



**CITY OF SAN DIEGO
REAL ESTATE ASSETS DEPARTMENT
1200 Third Avenue, Suite 1700
San Diego, CA 92101-4195

REQUEST FOR PROPOSALS
COVER SHEET**

Solicitation Type: Ground Lease, Development and Operation of Various City-owned properties for Permanent Supportive Housing and Supportive Services

Solicitation Number: RFP No. PSH021320

Solicitation Issue Date: February 13, 2020

Recommended Site Inspection: Site inspections will be held for the two improved properties:
March 4, 2020 at 10 a.m. at the Former Mission Hills Library, 925 W. Washington., San Diego, CA 92103 and then immediately following at the Former Serra Mesa Library, 3440 Sandrocks Road, San Diego, CA 92123

Contact the City Contact prior to the scheduled inspection time, if you are planning to attend.

Questions and Comments Due: **March 12, 2020** at 5:00 p.m. P.S.T.

City Contact: Mary Carlson, Program Manager
Email: mmcarlson@sandiego.gov

Proposal Due Date and Time ("Closing Date"): **April 20, 2020** at 5:00 p.m. P.S.T.

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Duration of Offer: By submitting a proposal, the proposer guarantees that the offer is firm for ninety (90) calendar days commencing on the day following the Closing Date. Proposer agrees to accept a resulting contract on the terms and conditions stated in this RFP and the proposer's submitted proposal. If a proposal selection is not made during that period for the property to which the proposer's proposal applies, proposer's offer shall automatically extend for another ninety (90) calendar days, unless the proposer states otherwise to the City Contact in writing at least thirty (30) calendar days prior to the end of the first ninety (90) calendar day period.

Proposer _____
Street Address _____
City _____
Telephone No _____
E-Mail _____

PROPOSER'S AUTHORIZED REPRESENTATIVE. Proposer is required to sign this document and submit three (3) originals and five (5) copies of its proposal in sealed envelopes or cartons to the City Contact. Proposer shall also submit an electronic copy of its proposal. Proposer agrees to furnish and deliver all goods and/or provide all services set forth in its submitted proposal on the terms and conditions specified in this RFP. An original signature below is required. If a proposal is being submitted by more than one entity/individual, each entity/individual must sign and submit this page separately along with the proposal. By signing below, the signer declares under penalty of perjury that she/he is authorized to submit and sign this proposal.

Signature of Proposer's Authorized Representative

Print Name

Title

Signature

Date

- A. **OBJECTIVE.** The City of San Diego (“**City**”) requests proposals from qualified organizations or individuals (each, a “**Proposer**” and, collectively “**Proposers**”) to ground lease, develop, and operate various City-owned properties (each, a “**Property**” and collectively “**Properties**”) for Permanent Supportive Housing (defined below). The Proposer whose proposal is approved by the Council of the City of San Diego (“**City Council**”) for each particular Property is referred to in this RFP as a “**Selected Proposer**.”
- B. **DEFINITIONS.** In addition to words, terms or phrases defined elsewhere in this RFP, the following words, terms or phrases are defined for use in this RFP:

“**Area Median Income**” means the then current area median income for the County of San Diego, California, Metropolitan Statistical Area, as determined and published by the California Department of Housing and Community Development (“**HCD**”) in the California Code of Regulations or if no longer determined by HCD, then as established and amended from time to time pursuant to Section 8 of the United States Housing Act of 1937.

“**Permanent Supportive Housing**” means long-term, community-based housing occupied by the Target Population that is linked to onsite or offsite supportive services addressing the special needs of the Target Population. This type of supportive housing enables special needs populations to live as independently as possible in a permanent setting. The supportive services may be provided by the organization managing the housing or coordinated by the organization managing the housing and provided by other public or private service agencies. Permanent housing can be provided in one structure or several structures at one site. There is no definite length of stay.

“**Project**” means the development of new improvements or rehabilitation of existing improvements on a Property and the subsequent operation of such completed improvements as Permanent Supportive Housing.

“**Services**” means supportive services addressing the special needs of the Target Population, including such activities as: (a) establishing and operating a child care services program for homeless families; (b) establishing and operating an employment assistance program; (c) providing outpatient health services, food, and case management; (d) providing assistance in obtaining permanent housing, employment counseling, and nutritional counseling; (e) providing security arrangements necessary for the protection of tenants of supportive housing and for homeless persons using the housing or project; and (f) providing assistance in obtaining other federal, state, and local assistance available for such tenants (including mental health benefits, employment counseling, and medical assistance).

“**Target Population**” means persons who are “chronically homeless,” as defined in Title 24 Code of Federal Regulations section 91.5, and have a household income equal to or less than sixty percent (60%) of the then current Area Median Income adjusted for family size.

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- C. **PROPERTIES.** Proposers may submit a separate proposal for one or more of the following listed properties:

No	SITE CODE	LOCATION	COMMUNITY PLAN NAME	ACRES	Eligible Participants
1	T516PM	BIRCH ST WLY OSBORN ST APN 550-740-10 and APN 550-740-11	SOUTHEASTERN SAN DIEGO	0.174	Target Population
2	S530PM	K ST NWLY SD/AZ RR R/W APN 545-333-1500	SOUTHEASTERN SAN DIEGO	0.55	Target Population
3	Q402LB	Former MISSION HILLS LIBRARY 925 W. WASHINGTON ST APN 444-611-01, 02 and 03	UPTOWN	0.19	Target Population
4	O501LB	Former SERRA MESA LIBRARY 3440 SANDROCK RD APN 421-205-07	SERRA MESA	0.336	Target Population
5	I514PM	MIRAMAR RCH PARK & RIDE I -15 ELY OF NLY SCRIPPS POWAY PKWY 12016 SCRIPPS HIGHLANDS DR APN 315-610-05	MIRAMAR RANCH NORTH	1.142	Target Population

- D. **LEASE DISPOSITION AGREEMENT AND LEASE.** The City anticipates entering into a “Permanent Supportive Housing Ground Lease Disposition Agreement” (“**Lease Disposition Agreement**”) with each Selected Proposer through which the City will convey a ground lease (“**Lease**”) to each Selected Proposer, upon satisfaction of certain conditions precedent. The Lease Disposition Agreement will include a license agreement authorizing and requiring each Selected Proposer to maintain and secure the Property for which its proposal was selected, including indemnifying and defending the City for claims relating to the Property, while the Selected Proposer is pursuing design and development permit approval for its proposed Project.

The City expects that the following obligations and commitments will be included in the Lease Disposition Agreement and/or the Lease for each Property, among other terms and conditions:

1. **Term.** A lease term not exceeding sixty-five (65) years is anticipated. Each Proposer should propose a lease term for its Project.
2. **Project Planning and Design.** Each Selected Proposer shall be responsible for all aspects of its Project, including pre-development planning, environmental review, and design.
3. **Permits and Approvals.** Each Selected Proposer shall be responsible for obtaining all land use entitlements and other government approvals required for construction and operation of its proposed Project.
4. **Construction.** Each Selected Proposer shall be responsible for demolition, if applicable, monitoring and maintaining the bracing and protection of adjacent properties/improvements, if applicable, utilities, construction and commissioning of its Project.
5. **Financing.** Each Selected Proposer shall be responsible for obtaining financing for construction and operation of its Project, whether debt financing, equity, tax credits or a combination of these or other financing methods. If debt financing is used, no financial risk or credit risk shall be imposed upon the City or City’s fee interest in the particular Property.
6. **Lifecycle Maintenance.** Each Selected Proposer shall be responsible throughout the term of its Lease for maintenance of the Project, including capital refurbishment and

replacement, as well as daily and regular management, maintenance, repair, replacement and restoration of all improvements and associated infrastructure and equipment on the Property, to sustain the Project at the level of operation and occupancy required in its Lease. Each Selected Proposer shall be responsible for providing other services to be agreed upon in its Lease, such as grounds maintenance, trash removal, and parking.

7. Reserve Accounts. Each Selected Proposer shall be responsible for maintaining operating reserve and capital replacement reserve accounts to be utilized for the benefit of its Project. The minimum capital replacement reserve will be based on 5-year capital needs assessments to be prepared by the Proposer/owner for City review and approval starting in the sixth year of operation of its Project. The minimum operating reserve will be equal to three months of estimated operating expenses and debt service for the Project under stabilized occupancy. An equal verified capital replacement reserve or operating reserve required by certain debt or equity sources for the Project may be substituted for the capital replacement reserve or operating reserve requirement, respectively, with City approval, in the City's sole and absolute discretion. Each Selected Proposer shall demonstrate the initial and subsequent funding of the capital replacement and operating reserves in its Project budget and pro formas.
8. Transfer and Development Costs. Each Selected Proposer shall be solely responsible for construction of all improvements, including, but not limited to, all on-site or off-site improvements such as streets, underground utilities, street lighting, curbs, gutters, street trees, and sidewalks. Each Selected Proposer shall be solely responsible for the cost of all impact fees assessed by any agency or government body, title insurance premiums, escrow costs, transfer taxes, parcel or subdivision map expenses, and any other transfer or development costs.
9. Insurance. Each Selected Proposer shall obtain insurance coverage required by the City, in the City's sole and absolute discretion.
10. Taxes and Fees. Each Selected Proposer shall be responsible for paying all taxes and fees regarding its Project, including all possessory interest taxes.
11. Indemnification. Each Selected Proposer shall defend, indemnify, and hold harmless the City from all liabilities associated with the use, occupancy, development and/or operation of such Selected Proposer's Project and the particular Property.
12. Supportive Services. Each Selected Proposer shall provide Services or partner with one or more service providers to make Services available with the costs of such Services supported by the cash flow generated by the Project and a Services reserve account funded and maintained by the Selected Proposer (these costs and reserve account should be reflected in the Project budget and pro forma as separate line items). Also, onsite supervision of each Project will be required at all times.
13. Income Certifications. Annual income certifications will be required to be obtained from all Project residents substantiating that all Project residents are part of the Target Population. These annual income certifications shall annually be delivered to the City throughout the Lease term.
14. Government and Community Relations. Each Selected Proposer shall ensure appropriate outreach and engagement with the neighborhood where the Project will be located, as well as with local government officials and agencies, regarding the Selected Proposer's Project.

