REQUEST FOR PROPOSALS FOR THE LEASE AND OPERATION OF A COMMERCIAL AGRICULTURE BUSINESS ON A PORTION OF ASSESSOR'S PARCEL NUMBER 157-100-42, LOCATED AT 3000 GUAJOME LAKE ROAD IN THE CITY OF OCEANSIDE



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1.0 Introduction and Overview

1.1 Procurement Purpose

The County of San Diego ("County") is seeking proposals from entities ("Offerors") with the requisite skills, financial capacity, and project concept/vision to successfully develop and operate a sustainable commercial agriculture business that produces locally grown produce under a Lease Agreement ("Project") on County owned property located at 3000 Guajome Lake Road in the city of Oceanside (Portion of Assessor's Parcel Number 157-100-42) ("Site") within the County's Guajome Regional Park.

The County's goals for the Site are:

- 1. Lease the Site to a qualified entity with the financial capability to lease and operate a commercial sustainable agriculture business, with additional points given to proposals that focus on methods to maintain soil health, conserve biodiversity, employ practices to grow without synthetic inputs, and minimize environmental impacts.
- 2. Provide viable opportunities for area farmers to produce locally grown annual fruit and vegetable crops that offer healthy eating options for the County's residents and contribute to a robust local food system economy.

County's Expectations for agricultural operator on the Site are:

- 1. Minimize the use of chemical pest control methods by adopting Integrated Pest Management (IPM) practices outlined by University of California Statewide IPM program and adhering to County Board of Supervisors ("Board") Policy F-45.
- 2. Implement agricultural practices that reinforce environmental stewardship to protect natural resources and human health and well-being in alignment with the County's strategic initiative to advance Sustainability.
- 3. Comply with stormwater laws to develop, install, implement and maintain pollution prevention measures, source control measures and Best Management Practices ("BMPs").
- 4. Adhere to Hazardous Materials Laws relating to hazardous substances, hazardous materials, hazardous waste, toxic substances, environmental conditions on, under or about the premises, soil and ground water conditions or other similar substances or conditions.
- 5. Comply with Working Families Ordinance (Admin Code Sections 73.10-73.14).
- 6. Commit to utilizing Small-Local Business (SLB) (as such term is defined in Section <u>2.6.1</u>) and Disabled Veteran Business (DVB) (as such term is defined in Section 2.6.1) in the development, construction, and/or operation of the Project.
- 7. Commit to working with and educating the neighbors of the leased property on the benefits of local farming in their community.

Together, and for purposes of this Request for Proposals ("RFP"), the foregoing goals and expectations generally describe the Project.

After the County's evaluation and ranking of Offerors, the County will commence negotiating a lease with the highest-ranked Offeror. If the County and the highest-ranked Offeror cannot reach agreement on a lease, the County may, at its sole discretion, terminate negotiations and elect to begin negotiations with the next highest ranked Offeror. The County may continue in this manner until it successfully negotiates a lease or the County may elect to cancel this RFP.

Offerors will be notified of the decision of the County's selection committee. The Offeror will also be responsible for all financial operations and timely rent payments on the proposed Project on the Site.

1.2 Site Overview

The Site is a 77.58-acre portion of Assessor's Parcel Numbers (APN) 157-100-42, depicted in <u>Appendix A.1 – Site Map</u>, a County-owned property at Guajome Regional Park that is managed by the County Department of Parks and Recreation (DPR) and currently operates as a commercial agriculture business growing row crops (tomatoes). The Site has a relatively flat topography with an elevation range approximately 90 to 100 feet above sea level and is adjacent to developed housing tracts, wetlands and the San Luis Rey River. The Site is further identified as County Parcel Number 2014-0190-A. It's located northeast of Highway 76 and North Santa Fe Avenue in the city of Oceanside (City).

The Site is zoned Open Space (OS-SP-EQ), which allows for large public or private sites permanently designated for park or open space use, and permits crop production use. Offeror is responsible for confirming Land Use and Zoning with the City, and any applicable City, County or State agriculture requirements and restrictions.

1.3 Project Considerations

1.3.1 Review of Planning Documents

All Offerors should review the City's Zoning Ordinance and other relevant documents to understand the City's zoning and General Plan requirements. County makes no representations as to the accuracy of the information contained in this RFP. Offeror shall perform necessary due diligence prior to submitting the proposal. Although not a requirement, the County recommends consulting with the City prior to finalizing the proposal.

1.3.2 Policy Context

The continuation of agricultural use at Guajome Regional Park supports the County's commitment to providing sustainable opportunities for area farmers to produce locally grown fruit and vegetables that offer healthy eating options for the County's residents. Specifically, County is prioritizing finding an operator/tenant who will minimize the use of chemical pest control methods by adopting IPM practices on the Site in accordance with pesticide use reduction Board Policy F-45, and by implementing agricultural BMPs to protect natural resources in alignment with the County's strategic initiative to advance Sustainability. In addition, this future lease provides opportunity to further align with County values reflected in sustainable, equitable, and local sourcing Board Policy B-75; and environmentally preferable procurement Board Policy B-67 reinforcing environmental stewardship, human health and well-being, economic growth, and greenhouse gas emission reductions. This RFP is in alignment with competitive procurement Board Policy B-39, small-local business Board Policy B-53, and veteran owned and disabled veteran business Board Policy B-39a and provides opportunity to support small-local businesses, including veteran owned and non-profit organizations.

