

December 21, 2007

**Re: Request for Proposal for Food Service Programming Services**

**Project: Dr. P. Phillips Orlando Performing Arts Center – Orlando, Florida**


On behalf of the Dr. P. Phillips Orlando Performing Arts Center (DPAC and “Owner”), we are pleased to invite you to submit a proposal for consideration as the Food Service Programming Consultant (“Consultant”) for the referenced Project. Hines has been selected to act as the Development Manager for the Project and HKS Architects, Inc. (HKS) has been selected as the Prime Architect in association with Barton Myers Associates and Baker Barrios Architects. The final selection for the food service programming consultant will be made by HKS and Baker Barrios as the “Production Architect,” and the selected consultant will contract directly with HKS Architects, Inc.

The attached Request for Proposal (the “RFP”) provides a general overview of the proposed Project and outlines the requirements for your proposal. Eight (8) copies of your proposal should be submitted no later than 1:00 p.m. Eastern Standard Time on January 16, 2008. Copies of the RFP, attachments, and any subsequent addenda can be found on the DPAC website at [www.orlandopac.org](http://www.orlandopac.org). Interviews, if required, are tentatively scheduled for January 23, 2008.

According to the DPAC Bylaws, firms responding to this RFP should not contact DPAC board members or governmental and elected officials, and firms doing so risk disqualification from the Project. Questions and requests for information should be sent by phone or email to Mike Woollen at HKS Architects, Inc, - [mwoollen@hksinc.com](mailto:mwoollen@hksinc.com), 407-648-9956.

We look forward to your response and we are delighted to have your participation in this process.

Sincerely,



J. Michael Woollen, AIA  
Vice President  
HKS Architects, Inc.

**DR P. PHILLIPS ORLANDO PERFORMING ARTS  
CENTER**

**ORLANDO, FLORIDA**

**REQUEST FOR PROPOSAL**

**FOR**

**FOOD SERVICE PROGRAMMING SERVICES**

**December 21, 2007**

**CONFIDENTIALITY**

This RFP is both confidential and proprietary to Production Architect and Owner, and Production Architect and Owner reserve the right to recall the RFP in its entirety or in part. Recipients must not, and agree that they will not, duplicate, distribute or otherwise disseminate or make available this document or the information contained in it to a third party without the prior written consent of Production Architect and Owner. Consent shall be deemed granted only if provided in writing by the Production Architect and Owner. Notwithstanding the foregoing, recipients may make this document available to those employees who have a need to know its contents in order to participate in the response to this RFP.

Recipients shall not include or reference this RFP in any publicity without prior written consent from Production Architect and Owner.

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**I. INTRODUCTION**

The Dr. P. Phillips Orlando Performing Arts Center is proposed to be a complex consisting of three theaters – a 2,800-seat amplified theater, an 1,800-seat acoustic theater, and a 300-seat theater, along with related front of house and back of house spaces and public plaza (“Project”). The Project will be located in downtown Orlando, Florida, bordered by South Street to the north, Anderson Street to the south, Orange Avenue to the west, and Rosalind Avenue to the east. A more detailed description of the Project is provided in the Prime Architect-Owner Agreement (prime agreement) included with Attachment B. The current Concept Plan is included in Attachment E.

The Owner has selected Hines to act as its Development Manager (“Development Manager”) for the Project under the direction of the Owner. HKS Architects, Inc. has been selected as the “Prime Architect” and, in conjunction with Baker Barrios Architects, will serve as the “Production Architect.” All consultants, including Barton Myers and Associates as the “Design Architect,” will be under sub-contract to HKS. The Production Architect will coordinate all aspects of consultant selection, design, approvals, construction and operational start-up of the Project. Major decisions regarding the scope of the Project are vested with the Owner, acting through Hines as the Development Manager.

This Request for Proposal (the “RFP”) is being issued for the express purpose of engaging a food service programming consultant (“Consultant”) to provide consulting services for the Project to review potential food service and catering opportunities and to make recommendations to the Production Architect, Development Manager, and DPAC for a program of catering, concessions, and other suggested food and beverage operations.

Your response should be based on the requirements described herein, along with the Food Service Programming Consultant Responsibilities included with Attachment A, the Project description information included in the attached Prime Agreement with Attachment B, the Project Schedule included with Attachment C, the draft Architect-Consultant form of agreement with Attachment D and the current Concept Plan which is included as Attachment E.

**II. PROJECT SUMMARY**

The Project is generally described in the Prime Agreement included with Attachment B and as shown in the current Concept Plan in Attachment E. While this information is presented as a conceptual reflection of the Owner’s current thinking, it should not be viewed as anything other than a preliminary outline of a possible program. Your proposal should be based on working with the Project Team to finalize a comprehensive structural program and detailed design for the Project and should include complete design, construction documentation and construction administration services.

The Project will be certified under the USGBC LEED New Construction rating system, and the Production Architect will be engaging a LEED Commissioning Agent.

**III. FOOD SERVICE PROGRAMMING CONSULTANT RESPONSIBILITIES**

See Attachment A.

