

FAIRGROUNDS DEVELOPMENT PROJECT  
EVENT NO. 7911

SECTION II  
SCOPE OF WORK

- 2.0 Broad Description of Project:** The purpose of this event is to receive proposals from person(s), joint ventures or other legal entities that are interested in development of the +/- 67-acre tract known as *The Fairgrounds Property*. Located at 4701 Meding Street, the parcel remains one of the largest undeveloped properties within the City's incorporated limits. Because of the scarcity of large tracts, the City desires a future use to help bolster any one or combination of the City's strategic priorities: increased public safety, infrastructure investment, neighborhood revitalization, and economic strength and poverty reduction. The City believes the property can best be co-developed under a public-private partnership (P3) and seeks a P3 developer as a partner. Toward this end, the City will contribute the long-term use of this prime property and redevelopment opportunity as its capitalization of the partnership. The development partner will be expected to provide the development and operational expertise and additional capital required to ensure a successful project. Electronic submissions will not be accepted for this proposal.
- 2.1 Scope of Services:** This request for proposals will help the City determine the best P3 developer to pursue a development plan not only because of the P3 developer's proposed use but also due to the P3 developer's qualifications, access to capital, and financial capability to deliver a project with economic and community impactfulness. The selected P3 developer will prepare and present a Master Plan that will be acceptable to the City and to guide future development of the transformational opportunity as well as enter into a Development Agreement that designates the City's and P3 developer's responsibilities. A Community Benefits Plan will become part of the Development Agreement to ensure the participation of neighborhoods as a part of the final outcome in any use decisions.

This document provides general and specific information for submitting a proposal along with a statement of qualifications, experience and financial capability for the purposes herein described. All submissions are governed by the City's procurement policies and Georgia law governing lease/disposition of public property by a municipality. Instructions for preparation and delivery of submittals are contained in this Request for Proposals (RFP) package. Please note that specific instructions and format are outlined in Section II of the proposal.

The City abides by an equal opportunity procurement policy. The City seeks to ensure that all segments of the business community have access to providing services needed by the City's programs. The City provides equal opportunity for all businesses and does not discriminate against any persons or businesses regardless of race, color, religion, age, sex, national origin or handicap.

- 2.1.1 Besides including the land as its portion of the capitalization of the partnership, the City is willing to consider implementing several incentives for development that will

benefit the private partner and project overall, including, but not limited, to:

- Designation of an Enterprise Zone that offers a graduated tax abatement schedule and waiver of fees and licenses.
- Designation as a Military Zone to enable a \$17,500 per job state income tax credit over five years for newly-created employment.
- Designation of a Tax Allocation District to fund infrastructure improvements, greenspace and other public assets based on the amount of private investment.
- Planned Unit Development.
- Designation of a Community Improvement District to fund infrastructure improvements and other capital outlay authorized by Georgia law.
- Use of a Special Tax District to fund public improvements.
- Consideration of waivers for utility connection fees for any high-generating economic development projects.
- Bond financing options based on identified revenues sources for debt service and other economic incentives that could be considered under the authority of Georgia law and local ordinances.

2.1.2 The Mayor and Aldermen of the City of Savannah (CITY), a municipal corporation chartered under the laws of the State of Georgia, seeks proposals from person(s), joint ventures or other legal entities that are interested in a public-private partnership (P3) to develop a 67-acre tract in Savannah, Georgia, known as *The Fairgrounds Property*. Because of the scarcity of large tracts, the City desires a future use to help bolster any one or combination of the City's strategic priorities: increased public safety; infrastructure investment; neighborhood revitalization; and economic strength and poverty reduction.

The City seeks to find a use for the site that will transcend typical public development into a transformational opportunity for the community. This proposal will help the City determine the best partner to pursue a development plan—not only because of the P3 developer's proposed use but also due to the P3 developer's qualifications and financial capability to deliver a project with wide-ranging economic and community benefits. The selected P3 developer will prepare and present a Master Plan that will be acceptable to the City and to guide future development of the transformational opportunity as well as enter into a Development Agreement that designates the City's and P3 developer's responsibilities. A Community Benefits Plan will become part of the Development Agreement to ensure the participation of neighborhoods as a part of the final outcome in any use decisions. The project may be completed in multiple phases.

The property fronts Meding Street just north of Derenne Avenue in the Tatemville and Feiler Park neighborhood areas. It is strategically positioned between downtown Savannah and the U.S. Army Hunter Army Airfield. The property is adjacent to the Tatemville Community Park, which features a large lake, walking trail, recreational building, playground, and sport courts. Providing connectivity and access between the fairgrounds site with the adjoining Tatemville Community Park offers the

strategic opportunity to leverage existing/adjoining recreation and infrastructure assets with new development to stimulate revitalization in the area.

The property enjoys good access and connectivity. This is clearly evident as the prior owner managed to facilitate ingress and egress to the property for hundreds and thousands of people each day during annual fair events. A future connection of the property to the adjoining Tatemville Community Park would also another point of access along Staley Avenue and enhance traffic circulation in the area.

The property is developed with thirteen buildings and five ticket booths. These buildings are old and suffer from significant functional obsolescence and physical depreciation. They range in size and condition and include: a large Quonset structure (former airplane hangar), a livestock boarding and display facility, administration and meeting building, storage and utility buildings, ticket booths, restroom facilities, as well as fencing, paving, and more. The facilities would either be demolished, and the site redeveloped, or the facilities would be significantly renovated and upgraded.

