

# **Submitting an Unsolicited Proposal to the South Florida Water Management District**

## **Introduction**

This document is a guide to assist private entities in navigating the Unsolicited Proposal Process governed by section 255.065, Florida Statutes (2024). An Unsolicited Proposal is a project proposal submitted to the District without a District procurement solicitation process.

## **Process**

**Step 1** – Create a project proposal that demonstrates how your project meets the definition of a Qualifying Project under section 255.065(1)(i), Florida Statutes. Please note that this is your initial proposal, which will be posted to the District's procurement website and considered a public record. Please do not include information in your initial proposal that would be detrimental to competition (e.g., design details, cost, etc.) should the District decide to seek additional proposals through a solicitation. You will have the opportunity to update your proposal with all necessary information later in the process (see Step 3).

**Step 2** – Submit an Unsolicited Proposal (1 original and 1 electronic copy (USB)) and a \$1000.00 Initial Application Fee to District's Procurement Bureau at:

South Florida Water Management District  
Procurement Bureau  
B-1 Building, 2nd Floor West  
3301 Gun Club Road  
West Palm Beach, FL 33406

Hand delivery may be dropped off at the B-1 Building on the First Floor.

Payment must be made by cashier's check or other noncancelable instrument. Personal checks will not be accepted.

Should you wish to withdraw your Unsolicited Proposal prior to the District initiating the evaluation process, you may either request your Initial Application Fee be returned or that the District hold the fee for up to 1 year to allow for the submittal of a new Unsolicited Proposal.

**Step 3** – The District will determine whether the project meets the definition of a Qualifying Project and whether it will move forward with evaluating the Unsolicited Proposal. The District may or may not ask its Governing Board to determine whether to evaluate the proposal at a monthly Governing Board Business Meeting. If your proposal will be brought before the Governing Board, you will be notified and should be prepared to discuss your proposal at the Board meeting.

You will receive a letter from the District stating whether your project will be further evaluated and whether the District will accept additional proposals for a similar project.

If the District chooses not to continue with the evaluation process, your Initial Application Fee will be returned to you.

If the District intends to evaluate<sup>1</sup> your project, it will request an estimated Evaluation Fee to cover the cost of evaluating the project. The fee may increase if actual costs are higher. The District will also provide the Evaluation Criteria that it will utilize to evaluate your project, and a deadline to submit any additional materials the District deems necessary to meet the Evaluation Criteria. Regardless of the deadline for submitting additional material, the Evaluation Fee must be submitted within 30 days of receipt of the District's request. The District will not evaluate the proposal until it receives the Evaluation Fee and any necessary additional materials.

**Step 4** –If the District solicits additional proposals, the District will evaluate and score the proposals using the Evaluation Criteria and hold a duly noticed public meeting to discuss and rank all proposals. If the top ranked proposals are tied in score, or have a one-point difference, the District will request oral presentations from those proposers.

If the District will not accept additional proposals, then it must hold two duly noticed public meetings. The applicant will present the project at the first public meeting. At the second duly noticed meeting, District staff will discuss the proposal and make recommendations based on the evaluation criteria and the public interest test.

**Step 5** – The Governing Board, at a duly noticed public meeting considers staff's recommendations and determines whether the project is within the public interest and whether staff may negotiate or execute a comprehensive project agreement.

**Step 6** –. The District may terminate negotiations at any time at its sole discretion. If additional proposals were accepted, the District may negotiate with private entities in ranked order until negotiations successfully result in an executed project agreement.

**Step 7** – Enter into a comprehensive project agreement with the District upon successful negotiations.

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<sup>1</sup> The District may end the evaluation process at any time for any reason at its sole discretion.