



Montgomery County Government

REQUEST FOR PROPOSALS

For

PROGRAMMING IN THE SILVER SPRING LIBRARY

Wayne Ave. & Fenton St.

Silver Spring, Maryland



ISSUED BY:

**MONTGOMERY COUNTY GOVERNMENT
DEPARTMENT OF GENERAL SERVICES
101 MONROE STREET, 9TH FLOOR
ROCKVILLE, MARYLAND 20850**

RESPONSES DUE BY: FEBRUARY 25, 2015 at 4:00P.M.

**MONTGOMERY COUNTY GOVERNMENT
ISIAH LEGGETT, COUNTY EXECUTIVE**

**PROGRAMMING IN THE SILVER SPRING LIBRARY
REQUEST FOR PROPOSALS**

TABLE OF CONTENTS

- I. Overview**
- II. Objectives**
- III. Site Location and Description**
- IV. Project Description**
- V. Submission Requirements**
- VI. Evaluation Criteria**
- VII. Administration of the RFP**
- VIII. Submittal Instructions**
- IX. Optional Pre-Submission Conference & Tour**
- X. Conditions and Limitations**
- XI. Minority, Female and Disabled Participation**

XII. Overview

Montgomery County, Maryland through its Department of General Services and the Silver Spring Regional Center, (“County”) is seeking proposals (“Proposals”) from one or more organizations (“Applicant”) to be included in the new Silver Spring Library (“Library”) located on Fenton Street between Wayne Avenue and Bonifant Street in downtown Silver Spring (the “Site”).

II. Objectives

The County is seeking Proposals that can achieve the following objectives:

1. Contribute to the mission of the Montgomery County Public Libraries creating a synergy that enhances the enjoyment and use of the Silver Spring Library.
2. Enhance and strengthen a cultural destination space in the Silver Spring Central Business District.
3. Provide cultural and educational opportunities to the residents of Montgomery County and enhance the quality of life in the County.
4. Contribute to the development of cultural opportunities in Montgomery County by making available public space for studios, public exhibitions, education, and/or development of creative partnerships.

III. Site Location and Description

The Site is located in the Silver Spring Central Business District, which is designated by the State as an Arts and Entertainment District. These designations provide for certain tax incentives, such as property tax credits, job credits, income tax credits for artists, and amusement tax waivers. The site is also within a Bike/Pedestrian Priority Area and Metro Station Policy Area. The site is split zoned, with CR-3.0, C-2.0 R-2.75 H-110T on most of the property with the exception of the corner of Fenton Street and Wayne Avenue which is zoned CR-3.0, C-2.0 R-2.75 H-75T. The entire site is within the Fenton Village Overlay Zone. The Site is located across the street from a public parking garage that has 1,690 parking spaces, which are free on evenings and weekends and cost \$1.00 per hour from 7:00 a.m. to 6:00 p.m. (5:00 p.m. on Fridays), subject to modification by the Montgomery County Council. The site is in the area described in the Silver Spring Central Business District Sector Plan as Fenton Village and is just south of the Downtown Redevelopment Project and Urban Renewal Area.

IV. Project Description

The County is currently developing the Site with uses that include the Library, affordable housing, public open space, retail and office and will accommodate a transit station for

the proposed Purple Line. The purpose of this Request for Proposals (“RFP”) is to solicit proposals for organization space to be incorporated into the overall project that will be provided for use under a revocable license with the County. The County will consider licenses with one or more Applicants. Space in the current program that is designated for arts functions includes:

- 2,970 square feet in the basement floor
- 3,930 square feet of the ground floor
- 9,023 square feet of the second floor

Floor plans attached below.

Construction of the Library is currently scheduled to be completed early 2015, with an opening spring 2015. The space available will be a warm, lit shell and will require some tenant buildout.

The website for the Silver Spring Library project can be viewed here:
<http://www.montgomerycountymd.gov/DGS-BDC/SS/710302.html>.

