



## **REQUEST FOR PROPOSALS (RFP)**

CITY OF UPLAND  
S/W Corner of N. Sixth Ave. & E. Washington Blvd.  
Upland, California  
(APN-1046-433-23)

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## **I. GENERAL INFORMATION AND INSTRUCTIONS**

### **A. General**

The City of Upland (the “City”) is seeking proposals for the purchase and redevelopment of City-owned parcels of land, which together are approximately 29,195 square feet, located at the southwest corner of N. Sixth Avenue and E. Washington Boulevard in Upland, California.

### **B. Issuing Office**

The City has issued this Request for Proposals. All contact regarding this RFP is to be directed to:

Doug Story, Development Services Specialist  
City of Upland  
460 N. Euclid Ave  
Upland, Ca 91785-0460  
Phone: (909) 931-4267  
Fax: (909) 931-4123  
Email: [dstory@ci.upland.ca.us](mailto:dstory@ci.upland.ca.us)

### **C. Goals for this site**

- Provide for the development of multi-family housing that suits a diverse range of lifestyles and space needs and ensure continued availability of the range of housing opportunities necessary to sustain a diverse labor force and meet the needs of all segments of the community.
- Increase the number of residential units in the City.
- Develop underutilized property in the City.
- Maximize the financial return to the City for the sale of the land.
- Maximize the number of affordable senior housing units in the project..

### **D. Our vision for this site**

- A project design that is appropriate in this area adjacent to the City’s downtown area and surrounding historic residential neighborhood that is consistent to the requirements in the Historic Downtown Upland Specific Plan.
- A pedestrian friendly development that relates well to the street, and the adjacent pedestrian/bicycle path to the north.

- A project that will be a catalyst for further development in the area.
- A project that consists of 9 for-sale townhouse dwelling units made up of a combination of 3 and 4 bedroom units with a 2-car garage.
- A project that is architecturally compatible with the surrounding historic neighborhood.
- A project that provides affordable housing to seniors who qualify as low income, with a goal of including at least one unit affordable to a household earning up to 80% Area Median Income (AMI), two units affordable to households earning up to 120% AMI and two units affordable to households earning up to 140% AMI, as adjusted by family size as defined by the U.S. Department of Housing and Urban Development (HUD).

**E. Site Description**

Currently this site is zoned Downtown Historic Upland Specific Plan, Multi Family/Senior Housing. The parcel is approximately .67 acres in size and is bounded on the north by E. Washington Boulevard and North. 6<sup>th</sup> Avenue on the east. The property is also bound by single family dwellings on the south and a multi-family apartment complex. To the north of E. Washington Boulevard is a walking/cycling trail that traverses the entire City of Upland in the east/west direction. The City’s Historic Downtown is located approximately 1,000 feet west of the subject property by way of the walking/cycling path.

City of Upland ordinance requirements for planning, zoning, building, and parking can be accessed on the City’s web site at:

<http://www.qcode.us/codes/upland/revisions/1897.pdf>

City of Upland ordinance requirements for planning, zoning, building, and parking can be accessed on the City’s web site at:

Additional information may be requested from the City’s Planning Division at (909) 931-4130.

A supplemental packet of information regarding the site is available from the City and includes the following:

- City of Upland Zoning Code for Historic Downtown Upland Specific Plan: Old Town District, Multi-Family/Senior Housing District Chapter 5, and can be accessed at:

[http://www.ci.upland.ca.us/uploads/ftp/city\\_departments/development\\_services/planning/specific\\_plans/pdfs/Historic%20Downtown%20Upland%20Specific%20Plan.pdf](http://www.ci.upland.ca.us/uploads/ftp/city_departments/development_services/planning/specific_plans/pdfs/Historic%20Downtown%20Upland%20Specific%20Plan.pdf)

- City of Upland Zoning Code for Sign Regulations (Historic Downtown Upland Specific Plan Chapter 5 Section G - Signs.
- City of Upland Zoning Code for Off-Street Parking regulations
- Utility information on water main size, pressure measurements, tap location; immediate fire hydrant facilities; sewer pipe size, slope and tap location; storm sewer location; available private utility information.

This information will be available on request. The City does not warrant or guarantee the accuracy of the information provided. Rather, it is providing the documents for background purposes only and not for any other purpose. Potential Submitters are not relieved of their responsibility to make personal investigations of the site, of the work and of existing facilities and shall determine to its own satisfaction the conditions to be encountered, the nature of the ground, the difficulties involved, and all other factors affecting the work proposed in this Request for Proposals.

