

**REQUEST FOR QUALIFICATIONS
CITY OF BELLFLOWER
DOWNTOWN RESIDENTIAL DEVELOPMENT**

Date Issued: June 12, 2023
Title: City of Bellflower
Contact: Jim DellaLonga
jdellalonga@bellflower.org
(562) 804-1424 ext. 2224

RFQ SUBMITTALS DUE

Day: Thursday, July 20, 2023
Time: 3:00 pm

Attention: Mr. Jim DellaLonga
City of Bellflower
C/O Office of the City Clerk
16600 Civic Center Drive
Bellflower, CA 90706
(562) 804-1424 ext. 2224

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The City of Bellflower is considering issuing a Request for Proposals (RFP) regarding a potential residential development in its downtown area. Before deciding whether to issue an RFP, however, the City seeks to narrow the group of respondents to those who may be qualified to submit a proposal to complete such an anticipated project. This Request for Qualifications (RFQ), therefore, is being issued in advance of any RFP to ensure that only qualified Development Teams respond to any future RFP. Only Development Teams that respond to this RFQ and are determined by the City to be qualified will receive an RFP, if any.

The last date to submit a fully completed RFQ Submittal is July 20, 2023.

Answers to questions contained in the RFQ including the attached questionnaire (Exhibit A), such as information about current bonding capacity, notarized statement from surety, and the most recent reviewed or audited financial statements, with accompanying notes and supplemental information, are required. The City will use these documents as a partial basis of rating Teams in respect to the size and scope of contracts upon which each Team is qualified to bid for the City. The City reserves the right to check other sources available. The City's decision will be based on objective evaluation of criteria.

Any Request for Information (RFI) regarding this RFQ is due in writing **by 3:00 p.m. on or before June 28, 2023**. RFIs submitted through the mail should be addressed as follows:

Jim DellaLonga, Director of Economic Development
City of Bellflower, Economic Development Department
16600 Civic Center Drive
Bellflower, CA 90706

RFIs submitted via e-mail should be addressed to Jim DellaLonga and e-mailed to jdellalonga@bellflower.org. Subject line should indicate RFI – RFQ for Downtown Residential Development.

Any responses to RFIs will be released by **3:00 p.m. on or before July 10, 2023**. Responses will be posted on the City's website.

The City may ask for any additional information regarding the responses provided, and will use this information, along with any other relevant information, to evaluate whether or not the Development Team is responsible to perform the proposed work.

The RFQ Submittals, consisting of the questionnaire answers, statement of qualifications and financial statements, submitted by the Development Team are public records and are open to public inspection. Unless otherwise provided by applicable law (e.g., for financial information labeled "confidential"), all information may be disclosed in accordance with the California Public Records Act.

Each questionnaire must be signed under penalty of perjury in the manner designated at the end of the form, by an individual who has the legal authority to bind the Development

Team on whose behalf that person is signing. If any information provided by a Development Team becomes inaccurate, the Development Team must immediately notify the City and provide updated accurate information in writing, under penalty of perjury.

The City may waive any irregularity or omission in the information contained in the pre-qualification application submitted; will make all final determinations; and may reject the RFQ format for any potential future project.

Development Teams may submit RFQ Submittals before the posted due date during regular working hours on any day that the offices of the City are open.

The City may refuse to grant pre-qualification where the requested information and materials are not provided, or not provided by the filing deadline. There is no appeal from a refusal for an incomplete or late application.

SECTION I

PURPOSE OF REQUEST FOR QUALIFICATIONS AND GENERAL TERMS AND CONDITIONS

1.0 Purpose for Request for Qualifications

The purpose of this Request for Qualifications (RFQ) is to solicit a Statement of Qualifications (SOQs) from qualified Development Teams (Teams) to participate in a short-listed Development Request for Proposals (RFP) for potential design and construction of a future Downtown Residential Development. The evaluation of each Development Team's SOQ will be based on the evaluation criteria set forth below. Teams who are pre-qualified may be invited to participate in an RFP for the potential design and construction of a future Downtown Residential Development for the City.