Individual floor plans of the Library can be viewed here:
Basement: <http://www.montgomerycountymd.gov/DGS-BDC/Resources/Images/SS/710302/ssl-a-100-basement-plan.jpg>
First Floor: <http://www.montgomerycountymd.gov/DGS-BDC/Resources/Images/SS/710302/ssl-a-101-first-floor-plan-color.jpg>
Second Floor: <http://www.montgomerycountymd.gov/DGS-BDC/Resources/Images/SS/710302/ssl-a-102-second-floor-plan.jpg>
Third Floor: <http://www.montgomerycountymd.gov/DGS-BDC/Resources/Images/SS/710302/ssl-a-103-third-floor-plan-color.jpg>
Fourth Floor: <http://www.montgomerycountymd.gov/DGS-BDC/Resources/Images/SS/710302/ssl-a-104-fourth-floor-plan-color.jpg>
Fifth Floor: <http://www.montgomerycountymd.gov/DGS-BDC/Resources/Images/SS/710302/ssl-a-105-fifth-floor-plan-color.jpg>

1. Any proposed use should provide space and programs for a range of activities.
2. The use must be an organization that is:
 - Locally or nationally recognized as a professionally managed and effective organization;
 - An established organization with a proven track record at fund raising;
 - Financially viable; and
 - Has a developed programs with a wide range of different activities.

V. Submission Requirements

All Proposals must include a complete description of the concept and programs the Applicant intends to present to the public including how such programs will support or enhance the primary use of the Project for a public library. The County reserves the right to request additional information during the review period.

The Proposal must include the following elements:

1. Cover: The cover should contain the title, the Applicant's name and the submission date.
2. Transmittal Letter: The transmittal letter should not exceed two pages and should contain:
 - A. The name, title and contact information, including the phone number and email address, of the individual with authority to bind the Applicant. The authorized person should transmit the proposal along with documentation confirming that the individual is empowered to act for the Applicant as well as documentation of the applicant's good standing and/or qualification to do business in the State of Maryland.
 - B. The address that is the Applicant's principal place of business, and the Applicant's entity type. If the Applicant is a joint venture, provide the above information for all participants in the Proposal.
 - C. Statement that the Proposal will remain in effect for one year after the due date.
 - D. Statement acknowledging receipt of each addendum that the County may issue.
 - E. Statement that, if selected, the Applicant will negotiate in good faith with the County.
3. Statement of Qualifications:
 - A. *Background Information:* A description of the use, including the organizational structure, identification of principal staff and governing board members, and length of time it has existed as an organization. For purposes of this request and this Section 3, if the Applicant is a joint venture, information for each entity should be furnished and how the use will be managed by the partners.

- B. *Financial Capability*: Description of the Applicant's financial capability to: (1) buildout the use space; (2) the ability to maintain the space; and (3) the ability to operate the proposed programming. This section should provide a plan that indicates how the Applicant will obtain sufficient financing for the buildout for the proposed space, the furnishing of the proposed space, the maintenance of the proposed space, and the operation of the proposed uses within the Project. The Proposal should also include the most current twelve-month financial statements of the Applicant and any partners, including balance sheets and income statements for the past two fiscal years.
- C. *Project Experience*: Description of the Applicant's experience at managing a facility. This information should clearly describe the financial structures, size of the facility, where it is located and when it was acquired. The statement should also include why the Applicant is compatible with a public library and describe any prior experience partnering/working with a public library and other local/state/national governmental agencies.
- D. *Program Experience*: Description of the programs the Applicant has to date provided for the public, including number of participants, description of participants (such as age, experience, diversity, etc.) and the objectives of those programs.
- E. *References*: Include names and addresses of at least three commercial or institutional credit references for the Applicant and any member of the proposed partnership, and a letter from each of the credit references authorizing them to respond to inquiries from the County.
4. **Concept Statement**: This section should describe the Applicant's concept for the project and how this concept meets the County's objectives. This concept statement should identify the following:
- A. Concept plan that illustrates the proposed layout of all programs within the allocated space shown on floor plans (see section IV), including square footage and other characteristics of the development of the use. Please clearly identify if the Applicant is planning to occupy all or part of the available space.
- B. Project budget showing sources and uses of buildout funds and one year operating pro forma. The pro forma must include cost, revenue and inflation assumptions, as follows:
- Soft and hard costs, including cost to build-out the interior of the use, and how these costs will be funded;