15. Prevailing Wage. As applicable, all construction or renovation work will be subject to compliance with California prevailing wage law and San Diego Municipal Code section 22.3019.
16. Prohibited Residency Criteria. Eligibility for initial occupancy or continued occupancy of a Project shall not be conditioned on sobriety and/or commitment to be drug-free, requirements to take medication if the tenant has a mental illness, participation in religious services or activities, or participation in drug treatment services (including NA/AA).

E. **PROPOSAL CONTENTS**. All proposals must contain, at a minimum, the information specified below in this Section E. Failure to include all required information in a proposal shall be cause for the City to determine that the proposal is non-responsive and reject the proposal. The inclusion of any additional information in a proposal that will assist the City in evaluating the proposal is encouraged. The adequacy, depth, and clarity of the proposal will influence, to a considerable degree, its evaluation. Each proposal submitted must be complete. Evaluation and selection of proposals will be strictly based on the material contained in the proposals alone. Proposers are advised to submit thorough, complete proposals, since the City intends to select successful proposals based solely on the information contained in submitted proposals. Each proposal **MUST** include the following items:

1. Cover Sheet. Proposer shall submit with its proposal the signed Request for Proposal (RFP) Cover Sheet (“**Cover Sheet**”).
2. Development Vision. A detailed description of the Proposer’s vision for development and operation of the Property, consistent with applicable zoning, and the City’s objectives for development and operation of the Property as Permanent Supportive Housing serving the Target Population, including, at a minimum, all the following:
 - a. A high-level summary of the proposed development.
 - b. Identification of the specific segment(s) of the Target Population that will be served by the Project.
 - c. A narrative description of the Services and activities proposed to be offered at the Property and/or if Proposer has a commitment from another organization to provide Services to Project tenants.
 - d. A narrative description of how the Project will utilize a Housing First approach in providing Services for Project tenants. A Housing First approach recognizes that people experiencing homelessness—like all people—need the safety and stability of a home in order to best address challenges and pursue opportunities. The Housing First approach connects people back to a home as quickly as possible, while making readily available the services that people may need to be stable and secure.
 - e. Copies of executory agreements with all providers of Services for the Project.
 - f. A sample individual service plan and a sample annual performance report.
 - g. A narrative description of the Services delivery method(s) and associated staffing requirements, including the models of care for each of the Services offered, such as medical, mental health, case management, addiction, vocations, paraprofessional, etc., the job description for each associated staffing position, whether or not existing or new staff will be utilized, and a statement of the staff-to-client ratio for all direct service staff. If existing staff will be utilized, provide the resumes for each

staff member assigned to the Project. If a new position will be created for the Project, provide a timeline for recruitment and training for each new position.

- h. A narrative description of how the Services will incorporate motivational interviewing, progressive engagement, harm reduction, and trauma-informed care into a solutions-focused strategy for delivering the Services.
- i. A description of the location(s) of all Services to be provided to Project tenants, with the rationale supporting the proposed location(s). If Services are offered off-site, include information on transportation that will be offered to Project tenants from the Project to the location(s) of all Services.
- j. A narrative description of how the Project will utilize the Homeless Management Information System, the Coordinated Entry System, Regional Task Force on the Homeless community standards, and 2-1-1 participation to inform outreach, engagement, and delivery of Services.
 - (1) The Homeless Management Information System is a local web-based information technology system that San Diego's Continuum of Care uses to capture and report on client, project, and system level information regarding homeless services utilization, performance and outcomes.
 - (2) The Coordinated Entry System is a list of all the people in the region experiencing homelessness, prioritized by community standards, to be referred to available housing inventory.
 - (3) The Regional Task Force on the Homeless has established operating principles and standards to support effective implementation of the homeless service system. Standards and descriptions for key components of the system include community-wide, system-level practices and procedures such as Housing First, the Coordinated Entry System, and the Homeless Management of Information System; agency-level activities such as grievance procedures and reporting; and individual project activities for each project type such as outreach and emergency services, transitional housing, bridge housing, rapid rehousing and permanent supportive housing.
 - (4) 2-1-1 San Diego is a resource and information hub that connects people with community, health and disaster services.
- k. A narrative description of how Services outcomes will be measured and reported at both an overall Project level and individual tenant level.
- l. A narrative description of the Project's goals and how they will be achieved and monitored (i.e., maintain stable housing, increase skills and income, etc.).
- m. Proposed building(s), height, number of stories, square footage (gross and rentable) and square footage developed to each use, materials to be used, and type of construction.
- n. Number of parking spaces and location and whether the parking will adequately serve the Project in accordance with the requirements of applicable zoning.
- o. Project plan for common area maintenance.
- p. Project amenities and sustainability features.
- q. Proposed rent to be charged to Target Population tenants of the Project, not to exceed the maximum affordable rent for tenant income level and family size

pursuant to California Health and Safety Code section 50053(b) and the associated regulations of the California Department of Housing and Community Development.

- r. Proposer's agreement to bring existing buildings (if applicable) to required standards for human residential use.
3. Project Schedule. A narrative and graphical timeline of the anticipated Project development schedule. The schedule should address the time required to obtain development entitlements, building permits, finalize the Lease Disposition Agreement (including the Lease), design the Project, obtain financing for the Project, commence and complete Project construction, and commence Project operations. The Project schedule must show, at a minimum, all the following:
 - a. Project construction beginning within 3 months after the Lease commencement date.
 - b. Project construction being completed within 24 months after the Lease commencement date.
 - c. Project operations beginning within 1 month after issuance of a temporary certificate of occupancy for the Project.
4. Project Design. A basic Project conceptual development plan including, at minimum, all the following:
 - a. Site plan/ground floor plan with all buildings, streets, and projects/land uses within 300 feet of the Property. The site plan should illustrate the proposed building(s) footprint(s), proposed open space(s) and landscape design concept(s), parking area(s), with parking counts, and vehicular and pedestrian access.
 - b. Stacking plan for each unique building. Stacking plans should provide a comprehensive block elevation view of the proposed space type usage, defined by either square footage or a percentage of the overall floor area, for each floor within each unique building.
 - c. Exterior elevations for each unique building (indicating the number of buildings represented by each elevation). Elevations should provide a comprehensive view of the entire development and illustrate proposed building massing and height, fenestration, materials and colors of all finishes, and related architectural elements.
 - d. Context/perspective drawings to convey the overall design intent of the Project. Provide a representative illustration of the proposed development (plan, aerial sketch, photomontage, etc.) clearly showing massing and the relationship to adjacent structures and finished grades, open spaces, streets and any parking areas. This drawing should clearly illustrate the relationship of the proposed project to the adjoining streets and the neighborhood. The perspective should show the proposed development in context with the adjacent building masses roughed in. Context elements shall be rendered and do not need to be photo-realistic, but must accurately convey the bulk, scale, and character of the surrounding area.
 - e. The conceptual development plans shall be no larger than 11" x 17" folded sheets. All drawings submitted should be legible, be oriented with north at the top of the page, and should only include one plan or elevation/perspective per sheet.
 - f. A description of how the Project will be sustainable and satisfy the requirements for LEED Silver Certification.

5. Proposer Team Experience and Qualifications. Documentation substantiating that Proposer's employees and partners are well qualified to develop and operate the Project contemplated in the proposal including, at a minimum, all the following:
 - a. A detailed description of the Proposer's ability to implement each component of the proposed Project.
 - b. Provide an organizational chart showing the Proposer's team members and the role(s) of each team member. If a team member is an entity, provide the name(s) of the individual(s) responsible for that entity's role as part of the team.
 - c. Provide resumes or summaries of the direct experience of each individual responsible for performing any role for the Proposer's team, which should be a minimum of regularly performing such activities for three (3) years during the past five (5) years and experience in development and operation of projects like the Project contemplated in the proposal.
6. References. Provide names and contact information for a minimum of three (3) references with direct knowledge of the Proposer's experience with development and operation of Permanent Supportive Housing during the past five (5) years. For proposals with multiple Proposers, if a Proposer is not going to be involved in the day-to-day operations of the Project, then that Proposer must include references that can verify all persons to be employed in a management capacity at the Project are sufficiently qualified to manage the Project pursuant to the Proposer's submitted proposal.
7. Financial Capability. Provide, at a minimum, all the following:
 - a. Estimated total cost of the Project.
 - b. Name(s) of all individuals and entity(ies) involved in financing the Project.
 - c. Each Proposer must submit: (a) financial statements for the preceding three (3) fiscal years that were audited or prepared by a certified public accountant; (b) tax returns for the preceding three (3) fiscal years; or (c) substantial justification as to why any of these documents cannot be provided. Each Proposer shall submit a full and detailed statement of its true financial condition as of December 31, 2019, or as recent as possible, if that date is not available, showing the Proposer's assets, liabilities, and net worth, including the availability of operation capital and its source(s).
 - d. A description of the Proposer's approach to financing the Project identifying any perceived challenges to financing the Project and proposed innovations to meet those challenges, including the most significant risks in financing the Project and how those risks are proposed to be addressed, mitigated, or allocated.
 - e. Estimated amount to be financed.
 - f. Intended sources of financing (e.g., private equity, tax credits, commercial loan, bond financing, etc.), including rate and term and any letters of interest or commitment letters from equity partners or lenders available at the time of proposal submission.
 - g. An assessment of current and projected rental housing market conditions for the Project that includes sufficient information to establish market support for the Project based upon an analysis of rent comparables, affordable housing waitlists, and anticipated housing market trends.

