

REQUEST FOR PROPOSALS

**LOS ANGELES COUNTY CONSOLIDATED
FIRE DISTRICT HEADQUARTERS**

INSTRUCTIONS

Prepared By
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Chief Executive Office
Real Estate Division
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LOS ANGELES COUNTY CONSOLIDATED FIRE DISTRICT HEADQUARTERS
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All Appendices are part of the RFP and are contained on the enclosed DVD.

1.0 INTRODUCTION

1.1 Purpose

The County of Los Angeles (County), Chief Executive Office (CEO) is issuing this Request for Proposals (RFP) to solicit proposals for construction of a new Los Angeles County Consolidated Fire District Headquarters.

Only proposals submitted in response to and in conformity with this RFP will be considered.

1.2 Overview of the RFP Process and Solicitation Document

The RFP establishes guidelines, procedures and criteria for submitting proposals. Each proposer is advised to read the entire RFP for conditions and requirements which are included throughout this RFP packet. The RFP packet is composed of the following parts:

- **Letter:** notifies the public that the County is seeking proposals.
- **Instructions:** provides instructions on how to prepare and submit a proposal.
- **Appendix A, Los Angeles County Fire District Headquarters, Bridging Document Performance Criteria, September 15, 2006:** The Performance Criteria are intended to supplement the Bridging Document drawings and provide information and insight into the Los Angeles County Fire Department's expectations for the design and quality of the new Consolidated Fire District Headquarters project. The Performance Criteria are not intended to be inclusive of all elements of the Design/Builders work, but rather general descriptions of many of the building systems and components. The Performance Criteria documents represent a schematic design level of completion that illustrate and describe the refinement of the design fixing the scope, relationships, forms, size and appearance of the Project, and include sufficient functional, urban design, architectural, engineering and technical information for the Design/Builder to submit a bid to carry the Project through completion and occupancy. These documents may contain concepts requiring adjustment through construction document implementation. Implementation of the design concept shall be the responsibility of the Design/Builder. The Design/Builder shall confirm all aspects of the Performance Criteria documents and shall not vary from the design requirements unless approved in writing by the County of Los Angeles Fire Department and its representatives.
- **Appendix B, Los Angeles County Fire District Headquarters, Bridging Document Drawings, September 15, 2006**
- **Appendix C, Los Angeles County Fire District Headquarters, Deconstruction and Demolition Specifications, September 15, 2006:** The Deconstruction and Demolition Specifications provide the general requirements of the Los Angeles County Fire Department regarding stormwater pollution control, deconstruction and demolition, demolition materials management, reuse, recycling and disposal, site clearing, rough grading, excavating, backfilling and compacting for utilities and storm drainage systems.
- **Appendix D, Los Angeles County Fire District Headquarters, Deconstruction and Demolition Drawings, September 15, 2006**

- **Appendix E, Los Angeles County Fire District Headquarters, Space Requirements Program, January 20, 2006:** The space requirement identifies staff and space to be assigned to each bureau/division. It identifies a fiscal year 2005/2006 total need for 141,340 net square feet (NSF) to accommodate 471 personnel. The space requirements present the consolidated staff and space requirements for all bureaus and divisions that will occupy space in the Headquarters Building. Each bureau is described with a written overview of operational responsibilities, adjacency relationships, and other significant functional and space characteristics that supplement the numerical space calculations. A discussion of important adjacency relationships is also provided.
- **Appendix F, Environmental Impact Report Vol. 1, 2 and 3 for the Consolidated Fire Protection District Headquarters Complex And Initial Study and Phase 1***
*(This Appendix F is located under Appendix C)
- **Appendix G, Preliminary Soil and Geology Investigation Report**
Proposed New Headquarters Office Building
Los Angeles County Fire Department
1320 North Eastern Avenue
City Terrace, California
- **Appendix H, Asbestos Survey and Lead Based Paint Inspection**
- **Appendix I, Topographical Maps**
- **Appendix J, Methane Gas Mitigation System**
- **Appendix K, Existing Utility Survey**
- **Appendix L, Underground Storage Tank Closure Report, February 26, 2007**
- **Appendix M, Civic Art Policy and Procedures**
- **Appendix N, Required Forms**
- **Appendix O, Pamphlets and Other Forms – Doing Business with the County**

Firms submitting responsive proposals will be reviewed by an evaluation committee which will determine the most favorable proposal to the County. The Board of Supervisors (Board) retains the right to exercise its independent discretion concerning the selection of a proposal and the terms of any resultant proposed agreement, and to determine which proposal best serves the County. The Board is the ultimate decision making body and makes the final decision to award, or not to award, a contract for the services described herein.

1.3 Objective

This RFP is for a turn key design/build Lease/Lease-Back of the Los Angeles County Consolidated Fire District Headquarters Complex (Project). The County intends to lease the land to the successful Proposer on which the Project will be built. Construction risk, financing and all development costs shall be the sole responsibility of the developer, who shall arrange all of its own financing. Upon the issuance of the Certificate of Occupancy,

at the County's sole option, the County can elect to Lease-Back the Project or exercise its option to purchase the Project outright anytime thereafter. Should the County elect to Lease-Back the Project, the developer must arrange its own permanent financing and enter into a long term full-service capital lease with the County.

The Project is comprised of approximately 175,000 gross square feet and parking for 554 cars. The Project includes open and private administrative offices servicing the Executive Office and four additional bureaus – Administrative Services Bureau, Prevention Bureau, Support Services Bureau and Special Operations Bureau. A gymnasium, museum, museum store, (library, cafeteria and auditorium) are also included as part of the new program.

