



# CITY OF EL MONTE

## REQUEST FOR QUALIFICATIONS FOR THE DEVELOPMENT OF THE MACLAREN HALL SITE

OCTOBER 2021

### IMPORTANT DATES

RFQ ISSUED	October 13, 2021
PROPOSAL DUE DATE/SUBMISSION DEADLINE: 5:00 PM	November 4, 2021

REQUEST FOR QUALIFICATIONS

MACLAREN HALL DEVELOPMENT

Table of Contents

1. OVERVIEW.....2

2. SITE DESCRIPTION.....2

3.SUBMITTAL REQUIREMENTS .....7

4.EVALUATION CRITERIA.....9

5.SELECTION PROCESS .....10

6.GENERAL CONDITIONS.....10

**ATTACHMENT “A” – FALSE CLAIMS ACT CERTIFICATION**

**ATTACHMENT “B” – HISTORY OF DEBARMENT CERTIFICATION**

**ATTACHMENT “C” – CIVIL LITIGATION HISTORY**

**ATTACHMENT “D” – CONFLICT OF INTEREST DISCLOSURE STATEMENT**

## **1. OVERVIEW**

The City of El Monte (the “City”) is seeking request for qualifications (herein “Proposals” or “RFQs”) from qualified persons interested in developing certain land owned by the County of Los Angeles (the “County”) which is referred to herein as the “MacLaren Hall Site,” or the “Property,” or “MacLaren Hall” located at 4024 Durfee Avenue.

From the 1960s until the early 2000s, MacLaren Hall operated as a County facility housing foster youth for short-term stays. Since its closure in 2003, much of the MacLaren property has been walled off and inaccessible to the community, although parts of the facility remain in use with administrative offices for County departments, a medical clinic, and social services.

The Los Angeles County Board of Supervisors District 1 Hilda Solis’ Office, the County Chief Executive Office, and the City have been working on the plans and studies for the potential reuse of an approximate 5.6-acre portion of the 13.65-acre MacLaren Site for public park, recreation and open space uses. The City committed to enter into a minimum 30-year gratis ground lease with the County for a portion of MacLaren Site for park and open space purposes by which the City will establish, operate, and maintain a public park on the property.

This Request for Qualifications document is referred to herein as the “RFQ” or the “RFQ for MacLaren Hall Development” is seeking proposals from qualified persons for the development of an approximate 6.11-acre portion of the MacLaren Site for affordable housing and other uses consistent with economic development initiatives such as workforce development, job training, and employment opportunities.