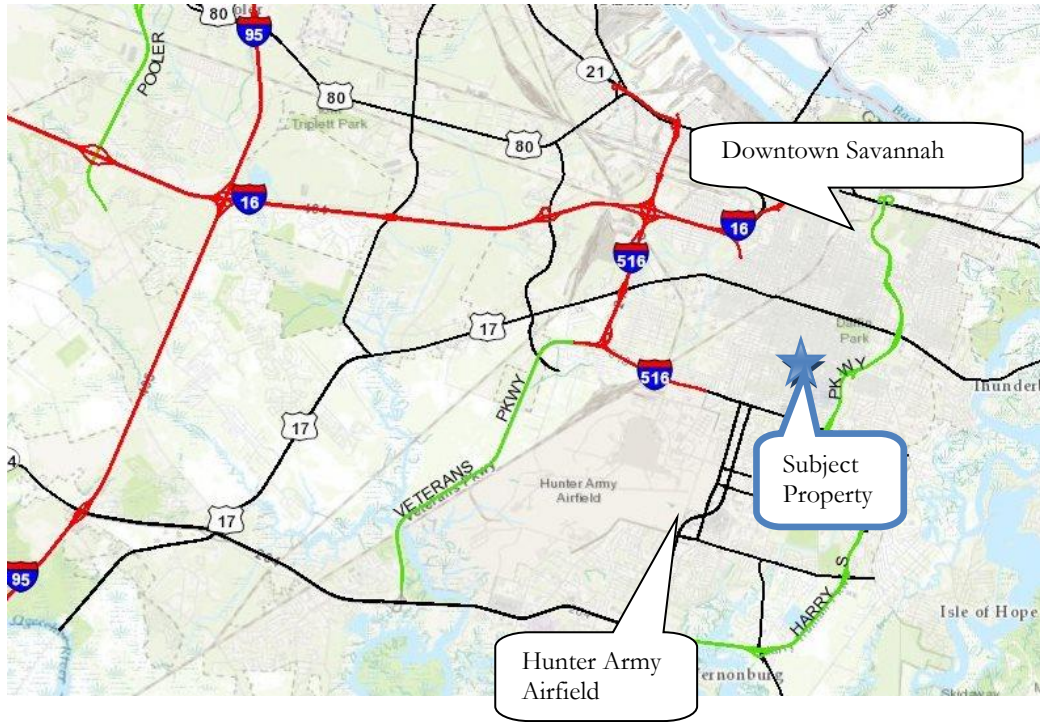
The buildings are situated in the southeastern portion of the property near Meding Street. The vast remainder of the property is mostly cleared and grassed, excepting wetlands and adjoining wooded areas which are located along the western portion of the property adjacent to railroad tracks. The property slopes from highest elevations on the east, to lowest elevations to the west (wetland area). A wetland delineation has been performed and the site contains just over eight acres of jurisdictional wetlands.

Approximately fourteen acres of the site are encumbered by buried construction debris. This debris is not hazardous or contaminated, and consists primarily of concrete, wood, and metal. It does, however, present geotechnical challenges to support building construction in this fourteen-acre portion of the property. However, reports indicate these areas can be capped with paving for parking, or with dirt and turf for recreational uses.

The property offers the opportunity for a significant scale community and economic development project that could potentially include light industry and/or commerce, housing, recreation, and a regional park/athletic complex.

Following is a location map, general depiction of the Subject Property, and survey:

# GENERAL LOCATION MAP



## AERIAL PHOTOGRAPH



(view to North)

## STREET SCENE: VIEW FROM MEDING STREET



Source: Google Earth

**2.2 Proposal Format:** Proposals shall be submitted in the following format and include the following information.

- a) Cover letter stating the introduction/executive summary of the proposer for this event. Cover letter must include acknowledgement of all addenda issued for this proposal. If addenda are not acknowledged in the cover letter, proposals will not be considered further.
- b) Proposed Use
- c) Economic and Community Impact
- d) Business Profile
- e) Experience
- f) Qualifications/Project Team
- g) Financial Capability/Capitalization to Perform Proposed Project
- h) References
- i) Appendix

In return, and as partial consideration for the long-term use of the property, the City will expect a financial return on its investment of the land to the partnership, as well as quantifiable community and social benefits from the proposed project.

**2.3 Basis of Award:** Proposals will be evaluated according to the following criteria and weight:

- a) Proposed Use, Project, and Timeline *(25 points)*  
Proposed Use (Transformational Use/Economic and Community Impact, Project Description (include details, conceptual site plan, layout, density, and aesthetics)  
Timeline: schedule for development to commence and, if applicable, operations to commence upon closure on deal.
- b) Team's Qualifications, Experience, and Capabilities *(25 points)*  
List and describe similar Projects in size, scope, and cost/investment the Proposal Team has actually performed and completed.  
List and describe the experience and qualifications of the primary Team members.  
Provide summary of Financial Capacity to perform the Proposed Use/Project.
- c) Economic and Community Benefits to City and Citizens *(20 points)*  
Provide financial return to City for use of the property and return on investment of any infrastructure required.  
Provide detailed and quantifiable community benefits to result from project.
- d) SBE/DBE participation goals *(10 points)*
- e) Savannah First Local Vendor participation (20 points total) – Vendors within the city limits of Savannah and have a City of Savannah Business Tax Certificate prior to April 1, 2020 will receive a total of 20 points. Vendors outside the city limits but located within Chatham County will receive a total of 10 points.

Proposals shall be evaluated by a selection committee. The selection committee may, at its option, request any or all proposers to provide on-site demonstrations of the proposed system.

A short list may be developed, and interviews conducted with those proposers deemed to be most qualified. The City reserves the right to conduct interviews of any or all proposers at the City's discretion. The City also reserves the right to request a best and final offer (BFO) and to re-score evaluations based on the best and final offer. Proposers may be required to provide clarification of their proposal as part of the BFO response.

**2.4 Copies:** One (1) unbound, printed and signed original and four (4) identical, printed copies of the proposal and supporting documents must be submitted in response to the RFP. All responses must relate to the specifications as outlined.

**2.5 Contacts:** Proposers must submit proposals in accordance with the instructions contained in this RFP. All requested information must be submitted with the proposal. Instructions for preparation and submission of proposals are contained in this package. All questions regarding this request for proposal should be submitted in writing and emailed to the person listed on the summary event page.

**2.6 Local Vendor Definition**

A Proposer or business shall be considered a local vendor if it meets all of the following requirements:

- a) The proposer or business must operate and maintain a regular place of business with a physical address within the corporate limits of the city, and
- b) The proposer or business must at the time of bid or quotation submission, have a current city business tax certificate issued by the City prior to April 1, 2020, and
- c) The proposer or business performs quantifiable services in the ordinary course and scope of its business with the skills, qualifications, and expertise necessary to execute its contractual obligations to the City.