The site of the Project is located atop a hill at 1320 N. Eastern Avenue in Los Angeles, (and is often referred to as "The Hill" by County of Los Angeles employees). The site covers approximately 19 acres and is currently populated with several existing buildings housing various Fire Department bureaus and divisions, special use facilities and a 9-1-1 dispatch center. The site also hosts an existing communications tower and fueling station. In addition to day-to-day uses, the site currently is regularly used for training exercises, special ceremonies and the storage of several historic fire engines and Fire Department related artifacts.

The Los Angeles County Fire Department determined that there was a need to bring the majority of the District back to the Hill to minimize off-site lease costs, increase productivity, improve employee camaraderie and morale, and maintain better responsiveness through having all of its divisions co-located.

The Fire Department, in conjunction with the Department of Public Works, developed the following goals and expectations for the project:

- Create a campus feel on the site
- Incorporate innovative design into the project
- Incorporate sustainable principles into the design of the building and site
- Design for long-term, low utility and maintenance costs
- Design a project which will last for 50 years
- Accommodate the 471 people who are to be employed by the Fire Department in the project
- Practice sensitivity to the surrounding neighborhood and local community groups

The Los Angeles County Fire Department's intent is to require that the financing of all reasonable expenditures for the Project be the responsibility of the Developer, including, but not limited to, soft costs, hard construction costs, all fees and costs associated with LEED Silver certification and third party LEED commissioning, building and deputy inspection costs, Tenant Improvements, systems and loose furniture (\$7,000,000 allowance), telephone cabling and equipment, audio visual equipment, financing, Developer's fees, Design/Build Team fees, and a 1% set aside, up to a maximum of \$1,000,000, for participation in the County of Los Angeles Arts Commission Civic Art program.

Note: With respect to furniture and audio visual equipment, the County expects the Developer to incorporate such costs into any Proposal submitted even though the Performance Criteria indicates that the County will handle, and pay for, these items.

Performance Criteria

The Design/Builder shall be responsible for completing the construction documents and construction of the Project in conformance with the Bridging Documents Performance Criteria and Drawings. The Performance Criteria and Drawings represent the approved design direction for the Project, after extensive review by the Los Angeles County Fire Department, the Los Angeles County Department of Public Works and the Los Angeles County Chief Executive Office. The Design/Builder shall confirm all aspects of the Performance Criteria and Drawings documents and shall not vary from the design requirements unless approved in writing by the County of Los Angeles Fire Department and its representatives. In the event of any conflict between the Drawings and any other document, the Drawings shall control and prevail.

1. The Design/Builder shall be responsible for completion of the design, plan review, permitting and construction of a complete project, and all associated costs, in conformance with the character, intent, performance and function.
2. The Design/Builder shall be responsible for completing any and all soils test and site tests, including methane mitigation studies.
3. The Design/Builder shall be responsible for obtaining LEED **Silver** Certification for the project as required by the Board of Supervisors. Notwithstanding any conflicting statement in the Performance Criteria, or any other document, the Design/Builder shall comply with this requirement in the construction of the project and shall bid the project based on LEED **Silver** certification.
4. The authorized project delivery method is a modified or “bridged” design/build process. The selected firm shall be the Architect of Record, shall be the Engineers of record and shall assume 100 percent responsibility for the final design as well as delivering a final complete project.

Building Codes and Authorities

The Project is to be designed in accordance with the California Code of Regulations, Title 24, California Building Standards Code, the Americans with Disabilities Act, the Uniform Code for Building Conservation and the California Public Resources Code. The Design/Builder shall complete a formal code analysis of the Project and shall ensure that proper codes are followed.

The County of Los Angeles, which is the local agency responsible for fire suppression on site, shall review the project for fire fighting access and project configuration.

Any and all construction by the Design/Builder or its designated Contractor and Subcontractors shall comply with all applicable County, State and Federal regulations, codes and ordinances, applicable at the time of plan check, including but not limited to all provisions of the Labor Code of the State of California. Under the provisions of said Labor Code, the State Department of Industrial Relations will ascertain the prevailing hourly rate in dollars and details pertinent thereto for each craft, classification or type of workman or mechanic needed for the construction of the improvements. Particulars of the current Prevailing Wage Scale, as approved by the Board of Supervisors, which are applicable to the work contemplated are filed with the Clerk of the Board of Supervisors and must be posted at the site.

Please note that the County of Los Angeles intends to adopt new codes in January 2008. All code references in the Appendices are based on prior codes.

Environmental Concerns

Design/Builder shall be responsible for addressing all environmental concerns associated with the Project including those referenced in the Appendices to this RFP. Design/Builder shall be responsible for all required mitigation measures including those measures referenced in the Appendices.

1.3.1 Format /Documentation

Proposer must comply with the RFP format/documentation and requirements set forth in Section 3.0 (Preparation of the Proposal) of this RFP when submitting its proposal.