1.3.3 **Sustainability**

In 2024 the County adopted a <u>Climate Action Plan</u> (CAP) to achieve net-zero emissions by 2045 in its unincorporated areas. The CAP includes measures to support sustainable agriculture, such as preserving agricultural land, implementing soil health practices, and increasing carbon storage through sustainable farming methods. Preservation of agricultural lands is aimed at protecting lands from conversion to development, which helps reduce greenhouse gas emissions and preserve rural character. Beyond preserving agricultural lands, the County prioritizes strengthening the local food system to improve regional food access and food security. This commitment is reflected in the <u>Food Justice Community</u>

<u>Action Plan initiative</u>, which focuses on engaging with regional food system stakeholders and communities to identify and promote a wide range of solutions – including strategies and incentives to support community food production on public lands.

1.3.4 **Lease Term**

The anticipated lease term is five years. The term of the lease may be extended for an additional five years, subject to prior consent by the County, which may be withheld at the County's sole discretion.

1.3.5 **Rent**

The minimum rent shall be at least \$4,615 per month. Each Offeror may propose rent greater than \$4,615 per month. Additional points may be awarded in the Financial Offer scoring category for proposals that propose paying higher than the minimum rent amount. The monthly rent shall be subject to an upward adjustment of a fixed 3% annual increase.

1.4 Offeror Responsibilities

The County requests that the general scope of the successful Offeror team's responsibilities should include, but not be limited to:

- 1. <u>Project Planning and Operation</u>: The Offeror shall be responsible for all aspects of the Project, including planning and operation of the Project. The selected Offeror shall be responsible, at their sole expense, for obtaining all land use permits and other government approvals, if any, that are required for its Project.
- 2. <u>Insurance</u>: The selected Offeror shall provide the minimum insurance requirements described in Exhibit "B" INSURANCE REQUIREMENTS in the draft lease attached as Appendix B.1 Form A Draft Lease Agreement.
- 3. <u>Utilities and Services</u>: The selected Offeror will be responsible for securing and paying all expenses for all utilities and services serving the Site including, but not limited to, gas, electricity, telephone service and internet service, water and sewage charges, landscaping, manure management and composting, custodial services, and trash removal. The County shall have no responsibility to either provide for or pay for any utilities or services. Each Offeror will be responsible for determining all utility requirements and how utilities are furnished to the Site.
- 4. Repairs and Maintenance: The selected Offeror will be responsible for all repairs, maintenance restorations, and replacements on the Site. Offerors will accept the Site as of the lease commencement date in the as-is condition at that time. The Offeror shall be responsible, at its sole cost and expense, for maintaining, repairing, improving, replacing the Site and any improvements thereon, including, but not limited to; the fencing, two wells, all meters, pipes, conduits, equipment, components and facilities (whether or not within the Site) that supply the Site exclusively with utilities; all fixtures and other equipment installed in the Site; all signs, locks, fences and closing devices; and all such items of repair, maintenance, alteration, improvement or reconstruction as may be required at any time or from time to time by a governmental agency having jurisdiction thereof. The Offeror's obligations hereunder shall apply regardless of whether the repairs, restorations and replacements are ordinary or extraordinary, foreseeable or unforeseeable, capital or noncapital, or the fault or not the fault of Lessee, its agents, employees, invitees, visitors, sublessees or contractors. All replacements made by the Offeror in accordance with this section shall be of like, size, kind and quality to the items replaced. Offerors should contact the Department of Parks and Recreation, Development Division for information pertaining to specific construction warranties.

- 5. <u>Assignment and Subletting</u>: The selected Offeror shall not assign the lease without prior approval from the County. Subject to County's prior written consent, the selected Offeror may sublease portions of the Site to other entities as appropriate, provided that all sublessees comply with the goals, policies and terms as set forth in this Request for Proposals and the main lease.
- 6. <u>County Policy and Practice Implementation</u>: The selected Offeror shall comply with the provisions in the lease and all applicable laws such as energy conservation requirements, stormwater laws and best management practices, hazardous materials laws, Board Policies, County Administration Code provisions (including, but not limited to, Working Families Ordinance), and other policies and practices implemented by the County.
- 7. <u>Indemnification</u>: The selected Offeror shall defend, indemnify and hold harmless the County from all activities and liabilities associated with the Project and Site pursuant to the provisions of the lease, including any potential hazardous materials liability.

1.5 RFP Timeline

The following is the projected timeline of major events for this RFP. The County may, by written addendum or other notice and in its sole discretion, change the dates and times of RFP events. **Offerors should regularly check the County's website link identified in Section 4.1** for updates and changes to this RFP, including changes to the RFP timeline.

