

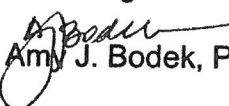


333 W. Ocean Blvd., 3rd Floor • Long Beach, CA 90802 • 562.570.6949 • lbcic.org

## M E M O R A N D U M

**DATE:** January 20, 2016

**TO:** Board of Directors  
The Long Beach Community Investment Company

**FROM:**   
Amy J. Bodek, President

**SUBJECT:** Authorization to Execute an Agreement to Negotiate Exclusively with Clifford Beers Housing, Inc. for the Development of 1836-1852 Locust Avenue (CD 6)

---

### RECOMMENDATION:

Authorize the President or designee to enter into an Agreement to Negotiate Exclusively with Clifford Beers Housing, Inc. for the development of the three parcels at 1836-1852 Locust Avenue.

### DISCUSSION

On April 9, 2015, the Long Beach Community Investment Company (LBCIC) solicited development proposals for the development site located at 1836-1852 Locust Avenue (Site) (Attachment A – Site Map). The LBCIC received seven proposals by the June 2, 2015 due date.

As required, staff strictly followed City Purchasing Division protocol for solicitation and selection of proposals. A selection committee (committee) was formed, comprised of four key Development Services Department staff members, to review and evaluate the proposals in accordance with the criteria detailed in the Request for Proposals (RFP) (Attachment B – RFP). The proposals were consistently evaluated based upon the following criteria:

- Scope of proposed development;
- Affordable housing development experience;
- Demonstrated experience in development/management of similar projects;
- Financial strength of Buyer/Developer and Development Team Members;
- Number of jobs created;
- Evidence of financial capability to develop the project;
- Demonstrated capability to plan and construct development projects in a timely fashion;
- Demonstrated capability to maintain real property and to adhere to applicable codes, ordinances, and covenants; and
- Inclusion of sustainability/green building elements.

The proposals were ranked by the committee and a short list of the most qualified development teams were invited to present their proposal and respond to questions. The

committee's aggregate scoring was used to identify Clifford Beers Housing, Inc. (CBH) as the developer that best met the selection criteria. While most of the other development organizations met the minimum qualifications, they were ranked lower than the selected firm due to various criteria including responses to interview questions, experience and/or references.

The proposal submitted by CBH envisions a total of 37 units affordable to extremely low and very-low income households earning between 30 percent and 60 percent of Area Median Income. Half of the units will be reserved for households with special needs who lack stable housing, and the remaining units will be designed for families. As currently proposed, the development would contain 15 studio, 6 one-bedroom, 10 two-bedroom and 6 three-bedroom units (Attachment C – Conceptual Site Plan). The development is also proposed to include an on-site resident manager, laundry facilities, a community room with a kitchen, an outdoor courtyard, and supportive service office space staffed by Mental Health America of Los Angeles (MHA). In addition to the on-site service office, the development would be within walking distance (less than half mile) from MHA's future Homeless Healthcare Center located at 1955-1965 Long Beach Boulevard, which will be completed before the proposed development.

Due to the strength of their proposal and the team's proven track record with successful projects, staff recommends that the LBCIC enter into a six-month Exclusive Negotiating Agreement (ENA) with CBH for the development of the Site. An ENA with CBH gives the LBCIC and developer time to work exclusively to determine whether the project is physically and financially feasible and meets the goals of the community. The President will have the ability to extend the term for two additional 90-day periods, if necessary.

**SUGGESTED ACTION:**

Approve Recommendation.

**Attachments:**

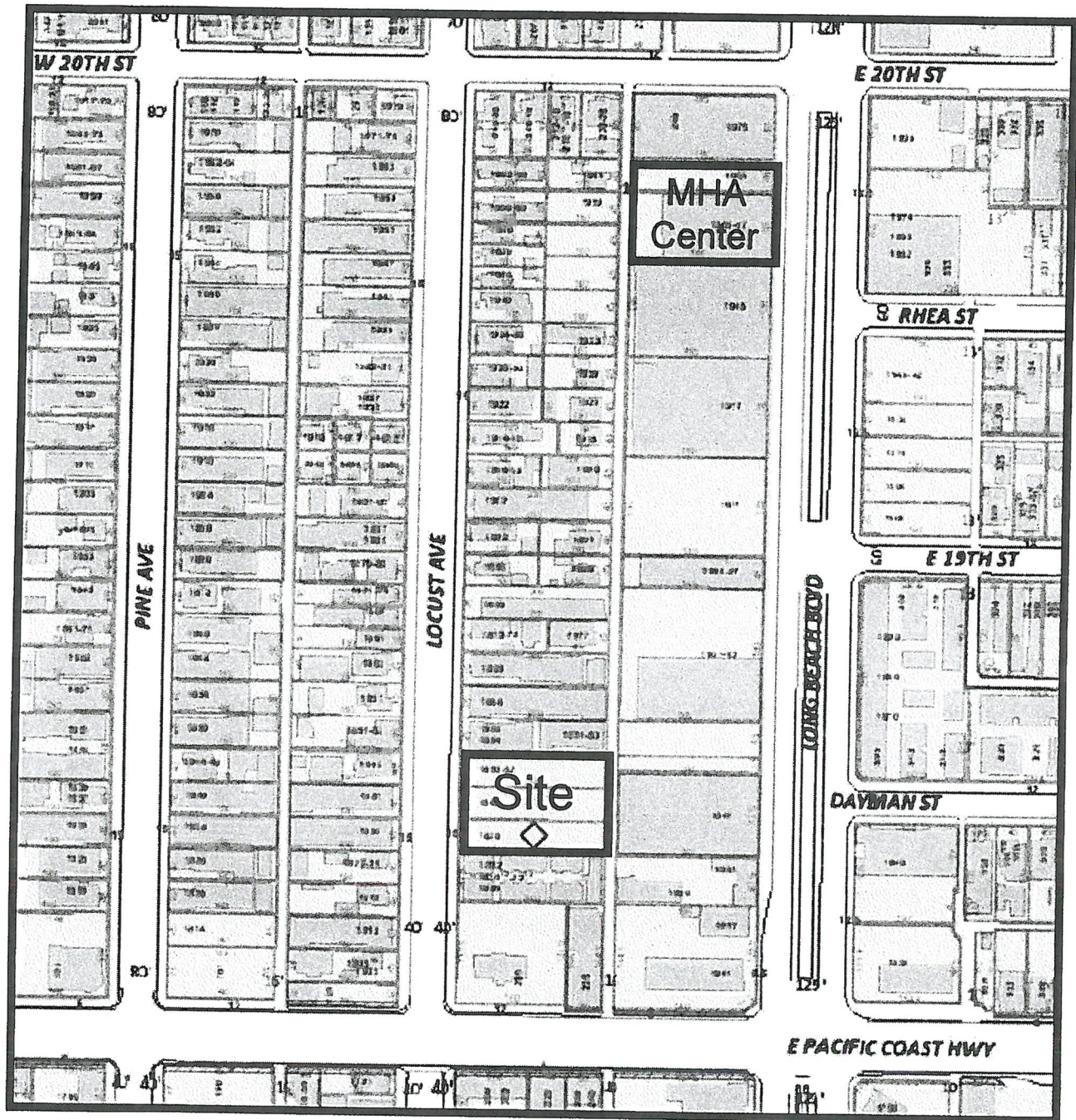
- A. Site Map
- B. RFP
- C. Conceptual Site Plan