1.3.2 Compliance with County/Government Programs

Proposer must agree to comply with the following County and/or other government programs/ordinances described in detail in Appendix N, Required Forms:

- No Conflict of Interest
- Equal Employment Opportunity
- GAIN/GROW (Greater Avenues of Independence/General Relief Opportunities for Work)
- Jury Service
- Non-Responsibility & Contractor Debarment
- Lobbyist Ordinance
- Quality Assurance Plan
- Referral and Consideration of County Employees for Employment
- Registration on County WebVen
- Safely Surrendered Baby Law (Appendix O, Pamphlet)

1.3.3 Required Forms

Proposer must complete the following forms, reflected in Appendix N, and submit them with the Proposal:

- Organization Questionnaire/Affidavit
- Prospective Contractor References
- Prospective Contractor List of Contracts
- Prospective Contractor List of Terminated Contracts
- Certification of No Conflict of Interest
- Lobbyist Ordinance Certification
- Community Business Enterprise Program
- Proposer's EEO Certification
- Willingness to Consider GAIN/GROW Participants
- Jury Service Program
- Acknowledgment of RFP Restrictions
- Charitable Contributions Certifications
- Transitional Job Opportunities Preference Application (not applicable)
- Acknowledgment of LEED Silver Certification

1.4 County Rights and Responsibilities

The County has the right to amend the RFP by written addendum. The County is responsible only for that which is expressly stated in the solicitation document and any authorized written addendum thereto. Should such addendum require proposers to submit additional information not previously requested, failure to address the requirements of such addendum may result in the Proposal not being considered, as determined in the sole discretion of the County.

The County is not responsible for, and shall not be bound by, any representations otherwise made by any individual acting or purporting to act on its behalf.

1.5 Contract Approval

Notwithstanding a recommendation of a department, agency, individual, or other, the Board of Supervisors retains the right to exercise its judgment concerning the selection of a proposal and the terms of any resultant agreement, and to determine which proposal best serves the interests of the County. The Board is the ultimate decision making body and makes the final determinations necessary to arrive at a decision to award, or not award, a contract.

Contact with County Personnel

Any contact regarding this RFP or any matter relating thereto must be in writing and may be mailed or faxed as follows:

**County of Los Angeles
Chief Executive Office
Real Estate Division
222 South Hill Street, 3rd floor
Los Angeles, CA 90012
Attention: William L. Dawson
Fax: (213) 217- 4971**

If it is discovered that Proposer contacted and/or received information from any County personnel, other than the person specified above, regarding this solicitation, County, in its sole determination, may disqualify their proposal from further consideration.

1.6 County Option to Reject Proposals

The County may, at its sole discretion, reject any or all proposals submitted in response to this RFP. The County shall not be liable for any costs incurred by the Proposer in connection with the preparation and submission of any proposal. The County reserves the right to waive inconsequential disparities in a submitted proposal.

1.7 Notice to Proposers Regarding the Public Records Act

Responses to this RFP shall become the exclusive property of County. At such time as a Proposer is recommended to the Board of Supervisors and such recommendation appears on the Board agenda, all such proposals submitted in response to this RFP, become a matter of public record, with the exception of those parts of each proposal which are designated by the Proposer as possible business or trade secrets, and plainly marked as "Trade Secret," "Confidential," or "Proprietary."

The County shall not, in any way, be liable or responsible for the disclosure of any such record or any parts thereof, if disclosure is required or permitted under the California Public Records Act (Government Code 6251 et seq.) or otherwise by law. **A blanket statement of confidentiality, or the marking of each page of the proposal as confidential, shall not be deemed sufficient notice of exception. A Proposer must specifically label only those provisions of the proposal which are "Trade Secret," "Confidential," or "Proprietary" in nature.**

1.8 Gratuities

1.8.1 Attempt to Secure Favorable Treatment

It is improper for any County officer, employee or agent to solicit consideration, in any form, from a Proposer with the implication, suggestion or statement that the Proposer's provision of the consideration may secure more favorable treatment for the Proposer in the award of a contract or that the Proposer's failure to provide such consideration may negatively affect the County's consideration of the Proposer's submission. A Proposer shall not offer or give either directly or through an intermediary, consideration, in any form, to a County officer, employee or agent for the purpose of securing favorable treatment with respect to securing a contract.

1.8.2 Proposer Notification to County

A Proposer shall immediately report any attempt by a County officer, employee or agent to solicit such improper consideration. The report shall be made either to the County manager charged with the supervision of the employee or to the County Auditor-Controller's Employee Fraud Hotline at (213) 974-0914 / (800) 544-6861. Failure to report such a solicitation may result in the Proposer's submission being eliminated from consideration.

1.8.3 Form of Improper Consideration

Among other items, improper consideration may take the form of cash, discounts, services, the provision of travel or entertainment, or tangible gifts.

1.9 Community Business Enterprise Program

The County recognizes the importance of small business in fueling economic growth, providing jobs, creating local tax revenues, and offering entrepreneurial opportunities to those historically under-represented in business. Therefore, the County strives to:

Streamline and simplify processes for selecting vendors and conducting business with them.

Maintain a strong outreach program, fully coordinated among County departments and districts, as well as other participating governments to: a) inform and assist the local business community competing to provide goods and service; b) provide for ongoing dialogue with and involvement by the business community in implementing this policy.

Review and revise how the County packages and advertises solicitations, evaluates and selects prospective vendors, addresses subcontracting, and conducts business with its vendors, in order to: a) expand opportunity for small business to compete for the County's business, and b) to further opportunities for all businesses to compete regardless of size.

Ensure that staff who manage and carry out the business of purchasing goods and services are well trained, capable and highly motivated to carry out the letter and spirit of this policy.

Proposers must complete the Community Business Enterprise form, Appendix N, and if applicable, request that their proposal be considered for preference.

1.10 Injury and Illness Prevention Program

Proposer shall be required to comply with the State of California's Cal OSHA regulations. Section 3203 of Title 8 in the California Code of Regulations requires all California employers to have a written, effective Injury and Illness Prevention Program (IIPP) that addresses hazards pertaining to the particular workplace covered by the program.