#### **IV. PARTICIPATION OF MINORITY AND/OR WOMEN-OWNED BUSINESS ENTERPRISES (M/WBE)**

This RFP is being issued subject to the Chapter 57 of the City of Orlando's Code relating to Minority and Women Business Enterprise (M/WBE) participation. While the City has an M/WBE participation goal of 18% Minority Business Enterprise and 6% Women Business Enterprise participation, the Production Architect has established a goal of 30% for M/WBE participation for this project. Local businesses and M/WBEs certified by the City of Orlando and/or Orange County are strongly encouraged to submit a proposal that complies with or exceeds these goals. If you propose a "teaming" arrangement in association with other firms to meet or exceed these goals, then your proposal should indicate whether your team is an "association" or a "joint venture." HKS will be contracting with only one "entity" for food service consulting services.

Additionally, the Project Architect has adopted the "City of Orlando's Blueprint for Using Community Venues to Create a Sustainable Economic Impact". You are required to address in your proposal, how your firm or team will meet the goals established in the Blueprint. Your success in addressing, meeting, exceeding and demonstrating a good faith effort to meet these M/WBE and Blueprint goals will be a very important factor in the selection process.

- Chapter 57 of the City of Orlando Code can be located at <http://www.cityoforlando.net/admin/mbe/chapter57.html>
- City of Orlando Blueprint can be located at [http://www.nba.com/media/magic/Local\\_Economic\\_Plan\\_Blueprint.pdf](http://www.nba.com/media/magic/Local_Economic_Plan_Blueprint.pdf)

#### **V. PROPOSAL REQUIREMENTS**

Your firm will be evaluated on the basis of how well your firm and its individual professionals meet the criteria outlined below including general and specific selection criteria. Please submit your proposal in a concise written tabulated format indexed and organized in order by the following sections:

##### **A) Qualifications Summary**

- 1) Qualifications: A brief statement of your qualifications limited to one page.
- 2) Services: Summary of services to be performed by you.
- 3) Similar Projects:
  - a) Provide a list of similar Projects on which each of your proposed personnel who will be assigned and directly involved and responsible throughout the duration of the Project has been engaged. In particular, the Production Architect, Owner and Development Manager would like to review similar project experience.
  - b) Provide a schedule of current and past Projects of similar scope and magnitude for which your firm has provided services and describe those services.

- c) Provide a list of similar Projects for which your firm or your sub-consultant has provided strategic advice and programming to assist the client in determining the appropriate level of food service facilities. Indicate whether or not your firm also provides feasibility and financial revenue projections for the recommended food service program as part of your strategic consulting.
- 4) Personnel: Provide a schedule of your personnel who will be assigned and directly involved and responsible throughout the duration of the Project. Information shall include the names and resumes of all assigned Project personnel, including but not limited to:
  - a) Principal-in-Charge;
  - b) Project Manager;
  - c) Strategic advisor/programmer
- 5) Minority/Women Business Enterprise Participation: Describe the role of the M/WBE firm, the structure for participation (prime consultant, sub-consultant, joint venture partner, association, etc.), the scope of services and percentage of participation.
- 6) Blueprint Plan: Describe how your firm or team will implement the goals identified in the City of Orlando's "Blueprint for Using Community Venues to Create a Sustainable Economic Impact."
- 7) Personnel Commitments: Provide a summary of the time (based on number of hours per week) requirements for each of your personnel assigned to the Project and a description of the nature and extent of their commitments to other projects that may impact this Project;
- 8) Firm Size: Provide a schedule by job description of the number of people in your firm and indicate the total number of licensed engineers;
- 9) Contact References: Provide no more than three contact references for each of your firm personnel assigned to the Project;
- 10) Special Considerations: Describe any special resources which your firm or your personnel assigned to the Project may bring to the Project or in-house expertise in technical areas which will specifically benefit the Project;
- 11) Detailed Exceptions: Provide in writing any exceptions you may take to the requirements of this RFP, the reasons for such exceptions and any proposed alternatives.

**B) Proposed Fee Structure**

Please provide the following:

- 1) A Stipulated Sum Fee Proposal based on the services described in *Attachment A – Food Service Programming Consultant Responsibilities*.
- 2) Any fees required for services not included in basic services;

- 3) An estimate of the reimbursable expenses you expect to incur on the Project (refer to the Prime Agreement in Attachment B for description of approved reimbursable expenses.)
- 5) Please include a detailed schedule of fully burdened billing rates for all personnel classes that you propose to use on the Project.

**C) Special Services**

Provide a detailed description of all services which you would plan to provide that are not described above, and any fees required for special design work not included in basic services but which you believe would be in the Production Architect's and Owner's interests for you to provide.

**D) Contracting Requirements**

All consultants' proposals will be reviewed by the Owner and Development Manager, who will make recommendations for approval by the Production Architect as the requirements of the design process dictate. The Architect – Consultant Agreement (Attachment D) will be executed by and between HKS as the Prime Architect and the selected Food Service Programming Consultant. A copy of the Prime Architect-Owner Agreement (Attachment B) will be attached to the consultant agreement, and all of the terms and conditions of the Prime Agreement will also apply to the Consultant.

