

Request for Proposals

Title:

1865 Bronco Lane RFP

Due:

01/28/2022

No later than 11:00 a.m. PST

Contact:

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SCHEDULE

11/08/2022	Public announcement of Request for Proposals
11/10/2022	Republished with Updated Scheduled and Corrections (Scriveners Error)
01/14/2022	Questions due, in writing, not later than 3:00 p.m. local time
TBD	Pre-Proposal Property Tour and Conference
01/25/2022	Silent Period Begins at 11:00 a.m. local time
01/28/2022	Silent Period Ends, Proposals due no later than 11:00 a.m. local time
TBD	Short list finalists
TBD	Finalist interviews
TBD	Begin negotiations
TBD	Award committee recommendation
TBD	Action to award by Port Commission

*NOTE: Dates as indicated are best estimates for informational purposes only.

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SUBMITTAL INSTRUCTIONS

Electronic submittal: Submit one (1) electronic proposal and any required attachments, the Submittal Packet first page shall be digitally signed by an authorized representative of the proposer's firm. For easy identification, please list "1865 Bronco Lane RFP" in the subject line of the email. Electronic submittals shall be sent to collins@portofbenton.com and must be received by proposals due date referenced above.

Proposals shall contain all required information as defined herein and be submitted to the Port of Benton electronically no later than the date, time, and place as stated on the cover page of this RFP or as amended. Proposals will not be accepted in any format other than as required above. Late proposals will not be accepted and will be returned to the proposers unopened.

Proposers shall be fully responsible for any and all costs incurred in the preparation and submittal of their proposals.

PROJECT OVERVIEW

The Port of Benton ("Port") is soliciting proposals from experienced individuals or firms ("Proposer" or "Proposers") interested in leasing a Port-owned building at 1865 Bronco Lane in Richland, Washington.

The goal of this RFP is to select an experienced entity or entities that would lease the space or provide commercial aviation related services at the Port-owned building for its highest and best use.

BACKGROUND

The Port owns and operates both the Prosser Airport (George O. Beardsley Field, S40) and Richland Airport (RLD) for general aviation activities that support executive commercial transportation, recreational flying, aeronautical agribusiness operations, and emergency medical transport. The Port more specifically owns the building and surrounding grounds at 1865 Bronco Lane, which is the subject property considered by this RFP. With more than 45,000 operations (take-offs and landing) annually, RLD is among Washington State's busiest general aviation (GA) airports. By 2025 it is projected that over 50,000 operations will occur annually and expanded operations to support both fixed and rotor wing aircraft will be pivotal for airport growth.

Situated in the City of Richland, RLD is located eight nautical miles Northwest of Tri-Cities Airport, the 4th largest carrier airport in Washington State. This strategic location combined with the Port's substantive employment base uniquely positions RLD to serve the business aviation community as an alternative for corporate aircraft users enroute to locations across the Northwestern United States.

RLD has two runways, the 4000' x 75' main runway and a 4000' x 100' crosswind runway – adjacent to two parallel taxiways. The airport offers great aeronautical accessibility throughout the year with instrument flight rule (IFR) approaches and 300 days of Visual Flight Rule (VFR) weather. Runway 19 has a GPS approach.

DESIRED PROPOSAL

The Port desires a proposal that not only provides for a long-term lease of the premises, but will also consider the following criteria in identifying the highest and best use for the growth and stability of Richland Airport operations and budget:

- Job creation and/or retention directly or indirectly by the Proposer's lease of the premises
- Amount (net dollar amount) and scale of investment to evolve the facility to meet the Proposer's business needs
- Potential or validated increase in aeronautical activity because of the Proposer's lease of the premises
- Value of service(s) offered to airport tenants, visitors, and community
- Ability to support Federal Aviation Administration grant assurances
- Increase in visibility and value of Richland Airport to stakeholders
- Ability to support the Port of Benton's goal to ensure the Richland Airport is self-sustaining
- Whether the Proposer intends to occupy the entirety of the space themselves or to sublease or assign any portion of the premises

It is not intended that Proposer(s) must meet any or all these criteria; however, proposals that collectively provide value in these areas will be given more consideration. The Port may elect to select a Proposer that does not meet these criteria provided that their proposal identifies value that may not have been considered by the Port at the time of soliciting this proposal.