- Fixture, furnishing and equipment costs and how these costs will be covered; and
- Cash flows of the use:
 - revenues (such as retail operations, rental fees for private use, fees from programs and classes, etc.);
 - expenditures, including rent or other payments or services provided to the County (utility costs, other operating costs, etc); and
 - any costs assumed by the Applicant to be covered by the County for both capital and ongoing maintenance and operating costs.

In addition to providing a hard copy of the budget, the Applicant should include a soft copy in Excel format on a thumb drive.

C. A statement of whether the proposed development is contingent on any County or State government action (e.g., regulation changes, public funding-grants, loans, etc.) and a listing of these contingencies.

5. Programming Commitment: Describe how the programs conducted by the use on the Site will support and contribute to the five objectives listed in Section II above. Describe the operation of the use including hours of operations and services provided to the public (for example educational programming, youth programming, etc.)
6. Electronic Files: One copy of the entire Proposal shall be submitted to the County in PDF format on a thumb drive as one single file.

VI. Evaluation Criteria

Upon receipt of the Proposals, the selection committee may review and evaluate the Proposals in accordance with the criteria listed below. Interviews may be conducted with development teams. The selection committee’s decisions and recommendations will be consensus-based. The County’s goal is to select the best Proposal from the most qualified Applicant that meets the County’s objectives for this key site. The following evaluation criteria will help the County achieve its objectives for the Site:

1.	Overall quality of the proposed use concept:	20 points
2.	Meeting of County’s objectives for this request:	30 points
3.	Expertise and financial capacity to implement the concept:	25 points
4.	Overall financial benefit to the County:	15 points
5.	Proposed cultural value to the community:	5 points
6.	Prior experience partnering with a public library	5 points
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	Total Points	100 points

VII. Administration of the RFP

Proposals are due by 4:00 P.M. on February 25, 2015. If a Memorandum of Understanding or other form of agreement acceptable to the County cannot be successfully negotiated with the top-ranked Applicant, the County may proceed to negotiate with the Applicant that submitted the next highest ranked Proposal. Alternatively, and at the County's discretion, the County may elect to negotiate with more than one Applicant at a time until an initial letter of intent or memorandum of understanding is negotiated. Any amendments to this request will be posted on the Department of General Services' website at: <http://www.montgomerycountymd.gov/DGS/OPD/SilverSpringLibrary.html>.

The County expects the request to meet the following schedule, but reserves the right to amend this schedule or, at its sole discretion, to cancel the solicitation at any time.

Request Release: January 13, 2015
Pre-Submission Meeting: January 28, 2015
Deadline for Questions: February 4, 2015
Proposals Due: February 25, 2015

VIII. Submittal Instructions

All Proposals shall include one original and five (5) copies in 8½" by 11" format with no smaller than 11-point font and will not exceed 25 pages (excluding credit references, Letters of Intent ("LOIs"), Memoranda of Understanding ("MOUs"), renderings, Excel based worksheets/models, tables, charts, etc.). Submissions must be bound and sealed, and must be mailed or delivered to:

Greg Ossont, Deputy Director
Montgomery County Department of General Services
101 Monroe Street, 9th Floor
Rockville, MD 20850

The envelope must state "Silver Spring Library Project Use." Written Proposals will be evaluated upon only what is submitted, and it is incumbent upon the Applicant to submit sufficient information to enable the County to fully evaluate the Applicant's capabilities and experience. Proposals received after the date and time specified will be rated as late and may not be considered. The County will not accept faxed Proposals or Proposals sent via e-mail. Unless requested by the County, additional information cannot be submitted by the Applicant after the deadline set for receipt of Proposals. The Applicant may be notified in writing of any change in the specifications contained in this request.