- h. A list of potential local, state, or other municipal approvals, by phase (if applicable), and any public improvements required to complete the Project (e.g., sidewalks, streets, utility relocation).
- i. A detailed pro forma for the Project, including, at a minimum, all the following:
 - (1) Unit mix.
 - (2) An all-in development budget, including all direct, indirect, and financing costs, clearly specifying key assumptions and how calculations are made, from predevelopment up to, and including, stabilized operation.
 - (3) A stabilized year operating statement, detailing assumptions for all sources of income, a vacancy factor, and a detailed operating expense budget, including proposed rent, net operating income, capital reserves, operating reserves, debt service, and equity returns.
 - (4) A statement of sources and uses during predevelopment, construction, and permanent phases of the Project.
 - (5) A clear statement regarding the Proposer's profit/return requirement and how it is calculated.
 - (6) A long-term operating cash flow (15 years) for the Project.
- 8. Operating Plan. A proposed operating plan ("**Operating Plan**") for the Project including, at a minimum, all the following:
 - a. A detailed description of the Services to be offered to Project tenants at the Property or elsewhere.
 - b. A detailed description of how the Proposer intends to secure and provide these Services at the Property, or elsewhere, without interruption, identifying all Services the Proposer will contract for (rather than provide directly through the Proposer's employees), the process by which the Proposer will secure those contracts, and when the Proposer expects to have such contracts in place, if its proposal is selected.
 - c. The Proposer's required qualifications for all personnel that will be providing Services to Project tenants and/or otherwise operating the Project.
 - d. A detailed description of how the Proposer will operate the Project, including the Proposer's organizational structure, a list of the leadership/management team, the responsibilities of the leadership/management team, staff, and all other personnel proposed to be involved in operation of the Project or providing Services to Project tenants.
- 9. Proposed Rent. Each Proposer must provide proposed periodic rent to be paid to the City over the entire Lease term, including periodic rent increases.
- 10. Work Force Report. A completed "**Work Force Report**" in accordance with San Diego Municipal Code sections 22.2701 – 22.2708. A copy of the Work Force Report form is attached to this RFP as Exhibit B.
- 11. Lessee Questionnaire. A completed Lessee Questionnaire in substantially the form of Exhibit C attached to this RFP.
- 12. Certification. By submission of a proposal, each Proposer certifies to the City that neither the Proposer, nor any of its principals, is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation

in any requests for proposal, invitation to bid, contract, or agreement by any federal, state, City, or other government department or agency. With its proposal, each Proposer shall submit a completed Contractor Standards Pledge of Compliance in substantially the form of Exhibit D (Contractor Standards Pledge of Compliance) attached to this RFP.

13. Business Tax Certificate. A copy of the Proposer's business tax certificate issued by the City or a copy of its application receipt for such certificate.
14. Applicable Laws and Standards. Proposals shall consider and incorporate compliance with all applicable laws and available industry guidelines as they apply to liability, public health standards, Americans with Disabilities Act access, and the highest standards of maintenance of all facilities and equipment.

F. CITY'S DEVELOPMENT SERVICES DEPARTMENT ("DSD") REVIEW

1. DSD will offer express review (fastest level of review) for ministerial permitting of each Project of a Selected Proposer, if applicable, at no extra cost. Otherwise, all applicable permit fees required by the San Diego Municipal Code apply to all Projects of Selected Proposers.
2. Permit fee estimates for each Project of a Selected Proposer may be provided by DSD prior to submittal of its development application, following written request for such an estimate from the Selected Proposer.

G. PROPOSER RESPONSIBILITIES. Each Proposer is responsible for carefully examining this RFP, including all documents attached to this RFP or incorporated into this RFP by reference, before submitting a proposal. The City's selection of a proposal does not constitute the City's approval of any requested modification to the Lease Disposition Agreement or Lease form contained in the proposal.

Each Proposer is responsible for making all investigations and examinations necessary for formulating its proposal for development and operation of its proposed Project on a particular Property. Submission of a proposal is conclusive evidence that the Proposer made such investigations and examinations.

Each Selected Proposer shall be responsible for obtaining all necessary approvals and permits for development and operation of its proposed Project on a particular Property to the satisfaction of the City.

A Proposer may withdraw its proposal, at any time prior to the City's selection of its proposal, by written notice to the City Contact.

H. NONCONFORMING PROPOSALS. A Proposer requesting deviation from the provisions of this RFP should specifically identify the requirement(s) being deviated from and address each requested deviation in its proposal. The City is not obligated to accept any proposal, whether conforming or non-conforming.

I. PRE-PROPOSAL INSPECTION. To give Proposers an opportunity to view the two improved Properties, a pre-proposal inspection of each of the two improved Properties is scheduled, as set forth on the Cover Sheet. All Proposers are strongly encouraged to attend these inspections. Attendance is not mandatory, though. It is the sole responsibility of each Proposer to become familiar with the state of a Property prior to submitting a proposal regarding such Property.

J. PROPOSAL SUBMISSION

1. Due Date

- a. Proposals must be received at the address listed below in Section J.2 no later than 5:00 p.m. Pacific Standard Time on the Closing Date (see the Cover Sheet).
- b. Proposals received after 5:00 p.m. Pacific Standard Time on the Closing Date will not be considered.

2. Place of Delivery. All proposals must be delivered to:

City of San Diego
Real Estate Assets Department
1200 Third Avenue, Suite 1700
San Diego, CA 92101
Attn: Mary Carlson

3. **Number of Copies.** Proposers must submit copies of their proposals in accordance with the last paragraph of the Cover Sheet. All materials submitted by Proposers become the property of the City and will not be returned.
4. **Questions and Comments.** Written questions and comments relating to this RFP must be electronically mailed (e-mailed) to the City Contact no later than the due date for questions or comments specified on the Cover Sheet. Only written communications relating to this RFP will be considered by the City. **E-mail is the only acceptable method for submitting questions or comments relating to this RFP.** Proposers are responsible for verifying that the City received their questions and/or comments. All responses to questions or comments will be posted on the City's website at (<https://www.sandiego.gov/real-estate-assets/>) as an addendum to this RFP and it is Proposer's responsibility to check the City's website. In responding to questions or comments, the City will not identify the inquirer(s). Proposers shall not rely on oral communications relating to this RFP. Addenda will only be issued addressing questions or comments determined by the City, in its sole and absolute discretion, to be material to this RFP.

K. PROPOSAL EVALUATION AND SELECTION. The City reserves the right to select the proposals best satisfying the City's objectives in issuing this RFP, in the City's sole and absolute discretion. The City further reserves the right, based upon its deliberations and in its sole and absolute discretion, to accept or reject any or all proposals at any time, including any proposals that have been scored or been the subject of oral presentations and/or interviews. The City also reserves the right to waive minor irregularities or variations to the specifications stated in this RFP and in the solicitation process, provided that such a waiver does not provide an unfair competitive advantage to one or more Proposers.

The City will select proposals as submitted, without discussion or negotiation, except that the City reserves the right, in its sole and absolute discretion, to approve, reject, or negotiate any or all proposed modifications to the Lease Disposition Agreement or Lease form contained in any proposal. Proposers should not rely on having a chance to discuss, negotiate, or adjust their proposals after submission. Due to the potential significant variations in proposals that may be received in response to this RFP, the City reserves the right, in the City's sole and absolute discretion, to negotiate the terms of a Lease Disposition Agreement or Lease with a Selected Proposer based on this RFP

and the Selected Proposer's proposal or enter into a Lease Disposition Agreement or Lease with a Selected Proposer without any negotiation.

Each Proposer, by signing the Cover Sheet and submitting a proposal, agrees to provide the City access to the Proposer's financial records for the sole purpose of determining the Proposer's ability to perform pursuant to the applicable Lease Disposition Agreement and/or Lease. Should the City inspect a Proposer's financial records, the City reserves the right to disqualify a Proposer who does not, in the City's sole and absolute discretion, exhibit sufficient or appropriate financial resources to perform pursuant to the applicable Lease Disposition Agreement and/or Lease.

Proposals shall be evaluated in a two-step process by an evaluation committee of qualified City staff, and if the City desires, in the City's sole and absolute discretion, other persons selected by the City.

In step one, the committee will evaluate all responsive proposals. The committee will score and rank all responsive proposals based on the evaluation criteria indicated below in Sections K.1 through K.9.

If the score of the highest scoring proposal resulting from step one for a particular Property is more than ten (10) points greater than the scores of the other proposals for the same Property, and the committee is satisfied that the highest scoring proposal is sufficient for recommendation, the highest scoring proposal for that particular Property will be presented to the City Council for consideration, without proceeding to step two. The Proposer for each proposal presented to the City Council may be required to appear before the City Council and any of its committees to answer questions about its proposal.

If one or more proposals for a particular Property score within ten (10) points of the highest scoring proposal for that Property, the evaluation process regarding proposals for that particular Property will proceed to step two. Only the Proposer with the highest scoring proposal for a particular Property and those Proposers scoring within ten (10) points or less of the highest scoring proposal (collectively, the "**finalists**") for that same Property will be asked to participate in step two.

In step two, the finalists will be required to make an oral presentation to the committee and/or participate in an in-person or conference telephone call interview by the committee. The purpose of the oral presentation/interview is to provide the committee an opportunity to further evaluate the finalists' proposals, which may include requesting clarification of the finalists' proposals. The finalists are required to make the oral presentation/interview within seven (7) business days after request by the City. The committee may also perform other due diligence regarding any finalist's proposal as it may determine appropriate, in the committee's sole and absolute discretion. The committee may then, in the committee's sole and absolute discretion, add up to eleven (11) additional points to the score of one or more finalist's proposal(s).

