



CITY OF MANASSAS

VIRGINIA

CITY CLERK OFFICE
9027 Center Street, Manassas, VA 20110
Telephone: (703) 257-8280
www.manassascity.org

REQUEST FOR FRANCHISE PROPOSAL

Issue Date: October 16, 2025

RFFP No: 25F001

FOR:

Constructing New Aircraft Box-Style Hangars and or T-Hangars on Lot W1 and or Lot W2 at the Manassas Regional Airport

FRANCHISE PROPOSAL DUE:

DATE DUE:	November 10, 2025
TIME PRIOR TO:	5:30 PM – LOCAL TIME

SUBMIT FRANCHISE PROPOSAL TO:

CITY OF MANASSAS
CITY CLERK'S OFFICE, 4th Fl., City Hall
9027 CENTER STREET, MANASSAS, VA 20110

City Agent:

Mr. Juan E. Rivera

Airport Director

703-361-1882

jrivera@ci.manassas.va.us

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I. PURPOSE AND INTENT

A. PURPOSE OF RFFP

The City of Manassas is seeking proposals from all interested and qualified parties for the purpose of leasing one or two lots from the City of Manassas for the purpose of building new aircraft hangars at the Manassas Regional Airport. The intent of this RFFP is to solicit proposals and subsequently establish a Franchise Agreement for each of the two lots located at 10501 Observation Road, with a company or individual that will lease the land and construct and operate various aircraft hangars. Interested parties may bid on one, or both of the lots (W1 and W2), but a separate Franchise will be awarded for each lot. The term of the Franchise can be for a term up to forty (40) years by law. Each proposal shall include the desired term, which shall be subject to approval by the City.

B. PERIOD OF FRANCHISE

The period of the Franchise shall be for: (to be determined, but no less than 5 nor more than 40 years)

C. DEFINITIONS

Undefined terms have their common meanings appropriate to their context.

1. **Acceptable Surety:** For any bond required under this RFFP, an acceptable surety may be any of the following:
 - a. Corporate surety bond in form acceptable to the City Attorney; or
 - b. Irrevocable letter of credit in form acceptable to the City Attorney; or
 - c. Certified check or cash escrow.
2. **City Agent:** City employee or position listed on the cover sheet of this RFFP
3. **City/Owner:** The City of Manassas, Virginia or its actually authorized agents. Unless the context clearly requires otherwise, such as for an affirmative vote of the elected body, the City Manager, or other designee of City Council may always act on behalf of the City. Under Virginia law, no employee or agent may bind the City unless he or she has actual authority to do so; the doctrine of apparent authority has no application to municipalities.
4. **Due Date:** The date stated on the cover page of this Request for Franchise Proposal (RFFP) for receipt of Proposals.
5. **FAA:** The Federal Aviation Administration.
6. **Franchise Law:** Code of Virginia, Chapter 21, Franchise; Sale and Lease of Certain Municipal Public Property;
7. **Insurance:** Has the meaning given in Virginia Code § 38.2-100.

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8. **Nominal Value:** Having a fair market value or potential fair market value of no more than five dollars (\$5.00). Something has potential value if it may produce value in the future. Examples of items with potential value include lottery tickets, stock in privately held companies, and business opportunities.
7. **Offeror/Proposer:** Any individual, company, firm, corporation, partnership or other entity submitting a Proposal on RFFPs issued by the City's Agent and offering to enter into a Franchise with the City.
8. **Proof of Insurance:** A copy of the relevant portions of the insurance declaration page, or its equivalent, showing continuing coverage at the required amounts.
9. **Proposal:** The submission by an Offeror indicating its understanding of the terms of a Franchise, how it plans to meet the obligations under the Franchise and how it is qualified to meet those obligations.
10. **Request for Franchise Proposal (RFFP):** A request which is made to prospective suppliers (offerors) for their proposal for something desired by the City. The issuance of an RFFP will contain or incorporate by reference the specifications and contractual terms and conditions applicable to the Franchise.

D. COMPETITION INTENDED

It is the City's intent that this Request for Franchise Proposal (RFFP) permits competition. It shall be the Offeror's responsibility to advise the City Agent in writing if any language, requirements, specification, etc., or any combination thereof, inadvertently restricts or limits the requirements stated in the RFFP to a single source. Such notification must be received by the City Agent or appointed designee not later than seven (7) days prior to the Proposal due date.

E. TYPE OF AWARD

The City of Manassas expects to award two (2) Franchises.

F. ORDER OF PRECEDENCE

A franchise from the City is governed by the Code of Virginia, Chapter 21 (15.2-2100 et seq.). If an inconsistency exists between the Specifications and General Provisions of this RFFP, the draft Franchise Agreement, and the Franchise Law, the inconsistency shall be resolved by giving precedence to the following documents in the following order:

1. State Franchise Law, as amended,
2. The Franchise Agreement,

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3. The Specifications of this Request for Franchise Proposal (Section II), except to the extent modified through negotiation,
4. The General Provisions of this Request for Franchise Proposal (Sections I, III-VI)

II. SPECIFICATIONS OF RFFP

A. PURPOSE

The Manassas Regional Airport (“Airport”) owns lots W1 and W2, which are undeveloped properties, located at 10501 Observation Road, Manassas, VA. Lot W1 is ± 1 acre and lot W2 is ± 5.1 acres. The City of Manassas desires to award long-term Franchises for the use of lots W1 and W2 to an experienced individual or business that shall be required to design and build, at their cost, new Aircraft Hangars on one or both the lots. The new hangars and the repaving of the ramp and parking lot within the leased premises must be completed within eighteen (18) months from the issuance of building permits.