**2.7 Satisfaction of DBE Goals; Good Faith Effort**

The City of Savannah has established a 20% DBE goal, of which half (10%) shall be met by a local DBE, for this project.

The process by which the City determines whether an Offeror has met the City's DBE goal is set forth in the guidelines below:

- a. A bid shall be considered non-responsive unless a proposer meets either the DBE goal established for the contract or demonstrates good faith effort to meet the DBE goal.
- b. In order to meet the DBE goal of a solicitation, a proposer entity must submit the following information:

- i. The names and addresses of each DBE that will participate in the contract.
  - ii. A description of the work that each DBE will perform.
  - iii. The percentage of the contract value that each DBE will receive.
  - iv. Written documentation, in a form acceptable to OBO, of the proposer's commitment to use each DBE whose participation the proposer submits to meet the contract goal; and
  - v. Written confirmation, in a form acceptable to OBO, from each DBE that it will participate in the contract as indicated by the proposer.
- c. The proposer should submit the above information as follows:
- i. Under sealed proposal procedures, the information should be provided with the sealed bid response; or
  - ii. Under requests for letters of interest or requests for proposals, the information should be provided with the initial letter of interest or proposal.
- d. If the information required by section (b) above is not provided in accordance with section (c) above, the information must be provided to the City of Savannah within three (3) business days after OBO notifies the proposer that it has not provided all the required information with its response. Failure to provide the City of Savannah with this information within such three (3) business days may be cause for the response to the solicitation to be deemed non-responsive.
- e. Determination of Good Faith Effort.
- i. A proposer shall not be denied award of a contract due to failure to meet the assigned contract goal if the proposer timely (within the timeframes provided in paragraphs (c) and (d) above, as applicable) provides documentation demonstrating the proposer's good faith effort to meet the goal, as determined by the Program Coordinator. In making such determination, the Program Coordinator shall consider the quality, quantity, and extent of the various efforts that the proposer has made to meet the goal.
  - ii. The efforts that may be considered by the Program Coordinator include, but are not limited to:
    1. Soliciting through activities such as attendance at pre-bid meetings, advertising, or written notices, the interest of certified DBEs (or DBEs eligible for certification) that have the ability and capacity to perform the contract work. The proposer must solicit this interest in a timely manner to allow the DBEs to respond to the solicitation. The proposer must take appropriate steps to follow up initial solicitations of DBEs.



2. Identifying the portions of the contract that could reasonably be performed by a DBE in order to increase the likelihood that the DBE goals will be achieved. This may include, where appropriate and commercially practicable, separating contract work items into segments more appropriate for participation by DBEs.
  3. Providing each interested DBE with adequate information about the plans, specifications, and requirements of the contract in a timely manner.
  4. Negotiating in good faith with each interested DBE. Evidence of such negotiation includes the names, addresses, and telephone numbers of DBEs that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and explaining why an agreement could not be reached with an interested DBE to perform the work. The fact that there may be some additional costs involved in subcontracting with DBEs is not in itself sufficient reason for a proposer's failure to meet the contract DBE goal, as long as such additional costs are reasonable, as determined by the Program Coordinator in his or her sole discretion.
- iii. In determining whether a proposer has made a good faith effort, the Program Coordinator may also consider the level of participation proposed by the proposer and the level of participation proposed by other proposers. The closer the proposer's proposed participation is to the goal or to the proposed participation by other proposer, the greater the indication of good faith by the proposer.

## **2.8 Proposed Use:**

The City seeks to find a use for the site that will transcend typical public development into a transformational opportunity for the community. The City is not seeking a, specified use, but is looking to the marketplace to propose a viable and feasible use of the property that provides a return to the City on the land plus quantifiable community and social benefits. The proposed use could be commercial, residential, recreational, and/or athletic, or a combination of these uses, subject to applicable land use, zoning, and development regulations. In this section, the submitter will identify the proposed use(s), why the planned use would best meet the City's strategic goals and identify the outcomes to meet the City's strategic goals and a timeline. Submissions should include conceptual development plans and facility renderings to assist the City in understanding the scale, density, and aesthetics proposed. In addition, the proposed use should include specific expectations about the City's role in the public-private partnership (i.e. land, financing, infrastructure development, etc.). The City believes the property can best be co-developed under a P3 development, and this RFP will help the City determine the best partner to pursue a development plan—not only because of the P3 developer's proposed use but also due to the P3 developer's qualifications and financial capability to deliver the proposed use to serve the community's best interests. The selected P3 developer will prepare and present a Master Plan that will be acceptable to the City and to guide future development of the transformational opportunity

as well as a Development Agreement that designates the City's and P3 developer's responsibilities. A Community Benefits Plan will become part of the Development Agreement to ensure the participation of neighborhoods as a part of the final outcome in any use decisions.

- 2.8.1 **Economic and Community Impact:** The City does not want one of the largest remaining tracts within its incorporated limits to become a typical or ordinary use. How impactful—especially with economic drivers that yield recurring dividends or a community investment that inspires future generational benefits—will be the deciding factor. In this section, Submitters will be specific as to outcomes and their impact whether substantial employment, wages, increased local and state tax revenue, poverty reduction, reduced crime, increased educational attainment, cultural attainment or other pivotal change that helps to make a substantive difference in the community. This section should also include the proposed financial return to the City for use of the property as well as quantifiable social and community benefits the project will provide.
- 2.8.2 **Business Profile:** In this section, Submitters will describe their business organization, company officers, and the principals who will serve major roles in this P3 development. The profile should include form of ownership, number of years in business, organizational structure of the development team, and years of relevant experience for key development team members in related uses as proposed.
- 2.8.3 **Experience:** In this section, the proposers will provide a list of projects undertaken in recent years to demonstrate experience in developing uses similar as proposed. Prior projects should include investment amount, timeline to develop, innovative approaches and economic and community impact.
- 2.8.4 **Qualifications/Project Team:** In this section, list three (3) examples of related projects that demonstrate the team members' experience. In addition, the Submitter should include an implementation plan based on its start date. The implementation plan should include action items, timeline and responsibility parties.
- 2.8.5 **Financial Capability:** In this section, Submitter will present written confirmation of its financing sources for the implementation of the project.