AJB:PU:MS

R:\LBCIC\Staff Reports\2016\January\1832-1850 ENA.doc



1836-1852 Locust Avenue





City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

## Long Beach Community Investment Company Request For Proposals Number DV15-098

For

Development Opportunity at 1836-1852 Locust Avenue

Release Date:	04/09/2015
Buyer/Developer Questions Due:	05/05/2015
Due Date:	05/19/2015

City Contact:

Anne Takii

Buyer 562-570-6362

**See Section 4 for instructions on submitting proposals.**

Company Name \_\_\_\_\_ Contact Person \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone (\_\_\_\_) \_\_\_\_\_ Fax (\_\_\_\_) \_\_\_\_\_ Federal Tax ID No. \_\_\_\_\_

E-mail: \_\_\_\_\_

Prices contained in this proposal are subject to acceptance within 180 calendar days.

I have read, understand, and agree to all terms and conditions herein. Date \_\_\_\_\_

Signed \_\_\_\_\_

Print Name & Title \_\_\_\_\_

Rev 2015 0130





City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

**TABLE OF CONTENTS**

1.	OVERVIEW OF PROJECT .....	3
2.	ACRONYMS/DEFINITIONS.....	4
3.	SCOPE OF PROJECT .....	5
4.	SUBMITTAL INSTRUCTIONS.....	7
5.	PROPOSAL EVALUATION AND AWARD PROCESS .....	10
6.	PROTEST PROCEDURES .....	11
7.	SUBMISSION REQUIREMENTS.....	13
8.	WARRANTY/MAINTENANCE AND SERVICE .....	14
9.	COMPANY BACKGROUND AND REFERENCES.....	14
10.	COST .....	15
11.	BONDS .....	15
12.	ADDITIONAL REQUIREMENTS FROM FUNDING SOURCE .....	15
13.	TERMS, CONDITIONS AND EXCEPTIONS .....	15

**EXHIBIT 1 PROJECT SITE**

**ATTACHMENTS**

- A CERTIFICATION OF COMPLIANCE WITH TERMS AND CONDITIONS OF RFP**
- B PRO-FORMA AGREEMENT**
- C STATEMENT OF NON-COLLUSION**
- D DEBARMENT, SUSPENSION, INELIGIBILITY CERTIFICATION**
- E W-9 REQUEST FOR TAXPAYER IDENTIFICATION NUMBER AND CERTIFICATION**



City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

1. **OVERVIEW OF PROJECT**

The Long Beach Community Investment Company (LBCIC) is a California non-profit public benefit corporation established by the City of Long Beach (City). The LBCIC's mission includes the promotion of safe and livable neighborhoods by developing and preserving decent, safe and quality affordable housing for the lower-income residents of Long Beach. The LBCIC is governed by a Board of Directors comprised of 7 members appointed by the Mayor and confirmed by the City Council.

The LBCIC, through the City's Purchasing Department, is pleased to offer an opportunity to purchase and develop the properties at 1836-1852 Locust Avenue (Site). A site map is included as Exhibit 1. The Site represents an opportunity to develop affordable rental housing in a moderate density residential neighborhood abutting a commercial area. The purpose of this RFP is to solicit qualifications and proposals from qualified Buyer/Developers. Buyer/Developers must demonstrate superior experience, financial strength, and organizational resources to develop the Site with an architecturally significant affordable residential for-sale project appropriate to its urban setting.



City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

## 2. ACRONYMS/DEFINITIONS

For purposes of this RFP, the following acronyms/definitions will be used:

<b>Awarded Buyer/Developer</b>	The organization/individual that is awarded and has an approved contract with the City of Long Beach, California for the development identified in this RFP.
<b>City</b>	The City of Long Beach and any department or agency identified herein.
<b>Buyer/Developer</b>	Organization/individual submitting a proposal in response to this RFP.
<b>Development Team Member</b>	Any firm or firms contractually affiliated with the Buyer/Developer for purposes of this Project.
<b>Evaluation Committee</b>	An independent committee comprised solely of representatives of the City, or City advisors, established to review proposals submitted in response to the RFP, evaluate the proposals, and select a Buyer/Developer.
<b>LBCIC</b>	The Long Beach Community Investment Company.
<b>May</b>	Indicates something that is not mandatory but permissible.
<b>RFP</b>	Request for Proposals.
<b>Shall / Must</b>	Indicates a mandatory requirement. Failure to meet a mandatory requirement may result in the rejection of a proposal as non-responsive.
<b>Should</b>	Indicates something that is recommended but not mandatory. If the Buyer/Developer fails to provide recommended information, the City may, at its sole option, ask the Buyer/Developer to provide the information or evaluate the proposal without the information.





