

MEMORANDUM

TO: MAYOR AND CITY COMMISSION

FROM: CITY ATTORNEY'S OFFICE

DATE: October 18, 2021

RE: **Selection of Developer and Authority to Negotiate Land Disposition and Development Agreement for Oak Street Parking Lot**

The Lakeland Community Redevelopment Agency (CRA) owns a 1.49-acre City block located north of E. Oak Street, east of N. Tennessee Avenue, south of E. Peachtree Street and west of N. Kentucky Avenue, currently being utilized as a paved parking lot containing 150 parking spaces and commonly referred to as the "Oak Street Parking Lot."

In December 2018, the CRA was approached by a private developer with interest in developing the site as a "dense urban multifamily residential project with potential of incorporating some mixed-use elements." In response to the interest, a request for qualifications (RFQ) was issued and a selection committee chose Catalyst Asset Management (Catalyst) as the most qualified respondent with which to negotiate a development agreement. After a year of negotiations, in September of 2020 Catalyst withdrew its proposal.

In response to more recent interest in the site, CRA staff issued Request for Proposal (RFP) #1258 in July of 2021. New proposals were received from True Investors Development and Onicx Group. A selection committee consisting of a City Commissioner, LDDA staff, a member of the CRA Advisory Board, City staff and a private citizen, convened on September 30, 2021 to evaluate the two submittals, and the Committee agreed unanimously to recommend negotiations with the respondents in the order of the rankings, with Onicx Group ranked first and True Investors second.

Onicx Group proposes a development with the following features (see conceptual site plan shown below):

- A 6-story precast concrete parking garage with a 5-story wood-frame residential multifamily development on the perimeter;
- 3,000 sq. ft. of retail space at street level consisting of a sidewalk café on the corner of Oak Street and Kentucky Avenue;
- 153 multifamily units, with 10% of those offered for affordable housing;
- 400 total parking spaces in the garage, with 150 spaces being offered for lease to the City for public parking. Access to parking would be from Peachtree Street.



Onicx proposes the following financial terms and conditions:

- A purchase price for the property of \$1,080,000;
- A tax increment financing (TIF) agreement providing for 90% abatement of taxes for years 1-5 and 70% for years 6-10;
- Full impact fee credits for all City and County impact fees, including water and sewer;
- The City will enter into a 25-year lease for 150 parking spaces at a rate of \$75 per month, per space, with a 5% escalation every 5 years.

The proposal lays out a timeline of having a development agreement executed by March 31, 2022, design and permitting completed by September 30, 2022, and all construction completed and the project finalized by March 31, 2024.

It is recommended that the City Commission, acting as the Community Redevelopment Agency for the City, approve the Selection Committee's recommendation to begin negotiations of a Disposition and Development Agreement with Onicx Group, which would be brought back to the Commission for final approval. Some of the above terms may change based upon the negotiations of the parties. It is further recommended that, if CRA and City

staff are unable to negotiate a mutually-acceptable Agreement with Onicx Group by April 1, 2022, then staff may begin negotiations with the second-ranked firm of True Investors.

Attachments



RISK MANAGEMENT & PURCHASING
1140 EAST PARKER STREET
LAKELAND, FL 33801

NOTICE
REQUEST FOR PROPOSAL

REDEVELOPMENT OF THE OAK STREET PARKING LOT

For the

CITY OF LAKELAND COMMUNITY REDEVELOPMENT AGENCY

July 15, 2021

RFP NO. 1258

Sealed proposals will be received by the Purchasing Manager, City of Lakeland, Florida, 1140 East Parker Street, Lakeland, Florida 33801 **until 2:00 p.m. – Wednesday – September 15, 2021.** Proposals received after this specified time and date will not be considered. The sealed proposals will be publicly opened and read aloud on the same date and time in the office of the Purchasing Manager for the following:

RFP Documents may be accessed by visiting our Website at <http://www.lakelandgov.net/purchasing> or by contacting the City of Lakeland Purchasing Division @ (863) 834-6780. RFP Documents are Required for Submittal. Any Respondent that Does Not Have a City of Lakeland Oracle iSupplier Number Should Visit the Above Website and Register as an Oracle Supplier.

THE CITY OF LAKELAND IS SOLICITING SEALED PROPOSALS FROM PROSPECTIVE DEVELOPERS FOR THE DEVELOPMENT OF A VACANT, CRA-OWNED PARCEL (THE PROPERTY) KNOWN AS THE OAK STREET PARKING LOT IN DOWNTOWN LAKELAND. THE PROPERTY, GENERALLY BOUNDED BY E. OAK STREET, N. TENNESSEE AVENUE, E. PEACHTREE STREET, AND N. KENTUCKY AVENUE, CONSISTS OF A 64,800 SQUARE FOOT (1.49 ACRES) BLOCK, AND OPERATES AS A PAVED PARKING LOT WITH 150 PARKING SPACES. IT IS THE CITY'S INTENT TO COMPETITIVELY SELECT A DEVELOPER TO ENTER INTO CONTRACT WITH THE CITY FOR THE ACQUISITION AND DEVELOPMENT OF THE SITE WITH CONSTRUCTION COMMENCING WITHIN THE NEXT TWO YEARS. THE CITY WILL ENTERTAIN RESPONSES THAT ILLUSTRATE DEMONSTRATED AND SUCCESSFUL EXPERIENCE WITH PUBLIC/PRIVATE PARTNERSHIPS, WHERE THE DEVELOPER HAS PROVEN EXPERIENCE DEVELOPING ECONOMICALLY SUSTAINABLE PROJECTS WITHIN AN URBAN SETTING.

THE PROPOSALS SUBMITTED SHALL BE IN COMPLETE ACCORDANCE WITH, WITHOUT LIMITATION, THIS REQUEST FOR PROPOSAL, THE ATTACHED CITY OF LAKELAND SPECIFICATIONS, ALL CODES AND REQUIREMENTS REFERENCED THEREIN.

Questions regarding this request for proposal should be **in writing** and should reference the above RFP number. Submit all questions to **Mrs. Tara Walls, CPPB, Senior Purchasing Agent**, via e-mail at **purch@lakelandgov.net** or fax (863) 834-6777.

CLARIFICATION AND/OR EXCEPTIONS OF DOCUMENTATION

Bidders requiring clarification or having a dispute with these documents must advise the City Purchasing Division of the nature of the required clarification or basis of the dispute, in writing, no later than **September 8, 2021**. If no written contact has been made by this specified date, the Bidder waives the right to any future consideration and accepts the documents as published and/or revised by the City. **Additionally, submitting a signed bid shall be construed as a total compliance statement.** **Note:** Any use of brand names (manufacturer) in this invitation and specification is for Bidder convenience only and shall not limit this offering. Equal or better equipment and alternate bids may be given consideration.

FLORIDA PUBLIC RECORDS LAW

Respondent's submittal information shall be subject to Chapter 119, Florida Statutes, generally known as the "Florida Public Records Law." This statute provides that all documents, papers, records and similar material produced or received by an agency or political subdivision of the State are subject to public inspection and review under reasonable conditions and at reasonable times. Accordingly, unless specifically exempted by law, all bids and materials received with bids, marketing information, quotations, proposals, specifications, correspondence, forms, contracts, bonds, financial statements, prospectus, corporate resumes, product summaries, lab reports, inspection and test reports and any other such material will be considered a matter of public record. The City and its staff cannot regard any document, information or data as proprietary or confidential unless so advised by the City Attorney.

Additionally, should a Contractor enter into an Agreement with the City, the Contractor shall comply with Florida Statute Chapter 119, the Florida Public Records Act as it relates to records kept and maintained by Contractor in performance of services pursuant to this Agreement. In accordance with Florida Statute §119.0701, the Contractor shall keep and maintain public records required by the City in performance of services pursuant to the contract. Upon request from the City's custodian of public records, Contractor shall provide the City with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided pursuant to Florida Statute Chapter 119 or as otherwise provided by law. Contractor shall ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the Contractor does not transfer the records to the City. Contractor shall, upon completion of the contract, transfer, at no cost, to the City all public records in possession of the Contractor or keep and maintain public records required by the City to perform services pursuant to the contract. If the Contractor transfers all public records to the City upon completion of the contract, the Contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Contractor keeps and maintains public records upon completion of the contract, the Contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the City, upon request from the City's custodian of public records, in a format that is compatible with the information technology systems of the City.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS: KEVIN COOK - DIRECTOR OF COMMUNICATIONS AT: PHONE: 863-834-6264, E-MAIL: KEVIN.COOK@LAKEFLANDGOV.NET, ADDRESS: ATTN: COMMUNICATIONS DEPARTMENT, 228 S. MASSACHUSETTS AVE., LAKEFLAND, FLORIDA 33801.

EXPARTE COMMUNICATION

Please note that to insure the proper and fair evaluation of a proposal the City of Lakeland prohibits exparte communication (i.e., unsolicited) initiated by the Respondent to the City Official or Employee evaluating or considering the proposals prior to the time a bid decision has been made. Communication between Respondent and the City will be initiated by the appropriate City Official or Employee in order to obtain information or clarification needed to develop a proper and accurate evaluation of the proposal. Exparte communication may be grounds for disqualifying the offending Respondent from consideration or award of the proposal, then in evaluation, or any future proposal.

INSURANCE AND SAFETY REQUIREMENTS

All insurance shall be secured from or countersigned by an agent or surety company recognized in good standing and authorized to do business in the State of Florida.

The Contractor shall, within ten (10) days of notification of award and prior to commencement of work, take out and maintain in full force and effect minimum insurance coverage as specified in the attached requirements. This insurance shall remain in force and effect throughout the duration of the contract.

A certificate of existing insurance coverage should be submitted with the proposal as proof of insurability. If the current coverage does not meet the RFP requirements, then the Respondent should request an affidavit of insurability from the Respondent's insurance agent that certifies the requirements can and will be met. Failure to provide adequate insurance coverage may be cause for disqualification as non-responsive to the RFP requirements. The Contractor agrees to accept and abide by the City of Lakeland safety regulations in complete accordance with the attached requirements.

INDEMNIFICATION AGREEMENT

The Contractor agrees to indemnify and hold harmless the City of Lakeland in complete accordance with the attached requirements. This agreement shall be signed, notarized and returned with the RFP submittal. Failure to provide the Hold Harmless Indemnification Agreement may be cause for disqualification as non-responsive to the RFP requirements.

DRUG-FREE WORKPLACE CERTIFICATION

By submitting a proposal in response to this Request for Proposal, you are certifying that your company is a drug-free workplace in accordance with Florida Statute 287.087.

SUSPENSION AND DEBARMENT CERTIFICATION

By submitting a bid in response to this Invitation to Bid, you are certifying that your company, pursuant to 49 CFR Part 29: (1) is not presently suspended or debarred as, and/or listed on the U.S. General Services Administration's System for Award Management (SAM) as such; and (2) will at all times remain eligible to bid for and perform the services subject to the requirements set forth herein and other applicable laws. Bidder agrees that any contract awarded to Bidder will be subject to termination by the City if Contractor or its subcontractors fail to comply or maintain such compliance.

PUBLIC ENTITY CRIMES

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 of 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.

CONFLICT OF INTEREST / STATEMENT OF NON-COLLUSION

The award hereunder is subject to Chapter 112, Florida Statutes. All respondents must disclose with their proposal the name of any officer, director, or agent who is also an employee of the City of Lakeland. Further, all respondents must disclose the name of any City of Lakeland employee who owns, directly or indirectly, an interest of five percent (5%) or more of the respondent's firm or any of its branches.

The respondent shall certify that he/she has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the proposal and that the respondent is not financially interested in, or otherwise affiliated in a business way with any other respondent on the same land or improvements.

ADDENDA

It is the Respondent's responsibility to contact the Purchasing Division prior to submitting a proposal to ascertain if any addenda have been issued, to obtain all such addenda and return executed addenda with the proposal.

The failure of a Respondent to submit acknowledgement of any addenda that affects the proposal price(s) may be considered an irregularity and may be cause for rejection of the proposal.

LOCAL VENDOR PREFERENCE

A copy of City's Local Preference Policy, Ordinance No. 5850 dated November 16, 2020 is attached.

A Local Business shall be defined as a vendor, supplier or contractor that: (i) conducts business within the jurisdictional limits of Lakeland Electric's service territory by providing goods, services or construction; (ii) maintains a physical business location within the jurisdictional limits of Lakeland Electric's service territory in an area legally zoned for conducting such business; (iii) conducts business on a daily basis from the local business location; (iv) has conducted business from such location for at least twelve (12) consecutive months prior to the due date for the applicable bid or proposal; and (v) provides a copy of its local business tax receipt, if located within the City of Lakeland, or a copy of its Polk County local business tax receipt, if located outside of the City limits but within Lakeland Electric's service territory.

BID PROTEST PROCEDURE

The City's procedure on bid disputes is located in the City's Purchasing Manual, and can be found at www.lakelandgov.net/purchasing.

TERMS AND CONDITIONS OF AGREEMENT

A copy of the agreement to be entered into with the successful Respondent is included with this RFP as Attachment "A", should the City require such.

ORACLE iSUPPLIER AND SOURCING

In addition to accepting 'hard copy' competitive sealed bids, proposals and qualifications, the City of Lakeland uses Oracle's iSupplier and Sourcing to administer the competitive solicitation process, including but not limited to soliciting quotes, sealed bids, proposals, and qualifications, issuing addenda, posting results and issuing notification of an intended decision. Bidders are strongly encouraged to familiarize themselves well in advance of their intention of submitting a proposal to ensure familiarity with the use of Oracle iSupplier and Sourcing. The City shall not be responsible for a Bidder's inability to submit a proposal by the end date and time for any reason, including issues arising from the use of Oracle iSupplier and Sourcing.

It is the sole responsibility of the Bidder to ensure that their response is submitted via hard copies and reach the Purchasing Manager, City of Lakeland, Florida, 1140 E. Parker St., Lakeland, Florida 33801, no later than the time and date specified in this solicitation.

RFP SUBMITTAL

An unbound original, twelve (12) copies (collated in sets), and an electronic copy (CD or flash drive) of the proposal form supplied by the City of Lakeland and all required RFP submittal data including any Respondent generated specifications, drawings, etc., shall be enclosed within a sealed envelope with the words, “**Sealed RFP No. 1258 – Redevelopment of Oak Street Parking Lot for Lakeland CRA**” and the Respondent’s name and address clearly shown on the outside thereof. **Submittals received with less than the above mentioned or not submitted on the City of Lakeland Proposal Sheets may be disqualified as non-responsive.**

Mailed proposals must be received in the office of the Purchasing Manager not later than the time set forth for RFP opening. The City of Lakeland, Florida will not be responsible for any lost or late arriving proposals sent via the U.S. Postal Service or other delivery services.

The City of Lakeland at its sole discretion reserves the right to waive technicalities or irregularities, to reject any or all proposals, and/or to accept that proposal which is in the best interest of the City. The award of this proposal, if made, may be based on considerations other than total cost and may be awarded based on various considerations, including without limitation; Respondent’s experience and/or qualifications, past experience, administrative cost, standardization, technical evaluation and oral and/or written presentations as required. The City reserves the right to accept all or part, or to decline the whole, and to award this RFP to one (1) or more Respondents. There is no obligation to buy. The RFP, if awarded, will be in the judgement of the City the most responsive to the City’s needs. The City of Lakeland encourages the use of minority and women-owned businesses as subcontractors or in joint venture arrangements.