By submitting a Proposal, the Applicant agrees that its Proposal may not be modified, withdrawn or canceled by the Applicant for one year following the time and date designated for the receipt of Proposals or in any amendments hereto.

Proposals submitted prior to February 25, 2015 may be withdrawn only by written notice to the County. Withdrawn Proposals may be resubmitted up to the time designated for the receipt of Proposals, provided that they are then fully in conformance with this request.

Any modified Proposal must be submitted at the place and prior to the time designated for receipt of Proposals.

IX. Optional Pre-Submission Conference & Tour

There will be an optional pre-submission tour and conference on January 28, 2015. A tour of the site will begin at 3:00 P.M. followed immediately by a pre-submission meeting at the Silver Spring Civic Building. The County will not provide transportation to or from the site. Please plan on wearing closed toe shoes to the tour.

IX. Conditions and Limitations

The County reserves the right to reject any or all Proposals submitted in response to this RFP, advertise for new Proposals or to accept any Proposal deemed to be in the best interest of the County. A Proposal submitted in response to this RFP does not constitute a contract and does not indicate or otherwise reflect a commitment of any kind on behalf of the County. Furthermore, this RFP does not represent a commitment or offer by the County to enter into an agreement with a Proposer or to pay any costs incurred in the preparation or submission of a Proposal to this RFP. Furthermore, this RFP does not commit the County to pay for costs incurred in the negotiation or other work in preparation of, or related to, a final agreement between the selected Proposer and the County.

Any commitment made by the County will be subject to the appropriation of funds by the Montgomery County Council to carry out any such commitments and the execution of a contract acceptable to the County.

Written questions regarding the RFP should be directed, via email, to Greg Ossont at greg.ossont@montgomerycountymd.gov. No verbal questions, outside of the Pre-Submission Meeting, will be accepted.

All questions, and the responses from the County, will be posted on County's website at: <http://www.montgomerycountymd.gov/DGS/OPD/SilverSpringLibrary.html>.

The Proposals and any information made a part of the Proposals will become a part of the project's official files. The County is not obligated to return the responses to the Responders. This RFP and the selected team's response to this RFP may, by reference, become a part of any formal agreement between the Responder and the County.

The County reserves the right, in its sole and absolute discretion, to reject any and all Proposals received in response to this RFP and to cancel this RFP at any time, for any or no reason, prior to entering into a formal contract. The County further reserves the right to request clarification of information provided in Proposals submitted in response to this RFP without changing the terms of this RFP.

If a Proposer contends that any part of its Proposal is proprietary or confidential and, therefore, is limited to disclosure under the Maryland Public Information Act, Md. Code Ann. State Gov't §§10-611 *et seq.* (the "MPIA"), the Proposer must identify all information that is confidential or proprietary and provide justification for why such materials should not be disclosed by the County under the MPIA. The County, as custodian of Proposals submitted in response to this RFP, reserves the right to determine whether or not material deemed proprietary or confidential by the Proposer is, in fact, proprietary or confidential as required by the MPIA, or if the MPIA permits nondisclosure. The County will favor disclosure of all Proposals in response to any request for disclosure made under the MPIA.

Proposers must familiarize themselves with the site and form their own opinions as to suitability for any proposed operations at the Library. The County makes no representations as to the site. Proposers are responsible for their own background investigation as to restrictions, if any, bearing upon operations at the site.

Proposers are subject to the provisions of law pertaining to ethics in public contracting including but not limited to the provisions of Montgomery County Code Chapter 11B, Article XII and the applicable provisions of Chapter 19A.

X. Minority, Female and Disabled Participation

The County encourages contracting opportunities with business interests reflecting its diverse population and interests. Therefore, the County encourages Applicants to include where possible, meaningful minority, female and disabled ("MFD") participation in the proposed Project.