1.1 REQUESTS FOR INFORMATION

All Requests for Information (RFI) including any questions, requests for interpretations or requests for clarifications, either administrative or technical, about this RFQ must be submitted in writing. Questions must be submitted not later than **3:00 p.m. on June 28, 2023**. Any responses will be issued before the submission date for consideration by Teams. Oral Statements concerning the meaning or intent of the contents of this RFQ by any person are unauthorized and invalid. All questions should be directed to:

Jim DellaLonga, Director of Economic Development
Economic Development Department
Email: jdellalonga@bellflower.org
Subject line should indicate RFI – RFQ for Downtown
Residential Development.

1.2 ERRORS AND OMISSIONS

If a Team discovers any ambiguity, conflict, discrepancy, omission or other error in the RFQ or any of its attachments, the Team must immediately notify the City of such error in writing and request modification or clarification of the document. Modifications will be made by addenda. Clarifications will be given by written notice to all parties who have been furnished with or who have requested an RFQ for proposing purposes, without divulging the source of the request for same. If a Team fails to notify the City before the date fixed for submission of qualifications or an error in the RFQ known to it, or an error that reasonably should have been known to it, the Team submits at its own risk, and if it is deemed qualified, it is not entitled to additional compensation or time by reason of the error or its later correction.

1.3 ADDENDA

City may modify this RFQ, any of its key dates, or any of its attachments, before the RFQ submittal date. Addenda will be numbered consecutively as a suffix to the RFQ Reference Number. It is a Team's responsibility to ensure it incorporated all addenda. Failure to acknowledge and incorporate addenda will not relieve the Team of the responsibility to meet all terms and conditions of the RFQ and any subsequent addenda.

1.4 EXCEPTIONS

If a Team takes exception to any part of these specifications as written, or as amended by any Addenda subsequently issued, or the General Provisions, it must do so in writing. Such exception must be submitted with the Submittal. Failure to do so will be construed as acceptance of all items in the General Provisions.

1.5 DELIVERY OF SUBMITTALS

Submittals delivered by mail should be post-marked sufficiently in advance of the SOQ opening date to ensure delivery to the City Clerk's Office before the specified opening time. The City assumes no responsibility for delay in delivery of the proposal by U.S. Mail or any other service.

1.6 SUBMITTALS BECOME THE PROPERTY OF THE CITY OF BELLFLOWER

All Statements of Qualifications (SOQs) submitted in response to this Request for Qualifications (RFQ) become the property of the City. Only those SOQs submitted by a Team who is short-listed and provided a Request for Proposals (RFP) by the City and awarded the contract will become a public record and as such, might be subject to public review.

1.7 CONFIDENTIAL MATERIAL

The Submittals (questionnaire answers, statement of qualifications and financial statements) submitted by Teams are public records and will be open to public inspection following an assessment and recommendation to the City Council. Teams must notify the City in advance of any proprietary or confidential material contained in the Submittal and provide justification for not making such material public. All information provided will be kept confidential to the extent permitted by law.

1.8 CANCELLATION

This RFQ does not obligate the City to enter into any agreement; the City has not issued any RFP for any potential future project. The City may cancel this RFQ at any time.

1.9 DISPUTES/PROTEST

The City encourages potential Teams to resolve issues regarding the requirements of the procurement process through written correspondence and discussions during the period in which clarifying addenda may be issued. The City wishes to foster cooperative relationships and to reach a fair agreement in a timely manner.

1.10 ACCEPTANCE PERIOD

This RFQ submittal will be valid for a period of 180-days from date of the RFQ submittal date.

SECTION II

Tentative Schedule of Events

Milestone	Tentative Date
RFQ Issued	June 12, 2023
Request for Information (RFI) Due	3 PM, Wednesday, June 28, 2023
Response to RFIs Issued	Monday, July 10, 2023
Statement of Qualifications (SOQs) Due	3 PM, Thursday, July 20, 2023
Notice of Qualified Bidders Issued	Tuesday, August 29, 2023

NOTE: This schedule is subject to change.

SECTION III

1.1 PROJECT DESCRIPTION

The City of Bellflower (City) is interested in exploring the feasibility of potentially developing multi-family residential units in Downtown Bellflower.