City of Lakeland, Florida

Mark D. Raiford, CPPB
Purchasing Manager

PROPOSAL SHEET:

REDEVELOPMENT OF THE OAK STREET PARKING LOT
For the
CITY OF LAKELAND COMMUNITY REDEVELOPMENT AGENCY

July 15, 2021

RFP NO. 1258

THIS RFP SHALL BE VALID FOR SIXTY (60) DAYS FROM DATE OF OPENING

Company Name _____

*Company Address _____

City _____ State _____ Zip _____

***If claiming Local Vendor Preference, a valid Local Business Tax Receipt must be provided at the time the response is submitted in order to qualify for such consideration.**

Telephone (_____) _____ Fax (_____) _____

E-Mail Address _____

The following RFP is in strict accordance with the City of Lakeland Request for Proposal No. 1258, dated July 15, 2021 and all attachments as referenced therein.

“I hereby certify that I understand and am aware that the City of Lakeland at its sole discretion reserves the right to waive technicalities or irregularities, to reject any or all proposals, and/or to accept that proposal which is in the best interest of the City. The award of this RFP, if made, may be based on considerations other than total cost and may be awarded based on various considerations, including without limitation; Respondent’s experience and/or qualifications, past experience, administrative cost, standardization, technical evaluation and oral and/or written presentations as required. The City reserves the right to accept all or part, or to decline the whole, and to award this RFP to one (1) or more Respondents. There is no obligation to buy. The RFP, if awarded, will be in the judgement of the City the most responsive to the City’s needs. The City of Lakeland encourages the use of minority and women-owned businesses as subcontractors or in joint venture arrangements.

If claiming Local Vendor Preference, I certify that the company satisfies each of the following criteria at the time of their submission of a response to the solicitation necessary to qualify as a “Local Business”: a vendor, supplier or contractor that: (i) conducts business within the jurisdictional limits of Lakeland Electric’s service territory by providing goods, services or construction; (ii) maintains a physical business location within the jurisdictional limits of Lakeland Electric’s service territory in an area legally zoned for conducting such business; (iii) conducts business on a daily basis from the local business location; (iv) has conducted business from such location for at least twelve (12) consecutive months prior to the due date for the applicable bid or proposal; and (v) provides a copy of its local business tax receipt, if located within the City of Lakeland, or a copy of its Polk County local business tax receipt, if located outside of the City limits but within Lakeland Electric’s service territory.”

Please put an “X” or mark N/A: _____ Local Business

Note: If claiming Local Vendor Preference, a valid Local Business Tax Receipt must be provided at the time the response is submitted in order to qualify for such consideration.

Company Name

Authorized Signature

Date Signed

Name of Contact for Questions
(Please Print or Type)

Telephone No. of Contact

ORDINANCE NO. 5850

PROPOSED ORDINANCE NO. 20-043

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO THE PURCHASING OF GOODS AND SERVICES; MAKING FINDINGS; ESTABLISHING COMPETITIVE SELECTION THRESHOLDS; PROVIDING FOR THE GRANTING OF A PREFERENCE TO LOCAL BUSINESSES FOR THE PROCUREMENT OF PERSONAL PROPERTY AND CONTRACTUAL SERVICES UNDER CERTAIN CONDITIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Division I, Section 24 of the Charter of the City of Lakeland, Florida, entitled "Purchasing," provides that the City Commission may prescribe regulations for all sales and conditions of all contracts for the furnishing of work, labor and materials to the City; and

WHEREAS, said section of the Charter further provides that an opportunity for competition shall be given in any instance involving purchases or contracts for amounts established by the City Commission by ordinance or resolution; and

WHEREAS, pursuant to the City Charter, the City Commission wishes to establish a City policy providing for competitive selection for purchases or contracts in amounts in excess of Five Thousand Dollars (\$5,000.00); and

WHEREAS, the City Commission finds that, while it is in furtherance of the public health, safety and welfare of the citizens of the City of Lakeland to procure goods and services through a competitive selection process, the procurement process should also recognize and balance the further good to the local economy and citizens of the City of Lakeland of purchasing goods and services from local vendors, who in turn invest and spend sums so earned within the local economy, thereby resulting in additional benefits to the City's economy and citizens; and

WHEREAS, the City Commission further finds that local vendors have familiarity with local conditions and that such local knowledge can result in enhanced benefit to the City and its citizens when procuring goods and services; and

WHEREAS, in recognition of the aforesaid policy considerations, the City Commission now wishes to establish a monetary threshold for the competitive procurement of goods and services by the City and to further establish and set forth the parameters for the provision of a purchasing preference for the procurement of goods and services from local businesses;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA:

SECTION 1. The foregoing findings are true and correct and are incorporated herein by reference and made a part hereof.

SECTION 2. All sales and conditions of all contracts for the furnishing of work, labor and material shall conform to such regulations as the City Manager or City Commission may prescribe, including those set forth in the City of Lakeland's Purchasing Manual, but in any case, if an amount in excess of Five Thousand Dollars (\$5,000.00) be involved, opportunity for competition shall be given.

SECTION 3. The City Commission does hereby revise, restate and adopt the City of Lakeland's provisions for the granting of a preference to local businesses for the procurement by the City of goods and services as follows:

Local Preference

A. **Definition of Local Business.** A Local Business shall be defined as a vendor, supplier or contractor that: (i) conducts business within the jurisdictional limits of Lakeland Electric's service territory by providing goods, services or construction; (ii) maintains a physical business location within the jurisdictional limits of Lakeland Electric's service territory in an area legally zoned for conducting such business; (iii) conducts business on a daily basis from the local business location; (iv) has conducted business from such location for at least twelve (12) consecutive months prior to the due date for the applicable bid or proposal; and (v) provides a copy of its local business tax receipt, if located within the City of Lakeland, or a copy of its Polk County local business tax receipt, if located outside of the City limits but within Lakeland Electric's service territory.

B. **Local Preference Policy.** Except as provided herein or otherwise provided by federal or state law, or due to other funding restrictions, the City shall give preference to local businesses for purchases of goods, general services, construction services and professional services in the following manner:

1. *Competitive Quote or Bid Solicitation.*

a. When written quotations or sealed bids received do not exceed \$250,000* and the lowest price offered is not by a local business, but a local business is within ten percent (10%) of the lowest price offered, then the local business will be awarded the quotation or bid.

b. When sealed bids received exceed \$250,000 and are up to \$500,000* and the lowest price offered is not by a local business, but a local business is within

seven and one-half percent (7.5%) of the lowest price offered, then the local business will be awarded the bid.

c. When sealed bids received exceed \$500,000 and are up to \$1,000,000* and the lowest price offered is not by a local business, but a local business is within five percent (5%) of the lowest price offered, then the local business will be awarded the bid.

d. When sealed bids received exceed \$1,000,000* and the lowest price offered is not by a local business, but a local business is within two and one-half percent (2.5%) of the lowest price offered, and provided the difference in price does not exceed \$100,000, then the local business will be awarded the bid.

e. The total quote or bid price shall include the base bid price and any additions to the base bid price resulting from alternates which were part of the bid and awarded by the City.

f. Notwithstanding the foregoing, award shall only be made to responsive and responsible bidders that are fully qualified and otherwise meet all City requirements.

g. In the event two or more local businesses offer prices that are within the above local preference percentages, award shall be made to the local business offering the lowest price that is otherwise responsive, responsible and fully qualified to meet all City requirements.

2. *Other Types of Competitive Solicitations.* For all other competitive solicitations such as Requests for Proposals, Requests for Qualifications, Letters of Interest or other competitive negotiations and selections for which objective factors are used to evaluate responses by assigning point totals, local businesses shall be assigned ten (10) additional points to their total combined evaluation score.

* Based upon the lowest bid.

C. Exceptions to Local Preference Policy.

1. The Local Preference Policy established herein shall not apply to any of the following:

a. Goods or services provided under cooperative, state, federal or interlocal agreements;

b. Purchases or agreements which are funded, in whole or in part, by federal, state or other grant funds where such funding prohibits application of local preference;

c. Emergency or sole source purchases; or

d. Purchases for professional services which are subject to Florida Statute §287.055, the Consultant's Competitive Negotiation Act.

2. Application of the City's Local Preference Policy to a particular purchase, contract or other procurement may be waived upon written recommendation by City staff and approval by the City Commission.

3. The City's Local Preference Policy does not prohibit the right of the City to compare quality or fitness for use of supplies, materials, equipment and services proposed for purchase and to compare qualification, character, responsibility and fitness of all persons, firms or corporations submitting bids or proposals and to procure goods and services based upon the best interest of the City.

4. The Local Preference Policy established herein does not prohibit the City from granting any other preference permitted by law, in addition to the preference authorized herein.

D. Enforcement of a Local Preference Policy. The Local Preference Policy established herein is not intended, nor shall it be construed, to create a private cause of action in favor of a Local Business otherwise entitled to selection for the provision of goods or services to the City under the provisions of this Ordinance.

SECTION 4. Resolution 3634, as amended, and all other resolutions or ordinances inconsistent herewith, are hereby repealed.

SECTION 5. If any word, sentence, clause, phrase, or provision of this Ordinance, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder of this Ordinance shall not be affected thereby.

SECTION 6. This Ordinance shall take effect immediately upon its adoption.

PASSED AND CERTIFIED AS TO PASSAGE this 16th day of November, A.D. 2020.



ATTEST: *Kelly S. Koos*
KELLY S. KOOS, CITY CLERK

H. William Mutz
H. WILLIAM MUTZ, MAYOR

APPROVED AS TO FORM AND CORRECTNESS: *Palmer C. Davis*
PALMER C. DAVIS
CITY ATTORNEY

**REQUEST FOR PROPOSALS
FOR THE REDEVELOPMENT
OF
THE OAK STREET PARKING
LOT
REDEVELOPMENT SITE
0 N. KENTUCKY AVE
LAKELAND, FLORIDA 33801**

The Lakeland Community Redevelopment Agency (CRA) gives notice of its request for submission of proposals for selection and negotiation in the redevelopment of all or part of the property known as the Oak Street Parking Lot in Downtown Lakeland. The property is generally bounded by E. Oak Street, N. Tennessee Avenue, E. Peachtree Street, and N. Kentucky Avenue. (see Exhibit 1: Legal Description).

The CRA is vested by the State of Florida pursuant to its powers under the Florida Statutes, Chapter 163, Part III, the Community Redevelopment Act of 1969, as amended, with the authority to request proposals of interested parties in order to effectuate redevelopment of an area within its district pursuant to the goals and objectives of the CRA Redevelopment Plan.

Interested parties are invited to submit proposals in response to this request understanding that future redevelopment of the site will be consistent with the applicable plans, laws, ordinances and regulations governing the Downtown Community Redevelopment Area and Lakeland Downtown Development Authority (LDDA). Not for Profit entities seeking to develop properties which would not generate property tax will not be considered.

Overview

The City of Lakeland (The City) is located along the I-4 corridor in Central Florida, Polk County. The City is strategically situated between Tampa and Orlando. Development interest across the City is strong, and the City is continually focused on infill (re)development opportunities to attract new residents, businesses and activities. The City of Lakeland's Downtown has an attractive, distinctive, and creative center with emerging arts, food and entertainment scenes. Known as "Swan City", Lakeland is the Spring Training home of the Detroit Tigers. The City also hosts the Lakeland Flying Tigers, and Lakeland Magic, an Orlando Magic affiliate. The City has an abundance of parks and city-owned and operated amenities that contribute to the high quality of life, and the City is nationally recognized as one of the best places to live and retire.

Background

The Lakeland Community Redevelopment Agency (CRA), established in 1979, is vested by the State of Florida pursuant to its powers under the Florida Statutes, Chapter 163, Part III, the Community Redevelopment Act of 1969, as amended, with the authority to request proposals of interested parties in order to effectuate redevelopment of an area within its district pursuant to the objectives of the CRA Redevelopment Plan. The goal of the CRA is to spur private investment and improve property values in the District. The CRA has engaged in housing and commercial development in the Downtown redevelopment area. Over the past five years, the CRA and the City of Lakeland have entered into public-private partnerships that support infill redevelopment on over twenty (20) acres of property in the downtown core.

Purpose

The purpose of this Request for Proposals (RFP) is to solicit proposals from prospective Developers for the development of a vacant, CRA-owned parcel (The Property) known as the Oak Street Parking Lot in Downtown Lakeland. The Property, generally bounded by E. Oak Street, N. Tennessee Avenue, E. Peachtree Street, and N. Kentucky Avenue (see Exhibit 1: Legal Description), consists of a 64,800 square foot (1.49 acres) block, and operates as a paved parking lot with 150 parking spaces. It is the City's intent to competitively select a developer to enter into contract with the City for the acquisition and development of the site with construction commencing within the next two years. The City will entertain responses that illustrate demonstrated and successful experience with Public/Private Partnerships, where the Developer has proven experience developing economically sustainable projects within an urban setting.

The most highly ranked Developers are anticipated to have experience in the development of multi-family, single-family attached, mixed-use residential/retail, and/or office projects. Buildings must demonstrate high quality designs that are pedestrian oriented and community friendly for residents, businesses, and visitors alike. The Respondent's financial capability to perform its obligations to complete the project is a fundamental consideration in the ranking of proposals. The CRA reserves the right to request such information or require execution of such documents as may be reasonably necessary to determine the financial viability of any respondent.

Project Description (Minimum Considerations)

The City is looking to attract development which addresses the parking demand generated by the proposed development and provides a plan for replacement of the existing surface parking. Proposed Projects that do not include the following will not be considered:

- Minimum 4-story Height
- Inclusion of affordable residential units dedicated to residents earning at or below 80% area median income (AMI), adjusted for family size, for a minimum period of fifteen (15) years.
- Parking Solution for Proposed and Existing Demand

Respondents shall consider the following information in pursuit of a “public/private” partnership and ultimate development agreement:

- Prime downtown location for sale.
- The Property is conveniently located to necessary utilities (water, sewer, power).
- The Property’s Future Land Use is Regional Activity Center (RAC) which allows for the broadest mix of uses and the highest densities within the City of Lakeland’s Comprehensive Plan.
- The zoning is Downtown Commercial District (C-6) with a context designation of Urban Center.
 - The intent of the C-6 District is to provide for a broad range of office, retail and residential uses appropriate for a central city business district, pursuant to and compatible with adopted plans for Downtown Lakeland and standards within the City’s Land Development Code. These plans and standards guide the development of a traditional downtown environment and emphasize the pedestrian over the automobile within the core of downtown.
 - Development within the C-6 district is subject to architectural design review by the Lakeland Downtown Development Authority (LDDA). Information on the LDDA review process and Design Guidelines can be accessed at <https://downtownlkld.com/guidelines/>.
 - Respondents should confer with the City of Lakeland’s Community and Economic Development Department for information on Land Development Code (LDC) standards. The full version of the City of Lakeland’s LDC can be located at <https://www.lakelandgov.net/departments/community-economic-development/land-development-code/>.
- This site is not within a designated historic district; however, quality architectural and site design will be expected, and the project must be compatible with the architecture of downtown. Final design of the project will be subject to the review and approval of the Lakeland Downtown Development Authority and ultimately the City Commission.