CONTRACT LENGTH

Lease of the premises will be negotiated directly with the Port at the end of the RFP process, terms of which are subject to the recommendation of staff and final approval of the Port of Benton Commission. The Port desires a lease term of at least three (3) years and may be able to provide negotiated renewal options. Proposer request for Port sponsored improvements may require a longer lease term.

PROPOSAL SUBMITTAL REQUIREMENTS

To ensure that all information provided is properly evaluated, please organize and label proposals in the structure provided below.

Proposals (submittals) shall include, at a minimum, the following:

- 1) **Transmittal Section & Original Signature:** The first page of the Submittal Packet, completed and included in the Proposal Submittal Packet. The first page is to be digitally signed (or signed, scanned, and reinserted into submittal) by an authorized agent of the proposer's firm.
- 2) **Proposed Use of Premises:** Proposer(s) should detail the use of the premises and potential services to be provided therein. While this section is a substantial part of the Evaluation Criteria, the length of this

section or number/type of uses proposed is not as important as the correlated value to the Airport's tenants, visitors, and community. This section should use the criteria set forth in the 'Desired Proposal' section as a basis for explanation and should clearly articulate how the proposer either meets the listed criteria (or) how the proposal offers benefit above, beyond, and/or not-yet-considered by the Port.

- 3) **Proposed Value/Cost Scenario:** Proposer should provide their desired lease rate per-square-foot based upon market rate for similar uses at an airport of similar size and volume of traffic. Lease rates below market rate should include an explanation for how the Proposer can justify the rate. As an airport with FAA (Federal Aviation Administration) grant assurance requirements the Port cannot lease below market rate without exigent circumstances. The Port of Benton is required to obtain Fair Market Value or equitable compensation for similar types of business use activities, subject to adjustment by Consumer Price Index (CPI) and appraisal at each renewal term.
- 4) **Proposed Contract Term:** Proposer should provide their desired initial lease term. The Port's target lease term is three (3) years with options to renew, additional terms may be negotiated.
- 5) **Licensing:** Provide a current business license or copy of a complete application to do business in Washington State and the City of Richland. Proposer should also provide evidence of their own pilot's license or that of an employee or partner that will be primarily responsible for aircraft on the premises.
- 6) **Operable/Active Airport Registration:** Provide a copy of certificates of registration for all aircraft that will be located in the leased premises and applicable certificate(s) of insurance. If aircraft is co-owned or shared, provide registration and agreement for shared operation. If no aircraft are routinely kept in the leased premises or are frequently rotated, please explain the nature of the operation and connection to aeronautical activity. Primary aircraft must be licensed, registered and operable to the Proposer and part of the development plan operation for consideration. Sublet of space for aircraft not owned by the Proposers will only be considered on a case-by-case basis.
- 7) **Adherence to Aeronautical Development Policy:** Proposer shall review the Minimum Business Standards for performing commercial activity within the airport Aeronautical Development Policy online at, <https://portofbenton.com/our-properties-facilities/airports/richland-airport/>. Please review and detail a statement acknowledging you are able to comply with the Minimum Business Standards.
- 8) **Ability to Contract:** Proposer shall have the ability to negotiate a contract with the Port based on the exceptions/changes requested to the Pro-Forma Agreement. Proposer may not be debarred, suspended or otherwise ineligible to contract with the Port.
- 9) **Legal Action:** Disclose any current or recent (within past five years) legal action in progress or taken against the firm or individuals.
- 10) **Disclosure:** List all business transactions and relations within the past five years that may create or be perceived to create a conflict of interest. Any business dealings or recommendations of a product or firm that may conflict with this project shall be disclosed.