1.2 SCOPE OF SERVICES

The City is soliciting qualified Development Teams able to assess residential development feasibility for the Downtown and, subsequently complete the design, financing, development, construction, operation, maintenance, and management of a Downtown Bellflower residential development.

1.3 QUALIFICATION

Qualifications packages will be evaluated based on technical understanding of the project, proposed implementation, company's financial stability and past experience.

Qualified teams must be able to demonstrate experience in design, development, building and management of downtown multi-family residential projects.

Qualified teams must meet the following minimum qualifications:

- Designed, financed, developed, constructed, installed, operated, maintained, and monitored three or more downtown multi-family residential projects.
- Among the three or more qualifying projects, at least two projects must be with a public agency as the property owner.
- All qualifying projects must currently be in operation and under its management.
- The team must have current State required contractor licenses.

It is the City's intent to use this qualification process to select a limited number of qualified development teams to submit development proposals. The City will evaluate responses to this RFQ and will select a qualified team(s) to participate in the RFP phase of this selection process.

SECTION IV

QUALIFICATION SUBMITTAL

4.1 PREPARATION

Submittals should be prepared in such a way as to provide a straightforward, concise delineation of capabilities to satisfy the requirements of this RFQ. Responses should emphasize the Team's demonstrated capability to perform work of this type. Expensive bindings, colored displays, promotional materials, etc., are not essential. EMPHASIS SHOULD BE CONCENTRATED ON COMPLETENESS AND CLARITY OF CONTENT.

4.2 NUMBER OF COPIES

The Team must provide a minimum of three originals, and one electronic version of the proposal. All copies of the proposal must be sealed when delivered to the City.

4.3 DELIVERY OF SUBMITTALS

a. Address/Deliver Submittals to:

Mr. Jim DellaLonga, Director of Economic Development
City of Bellflower
C/O Office of the City Clerk
16600 Civic Center Drive
Bellflower, CA 90706

b. Submittals must be received in the Office of the City Clerk, no later than the date and time specified on the cover page and Schedule of Events.

4.4 PROPOSAL CONTENT

a. Transmittal Letter

Each Team's submittal must include a transmittal letter that is signed by an individual who is authorized to negotiate with the City and sign binding agreements for the project.

b. Company Information

Please include a description of the company, including the address of the office that would be conducting the work and the address of the corporate office.

c. Company Relevant Experience

A successful team must provide detailed information on relevant experience with projects that are similar to the one being considered for the City of Bellflower. List at least three projects completed by the team that meet the criteria described in Section III, Minimum Qualifications.

d. Project Team Summary

Please provide biographies and describe the relevant qualifications and experience of the key team members that would be involved with the project.

e. Preliminary Development Concept and Technical Approach (Brief Narrative Only)

A successful team must provide a brief description of a preliminary development concept and technical approach, for developing a multi-family residential project in Downtown Bellflower.

f. Demonstration of Financial Capacity and Related Information

Please provide information to demonstrate the team's financial capacity to undertake and complete the development proposed in the preliminary development concept. This information may be submitted under separate cover and labeled "Confidential." This information will be used solely for purposes of evaluation under the RFQ and will be treated as confidential.

g. References

Please provide at least three client references that represent similar projects. References should include sufficient information to ensure easy contact. This should include company/organization names, titles, telephone numbers, and e-mail addresses for individuals who can provide information related to the following items:

- i. Financial capability
- ii. Ability to complete projects as presented
- iii. Collaboration with city staff and the community
- iv. Capturing the goals and vision of the city in the design of the project

h. Supplemental Information

Teams may provide additional information they feel best describes the team's ability to meet the goals of the City.

SECTION V

EVALUATION CRITERIA

An Evaluation Committee consisting of City employees will evaluate the submitted statements of qualifications. Qualifications will be reviewed to determine if the minimum qualifications as described in this RFQ are met. Submittals not meeting minimum qualifications will be disqualified from further consideration. The City may seek written clarification from any or all Teams. At its discretion, the Evaluation Committee may choose to conduct interviews with all or a short list of teams and consider the interviews in making its recommendation to the City Council.