**Table 1-1  
Preliminary RFP Schedule**

RFP Issued	October 04, 2016
<b>RFP Response deadline</b>	<b>November 01, 2016</b>
RFP Evaluation Begins	November 02, 2016
Selection Committee Recommendation, week of	November 07, 2016
City Approval of Purchase and Sale Agreement	December 12, 2016

The schedule above is subject to change at the Cities discretion

**F. Proposal Submissions and Clarifications**

Proposals must be submitted in the proposal format required. Sealed proposals will be received by the City (at Upland’s City Hall), located at 460 N. Euclid Ave, Upland, CA 91786, at the time stipulated. Each proposal must be enclosed in a sealed envelope, endorsed across one end:

**REQUEST FOR PROPOSALS FOR SALE AND DEVELOPMENT OF CITY OWNED PROPERTY LOCATED AT N. SIXTH AVENUE AND E. WASHINGTON BOULEVARD, UPLAND, CALIFORNIA.**

One original and five copies of the Proposal and an electronic version of the report in Adobe Acrobat Portable Document File (PDF) format shall be submitted, with the Acquisition Cost Proposal submitted separately in a sealed and marked envelope. The information included therein should be as concise as

possible. To be considered each Submitter must submit a complete response to this RFP using the format found in Section 3 of this RFP. No other distribution of the proposals is to be made by the Submitter. Appendix A of this RFP, Legal Status of Proposer must be completed and returned with the proposal. An official authorized to bind the submitter to its proposal provisions must sign each proposal copy in ink.

Proposals must arrive no later than **November 01, 2016 AT 5:00 P.M.** Proposals received after the deadline will be deemed unacceptable for further consideration. Regardless of the delivery method the Submitter is responsible for the actual delivery of the proposals to the City as of the deadline. Submitters agree to honor their proposal for a period of one hundred twenty (120) days from the proposal due date. All proposals become the property of the City after the deadline whether awarded or rejected.

The City accepts no financial responsibility for costs incurred by any Submitter in responding to this RFP. By responding to this RFP the Submitter agrees to hold the City of Upland and City harmless in connection with the release of any information contained in its proposal.

Should any prospective Submitter be in doubt as to the true meaning of any portion of this RFP, or should the Submitter find any ambiguity, inconsistency, or omission therein, the Submitter shall make a written request for an official interpretation or correction. All questions concerning the solicitation and specifications shall be submitted in writing via e-mail or fax to the name below. You are encouraged to submit your questions via e-mail.

Doug Story, Development Services Specialist  
City of Upland  
460 N. Euclid Ave  
Upland, Ca 91785-0460  
Phone: (909) 931-4267  
Fax: (909) 931-4123  
Email: [dstory@ci.upland.ca.us](mailto:dstory@ci.upland.ca.us)

Questions must be submitted no later than October 24, 2016 at 4 p.m. (5 business days prior to the submission deadline)

Any oral responses to any questions shall be unofficial and not binding on the City. The City staff will make such interpretation or correction, as well as any additional RFP provisions that the City may decide to include, only as an RFP addendum. Staff will mail or deliver addendums to each prospective Submitter recorded as having received a copy of the RFP. Any addendum issued by the City shall become a part of the RFP. Submitters should consider issued addendums in preparing his or her proposal.

**G. Selection Criteria**

The initial screening evaluation will be based upon the responses to the questions outlined in these specifications. Responses to this RFP will be evaluated using a two-tier selection system.

**1. Tier One Proposal Evaluation**

Proposals shall be evaluated under the tier one proposals evaluation process based on the description of the items and on the weighting listed below. The proposals that are evaluated to have sufficient credentials under Tier One will then be passed along for a Tier Two evaluation.

**Table 1-2  
Tier One Proposal Evaluation**

<b>Description</b>	<b>Weighting</b>
Professional Qualifications	30% weighting
Past Involvement with Similar Project	35% weighting
Financial capacity and ability to finance, including experience and capacity to develop an attractive residential project for a mix of incomes. Demonstrated ability to procure financing for a project of this size and type	35% weighting

**2. Tier Two Proposal Evaluation**

Proposals shall be evaluated under the tier two proposals evaluation process based on the description of the items and on the weighting listed below.

**Table 1-3  
Tier Two Proposal Evaluation**

<b>Description</b>	<b>Weighting</b>
Extent to which the proposal meets the goals and project scope of the RFP and achievement of site development goals and visions.	50% weighting
Proposed purchase price, and achievement of financial goals.	50% weighting

**H. Selection Process**

The Selection Committee for this Request for Proposals will consist of representatives of City’s staff and City consultants.