At the discretion of the City, as a condition to entering into a Development Agreement, the successful Submitter may be required to provide a performance (surety) bond to insure the successful performance under the terms and conditions of the Development Agreement negotiated between the successful proposer and City.

- 2.8.6 **References:** Provide five (5) references, to be contacted. Preference should be given to references noted for projects listed under experience by the team.
- 2.8.7 **Appendix:** The Appendix provides space for any supplementary materials which the Submitter believes will add merit to its Submittal. This section should not be filled with general marketing materials not relevant to this RFP but should only relate to this proposal.

**2.9 Confirmation of Acceptance:** Submitter will submit written confirmation as acceptance of the following:

- A. Submitter agrees City will not accept Submissions from any company, firm, person or party, parent or subsidiary against which City has an outstanding claim, or a financial dispute relating to prior contract performance with City. At any time, City discovers such a dispute during any point of evaluation, the Proposal will not be considered further.
- B. Submitter agrees to provide a statement of disclosure with sufficient detail about any relationship, especially financial, between members of the Submitter's firm and any City members, employees or their family members. This will allow City to evaluate possible conflicts of interest. However, it will remain at City's discretion whether the extent of conflict of interest remains substantial to disqualify any proposal.

**2.10 Insurance Requirements:**

After selection, the P3 developer shall be required to procure and maintain, for the duration of the agreement, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the agreement hereunder by the P3 developer, the P3 developer's agents, representatives, employees or subcontractors. The cost of such insurance shall be borne and upheld by the P3 developer unless included as part of the pricing in the Agreement with the City.

2.10.1 The P3 developer assumes responsibility to provide the City with current and updates of Certificates of Insurance during the term of the contract. Failure to do so may be cause for termination of the Development Agreement.

2.10.2 General information which must appear on a Certificate of Insurance:

- A. Name of Producer (P3 developer's insurance broker/agent).
- B. Companies affording coverage (there may be several).
- C. Name and address of the insured (this should be the P3 developer) under contract to City.
- D. Summary of all current insurance for the insured, including effective dates.
- E. A brief description of the tenancy by P3 developer will be performing.
- F. Certificate Holder, including naming City.

**Minimum Limits.** Minimum Limits of Insurance which the P3 developer shall maintain for the duration of the Agreement:

- A. *Commercial General Liability:* Minimum limits of \$1,000,000 combined single limit per occurrence for bodily injury and property damage.
- B. *Business Auto Liability:* \$1,000,000 Combined Single Limit per accident for bodily injury and property damage. Coverage should be written on an "Any Auto" basis.
- C. *Worker's Compensation* covering all employees meeting Statutory Limits in compliance with the applicable state and federal laws. The coverage must

include Employer's Liability with a minimum limit of \$500,000 for each accident.

2.10.3 **Additional Coverage:** Additional coverage which will be may be required for later specified professional service contracts and also which the P3 Developer should bear and fund:

- A. *Professional Liability:* Insure errors or omission on behalf of architects, engineers, attorneys, medical professionals and consultants.  
Minimum limits: \$1 million per claim/occurrence.  
Coverage Requirement: If "claims-made," retroactive date must precede or coincide with the contract effective date or the date of the Notice to Proceed.

2.11 **Acknowledgement of Addenda:** Vendor is responsible for determining and acknowledging any addenda issued in connection with this RFP. Addenda must be acknowledged in the cover letter for proposals to be considered.

**SECTION III**

**PROPOSAL FORM**

**ALL PROPOSERS MUST BE REGISTERED SUPPLIERS ON THE CITY'S WEBSITE TO BE AWARDED AN EVENT. PLEASE REGISTER AT WWW.SAVANNAHGA.GOV. ELECTRONIC SUBMISSIONS WILL NOT BE ACCEPTED. THIS FORM MUST BE SIGNED AND INCLUDED WITH PROPOSAL SUBMITTAL.**

All addenda must be acknowledged in the cover letter according to the terms set forth in Section 2.11 of this RFP.

**SUBMITTED BY:** \_\_\_\_\_

**PROPOSER:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

**NAME (PRINT):** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**CITY/STATE:** \_\_\_\_\_ **ZIP** \_\_\_\_\_

**TELEPHONE:** ( \_\_\_\_\_ ) \_\_\_\_\_  
Area Code

**FAX:** ( \_\_\_\_\_ ) \_\_\_\_\_  
Area Code

I certify this proposal complies with the General and Specific Specifications and Conditions issued by the City except as clearly marked in the attached copy.

\_\_\_\_\_  
Please Print Name

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

**SECTION 01310  
DISADVANTAGED BUSINESS EMPLOYMENT PROVISIONS**

The City of Savannah actively encourages employment and participation of small and disadvantaged businesses in all City contracts. Attention of the bidders is called to contract conditions contained herein pertaining to non-discrimination, equal employment opportunity, subcontracts, and opportunities for project area residents.

It is the policy of the City of Savannah that disadvantaged business enterprises (DBEs) be given fair opportunity to participate in the performance of services for the City, and that prime contractors utilize DBE subcontractors and suppliers to the fullest extent possible consistent with the efficient performance of the contract. The City of Savannah has established an 20% DBE goal, of which half (10%) shall be met by a local DBE, for this project.

In order to determine compliance, proposers shall **submit the following completed documents in a separate sealed envelope** clearly marked with the bid number, project name and number and **marked (Section 1310 Disadvantaged Business Employment Provisions)** with their bid:

1. Non-discrimination statement (Sec. 01310-3) and;
2. Proposed schedule of disadvantaged business enterprise participation (Sec. 01310-4) and;
3. Documentation of Good Faith Efforts [**Submit only if the goals are not met.**]

**Failure to submit the required documents shall result in the bid not being read or considered.**

Suggestions to help meet the goal:

- ✓ Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation of DBEs.
- ✓ Advertising in general circulation media, trade association publications, or disadvantaged business enterprise media to solicit bids from DBE subcontractors or suppliers. **[Advertisement should appear at least 10 days prior to bid due date, unless the City's solicitation period is shortened.]**
- ✓ Designating portions of the work for DBE subcontracting in trades with established availability of DBE subcontractors.
- ✓ Providing a minimum of 10 days' notice prior to the Bid due date to DBEs when requesting bids or proposals for furnishing material or services as a subcontractor or supplier.