B. BACKGROUND

1. The Airport is owned and operated by the City of Manassas, through the Manassas Regional Airport Commission and Airport Director. The Manassas Regional Airport (Location Identifier HEF) is located approximately 30 miles southwest of Washington, D.C. The Manassas Airport is the busiest General Aviation Airport in Virginia.



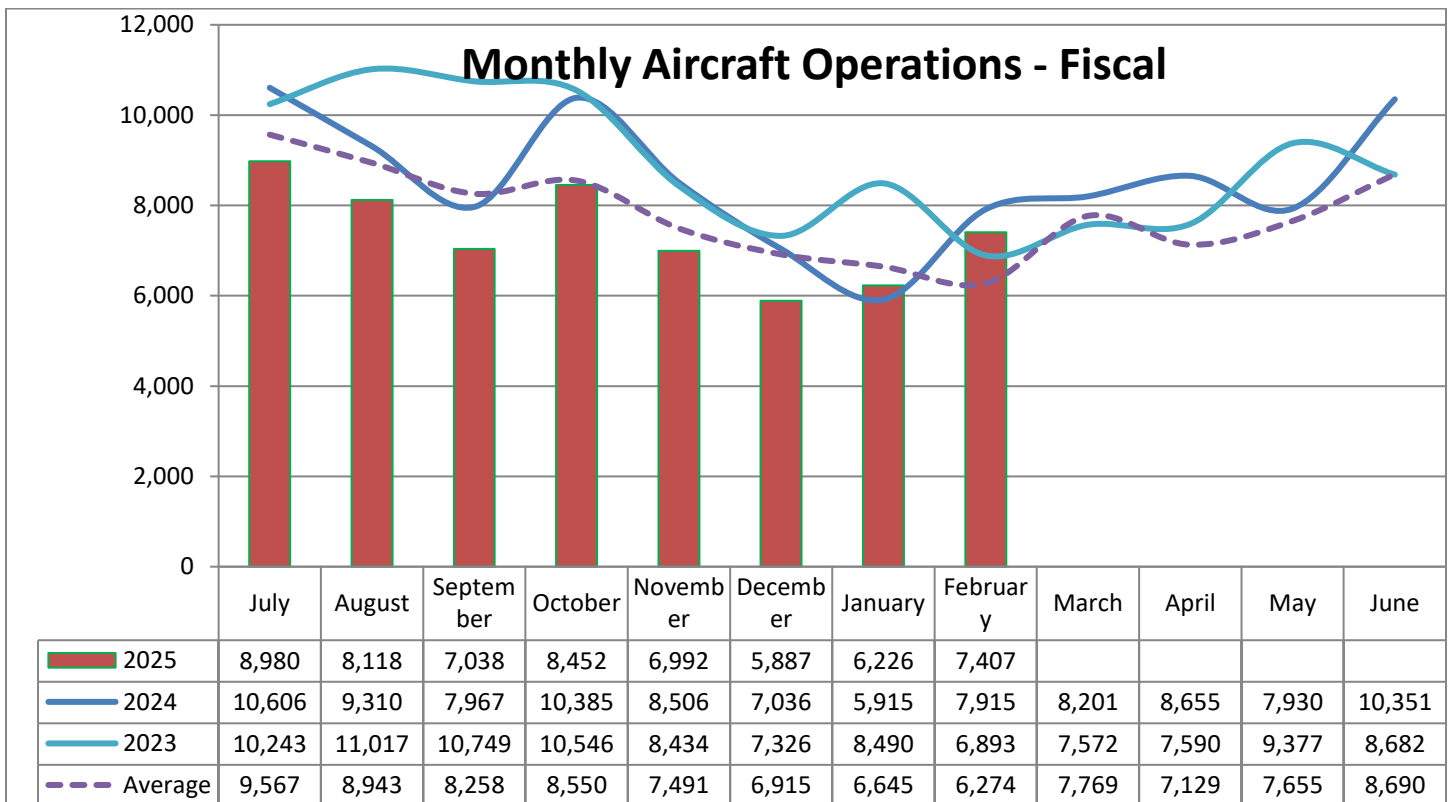
The Airport opened at its current location on September 20, 1964, and occupies ± 863 acres of land and is at an elevation of 192 feet Mean Sea Level. HEF is General Aviation (GA) airport classified as a Reliever Airport for Dulles International Airport (IAD) and Reagan National (DCA), under the National Plan of Integrated Airport Systems.

2. The Airport is currently transitioning from a GA Airport to a Commercial Service Airport. The Airport Director expects to receive the FAA issued Airport Operating Certificate (AOC) to operate under FARs Part-139 by the end of 2026.
3. The Airport has two parallel runways, 16L-34R and 16R-34L. Runway 16L-34R is 6,200 feet long and Runway 16R-34L is 3,700 feet long. Both runways are oriented in a north-south direction, and 16L-34R is 100 feet wide and 16R-34L is 75 feet wide. These runways are separated by 750 feet. Runway 16L-34R is equipped with Instrument Landing Systems (ILS) to allow aircraft operations in instrument meteorological conditions.
4. The Airport is located only 45 minutes from Washington, D.C. HEF is approximately 8 miles south of I-66 and approximately 10 miles west of I-95. Airport terminal area facilities are accessed via Rt. 234.