City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

### 3. SCOPE OF PROJECT

The Long Beach Community Investment Company currently owns property located at 1836-1852 Locust Avenue in the city of Long Beach (Site). The Site, is located in Central Long Beach, and includes three parcels totaling approximately 27,051 square feet. It is zoned PD-29 (Planned Development) with an R-4-R (Moderate-density Multiple Residential) overlay. An update to PD-29 as the Midtown Specific Plan is underway, and this Site has the potential to be located in one of three Transit Node Districts. The entire site, which was acquired with former redevelopment housing set-aside funds, and is near the Metro Blue Line, has been cleared and is ready for development. Planning and zoning information can be found on the City's website at <http://www.lbds.info/planning/default.asp>

Consistent with the mission of the LBCIC, the goal of this solicitation is to develop new neighborhood appropriate affordable rental housing. The selected proposal will include a multi-family mixed income affordable housing project with on-site resident services. The income targeting and rents must comply with the California Health and Safety Code, Division 24, as amended by SB 341, in addition to the requirements of other proposed funding sources. SB 341 requires that, with respect to the units assisted with former redevelopment funds, a minimum of 30% of the units must be restricted for occupancy by extremely low-income households earning 30% or less of the Area Median Income; a maximum of 20% of the units may be restricted for occupancy by low-income households earning between 60 and 80% of the Area Median Income; and, the remaining 50% of the units must be restricted for occupancy by very low- or extremely low-income households earning less than 50% of the Area Median Income. All affordable units must be restricted for a minimum of 55 years. Sustainable and energy efficient building standards are required, and the City's Green Building Policy must be followed.

### MINIMUM QUALIFICATIONS

The City will accept responses from entities or a combination of entities with a proven track record in the development and sale of quality for-sale affordable housing. Buyer/Developers may include but are not limited to, private corporations, for-profit developers, and non-profit developers. Development Team Members may include, but are not limited to, any legal, financial, construction and development entities formed for the Project. Buyer/Developers and Development Team Members must be clearly identified, and must provide a description of their legal and financial responsibilities as a part of the submittal package. Responses from entities that do not have a proven track record in the development and sale of quality affordable housing will be rejected.

The developer should have the following qualifications:

- Extensive experience developing high quality service enriched housing.
- Extensive experience with the operation and management of affordable housing.
- Experience working with diverse/multicultural businesses, business associations, community organizations and/or neighborhood groups in accomplishing projects.



City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

- Experience working with public agencies to implement projects.
- Experience working on projects that incorporate sustainable construction or operations, such as Leadership in Energy and Environmental Design (LEED) certification.

#### BUYER/DEVELOPER RESPONSIBILITIES

While the exact nature of Buyer/Developer responsibilities will be subject to further negotiation, the selected Buyer/Developer must accept the following obligations:

- Purchase the Site in an "as is" condition on terms negotiated between the LBCIC and the Buyer/Developer.
- Provide insurance as required by the City of Long Beach's Risk Manager.
- Identify project funding. Please be aware that due to the dissolution of the Long Beach Redevelopment Agency, and resulting limitation of funds, the LBCIC may have little to no funding available to assist the project. Therefore, respondents must be able to maximize project funding from other federal, state, and private sources.
- Negotiate and execute a Disposition and Development Agreement, or similar agreement, with the LBCIC.
- Comply with all City of Long Beach Development Services Department and California Environmental Quality Act requirements.
- Design, develop and sell a high-quality affordable rental housing project, in compliance with all applicable requirements.
- Comply with the City's Green Building Policy that mandates the inclusion of sustainability elements for private development. This information can be found at the following website: [http://www.lbds.info/planning/advance\\_planning/green\\_building/default.asp](http://www.lbds.info/planning/advance_planning/green_building/default.asp).
- Pay all development fees as determined by the City of Long Beach. Fee information can be found at this website: [http://www.longbeach.gov/plan/codes\\_n\\_fees/fee.asp](http://www.longbeach.gov/plan/codes_n_fees/fee.asp).
- Comply with the Long Beach Municipal Code Chapter 18.74 – Low Impact Development Standards.
- Construct necessary on-site improvements to the project, including, but not limited to new paving, fencing, screening, and landscaping as required by the City.
- Perform required off-site improvements, including but not limited to street trees, sidewalks and curbs.
- Comply with the City's Section 3 requirements and any applicable prevailing wage laws.



City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

#### 4. SUBMITTAL INSTRUCTIONS

##### 4.1 Rules of Contact

Unless specifically authorized elsewhere in this RFP, the City Contact is the City's only point of contact and source of information for this procurement.

The rules of contact set forth in this Section 4.1 shall apply during the Project procurement process. These rules are designed to promote a fair, unbiased, and legally defensible procurement process. Contact includes, but is not limited to, face-to-face, telephone, email, written communication, or any other type of communication.

The specific rules of contact are as follows:

No Buyer/Developer nor any of its Development Team Members may communicate with another Buyer/Developer or Buyer/Developer's Development Team Members with regard to this RFP or either team's Proposal. This prohibition does not apply to (1) Buyer/Developer communication with a Buyer/Developer or financing source that is on both its team and another Buyer/Developer's team, provided that the Buyer/Developer or financing source shall not act as a conduit of information between the two Buyer/Developers, and (2) public discussion regarding this RFP at City-sponsored informational meetings.

4.1.1 Unless otherwise specifically noted in this RFP or authorized by the City Contact, all Buyer/Developer communication with the City will be between the Buyer/Developer's Representative and the City Contact. All such communication that may be relied upon must be in writing (by mail or email).

4.1.2 Until the earliest of (1) execution and delivery of the Agreement, (2) the City's rejection of all Proposals, or (3) cancellation of the Project procurement, neither a Buyer/Developer nor its agents may have any communications regarding the Project with City officials; City Council members; City employees, staff, or consultants; members of the Evaluation Committee; or any other person who will evaluate Proposals, except for communications expressly permitted in this RFP. The foregoing restriction shall not, however, preclude or restrict communications regarding matters unrelated to the Project or participation in public meetings or any public or Buyer/Developer workshop related to the Project. The City may, in its sole discretion, disqualify any Buyer/Developer engaging in such prohibited communications.

4.1.3 Any contact by a Buyer/Developer or Development Team Members determined by the City to be improper may result in disqualification of the Buyer/Developer.

4.1.4 The City will disseminate written communications regarding the Project from the City on City letterhead. The City Contact will sign such communications.





City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

Alternatively, the City Contact may communicate via email originating from City's server.

4.1.5 The City will not be responsible for or bound by (1) any oral communication or (2) any other information or contact that occurs outside the official communication process specified herein, unless confirmed in writing by the City Contact.