Any attempt to submit false information, will result in a recommendation that the proposer be debarred from participating in future City contracts.

The contractor is required to fulfill any DBE utilization commitments made unless good cause is demonstrated for any failure to fulfill such commitment. **Written approval is required prior to any substitution.**

The contractor will maintain records and information necessary to document compliance with Good Faith Effort requirements, and the City shall have the right to inspect such records.

Any DBE listed in the completed form entitled "Proposed Schedule of DBE Participation" (Section 01310-4) must be certified by an approved agency such as USDOT, GDOT, or SBA 8(a) prior to the due date of this bid. Proof of DBE certification such as a certificate or letter from the certifying agency is required to accompany the bid. A firm that has submitted an application for DBE certification or an application for DBE certification under review but has not been certified is not qualified as a certified DBE and will not be recognized as such during the City's evaluation process.

No proposer shall enter into an agreement with any DBE that would in any way limit the DBE's opportunities to sell to, or act as subcontractor for, any other party. Violation of this requirement would be grounds to deem the proposer non-responsive to this bid solicitation.

The following resources are available to aid bidders in complying with this section:

**The State of Georgia Department of Transportation** maintains a website listing of Disadvantaged Business Enterprises located at [www.dot.ga.gov/PS/Business/DBE](http://www.dot.ga.gov/PS/Business/DBE)

**Chatham County** Purchasing Department maintains a listing of Disadvantaged Business Enterprises to include Contractors, Consultants and Suppliers. Contact (912) 652-7860.

**GA Tech Procurement Assistance Center** maintains a listing of Disadvantaged Business Enterprises to include Contractors, Consultants and Suppliers. Contact (912) 963-2524.

**Savannah/Hilton Head International Airport Commission** maintains a listing of Disadvantaged Business Enterprises to include Contractors, Consultants and Suppliers. Contact (912) 964-0514 or visit the website at [www.savannahairport.com](http://www.savannahairport.com)

**Small Business Assistance Corporation** maintains a listing of Disadvantaged Business Enterprises to include Contractors, Consultants and Suppliers. Contact (912) 232-4700 or visit the website at [www.sbacsav.com](http://www.sbacsav.com).

## **NON-DISCRIMINATION STATEMENT**

The prime contractor / procertifies that:

- (1) No person shall be excluded from participation in, denied the benefit of, or otherwise discriminated against on the basis of race, color, national origin, or gender in connection with any bid submitted to the City of Savannah or the performance of any contract resulting therefrom;
- (2) That it is and shall be the policy of this Company to provide equal opportunity to all business persons seeking to contract or otherwise interested in contracting with this Company, including those companies owned and controlled by racial minorities, cultural minorities, women, and individuals belonging to other socially and economically disadvantaged groups;
- (3) In connection herewith, we acknowledge and warrant that this Company has been made aware of, understands and agrees to take affirmative action to provide such companies with the maximum practicable opportunities to do business with this Company;
- (4) That this promise of non-discrimination as made and set forth herein shall be continuing in nature and shall remain in full force and effect without interruption;
- (5) That the promises of non-discrimination as made and set forth herein shall be and are hereby deemed to be made as part of and incorporated by reference into any contract or portion thereof which this Company may hereafter obtain and;
- (6) That the failure of this Company to satisfactorily discharge any of the promises of non-discrimination as made and set forth herein shall constitute a material breach of contract entitling the City of Savannah to declare the contract in default and to exercise any and all applicable rights and remedies including but not limited to cancellation of the contract, termination of the contract, suspension and debarment from future contracting opportunities, and withholding and or forfeiture of compensation due and owing on a contract.

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Signature

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Title



## PROPOSED SCHEDULE OF DBE PARTICIPATION

Any DBE listed in this completed form must be certified by an approved agency such as USDOT, GDOT, or SBA 8(a) prior to the due date of this bid. Proof of DBE certification such as a certificate or letter from the certifying agency is required to accompany the bid. A firm that has submitted an application for DBE certification or an application for DBE certification under review but has not been certified is not qualified as a certified DBE and will not be recognized as such during the City's evaluation process.

Name of Proposer: \_\_\_\_\_ Event No. \_\_\_\_\_

Project Title: \_\_\_\_\_.

**NOTE: Proof of DBE certification must be attached to this completed form for all firms listed in the table below.**

Name of DBE Participant	Telephone	Email	Address (City, State)	DBE? (Y/N)	Type of Work Sub-Contracted	Sub- contract Value (%)
<b>Total Proposed DBE Participation</b>						<b>%</b>

**The undersigned will enter into a formal agreement with the DBE Subcontractors/Proposers identified herein for work listed in this schedule conditioned upon executing of a contract with the Mayor and Aldermen of the City of Savannah.** The Prime's subcontractors' subcontractors must enter into a formal agreement with the tier subcontractor identified herein for work listed in this schedule. It is the responsibility of the Prime contractor to ensure compliance by all subcontractors.

### Joint Venture Disclosure

If the prime proposer is a joint venture, please describe below the nature of the joint venture and level of work and financial participation to be provided by the disadvantaged joint venture firm.

Joint Venture Firms	Level of Work	Financial Participation

Printed name (company officer or representative): \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Email: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Disadvantaged Business Enterprise

**GOOD FAITH EFFORT**

\_\_\_\_\_  
Prime Company Name

\_\_\_\_\_  
Bid Date

\_\_\_\_\_  
Project Name

\_\_\_\_\_  
Event Number

**If you have failed to secure DBE participation or if your DBE participation is less than the City's project goal, you MUST complete this form.**

If the bidder's method of compliance with the DBE goal is based upon demonstration of a good faith effort, the proposer will have the burden of correctly and accurately preparing and submitting the documentation required by the City. Compliance with each item, 1 through 4 below, shall satisfy the Good Faith Effort requirement absent proof of fraud, intentional and/or knowing misrepresentation of the facts or intentional discrimination by the bidder.