Proposal Outline

Section 1—Capabilities and Qualifications of Team Members

- A. Title Page: Provide the RFP # and title, the Firm’s name; the name, address, telephone number and email of the contact person; and the date of the proposal. The Proposer must name all the parties that will be part of the project for the design and construction.
- B. Table of Contents: Include clear identification of the material by section and by page number.
- C. Transmittal Letter: A transmittal letter must be provided briefly stating the Respondent’s understanding of the work to be done, the commitment to perform the work within the required time period, a statement why the Firm believes they are the best qualified to perform the work and a statement that the proposal is a Firm and irrevocable offer until such time a contract is awarded as a result of this RFP.
 1. Provide the names of the persons who will be authorized to make representation for the Respondent, their titles, addresses, telephone numbers and email addresses.
 2. Provide the name of the Project Manager who will be the direct point of contact during the term of the Agreement.
 3. The transmittal letter must be signed by a duly authorized officer(s) of your Firm, as registered with the Florida Secretary of State through the Division of Corporations website at <https://dos.myflorida.com/sunbiz/search/>. Your Firm must provide a copy

your Firm's Sunbiz following the transmittal letter to verify the duly authorized officers. If such officer is not listed in the Sunbiz for your Firm, your Firm must provide a legal document naming the officer as authorized to execute on behalf of the Firm.

D. Relevant Experience: Respondents are required to identify related work performed that has been successfully completed to date or is actively underway. Most notably, identify work that most closely resembles the type of development sought in this proposal. For each project, include:

1. Project Name and Address
2. Photos of Development (Renderings if Actively Under Construction)
3. Contact Person, Title, Phone Number and Email
4. Detailed Description of Type of Project
5. The Duration of the Project Including Start and Completion (or anticipated) Date
6. Value of each Project

No response shall be accepted from, nor will any contract be awarded to, any Respondent whose member(s) is in arrears to the CRA or City of Lakeland (City), upon any debt, fee, tax or contract, or who is a defaulter, as surety or otherwise, upon any obligation to the CRA or City, or who is otherwise determined by the CRA or City, at its sole discretion, to be irresponsible or unreliable.

No response shall be accepted from, nor will any contract be awarded to, any Respondent whose member(s) is currently involved in any litigation involving the CRA or City or any of its related agencies or interests. Respondent shall disclose any current and ongoing litigation.

E. Executive Summary: The Respondent shall submit an executive summary, which outlines its Proposal. The executive summary shall, at a minimum, include an identification of the proposed team, responsibilities of the team, and a summary of the proposed services. This section must highlight aspects of the Proposal, which make it superior or unique in addressing the needs of the Downtown Community Redevelopment Area.

Section 2—Proposed Development

A. Narrative: Explain in detail the intended approach for the development of the project as outlined in the RFP including but not limited to:

1. Respondent's Understanding and Integration of Project into Existing Redevelopment Efforts.
2. Plans to Enhance Overall Neighborhood Aesthetics
3. Plans to Employ Sustainable/Green Building Principles
4. Project Delivery Methods
5. Construction Methods
6. Project Scheduling and/or Phasing

B. Site Program Analysis

1. Total Square Footage of Residential/Additional Uses Proposed
2. Number, Size and Configuration of Commercial Spaces
3. Number, Size and Bedroom Count of Residential Spaces
4. Total Number of Parking Spaces Proposed, (Vehicular and Bicycle)
5. Height of Building

- C. Mixed Use: Proposed Commercial, Officer and/or Retail Space.
 - 1. Identify Uses and Compatibility with Area
 - 2. Detail Goods and Services to the Community

- D. Affordable Housing: The CRA prefers a mix of market-rate, workforce (81-120% AMI) and affordable units (80% AMI or less). Provide the type and number of units at each income level being proposed.
 - 1. Market Rate Residential Units (Rental Rates, Size, Number and Configuration)
 - 2. Workforce Residential Units (Rental Rates, Size, Number and Configuration)
 - 3. Affordable Residential Units (Rental Rates, Size, Number and Configuration)

- E. Conceptual Site Plan Rendering
 - 1. Building Footprint
 - 2. Traffic Circulation/Site Access/Parking Ingress/Egress Areas
 - 3. Plazas, Pathways, and Other Formal Outdoor Spaces
 - 4. Other Significant Site Improvements

- F. Parking Solution for Proposed and Existing Demand: The site is currently utilized as surface parking with 150 leased spaces. Respondents must include scenarios that provide parking for the proposed project while replacing the existing public parking spaces. Scenarios requiring City/CRA participation must clearly define financial commitments.

Section 3—Financial Feasibility

The selected Respondent will be experienced, stable and exhibit access to equity and other funding resources to complete the proposed project.

- A. Preliminary Estimates of Project Costs
 - 1. Hard Costs
 - 2. Soft Costs
 - 3. Development Fees
- B. Market Insights that have Guided the Information Proposed in the Project
- C. Preliminary Project Timeline (Due Diligence, Planning, Design, Permitting, and Construction)
- D. Proposed Purchase Price of the Property
- E. Requested City and/or CRA Financial Assistance and Incentives (specific to this project)

Section 4—Anticipated Economic Benefits of the Development

- A. Tax Revenues
- B. Job Creation
- C. Resident Income Ranges
- D. Residual Economic Impact Dollars

Section 5—Additional Considerations

Provide any additional information the Respondent deems relevant to the Selection Committee.

Review Process

The review process will be handled through a Selection Committee that will be formed specifically for the purpose of reviewing the responses and providing a formal recommendation to the City Commission. The restriction on any exparte communication applies to this Selection Committee as previously referenced.

It is anticipated that the final recommendation to the City Commission will occur by October

18, 2021. However, the City at its sole discretion may elect to extend the submittal date to a future date and time. The City, in its sole and absolute discretion, with or without cause, and without liability of any kind to any Respondent, reserves the right to:

- Accept or reject any and /or all responses, either in whole or in part, with or without cause, waive any informality of any response, cancel this RFP at any time and or take any action in the best interest of the City of Lakeland;
- Retain all responses for official record purposes, including a copy of all supporting documentation, studies, reports, and evaluations and/or use them in whatever manner it deems appropriate;
- Elect not to accept any request by any respondent to correct errors or omissions in any information, calculations or competitive price(s) submitted once a response is received;
- Evaluate the financial capacity, capability, integrity, experience and quality of performance of each respondent including all major stockholders and principals;
- Request oral presentations and/or additional information from any or all respondents.

All Respondents to this RFP do so at their sole expense and risk. The City assumes no financial or other obligation to Respondents to this RFP.

Evaluation Criteria

RFP Scoring Criteria			
Category	Criteria	Point Range	Total
1	Capabilities and Qualifications of Team Members	0 to 25 points	
	Qualifications and relevant experience of key development team members and subcontractors.	0 to 10 points	
	Examples of other comparable projects completed by project entities and team members.	0 to 15 points	
2	Proposed Development	0 to 40 points	
	Narrative—Description of the overall development project, including any special design considerations, details, and/or innovative/sustainable elements.	0 to 5 points	
	Site Program Analysis <ul style="list-style-type: none"> • Total Square Footage of Residential/Additional Uses Proposed • Number, Size and Configuration of Commercial Spaces (if applicable) • Number, Size and Bedroom Count of Residential Spaces • Total Number of Parking Spaces Proposed, (Vehicular and Bicycle) • Height of Building 	0 to 5 points	
	<ul style="list-style-type: none"> • First Floor Activity for Public Use 	0 to 5 Points	
	<ul style="list-style-type: none"> • Percentage of Affordable Housing Units at or Below 80% AMI Relative to Overall Unit Count 	0 to 10 points	

	Conceptual Site Plan Rendering, Including: <ul style="list-style-type: none"> • Building Footprint • Traffic Circulation/Site Access/Ingress/Egress Areas • Plazas, Pathways, and Other Formal Outdoor Spaces Other Significant Site Improvements 	0 to 5 points	
	Nature of Parking Solution for proposed and existing demand	0 to 10 points	
3	Financial Feasibility	0 to 25 points	
	Preliminary estimates on project costs <ul style="list-style-type: none"> • Hard costs • Soft Costs • Development Fees 	0 to 5 points	
	Market insights that have guided the information proposed in the project	0 to 5 points	
	Preliminary Project Timeline <ul style="list-style-type: none"> • Graphic Timeline Showing Major Milestones of Project Development <ul style="list-style-type: none"> ○ Due Diligence, Planning, Design, Permitting, and Construction 	0 to 5 points	
	Proposed Purchase Price for the Property	0 to 5 points	
	Requested City Assistance and Incentives (Specific to this Project)	0 to 5 points	
4	Anticipated Economic Benefits of the Development	0 to 10 points	
	<ul style="list-style-type: none"> • Tax Revenues • Job Creation • Resident Income Ranges • Residual Economic Impact Dollars 		

Process:

July 15: Advertise and Issue Request for Proposals
 September 15: Proposal Submittals Due
 September 16-29: Proposal Evaluation(s)
 September 30: Independent Selection Committee Meeting
 October 1-7: Protest Period
 October 7: Presentation to CRA Advisory Board
 October 15: Real Estate Committee
 October 18: City Commission Meeting
 October 19-March 1, 2022: Development Agreement Negotiation with Selected Firm

Instructions:

Please respond to all sections of the RFP Outline in the same sequence as they are presented.

EXHIBIT 1: LOCATION AND LEGAL DESCRIPTION OF PROPERTIES

Address: 0 Kentucky Avenue

Legal Description: SCHIPMANS SURVEY DB G PG 360 361 BLK 2 LOTS 1 THRU 18 & 20 FT WIDE VACATED ALLEY LYING BETWEEN SAID LOTS



INSURANCE REQUIREMENTS

Oak Street Redevelopment

STATEMENT OF PURPOSE

The City of Lakeland (the "City") from time to time enters into agreements, leases and other contracts with Other Parties (as hereinafter defined).

Such Agreements shall contain at a minimum risk management/insurance terms to protect the City's interests and to minimize its potential liabilities. Accordingly, the following minimum requirements shall apply:

CITY DEFINED

The term City (wherever it may appear) is defined to mean the City of Lakeland itself, its Commission, employees, volunteers, representatives and agents.

OTHER PARTY DEFINED

The term Other Party (wherever it may appear) is defined to mean the other person or entity which is the counter-party to the Agreement with the City and any of such Other Party's subsidiaries, affiliates, officers, employees, volunteers, representatives, agents, contractors and subcontractors.

LOSS CONTROL/SAFETY

Precaution shall be exercised at all times by the Other Party for the protection of all persons, including employees, and property. The Other Party shall comply with all laws, rules, regulations or ordinances related to safety and health, and shall make special effort to anticipate and detect hazardous conditions and shall take such precautionary and prompt action where loss control/safety measures should reasonably be expected.

The City may order work to be stopped at any time, without liability, if conditions exist that present immediate danger to persons or property. The Other Party acknowledges that such stoppage, or failure to stop, will not shift responsibility for any damages from the Other Party to the City.

INSURANCE - BASIC COVERAGES REQUIRED

The Other Party shall procure and maintain the following described insurance, except for coverage specifically waived by the City of Lakeland, on policies and with insurers acceptable to the City, and insurers with AM Best ratings of no less than A.

These insurance requirements shall in no way limit the liability of the Other Party. The City does not represent these minimum insurance requirements to be sufficient or adequate to protect the Other Party's interests or liabilities, but are merely minimums.

"Except for workers' compensation and professional liability, the Other Party's insurance policies shall be endorsed to name the City of Lakeland as additional insured. It is agreed that the Other Party's insurance shall be deemed primary and non-contributory with respect to any insurance or self-insurance carried by The City of Lakeland for liability arising out of the operations of this agreement."

Insurance Requirements (cont'd)

INSURANCE – BASIC COVERAGES REQUIRED (cont'd)

Except for worker's compensation, the Other Party waives its right of recovery against the City, to the extent permitted by its insurance policies.

The Other Party's deductibles/self-insured retentions shall be disclosed to the City and may be disapproved by the City. They shall be reduced or eliminated at the option of the City. The Other Party is responsible for the amount of any deductible or self-insured retention.

Insurance required of the Other Party or any other insurance of the Other Party shall be considered primary, and insurance of the City shall be considered excess, as may be applicable to claims which arise out of the Hold Harmless, Payment on Behalf of the City of Lakeland, Insurance, Certificates of Insurance and any Additional Insurance provisions of this agreement, contract, or lease.

Commercial General Liability: This insurance shall be an "occurrence" type policy written in comprehensive form and shall protect the Other Party and the additional insured against all claims arising from bodily injury, sickness, disease, or death of any person other than the Other Party's employees or damage to property of the City or others arising out of any act or omission of the Other Party or its agents, employees, or Subcontractors and to be inclusive of property damage resulting from explosion, collapse or underground (xcu) exposures. This policy shall also include protection against claims insured by usual personal injury liability coverage, and to insure the contractual liability assumed by the Other Party under the article entitled **INDEMNIFICATION**, and **"Products and Completed Operations" coverage.**

The Other Party is required to continue to purchase products and completed operations coverage for a minimum of three years beyond the City's acceptance of renovation or construction properties.

The liability limits shall not be less than:

Bodily Injury and Property Damage	\$1,000,000 Single limit each occurrence
--	---

Business Automobile Liability: Business Auto Liability coverage is to include bodily injury and property damage arising out of ownership, maintenance or use of any auto, including owned, non-owned and hired automobiles and employee non-ownership use.

The liability limits shall not be less than:

Bodily Injury and Property Damage	\$1,000,000 Single limit each occurrence
--	---

Workers' Compensation: Workers' Compensation coverage to apply for all employees for statutory limits and shall include employer's liability with a limit of \$100,000 each accident, \$500,000 disease policy limits, \$100,000 disease limit each employee. ("All States" endorsement is required where applicable). If exempt from Worker's Compensation coverage, as defined in Florida Statue 440, the Other Party will provide a copy of State Workers' Compensation exemption.

All subcontractors shall be required to maintain Worker's Compensation.

The Other Party shall also purchase any other coverage required by law for the benefit of employees.

PLEASE NOTE: No insurance or safety requirements will be assigned at this time for the construction/project work. However, once a vendor is chosen any related contracts much include insurance and safety requirements.

EVIDENCE/CERTIFICATES OF INSURANCE

Required insurance shall be documented in Certificates of Insurance which provide that the City shall be notified at least 30 days in advance of cancellation, nonrenewable, or adverse change.

New Certificates of Insurance are to be provided to the City at least 15 days prior to coverage renewals.

If requested by the City, the Other Party shall furnish complete copies of the Other Party's insurance policies, forms and endorsements.

For Commercial General Liability coverage, the Other Party shall, at the option of the City, provide an indication of the amounts of claims payments or reserves chargeable to the aggregate amount of liability coverage.

Receipt of certificates or other documentation of insurance or policies or copies of policies by the City, or by any of its representatives, which indicate less coverage than required does not constitute a waiver of the Other Party's obligation to fulfill the insurance requirements herein.