If the committee is satisfied that the first-ranked proposal resulting from step two is sufficient for recommendation, such proposal will be presented to the City Council for consideration. Each Selected Proposer may be required to appear before the City Council and any of its committees to answer questions about its proposal.

Selection of each proposal to be presented to the City Council for consideration of entering into a Lease Disposition Agreement and Lease will be based on the evaluation criteria listed below in Sections K.1 through K.9 and all items listed in Section E.1 through E.14.

1. General Proposal Quality (Maximum 10 points). The quality, attractiveness, and thoroughness of the proposal; and responsiveness to the minimum requirements of this RFP, including submission of a Work Force Report, Lessee Questionnaire, and Business Tax Certificate.
2. Development Vision (Maximum 10 points). The extent to which the proposal clearly addresses the requirements of Section E.2.
3. Project Schedule (Maximum 5 points). The extent to which the proposal clearly addresses the requirements of Section E.3.
4. Project Design (Maximum 10 points). The extent to which the proposal clearly addresses the requirements of Section E.4.
5. Proposer's Team Experience and Qualifications (Maximum 15 points). The extent to which the proposal clearly addresses the requirements of Section E.5.
6. References (Maximum 5 Points). The extent to which the proposal clearly addresses the requirements of Section E.6.
7. Financial Capability (Maximum 15 points). The extent to which the proposal clearly addresses the requirements of Section E.7.
8. Operating Plan (Maximum 10 points). The extent to which the proposal clearly addresses the requirements of Section E.8.
9. Proposed Rent (Maximum 10 Points). The extent to which the proposal clearly addresses the requirements of Section E.9.

Maximum Total Points: 100

10. Oral Presentation/Interview (Maximum 11 points). If step two is initiated for proposals related to a particular Property, additional points may be awarded to a specific proposal to the extent that the Proposer demonstrates, among other things, the ability to communicate information that is concise, easy to understand and relevant to the City's objectives in issuing this RFP.

L. ANNOUNCEMENT OF INTENT TO RECOMMEND LEASE DISPOSITION AGREEMENT

1. Intent to Recommend Lease Disposition Agreement. The City Contact will inform Proposers who proposed on a specific Property of the evaluation committee's intent to recommend a Lease Disposition Agreement for that Property for consideration by the City Council.
2. Obtaining RFP Results. No RFP results can be obtained until the City announces the Selected Proposer for each Property that will be recommended to the City Council. RFP results may be obtained by e-mailing a request to the City Contact. To ensure an accurate response, requests should reference the Solicitation Number on the Cover Sheet. RFP results will not be released over the phone.

M. ADDITIONAL INFORMATION FROM PROPOSERS. The City reserves the right to request information from a Proposer to clarify information submitted in its proposal.

- N. **INCURRED COSTS.** Each Proposer is solely and fully responsible for all costs associated with preparing and/or submitting a proposal in response to this RFP. The City will not be responsible for any costs incurred by Proposers in the preparation and/or submission of proposals.
- O. **CONTACT WITH CITY STAFF.** Except as provided in Section J.4, Proposers considering submitting a proposal in response to this RFP, or that submit a proposal in response to this RFP, are prohibited from communicating with City staff who are directly involved with administration of this RFP or evaluation committee members about this RFP from the date this RFP is issued until a Proposer is selected by the City Council for each Property that is the subject of this RFP.
- P. **ADDENDA.** The City may issue addenda to this RFP as necessary. All addenda are incorporated into this RFP. Each Proposer is responsible for determining whether addenda were issued prior to a proposal submission. Failure to respond to or properly address addenda in a proposal may result in rejection of the proposal.
- Q. **PUBLIC RECORDS.** All proposals and their contents received by the City shall be considered confidential until the evaluation committee recommends a proposal for each Property that is the subject of this RFP to the City Council. By signing the Cover Sheet and submitting a proposal, each Proposer acknowledges that all information submitted in response to this RFP is a public record subject to public disclosure, unless the City determines that a specific exemption from the California Public Records Act (“CPRA”) applies to some or all such information. Proposer releases and holds the City, its elected officials, officers, and employees harmless from any liability arising from or relating to public disclosure of proposals and/or related information. Nothing in the Lease Disposition Agreement or Lease resulting from a proposal creates any obligation on the part of the City to notify the Proposer or obtain the Proposer’s approval or consent before publicly releasing information subject to disclosure under the CPRA.
- R. **CITY’S RIGHT TO REJECT ALL PROPOSALS.** The City reserves the right to reject any or all proposals submitted in response to this RFP for any or all the Properties that are the subject of this RFP, including proposals submitted by Proposers who have outstanding debt owed to the City.
- S. **QUALIFICATION OF PROPOSALS.** This RFP is not a bid solicitation and the City is not obligated to accept any proposal or to negotiate with any Proposer. The City Council reserves the right to reject any Lease Disposition Agreement presented to it for consideration for any reason. All transactions discussed, referenced, or implied in this RFP are subject to final approval by the City Council, in its sole and absolute discretion.
- T. **NON-DISCRIMINATION NOTICE.** It is the policy of the City not to discriminate against the disabled in employment or provision of services. The information contained in this RFP will be made available in alternative formats to disabled persons upon request. It is the policy of the City to encourage equal opportunity in its contracts and leases. The City endeavors to do business with firms sharing the City’s commitment to equal opportunity and will not do business with any firm that discriminates on the basis of race, religion, color, ancestry, age, gender, gender expression, gender identity, sexual orientation, disability, medical condition, or place of birth.
- U. **COMPLIANCE WITH CITY’S EQUAL OPPORTUNITY CONTRACTING PROGRAM.** Proposer understands that failure to comply with the following requirements and/or submitting false information in response to these requirements may result in rejection of its proposal by the City and debarment of the Proposer from participating in City contracts for a period of not less than one (1) year:

1. Equal Opportunity Contracting. Proposer acknowledges and agrees that it is aware of, and will comply with, City Council Ordinance No. 18173 (San Diego Municipal Code Sections 22.2701 through 22.2708, as amended), EQUAL EMPLOYMENT OPPORTUNITY OUTREACH PROGRAM, a copy of which is on file in the Office of the City Clerk and by this reference is incorporated into this RFP. Proposer and all its subcontractors are individually responsible to abide by the City's Equal Employment Opportunity Outreach Program.

Proposer shall comply with Title VII of the Civil Rights Act of 1964, as amended; Executive Orders 11246, 11375, and 12086; the California Fair Employment Practices Act; and any other applicable federal and state laws and regulations hereafter enacted. Proposer will not discriminate against any employee or applicant for employment on any basis prohibited by law.

Proposer shall insert the foregoing provisions in all contracts and subcontracts for any work covered by its proposal, so that such provisions will be binding upon each contractor and subcontractor. Proposer agrees that compliance with these laws will be monitored, and reviewed by the City's Equal Opportunity Contracting Program staff.

Proposer shall submit a current Work Force Report or a current EEO Plan, as required by Section 22.2705 of the San Diego Municipal Code, which sets forth certain actions that Proposer will take to achieve the City's commitment to equal employment opportunities. Copy of Work Force Report is attached as **Exhibit B**.

2. Equal Benefits. Proposer shall comply with San Diego Municipal Code sections 22.4301-22.4308, which require lessees of City-owned property to offer the same employment benefits to employees with spouses and employees with domestic partners. Proposer shall certify that it will maintain such equal benefits throughout the term of the Lease.
3. Local Business and Employment. Proposer acknowledges that the City seeks to promote employment and business opportunities for local residents and firms in all City contracts. Proposer shall, to the extent legally possible, solicit applications for employment, and bids and proposals for subcontracts, for work associated with its proposal from local residents and firms, as opportunities occur. Proposer shall hire qualified local residents and firms whenever feasible.

V. **PROTESTS**. The City's protest procedures for this RFP are the procedures in San Diego Municipal Code section 22.3017.

W. **NOTICE OF POTENTIAL PRESENCE OF LEAD-BASED PAINT ("LBP") AND ASBESTOS-CONTAINING MATERIAL ("ACM")**. The two improved Properties contain improvements constructed before 1979 that are presumed to contain LBP and ACM. City discloses the potential presence of LBP and/or LBP hazards and ACM and/or ACM hazards in these two Properties. City has no special knowledge of the presence of LBP and/or ACM on any of the Properties and lacks knowledge regarding handling instructions necessary to prevent or minimize release of, and exposure to, LBP or ACM and the potential health impacts resulting from exposure to LBP or ACM on any Property. Proposers are encouraged to contact other local or state public health agencies for more information about the presence of and/or risk of exposure to LBP or ACM. No express or implied warranties are given by City regarding the environmental condition of any of the Properties, including, without limitation, whether the Properties do or do not contain LBP or ACM or are or are not safe for any particular purpose. The failure of a Proposer to inspect the Properties for ACM or LBP or to be fully informed as to the condition of all or any portion of the Properties will not constitute grounds for any claim by the Proposer against the City. Each Proposer shall

indemnify, defend, and hold harmless the City from any loss or claim arising or resulting from the presence of LBP and/or ACM on a Property.

X. REAL ESTATE BROKER'S COMMISSION. The City will not pay a brokerage commission for any transaction resulting from this RFP.

Y. SCHEDULE OF EXHIBITS

Exhibit A:	Property Information
Exhibit B:	Work Force Report
Exhibit C:	Lessee's Questionnaire
Exhibit D:	Contractor Standards Pledge of Compliance

The forms provided as Exhibits B, C, and D are required to be completed and submitted with the proposal. Failure to submit any of the forms provided as Exhibits B, C, and D with a proposal will result in the City deeming the proposal incomplete and non-responsive.

