

**REQUEST FOR PROPOSALS  
AGRICULTURAL LEASE SITE  
GUAJOME REGIONAL PARK**

**Northeast of Highway 76 and North Santa Fe Avenue  
Oceanside, California**

**November 26, 2014**

**I. BACKGROUND**

**A. PROJECT DESCRIPTION**

The County of San Diego (“County”) is seeking submittals from prospective lessees interested in leasing approximately 77.58 acres of County-owned land [Assessor Parcel Number 157-100-42] located northeast of Highway 76 and North Santa Fe Avenue in Oceanside, California (“Property”). The intended use of the site is for an agricultural use. The location of the Property is shown on Exhibit “A” LOCATION MAP and Exhibit “B” SITE MAP.

The selected respondent will negotiate terms of a ground lease for five years with the potential for one five-year option to extend the term of the lease. The lessee will have exclusive use of the Property during the term of the lease. The selected respondent will need to provide and pay for all utilities and services necessary for its use and occupancy of the Property, including but not limited to electrical, gas, water and sewer/septic tank service. The County shall have no responsibility to either provide for or pay for any utilities or services. It is the responsibility of each respondent to determine any utility requirements and how utilities are furnished to the Property. The Property is served by an electric meter and payment is made to SDG&E. Water is supplied by underground wells. The selected respondent will be responsible for all repairs and maintenance on the Property, including, but not limited to any underground water wells, irrigation systems, and fencing. The selected respondent will otherwise need to provide all improvements necessary for its use and occupancy of the Property.

The Property is owned by the County but is located within the boundaries of the City of Oceanside. The selected respondent shall operate the Property and construct any improvements to the Property in accordance with applicable laws, regulations and ordinances.

**B. RESPONSE REQUIREMENTS**

Interested parties shall include the following in their response:

1. Proposed amount of rent

2. Proposed use of the Property for agricultural purposes
3. Qualifications of respondent
4. Financial capacity to meet the rent payments
5. Three professional references

The form attached as Exhibit "C" PROPOSAL RESPONSE FOR LEASE OF COUNTY PROPERTY shall be completed and used to submit your response.

**C. DELIVERY OF RESPONSES**

Responses to this Request for Proposals are due no later than **5:00 p.m., Friday, December 19, 2014**. Late proposals are not accepted and will be returned unopened. Please deliver four (4) copies of your proposal to:

County of San Diego  
 Real Estate Services Division  
 Attention: Manny Gaviola, Senior Real Property Agent  
 5560 Overland Avenue  
 Suite 410  
 San Diego, California 92123-1204

Any questions or requests for clarifications to this Request for Proposals should be submitted in writing to Manny Gaviola via mail at the above address, email at [manny.gaviola@sdcounty.ca.gov](mailto:manny.gaviola@sdcounty.ca.gov) or via facsimile to 858-694-2369. Responses to inquiries will be sent via facsimile to all respondents. No other person should be contacted with regard to questions or clarifications specific to this project.

**D. PROPOSED SCHEDULE**

Issue Request for Proposals	Wednesday, November 26, 2014
Pre-Proposal Site Tour	Wednesday, December 10, 2014
Deadline for submitting responses	Friday, December 19, 2014
Selection of proposed lessee	Tuesday, December 23, 2014
Lease negotiations completed	Tuesday, January 6, 2015
Board meeting for lease approval	Wednesday, January 28, 2015
Lease commencement date	Sunday, February 1, 2015

**E. WITHDRAWAL**

The County reserves the right to withdraw this Request for Proposals at any time without prior notice. The County also reserves the right to accept or reject any and all responses for any reason.

**F. LEASE APPROVAL**

The provisions outlined in this Request for Proposals are non-binding. A binding agreement will not be created until/unless the lease contemplated by this Request for Proposals is fully executed by the selected respondent and the County. The County is not bound by the terms of any lease until it has been formally approved by the County's Board of Supervisors and the lease is fully executed by the County's lease administrator. A copy of the form of lease may be requested by contacting Manny Gaviola at 858-694-2731 or [emmanual.gaviola@sdcounty.ca.gov](mailto:emmanual.gaviola@sdcounty.ca.gov).

**II. GENERAL TERMS AND CONDITIONS**

**A. LEASE TERM**

The term of the lease will be for five years. An option to extend the term of the lease for an additional five years shall be subject to prior approval by the County.

**B. RENT**

The minimum rental amount for initial year of the lease is \$4,000 per month. The rent shall be adjusted upward annually during the term by an amount equal to 3.0% of the rent for the prior lease year. If the option to extend the term of the lease is exercised, the rent for the first year of the extended lease term shall be adjusted to reflect then current market rent for the Property or 103.0% of the rent for the prior lease year, whichever is greater.

**C. INSURANCE**

The selected respondent shall provide insurance as follows:

1. If a commercial use, a Worker's Compensation insurance policy covering all employees. Any subcontractors will be required to provide this coverage.
2. Comprehensive General and Automobile Liability Insurance of \$2,000,000 combined single limit Bodily Injury and Property Damage.

3. All insurance policies shall name the County of San Diego as additional insured.

The complete insurance terms will be included in the lease.

#### **D. UTILITIES**

It is the responsibility of the respondent to determine any utility requirements and how utilities are furnished to the Property. The selected respondent will be responsible for securing and paying for the cost of all utilities and trash removal from the Property. The County is committed to energy conservation and recycling. The selected respondent is expected to cooperate with reasonable conservation practices.