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5. The Airport currently has 402 based aircraft including jets, turbo props, single engine and light twin aircraft and has approximately 100,000 aircraft operations per year.
6. The Airport has the following amenities:
 - a. FAA Operated ATC Tower
 - b. On-call US Customs
 - c. No landing Fees for Based Customers
 - d. Two Full-Service FBOs

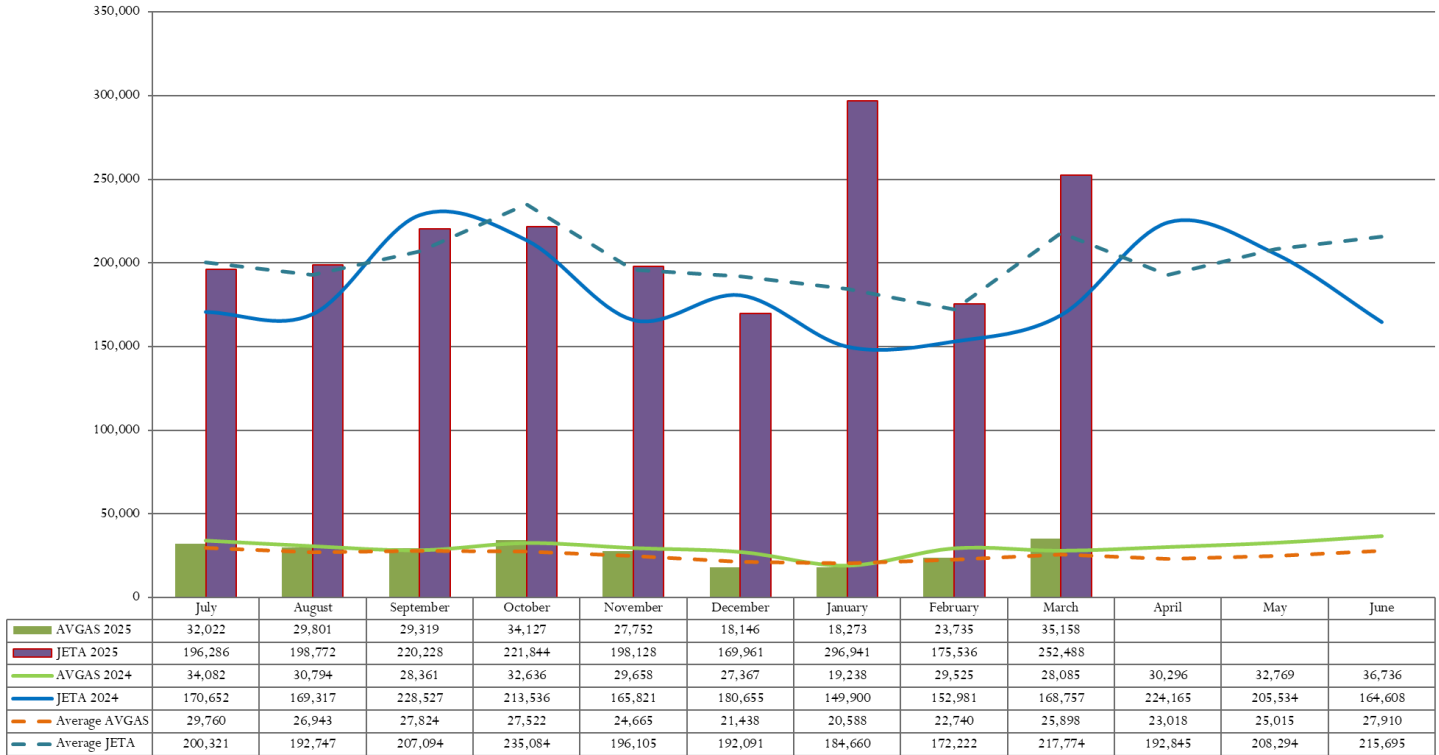
Total Aircraft Operations FY Total Aircraft Operations 2024-2025



Total Gallons of Fuel Sold FY 2024-2025

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Monthly Fuel Flowage - Fiscal



C. SCOPE OF SERVICES

1. This RFFP invites each potential Proposer to perform its own investigations, marketing and make its own assessments as to the extent and nature of the business suited for the Airport while adhering to the minimum standards as set forth in the Airport Minimum Standards, as well as the Airport requirements stated in the Airport Rules and Regulations, applicable FAA and Virginia Department of Aviation regulations and orders, Airport Security Plan, Airport Improvement Program Grant Assurance, applicable FAA Advisory Circulars, TSA requirements, and other applicable requirements.
2. The City has signed certain Grant Assurances and Certifications with the FAA for the receipt of federal funds. In doing so, property designated as “airport property” is to be used primarily for those projects supporting “direct aeronautical” activities. Direct aeronautical activities involve all those functions normally associated with actually basing, housing, and maintaining an aircraft or multiple aircraft on airport property. The City will not entertain Franchise Proposals that will not focus primarily on aeronautical activities. It is the desire of the City to develop the lots for use by Group I general aviation aircraft.
3. The City will not consider any Franchise Proposal that proposes to use or includes off Airport or “through the fence” property that is not located within the Airport property boundary as shown on the Airport Layout Plan.
4. The City will not consider any Franchise Proposals that do not meet the minimum requirements set forth in the Airport Minimum Standards.