[Remainder of page intentionally blank]

Exhibit A: Property Information

The information about each Property provided in this Exhibit A is general in nature and intended to provide a starting point for Proposers to consider whether or not to undertake any efforts to prepare and submit a proposal in response to this RFP.

Each Proposer is responsible for confirming physical characteristics of each Property and all information that is material to such Proposer's Project or proposal through sources other than this Exhibit A or the City.

The information below, such as acreage, residential unit densities, and FARs is believed to be correct, but has not been verified by the City and may vary depending on actual site conditions and other factors.

No.	Site Code	Location	APN	Community Plan Name	Council District	Acres	Allowable Density	Raw Unit Potential	50% Density Bonus	100% Density Bonus	Zone Name	Zone Max Height	Zone Max Far	Coastal Zone?	Overlay Zones
1	T516PM	BIRCH ST WLY OSBORN ST APN 550-740-10, APN 550-740-11	550-740-10 & 11	Southeastern San Diego	8	0.174	3,000	3	4	5	RM-1-1	30 ft	0.75	No	N/A
2	S530PM	K ST NWLY SD/AZ RR R/W APN 545-333-15	545-333-15	Southeastern San Diego	8	0.55	1,500	16	24	32	RM-2-5	40 ft	1.35	No	CPIOZ - Type A (Village Area): Requires submission of information and noise study to determine traffic, GHG, and noise impacts of proposed development.
3	Q402LB	MISSION HILLS LIBRARY-OLD 925 W. WASHINGTON ST	444-611-01, 02 and 03	Uptown	3	0.19	600	14	21	28	CC-3-8	100 ft	2.0	No	CPIOZ - Type A (Building Heights): Allows ministerial processing for buildings that do not exceed 50 feet in height in Mission Hills. Buildings that exceed this height will require a Site Development Permit.
4	O501LB	SERRA MESA LIBRARY-OLD 3440 SANDROCK RD	421-205-07	Serra Mesa	7	0.336	1,000	15	22	29	RM-3-7	40 ft	1.8	No	Montgomery Field Airport Safety Zone 6: Certain land uses limited through Airport Land Use Compatibility Overlay Zone (no additional limit on residential).
5	I514PM	MIRAMAR RCH PARK & RIDE I-15 ELY OF/NLY SCRIPPS POWAY PKWY 12016 SCRIPPS HIGHLANDS DR	315-610-05	Miramar Ranch North	5	1.142	1,500	33	50	66	CC-1-3	45 ft	0.75	No	Residential Tandem Parking Overlay Zone: Allows tandem parking spaces to be used to meet residential parking requirements.

Exhibit A

Exhibit B: Workforce Report

EQUAL OPPORTUNITY CONTRACTING (EOC)

1200 Third Avenue, Suite 200 • San Diego, CA 92101

Phone: (619) 236-6000 • Fax: (619) 236-5904

WORK FORCE REPORT

The objective of the *Equal Employment Opportunity Outreach Program*, San Diego Municipal Code Sections 22.3501 through 22.3517, is to ensure that contractors doing business with the City, or receiving funds from the City, do not engage in unlawful discriminatory employment practices prohibited by State and Federal law. Such employment practices include, but are not limited to unlawful discrimination in the following: employment, promotion or upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rate of pay or other forms of compensation, and selection for training, including apprenticeship. Contractors are required to provide a completed *Work Force Report (WFR)*.

NO OTHER FORMS WILL BE ACCEPTED

CONTRACTOR IDENTIFICATION

Type of Contractor: ☐ Construction ☐ Vendor/Supplier ☐ Financial Institution ☐ Lessee/Lessor
☐ Consultant ☐ Grant Recipient ☐ Insurance Company ☐ Other

Name of Company: _____

ADA/DBA: _____

Address (Corporate Headquarters, where applicable): _____

City: _____ County: _____ State: _____ Zip: _____

Telephone Number: _____ Fax Number: _____

Name of Company CEO: _____

Address(es), phone and fax number(s) of company facilities located in San Diego County (if different from above):

Address: _____

City: _____ County: _____ State: _____ Zip: _____

Telephone Number: _____ Fax Number: _____ Email: _____

Type of Business: _____ Type of License: _____

The Company has appointed: _____

As its Equal Employment Opportunity Officer (EEOO). The EEOO has been given authority to establish, disseminate and enforce equal employment and affirmative action policies of this company. The EEOO may be contacted at:

Address: _____

Telephone Number: () _____ Fax Number: _____ Email: _____

- ☐ One San Diego County (or Most Local County) Work Force - Mandatory
☐ Branch Work Force *
☐ Managing Office Work Force

Check the box above that applies to this WFR.

**Submit a separate Work Force Report for all participating branches. Combine WFRs if more than one branch per county.*

I, the undersigned representative of _____

(Firm Name)

_____, _____ hereby certify that information provided
(County) (State)

herein is true and correct. This document was executed on this _____ day of _____, 20.____

(Authorized Signature)

(Print Authorized Signature Name)

[illegible]

NAME OF FIRM: _____ DATE: _____

INSTRUCTIONS: For each occupational category, indicate number of males and females in every ethnic group. Total columns in row provided. Sum of all totals should be equal to your total work force. Include all those employed by your company on either a full or part-time basis. The following groups are to be included in ethnic categories listed in columns below:

- (1) Black or African-American
- (2) Hispanic or Latino
- (3) Asian
- (4) American Indian or Alaska Native
- (5) Native Hawaiian or Pacific Islander
- (6) White
- (7) Other race/ethnicity; not falling into other groups

Definitions of the race and ethnicity categories can be found on Page 4.

[illegible][illegible]

Grand Total All Employees

Indicate By Gender and Ethnicity the Number of Above Employees Who Are Disabled:

[illegible]

Work Force Report

HISTORY

The Work Force Report (WFR) is the document that allows the City of San Diego to analyze the work forces of all firms wishing to do business with the City. We are able to compare the firm's work force data to County Labor Force Availability (CLFA) data derived from the United States Census. CLFA data is a compilation of lists of occupations and includes the percentage of each ethnicity we track (American Indian or Alaska Native, Asian, Black or African-American, Native Hawaiian or Pacific Islander, White, and Other) for each occupation. Currently, our CLFA data is taken from the 2010 Census. In order to compare one firm to another, it is important that the data we receive from the consultant firm is accurate and organized in the manner that allows for this fair comparison.

WORK FORCE & BRANCH WORK FORCE REPORTS

When submitting a WFR, especially if the WFR is for a specific project or activity, we would like to have information about the firm's work force that is actually participating in the project or activity. That is, if the project is in San Diego and the work force is from San Diego, we want a San Diego County Work Force Report¹. By the same token, if the project is in San Diego, but the work force is from another county, such as Orange or Riverside County, we want a Work Force Report from that county². If participation in a San Diego project is by work forces from San Diego County and, for example, from Los Angeles County and from Sacramento County, we ask for separate Work Force Reports representing your firm from each of the three counties.

MANAGING OFFICE WORK FORCE

Equal Opportunity Contracting may occasionally ask for a Managing Office Work Force (MOWF) Report. This may occur in an instance where the firm involved is a large national or international firm but the San Diego or other local work force is very small. In this case, we may ask for both a local and a MOWF Report^{1, 3}. In another case, when work is done only by the Managing Office, only the MOWF Report may be necessary.³

TYPES OF WORK FORCE REPORTS:

Please note, throughout the preceding text of this page, the superscript numbers one ¹, two ² & three ³. These numbers coincide with the types of work force report required in the example. See below:

- ¹ One San Diego County (or Most Local County) Work Force – Mandatory in most cases
- ² Branch Work Force *
- ³ Managing Office Work Force

**Submit a separate Work Force Report for all participating branches. Combine WFRs if more than one branch per county.*

RACE/ETHNICITY CATEGORIES

American Indian or Alaska Native – A person having origins in any of the peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment.

Asian – A person having origins in any of the peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

Black or African American – A person having origins in any of the Black racial groups of Africa.

Native Hawaiian or Pacific Islander – A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

White – A person having origins in any of the peoples of Europe, the Middle East, or North Africa.

Hispanic or Latino – A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin.

Exhibit A: Work Force Report Job Categories – Administration

Refer to this table when completing your firm's Work Force Report form(s).

Management & Financial

Advertising, Marketing, Promotions, Public Relations, and Sales Managers
Business Operations Specialists
Financial Specialists
Operations Specialties Managers
Other Management Occupations
Top Executives

Professional

Art and Design Workers
Counselors, Social Workers, and Other Community and Social Service Specialists
Entertainers and Performers, Sports and Related Workers
Health Diagnosing and Treating Practitioners
Lawyers, Judges, and Related Workers
Librarians, Curators, and Archivists
Life Scientists
Media and Communication Workers
Other Teachers and Instructors
Postsecondary Teachers
Primary, Secondary, and Special Education School Teachers
Religious Workers
Social Scientists and Related Workers

Architecture & Engineering, Science, Computer

Architects, Surveyors, and Cartographers
Computer Specialists
Engineers
Mathematical Science Occupations
Physical Scientists

Technical

Drafters, Engineering, and Mapping Technicians
Health Technologists and Technicians
Life, Physical, and Social Science Technicians
Media and Communication Equipment Workers

Sales

Other Sales and Related Workers
Retail Sales Workers
Sales Representatives, Services
Sales Representatives, Wholesale and Manufacturing
Supervisors, Sales Workers

Administrative Support

Financial Clerks
Information and Record Clerks
Legal Support Workers

Material Recording, Scheduling, Dispatching, and Distributing Workers
Other Education, Training, and Library Occupations
Other Office and Administrative Support Workers
Secretaries and Administrative Assistants
Supervisors, Office and Administrative Support Workers