1.11 Conflict of Interest

No County employee whose position in the County enables him/her to influence the selection of a Contractor for this RFP, or any competing RFP, nor any spouse of economic dependent of such employees, shall be employed in any capacity by a Proposer or have any other direct or indirect financial interest in the selection of a Contractor. Proposer shall certify that he/she is aware of and has read Section 2.180.010 of the Los Angeles County Code as stated in Appendix N - Required Forms Exhibit 5, Certification of No Conflict of Interest.

1.12 Determination of Proposer Responsibility

A responsible Proposer is a Proposer who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity and experience to satisfactorily perform the contract. It is the County's policy to conduct business only with responsible Proposers.

The County may declare a Proposer to be non-responsible for purposes of this contract if the Board of Supervisors, in its discretion, finds that the Proposer has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on the Proposer's quality, fitness or capacity to perform a contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or omission which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity.

If there is evidence that the apparent highest ranked Proposer may not be responsible, the CEO shall notify the Proposer in writing of the evidence relating to the Proposer's responsibility, and its intention to recommend to the Board of Supervisors that the Proposer be found not responsible. The CEO shall provide the Proposer and/or the Proposer's representative with an opportunity to present evidence as to why the Proposer should be found to be responsible and to rebut evidence which is the basis for the Department's recommendation.

If the Proposer presents evidence in rebuttal to the CEO, the CEO shall evaluate the merits of such evidence, and based on that evaluation, make a recommendation to the Board of Supervisors. The final decision concerning the responsibility of the Proposer shall reside with the Board of Supervisors.

These terms shall also apply to proposed subcontractors of Proposers on County contracts.

1.13 Proposer Debarment

- 1.13.1** The Proposer is hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may debar the Proposer from bidding or proposing on, or being awarded, and/or performing work on other County contracts for a specified period of time, which generally will not exceed five (5) years but may exceed five (5) years or be permanent if warranted by the circumstances, and the County may terminate any or all of the Proposer's existing contracts with County, if the Board of Supervisors finds, in its discretion, that the Proposer has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on the Proposer's quality, fitness or capacity to perform a contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or offense which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity.
- 1.13.2** If there is evidence that the apparent highest ranked Proposer may be subject to debarment, the CEO shall notify the Proposer in writing of the evidence which is the basis for the proposed debarment, and shall advise the Proposer of the scheduled date for a debarment hearing before the Contractor Hearing Board.
- 1.13.3** The Contractor Hearing Board shall conduct a hearing where evidence on the proposed debarment is presented. The Proposer and/or Proposer's representative shall be given an opportunity to submit evidence at that hearing. After the hearing, the Contractor Hearing Board shall prepare a tentative proposed decision, which shall contain a recommendation regarding whether the Proposer should be debarred, and, if so, the appropriate length of time of the debarment. The Proposer and the CEO shall be provided an opportunity to object to the tentative proposed decision prior to its presentation to the Board of Supervisors.
- 1.13.4** After consideration of any objections, or if no objections are received, a record of the hearing, the proposed decision and any other recommendation of the Contractor Hearing Board shall be presented to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny or adopt the proposed decision and recommendation of the Contractor Hearing Board.
- 1.13.5** If a Proposer has been debarred for a period longer than five (5) years, that Proposer may, after the debarment has been in effect for at least five (5) years, submit a written request for review of the debarment determination to reduce the period of debarment or terminate the debarment. The County may, in its discretion, reduce the period of debarment or terminate the debarment if it finds that the Proposer has adequately demonstrated one or more of the following: (1) elimination of the grounds for which the debarment was imposed; (2) a bona fide change in ownership or management; (3) material evidence discovered after debarment was imposed; or (4) any other reason that is in the best interests of the County.

1.13.6 The Contractor Hearing Board will consider requests for review of a debarment determination only where (1) the Proposer has been debarred for a period longer than five (5) years; (2) the debarment has been in effect for at least five (5) years; and (3) the request is in writing, states one or more of the grounds for reduction of the debarment period or termination of the debarment, and includes supporting documentation. Upon receiving an appropriate request, the Contractor Hearing Board will provide notice of the hearing on the request. At the hearing, the Contractor Hearing Board shall conduct a hearing where evidence on the proposed reduction of debarment period or termination of debarment is presented. This hearing shall be conducted and the request for review decided by the Contractor Hearing Board pursuant to the same procedures as for a debarment hearing.

1.13.7 The Contractor Hearing Board's proposed decision shall contain a recommendation on the request to reduce the period of debarment or terminate the debarment. The Contractor Hearing Board shall present its proposed decision and recommendation to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny, or adopt the proposed decision and recommendation of the Contractor Hearing Board.

1.13.8 These terms shall also apply to proposed subcontractors of Proposers on County contracts.

1.13.9 A list of Contractors that are currently on the Debarment List for Los Angeles County may be obtained. See Appendix O.

1.14 Recycled Bond Paper

Consistent with the Board of Supervisors' policy to reduce the amount of solid waste deposited at the County landfills, the Proposer will agree to use recycled-content paper to the maximum extent possible on this Contract.

1.15 Liquidated Damages

Proposers shall be expected to agree to a Liquidated Damages provision as part of any Lease agreement. Liquidated damages shall be paid to the County at \$500 per each calendar day that the substantial completion of the Project is delayed beyond the substantial completion deadline date.