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5. Following bid opening the Manassas Regional Airport Commission (“Commission”) and Airport staff will make a recommendation of an award to the City Council. The final determination of an award will be made by the City Council. Proposers may be required to make a personal presentation of their Proposal before the Commission and Airport staff. Before an award is made, the Franchise Agreement (“Franchise”) must be advertised to the public and approved by Council. Pursuant to Virginia Code § 15.2-2100 et seq., the City must invite bids for the Franchise and shall award the Franchise to the highest bidder unless some reason affecting the interest of the City makes it advisable to accept a lower bid.
6. The term of the Franchise will be as short as practical commensurate with the Franchise Proposal’s level of capital investment in the Airport and allowing Proposer adequate time to amortize leasehold improvements and to secure a loan, if necessary, to finance the improvements. Such term shall be negotiated upon selection of successful Proposer. The longest term that can be approved by the City, by law, is 40 years.
7. In connection with the execution of a Franchise and each subsequent year, the successful Proposer will be required to provide a bond or the appropriate security approved by the City in an amount of at least 10% of the annual fee due to the Airport under the Franchise sufficient to guarantee the construction, operation and maintenance of the plant or plants provided for in the Franchise. However, the Council, with the recommendation of the Airport Director, may, at its sole discretion, establish a higher bond amount if necessary to guarantee such construction, operation and maintenance.
8. Additionally, the successful Proposer shall provide to the City for each improvement to be constructed, payment and performance bonds or other appropriate security approved by the City, equal to at least 100% of the total of the contract price for that improvement, in a format that is approved by the City Attorney.
9. All construction on Airport will be required to meet or exceed applicable construction and engineering standards for airport facilities as required under applicable FAA guidelines and will be required to be commenced and completed within the specified time frames as provided in the Franchise Agreement.
10. The draft Franchise provided in the RFFP provides for ground rental payments and escalators of the ground rent. The Franchise also requires construction of aircraft hangar improvements which revert to the City at the expiration of said Franchise. The Proposer is responsible for reading the draft Franchise included in the RFFP, and accepting the terms and conditions outlined in the Franchise prior to submitting a proposal. The Franchise Agreement is not open for negotiations due to Franchise law. The proposer shall include any exceptions to the draft Franchise in their bid proposal for consideration by the Airport Commission and Airport Director. There is no guarantee that any exceptions to the RFFP will be accepted by the City.
11. The Premises to be covered by the Franchise are located on the north west side of the Airport as shown on the attached property drawing. Premises will encompass only the land for which Proposer furnishes a definite plan for development. No property shall be leased for non-aeronautical purposes as such use might inhibit the growth of aeronautical use of the Airport. The Proposer will have to show the proposed layout of buildings, ramps and parking areas and how they will fit on the Premises. The City will select layouts that are in the best interest of the Airport and that maximize the use of

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space. No plan for development will be approved that makes residual property unusable or restricts the use of other property. Rights of first refusal or other “land banking” options will not be accepted.

12. The selected Proposer shall finance, design, construct and manage the hangar facilities on lots W1 and or W2, at no cost to the City including construction of all site work, utilities, ramps areas, and pavement connections to adjoining ramps, taxiways and taxilanes as necessary. The new hangars shall not impinge upon FAR Part 77 surfaces taxiway safety areas or taxiway object free areas (OFA). The successful Proposer is required to submit a 7460-1 form to the FAA and must receive a favorable determination prior to commencing construction.
13. The selected Proposer will finance, design, and construct all required utility extensions including water, sanitary sewer, telephone, and electrical power, as well as any necessary storm water management features at no cost to the Airport.
14. Proposers shall include with their proposal a proposed timeline for construction and milestone reporting.
15. Proposers shall provide specific cost estimates for all proposed improvements. Failure to include a detailed cost estimate for all proposed improvements shall render the proposal non-responsive. The cost estimate should include construction cost and soft cost and should include an itemized list of project cost. The successful Proposer (Lessee) shall submit a detailed actual cost break down to the City once all improvements are completed.
16. The successful Lessee shall start paying the rent in accordance with the Payment Schedule on a date which is the earliest to occur of: (a) the date that the Lessee receives its building permit from the City for the new aircraft Hangars; or (b) the ninetieth (90th) day after the Effective Date of the Agreement; or (c) the date that Lessee occupies the Demised Premises and commences the conduct of its business therefrom.
17. At such time as construction is completed and a Certificate of Occupancy is issued by the City, and actual metes and bounds surveys are available from the Lessee, the rate per square foot will be adjusted as necessary to reflect the actual square footage of the site.

D. COMMUNICATIONS ABOUT AND REVISION OF SPECIFICATIONS; RESPONSIBILITY OF OFFEROR

1. An Offeror may submit questions and comments regarding this RFFP only to the City Agent. To receive an answer, the Offeror must submit all questions and comments in writing no later than seven (7) days before the due date. The City Manager, City Agent or City Agent’s designee may also issue clarifications or modifications of the terms of the RFFP even if no Offeror requests it.
2. Only the City Manager, City Agent or City Agent’s designee may revise the terms of the RFFP. If the City revises the terms of the RFFP, it will do so in the form of an addendum to the Request for Franchise Proposal posted on the Manassas Airport’s website at www.flyhef.com. Each Proposer has the responsibility to insure it has any addenda that have been issued in connection with this

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RFFP. The Proposer will not rely on any information provided orally, or from anyone other than the City Manager, City Agent or City Agent's designee.

3. Each Proposer bears responsibility for thoroughly examining this RFFP in its entirety. If a Proposer has any questions or comments regarding the proper meaning or intent of any aspect of the RFFP or finds discrepancies in the plans and/or specifications, then it shall submit all such questions and comments in writing to the City Agent.
4. By submitting a Proposal in response to this RFFP, the Proposer represents that it has thoroughly examined this RFFP and all its attachments and incorporated documents, that it has submitted any and all questions and comments it may have regarding the meaning or interpretation of this RFFP to the City in the manner prescribed herein, and that the Proposer understands the terms and conditions of the RFFP.