Indemnification Contractor

To the fullest extent permitted by laws and regulations, and in consideration of the amount stated on any Purchase Order, the Contractor shall defend, indemnify, and hold harmless the City, its officers, directors, agents, guests, invitees, and employees from and against all liabilities, damages, losses, and costs, direct, indirect, or consequential (including but not limited to reasonable fees and charges of engineers, architects, attorneys, and other professionals and court and arbitration costs) arising out of or resulting from any acts of negligence, gross negligence or intentional wrongful misconduct in the performance of the work by the Contractor, any Subcontractor, or any person or organization directly or indirectly employed by any of them to perform or furnish any of the work or anyone for whose acts any of them may be liable.

In any and all claims against the City, or any of its officers, directors, agents, or employees by any employee of the Contractor, any Subcontractor, any person or organization directly or indirectly employed by any of them to perform or furnish any of the work or anyone for whose acts any of them may be liable, this indemnification obligation shall not be limited in any way by any limitation on the amount or type of damages, compensation, or benefits payable by or for the Contractor or any such Subcontractor or other person or organization under workers' or workmen's compensation acts, disability benefit acts, or other employee benefit acts, nor shall this indemnification obligation be limited in any way by any limitation on the amount or type of insurance coverage provided by the City, the Contractor, or any of his Subcontractors. To the extent this Indemnification conflicts with any provision of Florida Law or Statute, this indemnification shall be deemed to be amended in such a manner as to be consistent with such Law or Statute.

Applicability: It is the express intent of the Contractor that this agreement shall apply for the project(s) or time period indicated below. (Check and complete one):

_____ **Agreement is applicable to all contracts, purchase orders and other work performed for the City of Lakeland for the time period of not more than five (5) years.**

_____ to _____.
(Date) (Date)

(OR)

_____ **Agreement is limited to Bid #, Purchase Order #, Requisition # _____, or Contract dated _____.**

Subrogation: The Contractor and his Subcontractors agree by entering into this contract to a Waiver of Subrogation for each required policy herein. When required by the insurer, or should a policy condition not permit Contractor or Subcontractor to enter into a pre-loss agreement to waive subrogation without an endorsement, then Contractor or Subcontractor agrees to notify the insurer and request the policy be endorsed with a Waiver of Transfer of Rights of Recovery Against Others, or its equivalent. This Waiver of Subrogation requirement shall not apply to any policy, which includes a condition specifically prohibiting such an endorsement, or voids coverage should Contractor or Subcontractor enter into such an agreement on a pre-loss basis.

Release of Liability: Acceptance by the Contractor of the last payment shall be a release to the City and every officer and agent thereof, from all claims and liability hereunder for anything done or furnished for, or relating to the work, or for any act or neglect of the City or of any person relating to or affecting the work of which Contractor has knowledge at the time.

Savings Clause: The parties agree that to the extent the written terms of this Indemnification conflict with any provisions of Florida laws or statutes, in particular Sections 725.06 and 725.08 of the Florida Statutes, the written terms of this indemnification shall be deemed by any court of competent jurisdiction to be modified in such a manner as to be in full and complete compliance with all such laws or statutes and to contain such limiting conditions, or limitations of liability, or to not contain any unenforceable, or prohibited term or terms, such that this Indemnification shall be enforceable in accordance with and to the greatest extent permitted by Florida Law.

Name of Organization

BY: _____
Signature of Owner or Officer

E-mail Address

STATE OF : _____

Organization Phone Number

COUNTY OF: _____

The foregoing instrument was acknowledged before me, by means of physical presence this _____ day of _____, 2021.

by _____, of _____.
Printed Name of Owner / Officer Corporate or Company Name

He/She is personally known to me or has produced _____ as
State Drivers License Number

identification, and did _____ / did not _____ take an oath.

Signature of Person Taking Acknowledgment

Printed Name of Person Taking Acknowledgment

Notary Seal

CITY OF LAKELAND

BY: _____
Joyce Dias, Risk Management & Purchasing Director

DATE _____



200 OAK STREET

RFP #1258

Redevelopment of the Oak Street
Parking Lot

Onicx Group
5600 Mariner Street, Ste. 140
Tampa, FL 33609

Arjun Choudhary, Vice President
813.964.0967 | arjunchoudhary@onicx.com

9/15/2021

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A photograph of two people shaking hands in a business setting. The image is partially obscured by a large white geometric shape on the left side, which has a black arrow-like shape pointing right. The background is blurred, showing other people in business attire.

01

STRATEGIC PARTNERS

STRATEGIC
PARTNERS

Onicx
group



THE
LUNZ
GROUP
Architecture | Interior Design

EXECUTIVE SUMMARY



Onicx Development and their strategic partners, are pleased to present the following proposal for development services to further

ENHANCE DOWNTOWN LAKELAND.

The Development team proposes to work in partnership with the City of Lakeland to create a mixed-use project that will create affordable housing, solve parking issues and create new retail opportunities for the community.

The 200 Oak Street concept represents a high-quality public environment with accessible and connected spaces where people can live, work and shop.

A close-up photograph of a person's hand pointing at architectural blueprints on a table. Another hand is holding a white pen over the plans. A laptop is visible in the background, and the scene is lit with warm, golden light. A large white arrow-shaped graphic points from the left towards the text.

02

TEAMS OVERVIEW



ABOUT ONICX GROUP

Onicx Group is a Tampa-based private real estate firm with core competencies in development, construction, property acquisitions, property management, investments and capital markets. Our primary focus is multifamily, mixed-use and healthcare real estate.

As an integrated company, we use our knowledge to build long-term strategic partnerships that focus on our understanding of the complex challenges our clients face. Then, creating comprehensive solutions that deliver results.

Onicx Group has completed over \$500MM of commercial real estate in the last 5 years and has 900+ multifamily units in mixed-use projects currently under development.

**Inc.
5000**

#201





ONICX GROUP



DHVANIT PATEL

Dhvanit is the President/CEO of Onicx Group. With over 20 years of experience in real estate development and construction, Dhvanit is responsible for the vision and growth of Onicx. He directs the company's strategies, identifies new business opportunities and assists the executive team with structuring of financial solutions tailored to each individual project. Dhvanit oversees real estate development, property acquisitions, investments, capital markets and finance.

ALI WALD

Ali Wald, a Florida native, is the COO/CFO of Onicx Group. She has 16 years of experience in the development and construction industries. Ali leads daily operations of the company including, team direction, long term vision, accounting and financial activity, legal and risk management and marketing.



ARJUN CHOUDHARY

Arjun is the Vice President of Onicx Group. Arjun negotiates debt and equity for new development opportunities as well as debt placements on stabilized projects. He also manages key relationships among major lenders and investors, securing capital for Onicx's deals. Arjun is responsible for overall strategy and drives Onicx's future pipeline of activity, including development projects, acquisitions and asset management.





ONICX GROUP



SCOTT HUTCHISON

Scott Hutchison is the Vice President of Construction at Onicx. He has over 25 years of construction management experience in multifamily, healthcare, high-end retail, and restaurant build outs in key markets throughout the United States. Scott leads business development and daily operations of the construction team.

SCOTT CLAIBORNE

As Director of Development, Scott manages current and future development projects, oversees public processes and approvals, design, budgeting and construction. He has built a strong network of partners to identify and create revenue opportunities in new asset classes with a focus on multifamily and industrial.



GABE LAMONTAGNE

Working alongside the Vice President of Onicx Group as the real estate analyst, Gabe is responsible for the investment analysis and market research for both prospective and ongoing projects. With a position that plays a significant role in the due diligence process, Gabe is an integral part of the day-to-day operations of our team.



THE LUNZ GROUP

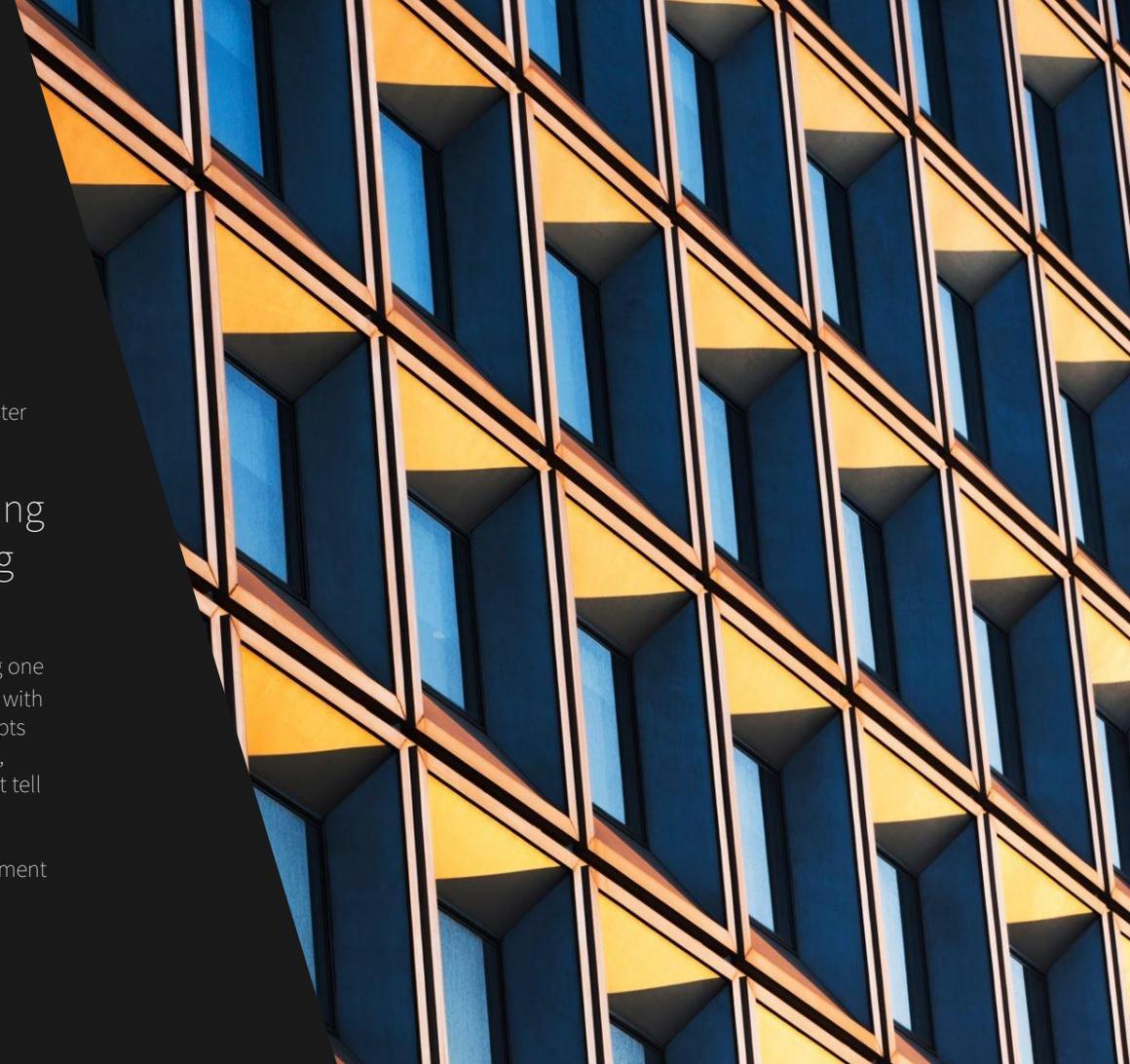
Architecture | Interior Design

ABOUT THE LUNZ GROUP

The Lunz Group is a client-oriented, Florida based, award-winning architectural firm. For more than 30 years, the Lunz Group has provided professional services including architectural design, interior design, master planning, programming and visualization.

The Lunz Group is in sync with the evolving demands of a modern, multi-family living environment where the main focus is creating a positive living experience, fulfilling one of the fundamental needs of humans. Our firm has extensive experience with multi-family and multi-use projects. To help bring these dynamic concepts to life, we utilize our in-house Animation Studio, composed of designers, animators and visualization engineers, who work to create concepts that tell the visual story of our clients.

We have experience with all types of multi-family design including apartment complexes, senior living facilities, assisted living, college residence halls, affordable housing and more. Our projects range in scale from small improvements to brand new living environments. Our creative design solutions are intended to always uphold our mission of cultivating communities we are a part of.



THE LUNZ GROUP



STEVEN BOYINGTON

Steven Boyington's 40 years of experience make him battle tested in the arena of tackling tough problems. Steve's forte is taking on clients with tight budgets and conceptual barriers and providing them with the vision, clarity and confidence to invest time and money in a project. Steve has a vested interest in seeing our communities thrive.

MICHAEL PORTER

Michael Porter is a native of Florida, hailing from Miami. He joined The Lunz Group in 2018 and has gained experience working across the state on a variety of projects. His role includes taking projects from the conceptual phase to construction documentation and administration for a detailed, accurate & efficient project. In his free time, Michael volunteers around the world designing and master planning for faith-based hospitals, orphanages and relief centers.



MATT LUKENS

As Director of our Animation Studio, Matt develops visual strategies for clients, helping them ascertain the scope, scale and context of their project. Matt combines his expertise as a data analyst with his instinct for design to produce vibrant visualizations that are both beautiful and responsive to their realistic context. His background in both fine art and architecture gives clients freedom to explore their project's boundaries while pinpointing the value of their investment.





ABOUT LIVE OAK CONTRACTING

“Building Long-term Partnerships Based on Integrity”

Live Oak Contracting is a multifamily general contractor based in downtown Jacksonville, FL. Since founding Live Oak Contracting in 2014, Live Oak’s portfolio includes projects up and down the East Coast from Florida to Maine.

Live Oak Contracting’s mission statement is a true reflection of the goals for not only the company, but for the employees as well; building long-term relationships based on integrity. Live Oak Contracting’s team has successfully managed projects in an array of industries, including Market Rate, Mixed Use, Tax Credit, HUD Multifamily, Industrial, and Commercial.

Live Oak Contracting has grown exponentially over recent years. In 2015, the company reported \$7.5 million in revenue, growing to \$96 million in revenue by 2018 and to \$189 million in 2020. Live Oak Contracting was recognized as one of Jacksonville’s top 50 fastest growing companies by the Jacksonville Business Journal in 2017, 2019, 2020 and 2021.



LIVE OAK CONTRACTING



PAUL BERTOZZI

Paul Bertozzi founded Live Oak Contracting with the goal of bringing a culture of collaboration to the multifamily construction industry. He received a BA in Economics from Auburn University and following graduation, he leveraged his education and experience to begin working in the construction industry. Today, Paul is a Licensed General Contractor in nine states.

WALKER PALMER

Having worked in the industry for over 20 years, Walker has extensive experience in multifamily and commercial construction across the East Coast. He has completed projects in sectors including multifamily, student housing, health care, aviation, and military facilities totaling over \$200 million.



KEVIN POWELL

At Live Oak Contracting, Kevin leads the management of all preconstruction phases to achieve established cost objectives. These phases consist of conceptual budgeting, constructability review, bid solicitation, estimating, and scheduling. By diligently working through these processes, Kevin and his team are able to ensure a successful transition between the preconstruction and operation teams. He is also involved with new project procurement and business development.