#### **E. REPAIRS AND MAINTENANCE**

The selected respondent will be responsible for all maintenance and repairs associated with the Property. The selected respondent will be responsible for compliance with all stormwater regulations, laws and ordinances, in particular those regulations relating to agricultural operations.

#### **F. ASSIGNMENT AND SUBLEASING**

The selected respondent shall not assign the lease or sublease the premises without prior written approval from the County.

### **III. PROPOSAL EVALUATION AND SELECTION**

Proposals that meet the requirements outlined in this Request for Proposals will be evaluated by a selection committee designated by the County that will include representatives from the County's Real Estate Services Division and the Department of Parks and Recreation. The selection committee will use the following criteria in evaluating the proposals:

1. The amount of rent the respondent is willing to pay the County to lease the Property.
2. The respondent's demonstrated ability to pay monthly rent in accordance with a lease agreement.
3. The respondent's experience in operating agricultural facilities.

### **IV. NEGOTIATIONS**

After final selection of the most qualified respondent by the selection committee, a lease document will be negotiated and prepared that incorporates lease terms. If a lease cannot be negotiated, the County may, at its sole discretion, begin negotiations with other respondents and terminate negotiations with the previously selected respondent.

The selected respondent will be notified of the decision of the County's selection committee. It is the duty of each interested party to request any clarifying information from the County as it pertains to this Request for Proposals. Any clarifications provided by the County will be provided to all interested parties. All responses must be signed by the person with the authority to bind the entity submitting a response. The lease is subject to approval by the County's Board of Supervisors.

**V. PROPRIETARY INFORMATION**

All response documents become the property of the County and subject to the Public Records Act requirements set forth in State of California, Government Code Section 6250. Information provided will be kept confidential to the extent permitted by law.

**VI. CLAIMS AGAINST THE COUNTY**

Each respondent, and its respective officers, agents, employees or representatives, shall have no claims whatsoever against the County or any of its respective officials, agents, or employees arising out of or relating to this Request for Proposals or the ability to obtain a lease with the County if selected as the proposed lessee.

**EXHIBIT "A"**  
**LOCATION MAP**

**EXHIBIT "B"**  
**SITE MAP**

**EXHIBIT "C"**  
**PROPOSAL RESPONSE FOR LEASE OF COUNTY REAL PROPERTY**

**(Begins on next page)**



**PROPOSAL QUESTIONNAIRE – for Lease of County Property  
County of San Diego**

Real Estate Services Division • 5560 Overland Avenue, Suite 410 • San Diego, CA • 92123-1204

**I INDIVIDUAL INFORMATION (MUST BE COMPLETED FOR EACH INDIVIDUAL SIGNING LEASE)**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
*If at above address less than one (1) year:*  
Previous Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Cell phone: \_\_\_\_\_

**II CORPORATE INFORMATION**

Corporate Name: \_\_\_\_\_ DBA: \_\_\_\_\_  
Business Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
How Long a Corporation: \_\_\_\_\_  
Officer: \_\_\_\_\_ Title: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Business Phone: \_\_\_\_\_  
Officer: \_\_\_\_\_ Title: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Business Phone: \_\_\_\_\_

**NOTE: ANY LEASE AGREEMENT SIGNED WITH A CORPORATION WILL REQUIRE A STATEMENT OF PERSONAL GUARANTEE TO BE SIGNED.**

**III PROPOSED USE OF COUNTY PROPERTY**

Please provide an in-depth description of the proposed use. Vague or limited description may result in denial of application. In particular, please describe the proposed activities and how those activities will be made available to the general public. Please use a separate sheet of paper if necessary.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PROPOSED RENT: \_\_\_\_\_

**IV LOCATION OF COUNTY PROPERTY**

Street Address: \_\_\_\_\_  
Or  
Assessor Parcel Number: \_\_\_\_\_

**V DECLARATIONS**

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A. Has this business, its officers, partners, or owners or for non business responses, have you ever been delinquent in payment of any financial obligations?

No  Yes (If Yes, please explain)

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B. Has this business, its officers, partners, or owners or for non business responses, have you ever been a defendant in an unlawful detainer and/or breach of contract lawsuit?

No  Yes (If Yes, please explain)

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**VI FINANCIAL REFERENCES**

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|----------------|--------------------------|-------|----------|
| 1. Name        | Area code + Phone number |       |          |
| Street Address | City                     | State | Zip Code |
| 2. Name        | Area code + Phone number |       |          |
| Street Address | City                     | State | Zip Code |
| 3. Name        | Area code + Phone number |       |          |
| Street Address | City                     | State | Zip Code |

**VII OTHER REFERENCES**

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|----------------|--------------------------|-------|----------|
| 1. Name        | Area code + Phone number |       |          |
| Street Address | City                     | State | Zip Code |
| 2. Name        | Area code + Phone number |       |          |
| Street Address | City                     | State | Zip Code |
| 3. Name        | Area code + Phone number |       |          |
| Street Address | City                     | State | Zip Code |

I/We hereby authorize the County of San Diego to conduct a credit investigation/request credit reports and verify all information on this application if my lease application is approved. I/We understand that the cost of the credit investigation will be paid to the County at the time of approval of my application. I/We understand that if information cannot be verified, approval of this application may be rescinded. Submission of this application does not constitute approval or require the County of San Diego to enter into negotiations for the sale, lease or use of County property.

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Signature	Title	Date
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