E. METHOD FOR MAKING SUBMISSION

1. The Offeror shall submit one (1) original and five (5) copies of their Franchise Proposal along with one (1) electronic copy in the form of a thumb drive to the City Clerk's Office. Offerors shall submit with their Proposal all pages of the completed Proposal Submission Form herein. The Offeror shall make no other distribution of the Proposal. Franchise proposal shall be submitted to:

City of Manassas
City Clerk's Office, 4th Fl. City Hall
9027 Center Street
Manassas, VA 20110

No later than 5:30 PM local time November 10, 2025.

The Franchise Proposal submissions with all the forms must be returned in a sealed envelope or packaged and identified with the following information on the envelope or package.

From:

Name of Offeror	Due Date	Due Time
Street/Box Number	RFFP Title	RFFP Number
City	State/Zip Code	City Agent

Franchise Proposals sent via express delivery service should be sealed in an envelope inside the express container. The Offeror assumes the risk that an envelope not properly marked will be mistakenly opened, and thus rendered ineligible for consideration. No responsibility shall attach to the City for the premature opening of a Proposal not properly addressed and identified as specified herein. The City will not make any adjustments to the Proposal based on additions or deletions on the outside of the envelope. Faxed or emailed Proposals are not allowed.

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2. Determination of deadline:

The official time used in the receipt of Franchise Proposals is local time

3. Place for submission:

Franchise Proposals must be received at the place stated on the cover page of the RFFP. Offerors who use a delivery company, U.S. Mail, or courier bear the risk that the Proposal may not be received at the correct location by the deadline.

4. Extension of deadline:

Before the deadline passes or if the City receives no Franchise Proposals by the due date, the City may extend the date and time for receipt of Franchise Proposals or change the location of the receipt of Proposals if it believes it is necessary and in the best interest of the City. If that happens, Offerors will be notified of the new date and time or new location and Franchise Proposals already received will not be opened until the new date and time. If the City of Manassas or Manassas City Hall (“Building”) is closed unexpectedly on a Franchise Proposal due date, the Franchise Proposals will be opened at the same time and place the next business day that the City and Building are open, or else notice will be provided by addendum of a new due date, time, and place.

5. Process for receipt of Proposals:

The City’s Mayor shall receive and open the Franchise Proposals and read aloud the names of the Offerors who submitted Proposals during a scheduled City Council meeting. Thereafter, the provision on Examination of Documents herein applies to the release of Proposal data.

F. GENERAL PROPOSAL PREPARATION INSTRUCTIONS

1. All information requested should be submitted. Failure to submit all information requested may result in the City requiring prompt submission of missing information and/or giving a lowered evaluation of the Proposal. Franchise Proposals that are substantially incomplete or lack key information may be rejected by the City. Mandatory requirements are those required by law or regulation or are such that they cannot be waived and are not subject to negotiation.
2. Franchise Proposals should be prepared simply and economically, providing a straightforward, concise description of capabilities to satisfy the requirements of the RFFP. Emphasis should be placed on completeness and clarity of content.
3. Each copy of the Franchise Proposal should be bound or contained in a single volume where practical. All documentation submitted with the Proposal should be contained in that single volume.
4. Ownership of all data, materials and documentation originated and prepared for the City pursuant to the RFFP shall belong exclusively to the City and be subjected to public inspection in accordance with the Virginia Freedom of Information Act. Trade secrets or confidential proprietary information submitted by an Offeror shall not be subject to the public disclosure under the Virginia Freedom of Information

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Act; however, the Offeror must invoke the protections of Section 2.2-3705.6 (13) of the Code of Virginia, in writing, either before or at the time the data 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 will result in rejection and return of the Proposal. The City is not responsible for any expenses incurred by an Offeror in preparing and submitting a Proposal. By submitting its Proposal, the Offeror agrees not to claim as proprietary any site plan layout or architectural drawings submitted with a Proposal so as to be exempt from public disclosure; however, the City will not allow the copying of architectural drawings except to the extent that such copying constitutes fair use.

5. The Offeror shall comply with all procedural instructions that may be issued by the City.

G. FRANCHISE PROPOSAL PREPARATION INSTRUCTIONS

Franchise Proposals should be as thorough and detailed as possible so that the City may properly evaluate the capabilities of the Offeror to provide the required services. Failure to provide all of the information requested will result in the rejection of the Franchise Proposal and finding the Proposer nonresponsive to the RFFP. Franchise Proposers are required to submit their proposals in the following format, and be arranged in order, tabbed, and with a table of contents:

a. Revenue Proposal

- A Revenue Proposal Form must be submitted in a separate, sealed envelope with the Proposer's name and the RFFP Name and Number on the outside of the envelope for each lot the Proposer is bidding on. If a Proposer is bidding on more than one lot, they will be required to submit two separate proposals, one for each of the two lots that are available.
- The sealed envelope(s) containing the revenue proposal is requested to be included in the sealed package containing the technical proposal.

b. Technical Proposal

- Technical Proposals must be submitted in a sealed envelope(s) or box(s) with the Proposer's Name and the RFFP Name and Number on the outside of each envelope or box.
- Provide a narrative about why the Proposer should be selected.
- Describe and include details regarding the proposed type of hangar structure (box/t-hangar). Description shall include, but not limited to current hangar technology structure regarding:
 - i. Terminal, Lounges, or Office Space
 - ii. Hangar aircraft support systems
 - iii. Ramps/aprons
 - iv. Rest rooms
- Describe in detail your intentions for the use of the aircraft hangars/hangar complex.
- Describe how you plan to maximize space and resources in your plan.
- Discuss "Curb Appeal". Define how the proposed improvements will look and how appealing the appearance the improvements will be to airport tenants, users, and the flying public.