03

RELEVANT EXPERIENCE



One East College

One East College Street, Murfreesboro,
TN 37130

Contact:

Arjun Choudhary
Vice President, Onicx
813.712.1170 Ext.124

arjunchoudhary@Onicx.com

Urban Mixed-Use

8- Story Structured Parking

203 Apartments

28 Condos

40,708 SF of Retail/ Office

Working with City & CRA

Duration of Project (HUD Financed)

Total Months: 31

Start Date: June 2021

End Date: January 2024

Value of Project

\$75MM



East Park Village Apartments

10585 Moss Rose Way, Orlando, FL 32832

Contact Person

Arjun Choudhary

Vice President, Onicx

813.712.170 Ext.124

arjunchoudhary@Onicx.com

Market Rate Suburban Garden Style
Apartments

246 Market Rate Apartments

3 Buildings Total

Duration of Project

Total Months: 24 Months

Start Date: October 2021

End Date: October 2023

Value of Project

\$65MM



**Marriott
Residence Inn
Downtown
Winter Haven**

314 W. Central Ave, Winter Haven, FL 33880

Contact Person
Arjun Choudhary
Vice President, Onicx
813.712.170 Ext.124
arjunchoudhary@Onicx.com

Hospitality/ Mixed-Use
130 Key Marriott Residence Inn
10,000 SF of Retail/ Restaurant Space
Working with City & CRA

Duration of Project
Total Months: 26 Months
Start Date: March 2022
End Date: May 2024

Value of Project:
\$34MM



The Reef at Atlantic Beach

2753 Mayport Road Atlantic Beach,
FL 32233

Contact Person
Luke Ference
Project Manager
(321) 302-0755

Multifamily
456 Residential Units
(2) Five-story Modern Buildings
Two -story Clubhouse

Duration of Project
Total Months: 24 Months
Start Date: March 2020
End Date: June 2022

Value of Project:
\$52.5MM



Barlow & The Exchange



Contact Person
John Murphy
Project Manager
(904) 445-7593

Multifamily

The Exchange
1810 Bertha Street Jacksonville, FL 32207
196 Residential units
Four Story Buildings
Four Level Parking Garage
Value of Project \$28.8MM

The Barlow
1900 Olevia Street Jacksonville, FL 32207
290 Market Rate Residential Units
Four Story Buildings
Four and a Half Story Parking Garage
Value of Project \$40.4MM

Duration of Project
Total Months: 23 Months
Start Date: September 2019
End Date: July 2021



76th on Third Street

250 3rd St NW Winter Haven, FL 3388

Contact Person
Joseph Bogdahn, Chairman
863. 299.1195
jbogdahn@sixtenllc.com

Mixed-Use

76 Residential Units
60,000 SF
Five Story Building
Retail and Office Space on First Floor
Value of Project \$7MM

Anticipated Completion 2022



Heritage Plaza South

S Kentucky Ave, Lakeland, FL 33801

Contact Person
Wesley Beck, President, BeckKryger
Capital Partners LLLP
863.860.3183
wesley@wesleybeck.com

Office/Parking Garage

Class A Office Building
60,000 SF
Five Level Parking Garage
850 Parking Spaces
Value of Project \$10MM

Duration of Project
Total Months: 36 Months
Start Date: 2017
End Date: 2021



Summit Headquarters Office

117 N Massachusetts Ave, Lakeland, Florida 33801

Contact Person

Donna Destefano, Senior Special Projects Manager
863.665.6060

donna.destefano@summitholdings.com

Office

Class A Office Building

134,000 SF

500 Building Occupants

Value of Project \$30MM

Duration of Project

Total Months: While the project has had several starts and stops based on external factors, we are currently working towards advocating for the client moving forward with this project in the current economic landscape.

Start Date: 2014

End Date: 2022 Anticipated



THE
LUNZ
GROUP

Architecture | Interior Design

04

PROPOSED DEVELOPMENT



DEVELOPMENT BREAKDOWN

As downtown Lakeland continues to grow, the need for parking has been magnified. Onicx Development along with its partners will solve the present and future need for parking.

We are acutely aware of Lakeland's urban fabric and will ensure the aesthetics of this project are compatible with the existing architectural aesthetic.

Parking Garage / Multifamily / Retail



Intended Approach

Integration of Project

The Oak Street project location is ideal for integration and has the ability to expand the local farmers market and anchor the northern end of the market with 300 apartment units through Kentucky Avenue, creating more continuity to the existing downtown fabric.

Neighborhood Aesthetics

Aesthetics to include local architecture blended with new contemporary architecture.

Sustainable Building Principals

At The Lunz Group, we believe that sustainable design goes beyond considerations for the environment. It also must address the places, people and experiences that together form the foundation for the facility to be embraced and cherished by the community. The combination of design, construction and community analysis highlights opportunities unique to each project, including careful consideration of the site selection, user experience, community engagement, operational efficiencies, life cycle costs and legacy impacts.

While we have completed and designed more than 12 LEED-Designed and/or Certified projects, including the new Toronto Blue Jays Player Development Complex in Dunedin, FL, our innovative efforts in the integration of sustainable design are about more than certification. For our team, it's about making responsible economic and environmental decisions throughout design and building operations planning; marrying the notion of function and beauty; and focusing on the future of public spaces.

Construction Methods

For this specific project, our team recommends a six-story precast concrete garage with 5 story wood frame residential.

Site Program Analysis

Uses and Compatibility with Area

There is opportunity to mix Multifamily and Retail, along with Parking that is compatible for the surrounding site

Goods and Services to the Community

Provide covered and uncovered parking spaces, and 3,000 SF café and sidewalk café

Building Footprint

153,000 Gross Square Feet

153 Apartment Units (10% Affordable)

1,000 SF Event Pavilion

3,000 SF of Retail

400 car structured parking garage, 6 stories in height.

40+ street parking spots

Plazas, Pathways, and Other Formal Outdoor Spaces

Sidewalk Café Plaza (3,000 SF) along SE corner of Oak St and North Kentucky.

Other Significant Site Improvements

Available to expand main downtown Kentucky avenue with additional shops, restaurants, and businesses.

Opportunities for linear park/green space and efficient parking.

Site Access / Ingress/ Egress

Auto ingress / egress is on North side From East Peachtree

Pedestrian access is from all corners. Main entrance to apartments is SW corner at intersection of Oak and N. Tennessee

Main public amenity at café is at SE corner at intersection of Kentucky and Oak

Concept Site Plan





05

FINANCIAL FEASIBILITY

Financial Feasibility

Preliminary Estimates of Project Costs

Hard Costs: \$30,880,685

Soft Costs: \$7,193,595

Developer Fee: \$1,791,153 (5%)

Tax Revenues

\$481,456 / year

Job Creation

15 Direct & 45 Indirect jobs created

Resident Income Ranges

80-120% AMI

Requested City and or CRA Financial Assistance and Incentives

TIFF

90% abatement on all city and county taxes for years 1-5

70% for years 6-10

Impact Fee Credits

100% Impact fee credit on all city & county impact fee's including water & sewer

City to lease 150 parking spaces back from developer

City to sign a 25-year lease on the 150 parking spaces being developed in addition to the proposed demand.

\$75/ Month/ Space

Escalations: 5% every 5 Years

Preliminary Project Timeline

Due Diligence: 4 Months

Planning/ Design/ Permitting: 6 Months

Construction: 18 Months

Proposed Purchase Price of Land

\$1,080,000

Financial Feasibility

Market Insights

Project market rents were guided by the current market supply (competitive set) in the downtown Lakeland market.

Competitive set includes

Mirrorton

- 600 East Bay St. Lakeland, FL 33801
- 305 Units
- Average Rent/ Month: \$1,792

NoBay Village

- 270 East Bay St. Lakeland, FL 33801
- 55 Units
- Average Rent/ Month: \$1,555

The Gardens

- 325 South Lake Avenue, Lakeland, FL 33801
- 90 Units
- Average Rent/ Month: \$1,175 (All one bedrooms)

Given 200 Oak Streets superior location and design type compared to the current market supply, we chose to set rents slightly above the competitive set.

Affordable rents were guided by and taken at 80% of the AMI, which is \$47,511 (2019).

Proximity to Employment Drivers

- Bank of America: **0.6 Miles**
- RP Funding Center: **0.8 Miles**
- Downtown Core: **0.5 Miles**
- Catapult Lakeland: **0.4 Miles**

Financial Feasibility

Market Rate Unit Mix

Unit Type	Floorplan	# Units	Avg Unit SqFt	Rent/SqFt	Monthly Rent
Studio	A-1	18	520	2.30	\$1,196
1BR	B-1	68	600	2.25	\$1,350
2BR	C-1	44	920	2.10	\$1,932
2BR	D-1	8	1,000	2.10	\$2,100
Total/Avg		138	715	2.22	\$1,584

Affordable Unit Mix

Unit Type	Floorplan	# Units	Avg Unit SqFt	Rent/SqFt	Monthly Rent
Studio	A-1	2	520	1.55	\$806
1BR	B-1	7	600	1.45	\$870
2BR	C-1	5	920	1.30	\$1,196
2BR	D-1	1	1,000	1.25	\$1,250
Total/Avg		15	723	1.40	\$1,012

Financial Feasibility

Project Timeline

Item	Duration	Start Date	End Date
Pre-Development Work			
Development Agreement	1 Month	3/1/2022	3/31/2022
Program / Design & Engineering	3 Months	4/1/2022	6/30/2022
Permitting	3 Months	7/1/2022	9/30/2022
Development Work			
Site Work	3 Months	10/1/2022	12/31/2022
Construction	15 Months	1/1/2023	3/31/2024
Total Months	25 Months	3/1/2022	3/31/2024

THANK YOU

Connect with us for any questions

arjunchoudhary@onicx.com

813.964.0967

ww.onicx.com



September 15, 2021

Lakeland Community Redevelopment Agency
228 South Massachusetts Avenue
Lakeland, FL 33801

RE: RESPONSE TO REQUEST FOR PROPOSAL: RFP #1258
REDEVELOPMENT OF THE OAK STREET PARKING LOT

On behalf of Onicx Group, I am pleased to present this response to RFP # 1258 for the redevelopment of the Oak Street Parking Lot, located on Kentucky Ave. in the City of Lakeland.

Onicx Group is a Tampa-based, private real estate firm with core competencies in development, construction, property acquisitions, property management, investments, and capital markets. Our primary focus is multifamily, mixed-use, and healthcare real estate projects.

Onicx Group believes in the future growth of Lakeland and is committed to making significant investments in Lakeland. Oak Street is one of several projects we are working on in the community. Our goal is to help secure the economic future of Lakeland's downtown district by adding residential units, retail, and parking. The live, work, play concept ensures revenue generation for the city and businesses in the urban core.

In partnership with the Lakeland CRA, Onicx Group and its' strategic partners propose to redevelop the Oak Street parking Lot as a 5-story mixed-use class A property comprised of market-rate and affordable residential units. The new site would include 153 residential units and 3,000 SF of retail space. Our plan also includes a 400 space 6 story parking garage to address existing and future parking demand.

Your project points of contact will be:

Arjun Choudhary, Vice President: arjunchoudhary@onicx.com | 813-964-0967 Ext. 124
Scott Claiborne, Director of Development: scottclaiborne@onicx.com | 813-964-0967 Ext. 128

Please accept this letter, along with the accompanying document, as a response to RP #1258 for the redevelopment of the Oak Street Parking Lot by Onicx Group. We appreciate your time and consideration and look forward to discussing further details with you.

Sincerely,

Dhvanit A. Patel
President/CEO



Lakeland Community Redevelopment Agency
228 South Massachusetts Avenue
Lakeland, FL 33801

RE: RESPONSE TO REQUEST FOR QUALIFICATIONS; RFQ #1258
REDEVELOPMENT OF THE OAK STREET PARKING GARAGE

To whom it may concern:

On behalf of TrueInvestors Development, in collaboration with Forgue General Contracting, Victor Prebor 3 Architecture and Kimley & Horn, **all Lakeland based companies**, I am pleased to present this response to RFP #1258 for the redevelopment of the Oak Street Parking Lot, identified by Strap number 24-28-18-203000-00210, located on Kentucky Ave, in the City of Lakeland.

TrueInvestors is a Lakeland-based impact real estate investment firm and developer of affordable, workforce, and market-rate multi-family properties. As a mission-driven organization, we focus on investments and projects with a long-lasting positive social impact; attractive economic & social returns. We work collaboratively with public & private officials, Community redevelopment agencies, economic development offices, and other stakeholders to design and develop TRUE projects to leverage the experience and financial expertise we've culminated over 20+ years. The Lakeland team has worked together over 5+ years on numerous large scale multifamily housing and commercial retail projects.

In partnership with the Lakeland CRA; TrueInvestors proposes redeveloping the subject site as a 6-Story mixed-income, mixed-use, market-rate, and affordable (workforce) residential rental unit. We propose 190+ residential units and 20,000 square feet of commercial space based on our initial conceptual plan. Of the 190+ units, 35 units would be set aside 20% of units for persons earning 50% or below the Area Median Income (AMI), 20 units will be set aside for persons earning 80% or below AMI and 25% for persons earning 120% AMI and the remaining units will be market rates.

The project will be uniquely designed as Class A, offering amenities and features such as "smart home" technology, high ceiling, modern energy saving appliances, and a community clubhouse with a state-of-the-art fitness center, game room, business center, package lockers, and community kitchen. Plus a **one -of-kind** feature to **Central Florida** that a variety of **2 story apartments** will be within the structure.

In addition to the residential units, we envision an urban concept grocery store on the street level, possible and collaborative co-working space, similar to the concept to Catapult. We envision a collaboration between True & Catapult. A 4 Story parking garage will be built on-site to accommodate residential units, commercial space, and public parking. This project will be a significant revenue generator for the city of Lakeland and the downtown urban core.

Please accept this letter, along with the accompanying documents, as a response to RFP #1258 for the redevelopment of the Oak Street Parking Lot by TrueInvestors Development, LLC. We sincerely appreciate your consideration for this project, and I look forward to discussing the details with you soon.