**This form must be submitted in its entirety with supporting documentation in a separate sealed envelope with your bid prior to the time of bid opening. Failure to comply will result in the bid being considered non-responsive and the bid will not be read or considered.**

- 1.) Please list each and every subcontracting and/or supplier opportunity (DO NOT LIST NAMES OF FIRMS) which will be used in completion of this project, regardless of whether it is to be provided by a DBE or non DBE.

(Use additional sheets, if necessary)

List of:  
Subcontracting Opportunities  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List of:  
Supplier Opportunities  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2.) Did you obtain a current list of DBE firms?

\_\_\_\_\_ Yes

Date of Listing \_\_\_\_/\_\_\_\_/

\_\_\_\_\_ No

Source \_\_\_\_\_

3.) Please indicate subcontract or supplier list categories for which potential DBE proposer lists were provided? Provide detail of how these DBEs were solicited.

_____	_____
_____	_____
_____	_____

4.) **Please attach the following:**

(1) Completed Good Faith Effort Log see: 1310-7 Log

(2) Evidence of solicitation to prospective DBE firms, such as advertisements, copies of \_\_\_\_\_ solicitation letters, faxes, emails and other to substantiate efforts.

***DEMONSTRATION OF GOOD FAITH EFFORTS MUST INCLUDE ALL ITEMS OUTLINED IN THIS SECTION.***



SECTION 01437  
DBE PARTICIPATION REPORT

**IMPORTANT NOTICES**

- The DBE Participation Report (Form 01437) must be submitted to the City of Savannah **Contract Analyst and the Office of Business Opportunity** with each pay request. Failure to submit this form can result in no credit toward contracted DBE requirements and a possible delay in monthly progress payments.
- The Prime Contractor/Consultant **may not change DBE firms without prior written approval of the City**. Contractors/Consultants may use the Add/Change of DBE Subcontractor Form (Section 01438) to request changes to the Proposed Schedule of DBE Participation (Section 01310). Any unauthorized substitution of DBE subcontractors can result in withholding of payments for up to 30 days until compliance is reestablished.
- **Documentation providing proof of payments to DBEs for work on this project shall be kept on file and available for inspection by City staff.**

PROJECT NAME & NUMBER: \_\_\_\_\_ DATE \_\_\_\_\_ REPORT NO. \_\_\_\_\_

PRIME CONTRACTOR/CONSULTANT \_\_\_\_\_ CONTRACT AMOUNT (\$) \_\_\_\_\_

DBE GOAL OPEN  This is the final project report. End Date: \_\_\_\_\_

DBE INFORMATION					DBE PAYMENTS			
APPROVED DBEs	DESCRIPTION OF WORK or SUPPLIES	DBE CONTACT PERSON	DBE CONTACT PHONE #	DBE CONTACT EMAIL	ORIGINAL SUBCONTRACT AMOUNT	PAYMENT DATE(S)	TOTAL PAID THIS PERIOD	TOTAL PAID TO-DATE

Total DBE Paid To Date: \$ \_\_\_\_\_ %

**CONTRACTOR: I hereby certify this information is true and correct; and supporting documentation is on file and available for inspection by the City at any time.**

SIGNED \_\_\_\_\_ TITLE \_\_\_\_\_ DATE \_\_\_\_\_

**CITY OF SAVANNAH**

This report has been reviewed for DBE contract compliance.

SBO Compliance Coordinator \_\_\_\_\_ DATE \_\_\_\_\_

## INSTRUCTIONS TO CONTRACTOR/CONSULTANT

To receive credit toward contracted DBE goals, the Prime Contractor/Consultant must complete and submit this form with each Request for Periodic Payment, beginning with the first payment request. An additional copy of this section must be submitted **to the SBO Compliance Coordinator**. The Office of Business Opportunity may be contacted by phone at (912) 652-3582 or by fax at (912) 651-3175. **Failure to submit this form may result in no credit toward the contract DBE requirements and a delay in monthly progress payment.**

1. Project Name: The official name of the project as stated on the contract
2. Date: Date Report is being submitted
3. Report Number: Reports must be consecutively numbered.
4. Contract Amount: Total amount of the contract to be paid to the Prime Contractor/Consultant by the City of Savannah for completion of the project.
5. DBE Goals: Enter the contracted DBE Goals per the signed agreement.
6. Final Project Report: Place an "X" or checkmark in this box when the project has been completed and the report submitted is the final payment report. Enter the date of project completion.
7. DBE Information: ONLY DBEs that have been verified and approved by the City of Savannah DBE Office, from the Prime Contractor's/Consultant's "Proposed Schedule of DBE Participation" may be included on the payment report. **NO SUBSTITUTIONS OR CHANGES IN GOALS MAY BE MADE** without prior written approval by the City.
8. DBE Payments: Enter the actual amount of the subcontract agreement for each approved DBE, the date of any payments occurring within the report period, the amount of the payments to each DBE during this period and the total each DBE has been paid-to-date.
9. Earnings-to-date: Enter the total amount paid to date to all DBE subcontractors.
10. Contractor Certification: The contractor or his authorized representative must sign this form prior to submittal. Signature indicates that all information is true and correct and documented proof of all information is on file and available for City of Savannah review at any time.

## GENERAL INFORMATION

**The prime contractor/consultant may not change DBE firms without prior written approval of the City of Savannah Office of Business Opportunity. Approval cannot be obtained from the City's Project Manager, Contract Analyst or other City of Savannah employees. Contractors/Consultants must use the Add/Change of DBE Subcontractor Form (Section 01438) to request changes to the Proposed Schedule of DBE Participation (Section 01310). **Any proposed changes must meet established DBE goals and conform to contract regulations and DBE Program Requirements.****

If the prime contractor/consultant in its bid/proposal included any second or lower tier subcontractor/sub-consultant/supplier towards meeting the goal, it is the sole responsibility of the prime contractor/consultant to ensure all DBE firms have been reviewed and approved by the City of Savannah and to document all subcontracting/sub-consulting and/or supplier participation dollars counted towards the goal, irrespective of tier level. Upon completion of the work, a final "DBE Participation Report" will be required and submitted with the final pay request.