Submitted qualifications, as clarified in interviews, if applicable, will be evaluated in accordance with the following criteria:

- A. Financial capability of development team, including lender references
 - Demonstrated ability to finance a project of the magnitude that is being considered.
 - Strength of current relationships with financial institutions.
 - Overall financial performance of past projects.
 - Litigation and bankruptcy disclosures.
- B. Development team's experience with multifamily downtown/urban infill residential projects of similar size and scope
 - Development experience of team members assigned to the project.
 - Experience with similar multifamily downtown/urban infill residential projects.
- C. Experience with local development, the community, and public agencies
 - Relevant experience in the respective area where the project takes place.
 - Experience with public agency projects.
- D. Performance Considerations
 - Ability to provide guarantees of project completion timeline.

The above described criteria will be used solely for the purposes of identifying qualified developers to recommend to the City Council.

EXHIBIT A

**CITY OF BELLFLOWER DOWNTOWN RESIDENTIAL DEVELOPMENT
PRE-QUALIFICATION QUESTIONNAIRE**

PART I. CONTACT INFORMATION

Firm Name: _____ Check One: Corporation
(as it appears on license) Partnership Sole Prop.
 Sole Prop.

Contact Person: _____

Address: _____

Phone: _____ Fax: _____

E-mail: _____ Cell Phone: _____

If firm is a sole proprietor or partnership:

Owner(s) of Company: _____

Contractor's License Number(s):

PART II. ESSENTIAL REQUIREMENTS FOR QUALIFICATION

Development Team will be immediately disqualified if the answer to any of questions 1 through 5 is “no.”⁵

Development Team will be immediately disqualified if the answer to any of questions 7 through 9 is “yes.”⁶ If the answer to question 8 is “yes,” and if debarment would be the sole reason for denial of pre-qualification, any pre-qualification issued will exclude the debarment period.

1. Developer has a liability insurance policy with a policy limit of at least \$2,000,000 per occurrence and \$5,000,000 aggregate.
 Yes No
2. Developer has current workers’ compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. Seq.
 Yes No Contractor is exempt from this requirement, because it has no employees
3. Developer has errors and omissions insurance policy with a limit of at least \$1,000,000 per occurrence.
 Yes No
4. Have you attached your latest copy of a reviewed or audited financial statement with accompanying notes and supplemental information?⁷
 Yes No

NOTE: A financial statement that is not either reviewed or audited is not acceptable. A letter verifying availability of a line of credit may also be attached; however, it will be considered as supplemental information only, and is not a substitute for the required financial statement.

⁵ A “no” answer to Question 4 will not be disqualifying if the contractor is exempt from complying with Question 4, for reasons explained in footnote 7.

⁶ A contractor disqualified solely because of a “Yes” answer given to question 7 – 9 may appeal the disqualification and provide an explanation of the relevant circumstances during the appeal procedure.

⁷ Public Contract Code section 201011 exempts from this requirement a contractor who has qualified as a small business pursuant to Government Code section 14837(d)(1), if the bid is “no more than 25 per cent of the qualifying amount provided in section 14837(d)(1).” As of January 1, 2001, the qualifying amount is \$10 million, and 25 per cent of that amount, therefore, is \$2.5 million.

5. Have you attached a notarized statement from an admitted surety insurer (approved by the California Department of Insurance) and authorized to issue bonds in the State of California, which states: (a) that your current bonding capacity is sufficient for the project for which you seek pre-qualification if you are seeking pre-qualification for a single project; or (if you are seeking pre-qualification valid for a year) (b) your current available bonding capacity?⁸
- Yes No

NOTE: Notarized statement must be from the surety company, not an agent or broker.