Respectfully & Sincerely,

Franklin Cruz
President and Authorized Representative
TrueInvestors Development, LLC
502 E Main St
Lakeland, FL 33801





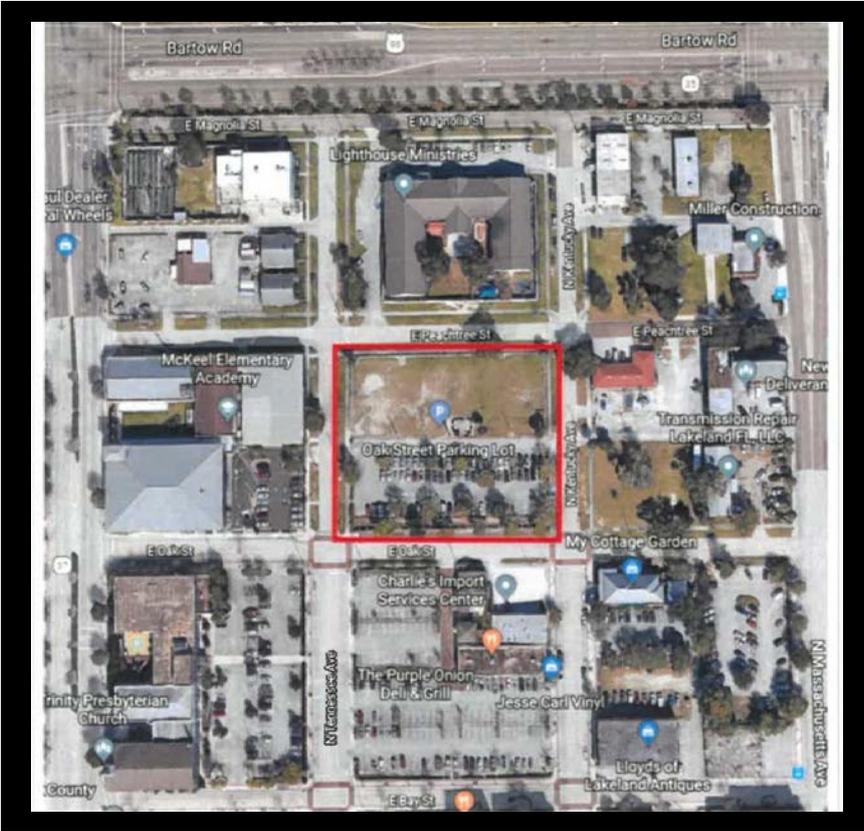
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MIXED INCOME, MIXED USE COMMUNITY

Lakeland Community Redevelopment Agency RFP No. 1258
Redevelopment of the Oak Street Parking Lot



Submitted by:





TRUE INVESTORS
DEVELOPMENT



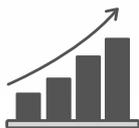
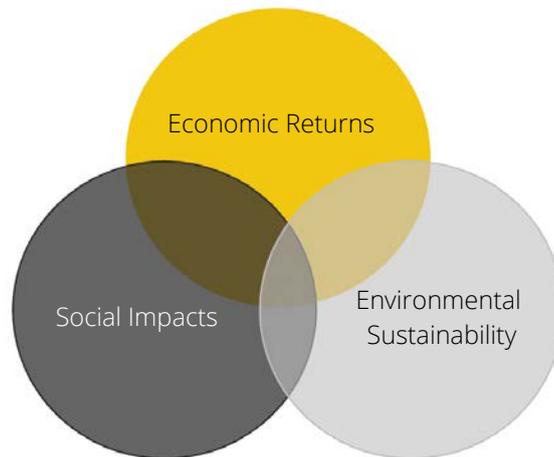
SECTION I

About Us



COMPANY OVERVIEW

TrueInvestors Development is an impact investment management firm, specializing in strategies that achieve triple-bottom-line returns: attractive risk-adjusted investment returns, social impact, and environmental sustainability. Through a series of managed funds and public-private partnerships, mission-driven real estate developers develop affordable and workforce housing and other community-focused projects in low-income and under-served communities nationwide.



Economic Returns. We seek to deliver above average, un-correlated returns to our investors.



Social Impact. We invest in businesses and projects that positively impact communities and the people that live within them.



Environmental Sustainability. We finance and develop projects that utilize energy and green building standards.



GUIDING PRINCIPLES

Our core values drive the decisions we make and shape the culture within our firm. We consistently look to these values to inspire and motivate us and as a guide on how we do business. Impact investing is an exciting and dynamic business, however staying focused on the mission can be challenging at times. By establishing and following a set of guiding principles, we can maintain our focus and deliver superior financial returns alongside tangible and measurable social and environmental impacts.



Innovation: We constantly search for creative ways to solve problems and challenge the status quo.



Excellence: We are committed to the highest standards of excellence in everything we do.



Accountability: We take ownership of our ideas, our projects, and our impacts.



Collaboration: We believe in sharing ideas and seek partnerships with people of like values and principles.



Perseverance: We work through the highs and lows until the goal is achieved.



Integrity: We do the right things for the right reasons and hold ourselves to the highest moral standards.



OUR STRATEGIES

TrueInvestors invests in projects and people that make a difference. We are a developer of mid-and large-scale real estate projects. In many respects, we are contrarians, often willing to pursue opportunities that others have ignored due to location and industry, property type, and transaction complexity. We focus on one primary business vertical: Real Estate Development.



Real Estate Development:

TrueInvestors Community Development is a developer of affordable and market-rate multifamily properties and mixed-use projects. Given our extensive capital markets and investment background, we leverage the experience and financial expertise we've culminated over 20+ years to create sophisticated, multi-tiered capital structures to finance developments that address the needs of the communities.

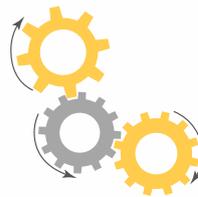


OUR APPROACH

TrueInvestors engaged in projects and people that transform communities. We are a provider of debt and equity capital and a developer of mid-and large-scale real estate projects. We are willing to pursue opportunities that others have ignored due to factors such as location, industry, property type, transaction complexity. We believe that opportunities can be discovered risks can be identified, assessed, and mitigated by using a mix of experience, intuition, advanced technology and analytic tools.



We meet with stakeholders to understand the community's desires working with them in a collaborative effort to define goals and objectives.



We utilize cutting-edge technology, including machine augmented intelligence and predictive analytic models, to analyze and organize extensive amounts of data.



We use the information gained from our stakeholder meetings and the results of our analytic models to create innovative and sometimes unorthodox solutions.



We use the results of our analytic models to facilitate our investment and credit decisions, taking into account the potential financial returns and the social and environmental impacts our capital and projects will have on the community.



REAL ESTATE DEVELOPMENT

Our development focus is driven in large part by the needs of the communities we live, work and invest in. We collaborate with stakeholders and participate with public and private partners to develop properties that address a specific need and are catalytic in nature. These properties include apartment communities and urban infill mixed-use projects.



Multifamily

Affordable and Market-rate apartment communities 50-320 units in the Southeast U.S.



Mixed-use

High-density infill projects comprised of multifamily, commercial and hospitality.



Commercial

Single- and multi-tenant, retail and office properties.



OUR STATS

\$80 million
Project Pipeline

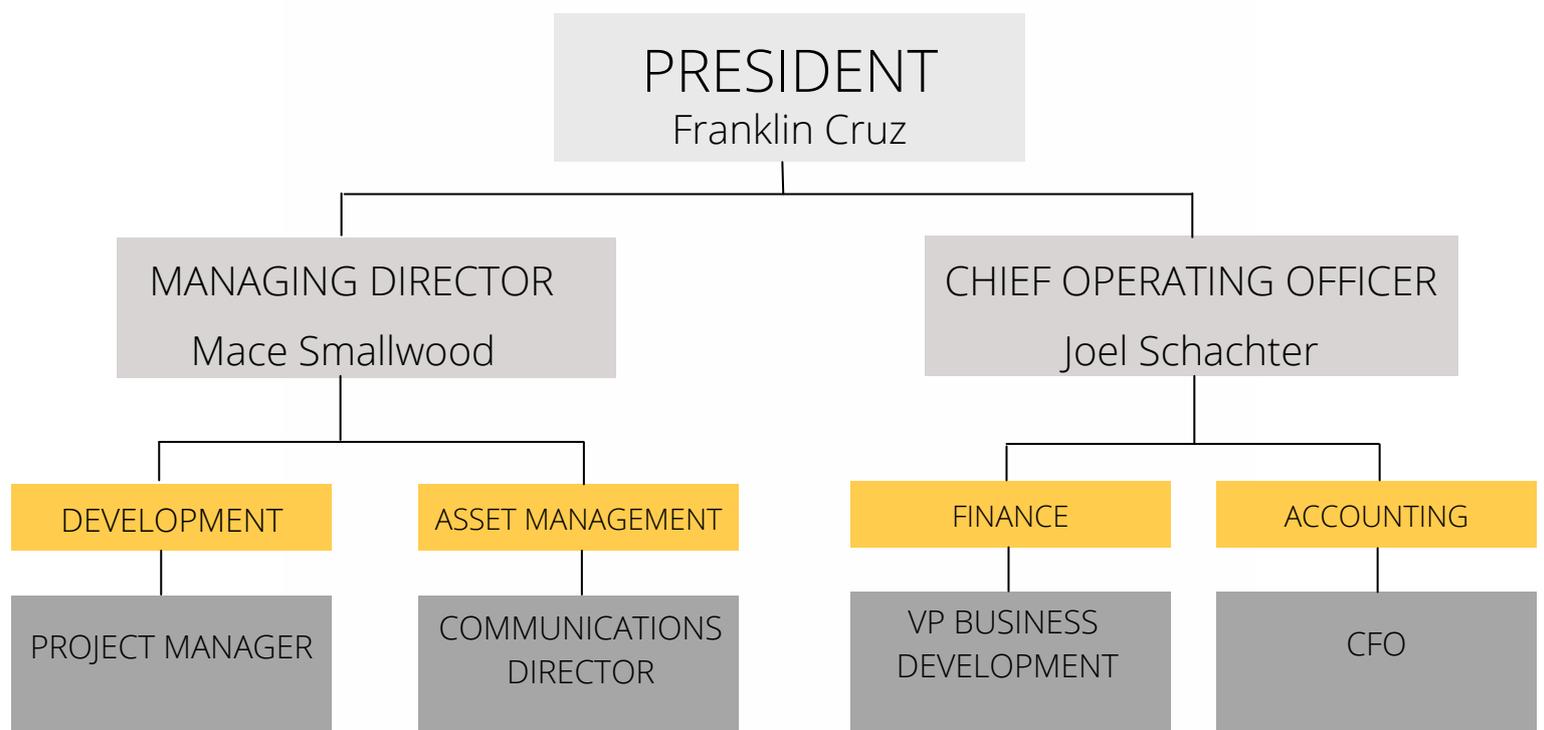
1,000
Jobs Created

\$100 million
Projects
Developed



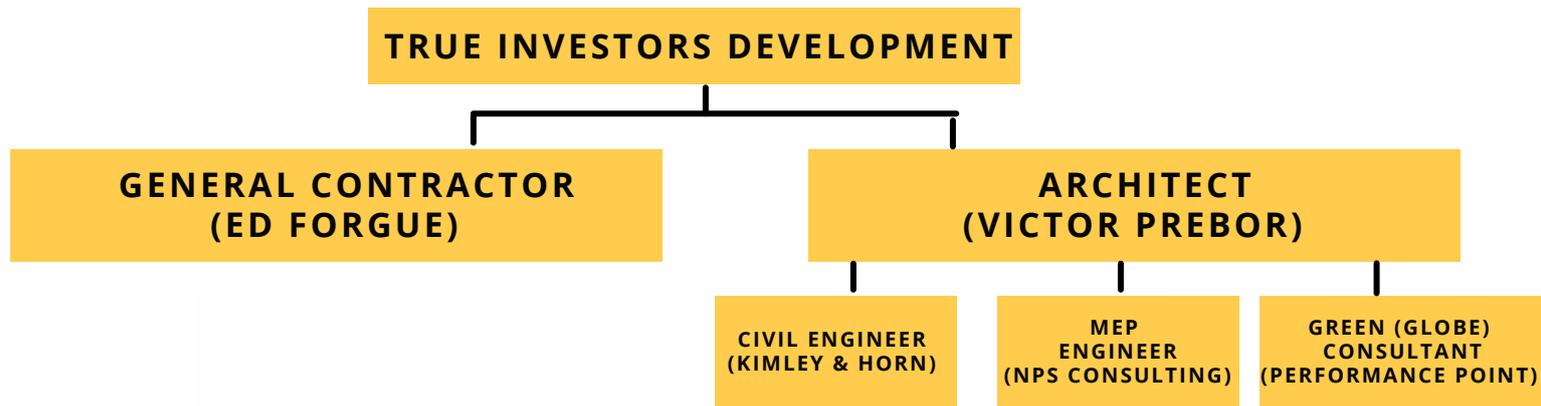
TRUE INVESTORS COMMUNITY DEVELOPMENT

Organization Chart





PROJECT TEAM



TEAM MEMBER	ROLE
Franklin Cruz	Major decisions, corporate management & overall project management
Forge Construction	Construction management
Victor Prebor 3 Architecture	Architecture, Planning & Design
Kimley & Horn	Civil Engineering & Survey
NPS Consulting	Mechanical, Electrical & Plumbing Engineering
Performance Point	Green Building consulting, servicing and certification



THE DEVELOPMENT TEAM



Franklin Cruz

CEO & Developer

True Investors Development

- 20+ years of Real Estate Experience.
- Awarded Inc. 5000 List CEO's in 2017
- Co-Founder of Hope for Homes Project
- Operation Iraqi Freedom & Enduring Freedom US Army Veteran
- Lakeland Based Developer



Edward Forge

General Contractor

Forge Construction

- 17+ years of Residential & Commercial Construction Experience
- Recent Projects include: Publix, Spectra Student Living & Meridian Senior Living
- US Army Veteran "Special Forces"
- Licensed General Contractor (CGC#15135)
- Lakeland Based General Contractor



Victor Prebor

Architect

Victor Prebor 3 Architecture



Elisa Harden

Civil Engineer

Kimley & Horn



Michael J. Kincart

Lead Attorney

Peterson & Myers Law Firm



Claire Twomey

Senior Advisor

Lakeland Habitat for Humanity





THE DEVELOPMENT TEAM



Franklin Cruz

CEO & Developer
True Investors Development



Mr. Cruz is the Founder and CEO of True Investors Development, which focuses on Transforming Cities, one Community at a time. He has over 20+ years of real estate experience. Amongst his other accomplishments, Mr. Cruz proudly served a four-year senior management position with Clever Investors, a national real Estate Education Company, where he acted as the Director of Mentorship. Mr. Cruz has also authored several real estate books, was honored as one of 2017's Inc. 5000 List CEO's and has had the privilege of being selected as a TEDx speaker.

Franklin is a proud United States Army Veteran and served in Operation Iraqi Freedom and Operation Enduring Freedom.

Driven by professionalism, integrity, tenacity, and relentless determination, Franklin, has gone from the trenches in the United States Army to transforming communities through his Real Estate Development Company.

Mr. Cruz resides in Florida with his family and attributes his success to his personal principles: 1. Discipline 2. Consistency 3. Killing your Ego Every Day 4. Falling in Love with Delayed Gratification. These are the principles that drive him daily.



THE DEVELOPMENT TEAM

Edward Forgue



Licensed General Contractor
Forgue Construction

CGC#15135



Mr. Forgue is the CEO and head General Contractor at Forgue General Contracting Inc. With 17+ years of experience in residential and commercial construction, Forgue is an established leading construction company in Lakeland, FL.

A large part of their business is in the commercial real estate sector. Multi-Family, student living communities and retail renovation are huge opportunities for beautiful spaces. Forgue and his team focus on the importance of creating a positive, environmentally responsible and functional investment. Some of their recent work include, Spectra Student Living, Publix Super Markets, Summit Contracting Group, WBS Properties, Philips Edison, The Ruthvens, Mahaffey Company, Asypre Properties, BH Management, Century Retail, Meridian Senior Living and Polytechnic Dorms to name a few.

Forgue Construction has extensive experience in remodeling and renovating existing educational institutions. If you need more space, their designers are master of flow when creating and incorporating new additions.

Built for eye-catching beauty and efficiency, Forgue knows how to make the most out of limited space for corporate and office settings. If you don't have room to build out, they'll build up to incorporate all you need.



THE DEVELOPMENT TEAM



Victor Prebor

Architect, CEO
Victor Prebor 3 Architecture

VICTORPREBOR 3 ARCHITECTURE LLC



Victor Prebor, president and owner, has over 35 years of experience in the architectural field providing award winning professional architectural services for multi-family and commercial retail and business. His role as Design Director exploits his extensive background in design and project management with a design methodology that is function based, emotion driven and environmentally centered. With the purposeful integration of architecture, site and interior, we strive for solutions that are inventive, practical and inspiring.