The consultant shall carry the same level of insurance as required in the Prime Agreement. As part of your proposal, indicate your current professional liability insurance limits as well as a price to increase to \$1.0 Million per claim / \$2.0 Million annual aggregate, if necessary.

**E) Project Schedule**

Your programming services shall be completed within eight (8) weeks of notice to proceed, with an interim report due at 50% completion.

**F) Additional Information**

Please provide any other additional information that you believe would be helpful to the Production Architect in its decision.

**VI. ATTACHMENTS**

- A) Food Service Programming Consultant Responsibilities
- B) Prime Architect-Owner Agreement
- C) Preliminary Project Schedule
- D) Architect-Consultant Form of Agreement
- E) Current Concept Plan

**VII. SUBMISSION REQUIREMENTS AND PROJECT CONTACT**

Please submit eight (8) copies of your Proposal to the Project contact listed below no later than 1:00 PM (EST) on January 16, 2008:

Mike Woollen, AIA  
HKS Architects, Inc.  
225 E. Robinson Street  
Orlando, FL 32801  
(407) 648-9956(T)  
(407) 648-9976 (F)

Please also submit your proposal electronically (as a PDF file) to Mike Woollen at [mwoollen@hksinc.com](mailto:mwoollen@hksinc.com).

Should you have any questions concerning the Project or this submission, please send by email to Mike Woollen.

**VIII. PROPOSAL ACCEPTANCE**

The Production Architect, with advice from the Owner and Development Manager, reserves the right to reject any or all proposals received under this Request for Proposal, and is under no obligation to any of the prospective consultants as a result of this Request for Proposal process. Upon review of the proposals, the Production Architect may elect to enter into negotiations with one or more respondents for one or more components of the various services described herein. The Production Architect may or may not choose to interview one or more candidates for the position of Food Service Programming Consultant prior to the final selection.

**IX. OTHER**

You will receive no reimbursement for your expenses in preparing this proposal. The Production Architect is under no obligation to accept your proposal and specifically reserves the right to reject it for any reason.

All materials and documents submitted hereunder shall become the sole property of the Production Architect.

A response to this RFP shall not be construed as a contract nor indicate a commitment of any kind on the part of the Production Architect or Owner. The Production Architect, with advice from the Owner and Development Manager, reserves the right to reject any or all responses to this RFP, or to accept any response deemed to be in the Production Architect's and Owner's best interest.

**End of Request for Proposal**

**ATTACHMENT A**

**FOOD SERVICE PROGRAMMING CONSULTANT RESPONSIBILITIES**

**A) Programming and Conceptual Design Services:**

Working with the Owner, Development Manager and the Architect Team, examine food and beverage opportunities within the planned Performing Arts Center, and develop a program which shall describe the scope and scale of all food services areas of the Project. The Consultant shall prepare a detailed food service program and, in conjunction with the Architect Team, prepare conceptual drawings (defined as “pre-schematic concepts) to illustrate the locations and scope of the food service program. The consultant shall also include the following:

- 1) Provide advice to and assist the Architect Team as needed;
- 2) Assist in preparing cost estimates of the food and beverage facilities and equipment as requested by the Production Architect, Owner and Development Manager;
- 3) Assist the Owner’s consultants in analyzing revenue opportunities from the defined food service program.
- 4) Prepare a list of value engineering items for consideration by the Owner and Development Manager and the Architect Team; participate in the evaluation of all value engineering items developed by the Architect Team;
- 5) Attend Project meetings with the Production Architect, Owner and Development Manager and Architect Team on a bi-weekly basis or more often as needed to complete this Phase of the Project.

**B) ADDITIONAL CONSIDERATIONS**

The following services shall be included in the Consultant’s scope of services:

- 1) Preliminary list of all Food Service Equipment;
- 2) Developing preliminary design concepts as necessary to address the Owner’s needs based on the defined programmatic requirements;
- 3) Providing advice and counsel for all Food Service operations and management;

**C) DELIVERABLES**

- 1) Final Program;
- 2) Sketches, conceptual plans and other information to assist the Architect in the preparation of Schematic Design Drawings and to assist with the Schematic cost estimates

**ATTACHMENT B**

**PRIME AGREEMENT FOR ARCHITECTURAL SERVICES**

The attached Prime Architect-Owner Agreement shall be attached to and referenced as part of the architect-consultant agreement, and the terms and conditions of the prime agreement shall apply to the food service services described in this Request for Proposals.

**ATTACHMENT C**

**PRELIMINARY PROJECT SCHEDULE**

Refer to the attached Project Schedule.

**ATTACHMENT D**

**ARCHITECT-CONSULTANT FORM OF AGREEMENT**

See the attached draft Architect-Consultant form of agreement that shall be used for food service programming consulting services, in conjunction with the referenced prime agreement.

**ATTACHMENT E**

**CURRENT CONCEPT PLAN**

See the attached current design concept plans. Note: this represents a preliminary design concept that is subject to change and refinement; however, this concept reflects the basic requirements included with the project description and current building program.