

March 18, 2024

POLK COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA

ADDENDUM #1

RFP 24-255, Sale of Surplus Property – Rohr Home, Skilled Nursing Facility located at 2120 Marshall Edwards Drive, Bartow, FL.

This addendum is issued to clarify, add to, revise and/or delete items of the RFP Documents for this work. This Addendum is a part of the RFP Documents and acknowledgment of its receipt should be noted on the Addendum.

Contained within this addendum: Questions asked and answered at the non-mandatory pre-proposal meeting.

Michael Guerrero
Sr. Procurement Analyst
Procurement Division

This Addendum sheet should be signed and returned with your submittal. This is the only acknowledgment required.

Signature: _____

Printed Name: _____

Title: _____

Company: _____

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RFP 24-255, Sale of Surplus Property – Rohr Home, Skilled Nursing Facility located at 2120 Marshall Edwards Drive, Bartow, FL.

Question 1: How long after the bids are received do you decide if you want to close?

Answer: There is a timeline in the RFP along with the Asset Purchase Agreement (Attachment “E”). Page 9 of the RFP states:

V. AGREEMENT

It is the intent of the County to enter into an Asset Purchase Agreement, in the same or substantially similar form as attached hereto and incorporated herein as Attachment “E” (the “APA”) with one Proposer, within forty-five (45) days of posting the Recommendation of Award, or thirty (30) days following the BOCC’s authorization of contract negotiations, whichever is sooner. All Proposers shall be required to submit all requested material proposed revisions to the APA under Tab “4” and shall not be permitted to submit any additional material revisions during Elevation Level IV, Contract Negotiations.

As further detailed in the APA, the successful Proposer shall have no more than sixty (60) days to conduct Property inspections and make other due diligence inquiries, to the extent necessary. Closing of the purchase and sale transaction and transfer of operations shall occur within thirty (30) days thereafter, subject to approval by the Florida Agency for Health Care Administration (“AHCA”).

The APA will be finalized as part of Elevation Level 4, Contract Negotiations. As stated herein, any proposed material revisions to the APA attached as Attachment “E” must be submitted by the Proposer under Tab “4”.

The County is looking to close quickly. We are requiring a portion of the deposit to be non-refundable as were seeking only serious buyers. Page 8 of the RFP states:

IV. Requirements:

1. Deposits. The successful Proposer shall be required to submit a cashier’s check for \$5,000 as a nonrefundable Deposit in order to commence Elevation Level IV, Contract Negotiations related to the APA (the “Initial Deposit”). The Initial Deposit MUST be submitted within three (3) business days of posting the recommendation of award. The Initial Deposit shall be applied toward the balance of the Purchase Price at Closing and held in accordance with the terms of the APA. Within three (3) business days of the full execution of the APA, the successful Proposer (also referred to herein as the “Buyer”) shall be required to submit an additional deposit of \$100,000 (the “Due Diligence Deposit”), half of which (\$50,000) shall be refundable to the Buyer if the APA is terminated for any reason prior to expiration of the Due Diligence Period. If the APA has not been terminated by either party prior to the expiration of the Due Diligence Period, then no portion of the Due Diligence Deposit shall be refundable thereafter. If the contemplated purchase and sale transaction is closed, the Due Diligence Deposit shall be applied toward the balance of the Purchase Price at Closing, all as further described and

defined in the APA. All deposits made hereunder must be in the form of a cashier's check and made payable to the Polk County Board of County Commissioners.

2. AHCA Licensure and Medicaid Provider Enrollment. Without limiting the generality of the foregoing, the successful Proposer shall make change of ownership application to AHCA for the Rohr Home's skilled nursing facility license and Medicaid enrollment within the timeframes required in Section 408.806, Fla. Stat., and shall assist the County with completion of its required transfer documentation at least sixty (60) days prior to closing. As a condition of closing, the successful Proposer shall be required to comply with all requirements of the Florida Health Care Licensing Procedures Act, including, without limitation, Section 408.807, Fla. Stat., regarding Change of Ownership.

3. Medicare Provider Enrollment. The successful Proposer shall be required to take assignment of The Rohr Home's Medicare Provider Number and associated Medicare Provider Agreement.

4. Resident Notices. The successful Proposer shall coordinate with the County to notify all current residents of the change in ownership of the Rohr Home facility prior to the closing date.