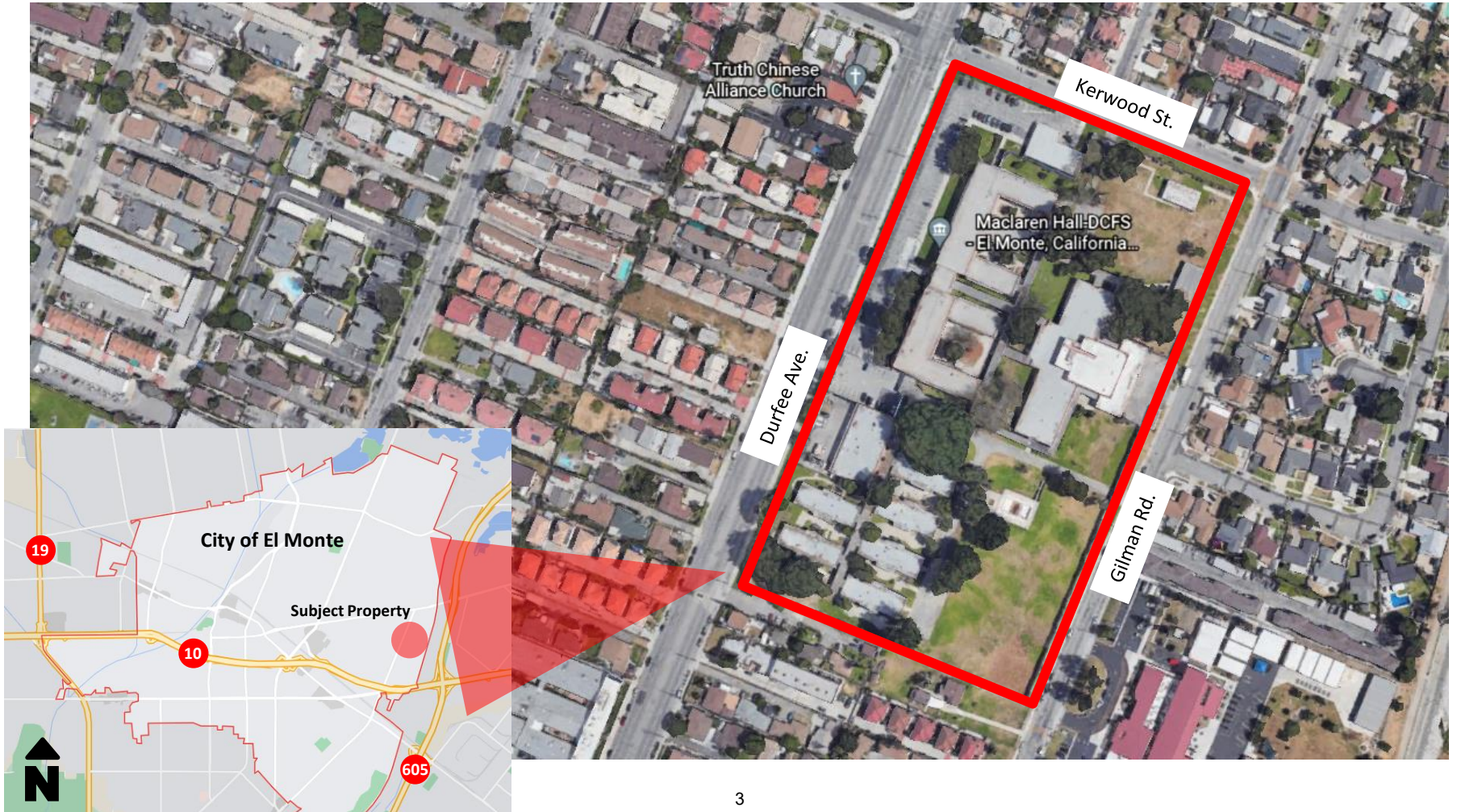
The City will enter into a lease with the County and the selected developer would enter into a sublease with the City. Therefore, the City is seeking proposals that are in compliance with Government Code Section 37364 to provide housing affordable to persons and families of low or moderate income. Please refer to Government Code Section 37364 (a) – (f) for more information.

## **2. SITE DESCRIPTION**

The Property is located at 4024 Durfee Avenue and is bounded by Durfee Avenue, Kerwood Street, and Gilman Road. The Property includes two (2) contiguous parcels (APN No. 8549-004-900 and 8549-005-900) totaling approximately 13.65 acres in size and is designated as “Public Facilities” (PF) on the City’s General Plan and Zoning Map. The City will work with the selected developer to process a General Plan Amendment, Zone Change, development of a specific plan, environmental review, and land use entitlements for the development of the project.

Exhibit A shows an aerial view of the MacLaren Hall property and the project site and immediate vicinity, Exhibit B shows a 3-dimensional aerial view, Exhibit C shows site photographs, and Exhibit C shows existing uses on the MacLaren Hall property along with the park area and development project area.

# EXHIBIT A: AERIAL



# EXHIBIT B: 3-DIMENSIONAL



# EXHIBIT C: SITE PHOTOGRAPHS

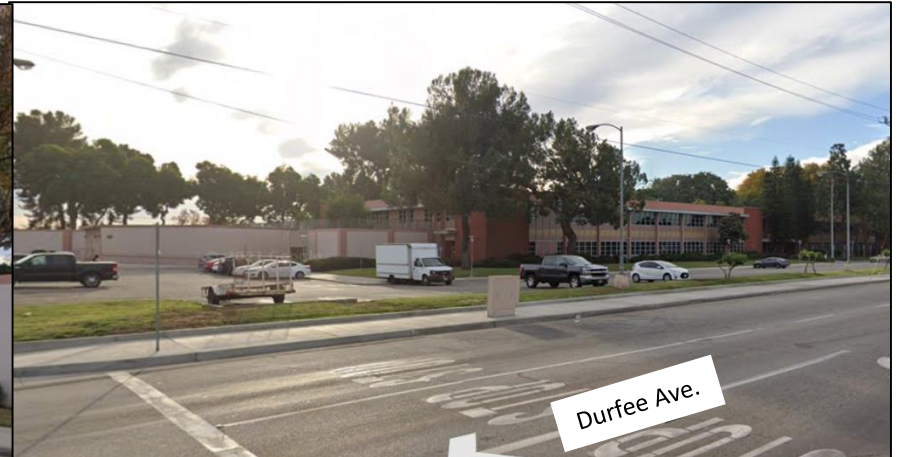
Looking north from Gilman at southern boundary of property