EVALUATION CRITERIA

Criteria	Value
Transmittal Section & Original Signature Complete	Y or N
Proposed Use of Premises	40%
Qualifications and Experience	30%
Proposed Value/Cost Scenario	20%
Proposed Contract Term	10%
Licensing	Y or N
Operable/Active Airplane Registration	Y or N
Adherence to Aeronautical Development Policy	Y or N
Ability to Contract	Y or N
Legal Action	Y or N

PROPOSAL EVALUATION

- 1) The Port may choose to invite one or more of the proposers to demonstrate their solutions or interview with the Port and/or may issue Clarifications or Best and Final Offers to the highest rated proposers.
- 2) The Port reserves the right to award a contract with the single highest rated proposer without preceding interviews or demonstrations.
- 3) Ownership of Material - Ownership of all data, materials, and documentation originated and prepared for the Port pursuant to the RFP shall belong exclusively to the Port and be subject to public inspection after award by the Commission in accordance with the Washington State Public Records Act (RCW 42.56). Trade secrets or proprietary information submitted by the Respondent shall not be subject to public disclosure under the Public Records Act, unless otherwise required by law or a court. However, the Proposer must invoke the protection of the Public Records Act, in writing, either before or at the time the data or other material is submitted. The written notice must SPECIFICALLY identify the data or materials to be protected and state the reason why protection is necessary. The proprietary or trade secret material submitted must be identified by some distinct method such as highlighting or underlining and must indicate only the specific words, figures, or paragraphs that constitute trade secret or proprietary information. The classification of an entire proposal document, line-item prices, and/or total proposal prices as proprietary, or trade secrets, is NOT ACCEPTABLE and may result in REJECTION of the proposal.
- 4) WITH REGARD TO SUBMITTAL OF A PROPOSAL (INDIVIDUALLY AND COLLECTIVELY REFERRED TO AS "RESPONSE"), THE PROPOSER AGREES TO AND HEREBY WAIVE ANY AND ALL CLAIMS IT HAS OR MAY

HAVE AGAINST THE PORT, AND ITS DIRECTOR'S, PERSONS, OFFICERS, COMMISSIONER'S , COMMITTEE'S, EMPLOYEES, OR AGENTS ARISING OUT OF OR IN CONNECTION WITH (1) THE ADMINISTRATION, EVALUATION, OR RECOMMENDATION OF ANY RESPONSE; (2) ANY REQUIREMENTS UNDER THE SOLICITATION, THE RFP, OR RELATED DOCUMENTS; (3) THE REJECTION OF ANY RESPONSE OR ANY PART OF ANY RESPONSE; (4) WAIVER BY THE PORT OF ANY TECHNICALITIES IN THE RFP PACKAGE OR ANY RESPONSE; (5) WAIVER OR CHANGE IN ANY NON-MATERIAL PROVISION OF THE RFP SOLICITATION PACKAGE OR MATERIALS THAT DO NOT ADVERSLEY AND SPECIFICALLY AFFECT THE PERVIOUSLY SUBMITTED RESPONSE; AND/OR (6) THE AWARD OF A CONTRACT, IF ANY."

- 5) The Port reserves the right to reject any or all responses, to waive any irregularities and/or technicalities in response received or not award. The Port, in its sole discretion, will determine whether any or all of the responses are responsive and reserves the right to make a determination as to whether any one or more Proposals are qualified. The submission of a response to this RFP is an offer by the Proposer to contract only and does not constitute a contract. There will be no contractual obligations on the part of the Port to any Proposer, nor will any Proposer have any property interest or other right in the contract unless and until all terms of the contract have been agreed upon by the Port, including, without limitation, all provisions of the contract have been negotiated to the satisfaction of the Port; the contract is unconditionally signed by the Port and the selected Proposer the contract is delivered by all parties; and all conditions to be fulfilled by the Proposer prior to contracting have either been fulfilled by the Proposer or waived in the writing by the Port.

RFP QUESTIONS AND CLARIFICATIONS

Questions shall be submitted to the Port of Benton by email to: collins@portofbenton.com, not later than the date and time referenced in the Schedule on the title page. Please reference the "1865 Bronco Lane RFP" in the subject line when submitting questions via email.