As per the City's contract, the City's SBO policy, and signed participation reports: the prime contractor/consultant certifies all DBE payment information to be true and correct, to have all supporting documentation on file and to make copies of this documentation available to the City of Savannah. **Prime contractors/consultants will periodically be required to provide copies of payment documentation** for DBEs being counted toward the DBE goal (including the prime contractor/consultant, if it is a DBE and being counted toward the goal). Failure to comply with the City's request to provide the required documentation may cause the City to withhold payments due the prime contractor/consultant until compliance is attained. Payment documentation includes but is not limited to:

- signed sub-contracts with DBEs being utilized in meeting the project's DBE goals
- DBE invoices for payment related to the project
- proof of payment of DBE invoices related to the project

**CONTRACTOR AFFIDAVIT AND AGREEMENT**  
Employment Eligibility Verification

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. 13-10-91, stating affirmatively that the individual, firm, or corporation which is contracting with the City of Savannah has registered with and is participating in a federal work authorization program\* [any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603], in accordance with the applicability provisions and deadlines established in O.C.G.A. 13-10-91.

The undersigned further agrees that, should it employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to this contract with the City of Savannah, contractor will secure from such subcontractor(s) similar verification of compliance with O.C.G.A. 13-10-91 on the Subcontractor Affidavit provided in Rule 300-10-01-.08 or a substantially similar form. Contractor further agrees to maintain records of such compliance and provide a copy of each such verification to the City of Savannah at the time the subcontractor(s) is retained to perform such service.

\_\_\_\_\_  
EEV / Basic Pilot Program\* User Identification Number

BY:

\_\_\_\_\_  
Contractor Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Authorized Officer or Agent

\_\_\_\_\_  
Printed Name of Authorized Officer or Agent

\_\_\_\_\_  
Title of Authorized Officer or Agent of Contractor

\*As of the effective date of O.C.G.A. 13-10-91, the applicable federal work authorization program is the "EEV / Basic Pilot Program" operated by the U. S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration (SSA).

\* \* \* \* \*

## **Instructions for Completing Contractor Affidavit and Agreement Form**

As required under Senate Bill 529 – “Georgia Security and Immigration Compliance Act” of 2006, O.C.G.A. Section 2, Article 3 13-10-91, public employers, their contractors and subcontractors are required to verify the work eligibility of all newly hired employees through an electronic federal work authorization program. The Georgia Department of Labor has added a new Chapter 300-10-1, entitled "Public Employers, Their Contractors and Subcontractors Required to Verify New Employee Work Eligibility Through a Federal Work Authorization Program," to the Rules and Regulations of the State of Georgia. (See website: [http://www.dol.state.ga.us/pdf/rules/300\\_10\\_1.pdf](http://www.dol.state.ga.us/pdf/rules/300_10_1.pdf).) The new rules designate the “Employment Eligibility Verification (EEV) Basic Pilot Program” operated by the U.S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security as the electronic federal work authorization program to be utilized for these purposes. The EEV/Basic Pilot Program can be accessed at: <https://everify.uscis.gov/enroll/StartPage.aspx?JS=YES>. Bidders shall comply with this new rule and submit with your bid the attached “Contractor Affidavit and Agreement.”



## ***Affidavit Verifying Status for City of Savannah Benefit Application***

By executing this affidavit under oath, as an applicant for a City of Savannah, Georgia Business License or Occupation Tax Certificate, Alcohol License, Taxi Permit, Contract or other public benefit as reference in O.C.G.A. Section 50-36-1, I am stating the following with respect to my bid for a City of Savannah contract for \_\_\_\_\_. [Name of natural person applying on behalf of individual, business, corporation, partnership, or other private entity]

1.) \_\_\_\_\_ I am a citizen of the United States.

**OR**

2.) \_\_\_\_\_ I am a legal permanent resident 18 years of age or older.

**OR**

3.) \_\_\_\_\_ I am an otherwise qualified alien (8 § USC 1641) or nonimmigrant under the Federal Immigration and Nationality Act (8 USC 1101 *et seq.*) 18 years of age or older and lawfully present in the United States.\*

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of Code Section 16-10-20 of the Official Code of Georgia.

Signature of Applicant:      Date  
\_\_\_\_\_

Printed Name:  
\_\_\_\_\_

SUBSCRIBED AND SWORN  
BEFORE ME ON THIS THE  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

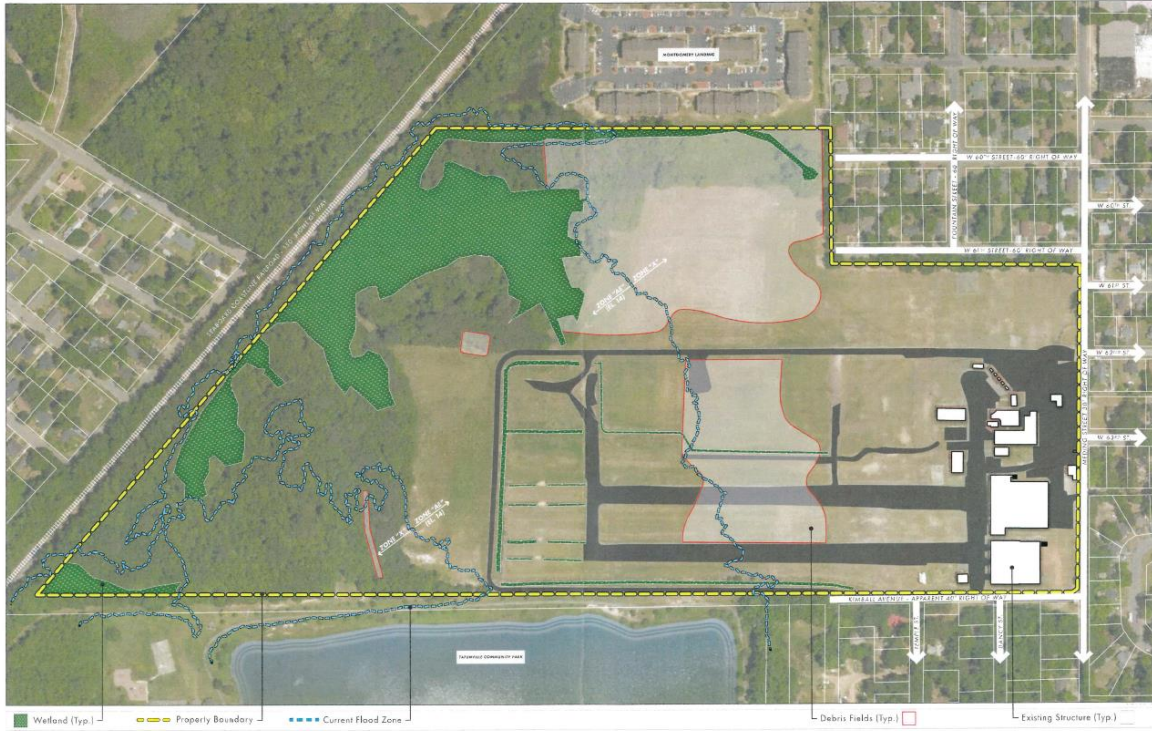
\* \_\_\_\_\_  
Alien Registration number for non-citizens.