From 2000 to 2015, Victor served as Vice President and Design Director of Lunz Prebor Fowler Architects. In 2016, he formed Victor Prebor 3 Architecture, LLC.

We currently provide architectural services for projects with a combined annual construction revenue of over \$20 million.



BUSINESS TAX RECEIPT

Franklin Cruz

Electronic Articles of Organization
For
Florida Limited Liability Company

L20000030673
FILED 8:00 AM
January 24, 2020
Sec. Of State
cmwood

Article I

The name of the Limited Liability Company is:
TRUE INVESTORS DEVELOPMENT LLC

Article II

The street address of the principal office of the Limited Liability Company is:
122 E MAIN ST
SUITE 171
LAKELAND, FL. 33801

The mailing address of the Limited Liability Company is:
SUITE 122 E MAIN ST
171
LAKELAND, FL. 33801

Article III

The name and Florida street address of the registered agent is:
FRANKLIN A CRUZ
122 E MAIN ST
171
LAKELAND, FL. 33801

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.
Registered Agent Signature: FRANKLIN A. CRUZ

Article IV

The name and address of person(s) authorized to manage LLC:

Title: MGR
FRANKLIN A CRUZ
122 E MAIN ST #171
LAKELAND, FL. 33801

Title: MGR
GRISELA E RIVERA
122 E MAIN ST #171
LAKELAND, FL. 33801

L20000030673
FILED 8:00 AM
January 24, 2020
Sec. Of State
cmwood

Article V

The effective date for this Limited Liability Company shall be:
01/24/2020

Signature of member or an authorized representative
Electronic Signature: FRANKLIN A. CRUZ

I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.

For over 12+ months, TrueInvestors Development's day-to-day operations have been located in Lakeland, Fl. Including the owner, Franklin Cruz is a resident of Lakeland, FL, with a home address at 1945 Via Lago Dr, Lakeland, Fl 33810.



TRUE INVESTORS
DEVELOPMENT



BUSINESS TAX RECEIPT

Victor Prebor

CITY OF LAKELAND

BUSINESS TAX RECEIPT
Business Tax Office, 228 S Massachusetts Ave., Lakeland, FL 33801

Expires on: 9/30/2021

Account Number:	1394106
Workers:	5
Square Footage:	700
Fee:	\$241.05

Location Address
130 S MASSACHUSETTS AV #212

Business Name & Mailing Address
VICTOR PREBOR

130 S MASSACHUSETTS AVE #212
LAKELAND, FL 33801

This business tax receipt does not permit the holder to operate in violation of any City law, ordinance or regulation. Any change in location or ownership must be approved by the City Business Tax Section, subject to zoning restrictions. This Receipt does not constitute an endorsement, approval or disapproval of the holder's skill or competence or of the compliance or noncompliance of the holder with other laws, regulations or standards.

CITY OF Lakeland

Michael B. Stavis

RECEIPT MUST BE CONSPICUOUSLY DISPLAYED IN YOUR PLACE OF BUSINESS

VALID ONLY WHEN SIGNED

Victor Matthew Prebor, III
130 S Massachusetts Ave
Suite 212
Lakeland FL 33801

STATE OF GEORGIA
Office of the Secretary of State
Georgia State Board of Architects and Interior Designers
License No. RA015666
Victor Matthew Prebor, III
-130 S. Massachusetts Ave
Suite 212
Lakeland FL 33801
Registered Architect
EXP DATE - 06/30/2021 Status: Active
Issue Date: 05/01/2019

Colorado Department of Regulatory Agencies
Division of Professions and Occupations

State Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors

Victor Matthew Prebor
Architect

ARC.00203426 11/01/2019
Number **Issue Date**

Active 10/31/2021
Credential Status **Expire Date**

Verify this credential at: www.colorado.gov/dora/dpo

[Signature]
Division Director: Ronne Hines Credential Holder Signature

Colorado Department of Regulatory Agencies
Division of Professions and Occupations

State Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors

Victor Matthew Prebor
Architect

ARC.00203426 11/01/2019
Number **Issue Date**

Active 10/31/2021
Credential Status **Expire Date**

Verify this credential at: www.colorado.gov/dora/dpo

[Signature]
Division Director: Ronne Hines Credential Holder Signature

Response to Request for Qualifications RFP #1258
Redevelopment of the Oak Street Parking Lot



BUSINESS TAX RECEIPT

Ed Forgue

CITY OF LAKELAND

BUSINESS TAX RECEIPT		Expires on: 9/30/2022
<small>Business Tax Office, 228 S Massachusetts Ave., Lakeland, FL 33801</small>		
Account Number:	1395183	This business tax receipt does not permit the holder to operate in violation of any City law, ordinance or regulation. Any change in location or ownership must be approved by the City Business Tax Section, subject to zoning restrictions. This Receipt does not constitute an endorsement, approval or disapproval of the holder's skill or competence or of the compliance or noncompliance of the holder with other laws, regulations or standards.
Workers:	3	
Square Footage:	100	
Fee:	\$171.38	
Location Address		
122 E MAIN ST		
Business Name & Mailing Address		
FORGUE GENERAL CONTRACTION		
ED FORGUE, OWNER 122 E MAIN ST #203 LAKELAND, FL 33801		
RECEIPT MUST BE CONSPICUOUSLY DISPLAYED IN YOUR PLACE OF BUSINESS		VALID ONLY WHEN SIGNED

POLK COUNTY LOCAL BUSINESS TAX RECEIPT		
ACCOUNT NO. 114943	CLASS: B+	EXPIRES: 09/30/2022
OWNER NAME	LOCATION	
EDWARD JOSEPH JR FORGUE	122 E MAIN ST Suite SUITE 203 LAKELAND	
BUSINESS NAME AND MAILING ADDRESS	CODE	ACTIVITY TYPE
FORGUE GENERAL CONTRACTING FORGUE GENERAL CONTRACTING 122 E MAIN ST SUITE 203 LAKELAND, FL 33801	230150	CONTRACTOR GENERAL
	PROFESSIONAL LICENSE (IF APPLICABLE)	
	-	
OFFICE OF JOE G. TEDDER, CFC * TAX COLLECTOR	THIS POLK COUNTY LOCAL BUSINESS TAX RECEIPT MUST BE CONSPICUOUSLY DISPLAYED AT THE BUSINESS LOCATION	
PAID - 83488 08/27/2021 HSP	TP 57.75	FORGUE GENERAL CONTRACTING

Response to Request for Qualifications RFP #1258
Redevelopment of the Oak Street Parking Lot



TRUE INVESTORS
DEVELOPMENT

CITY OF
Lakeland
Based Company 

Collaborative Projects & Related Development Experiences



PROJECT A

OCTIV Row Apartments



Project Location: Carrollton, Georgia
Project Budget for each site: \$7,200,000

The project consists of 8 total, three-story buildings with 64,686 total square feet under roof.
The project consist of 98 residential apartments.

The project was completed in August 2020.

Client: Spectra Student Living

PROJECT B

Rhelm Apartments



Project Location: Pensacola, FL
Project Budget: \$7,990,000

The project consists of 8 total, three-story buildings with 70,334 total sq. feet under roof
The project consist of 106 residential apartments.

The Pensacola Project was completed in August 2021.

Client: Spectra Student Living

PROJECT C

Housing for Mississippi State University



Project Location: Starkville, Mississippi

Project Budget: \$15,330,000 (building construction only).

The project consists of 8 total, three-story buildings with 145,914 total sq. feet total under roof. The project consists of 176 residential apartments and includes 10,000 SF of ground floor commercial/retail space.

Project is currently in permitting with site work scheduled to begin the first of October 2021.

Client: Spectra Student Living
Justin Ferrius

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PROJECT D

LOFTS on the PARK



Image by Victor Prebor

Project Location: 115 N Kentucky Ave., Lakeland, FL

This is a mixed use property with 24,000 SF divided among 5 floors, total square feet total under roof.

The project consists of 16 luxury residential apartments and includes 5,000 sf of ground floor commercial/retail space.

Victor Prebor was the design architect

This project was completed while Victor was Vice President and Design Director at Lunz Prebor Fowler, Architects.

PROJECT E

Parking Structure for Saint Leo University



Photo was provided by CoreSlab Structures, Inc.

Project Location: Saint Leo, FL

Project Budget: \$12,700,000

This structure is 3 levels with 2 parking levels and a lacrosse field on top.

The parking structure is 150,000 SF and will accommodate 730 vehicles.

Victor Prebor was the design architect.

The project was completed while Victor was Vice President and Design Director at Lunz Prebor, Architects.



RELEVANT DEVELOPMENT EXPERIENCE

130 E Carter Rd.
Lakeland, FL



- Originally was zoned for RH-3 (25 Residential Lots) over 9.9-acres
- Went through approval and entitlement of the rezoning process to maximize development capacity
- Obtained a rezoning of 41 houses.
- National builder, KB Homes is now developing on this site.



RELEVANT DEVELOPMENT EXPERIENCE

1506 Olive St
Lakeland, FL



- Currently zoned as RA-4 (Single Family) and I -1 (Light Industrial) over 9.1 acres
- Located in an "Opportunity Zone"
- We are now obtaining the approval and entitlement to maximize development capacity to get 116 units.



SECTION II

Proposed Development



Site Program Analysis

BEST APPROACH: MIXED-INCOME, MIXED USE COMMUNITY

- 80% Market-Rate and 20% Affordable multifamily units, approximately 190+ total units
 - 6-story building with a height of approximately 75'; 37.5% below the maximum allowable height, to conform with the surrounding neighborhood
 - Efficient & highly functional urban-style layouts
 - Affordable units set aside for residents earning 50% of AMI or less.
 - 50% of AMI 2021 Rent Limits for Polk County
(Florida Housing Finance Corporation income and rent limits are based upon figures provided by the United States Dept of Housing and Urban Development and are subject to change.)
 - 0-Bedroom: \$540 (Studio), 1-Bedroom: \$647, 2-Bedroom: \$776, 3-Bedroom: \$906
 - Unit Features and project amenities that are comparable to Class A apartment communities, such as:
 - "Smart Home" Technology in all units
 - Clubhouse with in-housing leasing office and state-of-the art Fitness Center
 - Resort-style Pool
 - 2-story units
- Retail/commercial space, approximately 20,000 square feet
 - Urban-style grocery store
 - Collaborative co-working space; or
 - Other use to better fit the community's needs based off market study
- Parking Garage with adequate parking spaces to support the project's use, as well as replace the existing surface parking spaces
- Design and streetscape improvements to complement the Downtown Lakeland Redevelopment District
- Sustainable Design Features



CONCEPTUAL SITE PLAN RENDERING



Oak Street - Project Site Concept Image

This study was developed to determine potential apartment sizes, quantity, and capacity of parking structure. Final solution will be submitted for review once, stakeholders are interviewed, full programming and department concept reviews are completed.

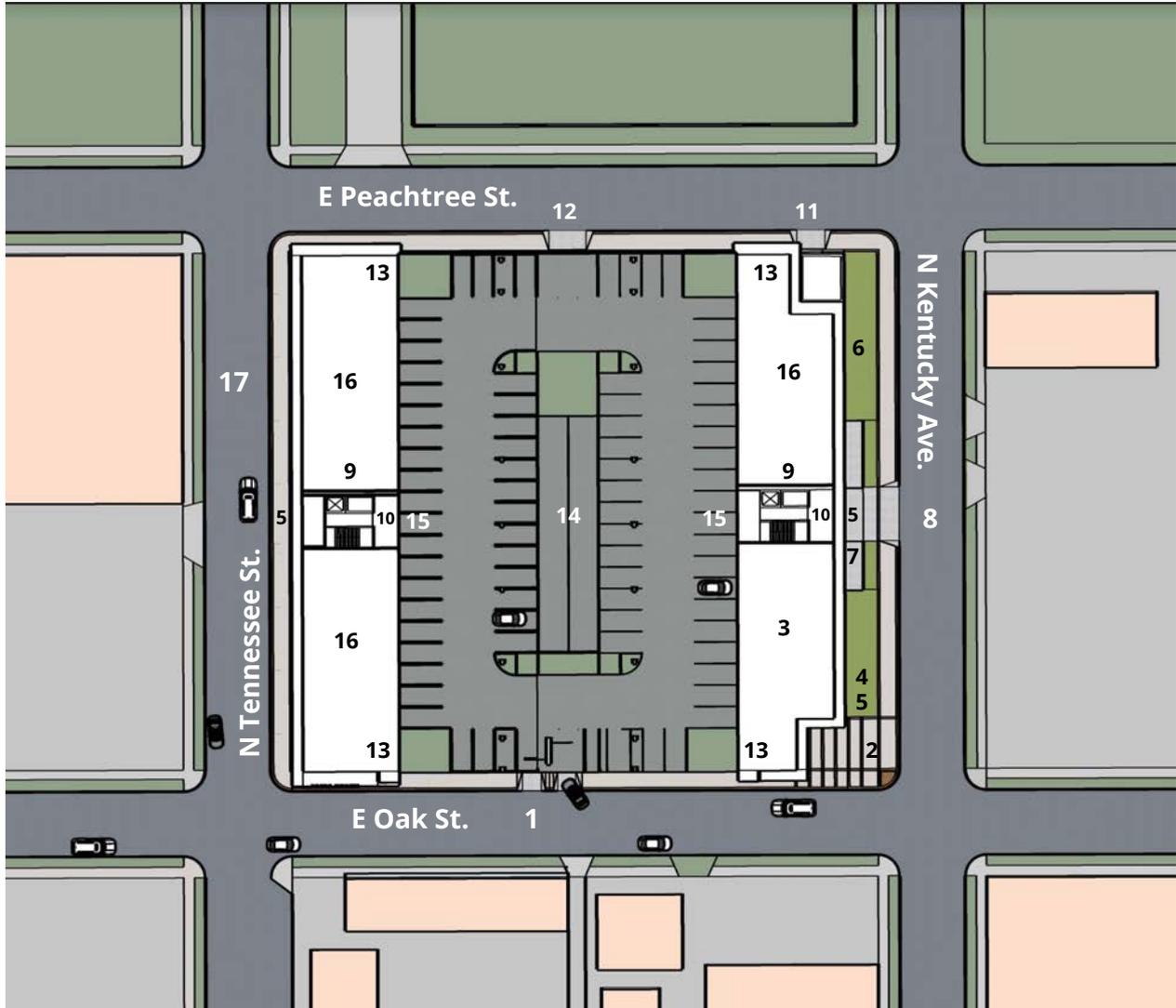


Oak Street - Project Site Concept Image

Residential				
Floor Plate (SF)		# of Floors		Total SF
21,600		4		86,400
12,000		2		24,000
				110,400 sf per tower
		Total (2)		220,800 sf
Apartment Units				
Units	Quantity	Sq. Ft. per Unit		Total Sq. Ft.
3B3B TH	12	1,300		15,600
3B3B FLAT	8	1,200		9,600
2B2B FLAT	132	1,000		132,000
1B1B FLAT	24	800		19,200
Studios	24	600		14,400
	Total # of Units = 200			Total SF of Units = 190,800
	Quantity	Sq. Ft. per Unit	Floors	Total Sq. Ft.
Circulation	12	2,160		25,920
Mechanical	6	420		2,520
Clubhouse	1	4,000		4,000
Retail	208	48	2	20,000
Parking	500			



PARKING LOT LAYOUT



LEGEND

- 1 Controlled Parking Entry
- 2 Plaza
- 3 Clubhouse/Fitness Center
- 4 The Lawn - Outdoor Amenity Space
- 5 Bike Racks
- 6 Dog Park
- 7 Generator
- 8 Resident Loading
- 9 Elevator/Stair Core
- 10 Bike Storage
- 11 Service Entry
- 12 Secondary Exit
- 13 Exit Stair
- 14 Ramp
- 15 Charging Bays
- 16 Commercial/Retail
- 17 Proposed On Street Parking

PARKING ANALYSIS

150	City Parking
	<u>Residential</u>
90	Studio - 1 bedroom units (60 units)
280	- 2/3 bedroom units (140 units)
370	Total Residential
	<u>Commercial</u>
50	Business - 5,000 SF/100
38	Retail - 15,000 SF/400
88	Total Commercial/Retail
32	Bike Racks/Storage
566	Adjusted Total
500	Parking Structure
20	On Street Parking



SECTION III

Financial Feasibility



FINANCIAL STRATEGY

Oak Street Project will be financed through a combination of senior debt, deferred fees, sponsor (LRC Commercial) equity, non-competitive tax credits, incentives, and local, state, federal subsidies.