Services

Building Cleaning and Pest Control Workers
Cooks and Food Preparation Workers
Entertainment Attendants and Related Workers
Fire Fighting and Prevention Workers
First-Line Supervisors/Managers, Protective Service Workers
Food and Beverage Serving Workers
Funeral Service Workers
Law Enforcement Workers
Nursing, Psychiatric, and Home Health Aides
Occupational and Physical Therapist Assistants and Aides
Other Food Preparation and Serving Related Workers
Other Healthcare Support Occupations
Other Personal Care and Service Workers
Other Protective Service Workers
Personal Appearance Workers
Supervisors, Food Preparation and Serving Workers
Supervisors, Personal Care and Service Workers
Transportation, Tourism, and Lodging Attendants

Crafts

Construction Trades Workers
Electrical and Electronic Equipment Mechanics, Installers, and Repairers
Extraction Workers
Material Moving Workers
Other Construction and Related Workers
Other Installation, Maintenance, and Repair Occupations
Plant and System Operators
Supervisors of Installation, Maintenance, and Repair Workers
Supervisors, Construction and Extraction Workers
Vehicle and Mobile Equipment Mechanics,

Installers, and Repairers
Woodworkers

Operative Workers

Assemblers and Fabricators
Communications Equipment Operators
Food Processing Workers
Metal Workers and Plastic Workers
Motor Vehicle Operators
Other Production Occupations
Printing Workers
Supervisors, Production Workers
Textile, Apparel, and Furnishings Workers

Transportation

Air Transportation Workers
Other Transportation Workers
Rail Transportation Workers
Supervisors, Transportation and Material
Moving Workers
Water Transportation Workers

Laborers

Agricultural Workers
Animal Care and Service Workers
Fishing and Hunting Workers
Forest, Conservation, and Logging Workers
Grounds Maintenance Workers
Helpers, Construction Trades
Supervisors, Building and Grounds Cleaning
and Maintenance Workers
Supervisors, Farming, Fishing, and Forestry
Workers

Exhibit B: Work Force Report Job Categories–Trade

Brick, Block or Stone Masons

Brickmasons and Blockmasons
Stonemasons

Carpenters

Carpet, floor and Tile Installers and Finishers

Carpet Installers
Floor Layers, except Carpet, Wood and Hard
Tiles
Floor Sanders and Finishers
Tile and Marble Setters

Cement Masons, Concrete Finishers

Cement Masons and Concrete Finishers
Terrazzo Workers and Finishers

Construction Laborers

Drywall Installers, Ceiling Tile Inst

Drywall and Ceiling Tile Installers
Tapers

Electricians

Elevator Installers and Repairers

First-Line Supervisors/Managers

First-line Supervisors/Managers of
Construction Trades and Extraction Workers

Glaziers

Helpers, Construction Trade

Brickmasons, Blockmasons, and Tile and
Marble Setters
Carpenters
Electricians
Painters, Paperhangers, Plasterers and Stucco
Pipelayers, Plumbers, Pipefitters and
Steamfitters
Roofers
All other Construction Trades

Millwrights

Heating, Air Conditioning and Refrigeration
Mechanics and Installers
Mechanical Door Repairers
Control and Valve Installers and Repairers
Other Installation, Maintenance and Repair
Occupations

Misc. Const. Equipment Operators

Paving, Surfacing and Tamping Equipment
Operators
Pile-Driver Operators
Operating Engineers and Other Construction
Equipment Operators

Painters, Const. Maintenance

Painters, Construction and Maintenance
Paperhangers

Pipelayers and Plumbers

Pipelayers
Plumbers, Pipefitters and Steamfitters

Plasterers and Stucco Masons**Roofers****Security Guards & Surveillance Officers****Sheet Metal Workers****Structural Iron and Steel Workers****Welding, Soldering and Brazing Workers**

Welders, Cutter, Solderers and Brazers
Welding, Soldering and Brazing Machine
Setter, Operators and Tenders

Workers, Extractive Crafts, Miners

Exhibit C: Lessee's Questionnaire

**LESSEE'S AND SUBLESSEE'S QUESTIONNAIRE
FOR ALL LEASES, ASSIGNMENTS AND SUBLEASES**

Pursuant to the City of San Diego City Charter Section 225: "Mandatory Disclosure of Business Interests," before the City will process requests to (Sub)Lease, all information requested in this Questionnaire must be completed by the proposed (Sub)Lessee. Even though a proposed Sublessee may complete the Questionnaire, the Questionnaire must be delivered or mailed to the City with a cover letter signed by the City Lessee or proposed Lessee. **THE CITY WILL NOT ACCEPT THE QUESTIONNAIRE, DOCUMENTS, OR OTHER INFORMATION DIRECTLY FROM A SUBLESSEE.**

All information furnished in this Questionnaire must be complete and accurate. Omissions, inaccuracies, or misstatements may cause the rejection and/or subsequent revocation of the City's Lease, consent to Sublease, or consent to Assignment of (Sub)Lease.

In submitting this Questionnaire, the proposed (Sub)Lessee completing the Questionnaire authorizes the City to make any inquiry or investigation it believes necessary to substantiate or supplement the information furnished in the Questionnaire and authorizes others to release such information to the City.

Exact name of existing Lessee (always complete):

Exact name of proposed Lessee (complete only if applicable):

Exact name of existing Sublessee (complete only if applicable):

Exact name of proposed Sublessee (complete only if applicable):

Date this Questionnaire completed:

I declare under penalty of perjury under the laws of the State of California that the information furnished in and with this Questionnaire is true, complete, and correct.

Signature: _____

Title: _____

This Questionnaire contains 15 pages.

PROPOSED (SUB)LESSEE

1. Name of proposed (Sub) Lessee exactly as it will appear on the actual tenancy document:

2. Mailing Address of proposed (Sub)Lessee for purposes of notice or other communication relating to the proposed tenancy:

Telephone No.: _____ Fax. No.: _____
E-mail Address: _____

3. Billing Address (*only if different from Mailing Address*):

Telephone No.: _____ Fax. No.: _____

4. Proposed (Sub)Lessee intends to operate as a:

Sole Proprietorship (); Partnership (); Corporation ();
Limited Liability Company (); Other _____

Explain if necessary:

5. Effective date of assignment (complete only if applicable): _____

PARTNERSHIP STATEMENT

If proposed (Sub)Lessee is a partnership, please answer the following:

1. Date of Organization: _____
2. General Partnership (☐) Limited Partnership (☐)
Other (☐) Explain: _____

3. Statement of Partnership recorded: Yes (☐) No (☐)

Date	Book	Page	County
4. Has the partnership conducted business in San Diego County?
Yes (☐) No (☐) If so, when? _____

If so, where? _____
5. Name, address, and partnership share of each general and limited partner. If a general partner is another partnership, a corporation, or a limited liability company (LLC), please complete separate pages 3; or 4 and 5; or 6, as appropriate for such entity (type proposed [Sub]Lessee name [from page 2] on the top of each page for identification purposes). If a limited partner holding a 10% or greater interest is another partnership, a corporation, or an LLC, pages 3; or 4 and 5; or 6 must also be completed for such entity (type proposed [Sub]Lessee name [from page 2] on the top of each page).

General/Limited	Name	Address	Share %

6. Attach a complete copy of the Partnership Agreement. If a Partnership Agreement has been previously submitted, a new Partnership Agreement need be submitted only if the Partnership Agreement on file with the City is no longer current.

CORPORATION STATEMENT

If proposed (Sub)Lessee is a corporation, please answer the following:

1. Type of corporation: C () Subchapter S ()
2. When incorporated? _____
3. Where incorporated? _____
4. Is the corporation authorized to do business in California? Yes () No ()
If so, as of what date? _____
5. The corporation is held:
a. Publicly () Privately ()
b. If publicly held, how and where is the stock traded?

6. Please list the following:

	<u>Authorized</u>	<u>Issued</u>	<u>Outstanding</u>
a. Number of voting shares:	_____	_____	_____
b. Number of nonvoting shares:	_____	_____	_____
c. Number of shareholders:			_____
d. Value per share of Common Stock:		Par	\$ _____
		Book	\$ _____
		Market	\$ _____
7. Please furnish the name, title, address, and the number of voting and nonvoting shares of stock owned by each officer and, in addition, the same information for each stockholder owning more than 10% of any class of stock.

Name: _____
Title: _____
Address: _____

No. of Shares _____

Name: _____

Title: _____

Address: _____

No. of Shares _____

Name: _____

Title: _____

Address: _____

No. of Shares: _____

(Additional page(s) may be added if needed to complete list of stockholders [type proposed (Sub)Lessee name (from page 2) on the top of each page].)

8. Attach complete copies of the Articles of Incorporation (and any Certificate(s) of Amendment thereto, as the case may be) of the Corporation, and the Bylaws of the Corporation (and any Amended and Restated Bylaws, as the case may be), and any other applicable Corporate documents.

Any partnership, corporation, or LLC owning more than a 10% ownership interest must also complete separate pages 3; or 4 and 5; or 6, as appropriate for each entity (type proposed [Sub]Lessee name [from page 2] on the top of each page for identification purposes). Also, furnish the financial data for such partnership, corporation, or LLC, as required on page 7. If there is an ownership chain of additional partnerships, corporations, or LLCs, the above requirements extend to each such entity having either: (1) a 10% or greater direct, indirect, beneficial ownership, or membership interest in the proposed (Sub)Lessee; or (2) effective control of the proposed (Sub)Lessee, regardless of the percentage of ownership or membership interest.

LIMITED LIABILITY COMPANY STATEMENT

If the proposed (Sub)Lessee is an LLC, please answer the following:

1. Date of Organization: _____
2. Where Organized: _____
3. Is the Company authorized to do business in California?
 - a. Yes () No ()
 - b. If so, as of what date? _____
4. Has the Company conducted business in San Diego County?
 - a. Yes () No ()
 - b. If so, when? _____
 - c. If so, where? _____
5. Please furnish the name, address, and membership share held by each manager and officer, and each member owning more than a 10% membership interest. If a member is a partnership, corporation, or another LLC, please complete separate pages 3; or 4 and 5; or 6, as appropriate for such entity (type proposed [Sub]Lessee name [from page 2] on the top of each page).

