



CITY OF EL MONTE

**REQUEST FOR PROPOSALS FOR TENANT AND OPERATOR OF
CITY-OWNED BUILDING LOCATED AT 11357 VALLEY BOULEVARD**

NOVEMBER 2021

IMPORTANT DATES

RFP ISSUED	November 29, 2021
MANDATORY SITE WALKTHROUGH	December 16, 2021
PROPOSAL DUE DATE/SUBMISSION DEADLINE: 5:00 PM	December 30, 2021

REQUEST FOR PROPOSALS

CITY-OWNED PROPERTY AT 11357 VALLEY BOULEVARD

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1. OVERVIEW

The City of El Monte (the “City”) is requesting proposals (herein “Proposals”) from qualified persons interested in tenancy and operation of the City-owned building (“Building”) located at 11357 Valley Boulevard, El Monte, CA 91731. The Building is located on the northwest corner of Valley Boulevard and Meeker Avenue on the El Monte City Hall Campus. Centrally located in the City of El Monte, the site is 950 feet from Interstate 10 and 660 feet from the major intersection of Valley Boulevard and Peck Road.

Since the 1960s, the Building has been operated as a sit-down restaurant/diner serving American style food for breakfast, lunch and dinner to City Hall staff, visitors, and the general public.

This Request for Proposals document (referred to herein as the “RFP” or the “RFP for 11357 Valley Boulevard”) seeks proposals from qualified persons for lease (term to be determined based on proposals) of the Building for a restaurant use. The City has not authorized development or demolition of the existing structure, however tenant improvements will be allowed.

2. SITE DESCRIPTION

The Building is located at 11357 Valley Boulevard, at the corner of Valley Boulevard and Meeker Avenue, and is situated on a parcel (APN No. 8567-020-905) owned by the City of El Monte, immediately easterly of City Hall. The parcel is part of the City Hall Campus, which altogether is designated as “Public Facilities” (PF) on the City’s General Plan and Zoning Map.

The Building is approximately 3,800 square feet. It is the responsibility of the Proposer to verify building square footage and existing improvements during the mandatory site walkthrough on December 16, 2021. The City does not have building plans on file.

Onsite parking will be available for the proposed restaurant use.

Exhibit A shows an aerial view of the 11357 Valley Boulevard and the project site and immediate vicinity, and Exhibit B shows photographs of the Building from the street.

Exhibit A

Property at 11357 Valley Blvd. El Monte, CA 91731



Exhibit B

Property at 11357 Valley Blvd. El Monte, CA 91731



3. SUBMITTAL REQUIREMENTS

The Proposal of each Proposer 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 PROPOSALS AND ACKNOWLEDGE RECEIPT OF ALL ADDENDUMS AND AMENDMENTS AS WELL AS TO THE TERMS, CONDITIONS, AND ATTACHMENTS REFERENCED.

- 2) **Tenant/Operator Qualifications and Experience** – Qualifications and experience of the Tenant/Operator, with emphasis on previous similar business projects including the successful operation of a business on sites comparable to the Property. The qualifications should include the Tenant/Operators' experience in planning, financing, constructing, and managing a business in the greater 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) **Business Portfolio** – Provide a list of past or current business endeavors/developments 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 business 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 RFP 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 RFP. The designated Business 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. **Business Program** – A general overview of the proposed business program and timeline, including a description of how the Proposer’s vision addresses and maximizes fulfillment of the RFP. Identify type of restaurant use that the Team considers appropriate for the Site.

Business 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 business program process should be included. The schedule should recognize the time involved in designing the business program, financing the program, completing the tenant improvements; commencing and completing construction, and final occupancy.

6. **Floor Plan** – Concept floor plan, images, photographs and maps to convey the vision for the Site and total proposed business program.

7. **Financial Qualifications and Feasibility of the Proposed Business** – The provision of clear evidence of financial resources of the Proposer to undertake the operation of the Property including the following:

- Sources and Uses of Funds for each phase of the business program, as applicable.
- Proposed monthly rent to be incorporated into the Master Lease Agreement should be based on market rates.
- Business Program Budget (total construction and operation costs).
- Business Program Operating Pro Forma.

8. **References** – Each proposal must include at least two (2) references (public agency preferred) going back not more than five (5) years from the issuance of this RFP. References should place an emphasis on past 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 Project Manager (or public agency officer) 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: RFP FOR TENANT AND OPERATOR OF CITY-OWNED BUILDING AT
11357 VALLEY BOULEVARD
ATTN: Betty Donovanik, Director of Community and Economic Development
City of El Monte
City Hall West – Community and Economic Development
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, December 30, 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 RFP at any time after its issuance date. Any such modification, supplement or cancellation of this RFP 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 RFP within less than seventy-two (72) hours before the submittal deadline of Proposals to this RFP.

There will be a **MANDATORY WALKTHROUGH** of the Building at 11357 Valley Boulevard, El Monte, CA 91731 on Thursday, December 16, 2021 (between the hours of 10:00 a.m. and 12:00 p.m.). Only those Proposers that attend the mandatory walkthrough will be eligible to submit Proposals.

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 operator and its project management personnel (20 points maximum).
2. Relevant experience of the operator with similar types of projects (20 points maximum).
3. Business 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)

Proposals should thoroughly address the above selection criteria to receive the maximum possible points:

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

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 proposal for consideration as the preferred Bidder for approval by the City Council for the potential lease of the Building.

6. GENERAL CONDITIONS

Issuance of this RFP does not obligate the City to complete the RFP process as described above or to select a Proposal for the lease of the Building, nor shall the City of El Monte be liable for any cost incurred by the Proposer 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 Proposal to the City is a declaration that the Proposer has read the RFP and understands all the requirements and conditions related to the submittal of the Proposal.

The City reserves the right in its sole discretion to:

- Modify or cancel the selection process for Proposers or modify the schedule of this RFP at any time;
- Waive minor irregularities in the responsiveness of one or more Proposals to the RFP;
- Reject all Proposals 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; and
- Seek clarification or additional information from any Proposer as the City deems appropriate during the course of its evaluation of any Proposal.

All correspondence and data submitted by each Proposer 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 PROPOSER]." The City shall not release or make available for inspection as a public record the text of any Proposal which the City may receive until ten (10) days after the City Council has designated the most responsive Proposer, as evidence by a resolution of the City Council which identifies such most responsive Proposer.

The City of El Monte will not make any representation about the condition of the Property, including buildings, utilities, soils, or other surface or subsurface conditions in the RFP or the use potential for the Building. The City reserves all of its regulatory power and discretion to approve, disapprove or approve subject to conditions any development project which the Proposer 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: RFP for 11357 Valley Blvd. Site)

Proposer's Name: _____ ("Proposer")

This Conflict of Interest Disclosure Statement relates to that certain City of El Monte's Request for Proposals for the 11357 Valley Blvd. Site hereinafter, the "RFP").

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

(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 RFP.

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 RFP to provide consulting services similar to those contemplated under this RFP. 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 RFP, 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 RFP.

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.

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.

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 RFP. 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 RFP for protests.