Looking south from corner of Kerwood and Gilman



Looking north from Durfee at southern boundary of property



Looking south from corner of Durfee and Kerwood

# EXHIBIT D: PARK AREA AND DEVELOPMENT AREA



### 3. SUBMITTAL REQUIREMENTS

The Proposal of each Bidder is sometimes referred to herein as a Statement of Qualifications (“SOQ”) and each SOQ delivered to the City by a Bidder must include the following information:

1. **Cover Letter** – The letter should be signed by an authorized officer of the firm, binding the proposer to all of the commitments made in the submittal. It shall include name, address and phone number of the authorized person and shall include the following Statement:

I HAVE READ UNDERSTOOD, AND AGREED TO ALL STATEMENTS IN THIS REQUEST FOR QUALIFICATIONS AND ACKNOWLEDGE RECEIPT OF ALL ADDENDUMS AND AMENDMENTS AS WELL AS TO THE TERMS, CONDITIONS, AND ATTACHMENTS REFERENCED.

- 2) **Firm Qualifications and Experience** – Qualifications and experience on the development team, with emphasis on previous similar development projects including the development of affordable housing/residential, commercial, mixed use, or development sites comparable to the Property. The qualifications should include the firm’s experience in planning, financing, constructing, and managing major development projects in the Los Angeles region and San Gabriel Valley sub-region. Additional pages may be included to highlight the qualifications of any proposed sub-consultants to be used by the proposer and the specific task(s) or functions the sub-consultant will perform.
- 3) **Development Portfolio** – Provide a list of past or current projects in the pipeline, including predevelopment, construction, and lease-up activities underway in Los Angeles County, that the Development team or personnel were actively involved in. This list should include the location, project type, size and total development cost for each project.
- 4) **Proposed Personnel & Qualifications** – Identify the project manager other key personnel, including sub-consultants which will be performing the majority of the work on projects/contracts. Attach descriptions and resumes of personnel, including a summary of relevant experience, work history, current projects, relevant training, education and special certifications. Briefly discuss the Development team's qualifications and experience with projects of a similar magnitude and nature. Proposers shall provide identical information for all sub-consultants’ performing any of the tasks or services contemplated under this RFQ on the proposer’s behalf. The summary shall also include the office location of key personnel proposed to work on this contract. Show how your experience relates to the demands of this RFQ. The designated Development Representative shall be

the primary contact with the City during the contract period and shall function in that capacity while employed by the firm. In addition, the City must approve changes of personnel.

5. **Development Program** – A general overview of the proposed development program and timeline, including a description of how the Developer’s vision addresses and maximizes fulfillment of the RFQ. Identify type(s) of development/use(s) that the Team considers appropriate for the Site. Discuss the role/importance each parcel plays in implementing the overall proposed development program.

**Development Program Time Schedule** – A schedule of performance outlining the estimated time for each step and phase, including a summary “timeline” or other similar graphic representation of the development program process. The schedule should recognize the time involved in designing the development program, financing the development program, completing the General Plan Amendment and Zone Change, development of the specific plan, environmental review, receiving development land use entitlements, commencing and completing construction, and final occupancy.

6. **Renderings** – Concept renderings, images, photographs and maps to convey the vision for the Site and total proposed development program.

7. **Financial Qualifications and Feasibility of the Proposed Development** – The provision of clear evidence of financial resources of the Bidder to undertake the development of the Property including the following:

- Sources and Uses of Funds for each phase of the development program, as applicable.
- Development Program Budget (total development cost).
- Development Program Operating Pro Forma.

8. **References** – Each proposal must include at least two (2) public agency references going back not more than five (5) years from the issuance of this RFQ. References should place an emphasis on past development projects in which the personnel to be used by proposer for this project were deployed. The references should include the name, title and contact information of the public agency officer or employee responsible for overseeing the proposer’s work.

9. **Attachments** – Proposals shall submit all Attachments below as part of the submittal.