The City will initially evaluate responses to the RFP to decide which Submitter(s), if any, they will interview. For the initial evaluation, they will not consider acquisition price proposals. For this reason, the acquisition price

proposal must be separately submitted in a sealed and marked envelope. Before the interview(s), the acquisition price proposal(s) of the Submitter(s) selected will be opened and reviewed.

Interviewed Submitters will be re-evaluated by the above criteria after the interview and ranked. The highest-ranked Submitter will be recommended to the City Council for the award of the proposal.

The City may negotiate a mutually acceptable Purchase and Sale Agreement with the highest ranked Submitter. The City will determine whether the final scope of the project to be negotiated will be entirely as described in this RFP, a portion of the scope, or a revised scope. The Selected Submitter must secure and pay for all plan review fees necessary for the prosecution of its proposal. The City will provide for a reasonable time in which to obtain such approvals before closing. If a PSA is not concluded, the City, at its sole option, may choose to initiate negotiations with any other qualified Submitter, or reopen the entire process.

The City reserves the right to not consider any proposal that it determines to be unresponsive and deficient in any of the information requested for evaluation. A proposal with all the requested information does not guarantee the proposing firm to be a candidate for an interview. The Committee may contact references to verify material submitted by the proposers.

#### **I. Reservation of Rights**

The City reserves the right to accept any Proposal, to reject any or all Proposals, to waive irregularities and/or informalities in any Proposal and to make the award in any manner the City believes to be in its best interest.

## **V. PROPOSAL SCOPE OF PROJECT**

### **A. Site Development Goals**

The City wishes to advance a number of important goals in the sale, redevelopment and use of the subject property. The required elements for any proposal need to include:

1. Affordable Senior Housing development.
2. The dwellings may be done with conventional construction systems or as manufactured dwelling units. It should be noted that proposals that incorporate manufactured dwelling units shall have the same design quality criteria as proposals with conventional construction systems.
3. Senior Housing for low-moderate income groups.
4. The provision of no less than 9 dwelling units comprised of 3 or 4 bedroom units or a combination of the two.
5. Pedestrian-friendly design of all street frontages. The design should take into account the pedestrian/bicycle trail with link the project with the City's downtown area.
6. Use of historical architectural design elements that tie the project to the historical architecture of the area.
7. A maximal financial return to the City for the sale of the land.
8. A project design and use of the site to help redevelop the area.

### **B. Work Plan/Schedule of Performance**

Proposal must include a detailed Work Plan/Schedule of Performance for the development of the subject property, including but not limited to a listing of all elements necessary to accomplish the development of the site. The Schedule of Performance shall depict the sequence and duration of plan components showing how the work will be organized and executed. Any additional project elements suggested by the Submitter are to be included in the work plan and identified as Submitter suggested elements. Also include in the work plan proposed steps, if any, to expedite completion of the individual components within the project. This will be given due consideration during evaluation of proposals.

**INFORMATION REQUIRED FROM ALL PROPOSAL SUBMITTERS**

**C. Format**

Proposals should be submitted using the following format:

Section 1: Proposal Statement (format attached – Appendix A)

Section 2: Project Description: This section should provide a narrative summary description of the proposed project. Proposed number and type of residential units, parking provisions, and building design objectives shall be addressed.

Section 3: Plans: This section should provide a schematic plan including site plan data and schematic floor plans for each floor plan type, and elevations for each floor plan type. Plans shall be no larger than 11 inches x 17 inches in size.

Section 4: Project Schedule: This section should include a project completion schedule including start and completion dates and other key dates as identified for action. Proposal must include the time period by which this project will be initiated and completed.

Section 5: Construction Team: This section should identify the professionals who will provide the following components of the project: design team, construction, and construction management. Include the name of executive and professional personnel by skill and qualification that will be employed in the work. Identify where these personnel will be physically located during the time they are engaged in the work. Indicate which of these individuals you consider key to the successful completion of the project. Identify individuals who will do the work on this project by name and title. Resumes or qualifications of proposed project personnel may be submitted as an appendix.

Section 6: Overview of the Organization and its services – This section should give a summary of the development firm’s history, including years in business, locations, size, growth, services and financial capability. Include information regarding any pending or recent lawsuits against the organization, its officers or employees. If the proposal is submitted by a lead organization on behalf of several partners, provide similar information for each partner.