Senior Debt: TrueInvestors intends to utilize HUD's 221 (d) 4 program for senior debt, which offers a 40-year term with a fixed interest rate for the entire duration of the loan. Alternate options include bank financing for the construction loan with a Fannie Mae/Freddie Mac permanent loan. The development team's knowledge of finance, combined with the ability to manage a project efficiently, will keep operating costs to a minimum, and along with the inclusion of market-rate units, will provide an optimal permanent loan.



Sponsor Equity: TrueInvestors will set up an Opportunity Zone fund and invest equity in the Project through the OZ fund.



Incentives/Subsidies: TrueInvestors plans to request various local, state, and federal funding subsidies and incentives.



Preliminary Estimates on Project Costs

Project Cost		
		Cost Per Sq Ft
Land Cost	\$1,090,000.00	\$4.89
Approvals, Entitlement, Permitting & Developer Fees	\$5,847,874.58	\$26.26
Total Acquisition Cost	\$6,937,874.58	\$31.15
Contingencies	\$3,467,717.45	\$15.57
Financing Cost	\$686,608.06	\$3.08
Hard Cost	\$42,316,800.00	\$190.00
Soft Cost	\$15,945,349.00	\$71.59
Total Project Cost	\$69,354,349.09	\$311.40



Marketing Insights

FLORIDA'S EXPLOSIVE POPULATION GROWTH

The I-4 corridor, which extends from Tampa to Daytona and through Orlando, is one of the fastest growing areas in the entire United States. Texas, California and Florida are the fastest growing States in the Country and account for 44% of the entire national population growth.

The 145-mile I-4 corridor, from the Gulf of Mexico to the Atlantic Ocean, consists of Tampa, Orlando, Lakeland and Daytona, which would be the 4th fastest growing "State" in the Country. The region is forecasted to increase its population by 160,000 residents in 2019 or 440 people per day. Orlando and Tampa are projected to add 75,000 and 61,000 people respectively.

Including Jacksonville's strong projected population growth of 31,000 people, the northern half of Florida is growing at a faster rate than the Northeast and Midwest of the United States combined. This rapid growth throughout the State, including South Florida, creates challenges for state and local governments as the current supply chain of infrastructure becomes constrained.

Top 10 States - Population Growth

Rank	State	Population	Annual Growth	Per Day
1	Texas	28,322,717	385,225	1,055
2	Florida	21,494,390	346,830	950
3	California	39,399,349	190,222	521
➡	I-4 Corridor	7,008,090	160,600	440 ←
4	Washington	7,425,432	130,752	358
5	North Carolina	10,270,800	114,121	313
6	Georgia	10,413,055	108,292	297
7	Arizona	7,048,876	103,424	283
➡	Orlando	2,516,690	75,400	207
8	Colorado	5,615,902	74,981	205
9	Tennessee	6,708,794	63,783	175
10	South Carolina	5,021,219	62,984	173
➡	Tampa Bay	3,139,000	60,700	166





Marketing Insights

DEVELOPMENT OPPORTUNITY

Lakeland is positioned to become one of the fastest growing cities in Florida. Situated close to the Polk Parkway (a critical pipeline to I-4, which runs from Tampa to Orlando, as well as providing easier access to I-4 from Polk County cities Lakeland, Winter Haven, Bartow, Mulberry and Auburndale), efficient access to all major freeways (I-4, I-75 and U.S. Hwy 27). A proven Florida hub, midway between Orlando and Tampa, Lakeland is home to major distribution facilities for Amazon, Rooms to Go, Publix, Southern Wine and Home Depot.

Property Advantage

- Easy Access to all major freeways including I-4
- Build-to-suit opportunities

Entitlements

- 200+ Total Units
- County - Polk
- Submarket - Lakeland
- Location - Downtown Lakeland
- Gross Acres - 1.49 acres

Location Advantages

- 18,000,000 people within a 4-hour drive
- Immediate access to I-4 & Polk Parkway
- 30 miles to Tampa
- 45 miles to Orlando (Disney World)
- Government incentives available
- Strong labor base
- Business-friendly with low tax rates
- High quality of life

Utilities:

- Electric - Lakeland Electric
- Water - City of Lakeland
- Sewer - City of Lakeland

Demographics

	1 hr.	2 hr.	4 hr.
Total Population	3,465,296	9,313,593	18,182,672
Total Households	1,270,496	3,714,460	7,160,145
Avg. Household Income	\$76,050	\$75,316	\$77,944
Businesses Employees	132,338	344,486	747,968
Employees	1,588,887	3,637,563	7,447,016



Marketing Insights

LOCATION OVERVIEW



Drive Times/Distance

- Tampa 30 min; 29 miles
- Orlando 45 min; 45 miles
- Jacksonville 3 hours; 200 miles
- Miami 3.75 hours; 242 miles
- Savannah 5 hours; 339 miles
- Atlanta 6.75 hours; 471 miles

Major Transportation Hubs

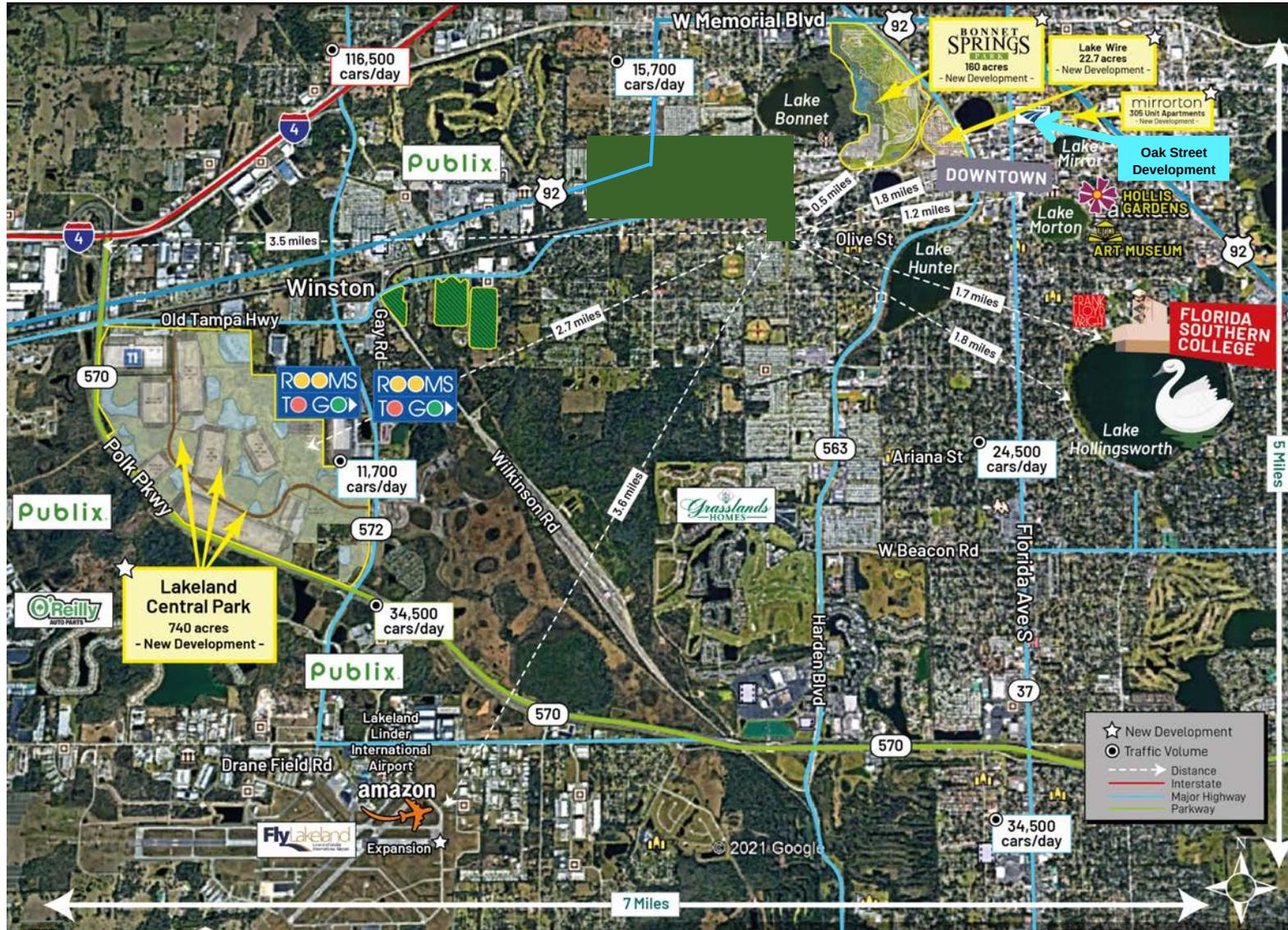
- 40 min to Tampa Int'l Airport
- 54 min to Orlando Int'l Airport
- 30 min to Tampa Port
- 1.5 hours to Port Canaveral

Location

- Excellent location for Orlando, Tampa and Miami
- Easy Access to all major freeways, including 1-4, I-75 and U.S. Hwy 27



MARKETING & TRAFFIC INSIGHTS



Response to Request for Qualifications RFP #1258
Redevelopment of the Oak Street Parking Lot



Project Preliminary Timeline

Month	Expected Time of Completion		
1	Due Diligence, Planning, Design, & Permitting (1-12 months)		
2			
3			
4			
5			
6			
7			
8			
9			
10		Construction (10-20 months)	
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			



Proposed Purchase Price: RFP NO.1258

Sep 15, 2021

Proposed Purchase Price: RFP NO.1258

To whom it may concern,

Thank you for the opportunity to purchase the property. TrueInvestors Development, LLC and or Assigns (only assignable to an entity controlled by TrueInvestors)("Purchaser") hereby presents the following offer to purchase the above-referenced Property (ies). Kindly forward the following terms and conditions of this offer:

Seller:

City of Lakeland

Proposed Purchase Price:

The price shall be one million dollars (**\$1,000,000**) payable at the time of Closing, subject to adjustments for deposits, closing costs, and prorations. The Property shall be delivered free of any leasehold interests, liens, or encumbrances unless otherwise agreed upon.

Deposits:

Within two days of the execution of a Purchase and Sale Agreement by both Buyer and Seller, Buyer shall deliver an initial refundable deposit which shall be fully refundable until the expiration of the Due Diligence Period.

Closing Cost:

Each party shall be responsible for their respective attorneys, professional fees, and other costs associated with the transaction. The Buyer's attorney to write the title insurance policy at the lowest promulgated rate allowed by law, and Buyer shall receive a credit at closing from the Seller for said cost. In addition, the Seller is to pay the transfer costs/ documentary stamps, the cost to clear up any and all title issues, and all lien search costs.

Due Diligence Period:

Buyer shall have until three and sixty-five (365) days ("Due Diligence Period") from the date of the Purchase Agreement to conduct any inspections of the Property, including without limitation environmental studies, soil boring's, engineering, and topographical studies. Seller shall provide Purchaser with full access to the Property and all information relating to it, in Sellers Possession within five (5) days after the date of the executed Purchase Agreement, including a) confirmation regarding the exact measurement of the Property including copies of existing surveys, site plans as-built plans and specifications if any; b) complete description of all easements of any sort that may be encumbered or benefit the Property; c) all environmental reports and notices for the Property (including Phase I, II and III surveys); d) copies of any leases in effect for the Property, tax and utility bills, zoning information, and all other data of the Property, including valuation reports if available; The Due Diligence period is subject to the completion of a satisfactory Phase I Environmental Report.

Proposed Purchase Price: RFP NO.1258



At any time during the Due Diligence Period, should Buyer, in its sole and absolute discretion, be dissatisfied with the Property for any reason or no reason, Buyer may terminate the Agreement and have all deposits returned promptly.

Source of Funds/Financing;

Funds used for this purchase are sourced from a private real estate investment group controlled by TrueInvestors Development, LLC. The Buyer may choose to finance this acquisition, and if so, Seller agrees to cooperate with Buyer.

Zoning;

Seller is to deliver the Property(ies) with zoning that is acceptable to Buyer with said zoning to allow for warehousing, distribution, light assembly, and manufacturing.

Closing Period;

The Closing, when the transfer of title will occur, the full Purchase Price paid, shall occur three hundred sixty-five days (365) or sooner, after the expiration of the Due Diligence Period.

Additional Terms;

Upon Execution of LOI, Seller shall provide any and all architectural plans, surveys, easements, property inspection reports, environmental reports, a list of vendors and bills, and utility bills to the Purchaser and any other documentation which Buyer may require during the Due Diligence period.

It is understood and agreed that this Letter is a non-binding offer to Purchase the referenced Property and only a fully executed and delivered Purchase and Sale Agreement shall become binding upon both parties.

If the terms and conditions are agreeable, please indicate your acceptance by affixing your signature below. Once we have your approval, we will await Seller's counsel to prepare the Purchase and Sale Agreement for both parties to review within five days of the execution of the Letter of Intent.

Sincerely & Respectfully,

Franklin Andrew Cruz
Principal Manager
TrueInvestors Development, LLC

Proposed Purchase Price: RFP NO.1258



Requested City Assistance & Incentives

The Project Team, requests the following during the construction period of proposed development:

- Reduction of Permit Fees
- Consideration of Parking during construction for work force vehicles.
- Angled on street parking for 20 spots on Tennessee Ave.
- Elimination of all impact fees



SECTION IV

Anticipated Economic Benefits of the Development



Anticipated Economic Benefits of the Development



Taxes Revenue

\$510,000 yearly



Job Creation

250+ Skilled Labors Created
50+ Permitted Employment



Resident Income Ranges

Medium Income Ranges
\$41,000 - \$61,500+



Residual Economic Impact Dollars

\$5,635,000 yearly



Over 10 years

\$56,450,000



TrueInvestors[™]
DEVELOPMENT



VICTORPREBOR **3** ARCHITECTURE LLC

Kimley»»Horn

Expect More. Experience Better.



PETERSON & MYERS, P.A.

ATTORNEYS AT LAW • SINCE 1948

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