- a. Attachment “A” – False Claims Act Certification
- b. Attachment “B” – History Of Debarment Certification

- c. Attachment "C" – Civil Litigation History
- d. Attachment "D" – Conflict Of Interest Disclosure Statement

Proposals must be submitted using the following methods:

Four (4) printed copies and one (1) electronic copy (USB flash drive) of the proposal must be received prior to the Submission Deadline. Proposals shall be submitted to the following address:

Subject: RFQ – DEVELOPMENT OF THE MACLAREN SITE  
ATTN: Betty Donovanik, Director of Community and Economic Development  
City of El Monte  
Community and Economic Development  
City Hall West  
11333 Valley Boulevard  
El Monte, CA 91731

Proposals may be submitted via personal delivery, overnight courier (e.g., FedEx or UPS) or U.S. Mail. Proposals must be received by or before 5:00 p.m. on Thursday, November 4, 2021 (the Submission Deadline). Proposals that are deposited with an overnight courier or post marked prior to the Submission Deadline but received after the Submission Deadline will not be considered by the City. Accordingly, although delivery via overnight courier and U.S. Mail is permitted, it is strongly suggested that proposers consider a package tracking method to better ensure that proposals are received in a timely manner, on or before the Submission Deadline.

Please bear in mind that the City reserves the right to modify, supplement or withdraw this RFQ at any time after its issuance date. Any such modification, supplement or cancellation of this RFQ shall be noted by the City as an update to the City's website at <https://www.elmonteca.gov/> provided however that the City shall not post any such modification, update or cancellation of this RFQ within less than seventy-two (72) hours before the submittal deadline of Proposals to this RFQ.

Accordingly, each Bidder is advised to consult the City's website for updates.

**NOTICE: NO PROPOSAL WILL BE ACCEPTED BY THE CITY AFTER THE DATE AND TIME INDICATED ABOVE OR BY THE DATE AND TIME AS MAY BE MODIFIED BY A SUPPLEMENTAL NOTICE AS POSTED TO THE CITY'S WEBSITE.**

#### **4. EVALUATION CRITERIA**

Each proposal shall be evaluated on the basis of the proposer qualifications and experience, experience with similar projects, proposed development program, and financial proforma and schedule. Each such factor shall be weighted by the City as follows:

1. Professional qualifications and experience of the firm and its project management personnel (20 points maximum).
2. Relevant experience of the firm with similar types of projects (20 points maximum).
3. Development program and quality of the proposal, including clarity of content and understanding of the project and design (40 points maximum).
4. Financial Proforma and time schedule for completion (20 points maximum)

Proposing developers should thoroughly address the above selection criteria to receive the maximum possible points.

<b>CRITERIA</b>	<b>MAXIMUM POSSIBLE POINTS</b>
1. Qualifications and Experience	20
2. Experience with similar projects	20
3. Development program and quality of proposal	40
4. Financial Proforma and Schedule	20
<b>TOTAL POINTS</b>	<b>100</b>

## **5. SELECTION PROCESS**

A selection panel, comprised of City staff will review the proposals. Proposals will be ranked on qualifications and the selection panel may choose to interview the top ranked proposers. The selection panel shall submit its highest ranked SOQ for consideration as the preferred Bidder approval by the City Council for the potential development of the Property.

## **6. GENERAL CONDITIONS**

Issuance of this RFQ does not obligate the City to complete the RFQ process as described above or to select a Bidder for the entry into an Exclusive Right to Negotiate for potential terms of purchase of the Property, nor shall the City of El Monte or the Los Angeles County be liable for any cost incurred by the Bidder in the preparation and submittal of a Proposal to the City.

An incomplete Proposal that does not conform to the requirements specified herein will not be further considered by the City. The act of submitting a SOQ to the City is a declaration that the Bidder has read the RFQ and understands all the requirements and conditions related to the submittal of the SOQ.

The City reserves the right in its sole discretion to:

- Modify or cancel the selection process for Bidders or modify the schedule of this RFQ at any time;
- Waive minor irregularities in the responsiveness of one or more Proposals to the RFQ;
- Reject all SOQs after delivery to the City, and to seek new responses by other means acceptable to the City when it is in the best interest of the City to do so;
- Seek clarification or additional information from any Bidder as the City deems appropriate during the course of its evaluation of any SOQ.

All correspondence and data submitted by each Bidder shall be deemed to be a public record of the City subject to the provisions of the next two (2) sentences. The City shall exercise best efforts to maintain the confidentiality of financial statements of the Proposer provided such information is separately labeled as "CONFIDENTIAL BUSINESS RECORD [INSERT NAME OF BIDDER]." The City shall not release or make available for inspection as a public record the text of any SOQ which the City may receive until ten (10) days after the City Council has designated the most responsive Bidder, as evidence by a resolution of the City Council which identifies such most responsive Bidder.

Neither the City of El Monte nor the County of Los Angeles make any representation about the condition of the Property, including buildings, utilities, soils, or other surface or subsurface conditions in the RFQ or the development or use potential for the Property. The City reserves all of its regulatory power and discretion to approve, disapprove or approve subject to conditions any development project which the Bidder may propose for the Property.

# ATTACHMENT "A"

## False Claims Act Certification

**SECTION 00470**

**FALSE CLAIMS**

Bidders/Proposers shall provide either the certification requested below or the information requested on the next page. **Failure to certify or provide the requested information may result in a determination that the Bidder/Proposer is non-responsive. Failure to fully and accurately provide the requested certification or information may result in a determination that the Bidder/Proposer is not responsible.**

“False Claims Act”, as used herein, is defined as either or both the Federal False Claims Act, 31 U.S.C. Sections 3729 et seq., and the California False Claims Act, Government Code Sections 12650 et seq.

**FALSE CLAIMS ACT CERTIFICATION**

If the Bidder/Proposer has no False Claims Act violations as described above, complete the following:

I, \_\_\_\_\_, hereby certify that neither  
(print name of owner, officer, manager, or licensee responsible for submission of Bid/Proposal)

\_\_\_\_\_  
(Bidder/Proposer name as shown on Bid/Proposal)

nor \_\_\_\_\_  
(name of responsible managing person licensed by Contractors' State License Board)

**has been determined by a court or tribunal of competent jurisdiction to have violated the False Claims Act as defined above.**

I declare under penalty of perjury that the foregoing is true and correct.

Executed this \_\_\_\_\_ day \_\_\_\_\_ at \_\_\_\_\_  
(month and year) (city and state)

by \_\_\_\_\_  
(signature of owner, officer, manager, or licensee responsible for submission of Bid/Proposal)

**FALSE CLAIMS ACT VIOLATIONS**

With regard to any determinations by a tribunal or court of competent jurisdiction that the False Claims Act, as defined above, has been violated by (1) the Bidder/Proposer submitting this Bid/Proposal, including any person who is an officer of, or in a management position with, or has an ownership interest in the contracting entity which is submitting this Bid/Proposal, or (2) the qualifying person licensed by the State Contractors' License Board to perform the work described in the Bid/Proposal, including any such person when they were an officer, manager, owner, or responsible managing employee of a construction contractor other than the Bidder/Proposer submitting this Bid/Proposal, Bidder/Proposer shall provide on the following page labeled “False Claim Act Violations Information:” (1) the date of the determination of the violation, (2) the identity of tribunal or court and the case name or number, if any, (3) the identity of government contract or project involved, (4) the identity of government agency involved, 5) the amount of fine imposed, and (6) any exculpatory information of which the City should be aware.

**FALSE CLAIMS ACT VIOLATIONS INFORMATION**

(1) Date of determination of the violation:

\_\_\_\_\_

(2) Identity of tribunal or court and the case name or number, if any: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(3) Government contract or project involved: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(4) Government agency involved: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(5) Amount of fine imposed: \_\_\_\_\_

(6) Exculpatory information: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Declaration: I declare under penalty of perjury that the above information is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
(month and year) (city and state)

by \_\_\_\_\_  
(signature of owner, officer, manager, or licensee responsible for submission of Bid/Proposal)

# ATTACHMENT "B"

## History of Debarment Certification

**SECTION 00473**

**DEBARMENTS**

Bidder/Proposer shall provide either the certification requested below or the information requested on the next page. **Failure to provide such certification or information may result in a determination that the Bidder/Proposer is nonresponsive. Failure to fully and accurately provide the requested certification or information may result in a determination that the Bidder/Proposer is not responsible.**

For the ten (10) years preceding the date this Bid/Proposal is due, identify on the following page any debarment by any Federal, State, or local public agency arising out of the performance of a construction contract (1) by the Bidder/Proposer submitting this Bid/Proposal, including any person who is an officer of, or in a management position with, or has an ownership interest in the contracting entity which is submitting this Bid/Proposal, or (2) by the qualifying person licensed by the Contractors' State License Board to perform the work described in the Bid/Proposal, including any debarment of any such person when they were an officer, manager, owner, or responsible managing employee of a construction contractor other than the Bidder/Proposer submitting this Bid/Proposal. Provide on the following page labeled "Debarment Information:" (1) the date of debarment and the duration of the debarment, (2) the project name or contract from which the debarment arose, (3) the identify of the debarring agency, (4) stated reason for debarment, and (5) any exculpatory information of which the City of El Monte should be aware.

**HISTORY OF DEBARMENT CERTIFICATION**

If the Bidder/Proposer has no debarments to report as described above, complete the following:

I, \_\_\_\_\_, hereby certify that neither  
(print name of owner, officer, manager, or licensee responsible for submission of Bid/Proposal)

\_\_\_\_\_  
(Bidder/Proposer name as shown on Bid/Proposal)

nor \_\_\_\_\_  
(name of responsible managing person licensed by Contractors' State License Board)

has been debarred as described above.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
(month and year) (city and state)

by \_\_\_\_\_  
(signature of owner, officer, manager, or licensee responsible for submission of Bid/Proposal)

**DEBARMENT INFORMATION**

(1) Date and duration of debarment: \_\_\_\_\_  
\_\_\_\_\_

(2) Project name or contract involved: \_\_\_\_\_  
\_\_\_\_\_

(3) Debarring agency: \_\_\_\_\_  
\_\_\_\_\_

(4) Stated reason for debarment: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(5) Exculpatory information: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Declaration: I declare under penalty of perjury that the above information is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
(month and year) (city and state)

by \_\_\_\_\_  
(signature of owner, officer, manager, or licensee responsible for submission of Bid/Proposal)

# ATTACHMENT "C"

## Civil Litigation History

**SECTION 00471**

**CIVIL LITIGATION HISTORY**

Bidder/Proposer shall provide either the certification requested below or information requested on the next page. **Failure to provide such certification or information may result in a determination that the Bidder/Proposer is nonresponsive. Failure to fully and accurately provide the requested certification or information may result in a determination that the Bidder/Proposer is not responsible.**

For the two (2) years preceding the date of submittal of this Bid/Proposal, identify any civil litigation arising out of the performance of a construction contract within the State of California in which the (1) Bidder/Proposer submitting this Bid/Proposal, including any person who is an officer of, or in a management position with, or has an ownership interest in the contracting entity which is submitting this Bid/Proposal, or (2) the qualifying person licensed by the State Contractors' License Board to perform the work described in this Bid/Proposal, including any such person when they were an officer, manager, owner, or responsible managing employee of a construction contractor other than the Bidder/Proposer submitting this Bid/Proposal, was a named plaintiff or defendant in a lawsuit brought by or against the Owner. Do not include litigation which is limited solely to enforcement of mechanics' liens or stop notices. Provide on the following page labeled "Civil Litigation History Information:" (1) the name and court case identification number of each case, (2) the jurisdiction in which it was filed, and (3) the outcome of the litigation, e.g., whether the case is pending, a judgment was entered, a settlement was reached, or the case was dismissed.

**CIVIL LITIGATION CERTIFICATION**

**If the Bidder/Proposer has no civil litigation history to report as described above, complete the following:**

I, \_\_\_\_\_, hereby certify that neither  
(print name of owner, officer, manager, or licensee responsible for submission of Bid/Proposal)

\_\_\_\_\_  
(Bidder/Proposer name as shown on Bid/Proposal)

nor \_\_\_\_\_  
(name of responsible managing person licensed by the Contractors' State License Board)

has been involved in civil litigation as described above.

**I declare under penalty of perjury that the foregoing is true and correct.**

Executed this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
(month and year) (city and state)

by \_\_\_\_\_  
(signature of owner, officer, manager, or licensee responsible for submission of Bid/Proposal)

Civil Litigation History

**CIVIL LITIGATION HISTORY INFORMATION**

(1) Name of Case: \_\_\_\_\_  
\_\_\_\_\_

Court case identification number: \_\_\_\_\_

(2) Jurisdiction in which case was filed: \_\_\_\_\_  
\_\_\_\_\_

(3) Outcome of the case: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(1) Name of Case: \_\_\_\_\_  
\_\_\_\_\_

Court case identification number: \_\_\_\_\_

(2) Jurisdiction in which case was filed: \_\_\_\_\_  
\_\_\_\_\_

(3) Outcome of the case: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Declaration: I declare under penalty of perjury that the above information is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
(month and year) (city and state)

by \_\_\_\_\_  
(signature of owner, officer, manager, or licensee responsible for submission of Bid/Proposal)

# ATTACHMENT "D"

## Conflict of Interest Disclosure Statement

CONFLICT OF INTEREST DISCLOSURE STATEMENT  
(Subject Project: RFQ for MacLaren Hall Site Development)

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Proposer's Name: \_\_\_\_\_ (“Proposer”)

This Conflict of Interest Disclosure Statement relates to that certain City of El Monte's Request for Qualifications for the MacLaren Hall Site Development (hereinafter, the “RFQ”).

Proposer is advised that certain consulting firms will not be allowed to submit qualifications in response to the RFQ or participate on any proposer's team for the RFQ because of the consultant's participation in the preparation of the RFQ and/or their participation in the review, evaluation and selection of professional consulting firms who will be submitting responses to the RFQ. The conflicted firm(s) is/are:

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(hereinafter, the “Conflicted Consultant(s)”).

Proposers must also disclose any contractual arrangements or other representation the Proposer currently has or will have during the performance period of the agreement contemplated under the RFQ.

Proposers must also identify all municipalities or other public agencies, or development projects in the City of El Monte that the proposer is currently under contract with or will be under contract with during the performance period of this RFQ to provide consulting services similar to those contemplated under this RFQ. For purposes of this disclosure statement any of the entities referenced under this paragraph may be referred by the term “Potentially Adverse Client”.

**1. Required Disclosure of Conflicts**

In the space provided below, and on supplemental sheets as necessary, identify all relevant facts relating to present, or planned interest(s) of the proposer's team (including the proposer, Principal/Major Participants, proposed Subconsultants and proposed Subcontractors, and their respective chief executives, directors, and other key personnel for the project) which may result, or could be viewed as, a conflict of interest in connection with this RFQ, either with a Conflicted Consultant or a Potentially Adverse Client.

Proposer should disclose (a) any current contractual relationships with a Conflicted Consultant or Potentially Adverse Client, (b) any present, or planned contractual or employment relationships with any officer or employee of a Conflicted Consultant or Potentially Adverse

Client and (c) any other circumstances that might be considered to create a financial interest in the contract by any member, officer or employee of a Conflicted Consultant or Potentially Adverse Client if Proposer is awarded a contract under the RFQ.

Proposer should also disclose matters such as ownership of 10% or more of the stock of, or having directors in common with, a Conflicted Consultant. Proposer should also disclose contractual relationships (i.e. joint ventures) with any Conflicted Consultant as well as Proposer should also disclose matters such as ownership of 10% or more of the stock of, or having directors in common with, a Conflicted Consultant. Proposer should also disclose contractual relationships (i.e. joint ventures) with any Conflicted Consultant as well as relationships wherein a Conflicted Consultant is a contractor or consultant (or Subcontractor or Subconsultant) to the proposer or a member of the proposer's team. The foregoing is provided by way of example, and shall not constitute a limitation on the disclosure obligations.

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**2. Explanation**

In the space provided below, and on supplemental sheets as necessary, identify steps the Proposer has taken or will take to avoid, neutralize, or mitigate any conflict of interest described herein.

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### 3. Certification

The undersigned hereby certifies and declares under penalty of perjury that, to the best of his or her knowledge and belief, no interest exists that is required to be disclosed in this Conflict of Interest Disclosure Statement, other than as disclosed above.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Company  
Name: \_\_\_\_\_

Date: \_\_\_\_\_, 20\_\_\_\_

City will evaluate each proposer's relationship with a Conflicted Consultant or a Potentially Adverse Client identified, above, to determine whether the conflict is sufficiently direct and/or material as to merit disqualification of the proposer from consideration under this RFQ. City will evaluate whether measures taken by a proposer to avoid, neutralize or mitigate an actual or potential conflict are reasonably adequate to avoid an actual or potential conflict. Potentially conflicted proposers will provide City with any such additional information as the City may request to better evaluate the existence of a direct and/or material conflict and the failure to provide such additional information to the reasonable satisfaction of City shall be grounds for disqualification. The City shall issue its determination in writing. Parties who may wish to protest the City's determination must file a written protest within the time period specified in the RFQ for protests.