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- Provide a project schedule at the task level starting with the receipt of the Notice to Proceed and ending with project completion.
- Include a listing of Airport/City responsibilities to complete the project, if any.
- Describe facility development and management of operations.
- Describe in detail all improvements to any and all parts of the existing leasehold area.
- Describe all security procedures and how you to meet all airport security requirements during and after construction.
- Furnish a conceptual site plan and elevation drawing(s) showing location of the new hangars to be constructed on the lot(s), parking lots, legend, boundary lines, square footage of offices, ramps and proposed design of hangars.

c. Project Management

- Describe how the project will be organized and managed.
- Describe progress reporting procedures for the project.
- Include the names of anticipated subcontractors or vendors.
- Describe how do you intend to generate revenue from use of the facilities?

d. Organizational Qualifications

- Describe company's experience, capabilities and other qualifications for this project. Include development of similar projects of same size or scope.
- Provide your history of tenant/landlord working relationships at other locations.
- How many years had company operated under current company name?
- Show Project Cost Estimates to include: 1) Design and other Soft Costs 2) Site Preparation and Grading 3) Stormwater Management 4) Utilities 5) Ramp & Taxiway Improvement 6) Hangar Construction 7) Contingency 8) Other additional cost
- Provide a listing of all aeronautical products, facilities and services to be offered on day one of the operation.
- Provide the estimated number of new employees, new aircraft to be based at the airport and how many gallons of aviation fuel will be purchased annually at the facility.
- Include 10-year Operating Pro-forma (includes proposed lease term and ground rent)
- Financing Plan.
- Business Credit Report – Submit a credit report and at least five (5) credit references
- Financial Statements

- i. Three years of company's audited financial statement and interim financial statements if the prospective company is 6 months into another fiscal year.
- ii. If audited financial statements are not available, then the company should provide CPA reviewed or compiled statements supported by signed company tax returns and signed interim financial statement if the prospective company is 6 months into another fiscal year.
- iii. If the company is less than two years old then the following must be provided: 1) Three years of cash flow projections 2) Three years of projected balance sheets, and profit and loss statement 3) Evidence of equity and its sources 4) Schedule of debt and schedule of future debt needed to finance the project 5) Bank reference to include contact information.

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- iv. Provide a letter signed by a CPA that states that the Proposer/Company has the necessary, uncommitted capital funding available to complete all aspects of the proposed project, with a reserve component of at least 15% of the total project for cost for any overruns.

If the Proposal is being made by a subsidiary of a parent company or corporation, such subsidiary may submit the required financial information for the parent company, provided such parent company is bound jointly with the subsidiary in the Proposal and, if the subsidiary is awarded an Franchise agreement, the parent company must acknowledge its joint obligations with its subsidiary and the Proposal must be accompanied by a certified copy of a resolution by the Board of Directors of the parent company authorizing such joint obligations.

e. Personnel

- Identify the individuals who will be part of the project team. Include their name and title.
- Provide resume(s) for all key employee(s) in management team and construction team.
- The Proposer shall provide a statement that they, the Company or anyone working with the company has not been debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal or State agency from doing business with the Federal, State government, or local government?
- The Proposer shall provide a statement that the officers and on-site management team have/have not been convicted of any criminal activity or aviation violations within the last ten (10) years.

H. OFFEROR CERTIFICATIONS

1. The Offeror shall certify, through its submission and signature on the Franchise Proposal, that the following statements (paragraphs a. – f. inclusive, collectively “the Certifications”) are true and not misleading:
 - a. That its Proposal is made without any kickbacks or inducements or any prior understanding, agreement, or connection with any corporation, firm, or person submitting a Proposal, and is in all respects fair and without collusion or fraud;
 - b. That it is not currently debarred by the Federal Government, Commonwealth of Virginia or the City from submitting Proposals or bids on contracts, nor is the Offeror an agent of any person or entity that is currently so debarred;
 - c. That it has not offered or conferred on any public employee having official responsibility for this procurement transaction any payment, loan, subscription, advance, deposit of money, services or anything of more than Nominal Value or minimal value, present or promised, unless consideration of substantially equal or greater value was exchanged;

That to the best of its knowledge no City official or employee having official responsibility for this RFFP or member of his or her immediate family has received or will receive any financial benefit of more than Nominal Value or minimal value relating to the award of this Franchise. If such a benefit has been received or will be received, this fact shall be disclosed with the Proposal or as soon thereafter as it appears that such a benefit will be received;

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- d. That it has submitted one or two Franchise Proposal. For purposes of this provision, the term “Offeror” includes all departments and divisions of a Business and all its Affiliates; and
- e. That it is satisfied, from its own investigation of the conditions to be met, that it fully understands its obligations if the City awards it a Franchise, and that it will not have any claim or right to cancellation or relief from the Franchise because of any misunderstanding or lack of information.

2. Duty to supplement:

If the Offeror becomes aware of any information which makes any part of the Offeror’s Certifications no longer accurate or complete or reveals that any part of my previously submitted information is misleading, the Offeror will immediately bring that information to the attention of the City Agent.