4.2 For questions regarding this RFP, submit all inquiries via email to [rfppurchasing@longbeach.gov](mailto:rfppurchasing@longbeach.gov) by 4:00 p.m. on May 5, 2015. Responses to questions will be posted on the City's electronic bid notification system website no later than the date shown below. The website may be accessed from [www.longbeach.gov/purchasing](http://www.longbeach.gov/purchasing) by navigating to "Bids/RFPs". It is recommended that all proposers visit this website on a regular basis, as responses may be posted earlier than the date shown.

4.3 RFP Timeline (times indicated are Pacific Time)

<u>Task/Activity</u>	<u>Date/Time</u>
Mandatory pre-proposal meeting/site walk	Not Applicable
Deadline for submitting questions	May 5, 2015 by 4:00 p.m.
Answers to all questions submitted available	May 12, 2015 by 4:00 p.m.
Deadline for submission of proposals	May 19, 2015 by 11:00 a.m.
Evaluation period	May 19, 2015 – August 31, 2015
Selection of Buyer/Developer	On or about August 31, 2015

**NOTE: These dates represent a tentative schedule of events. The City reserves the right to modify these dates at any time, with appropriate notice to prospective Buyer/Developers.**

4.4 Buyer/Developers shall submit one (1) original proposal marked "ORIGINAL", four (4) identical copies marked "COPY1", "COPY2", and one (1) digital copy (CD, or flashdrive, etc.) as follows:

City of Long Beach  
c/o City Clerk – Attn: Anne Takii  
333 West. Ocean Boulevard, Plaza Level  
Long Beach, CA 90802



City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

Proposals shall be clearly labeled in a sealed envelope or box as follows:

Request for Proposal No.: RFP DV15-098  
Title: Development Opportunity at 1836-1852 Locust Avenue

- 4.5 Proposals must be received by 11:00 a.m. local time, May 19, 2015. Proposals that do not arrive by the specified date and time **WILL NOT BE ACCEPTED**. Buyer/Developers may submit their proposal any time prior to the above stated deadline. The City will not be held responsible for proposal envelopes mishandled as a result of the envelope not being properly prepared. Facsimile or telephone proposals will **NOT** be considered unless otherwise authorized; however, proposals may be modified by fax or written notice provided such notice is received prior to the opening of the proposals.
- 4.6 The proposal should be presented in a format that corresponds to and references sections outlined below and should be presented in the same order. Responses to each section and subsection should be labeled so as to indicate which item is being addressed. For ease of evaluation, proposals should be presented in the format described within this RFP.
- 4.7 Proposals are to be prepared in such a way as to provide a straightforward, concise delineation of capabilities to satisfy the requirements of this RFP. Expensive bindings, colored displays, promotional materials, etc., are not necessary or desired. Emphasis should be concentrated on conformance to the RFP instructions, responsiveness to the RFP requirements, and on completeness and clarity of content.
- 4.8 Descriptions on how any and all equipment and/or services will be used to meet the requirements of this RFP shall be given, in detail, along with any additional information documents that are appropriately marked.
- 4.9 The proposal must be signed by the individual(s) legally authorized to bind the Buyer/Developer.
- 4.10 If complete responses cannot be provided without referencing supporting documentation, such documentation must be provided with the proposal and specific references made to the tab, page, section and/or paragraph where the supplemental information can be found.
- 4.11 Proposals shall be submitted in two (2) distinct parts - the **narrative/technical proposal** and the **cost proposal**. **THE NARRATIVE/TECHNICAL PROPOSAL MUST NOT INCLUDE COST AND PRICING INFORMATION**. The narrative/technical proposal will be reviewed first and then the cost proposal. Therefore, each part should be **packaged separately, but submitted together**.



City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

## **5. PROPOSAL EVALUATION AND AWARD PROCESS**

A four-step process will be used to identify the most qualified and compatible Buyer/Developer. Staff will conduct an initial review of proposals for completeness. Proposals which do not meet the minimum requirements will be rejected. Proposals which meet the minimum requirements will be evaluated by a selection committee established specifically for review of this RFP. The proposals will be ranked by the selection committee, and a short list of the most qualified development teams will be invited to present their proposal in person before the selection committee. The successful Buyer/Developer will be recommended for selection to the LBCIC Board of Directors, who will consider approval of the successful proposal.

### **5.1 Proposals shall be consistently evaluated based upon the following criteria:**

- 5.1.1 Scope of proposed development;
- 5.1.2 Affordable housing development experience;
- 5.1.3 Demonstrated experience in development/management of similar projects;
- 5.1.4 Financial strength of Buyer/Developer and Development Team Members;
- 5.1.5 Number of jobs created;
- 5.1.6 Evidence of financial capability to develop the project;
- 5.1.7 Demonstrated capability to plan and construct development projects in a timely fashion;
- 5.1.8 Demonstrated capability to maintain real property and to adhere to applicable codes, ordinances, and covenants; and
- 5.1.9 Inclusion of sustainability/green building elements.

### **5.2 Proposals shall be kept confidential until a contract is awarded.**

### **5.3 The City may also contact the references provided in response to Section 7.6; contact any Buyer/Developer to clarify any response; contact any current users of a Buyer/Developer's services; solicit information from any available source concerning any aspect of a proposal; and seek and review any other information deemed pertinent to the evaluation process. The City shall not be obligated to accept the lowest priced proposal, but shall make an award in the best interests of the City of Long Beach.**

### **5.4 The City reserves the right to request clarification of any proposal term from prospective Buyer/Developers.**

### **5.5 Selected Buyer/Developer(s) will be notified in writing. Any award is contingent upon the successful negotiation of final contract terms. Negotiations shall be confidential and not subject to disclosure to competing Buyer/Developers unless and until an agreement is reached. If contract negotiations cannot be concluded successfully, the City reserves the right to negotiate a contract with another Buyer/Developer or withdraw the RFP.**

### **5.6 Any contract resulting from this RFP shall not be effective unless and until approved by the LBCIC Board / City Council / City Manager, as applicable.**





City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

## **6. PROTEST PROCEDURES**

### **6.1 Who May Protest**

Only a Buyer/Developer who has actually submitted a proposal is eligible to protest a contract awarded through a Request for Proposals ("RFP"). A Buyer/Developer may not rely on the protest submitted by another Buyer/Developer but must pursue its own protest.

### **6.2 Time for Protest**

The City will post a notice of the intent to award a contract at least ten (10) business days before an award is made. The notice will be available to all Buyer/Developers who submitted a proposal via the City's electronic bid notification system at [www.longbeach.gov/purchasing](http://www.longbeach.gov/purchasing). A Buyer/Developer desiring to submit a protest for a proposal must do so within five (5) business days of the electronic notification of intent to award. The City Purchasing Agent must receive the protest by the close of business on the fifth (5<sup>th</sup>) business day following posting of notification of intent to award the contract. Buyer/Developers are responsible for registering with the City's electronic bid notification system and maintaining an updated Buyer/Developer profile. The City is not responsible for Buyer/Developers' failure to obtain notification for any reason, including but not limited to failure to maintain updated email addresses, failure to open/read electronic messages and failure of their own computer/technology equipment. The City's RFP justification memo will be available for review by protestors once the notification of intent to award has been posted via the City's electronic bid notification system.

### **6.3 Form of Protest**

The protest must be in writing and signed by the individual who signed the proposal or, if the Buyer/Developer is a corporation, by an officer of the corporation, and addressed to the City Purchasing Agent. Protests may be submitted via US Mail, hand delivery or email, must be received within the timeframe stated above, and must include a valid email address, street address and phone number sufficient to ensure that the City's decision concerning the protest will be received. Protests must set forth a complete and detailed statement of the grounds for the protest and include all relevant information to support the grounds stated, and must refer to specific portions of the RFP and attachments upon which the protest is based. Once the protest is received by the City Purchasing Agent, the City will not accept additional information on the protest unless the City requests it.



City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

#### 6.4 City Response to Protest

The City Purchasing Agent or designee will respond with a decision regarding the protest within two (2) business days of receipt of protest by email or US Mail to the address provided in the protest. This decision shall be final.

#### 6.5 Limitation of Remedy

The procedure and time limits set forth herein are mandatory and are the Buyer/Developer's sole and exclusive remedy in the event of a protest. The Buyer/Developer's failure to comply with these procedures shall constitute a waiver of any right to further pursue a protest, including filing a Government Code Claim or initiation of legal proceedings.



City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

## **7. SUBMISSION REQUIREMENTS**

- 7.1 Organization - Identify the Buyer/Developer and provide a brief description of the firm, including the following information:
  - 7.1.1 Number of years in business.
  - 7.1.2 Organizational structure (corporation, partnership, etc.). Indicate any relationship the Buyer/Developer may have with a parent corporation, subsidiaries, joint ventures, or other entities.
  - 7.1.3 Identify the Development Team Members and include a resume of key staff members who will be working on the proposed project.
  - 7.1.4 Identify experience with social service programs/provider.
  - 7.1.5 Identify property management experience.
  - 7.1.6 Identify development project experience similar to what is required through this solicitation.
- 7.2 Ownership Interest - If the Buyer/Developer or any team member has any ownership interest in real property near the development Site, the proposal should disclose the nature of the interest(s) and how they will enhance the proposed project.
- 7.3 Development Proposal – The proposal should include a narrative section in addition to the requested preliminary/conceptual site plan. The following items need to be specifically addressed:
  - 7.3.1 Clearly identify and substantiate the land purchase price being offered to the LBCIC for the Site. Describe in narrative form, in no more than two pages, the development concept for the use of the Site, including resident services.
  - 7.3.2 Describe how the project will enhance the neighborhood and how parking will be accommodated.
  - 7.3.3 Include a black and white site plan showing land uses, square footage, building location, landscaping, curb cuts, appropriate setbacks, screening and dimensions. A color elevation showing the entire Locust Avenue frontage of the Site is required.
  - 7.3.4 Indicate preliminary parking count and placement compared with the City's parking requirements.
  - 7.3.5 Identify any sustainable building design features proposed, including any considered innovative.
  - 7.3.6 Indicate the total number of temporary and permanent jobs that will be created by the proposed development.
- 7.4 Project Financing – the response to this RFP shall include the following information with respect to the Buyer/Developer and member of the team:
  - 7.4.1 The proposal shall include the land purchase price offer, and a detailed description of the proposed financing structure for the project. Include





City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

source(s) of equity, and construction and permanent sources of financing. Please be aware that due to the dissolution of the Redevelopment Agency, and resulting limitation of funds, the LBCIC may not have funding available for the project.

7.4.2 Please provide a detailed project pro forma. The pro forma must include all development costs, operating costs, proposed funding sources, and a minimum 30-year cash flow. The pro forma shall also include the LBCIC's annual monitoring fee of \$125 per unit included in the project's operating budget.

7.4.3 Buyer/Developer financial statements for the last three consecutive years.

7.5 Experience – Please provide descriptions for all relevant recent projects completed by the Buyer/Developer that are representative of the type of project being proposed (minimum of three examples MUST be provided). For each project, please include:

7.5.1 Project name, location and date completed.

7.5.2 Project size (number of units, and amenities).

7.5.3 Project financing. Client and/or public agency contact information.

7.5.4 Three-dimensional design rendering of final project design, if available (in color).

7.6 References – Please provide references, including telephone numbers, for individuals who can provide information related to the following items:

7.6.1 Financial capacity - identify at least two contacts that have provided the Buyer/Developer with financing of the magnitude required for the proposed project.

7.6.2 General – identify individuals involved in transactions recently completed by the Buyer/Developer. It would be particularly useful to be provided with governmental contacts that have undertaken transactions with the team.

## 8. **WARRANTY/MAINTENANCE AND SERVICE**

Not Applicable.

## 9. **COMPANY BACKGROUND AND REFERENCES**

Please refer to Section 7.



City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

**10. COST**

Please refer to Section 7.

**11. BONDS**

Not Applicable.

**12. ADDITIONAL REQUIREMENTS FROM FUNDING SOURCE**

Not Applicable.

**13. TERMS, CONDITIONS AND EXCEPTIONS**

- 13.1 The City reserves the right to alter, amend, or modify any provisions of this RFP, or to withdraw this RFP without any compensation to Buyer/Developer, at any time prior to the award of a contract pursuant hereto, if it is in the best interest of the City to do so.
- 13.2 The City reserves the right to waive informalities and minor irregularities in proposals received.
- 13.3 The City reserves the right to reject any or all proposals received prior to contract award.
- 13.4 The City shall not be obligated to accept the lowest priced proposal, but will make an award in the best interests of the City of Long Beach after all factors have been evaluated.
- 13.5 Any irregularities or lack of clarity in the RFP should be brought to the Purchasing Division designee's attention as soon as possible so that corrective addenda may be furnished to prospective Buyer/Developers.
- 13.6 Proposals must include any and all proposed terms and conditions, including, without limitation, written warranties, maintenance/service agreements, license agreements, lease purchase agreements and the Buyer/Developer's standard contract language. The omission of these documents may render a proposal non-responsive.
- 13.7 Alterations, modifications or variations to a proposal may not be considered unless authorized by the RFP or by addendum or amendment.
- 13.8 Proposals which appear unrealistic in the terms of technical commitments, lack of technical competence, or are indicative of failure to comprehend the complexity and risk of this contract, may be rejected.



City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

- 13.9 Proposals may be withdrawn by written or facsimile notice received prior to the proposal opening time.
- 13.10 The price and amount of this proposal must have been arrived at independently and without consultation, communication, agreement or disclosure with or to any other Buyer/Developer, or prospective Buyer/Developer.
- 13.11 No attempt may be made at any time to induce any firm or person to refrain from submitting a proposal or to submit any intentionally high or noncompetitive proposal. All proposals must be made in good faith and without collusion.
- 13.12 Prices offered by Buyer/Developers in their proposals are an irrevocable offer for the term of the contract and any contract extensions.
- 13.13 The City is not liable for any costs incurred by Buyer/Developers prior to entering into a formal contract. Costs of developing the proposals or any other such expenses incurred by the Buyer/Developer in responding to the RFP, are entirely the responsibility of the Buyer/Developer, and shall not be reimbursed in any manner by the City.
- 13.14 Proposal will become public record after the award of a contract unless the proposal or specific parts of the proposal can be shown to be exempt by law. Each Buyer/Developer may clearly label all or part of a proposal as "CONFIDENTIAL" provided that the Buyer/Developer thereby agrees to indemnify and defend the City for honoring such a designation. The failure to so label any information that is released by the City shall constitute a complete waiver of any and all claims for damages caused by any release of the information.
- 13.15 A proposal submitted in response to this RFP must identify any Development Team Member, and outline the contractual relationship between the awarded Buyer/Developer and each Development Team Member. An official of each proposed Development Team Member must sign, and include as part of the proposal submitted in response to this RFP, a statement to the effect that the Development Team Member has read and will agree to abide by the awarded Buyer/Developer's obligations.
- 13.16 The awarded Buyer/Developer will be the sole point of contract responsibility. The City will look solely to the awarded Buyer/Developer for the performance of all contractual obligations which may result from an award based on this RFP, and the awarded Buyer/Developer shall not be relieved for the non-performance of any or all Development Team Members.
- 13.17 The awarded Buyer/Developer must maintain, for the duration of its contract, insurance coverages as required by the City. Work on the contract shall not begin until after the awarded Buyer/Developer has submitted acceptable evidence of the required insurance coverages.



City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

- 13.18 Each Buyer/Developer must disclose any existing or potential conflict of interest relative to the performance of the contractual services resulting from this RFP. Any such relationship that might be perceived or represented as a conflict should be disclosed. The City reserves the right to disqualify any Buyer/Developer on the grounds of actual or apparent conflict of interest.
- 13.19 Each Buyer/Developer must include in its proposal a complete disclosure of any alleged significant prior or ongoing contract failures, any civil or criminal litigation or investigation pending which involves the Buyer/Developer or in which the Buyer/Developer has been judged guilty or liable. Failure to comply with the terms of this provision will disqualify any proposal. The City reserves the right to reject any proposal based upon the Buyer/Developer's prior history with the City or with any other party, which documents, without limitation, unsatisfactory performance, adversarial or contentious demeanor, significant failure(s) to meet contract milestones or other contractual failures.
- 13.20 The City will not be liable for Federal, State, or Local excise taxes.
- 13.21 Execution of Attachment A of this RFP shall constitute an agreement to all terms and conditions specified in the RFP.
- 13.22 The City reserves the right to negotiate final contract terms with any Buyer/Developer selected. The contract between the parties will consist of the RFP together with any modifications thereto, and the awarded Buyer/Developer's proposal, together with any modifications and clarifications thereto that are submitted at the request of the City during the evaluation and negotiation process. In the event of any conflict or contradiction between or among these documents, the documents shall control in the following order of precedence: the final executed contract; the RFP; any modifications and clarifications to the awarded Buyer/Developer's proposal; and the awarded Buyer/Developer's proposal. Specific exceptions to this general rule may be noted in the final executed contract.
- 13.23 Buyer/Developer understands and acknowledges that the representations above are material and important, and will be relied on by the City in evaluation of the proposal. Any Buyer/Developer misrepresentation shall be treated as fraudulent concealment from the City of the true facts relating to the proposal.
- 13.24 No announcement concerning the award of a contract as a result of this RFP may be made without the prior written approval of the City.
- 13.25 If applicable, all work performed in connection with construction shall be performed in compliance with all applicable laws, ordinances, rules and regulations of federal, state, county or municipal governments or agencies (including, without limitation, all applicable federal and state labor standards, including the prevailing wage provisions of sections 1770 *et seq.* of the California Labor Code), and (b) all directions, rules and



City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

regulations of any fire marshal, health officer, building inspector, or other officer of every governmental agency now having or hereafter acquiring jurisdiction. The Buyer/Developer shall indemnify, defend and hold the City harmless from any and all claims, causes of action and liabilities based upon or arising from the failure of any work related to the Project to comply with all such applicable legal requirements, including, without limitation, any such claims, causes of action or liabilities that may be asserted against or incurred by City with respect to or in any way arising from the Project's compliance with or failure to comply with applicable laws, including all applicable federal and state labor requirements including, without limitation, the requirements of California Labor Code section 1770 *et seq.*

Buyer/Developer agrees that all public work (as defined in California Labor Code section 1720) performed pursuant to this Agreement (the "Public Work"), if any, shall comply with the requirements of California Labor Code sections 1770 *et seq.* City makes no representation or statement that the project or any portion thereof, is or is not a "public work" as defined in California Labor Code section 1720.