Manager/Officer/ Member	Name	Address	Share %

6. Attach a complete copy of the Operating Agreement. If an Operating Agreement has been previously submitted, a new Operating Agreement need be submitted only if the Operating Agreement on file with the City is no longer current.

FINANCIAL AND OTHER BACKGROUND INFORMATION

FINANCIAL STATEMENT

(Sub)Lessee, general partners of (Sub)Lessee, owner-corporations of (Sub)Lessee, members of (Sub)Lessee owning more than a 10% membership interest, and any person or business entity guaranteeing the performance of (Sub)Lessee **must attach a complete report, prepared in accordance with good accounting practice, reflecting current financial condition.** The report **must** include a balance sheet **and** annual income statement. The person or entity covered by the report must be prepared to substantiate all information provided.

OTHER INFORMATION

Each (Sub)Lessee, each general partner of (Sub)Lessee, each owner-corporation of (Sub)Lessee, each member of (Sub)Lessee owning more than a 10% membership interest, any person or business entity guaranteeing the performance of (Sub)Lessee, any person or entity owning more than a 10% interest of (Sub)Lessee, and any guarantor of (Sub)Lessee must answer the following questions:

1. **Surety Information** - Has a surety or bonding company ever been required to perform on the default of any of the individuals or entities?
 - a. Yes () No ()
 - b. If yes, please attach a statement naming the surety or bonding company, date, amount of bond, and the circumstances surrounding said default and performance.
2. **Bankruptcy Information** - Have any of the individuals or entities ever been adjudicated bankrupt or are any presently a debtor in a pending bankruptcy action?
 - a. Yes () No ()
 - b. If yes, please give dates, court jurisdiction, and amount of liabilities and assets.
3. **Pending Litigation** - Are any of the individuals or entities presently a party to ANY pending litigation?
 - a. Yes () No ()
 - b. If yes, please provide detailed information for each action.
4. **Claims, Liens, or Judgments** - Are any of the individuals or entities now subject to any outstanding claims, liens, or judgments?
 - a. Yes () No ()
 - b. If yes, please provide detailed information for each claim, lien, or judgment.

REFERENCES FOR PROPOSED (SUB)LESSEE

Please list four persons or firms with whom you have conducted business transactions during the past three years. Two of the references must have knowledge of your debt payment history, with at least one being a financial institution. Two of the references must have knowledge of your business experience.

REFERENCE NO. 1

Name: _____

Firm: _____

Title: _____

Address: _____

Telephone: _____

Nature and magnitude of purchase, sale, loan, business, association, etc.:

REFERENCE NO. 2

Name: _____

Firm: _____

Title: _____

Address: _____

Telephone: _____

Nature and magnitude of purchase, sale, loan, business, association, etc.:

REFERENCE NO. 3

Name: _____

Firm: _____

Title: _____

Address: _____

Telephone: _____

Nature and magnitude of purchase, sale, loan, business, association, etc.:

REFERENCE NO. 4

Name: _____

Firm: _____

Title: _____

Address: _____

Telephone: _____

Nature and magnitude of purchase, sale, loan, business, association, etc.:

CITY OF SAN DIEGO PERSONAL DESCRIPTION AND RELEASE

PLEASE NOTE: All partners, both general and limited; all stockholders owning more than 10% of any class of stock of corporations; all members of a limited liability company; and sole proprietors requesting to (sub)lease, must each complete this page before the tenancy request can be processed. (You may reproduce and use copies of this page, if necessary.)

The following personal information is required to initiate a credit investigation. The business and personal reputation of principals, partners, and members will be considered in qualifying Lessees or in consenting to Sublessees.

First, Middle, & Last Name	_____
Date of Birth	_____
Place of Birth	_____
Social Security Number	_____
Driver's License Number/State	_____
Home Address	_____ _____ _____
Previous Address	_____ _____ _____
Home Telephone No.	_____
Employer	_____
Occupation	_____
Business Address	_____ _____ _____
Business Telephone No.	_____
Business Fax No.	_____

The City is hereby authorized to request a credit report and other information covering my financial and business history.

Date _____ Signed _____

Print or type exact name of proposed (Sub)Lessee from page 2 of Questionnaire:

METHOD OF OPERATION

Please describe your proposed business operation on the property to be (Sub)Leased. Discuss any optional services and uses which you propose to provide.

**PROPOSED METHOD OF FINANCING
DEVELOPMENT OR LEASEHOLD PURCHASE**

Describe the method of financing for the Leasehold purchase or any new or additional development on the Leasehold. Include a schedule of approximate dates when construction of each significant improvement is expected to be commenced and completed.

ESTIMATE OF GROSS RECEIPTS

If this Questionnaire is being completed by a prospective Lessee, please show the best estimate of the average annual gross sales for each significant use or service, and for each significant optional use or service which the Lessee and its Sublessees (if any) plan to conduct on or from the property. (If the Questionnaire is being completed by a Sublessee, only the estimate of the Sublessee's gross sales is required.) This data will be used by the City to analyze the proposed Lease or Sublease Consent application. The time periods shown should not be assumed to necessarily represent the term of a (Sub)Lease that may be granted or consented to by the City.

Average annual gross sales for each proposed significant use during each of the first five operating years:

Year of Operation	Uses (Identify Each Use)				
1	\$	\$	\$	\$	\$
2					
3					
4					
5					

EXPERIENCE STATEMENT

Please describe in detail the duration and extent of your business experience, with special emphasis upon experience with the type of business which you propose to conduct on City property. Also state in detail the pertinent experience of the persons who will be directly involved in development and management of the business.

**TERMS AND CONDITIONS OF PURCHASE, SALE,
OR TRANSFER OF (SUB)LEASEHOLD INTEREST**

(NOTE: Complete this page only if the transaction involves a Lease assignment.)

Please summarize the terms and conditions of the purchase, sale, or transfer of Leasehold interest(s) which requires City consent, as specified in the Assignment-Sublease provisions of the City Lease. Please attach copies of the applicable sales agreement(s), escrow instructions, assignment agreement(s), or other documents in conjunction with the sale, purchase, or transfer of the (Sub)Leasehold interest(s).

Exhibit D: Contractor Standards Pledge of Compliance

City of San Diego
CONTRACTOR STANDARDS
Pledge of Compliance

The City of San Diego has adopted a Contractor Standards Ordinance (CSO) codified in section 22.3004 of the San Diego Municipal Code (SDMC). The City of San Diego uses the criteria set forth in the CSO to determine whether a bidder or proposer has the capacity to fully perform the contract requirements and the business integrity to justify the award of public funds. This completed Pledge of Compliance signed under penalty of perjury must be submitted with each bid and proposal. If an informal solicitation process is used, the bidder must submit this completed Pledge of Compliance to the City prior to execution of the contract. All responses must be typewritten or printed in ink. If an explanation is requested or additional space is required, Respondents must provide responses on Attachment A to the Pledge of Compliance and sign each page. Failure to submit a signed and completed Pledge of Compliance may render the bid or proposal non-responsive. In the case of an informal solicitation, the contract will not be awarded unless a signed and completed Pledge of Compliance is submitted. A submitted Pledge of Compliance is a public record and information contained within will be available for public review except to the extent that such information is exempt from disclosure pursuant to applicable law.

A. BID/PROPOSAL/SOLICITATION TITLE:

B. BIDDER/PROPOSER INFORMATION:

Legal Name		DBA	
Street Address	City	State	Zip
Contact Person, Title	Phone	Fax	

C. OWNERSHIP AND NAME CHANGES:

1. In the past five (5) years, has your firm changed its name?
Yes No

If Yes, use Attachment "A" to list all prior legal and DBA names, addresses, and dates each firm name was used. Explain the specific reasons for each name change.

2. In the past five (5) years, has a firm owner, partner, or officer operated a similar business?
Yes No

If Yes, use Attachment "A" to list names and addresses of all businesses and the person who operated the business. Include information about a similar business only if an owner, partner, or officer of your firm holds or has held a similar position in another firm.

D. BUSINESS ORGANIZATION/STRUCTURE:

Indicate the organizational structure of your firm. Fill in only one section on this page. Use Attachment "A" if more space is required.

Corporation Date incorporated: ____/____/____ State of incorporation: _____

List corporation's current officers: President: _____
 Vice Pres: _____
 Secretary: _____
 Treasurer: _____

Is your firm a publicly traded corporation? Yes No

If Yes, name those who own ten percent (10 %) or more of the corporation's stocks:

Limited Liability Company Date formed: ____/____/____ State of formation: _____

List names of members who own ten percent (10%) or more of the company:

Partnership Date formed: ____/____/____ State of formation: _____

List names of all firm partners:

Sole Proprietorship Date started: ____/____/____

List all firms you have been an owner, partner or officer with during the past five (5) years. Do not include ownership of stock in a publicly traded company:

Joint Venture Date formed: ____/____/____

List each firm in the joint venture and its percentage of ownership:

Note: To be responsive, each member of a Joint Venture must complete a separate *Pledge of Compliance*.

E. FINANCIAL RESOURCES AND RESPONSIBILITY:

1. Is your firm preparing to be sold, in the process of being sold, or in negotiations to be sold?
Yes No

If Yes, use Attachment "A" to explain the circumstances, including the buyer's name and principal contact information.

2. In the past five (5) years, has your firm been denied bonding?
Yes No

If Yes, use Attachment "A" to explain specific circumstances; include bonding company name.

3. In the past five (5) years, has a bonding company made any payments to satisfy claims made against a bond issued on your firm's behalf or a firm where you were the principal?
Yes No

If Yes, use Attachment "A" to explain specific circumstances.