3. Penalty for false certification:

The City may declare an Offeror to be non-Responsible if the City discovers that the Offeror’s Certifications contain any materially false statement.

III. EVALUATION OF RFFP

A. REQUIRED ELEMENTS OF FRANCHISE PROPOSAL PACKAGE

To be considered, a Franchise Proposal must contain the completed Franchise Proposal Submission Form(s) and any other documents, samples, or information required by the terms of the RFFP. Any Offeror which submits a Franchise Proposal agrees that such Proposal becomes the property of the City and all costs incurred for its preparation are the responsibility of the Offeror.

1. Required permits and licenses:

- a. By submitting a Franchise Proposal, Offeror represents that it will have all necessary federal, state and local permits and all necessary licenses, including licenses to use intellectual or real property. The date that Offeror shall have the necessary licenses and permits is the date of issuance of the Franchise by City Council unless otherwise required by law.

2. Acknowledgment of receipt of all addenda:

The Offeror must acknowledge receipt of addenda on the Franchise Proposal Submission Form unless such failure to acknowledge constitutes an informality.

REQUEST FOR FRANCHISE PROPOSAL

B. EVALUATION CRITERIA

1. Franchise Proposals will be evaluated by the City using the following criteria:

CRITERIA	MAXIMUM POINTS
a. Cost/Investment of proposed Project	20
b. Technical Approach/Best Use of Property/Airport Needs	20
c. Organizational Qualifications & Experience	20
d. Project Management Team & Construction Method/Schedule	15
e. Total Revenue to the Airport	25

Total Possible Score (100)

The City reserves the right to conduct optional interviews with all the Proposers or a short-listed group of responders. The Evaluation Committee may award a maximum of ten bonus (10) points to each interviewed Proposers. If the City determines that it is in its best interest to develop a short list of Proposers for interview, it shall be based on the following calculations:

Highest Proposer Score – Interview Points = Short Listed Score
Example: 91-10=81. Any Proposer with a score of 81 or greater would be interviewed.

C. DETERMINING IF OFFEROR IS RESPONSIBLE

1. Award only to a “Responsible Offeror”:

The City will only award a Franchise to an Offeror that, through evidence submitted or information available to the City, has shown that it has the capability, in all respects, to perform fully the Franchise requirements and the moral and business integrity and reliability that will assure good faith performance. Prequalification by an entity other than the City is not relevant to this determination.

2. Additional information:

If the City requests it, the Offeror must present, within two business days, evidence satisfactory to the City of the Offeror’s ability to perform the Franchise and possession of necessary facilities,

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pecuniary resources, and adequate insurance to comply with the terms of this RFFP and any resulting Franchise. The City reserves the right to inspect the Offeror's physical facilities (if any) and conduct additional investigation prior to award to satisfy questions regarding the Offeror's capabilities.

3. Offeror in default:

No Franchise Proposal will be accepted from or Franchise awarded to any Offeror that is in arrears, or is in default to the City upon any debt, or that is a defaulter as surety or otherwise upon any obligation to the City, until all such debts are paid. No Franchise will be awarded to an Offeror who has been deemed "chronically late" in making its payments in regards to a Franchise or Lease Agreement with the City within the last 48 months.

D. PROPOSAL ACCEPTANCE

Offeror agrees and understands that (except to the extent of the requirement to indemnify the City for costs incurred in protection of the Offeror's confidential information) there is no binding agreement, no contractual relationship, no understanding nor mutual assent until a Franchise is executed and exchanged by and between the Offeror and the Council. Only the Council has the authority to award a Franchise.

IV. AWARD OF CONTRACT

After proposals are opened by the Mayor, the Council will refer all proposals to the Airport Commission for review and recommendation by the Commission and staff.

V. FORM OF FRANCHISE

A. USE OF CITY FRANCHISE AGREEMENT

The City will use a Franchise Agreement in the form of the attached draft.

VI. MISCELLANEOUS

A. AUTHORITY OF AGENTS

1. Offeror's agent:

Each Franchise Proposal, and any Franchise, must be signed by a person authorized to bind the Offeror to a valid Franchise with the City. For a sole proprietorship, the principal may sign. The City may require that any agent submit a power of attorney or other appropriate documentation showing the authority of the agent to act on the Offeror's behalf.

2. City's Agent(s):

The City Manager, or City Agent have the final responsibility and full authority for issuance of requests for franchise proposals, negotiations, placing and modifying invitations, requests and

REQUEST FOR FRANCHISE PROPOSAL

recommendations of award issued by and for the City of Manassas. No other City officer or employee is authorized to add to, vary, or waive terms of the RFFP, or in any way obligate the City for indebtedness. The City will not honor or ratify any void action of its employees or agents.

B. EXAMINATION OF DOCUMENTS

Except as provided herein, all proceedings, records, Franchise and other public records relating to transactions shall be open to the inspection of any citizen or representative of the news media in accordance with the Virginia Freedom of Information Act.

1. Estimates:

Cost estimates relating to a proposed transaction prepared by or for a public body shall not be open to public inspection.

2. Prior to award:

Any Offeror upon request shall be afforded the opportunity to inspect Proposal records within a reasonable time after the evaluation and negotiations of Proposals are completed but prior to award, unless the City decides not to accept any of the Proposals and to reissue the RFFP. Otherwise, Proposal records shall be open to public inspection only after award of the Franchise. Any inspection of Procurement transaction records under this section shall be subject to reasonable restrictions to ensure the security and integrity of the records.

