during the City Commission Conference Meeting. Each proposer will have approximately thirty (30) minutes to present, followed by a question-and-answer period. To support a consistent and efficient evaluation process, the City has provided a suggested presentation agenda; while proposers may tailor their content as it determines, presentations should be completed within the allotted time. Additional instructions will be provided on December 2, 2025.

Suggested / Optional Presentation Agenda (Not Required)

I. Introductions (suggested 5 minutes)

1.1 Introduce key members of the project team, including lead developer, design, construction, financing, and facilities management representatives.

1.2 Briefly describe each team member's role in the proposed project.

2. Project Delivery Approach (suggested 10 minutes)

2.1 Outline your approach to delivering the City Hall project under the requested delivery modalities (DBFOM and DBF).

2.2 Describe design concepts, construction methodology, schedule, and primary cost drivers.

2.3 Identify how your approach addresses the City's building requirements and projected growth.

3. Financial Capacity and Structure (suggested 7–8 minutes)

3.1 Summarize your proposed financing structure, capital sources, bonding capacity, and financial standing.

3.2 Summarize key assumptions underlying financial, construction cost, and risk allocation models to ensure that these factors are transparent and aligned with written submissions

3.3 Highlight anticipated revenue streams, payment mechanisms, and flexibility in financing approaches.

3.4 Address experience with similar financial modalities.

4. Experience and Performance Record (suggested 4-5 minutes)

4.1 Provide representative examples of prior projects of comparable size and scope, including P3 and municipal/governmental facilities, if any.

4.2 Summarize facilities management expertise and portfolio.

4.3 Provide a high-level summary of safety program and performance history.

5. Closing (approx. 2–3 minutes)

5.1 Highlight your team’s unique value proposition and how your proposal aligns with the City’s objectives and Commission directives.

5.2 Identify any key differentiators.

NOTE: Presentations must be limited to thirty (30) minutes, exclusive of time allotted for questions and answers. Supporting presentation materials must be submitted in advance in accordance with Section 10 of this Request Package.



CITY OF FORT LAUDERDALE

City Manager's Office

101 NE 3rd Avenue, Suite 2100, Fort Lauderdale, Florida 33301

For Questions, Contact:

- ▶ Ben Rogers, Assistant City Manager: brogers@fortlauderdale.gov
- ▶ Angela Salmon, Program Manager: asalmon@fortlauderdale.gov

If you would like this publication in an alternate format, please call (954) 828-4755 or email strategiccommunications@fortlauderdale.gov.

1. **Litigation History**

- A. All Proposers are required to disclose to the City all litigation, administrative proceedings, claims, or disputes filed, pending, or resolved during the last ten (10) years prior to the date of submission of their proposal for a qualified project, whether such matters were brought by or against the Proposer, any parent or subsidiary of the Proposer, or any predecessor organization. Additionally, all Proposers are required to disclose to the City all litigation or administrative cases filed, pending, threatened, or resolved against any principal of Proposer, regardless of whether the principal was associated with Proposer at the time of the litigation commenced against the principal, during the last five (5) years prior to the date of submission of their proposal for a qualified project. For the purpose of this document the term Proposer means any natural person, corporation, general partnership, limited liability company, limited partnership, joint venture, business trust, public benefit corporation, nonprofit entity, or other private business entity its affiliates, partners, subcontractors, subconsultants or any combination of the foregoing that submitted a proposal for a Qualified Project to the City pursuant to Fla. Stat. § 255.065. Litigation or administrative proceedings shall include but are not limited to the following:
- i. List all instances in which litigation or administrative cases involving similar type of work that the Proposer is seeking to perform for the City under the current proposal;
 - ii. List all instances in which litigation or administrative cases involving an allegation of fraud, negligence, error or omissions, malpractice, misrepresentation, breach of contract, or professional misconduct against the proposer or any of its principals or agents who would be performing work under the current proposal;
 - iii. List all instances in which litigation or administrative cases involving a proposer's default, termination, suspension, claim for liquidated damages, failure to perform, or improper performance in connection with any contract;
 - iv. List all instances in which litigation or administrative cases involving the financial condition of the proposer, including any bankruptcy petition (voluntary and involuntary) or receivership, restructuring, or assignment for benefit of creditors;
 - v. List all instances of a criminal proceeding or hearing concerning business-related offenses in which the proposer or its principals (including officers) were/are defendants; or
 - vi. List all instances in which litigation or administrative cases involving the non-payment by the Proposer to subcontractors or suppliers.

- vii. List all instances of arbitrations, administrative proceedings, or government investigations related to Proposer's performance or conduct.

- B. For each material case, the Proposer is required to provide all information identified in the Litigation History Form. Additionally, the Proposer shall provide a copy of any judgment or settlement of any material case during the last ten (10) years prior to the date of submission of their proposal for a qualified project. Redactions of any confidential portions of the settlement agreement are only permitted upon a certification by Proposer that all redactions are required under the express terms of a pre-existing confidentiality agreement or provision.

- C. The City will consider a Proposer's litigation history information in its review and determination of responsibility.

- D. If the Proposer is a joint venture, the information provided should encompass the joint venture and each of the entities forming the joint venture.

- E. A Proposer is required to disclose to the City any and all cases(s) that exist between the City and any of the Proposer's subcontractors/subconsultants proposed to work on this project during the last five (5) years prior to the date of submission of their proposal for a qualified project.

- F. Failure to disclose any case in litigation or an administrative proceeding, including all requested information in connection with each such case, as well as failure to disclose the Proposer's subcontractors or subconsultants litigation history against the City, may result in the Proposer being deemed non-responsive, removal from consideration, termination of any resulting agreement, or both removal from consideration and termination of any resulting agreement.

LITIGATION HISTORY FORM

Proposer Name: _____

There are no material cases for this Proposer.

or

Material Case(s) are disclosed below:

Is this for a: (check type) <input type="checkbox"/> Parent <input type="checkbox"/> Subsidiary <input type="checkbox"/> Predecessor Firm	If Yes, Name of Parent/Subsidiary/Predecessor: or <input type="checkbox"/> No
Party:	Proposer is: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
Case Number: Name: Date Filed:	
Name of Court or other Tribunal:	
Type of Case:	<input type="checkbox"/> Bankruptcy <input type="checkbox"/> Civil <input type="checkbox"/> Criminal <input type="checkbox"/> Administrative/Regulatory
Claim or Cause of Action and Brief description of each Count:	
Brief description of the Subject Matter and Project Involved:	
Disposition of Case: (Attach copy of any applicable Judgment, Settlement Agreement and Satisfaction of Judgment.)	<input type="checkbox"/> Pending <input type="checkbox"/> Settled <input type="checkbox"/> Dismissed <input type="checkbox"/> Judgment Proposer's Favor <input type="checkbox"/> Judgment Against Proposer If Judgment Against, is Judgment Satisfied? <input type="checkbox"/> Yes <input type="checkbox"/> No
Opposing Counsel	Name: Email: Telephone Number:

