

CITY OF SAN DIEGO REDEVELOPMENT AGENCY

REQUEST FOR QUALIFICATIONS AND PROPOSALS

Redevelopment Opportunity on a 1.6 acre Property
Linda Vista Redevelopment Project Area

Due Date: 5:00 pm, October 30, 2009

Contact: Eliana Barreiros, Project Manager
San Diego Redevelopment Agency
ebarreiros@san-diego.gov

Submissions: Each respondent is required to submit one signed original and four (4) complete copies of responses. Additionally, an electronic version must be provided in a CD/DVD with any financial information provided in its own digital file.

Questions: All questions must be submitted via electronic mail to Eliana Barreiros at ebarreiros@san-diego.gov. Inquiries must contain the phrase "Linda Vista Project Area RFQ/P" in the subject line.



San Diego Redevelopment Agency
1200 Third Avenue, Suite 1400, MS 56D
San Diego, CA 92101
www.sandiego.gov/redevelopment-agency

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INTRODUCTION

The San Diego Redevelopment Agency presents a unique opportunity for creative and qualified developers to respond to this Request for Qualifications and Proposals for the redevelopment of Agency-owned property in the Linda Vista Redevelopment Project Area. The redevelopment site consists of two separate legal parcels located northeasterly of the intersection of Linda Vista Road and Comstock Street. One of the parcels is currently developed and redevelopment will require the imagination and innovation in adaptive reuse techniques. The second parcel is an adjacent vacant corner parcel that is characterized by frontages on both Linda Vista Road and Comstock Street and affords ocean views on clear days. The site is in a prime location in the commercial center of Linda Vista and is situated in close proximity to the University of San Diego and Mesa Community College.

Prospective developers or development teams are invited to submit information to demonstrate sufficient financial capacity and development expertise to complete the redevelopment of both Agency-owned parcels. This opportunity calls for the redevelopment of both parcels in a cohesive manner requiring the adaptive reuse of the existing building in a manner consistent with sustainable urban design strategies. The redevelopment of the property must incorporate and put into practice sustainable development principles while conforming to the U.S. Secretary of Interior Standards for the Rehabilitation of Historic Buildings.

Elements of the project must include the adaptive reuse of a 29,000 square foot vaulted structure which is considered to have the potential to qualify as a *historical building* as defined under the City of San Diego Municipal Code. While the structure has been modified, its origins are traced to the early 1940s and it is linked to the historic role that the Linda Vista community played in San Diego's then nascent defense industry. The requested information will enable the Agency to consider the selection of a development team with whom to exclusively negotiate the redevelopment of this key Linda Vista site. The Agency Board will be the final approving authority in the selection of a developer.

GENERAL INFORMATION

PROJECT GOALS

The location of the site serves as a gateway to the commercial center of the Linda Vista community. As such, the Agency seeks a creative, vibrant development that will serve as an attractive addition to the community while incorporating state of the art sustainable design features. The proposed redevelopment of the existing structure must conform to the U.S. Secretary of the Interior Standards for the Rehabilitation of Historic Buildings. While the retention of current skate rink use is not required, respondents are encouraged to attempt to incorporate said use into their development concepts. Development standards and the entitlement process are to be consistent with the City of San Diego Municipal Code, the City of San Diego General Plan, the Linda Vista Community Plan, and the Linda Vista Redevelopment Plan. The project must incorporate **sustainable development principles and superior architectural, landscape and urban design techniques** in a comprehensive manner.

The goal of the Agency is the redevelopment of the subject site in a manner that meets the needs of varied and diverse stakeholders as well as responds in a positive and well thought-out manner to the challenges characteristic of urban infill projects. To that end, respondents should present a comprehensive and well articulated vision for the site that demonstrates how the proposed redevelopment:

- Results in an economically viable project that complements and is well integrated into its surroundings;

- Serves as an example of the application of high-quality architectural design within the context of adaptive reuse practices and exemplifies imagination and creativity;
- Puts into practice and advances sustainability principles through the planning, design and operation phases of the project;
- Pursues opportunities to accommodate small business and/or small business incubators as part of the redevelopment vision; and,
- Commits to making a substantive effort to incorporate spaces and/or amenities that may be enjoyed by the public at large (such as a pocket park, a small plaza, seating areas, a passage way connection to the library or like spaces).

LOCATION AND SITE CHARACTERISTICS

The site is located at the corner of Linda Vista Road and Comstock Street in the San Diego community of Linda Vista and is comprised of two adjoining parcels totaling approximately 1.6 acres further described as follow:

Address	Parcel Square Footage	Uses	Street Frontage(s)	Building Square Footage	APN No.
6901 Linda Vista Road	17,115	Vacant – Undeveloped	Linda Vista Road and Comstock Street	n/a	431-320-15-00
6905 – 6921 Linda Vista Road	52,708	Skate rink and retail complex (7 suites) - All tenants on a month-to-month tenancy	Linda Vista Road	29,003	431-320-19-00

The block on which the site is located consists of a neighborhood shopping center (“Linda Vista Plaza”) which houses both free standing and in-line retail buildings and is generally considered the commercial center of the Linda Vista community.

Linda Vista Road is a four-lane major street that runs from Morena Boulevard to Mesa College Drive. In addition to serving as the gateway to the Linda Vista community, it provides access to the University of San Diego, Mesa Community College, San Diego Mission Bay Park, Tecolote Canyon and the adjacent communities of Mission Valley, Bay Park, Clairemont and Serra Mesa.

The community’s fire station and post office are located on Comstock Street directly across from the site. The Linda Vista Branch Library is located on the same block just east of the site at the corner of Ulric and Comstock Streets.

BACKGROUND AND CONTEXT

Linda Vista, meaning “pretty view,” appropriately describes this San Diego community built high on a plateau with views of the Pacific Ocean and Mission Bay to the west, the San Bernardino Mountains to the north and east, and the San Diego River valley to the south. The 2,400 acre community is generally bounded on the south by Friars Road, on the west by Interstate 5, on the north by Tecolote Canyon and Mesa College Drive, and on the east by State Route 163. There is very little vacant developable land left in Linda Vista. Linda Vista is primarily a residential community with distinct neighborhoods. It is centrally located and is characterized by easy freeway access and a street system with relatively good traffic flow.

Housing development in Linda Vista began in the late 1880s and continued at a moderate pace through the first four decades of the 1900s. The community's greatest growth spurt occurred between 1941 and 1945. During World War II, the entire region faced an unexpected defense boom that resulted in an enormous influx of residents to staff the burgeoning defense industry. Housing shortages became so acute that factory officials reported an inability to recruit sufficient labor. By the time it was built, Linda Vista was the largest defense housing project with an expected occupancy of 13,000 people. Three thousand dwelling units were built over a period of one year using mass production techniques. Extensive redevelopment of the center was conducted during the 1970s [Linda Vista Community Plan].

Linda Vista Plaza, with its central location, provides ready access to retail and community services and is considered the dominant activity center for the community. Morley Strip, across the street from the shopping center, provides a park-like setting with landscaping, seating and public art. A new branch library was constructed in Linda Vista Plaza in 1987. This architecturally-unique facility has become a focal point for the community.

Linda Vista remains an ethnically diverse community with a population that is, according to SANDAG's 2008 estimates, 45% White, 25% Hispanic, 21% Asian, and 4% African-American.

LINDA VISTA REDEVELOPMENT PROJECT AREA

The Linda Vista Redevelopment Project Area was adopted in November 1972 to facilitate the redevelopment of the Linda Vista Shopping Center. The shopping center was built in 1943 to serve the surrounding residential development. The Linda Vista Project Area is the Agency's smallest at 12 acres. Its boundaries are confined to the block bounded by Linda Vista Road, Ulric and Comstock Streets as well as Morley Strip. In the mid- to late 1970's, the Agency undertook activities to assemble land and convey property for the shopping center's redevelopment. This included acquisition of parcels which currently comprise portions of the shopping center, the Linda Vista Branch Library, Morley Strip, and the subject site properties. The site properties are the only remaining parcels under Agency ownership. The Agency proposes to sell or convey the property to the selected developer.

The Redevelopment Plan's primary focus is on the revitalization of the shopping center in a manner that reflects high urban design principles and fosters employment and business opportunities in an equitable manner while offering a balance of shopping and convenience goods to meet the commercial and social needs of the surrounding community. The effectiveness of the Linda Vista Redevelopment Plan terminates in 2012.

LAND USE AND ZONING

As indicated above, the site is composed of two parcels, a former gas station property that has been cleared and a commercial/retail property with the existing structure built in 1943 which has been modified through alterations and additions.

The site is zoned CC-2-3 (community commercial) which allows community-serving retail, service, and professional offices. The Linda Vista Community Plan land use designation for the site calls for community-serving commercial uses with a pedestrian orientation.

Additional land use and zoning information can be found in the Developer Package which is described in another section of this RFQ/P.

SPECIAL SITE CONSIDERATIONS

HISTORICAL RESOURCES

In August 2008, a draft Historical Resources Report was prepared which found that the existing structure has the potential to be considered a *historical building* as defined under the City of San Diego Land Development Code. According to the draft Historical Report, the Linda Vista Shopping Center was built by the federal government in 1943 to serve the needs of the surrounding residential community of defense workers. The structure was the focal point of the community serving as a community recreational facility. Its barrel vaulted shape was modeled on the Quonset huts prevalent on military bases at the time and is considered its most notable and unique architectural feature. Research to date indicates that while the structure has been modified since its original construction, it retains historic significance and is likely to qualify for historical designation under the following City of San Diego criteria for eligibility:

1. Exemplifies or reflects special elements of the City's, a community's or a neighborhood's historical, archaeological, cultural, social, economic, political, aesthetic, engineering, landscaping or architectural development; and,
2. Embodies distinctive characteristics of a style, type, period or method of construction or is a valuable example of the use of indigenous materials or craftsmanship.

Within this context, it is important to note that the characteristic barrel vault design and its associated elements (which occupy a significant portion of the structure) are fairly unmodified and uncompromised.

Redevelopment of the structure is expected to be conducted in accordance with the U.S. Secretary of Interior Standards for Rehabilitation of Historic Buildings. Within this context, *rehabilitation* is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values (per the *U.S. Secretary of the Interior Standards and Guidelines, as amended and annotated*). Rehabilitation acknowledges the need to alter or add to a historic property to meet continuing or changing uses while retaining the property's historic character.

Respondent teams to the RFQ/P are expected to include qualified professional(s) to address the specific needs of this site due to these considerations. The selected development team will be required to complete a historical resources assessment report which conforms to the [City of San Diego Historical Resources Board Historical Resources Technical Report Guidelines and Requirements](#) (Appendix E, Part 1.2 of the City's Historical Resources Guidelines).

URBAN DESIGN CONSIDERATIONS

The project's site is in a prominent and well travelled location in a fully urbanized corner. The shopping center plaza where the site is located serves as a central destination that meets many of the varied needs of the adjacent neighborhoods. Redevelopment of this site provides an opportunity to improve circulation and connectivity within the shopping center and between this portion of the center and its surroundings. From an urban design perspective, the following objectives should be addressed:

1. **Design (particularly as related to mass and scale) should fit in with the surrounding urban built environment and the urban design fabric of the immediate neighborhood;**
2. Reinforce and enhance the pedestrian experience and address general mobility needs within the shopping center and its surroundings;

3. Incorporate spaces that can be utilized by the public at large and provide either passive recreation opportunities and/or improve pedestrian and visual connections to adjacent amenities and services;
4. Re-energize this corner as the visual gateway to the shopping center and use design elements and features to call attention to the significance of this site and the Linda Vista community at large in the history of the San Diego region;
5. Employ state of the art design strategies to highlight and expose the most notable and unique architectural features of the existing structure so that these become a clearly identified and a visible asset for the project and the community;
6. Integrate innovative principles of sustainable development and adaptive reuse techniques within the context of historic structures with the goal of implementing a project that becomes a model for urban infill redevelopment characterized by similar challenges; and,
7. Ensure the unencumbered use of building(s) and facilities by all occupants through a thoughtful application of universal design principles.