2.0 PROPOSAL SUBMISSION REQUIREMENTS

2.1 RFP Timetable

- Release of Announcement of RFP October 1, 2007
- RFP Available..... October 1, 2007
- **Proposers' Conference and Site Walk November 14, 2007**
- **Written Questions Due..... November 30, 2007**
- **Proposals due by 2:00 pm (Pacific Standard Time) January 23, 2008**

2.2 Proposer's Questions/Site Walk

Proposers may submit written questions regarding this RFP by mail or fax by the noted date. All questions, without identifying the submitting company, will be compiled with the appropriate answers and issued as an addendum to the RFP. The addendum will be handed out to all Proposers at the **Proposers' Conference**.

Questions should be addressed to the designated staff as noted in paragraph 2.4 below.

2.3 Proposers' Conference

A **Proposers' Conference** will be held to discuss the Project requirements as follows:

November 14, 2007 at 10:00 a.m.
Los Angeles County Fire Department Headquarters
Room 126
1320 North Eastern Avenue
Los Angeles, CA 90063
Thomas Guide Reference Guide Page 635, F- 4

Attendance at the Proposers' Conference is highly recommended for anyone considering submitting a proposal. Proposers who do not attend the Proposers' Conference will be deemed for all purposes to have knowledge of all information provided at the Proposers' Conference.

2.4 Proposal Submission

Proposers shall enclose the original Proposal and ten (10) copies in a sealed envelope or box, marked in the upper left-hand corner with the name and address of the Proposer and clearly marked as follows:

**“RESPONSE TO PROPOSAL FOR LOS ANGELES COUNTY
CONSOLIDATED FIRE DISTRICT HEADQUARTERS”**

The Proposal(s) shall be delivered or mailed to the designated staff as noted below:

County of Los Angeles
Chief Executive Office
Real Estate Division
222 South Hill Street, 3rd Floor
Los Angeles, CA 90012
Attention: William L. Dawson

2.5 Truth and Accuracy of Representations

False, misleading, incomplete, or deceptively unresponsive statements in connection with a Proposal shall be sufficient cause for rejection of the Proposal. The evaluation and determination in this area shall be at the sole judgment of the CEO and such judgment shall be final.

2.6 Proposal Errors

Until the Proposal submission deadline, errors in Proposals may be corrected by a request in writing to withdraw the Proposal and by submission of another set of Proposals and copies with the mistakes corrected. Corrections will not be accepted once the deadline for submission of Proposals has passed.

2.7 Late Proposals

LATE PROPOSALS WILL NOT BE ACCEPTED

It is the sole responsibility of the Proposer to ensure that its Proposal is received before the submission deadline. **Proposers bear all risks associated with delays in delivery by any person or entity, including the U.S. Postal Service.**

Any Proposals received after the scheduled closing time for receipt of Proposals, as listed in Paragraph 2.1 RFP Timetable, will be returned to the sender unopened. Timely hand-delivered Proposals are acceptable. No facsimile (fax) or electronic mail (e-mail) copies will be accepted.

2.8 Proposal Withdrawals

All Proposals shall be firm offers and may not be withdrawn for a period of 120 days following the last day to submit Proposals.

2.9 Solicitation Requirements Review

A person or entity may seek a Solicitation Requirements Review by submitting a Transmittal Form to Request a Solicitation Requirements Review, in Appendix O, along with supporting documentation. A Solicitation Requirements Review shall only be granted under the following circumstances:

- The request for a Solicitation Requirements Review is received by the CEO by October 16, 2007;
- The request for a Solicitation Requirements Review includes documentation, which demonstrates the underlying ability of the person or entity to submit a proposal;
- The request for a Solicitation Requirements Review itemizes in appropriate detail, each matter contested and factual reasons for the requested review; and
- The request for a Solicitation Requirements Review asserts either that:
 - application of the minimum requirements, evaluation criteria and/or business requirements unfairly disadvantage the Proposer; or,
 - due to unclear instructions, the process may result in the County not receiving the best possible responses from the Proposers.

The Solicitation Requirements Review shall be completed and the department's determination shall be provided to the Proposer, in writing, within a reasonable time prior to the proposal due date.

All Requests for Review should be submitted to:

**County of Los Angeles
Chief Executive Office
Real Estate Division
222 South Hill Street, 3rd Floor
Los Angeles, CA 90012
Attention: William L. Dawson**

3.0 PREPARATION OF THE PROPOSAL

The content and sequence of the Proposal must be presented as set forth below.

3.1 Transmittal Letter

The transmittal letter shall be a maximum of one (1) page, on the Proposer's stationery, and must include:

- Brief statement describing the Proposer's background and experience including the number of years that Proposer has been in business under the present, or prior, business names.
- Proposer's contact person(s) name, address, telephone and facsimile numbers for all person(s) authorized to represent the Proposer.
- Signature of the person authorized to sign on behalf of the Proposer and to bind the Proposer in a contract.
- Statement that the Proposer will bear sole and complete responsibility for all services as defined in Appendix A, B, C, D & E.
- Certification that all statements in the Proposal are true. The certification shall constitute a warranty, the falsity of which shall entitle County to pursue any remedy authorized by law, including without limitation the right, at the option of County, to declare any contract made as a result thereof to be void.

3.2 Table of Contents

The Table of Contents shall be a comprehensive listing of material included in the Proposal. This section must include a clear definition of the material, identified by sequential page numbers and by section reference numbers.

3.3 Section A – Executive Summary

Summary and highlights of the contents of the Proposer's business plan to provide a broad understanding of the Proposer's approach, qualifications, experience, and staffing.