4. In the past five (5) years, has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm?
Yes No

If Yes, use Attachment "A" to explain specific circumstances.

5. Within the last five years, has your firm filed a voluntary petition in bankruptcy, been adjudicated bankrupt, or made a general assignment for the benefit of creditors?

6. Please provide the name of your principal financial institution for financial reference. By submitting a response to this Solicitation Contractor authorizes a release of credit information for verification of financial responsibility.

Name of Bank: _____

Point of Contact: _____

Address: _____

Phone Number: _____

7. By submitting a response to a City solicitation, Contractor certifies that he or she has sufficient operating capital and/or financial reserves to properly fund the requirements identified in the solicitation. At City's request, Contractor will promptly provide to City a copy of Contractor's most recent balance sheet and/or other necessary financial statements to substantiate financial ability to perform.

F. PERFORMANCE HISTORY:

1. In the past five (5) years, has your firm been found civilly liable, either in a court of law or pursuant to the terms of a settlement agreement, for defaulting or breaching a contract with a government agency?
Yes No

If Yes, use Attachment "A" to explain specific circumstances.

2. In the past five (5) years, has a public entity terminated your firm's contract for cause prior to contract completion?
Yes No

If Yes, use Attachment "A" to explain specific circumstances and provide principal contact information.

3. In the past five (5) years, has your firm entered into any settlement agreement for any lawsuit that alleged contract default, breach of contract, or fraud with or against a public entity?
Yes No

If Yes, use Attachment "A" to explain specific circumstances.

4. Is your firm currently involved in any lawsuit with a government agency in which it is alleged that your firm has defaulted on a contract, breached a contract, or committed fraud?

Yes No

If Yes, use Attachment "A" to explain specific circumstances.

5. In the past five (5) years, has your firm, or any firm with which any of your firm's owners, partners, or officers is or was associated, been debarred, disqualified, removed, or otherwise prevented from bidding on or completing any government or public agency contract for any reason?

Yes No

If Yes, use *Pledge of Compliance Attachment "A"* to explain specific circumstances.

6. In the past five (5) years, has your firm received a notice to cure or a notice of default on a contract with any public agency?

Yes No

If Yes, use Attachment "A" to explain specific circumstances and how the matter resolved.

7. Performance References:

Please provide a minimum of three (3) references familiar with work performed by your firm which was of a similar size and nature to the subject solicitation within the last five (5) years.

Company Name: _____

Contact Name and Phone Number: _____

Contact Email: _____

Address: _____

Contract Date: _____

Contract Amount: _____

Requirements of Contract: _____

Company Name: _____

Contact Name and Phone Number: _____

Contact Email: _____

Address: _____

Contract Date: _____

Contract Amount: _____

Requirements of Contract: _____

Company Name: _____

Contact Name and Phone Number: _____

Contact Email: _____

Address: _____

Contract Date: _____

Contract Amount: _____

Requirements of Contract: _____

G. COMPLIANCE:

1. In the past five (5) years, has your firm or any firm owner, partner, officer, executive, or manager been criminally penalized or found civilly liable, either in a court of law or pursuant to the terms of a settlement agreement, for violating any federal, state, or local law in performance of a contract, including but not limited to, laws regarding health and safety, labor and employment, permitting, and licensing laws?

Yes No

If Yes, use Attachment "A" to explain specific circumstances surrounding each instance. Include the name of the entity involved, the specific infraction(s) or violation(s), dates of instances, and outcome with current status.

2. In the past five (5) years, has your firm been determined to be non-responsible by a public entity?

Yes No

If Yes, use Attachment "A" to explain specific circumstances of each instance. Include the name of the entity involved, the specific infraction, dates, and outcome.

H. BUSINESS INTEGRITY:

1. In the past five (5) years, has your firm been convicted of or found liable in a civil suit for making a false claim or material misrepresentation to a private or public entity?

Yes No

If Yes, use Attachment "A" to explain specific circumstances of each instance. Include the entity involved, specific violation(s), dates, outcome and current status.

2. In the past five (5) years, has your firm or any of its executives, management personnel, or owners been convicted of a crime, including misdemeanors, or been found liable in a civil suit involving the bidding, awarding, or performance of a government contract?

Yes No

If Yes, use *Pledge of Compliance Attachment "A"* to explain specific circumstances of each instance; include the entity involved, specific infraction(s), dates, outcome and current status.

3. In the past five (5) years, has your firm or any of its executives, management personnel, or owners been convicted of a federal, state, or local crime of fraud, theft, or any other act of dishonesty?

Yes No

If Yes, use *Pledge of Compliance Attachment "A"* to explain specific circumstances of each instance; include the entity involved, specific infraction(s), dates, outcome and current status.

I. WAGE COMPLIANCE:

In the past five (5) years, has your firm been required to pay back wages or penalties for failure to comply with the federal, state or local prevailing, minimum, or living wage laws? Yes No If Yes, use Attachment "A" to explain the specific circumstances of each instance. Include the entity involved, the specific infraction(s), dates, outcome, and current status.

J. STATEMENT OF SUBCONTRACTORS:

Please provide the names and information for all subcontractors used in the performance of the proposed contract, and what portion of work will be assigned to each subcontractor. Subcontractors may not be substituted without the written consent of the City. Use Attachment "A" if additional pages are necessary. If no subcontractors will be used, please write "Not Applicable."

Company Name: _____

Contact Name and Phone Number: _____

Contact Email: _____

Address: _____

Contract Date _____

Sub-Contract Dollar Amount: _____

Requirements of Contract: _____

What portion of work will be assigned to this subcontractor: _____

Is the Subcontractor a certified SLBE, ELBE, MBE, DBE, DVBE, or OBE? (Circle One) YES NO

If YES, Contractor must provide valid proof of certification with the response to the bid or proposal.

Company Name: _____

Contact Name and Phone Number: _____

Contact Email: _____

Address: _____

Contract Date _____

Sub-Contract Dollar Amount: _____

Requirements of Contract: _____

What portion of work will be assigned to this subcontractor: _____

Is the Subcontractor a certified SLBE, ELBE, MBE, DBE, DVBE, or OBE? (Circle One) YES NO

If YES, Contractor must provide valid proof of certification with the response to the bid or proposal.

K. STATEMENT OF AVAILABLE EQUIPMENT:

List all necessary equipment to complete the work specified. Use *Pledge of Compliance Attachment "A"* if additional pages are necessary. In instances where the required equipment is not owned by the Contractor, Contractor shall explain how the equipment will be made available before the commencement of work. The City of San Diego reserves the right to reject any response when, in its opinion, the Contractor has not demonstrated he or she will be properly equipped to perform the work in an efficient, effective manner for the duration of the contract period.

If no equipment is necessary to complete the work specified, please write "Not Applicable."

Equipment Description: _____

Owned ☐ Rented ☐ Other ☐ (explain below)

If Owned, Quantity Available: _____

Year, Make & Model: _____

Explanation: _____

Equipment Description: _____

Owned ☐ Rented ☐ Other ☐ (explain below)

If Owned, Quantity Available: _____

Year, Make & Model: _____

Explanation: _____

Equipment Description: _____

Owned ☐ Rented ☐ Other ☐ (explain below)

If Owned, Quantity Available: _____

Year, Make & Model: _____

Explanation: _____

L. TYPE OF SUBMISSION: This document is submitted as:

Initial submission of *Contractor Standards Pledge of Compliance*.

Update of prior *Contractor Standards Pledge of Compliance* dated ____/____/____.

Complete all questions and sign below.

Under penalty of perjury under the laws of the State of California, I certify that I have read and understand the questions contained in this Pledge of Compliance, that I am responsible for completeness and accuracy of the responses contained herein, and that all information provided is true to the best of my knowledge and belief. I agree to provide written notice to the Purchasing Agent within five (5) business days if, at any time, I learn that any portion of this Pledge of Compliance is inaccurate. Failure to timely provide the Purchasing Agent with written notice is grounds for Contract termination.

I, on behalf of the firm, further certify that I and my firm will comply with the following provisions of SDMC section 22.3004:

(a) I and my firm will comply with all applicable local, State and Federal laws, including health and safety, labor and employment, and licensing laws that affect the employees, worksite or performance of the contract.

(b) I and my firm will notify the Purchasing Agent in writing within fifteen (15) calendar days of receiving notice that a government agency has begun an investigation of me or my firm that may result in a finding that I or my firm is or was not in compliance with laws stated in paragraph (a).

(c) I and my firm will notify the Purchasing Agent in writing within fifteen (15) calendar days of a finding by a government agency or court of competent jurisdiction of a violation by the Contractor of laws stated in paragraph (a).

(d) I and my firm will notify the Purchasing Agent in writing within fifteen (15) calendar days of becoming aware of an investigation or finding by a government agency or court of competent jurisdiction of a violation by a subcontractor of laws stated in paragraph (a).

(e) I and my firm will cooperate fully with the City during any investigation and to respond to a request for information within ten (10) working days.

Failure to sign and submit this form with the bid/proposal shall make the bid/proposal non-responsive. In the case of an informal solicitation, the contract will not be awarded unless a signed and completed *Pledge of Compliance* is submitted.

Name and Title

Signature

Date

City of San Diego
CONTRACTOR STANDARDS
Pledge of Compliance Attachment "A"

Provide additional information in space below. Use additional Attachment "A" pages as needed. Each page must be signed.
Print in ink or type responses and indicate question being answered.

I have read the matters and statements made in this Contractor Standards Pledge of Compliance and attachments thereto and I know the same to be true of my own knowledge, except as to those matters stated upon information or belief and as to such matters, I believe the same to be true. I certify under penalty of perjury that the foregoing is true and correct.

Print Name, Title

Signature

Date