ENVIRONMENTAL CONDITIONS

The vacant parcel on the corner of Comstock and Linda Vista Road is a former gas station site. The previous owners of the parcel conducted limited remedial actions in the cleanup of the site including the removal of an underground storage tank. The County of San Diego's Department of Environmental Health issued a letter of no further action regarding this property. The letter is included in the Developer's Package. It should be noted that regulatory agencies may require additional analysis and/or remediation measures depending on the future use and specific project futures.

QUALIFICATIONS AND SUBMITTAL REQUIREMENTS

A concise, professional, and complete response to this RFQ/P will enable the Agency to identify the most qualified developer or development team and will be indicative of the level of the respondent's commitment to the project.

The team selected to participate with the Agency will need to meet all City of San Diego, Redevelopment Agency, and other applicable local, state, and federal requirements. The team must demonstrate that its members possess the experience and resources needed to design and develop a successful, high-quality sustainable project.

Prior experience in sustainable design, adaptive reuse of historic structures, financing, construction and knowledge of and experience with applicable development incentive programs and resources will be critical elements in evaluating qualifications and proposals. Current financial capacity or access to funding sources and the ability to complete the project in a timely manner will also be important factors in considering the most qualified respondents.

SUBMITTAL REQUIREMENTS:

Responses to this RFQ/P must include the following information in a brief and concise format. Only information requested should be submitted. The Agency reserves the right to request additional information during the evaluation of responses and to reject any or all proposals.

1. Cover Letter

Submit a cover letter signed by a principal of the lead respondent firm. The letter signator(s) must be authorized to make legal binding commitments on behalf of the respondent team and authorized to bind the developer firm or development team to all terms and conditions of the submittal. The cover letter

must identify the person(s) who may be contacted by the Agency during the evaluation and selection process.

2. Respondents' Team Qualifications

Developer Entity and Team Members: Identify and describe the lead developer entity or entities and all other team members that will accomplish the development proposal in an innovative, successful and timely manner;

Identify and describe the key personnel for each developer entity and all other team members, including the person(s) in charge and their role on the proposed project. Provide a resume for each individual, as well as each individual's title, affiliation, business address, telephone number, and e-mail. Describe the proposed role and relevant professional background of each of these individuals and clearly identify experience with adaptive reuse of historic structures, sustainable projects, projects in a redevelopment area in urban infill areas and/or projects carried out in partnership with a public entity. Call attention to any experience of the team member in successfully obtaining public funding sources available for adaptive reuse and historic rehabilitation projects.

The team must include:

- Professional(s) qualified to address the special site considerations given the constraints and opportunities associated with the historical value of the site;
- LEED accredited professionals (or similar expertise and qualifications); and,
- Professional(s) with a proven track record in the design of high quality and innovative urban infill projects of comparable scope within the constraints of adaptive reuse

3. Comparable Projects:

Provide information regarding the team's experience with projects comparable to the proposed and active within the last five (5) years. Include dates of completion (or status and schedule), size, mix of uses and tenants, total development costs, financing sources, location, the role of the team member in each development highlighted and provide client contact information for each. Photographs and/or graphics of projects must be included. Highlight projects within urban redevelopment/infill areas which demonstrate experience in adaptive reuse, sustainable design and dealing with the challenges of rehabilitation of historic structures. Demonstrate experience with public outreach and stakeholders' participation. Client and/or public agency references related to these projects must be included (if not noted as part of item 8 below). Provide a concise narrative highlighting the most successful elements of these projects, the challenges that were overcome and the clearly identify the role that respondents' played in the successful implementation of said projects. Any illustrations and/or photos should highlight the interiors and/or exteriors of the comparable projects listed and display architectural design features as well as the relationships of the built environment to its surroundings.

4. Project Concept Summary:

Project Narrative: Submit a narrative of not more than three (3) pages describing the proposed development. Items to be addressed in this narrative should include:

- i. A description of the generally proposed approach to project implementation;
- ii. Identification of what creative and innovative site design would be deployed to create a successful and high quality development;
- iii. Targeted gross floor area and proposed mix of uses as well as the anticipated allocation of floor area to each distinct use;

- iv. General description of any proposed public amenities and/or similar site enhancements;
- v. A description of how parking and circulation needs would be met;
- vi. Approach proposed to creatively address and highlight the historical value of the site and structure;
- vii. Identification of sustainable development techniques to be incorporated and principles to be applied including those to be further explored;
- viii. Identification of construction type and principal building materials;
- ix. Marketing strategies to attract buyers and/or tenants while making a substantive effort to reach out to small businesses and provide opportunities for small business through the life of the project;
- x. Budget estimates, cash flow projections and ownership structures;
- xi. A description of how the project is proposed to be financed and what sources of funding may be pursued;
- xii. A description of how the development team proposes to successfully manage, operate, and maintain all phases of the project; and,
- xiii. The proposed development schedule, including, at a minimum, number of months after approval of a Disposition and Development Agreement to the following milestones:
 - a. complete design;
 - b. obtain permits;
 - c. start construction; and
 - d. complete construction

5. Drawings and Exhibits:

- i. Dimensioned Site Plan: Illustrate building footprints and entrances, proposed uses and location of uses in building(s), property lines, setbacks, driveways, landscape and parking areas, access aisles, site entrances, loading zones and all other significant features. Show proposed improvements in relation to the adjacent sidewalks and street network. Include approximate tabulations of gross square feet of buildings, building height, open space and/or similar areas, proposed parking spaces compared to zone requirements and/or limitations.
- ii. Contextual Site Plan: Illustrate the proposed project in relation to its larger setting including the adjacent development within the shopping center, the Linda Vista Library, Morley Field (across Linda Vista Road) and the neighboring uses across Comstock Street. The purpose of this drawing is to illustrate how the newly proposed improvements interact with their surroundings from the perspectives of mobility, circulation, linkages and massing.
- iii. Elevations: Provide conceptual elevations and/or similar sketches focusing on how the project is viewed from the public right of way (opposite corner, street frontages and the Linda Vista Library). Include approximate vertical dimensions, illustrate major features and call out typical materials and colors; additional notes are welcome. The purpose of these is generally to illustrate general appearance and architectural character while providing some details regarding the treatment of storefronts and signage.

- iv. Floor Plans: Provide drawings to illustrate the general concept envisioned in terms of individual floor levels and the allocation of square footage to different uses. More detail is expected for ground floor depictions including entries and focus should be placed on depicting how the architectural elements considered of historical value would be incorporated into the proposal.
- v. Cross Sections: Provide two cross sections at a minimum, indicating all major project elements and vertical dimensions (floor to floor and overall). One section should be cut through the arches (which give the existing structure its distinctive barrel vault shape) to illustrate how these elements are incorporated into the proposal.
- vi. Conceptual Landscape Plan: Illustrate the location and size (as appropriate) of major landscape features and hardscape elements depicting how these interact with the built environment and its surroundings.

As much as feasible and applicable, plans and drawings must be generally drawn to scale, with the scale clearly labeled and include a north point arrow (submit no drawings larger than 11 X 17). Freehand or "sketch" drawings are perfectly acceptable provided approximate dimensions and relationships between different elements are illustrated in the principal depictions.

6. Pro Forma

Complete **Attachment 1** - Project Concept Pro Forma Template. The pro forma template provides worksheets with tables to input a breakdown of the project concept's components, estimated development costs, projected sales proceeds and net operating income, the proposed purchase price for the site, and other data and information about the project concepts. Please note that all required development fees charged by the City of San Diego should be accounted for within the pro forma.

7. Statement of Qualifications

Complete **Attachment 2**, Developer's Statement of Qualifications & Financial Summary. In addition, provide a concise narrative describing current relationships with lending institutions or other funding sources that would contribute to the feasibility of the proposed project concept.

8. Development Team References

Provide a concise chart listing development team references. Each team member should include three professional references (lenders, investors, major accounts, etc.), with full names, relationship to team member, address, email address and telephone number.

9. Equal Opportunity Strategy

Carefully read and complete the documents included in **Attachment 3**. The Agency is strongly committed to equal opportunity in the solicitation of business contracting to assure that persons or businesses doing business with or receiving funds from the Agency are an equal opportunity business and employer. The Agency endeavors to do business with firms sharing the Agency's commitment to equal opportunity and will not do business with any firm that discriminates. The Agency strongly recommends that persons and businesses doing business with the Agency take positive steps toward diversity and expand their sub-consulting and subcontracting solicitation base and offer opportunities to all eligible persons or businesses.

SUBMITTAL FORMAT & DEADLINE

Response packages must be organized and tabbed in a manner that is consistent with the order of the Submittal Requirements outlined above. Submittals must consist of 8-1/2 x 11 sheets and 11 x17 foldouts as necessary.

The Agency reserves the right to request additional information during the evaluation of responses and to reject any and all responses to this RFQ/P.

Each respondent is required to submit one signed original and four (4) complete hard copies of responses. Additionally, an electronic version must be provided in a CD/DVD with any financial information considered confidential by the respondent stored in its own digital file. Drawings and sketches should also be provided in their own digital file in pdf format.

The submittals must be received **no later than 5:00 p.m., October 30, 2009**. To ensure fairness, **no submittals will be accepted after 5:00 p.m.** For those submittals that are not selected, only financial information will be returned. Faxes and electronic submittals will not be accepted. All responses shall be marked "Linda Vista Project Area RFQ/P Response" on the outside of the submittal and addressed to:

Redevelopment Agency of the City of San Diego
1200 Third Avenue, Suite 1400, MS 56D
San Diego, CA 92101-4110
Attention: Eliana Barreiros

SELECTION CRITERIA

Agency staff may ultimately select and recommend a developer to the Agency Board for exclusive negotiations based on the following criteria: developer characteristics; financial resources and project financing; experience developing projects according to sustainable development principles with high-quality architecture, planning, and design; and other pertinent factors.

The following is a guide to the criteria that will be used to evaluate developers and their proposals:

Proposal and Development Team Characteristics

- 1) Quality of information submitted in response to the RFQ/P;
- 2) Evaluation of past projects and performance;
- 3) Experience of team members in developing projects of comparable scale and characteristics in a redevelopment area and/or under public/private partnerships;
- 4) Solid expertise in sustainable design and advances in green development techniques and technology. Team members are expected to be able to advise regarding costs and benefits of individual green elements and different combinations and options of said elements in a comprehensive manner through a life cycle approach;
- 5) Level of experience in adaptive reuse projects and the incorporation of historic structures in redevelopment projects;
- 6) Overall demonstration that developer is ready, willing, and able to implement the project; and,
- 7) Demonstrated commitment to comply with the City of San Diego Equal Opportunity Contracting Program and Conflict of Interest Code

Financial Resources and Financing Strategy

- 1) Demonstrated ability to secure project funding, including current relationships with major lenders and past funding experience with sustainable projects;

- 2) Ability to provide sufficient equity to satisfy conventional lender requirements and assure timely implementation and completion of the project;
- 3) Experience with financial incentive programs and resources available for sustainable or historic reuse projects; and,
- 4) Experience in providing effective marketing, leasing, and property management.

Project Planning/Design/Construction

- 1) Demonstrated expertise in the areas of sustainable development, urban design, adaptive reuse of historic structures, and construction of in-fill projects in urban areas;
- 2) Demonstrated architectural and urban design experience on projects of similar quality and scale to the proposed project;
- 3) Demonstrated experience designing innovative projects using creative site design concepts while pursuing high quality development standards; and,
- 4) Unique, innovative and outstanding work experience with sustainability projects that exhibit extraordinary design excellence with an emphasis on environmental consciousness and sustainability to create long-lasting economic and social value.

SELECTION PROCESS

Agency staff will review and evaluate the responses to the RFQ/P. Consultants to the Agency may also review submitted proposals. Stay may meet with any or all of the development teams, conduct site visits, and check references as appropriate. The Agency Board will be the final approving authority in selection of a developer. If a developer selection is approved, the Agency and the developer will enter into an exclusive negotiating agreement which will require a \$50,000 developer deposit to cover project related costs incurred by the Agency for legal, financial, and/or design services provided during the period of negotiations. The developer deposit will also serve as a good faith deposit to ensure the developer's diligence in the implementation of the project. The Agency reserves the right to reject any and all submitted proposals.

SELECTION SCHEDULE & LOGISTICS

The selection schedule will be tentatively as follows:

RFQ/RFP Issued	July 27, 2009
Pre-Submission Conference	August 20, 2009
Responses Due to Agency	October 30, 2009 – 5:00 PM
Staff Review/Finalist Interviews	November – December 2009
Recommendation to Agency Board	December 2009 – January 2010

Questions regarding this RFQ/P or any of the information provided herein must be submitted via electronic mail to ebarreiros@sandiego.gov no later than October 23, 2009. The subject line for questions should be limited to: Questions – Linda Vista Project RFQ/P. No verbal inquiries will be accepted. Respondents to this RFQ/P are cautioned NOT to contact elected officials regarding the

selection process. Inappropriate efforts to lobby or influence individuals or organizations involved in this selection may result, at the Agency's sole discretion, in dismissal from further considerations.

Interested respondents are encouraged to attend the Pre-submission conference scheduled for August 20, 2009. The date, time, and location will be noticed on the Agency's website. Interested respondents are also strongly encouraged to review the Agency's website periodically as any addenda issued by the Agency in relation to this RFQ/P will ONLY be posted on the Agency's website.

Expenses

The developer or developer team shall be responsible for all expenses incurred during the solicitation and negotiation process with the Agency. This RFQ/P does not and shall not commit the Agency to enter into any agreement, to pay any costs incurred in preparation of the submittals, or to procure or contract for services. The Agency shall not incur any liability arising from the RFQ/P process.

The Agency reserves the right to amend this RFQ/P. All amendments shall be posted on the Agency's website: <http://www.sandiego.gov/redevelopment-agency/lindavis.shtml>

DEVELOPER PACKAGE

Interested developers or development teams are encouraged to explore this redevelopment opportunity by reviewing the following documents which are consider to constitute the Developer Package and is available on the Agency's website at <http://www.sandiego.gov/redevelopment-agency/index.shtml>.

- 1) Linda Vista Redevelopment Plan
- 2) Linda Vista Community Plan
- 3) Linda Vista Redevelopment Project Area Fourth Five-Year Implementation Plan
- 4) Draft Historical Assessment Report – 6907 Linda Vista Road
- 5) Council Policy 900-14: Sustainable Building Policy
- 6) Developer's Statement of Qualifications and Financial Responsibility
- 7) SEE ALL OTHER REFERENCES AND UPDATE WITH LINKS

OTHER TERMS AND CONDITIONS

1. The Agency reserves the right to amend this RFQ/P by addendum prior to the final due date of the submittals.
2. The Agency reserves the right to modify aspects of the selection process, and to waive any defects of form or content in responses.
3. The Agency reserves the right to accept or reject any and all responses received as a result of this RFQ/P, and to cancel in part or entirely the RFQ/P. If all responses are rejected, the Agency may seek further proposals at a later time.
4. All reports, responses, or other data or materials, which are submitted, shall become the sole property of the Agency and a matter of public record. However, to the extent permitted by law, all submittals will not be made public nor considered a public record until after the Redevelopment Agency Board takes action to enter into an agreement with the selected developer/team.

However, statements of financial capacity will be returned to all respondents, except for the selected Respondent after award. Respondents must identify all copyrighted material, trade secrets, or other proprietary information that they may claim are exempt from disclosure under the California Public Records Act (California Government Code sections 6250 et. Seq.). In the event a Respondent claims such an exemption, the following statement must be included in the response:

The Respondent shall indemnify the Agency and hold it harmless from any claim, damage, loss, liability cost or expense and defend any action brought against the Agency for Agency's refusal to disclose materials marked 'confidential', trade secrets or other proprietary information to any person making a request therefore.

Failure to include such a statement shall constitute waiver of the Respondent's right to exemption from disclosure and authority for the Agency to provide a copy of the submittals or any part thereof to the requester.

5. All products used or developed in the execution of any contract resulting from this RFQ/P shall remain in the public domain at the completion of the project.

6. This RFQ/P is not, and shall not be construed to be, an offer but is merely a request for qualifications and proposals.

7. There is no obligation to enter any binding legal document until final approval by the Redevelopment Agency Board is received.

8. The firm selected will be required to provide evidence of public liability and property damage insurance with limits of not less than \$5 million dollars for injury to, or death of, persons and/or property damage arising out of a single accident or occurrence, insuring against all liability the City of San Diego, the Redevelopment Agency of the City of San Diego, their agents, officers, and employees, arising out of, or in connection with, the performance of work under the contract with the Agency. In addition, the firm selected will be required to provide evidence of automobile insurance and Workers' Compensation Insurance. The insurance shall be provided at the sole cost and expense of the firm selected, unless the requirement is modified or waived by the Agency.

9. Individuals, contractors, vendors, consultants, grantees, lessees, and banks contracting with the Agency must comply with the City of San Diego's Equal Opportunity Outreach Program.

The firm selected, and each of its subcontractors, shall comply with Title VII of the Civil Rights Act of 1964, as amended; Executive Orders 11246, 11375, and 12086; the California Fair Employment Practices Act; San Diego Municipal Code sections 22.2701 through 22.2707, and any other applicable federal and state laws and regulations hereinafter enacted. The selected firm shall not discriminate against any employee or applicant for employment based on race, religion, color, ancestry, age gender, sexual orientation, medical condition, or place of birth. The selected firm shall cause the above provisions to be inserted in all subcontracts for any work covered by the contract so that such provisions will be binding upon each subcontractor, if used.

10. The firm chosen must agree to comply with the Agency's Drug Free Workplace requirements set forth in Council Policy 100-17, adopted by Council Resolution No. R-277952. Respondent shall certify to the Agency that it will provide a drug-free workplace.

11. In addition to the foregoing, every person or organization awarded a contract by the Agency or the City of San Diego must acknowledge and agree to comply with Council Policy 100-04, adopted by Resolution No. R-282153, relating to the federally mandated Americans with Disabilities Act (ADA). The selected developer will be responsible for its own ADA program.

12. The Agency's selection of a developer will take the form of the Agency Board's approval of an Exclusive Negotiating Agreement ("ENA") between the Agency and the selected developer. It is anticipated that the ENA will provide a 90-day exclusive negotiation period within which to prepare a Disposition and Development Agreement ("DDA") with up to a 30-day extension of the period at the mutual agreement of the Agency's Executive Director or Designee and the selected developer.

13. California State law makes it illegal for public officials or their employees to participate in the making of a contract in which he or she is financially interested. The law defines the making of a contract to include responding to Requests for Qualifications. The law further defines a public official very broadly to include members of advisory boards that are not actual parties to the contract. Prospective respondents who are aware of circumstances that could create a conflict of interest if a qualifications/proposal package were submitted are urged to contact the person identified as the Contact person for this request. A violation of these rules is grounds for disqualification of the development team.