3.4 Section B – Proposer's Qualifications

Demonstrate that the Proposer's organization has the experience and capability to perform the required services. The following sections must be included:

Section B.1 - Proposer's Background and Experience and Financial Capacity

Provide a summary of relevant background, experience and audited financial information to demonstrate that Proposer has the capability to perform the required services. Provide a resume of experience, (include scope of projects completed within last five years, type of facility, size, contact persons and phone numbers, and success factors e.g., on time, within budget, claim history, etc.). A minimum of three referenced projects must be included which are of similar scope and application as this project. The County may contact references and visit completed projects. Evidence of financial capability and evidence of performance and surety bonding capability by a company licensed to transact business in the State of California (Commitment Letter acceptable) rated as a Best A+ or better are also required.

Section B.2 – Description of Team

Provide relevant information to demonstrate that the Proposer has assembled an adequate team to perform the required services or demonstrate capability for recruiting same, and who will be the developer, general contractor, architect, engineer(s), and consultants. Section must also include a job description of all personnel of Proposer who will be assigned in a management capacity, and shall include:

- education background,
- professional registrations, licenses and certifications,
- experience and number of years of required experience for each management job,
- availability of each team members for this project, and
- job duties and responsibilities.

Separate subsections should be defined regarding the experience of the following:

- a) Developer – prime experience.
- b) Designer of Record, including architect, civil engineer, structural engineer, mechanical engineer, electrical engineer, plumbing.
- c) General Contractor, including all first tier subcontractors and specialty subcontractors responsible for low voltage systems, radiant flooring, radiant ceiling, and methane gas mitigation system.
- d) Individual Experience – Key individuals.
- e) Consultants.
- f) Experience Working Together as a Team.

Section B.3 - Proposer's References and Financial Background

The Proposer should provide references and evidence of its financial background. It is the Proposer's sole responsibility to ensure that the reference firm's name, point of contact's name, title and phone number for each reference is accurate and current. The Proposer must complete and include the Proposer's Finance/Credit References.

Proposers must provide copies of the company's most current and prior two (2) fiscal years audited financial statements. Statements should include the company's assets, liabilities and net worth. At a minimum, include a Balance Sheet (Statement of Financial Positions), Income Statement (Statement of Operations), and the Retained Earnings Statement. Audited statements should be submitted to meet this requirement.

Proposers may not submit income tax returns to meet this requirement. Financial statements will be kept confidential if so stamped on each page.

Note: If your proposal is a joint venture or recently formed partnership, provide compiled financial statements for each member of the joint venture team who will be financially obligated to the County for performance under your proposal.

3.5 Section C – Proposer’s Pending Litigation and Judgments

Identify by name, case and court jurisdiction any pending litigation in which Proposer is involved, or judgments against Proposer in the past five (5) years. Provide a statement describing the size and scope of any pending or threatening litigation against the Proposer or principals of the Proposer.

3.6 Section D – Proposed Cost/Schedule for Constructing/Leasing the Project

Section D.1 - Total Cost for the Project

Proposer must submit a proposal itemizing the costs in C.S.I. format to design and build the Project to meet Los Angeles County’s requirements as set forth in Appendix A, B, C, D, & E. Proposer must identify the proposed cost of constructing the project. This should include the total estimated on-site construction cost for “turn-key” acceptance by the County showing allocation among hard construction cost for shell and core, tenant improvements, and soft costs, plan preparation, and development cost, including developer financing.

Additionally, Proposer must propose the rental rate inclusive of all costs of a capital lease-back structure with a 30-year term showing Base Rental Rate and Base Year Operating expenses (for purposes of comparison only). The Lease Proposal must provide an option for the County to purchase the improvements at or any time after the issuance of the certificate of occupancy for the then unamortized unpaid principal balance of the cost of constructing the project, and at the end of the 30 year term of the lease for \$1.00.

Each Proposer shall submit the “Proposal Submittal and Bid Form” which is attached to this RFP as Exhibit A. In addition, each Proposer shall describe in detail any and all Developer fees, and Contractor markups that it intends to receive in connection with the project.

Section D.2 – Detailed Entitlement, Design and Construction Schedule

The Proposed (CPM) timetable or schedule for design and construction should be in PERT Chart with milestones and critical path (Primavera P3) for entitlements, design and construction listing the steps and the estimated amount of time for each step from execution of the lease agreement to completion and acceptance by County of all improvements should be included. This should take into consideration all appropriate jurisdictional approvals. **All construction completion risks are solely the responsibility of the developer, including but not limited to: construction and permanent financing; appropriate jurisdictional approvals; design and engineering; and completion of all improvements, on budget, and in a timely fashion.**

Section D.3 – LEED Silver Certification and Sustainable Design Measures

The Project requires the Design/Builder to obtain LEED Silver Certification. Proposer must submit a detailed report of all sustainable design measures that have been incorporated into the Project.

3.7 Section E – Proposer’s Approach to Provide Required Services

Description of the methodology the Proposer will use to meet Contract work requirements, and describe in detailed comprehensive plan, the methodology of how the services will be performed to meet the requirements of Appendix A, B, C, D & E. The chosen developer is expected to enter into a design/build GMAX contract which includes architectural fees, development hard and soft costs associated with the developer’s shell and core, and tenant improvement costs to support the pricing.

3.8 Section F – Additional Data

Shall be entitled "Additional Data" and contain material and data not specifically requested for evaluation, but which the Proposer wishes to submit. This may include the following items:

- Standard brochures and materials with minimal technical content; and
- General narrative of non-specific nature

3.9 Section G – Required Forms

Shall be entitled "Required Forms" and shall contain the following forms, signed and dated where applicable. Forms are provided in Appendix N.