Notary Public  
My Commission Expires:

***Instruction for Completing Systematic Alien Verification  
for Entitlement (SAVE) Form***

O.C.G.A. § 50-36-1, requires Georgia's cities to comply with the federal **Systematic Alien Verification for Entitlements (SAVE) Program**. SAVE is a federal program used to verify that applicants for certain "public benefits" are legally present in the United States. Contracts with the City are considered "public benefits." Therefore, the successful proposer will be required to provide the Affidavit Verifying Status for City of Savannah Benefit Application prior to receiving any City contract. The affidavit is included as part of this bid package but is only required of the successful bidder.

# EXHIBIT 1: SURVEY AND ALTA SURVEY



**City of Savannah**  
**COASTAL EMPIRE FAIRGROUNDS**  
PIN NO. 2-0108-01-001 | ZONED C-R | 2,896,511 SF | 66.5 AC.

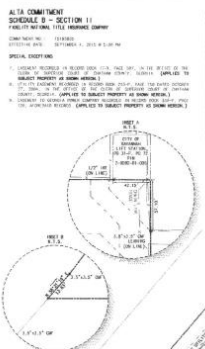
**THOMAS & HUTTON**  
SURVEYORS

**NOTES:**

- 1. THIS SURVEY WAS MADE FOR THE PURPOSE OF THE CITY OF SAVANNAH, GEORGIA, TO DETERMINE THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA, AND TO DETERMINE THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA, AND TO DETERMINE THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA.
- 2. THIS SURVEY WAS MADE FOR THE PURPOSE OF THE CITY OF SAVANNAH, GEORGIA, TO DETERMINE THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA, AND TO DETERMINE THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA, AND TO DETERMINE THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA.
- 3. THIS SURVEY WAS MADE FOR THE PURPOSE OF THE CITY OF SAVANNAH, GEORGIA, TO DETERMINE THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA, AND TO DETERMINE THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA, AND TO DETERMINE THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA.

**REFERENCES:**

- 1. RECORDS OF THE CITY OF SAVANNAH, GEORGIA, SHOWING THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA, AND TO DETERMINE THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA, AND TO DETERMINE THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA.
- 2. RECORDS OF THE CITY OF SAVANNAH, GEORGIA, SHOWING THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA, AND TO DETERMINE THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA, AND TO DETERMINE THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA.
- 3. RECORDS OF THE CITY OF SAVANNAH, GEORGIA, SHOWING THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA, AND TO DETERMINE THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA, AND TO DETERMINE THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA.



**ALTA COMMITMENT**  
**SCHEDULE B - SECTION 11**  
**FULLY AUTOMATIC TITLE INSURANCE COMPANY**  
 COMMITMENT NO. 123456  
 POLICY NO. 789012  
 DATE OF POLICY ISSUANCE: 01/15/2024

**PROPERTY DESCRIPTION**  
**LEGAL Description:**  
 COMMERCIAL AND RESIDENTIAL USE, BEING THE SEVERAL PARTS OF THE SEVERAL LOTS OF THE CITY OF SAVANNAH, GEORGIA, TOGETHER WITH THE BOUNDARIES THEREOF, AS SHOWN ON THE PLAT OF THE CITY OF SAVANNAH, GEORGIA, AND TO DETERMINE THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA, AND TO DETERMINE THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA.

**ZONING INFORMATION**  
**APPLICABLE ZONING ORDINANCE:**  
 ZONING DISTRICT: COMMERCIAL MIXED-USE (CMU)  
 ZONING CLASSIFICATION: CMU-1  
 ZONING REGULATIONS:  
 - MAXIMUM BUILDING HEIGHT: 35 FEET  
 - MAXIMUM LOT COVERAGE: 75%  
 - MAXIMUM GROUND COVER: 10%  
 - MAXIMUM FLOOR AREA RATIO: 3.5  
 - MINIMUM SETBACKS:  
 - FRONT: 25 FEET  
 - SIDE: 10 FEET  
 - REAR: 15 FEET



**ALTA/ACSM CERTIFICATE**  
 THIS SURVEY WAS MADE FOR THE PURPOSE OF THE CITY OF SAVANNAH, GEORGIA, TO DETERMINE THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA, AND TO DETERMINE THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA, AND TO DETERMINE THE BOUNDARIES OF THE PROPERTY OF THE CITY OF SAVANNAH, GEORGIA.

**THOMAS & HUTTON**  
 50 Park of Commerce Way  
 Savannah, GA 31426 • 771.224.2300  
 www.thomasandhutton.com

DATE: 01/15/2024  
 TIME: 10:00 AM  
 SHEET 1 OF 2