- 1) Oral questions will not be answered. Questions must be in written form, by email. To the extent any oral questions are answered, those answers will be considered non-binding. An addendum to this RFP may be issued by the Port as a result of the questions generated under this competitive solicitation to all plan holders.
- 2) A Silent Period is established in the final seventy-two (72) hours before the submittals are due. The Silent Period will run from 11:00am on 01/25/2022 to 11:00am on 01/28/2022. All proposers, consultants, or individuals acting on their behalf are hereby prohibited from contacting or lobbying any Port employee, official, or representative regarding this RFP during the Silent Period. All communication regarding this RFP shall be directed to the email defined above (Collins@PortofBenton.com). Failure to observe the Silent Period may disqualify the proposer and/or delay or void the RFP.

ADDENDA

If at any time, the Port changes, revises, deletes, clarifies, increases, or otherwise modifies the RFP, the Port will issue a written addendum to the RFP. Proposer must register for this RFP to be notified of addendum and

new documents on this RFP. It is the Proposer's responsibility to check for addenda and other new documents on-line.

SUBMITTAL EFFECTIVE DATE

The submittals shall remain in effect for 180 days after the RFP due date, unless extended by mutual agreement between the Port and the applicable proposers.

DEBRIEF PROCEDURES

After award, submitters may contact the Port to request a phone or in person debrief conference.

INSURANCE REQUIREMENTS AND INDEMNIFICATION

Evidence of financial stability and credit worthiness; ability to meet port's insurance requirements is mandatory. Insurance and contract terms will be covered in Phase II of this RFP as described in the Proposal Evaluation Section.

TITLE VI (FEDERAL) NON-DISCRIMINATION

The Port of Benton assures that no person shall on the grounds of race, color, national origin, or sex as provided by Title VI of the Civil Rights Act of 1964, as amended, and the Civil Rights Restoration Act 1987 (P.L. 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any Port sponsored program or activity. The Port of Benton further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

PORT NON-DISCRIMINATION

By signing and submitting a response to this RFP, the proposer (firm or individual) certifies that, in the event it is awarded a contract under this competitive solicitation (i.e., becomes the "successful vendor"), and as of the date of contract award, it shall comply with the "Anti-Discrimination Clause" provided below:

Non-discrimination. Port of Benton complies with applicable federal civil rights and Washington state civil rights laws and does not discriminate on the basis of race, color, national origin, religion, sex, families with children, marital status, honorably-discharged veteran or military status, sexual orientation, age, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability, in the administration of its programs and activities.

The Vendor shall comply with the substantive requirements of RCW 49.60, which are incorporated herein by this reference. Execution of this Agreement constitutes a certification by the Vendor of the Vendor's compliance with the requirements of Chapter RCW 49.60. If the Vendor is found to have violated this provision, or to have furnished false or misleading information in an investigation or proceeding conducted pursuant to this Agreement or Chapter RCW 49.60, this Agreement may be subject to a declaration of default

and termination at the Port's discretion. This provision shall not affect the Vendor's obligations under other federal, state, or local laws against discrimination.

OTHER PUBLIC AGENCY ORDERS

The Washington State Interlocal Cooperative Act, RCW 39.34, provides that other governmental agencies may purchase goods or services on this RFP or contract in accordance with the terms and prices indicated herein if all parties agree. The Port does not accept any responsibility or involvement in the purchase orders or contracts issued by other public agencies.

SUBMITTAL PACKET

Use and amount of building and land area requested to leased.

If commercial, FBO or SSO provide services to be offered, hours of operation, number of persons employed, number of aircraft to be based at the Airport.

All proposers to provide certificate of insurance, evidence of financial capability to perform, necessary certificates or licenses to perform proposed types of operations.

Supporting documents: Financial statement prepared by a Certified Public Accountant, Assets a written listing of asset owned or to be purchased to be used in the business on the Airport, Authorization to release of information.

The Port of Benton reserves the right to request a current credit report and shall be the sole judge of what constitutes adequate financial capacity.

ATTACHMENT A – PROPOSAL (MUST INCLUDE PRICE)

There is no provided Form for Attachment A. Attachment A is the Proposal submitted by the Proposer that follows the guidelines above.