6. Has your contractor's license or the license of any member of the Development team (i.e., Architect or Engineer) been revoked at any time in the last five years?
- Yes No
7. Has a surety firm completed a contract on your behalf, or paid for completion because your firm was default terminated by the project owner within the last five years?
- Yes No
8. At any time during the last five years, has the Development Team, or any of its owners or officers been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?
- Yes No

⁸ An additional notarized statement from the surety may be requested by the City of Bellflower at the time of submission of a bid, if this pre-qualification package is submitted more than 60 days before submission of the bid. Bonding Capacity refers to the amount available for this project

**PART III. ORGANIZATION, HISTORY, ORGANIZATIONAL PERFORMANCE,
COMPLIANCE WITH CIVIL AND CRIMINAL LAWS**

A. History of the Business and Organizational Performance

1. How many years has your organization been in business in California as a contractor under your present business name and license number?

____ years

Attach a copy of either your documentation proving formation of the organization or agreement committing to form the organization.

2. Was your firm in bankruptcy at any time during the last five years? (This question refers only to a bankruptcy action that was not described in answer to question 7, above)

Yes No

If “yes,” please attach a copy of the bankruptcy petition, showing the case number and the date on which, the petition was filed, and a copy of the Bankruptcy Court’s discharge order, or of any other document that ended the case, if no discharge order was issued.

Licenses

3. List all California construction license numbers, classifications and expiration dates of the California contractor licenses held by your firm:

4. If any of your firm’s license(s) are held in the name of a corporation or partnership, list below the names of the qualifying individual(s) listed on the CSLB records who meet(s) the experience and examination requirements for each license.

5. Has any CSLB license held by your firm or its Responsible Managing Employee (RME) or Responsible Managing Officer (RMO) been suspended within the last five (5) years?

Yes No

If “yes,” please explain on a separate signed sheet.

6. Is your firm a current certified member of the Design Build Institute of America (DBIA)?

Yes No

If "yes," please provide current DBIA certification on a separate sheet.

7. Does your company have Building Integrated Model (BIM)?

Yes No

Disputes

8. At any time in the last five years has your firm been assessed and paid liquidated damages for a project under a construction contract with either a public or private owner?

Yes No

If "yes," explain on a separate signed page, identifying all such projects by owner, owner's address, the date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.

9. In the last five years has your firm, or any firm with which any of your company's owners, officers or partners was associated, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, from a federal, state, or local government public works project for any reason?

NOTE: "Associated with" refers to another construction firm in which an owner, partner or officer of your firm held a similar position.

Yes No

If "yes," explain on a separate signed page. State whether the firm involved was the firm applying for pre-qualification here or another firm. Identify by name of the company, the name of the person within your firm who was associated with that company, the year of the event, the owner of the project, the project and the basis for the action.

10. In the past five years has any claim **against** your firm concerning your firm's work on a construction project been **filed in court or arbitration**?

Yes No

If "yes," on separate signed sheets of paper identify the claim(s) by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

11. At any time during the past five years, has any surety company made any payments on your firm's behalf as a result of a default, to satisfy any claims made against a performance or payment bond issued on your firm's behalf, in connection with a construction project, either public or private?

Yes No

If "yes," explain on a separate signed page the amount of each such claim, the name and telephone number of the claimant, the date of the claim, the grounds for the claim, the present status of the claim, the date of resolution of such claim if resolved, the method by which such was resolved if resolved, the nature of the resolution and the amount, if any, at which the claim was resolved.

Criminal Matters and Related Civil Suits

12. Has your firm or any of its owners, officers or partners ever been found liable in a civil suit or found guilty in a criminal action for making any false claim or material misrepresentation to any public agency or entity?

Yes No

If "yes," explain on a separate signed page, including identifying who was involved, the name of the public agency, the date of the investigation and the grounds for the finding.

13. Has your firm or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law related to construction?

Yes No

If "yes," explain on a separate signed page, including identifying who was involved, the name of the public agency, the date of the conviction and the grounds for the conviction.

Bonding

14. Bonding capacity: Provide documentation from your surety identifying the following:

Name of bonding company/surety: _____

Name of surety agent, address and telephone number:

Documentation of bonding capacity of at least of \$10 million:

15. During the last five years, has your firm ever been denied bond coverage by a surety company, or has there ever been a period of time when your firm had no surety bond in place during a public construction project when one was required?

Yes No

If "yes," provide details on a separate signed sheet indicating the date when your firm was denied coverage and the name of the company or companies which denied coverage; and the period during which you had no surety bond in place.