Section 7: Professional Qualifications: This section should include the full name and address of your organization and, if applicable, the branch office or other subordinate element that will perform, or assist in performing, the work hereunder. Indicate whether it operates as an individual, partnership, or

corporation. If as a corporation, include whether it is qualified to do business in California. This information shall be provided for all organizations participating in the development of the property. If the proposal is submitted by a lead organization on behalf of several partners, list all key partners and their respective roles in the proposal. Identify the technical expertise, which make the organization(s) qualified for this work.

Section 8: Prior Experience with Similar Projects: This section should provide a description of other infill residential projects completed. Include names, title and phone numbers of contact persons from units of government where these projects are located. Include supporting documents to demonstrate capacity.

Section 9: Financial Capacity: This section should provide a description of the financial capacity of the organization, including appropriate documentation and banking references. If available, provide 3 years of certified financial statements.

Section 10: Project Financing: This section should include a development pro forma analysis and other financial information for the project. Include the anticipated time schedule to assemble needed financial commitments, types of financing expected and letters of interest from banks or other sources. Financial partnerships (e.g., public/private; nonprofit/profit) must be identified.

Section 11: Acquisition Cost Proposal (must be separately submitted in sealed and marked envelope) – This section should include the amount offered for purchase of the property, and, any purchase contingencies proposed. Any financial contingencies must also be identified.

Section 12: Certifications (format attached – Appendix B)

Each section of the proposal must be clearly identified with the appropriate headings. Additional pages of personnel resumes may be attached as appendices. To be considered responsive to this RFP, a prospective Submitter must provide all of the information requested. The specifications within the RFP represent the minimum performance necessary for response.

#### **D. References**

Each Submitter shall submit a list of at least four (4) references for recent projects. Reference must include a point of contact (POC), e-mail address, and a telephone number where the POC can be contacted. The reference list shall also include the dates when these projects were constructed.

Each submitter shall also submit at least two (2) financial references from banks or other financial institutions attesting to the submitter's financial capacity and ability to finance a project as proposed.

**E. Appendices**

All proposers must complete and submit "Appendix A – Proposal Statement" and "Appendix B – Certifications" with their proposal as required under Section III-A above..

**APPENDIX "A"  
PROPOSAL STATEMENT**

City of Upland  
460 N. Euclid Ave  
Upland, Ca 91785-0460

Ladies and Gentlemen:

The undersigned declares that this Proposal is made in good faith, without fraud or collusion with any person or persons submitting a proposal on the same Contract; that the undersigned has carefully read and examined the "Request for Proposals" documents, including Information and Instructions, Scope of Project, Information Required, all Addenda (if any), and understands them. The undersigned declares that it is fully informed as to the nature of and the conditions relating to the terms of sale of the property. Further, the undersigned declares that it has extensive experience in successfully providing the redevelopment services required under the specifications of this Request for Proposal.

The undersigned acknowledges that it has not received or relied upon any representations or warrants of any nature whatsoever from the City of Upland ("City"), its agents or employees, and that this Proposal is based solely upon the undersigned's own independent business judgment.

If the City accepts this Proposal and the undersigned fails to contract and furnish the required earnest money deposit and insurance documentation at the time of execution of the Disposition and Development Agreement, then the undersigned shall be considered to have abandoned the Proposal. In submitting this Proposal, it is understood that the right is reserved by the City to accept any Proposal, to reject any or all Proposals, to waive irregularities and/or informalities in any Proposal, and to make the award in any manner the City believes to be in its best interest.

COMPANY NAME\*: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY, STATE, AND ZIP CODE: \_\_\_\_\_

DATE: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

FAX: \_\_\_\_\_

AUTHORIZED SIGNATURE: \_\_\_\_\_

PRINTED NAME OF SIGNER \_\_\_\_\_

TITLE OF SIGNER: \_\_\_\_\_

\* NOTE: If the PROPOSER is a corporation, the legal name of the corporation shall be set forth above together with the signature of authorized officer or agents. If PROPOSER is a partnership, the true name of the firm shall be set forth with the signature of the partners authorized to sign contracts on behalf of the partnership. If PROPOSER is an individual, his signature shall be placed above.

\*NOTE: Interested Organizations may establish a partnership of more than one organization to provide the services identified in the Scope of Services.