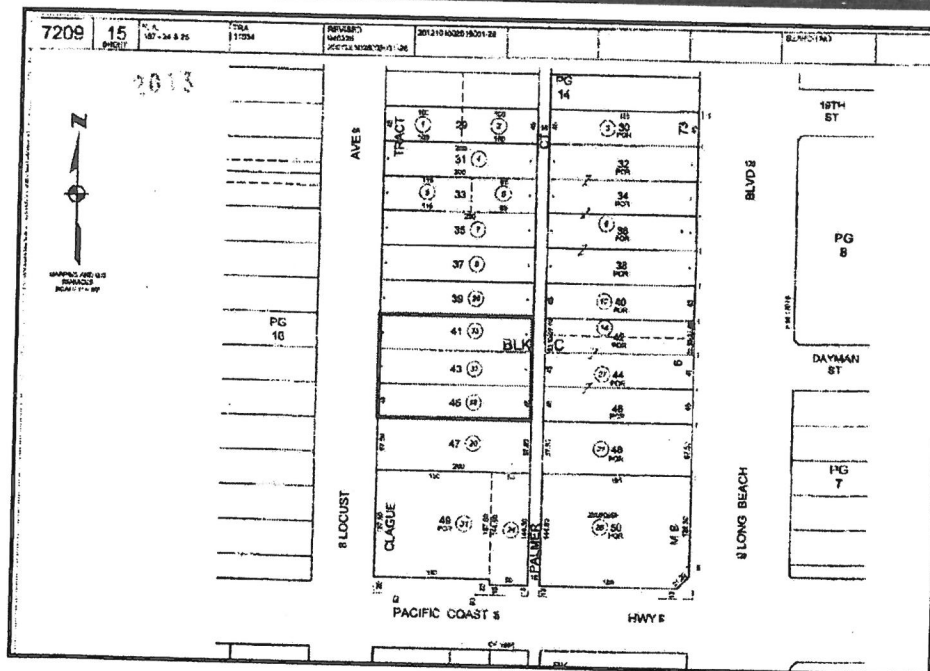
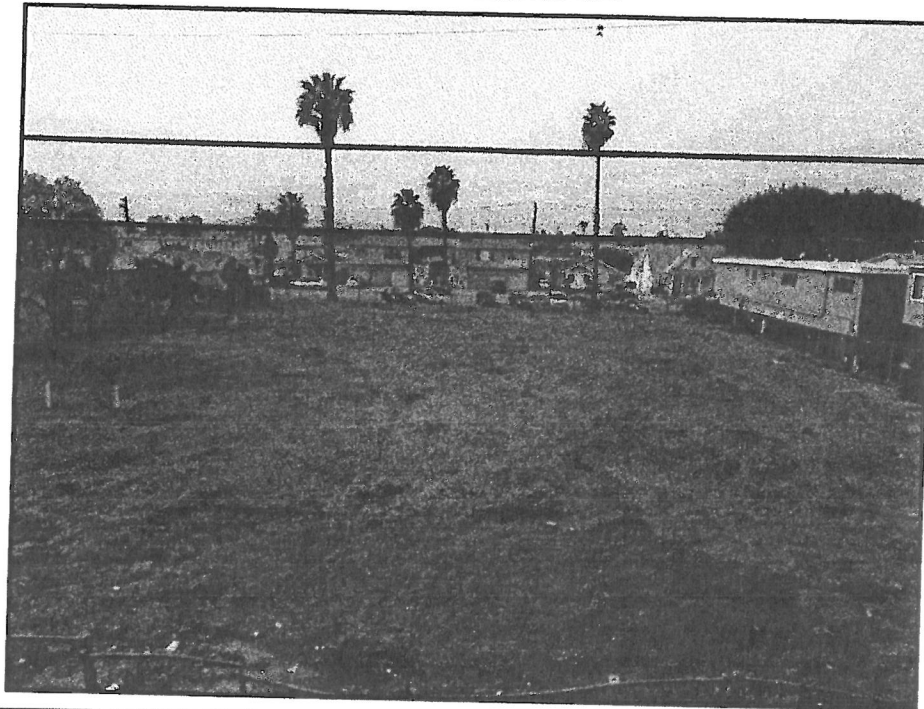
In all bid specifications, contracts and subcontracts for any such Public Work, Buyer/Developer shall obtain the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work in this locality for each craft, classification or type of worker needed to perform the Public Work, and shall include such rates in the bid specifications, contract or subcontract. Such bid specifications, contract or subcontract must contain the following provision: "It shall be mandatory for the Buyer/Developer to pay not less than the said prevailing rate of wages to all workers employed by the Buyer/Developer in the execution of this contract. The Buyer/Developer expressly agrees to comply with the penalty provisions of California Labor Code section 1775 and the payroll record keeping requirements of California Labor Code section 1771."

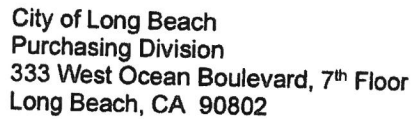




The Long Beach  
**COMMUNITY**  
INVESTMENT Company

## PROJECT SITE





The Long Beach  
**COMMUNITY**  
INVESTMENT Company

## CERTIFICATION OF COMPLIANCE WITH TERMS AND CONDITIONS OF RFP

I have read, understand and agree to comply with the terms and conditions specified in this Request for Proposal. Any exceptions **MUST** be documented.

YES \_\_\_\_\_ NO \_\_\_\_\_ SIGNATURE \_\_\_\_\_

EXCEPTIONS: Attach additional sheets if necessary. Please use this format.

[illegible]



City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

## Attachment B

Not Applicable for this solicitation.



City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

## Attachment C

### Statement of Non-collusion

The proposal is submitted as a firm and fixed request valid and open for 180 days from the submission deadline.

This proposal is genuine, and not sham or collusive, nor made in the interest or in behalf of any person not herein named; the proposer has not directly or indirectly induced or solicited any other proposer to put in a sham proposal and the proposer has not in any manner sought by collusion to secure for himself or herself an advantage over any other proposer.

In addition, this organization and its members are not now and will not in the future be engaged in any activity resulting in a conflict of interest, real or apparent, in the selection, award, or administration of a subcontract.

\_\_\_\_\_  
Authorized signature and date

\_\_\_\_\_  
Print Name & Title



City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

## Attachment D

Not Applicable for this solicitation.