- Organization Questionnaire/Affidavit
- Prospective Contractor References
- Prospective Contractor List of Contracts
- Prospective Contractor List of Terminated Contracts
- Certification of No Conflict of Interest
- Lobbyist Ordinance Certification
- Community Business Enterprise Program
- Proposer’s EEO Certification
- Willingness to Consider GAIN/GROW Participants
- Jury Service Program
- Acknowledgment of RFP Restrictions
- Charitable Contributions Certification
- Transitional Job Opportunities Preference Application (not applicable)
- Acknowledgment of LEED Silver Certification

All costs incurred in making this Proposal are at the proposer’s risk and will not be reimbursed by the County. The County reserves the right to change or withdraw these requirements and RFP for any reason without advance notice. Any such changes or withdrawal will be done in writing or by action taken in a meeting of the Los Angeles County Board of Supervisors.

4.0 SELECTION PROCESS AND EVALUATION CRITERIA

4.1 Selection Process

The County reserves the sole right to judge the contents of the Proposals submitted pursuant to this RFP and to review, evaluate and select the successful Proposal(s). The selection process will begin with receipt of the Proposals.

Evaluation of the Proposals will be made by an Evaluation Committee (Committee) selected by the CEO. The Committee will evaluate the Proposals and will use the evaluation approach described herein to select a prospective contractor for recommendation to the Board of Supervisors.

If the Board of Supervisor's authorizes negotiations with the recommended prospective contractor, the County and the prospective contractor will enter into negotiations for a contract for submission to the Board of Supervisors. If a satisfactory contract cannot be negotiated, the County may, at its sole discretion, begin contract negotiations with the next qualified Proposer who submitted a Proposal, as determined by the County.

4.2 Adherence to Format/Minimum Requirements (Pass/Fail)

A Proposal must adhere to the specific format and provide the minimum information outlined in Paragraph 3.0, Preparation of the Proposal. Each section must be specifically labeled and in the same order as provided in Section 3.0 of this RFP. Failure of the Proposer to adhere to this requirement may eliminate its Proposal from any further consideration. The County may elect to waive any informality in a Proposal if the sum and substance of the Proposal is present.

Proposals which meet the noted minimum and format requirements will be submitted for review and evaluation by the Committee.

4.2.1 Disqualification Review

A proposal may be disqualified from consideration because the County determined it was a non-responsive proposal at any time during the evaluation process. If the County determines that a proposal is disqualified due to non-responsiveness, the County shall notify the Proposer in writing.

Upon receipt of the written determination of non-responsiveness, the Proposer may submit a written request for a Disqualification Review by the date specified. Requests for a Disqualification Review not timely submitted will be denied.

Disqualification Review shall only be granted under the following circumstances:

- A. The firm/person requesting a Disqualification Review is a Proposer;
- B. The request for a Disqualification Review is submitted timely; and,
- C. The request for a Disqualification Review asserts that the CEO's determination of disqualification due to proposal non-responsiveness was erroneous (e.g. factual errors, etc.) and provides factual support on each ground asserted as well as copies of all documents and other material that support the assertions.

The Disqualification Review shall be completed and the CEO's determination shall be provided to the Proposer, in writing, prior to the conclusion of the evaluation process.

4.3 Proposal Evaluation and Criteria (100%)

All Proposals passing the minimum and format requirements will be submitted to the Committee and evaluated based on the criteria listed below. All Proposals will receive a composite score and be ranked in numerical sequence from high to low. The Committee may utilize the services of appropriate experts to assist in this evaluation. The Committee may also, at its discretion, invite Proposers being evaluated to provide a verbal presentation.

4.3.1 Experience (20 percent)

The Proposer will be evaluated on its level and scope of experience based on the relevant information provided by Proposer to demonstrate that Proposer has the capability to perform the required services.

4.3.2 References/Financial Background (20 percent)

Proposer will be evaluated on the record of performance as determined from all available information, including, but not limited to direct communications by the County with the Proposer's former/current clients. Factors to be considered include, but are not limited to: 1) cost control, 2) work quality, 3) completion of work on schedule, and 4) responsiveness. The County may contact references and visit completed projects.

4.3.3 Composition of Team (20 percent)

The Proposer will be evaluated on its organization and access to resources, including:

- Proposer's size and organizational structure
- Proposer's ability to operate an effective and successful operation
- Proposer's contractor and consultants' qualifications

Additionally, Proposers should provide relevant information to demonstrate that the Proposer has assembled an adequate team to perform the required services or demonstrate capability for recruiting same. Proposer's successful history of past projects with team proposed will be considered and extra points may be given for any team that has worked together previously on similar projects.

4.3.4 Approach and Transaction Structure (20 percent)

The Proposer will be evaluated on its experience, willingness and capability to implement the County's desired approach and transactional structure:

- Assumption of all construction risk.
- Ability to adapt design/build structure to develop Project implementing Construction Documents which reflect schematic design level of the Bridging Documents.

- Ability to independently acquire construction financing and permanent financing and enter into a lease/capital lease back with an option to purchase any time after completion of construction.
- Ability to build the Project in a timely manner pursuant to Proposer’s construction schedule.

4.3.5 Proposed Cost of Construction/Leasing (20 percent)

Proposer must submit a proposal for the cost of designing and building, and leasing the Project to meet Los Angeles County’s requirements as set forth in Appendix A, B, C, D, & E. Proposer must itemize the proposed cost of constructing and leasing the project. This should include the total estimated on-site construction cost for “turn-key” acceptance by the County showing allocation among hard construction cost for shell and core, tenant improvements, and soft costs, plan preparation, and development cost, including developer financing. Proposals will be rated/ranked according to their proposed cost of construction of the Project, and leasing the Project. The lowest proposed cost will receive the full weight of this evaluated item. Other proposals will receive a prorated rate.