REQUEST FOR FRANCHISE PROPOSAL

4. No requirement to state reasons for rejection:

Nothing contained in this RFFP shall be construed to require the City to furnish a statement of the reasons why a particular Franchise Proposal was not deemed to be the most advantageous to the City.

C. NONDISCRIMINATION

1. In general:

The City does not discriminate against Offerors on the basis of race, religion, color, sex, sexual orientation or gender identity, national origin, age, disability, status as a service disabled veteran, political affiliation, nor does it discriminate against faith-based organizations on the basis of the organization's religious character or impose conditions that restrict the religious character of the faith-based organization, except as permitted or required by law, or impair, diminish, or discourage the exercise of religious freedom. Any Offeror believing that it or another Offeror has been discriminated against on that basis should immediately make the City Agent aware of the basis for that belief.

REQUEST FOR FRANCHISE PROPOSAL

D. AUTHORITY TO TRANSACT BUSINESS IN VIRGINIA

Pursuant to Virginia Code §2.2-4311.2, an Offeror organized or authorized to transact business in the Commonwealth pursuant to Title 13.1 or Title 50 of the Code of Virginia shall include in its Proposal the identification number issued to it by the State Corporation Commission (“SCC”). Any Offeror that is not required to be authorized to transact business in the Commonwealth as a foreign business entity under Title 13.1 or Title 50 of the Code of Virginia or as otherwise required by law shall include in its Proposal a statement describing why the Offeror is not required to be so authorized. Any Offeror described herein that fails to provide the required information shall not receive an award unless a waiver of this requirement and the administrative policies and procedures established to implement this section is granted by the City Manager. The SCC may be reached at (804) 371-9733 or at <http://www.scc.virginia.gov>. Offerors should consult the Code of Virginia for more information.

REQUEST FOR FRANCHISE PROPOSAL

VII. FRANCHISE PROPOSAL SUBMISSION FORM

Offerors shall include in their Franchise Proposal submission the proposed rents and fees to be paid to the City in the following format:

Revenue Proposal Form

FRANCHISE PROPOSED ANNUAL RENT TO BE PAID (Land)

Only bid on one lot (Lot W1 or W2). If you are bidding on both lots, W1 and W2, you must submit two (2) separate proposals in separate envelopes. One for each lot.

The Offeror's Total Proposed Annual Rent to be Paid for lot _____ (Write W1 or W2):

\$ _____ *

***The minimum acceptable bid for Lot W1 is \$32,670.00 annually (\$0.75/SF). The rent will be escalated by 2.9% annually after the first twelve (12) months per the Franchise.**

***The minimum acceptable bid for Lot W2 is \$166,617.00 annually (\$0.75/SF). The rent will be escalated by 2.9% annually after the first twelve (12) months per the Franchise.**

ACKNOWLEDGMENT OF RECEIPT OF ADDENDA

I certify that I received and reviewed the following Addenda to this Franchise Proposal and have included their provisions in this Proposal:

<u>Number</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____
_____	_____

Please complete the following by checking the appropriate line that applies and providing the requested information.

- A. _____ Offeror is a Virginia business entity organized and authorized to transact business in Virginia by the SCC and such Offeror's Identification Number issued to it by the SCC is _____.
- B. _____ Offeror is an out-of-state (foreign) business entity that is authorized to transact business in Virginia by the SCC and such Offeror's Identification Number issued to it by the SCC is _____.

REQUEST FOR FRANCHISE PROPOSAL

C. _____ Offeror does not have an Identification Number issued to it by the SCC and such Offeror is not required to be authorized to transact business in Virginia by the SCC for the following reason(s): _____

D. _____ Offeror has the following attached list of exceptions to the RFFP/Franchise Agreement (Indicate below if you have no exceptions to the RFFP or draft Franchise Agreement): _____

REQUEST FOR FRANCHISE PROPOSAL

CERTIFICATIONS

This RFFP is subject to the provisions of §15.2-2100 et seq of the Virginia Code, § 2.2-3100 et seq. of the Virginia Code and the Virginia State and Local Government Conflict of Interests Act..

By my signature on this form, I certify on behalf of the Offeror that I am not aware of any information bearing on the existence of any potential conflicts of interest or violation of ethics in public contracting provisions of the VPPA, Virginia Code §§ 2.2-4367 through 2.2-4377.

I further certify that this Franchise Proposal is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a Proposal and is in all respects fair and without collusion or fraud. I understand collusive bidding is a violation of the state and Federal law and can result in fines, prison sentences, and civil damage awards.

I further certify that the statements regarding debarment, submission of a single Proposal, understanding of the conditions, and data on convictions contained in provision “Offeror Certifications” of the RFFP are true and not misleading as to the Offeror.

I further certify that I have read and understand the attached draft Franchise Agreement, Manassas Regional Airport’s Rules & Regulations and Minimum Standards.

I hereby certify that the responses to the above representations, certifications, and other statements, including all attachments, are accurate and complete. If after I sign these forms, I learn of any information which makes any of the above representations, certifications or other statements inaccurate or incomplete, or reveals that any part of my previously submitted information is misleading, I will immediately bring it to the attention of the City Agent. I agree to abide by all conditions of this RFFP and certify that I am authorized to sign for the Offeror.

COMPANY NAME (Please Print)

TELEPHONE NUMBER

ADDRESS

FACSIMILE NUMBER

E-MAIL ADDRESS

SIGNATURE:

DATE

NAME: (Please Print)

TITLE