City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

## **Attachment E**

### **W-9 Request for Taxpayer Identification Number and Certification**

[Form must be signed and dated]

Form-Fillable PDF available at <http://www.irs.gov/pub/irs-pdf/fw9.pdf>



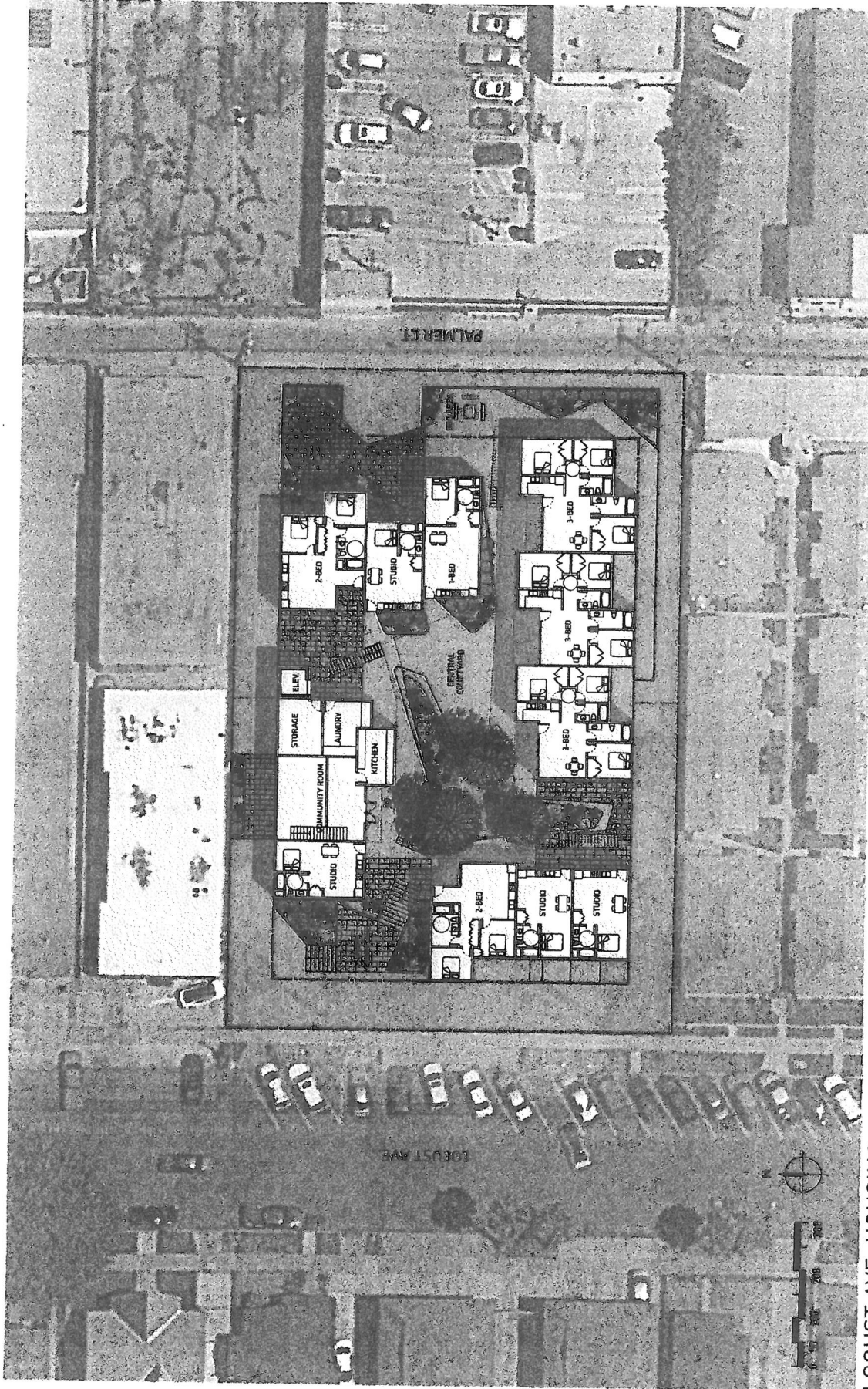
City of Long Beach  
Purchasing Division  
333 West Ocean Boulevard, 7<sup>th</sup> Floor  
Long Beach, CA 90802

The Long Beach  
**COMMUNITY**  
INVESTMENT Company

<b>Form W-9</b> (Rev. December 2014) Department of the Treasury Internal Revenue Service	<b>Request for Taxpayer Identification Number and Certification</b>	<b>Give Form to the requester. Do not send to the IRS.</b>
<b>Print or type</b> See specific instructions on page 2.	<b>1</b> Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	<b>2</b> Business name/disregarded entity name, if different from above	
	<b>3</b> Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ Notes. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see instructions) ▶	
	<b>4</b> Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) Exemption from FATCA reporting code (if any) <small>(Apply to accounts maintained outside the U.S.)</small>	
	<b>5</b> Address (number, street, and apt. or suite no.)	
	<b>6</b> City, state, and ZIP code	
	<b>7</b> Last account number(s) here (optional)	
<b>Part I Taxpayer Identification Number (TIN)</b> Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> on page 3. Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.		
<b>Part II Certification</b> Under penalties of perjury, I certify that: 1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and 2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and 3. I am a U.S. citizen or other U.S. person (defined below); and 4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct. Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.		
<b>Sign Here</b>	<b>Signature of U.S. person ▶</b>	<b>Date ▶</b>
<b>General Instructions</b> Section references are to the Internal Revenue Code unless otherwise noted. Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at <a href="http://www.irs.gov/w9">www.irs.gov/w9</a> . <b>Purpose of Form</b> An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following: • Form 1099-DIV (dividends, including those from stocks or mutual funds) • Form 1099-MISC (various types of income, prizes, awards, or gross proceeds) • Form 1099-B (stock or mutual fund sales and certain other transactions by brokers) • Form 1099-S (proceeds from real estate transactions) • Form 1099-K (merchant card and third party network transactions) • Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition) • Form 1099-C (canceled debt) • Form 1099-A (acquisition or abandonment of secured property) Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN. If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See <i>What is backup withholding?</i> on page 2. By signing the filled-out form, you: 1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued). 2. Certify that you are not subject to backup withholding, or 3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and 4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See <i>What is FATCA reporting?</i> on page 2 for further information.		

Cat. No. 10231X

Form W-9 (Rev. 12-2014)



LOCUST AVE. HOUSING  
SITEPLAN  
MAY 14 2015