4.3.6 Summary – Proposal Evaluation, Criteria, and Points

Criteria	Percentage	Points
Experience Qualifications	20%	200
Composition of Team	20%	200
References/Financial Strength	20%	200
Approach to implement desired approach and transactional structure	20%	200
Proposed Cost of Construction/Leasing	20%	200
Total	100%	1,000

4.4 CEO’s Proposed Contractor Selection Review

4.4.1 Departmental Debriefing Process

Upon completion of the evaluation, and prior to entering negotiations with the selected Proposer, the CEO shall notify the remaining Proposers in writing that the CEO is entering negotiations with another Proposer. Upon receipt of the letter, the Proposer may request a Debriefing within the time specified in the letter. A Debriefing will not be provided unless the request is made within the timeframe specified. The purpose of the Debriefing is to compare the Proposer’s response to the solicitation document with the evaluation document. The Proposer shall be debriefed only on its response. Because the contract process has not been completed, responses from other Proposers shall not be discussed.

If the Proposer is not satisfied with the results of the debriefing, it may, within five (5) business days of the debriefing, request a review on the grounds and in the manner set forth below for review of the CEO’s recommendation for contract award.

4.4.2 Proposed Contractor Selection Review

The Proposer may submit a written request for a Proposed Contractor Selection Review if they assert that their proposal should have been determined to be the highest-scored proposal because of one of the following reasons:

- A. The CEO materially failed to follow procedures specified in its solicitation document. This includes:
 - Failure to correctly apply the standards for reviewing the proposal format requirements.
 - Failure to correctly apply the standards, and/or follow the prescribed methods, for evaluating the proposals as specified in the solicitation document.
 - Use of evaluation criteria that were different from the evaluation criteria disclosed in the solicitation document.
- B. The CEO made identifiable mathematical or other errors in evaluating proposals, resulting in the Proposer receiving an incorrect score and not being selected as the recommended contractor.
- C. A member of the Evaluation Committee demonstrated bias in the conduct of the evaluation.
- D. Another basis for review as provided by state or federal law.

Upon completing the Proposed Contractor Selection Review, the County shall issue a written decision to the Proposer within a reasonable time following receipt of the request for a Proposed Contractor Selection Review, and always before the date the contract award recommendation is to be heard by the Board. If the Proposer is not satisfied with the results of the Proposed Contractor Selection Review, it may request a review on the grounds and in the manner set forth below for a County Review Panel.

4.4.3 County Review Panel Process

If the Proposer is not in agreement with the results of the CEO's Proposed Contractor Selection Review, the Proposer may submit a written request for a review by a County Review Panel.

Upon completion of the Panel's Review, the Panel will forward its report to the CEO, which will provide a copy to the Proposer.

4.5 Recommendation to the Board of Supervisors

The County expects to make a recommendation to the Board of Supervisors by June 1, 2008 to request authority to negotiate a contract (RFA) with the recommended proposer. Proposers are further notified that the County may, at its sole discretion, disqualify a recommended Proposer with whom the County cannot satisfactorily negotiate a lease. Once a lease is successfully negotiated, the County anticipates making a recommendation to approve the lease documents.

EXHIBIT A

**PROPOSAL SUBMITTAL AND BID FORM
CONSOLIDATED FIRE DISTRICT HEADQUARTERS PROJECT**

The undersigned hereby submits the following proposal pursuant to the County’s Request for Proposals dated October 1, 2007 (the “RFP”) for the Los Angeles County Consolidated Fire District Headquarters project at 1320 N. Eastern Avenue in Los Angeles.

I am authorized to make this proposal on behalf

of _____

a California _____

and agree that the terms of this proposal will be guaranteed through and including December 31, 2008 or upon the signing of a lease by the County of Los Angeles, whichever occurs first.

I have read the RFP and understand the contents thereof and submit the following proposal to the County of Los Angeles for a 30-year full-service capital lease for a new Consolidated Fire District Headquarters to be built on the site at 1320 N. Eastern Avenue in Los Angeles.

I agree to the provisions of the RFP and hereby present the following proposal:

(A) LUMP SUM BID

The undersigned proposes to furnish all materials, labor and equipment required for completion of the project. A detailed itemization of costs in C.S.I. format is attached hereto. The lump sum bid for all the GMAX construction and demolition work including hard construction cost for shell and core, tenant improvements, and soft costs, plan preparation, and development costs according to the Drawings and specifications AND all costs for Developer financing and Developer fees will be:

(\$ _____)
Lump Sum in figures

(_____)
Lump Sum in words

(B) <u>LEASE PAYMENT</u>	<u>Rate (\$/mo./sq.ft.)</u>	<u>Cost (\$/Year)</u>
Base Rental Rate	\$ _____	\$ _____
Base Year Operating Expenses **	+ _____	+ _____
Reserve for Replacements	+ _____	+ _____
Total Full-Service Capital Lease	= _____	= _____

Note: All rent to be calculated on rentable square footage (current BOMA standard).

** First Year

- (C) 1. Is there an option to purchase the property at or any time after the issuance of the Certificate of Occupancy for the then unpaid principal balance of the cost of constructing the project, and at the end of the 30-year term of the lease for \$1.00?

Yes or No

2. Is the base rent fixed over the 30-year lease term?

Yes or No

I certify that the above items are true and correct and agree to hold the price as submitted until December 31, 2008 or upon the signing of a lease by the County of Los Angeles, whichever occurs first.

Date

Company

Name

Title

Telephone