B. Compliance with Occupational Safety and Health Laws and with Other Labor Legislation Safety

1. Has CAL OSHA cited and assessed penalties against your firm for any "serious," "willful" or "repeat" violations of its safety or health regulations in the past five years?

NOTE: If you have filed an appeal of a citation, and the Occupational Safety and Health Appeals Board has not yet ruled on your appeal, you need not include information about it.

Yes No

If "yes," attached a separate signed page describing the citations, including information about the dates of the citations, the nature of the violation, the project on which the citation(s) was or were issued, the amount of penalty paid, if any. If the citation was appealed to the Occupational Safety and Health Appeals Board and a decision has been issued, state the case number and the date of the decision.

2. Has the federal Occupational Safety and Health Administration cited and assessed penalties against your firm in the past five (5) years?

NOTE: If you have filed an appeal of a citation and the Appeals Board has not yet ruled on your appeal, or if there is a court appeal pending, you need not include information about the citation.

Yes No

If "yes," attach a separate signed page describing each citation.

3. Has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either your firm or the owner of a project on which your firm was the contractor, in the past five (5) years?

NOTE: If you have filed an appeal of a citation and the Appeals Board has not yet ruled on your appeal, or if there is a court appeal pending, you need not include information about the citation.

Yes No

If "yes," attach a separate signed page describing each citation.

4. Does your construction company have a safety program in place?

Yes No

If "yes," submit your safety program table of contents or outline of the program.

5. List your firm's Experience Modification Rate (EMR) (California workers' compensation insurance) for each of the past three premium years:

NOTE: An Experience Modification Rate is issued to your firm annually by your workers' compensation insurance carrier.

Current year: _____

Previous year: _____

Year before previous year: _____

If your EMR for any of these three years is or was 1.00 or higher you may, if you wish, attach a letter of explanation.

6. Within the last five years has there ever been a period when your firm had employees but was without workers' compensation insurance or state-approved self-insurance?

Yes No

If "yes," please explain the reason for the absence of workers' compensation insurance on a separate signed page. If "No," please provide a statement by your current workers' compensation insurance carrier that verifies periods of workers' compensation insurance coverage for the last five (5) years. (If your firm has been in the construction business for less than five (5) years, provide a statement by your workers' compensation insurance carrier verifying continuous workers' compensation insurance coverage for the period that your firm has been in the construction business.)

I, the undersigned, certify and declare that I have read all the foregoing answers to this pre-qualification questionnaire and know their contents. The matters stated in the questionnaire answers are true of my own knowledge and belief, except as to those matters stated on information and belief, and as to those matters I believe them to be true. I declare under penalty of perjury under the laws of the State of California, that the foregoing is correct.

Dated: _____

(Name)

EXHIBIT C

**RELEASE FORM FOR MASTER PROJECT LIST AND OWNER PROJECT LIST
WITH CONTACT INFORMATION**

**AUTHORIZATION FOR RELEASE OF INFORMATION AND
WAIVER OF LIABILITY FOR PROJECT REFERENCES**

I, on behalf of myself, corporation or company, hereby authorize any and all individuals who are familiar with my Development and contractor experience and work performance to provide information to the City of Bellflower and its officers, agents, employees and representatives pertaining to prior work history.

I, on behalf of myself, corporation or company, hereby voluntarily waive any and all rights I, my corporation or company may have to privacy and/or confidentiality pertaining to prior work history and work performance insofar as the information is released solely to the City of Bellflower and its agents, employees and representatives who are evaluating qualifications for the Bellflower Downtown Residential Development RFQ.

This authorization is valid for 90 days from the date of signature. I, on behalf of myself, corporation or company hereby release the City of Bellflower, and its officers, agents, employees and representatives from any claims, damages or liabilities of any kind, that may directly or indirectly result from the use, disclosure, or release of such information by any person or party, whether such information is favorable or unfavorable to me, my corporation or company arising from the reference as contemplated by this authorization.

I have read the above, understand its contents, and voluntarily agree to its terms.

Signature Date

Signature

Printed Name

Title