**APPENDIX "B"  
CERTIFICATIONS**

By signing and submitting this Certification, the proposer certifies in connection with this proposal:

1. Submitter agrees to defend, indemnify and hold harmless the City of Upland ("City"), its officers, employees and agents from and against all claims, lawsuits, losses and expenses including attorney's fees arising out of or resulting from the performance of this award; and
2. Submitter has arrived at the prices and costs in the proposal independently, without consultation, communication, or agreement, for the purpose of restricting competition as to any matter relating to such fees with any other proposal submitter or with any competitor; and
3. Unless otherwise required by law, the prices and costs which have been quoted in the proposal have not been knowingly disclosed by the Submitter and will not knowingly be disclosed by the submitter prior to award directly or indirectly to any other prospective Submitter or to any competitor; and
4. No attempt has been made or shall be made by the proposal Submitter to induce any other person or firm to submit or not submit a proposal for the purpose of restricting competition; and
5. Each person signing the proposal certifies that he/she is the person in the proposal Submitter's organization responsible within that organization for the decision as to the acquisition cost proposal being offered in the proposal and has not participated (and will not participate) in any action contrary to items 2-4 above; and
6. A proposal will not be considered for award if the sense of the statement required in the Cost Analysis portion of the proposal has been altered so as to delete or modify section 2-4 above. If section 3 has been modified or deleted, the proposal will not be considered for award unless the Submitter furnishes with the proposal a signed statement, which sets forth in detail the circumstances of the disclosure, and the City determines that such disclosure was not made for the purpose of restricting competition; and
7. Submitter has read the minimum insurance requirements as listed in Appendix "D" attached hereto.

COMPANY NAME\*: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY, STATE, AND ZIP CODE: \_\_\_\_\_

DATE: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

FAX: \_\_\_\_\_

AUTHORIZED SIGNATURE: \_\_\_\_\_

PRINTED NAME OF SIGNER \_\_\_\_\_

TITLE OF SIGNER: \_\_\_\_\_

APPENDIX "C"  
ASSESSOR'S PARCEL MAP



Ptn. Farwood Ero's. Sub.  
M.E. 14/19

City of Upland  
Tax Posa Area  
8001 8007 8035  
8652 8070 046 - 43



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Map No. 1046, Vol. 14, Page 43

Fig. S.W. 1/4, Sec. 8  
T.15., R. 7W.

Assessor's Map  
Book 1046 Page 43  
San Bernardino County

REVISION  
12/20/17



**APPENDIX "E"**  
**INSURANCE REQUIREMENTS**

Developer shall obtain and maintain, at its sole costs and expense and with a reputable and financially responsible insurance company reasonably acceptable to City, the following insurance:

1. Commercial general liability insurance, insuring against claims and liability for bodily injury, death or property damage arising from the construction, use, occupancy, condition or operation of the Development, which insurance shall provide protection for bodily injury and property damage of at least Three Million Dollars (\$3,000,000) per occurrence and general aggregate limit protection of at least Five Million Dollars (\$5,000,000). All policies evidencing such insurance shall: (i) contain standard cross-liability and severability of interest clauses; (ii) contain a clause providing that these policies are primary and that any other insurance of City or City with respect to the matters covered by such policy shall be excess and noncontributing; and (iii) contain a waiver of subrogation in favor of City and City.
2. During the construction of the Development (i) so-called "Builder's Risk 100% Replacement Cost Non-Reporting" insurance in a form and with a company reasonably acceptable to City, and (ii) worker's compensation insurance covering all persons employed by Developer in connection with such work. Such builder's risk insurance shall cover the improvements in place and all material and equipment at the job site furnished under contract, but shall exclude contractors', subcontractors', and construction managers' tools and equipment and property owned by contractors; and subcontractors' employees and the policies evidencing such insurance shall: (a) afford coverage for not less than ninety percent (90%) of the full replacement cost of the insured property and for removal of damaged property; (b) contain a waiver of subrogation in favor of City and City.

With respect to each policy of insurance required by this section, Developer shall furnish City with certificate, issued by the insurance carrier providing such policy, setting forth the general provisions and coverage limits thereof. Developer shall furnish the required certificates concurrently with the issuance of each policy.

Each policy of insurance required by this section shall be non-assessable and shall contain language to the effect that (i) the policies cannot be canceled or materially changed except after thirty (30) days' notice by the insurer to City, (ii) City shall not be liable for any premiums or deductible and (iii) shall name City and City, and their employees, officers and agents, as additional insured by endorsement. All such insurance shall have deductible limits that are reasonably acceptable to City.

Developer shall furnish City with reasonable evidence that any contractor with whom it has contracted for the construction of the Development, and any subcontractor with whom such contractor has contracted, carries (i) workers' compensation insurance as required by law and (ii) the insurance described in section (provide, however, that the liability limits require to be carried such contractors/subcontractors shall be amounts acceptable to Holder).