Event Description	Target Date
RFP Issuance	November 3, 2025
RFP Question Submittal Deadline Potential Offerors	December 1, 2025, 5:00.00 PM
should direct inquiries to Elizabeth Enloe, Senior Real	Pacific Time
Property Agent via email at	
DGSRESProcurement@sdcounty.ca.gov marked and	
entitled "3000 Guajome Lake Road RFP"	
Proposal Submittal Due Date (final deadline to deliver	January 6, 2026, 5:00.00 PM
proposals electronically as instructed in <u>Section 4.4</u>	Pacific Time
and any applicable USB drives delivered to	
Department of General Services by appointment only ,	
5560 Overland Avenue, 4 th Floor, San Diego CA 92123)	

2.0 Response Requirements

A complete, concise, and professional response to this RFP will enable the County's Source Selection Committee to identify the Offeror who would provide the best value to the County and be indicative of the level of the Offeror's experience and commitment to the Project. The Offeror must demonstrate that the approach, operation, and financing plan for the Project would allow the successful operation of the Project.

Each section of the RFP response shall be labeled in the order described in this section. Specific instructions concerning the RFP format, due date and other items are set forth in Section 4.0, Rules of Procurement.

2.1 Financial Offer

Offeror shall provide a detailed proposal that includes, but is not limited to:

The proposed amount of rent, including the amount of initial rent, whether the proposed rent is a flat rate, based on percentage of gross revenue or a combination of both and the method of calculating periodic rent adjustments throughout the term of the lease. Pursuant to County Board Policy F-51, in no event shall the minimum rent for an adjustment period be less than the minimum rent payable immediately prior to the adjustment period.

2.2 Transmittal Letter

A duly authorized official of the Offeror must execute the transmittal letter (<u>Appendix C.2 – FORM B</u>). For Offeror's that have created joint ventures, partnerships, limited liability companies or other associations to participate in this procurement, the transmittal shall be appended with letters on the letterhead stationery of each equity member, executed by authorized officials of each equity member, stating that representations, statements and commitments made in the RFP response on behalf of the equity member's firm have been authorized by, are correct, and accurately represent the role of the equity member's firm in Offeror's team.

2.3 Offeror Qualifications and Experience

The Offeror must provide the following information or, if relying on the experience of team partners, information from the team:

- The qualifications and experience of the Offeror as they relate to the proposed use. The Offeror should have a minimum of five years of experience in managing the daily operations, maintenance and security of an agricultural facility; however, Offeror with less than five years of experience may be considered.
- The Offeror's experience in managing agricultural facilities of similar size and visibility, including:
 - Number of farms operated.
 - Number of pounds of produce grown and sold.
 - o Pest control methods currently used.
 - o The ways that the Offeror's commercial agriculture projects improve the communities they serve.
 - Number and location of commercial agriculture businesses.
- A list of all sublessees that are currently contemplated, if any and known at this time. Information for each sublessee should include:
 - o Type of crop and approximate number of acres that will be used.
 - Number of farms operated.
 - Pest control methods currently used.
 - Number and location of commercial agriculture businesses.
- The Offeror's experience with best management practices such as soil health through conservation tillage, water conservation, runoff reduction and nutrient management, integrated pest management (IPM), and regulatory compliance and sustainability are essential to minimize negative environmental impacts and nuisances and to

protect natural resources, human health and wellbeing. The Offeror should be familiar with and demonstrate knowledge and understanding of sustainable farming and land stewardship activities. The Offeror should demonstrate knowledge and experience with IPM strategies, which involve an ecosystem-based approach to long-term prevention of pests through a combination of techniques such as biological control, habitat manipulation, and modification of cultural practices. When needed (according to established IPM guidelines), pest control materials must be selected and applied in a manner that minimizes risks to human health, beneficial and non-target organisms and the environment. The Offeror is encouraged to include proposed use of cover crops (e.g., legumes, grass, or brassicas) to enhance soil health.

- The Offeror must demonstrate compliance with California Senate Bill (SB) 1383 regulations on Offeror's other projects, which cover mandatory organic waste recycling and composting. Compliance can be achieved through a combination of onsite composting, chipping, or a waste hauler service subscription. The Offeror should provide various ways to use compost to benefit the environment and to create a more sustainable agricultural system. Use of the most effective practices, techniques and measures that prevent or reduce potential impacts from composting operations should be employed. Protocols should detail the use of finished compost to enrich soil structure, fertility, and microbial activity. This should also consider the use of manure as a sustainable resource management practice. The Offeror should provide experience, protocols, methods and management practices that define their comprehensive approach to minimizing environmental impacts across all aspects of their operation.
- The Offeror's experience with responding to nearby homeowner complaints (including odor) about the use of
 fertilizers and pesticides. Offeror to provide details of how to respond, including planned outreach efforts to
 provide information not only to the public but to nearby residents.

2.3.1 **Qualifying Project Examples**

Individual project examples shall not exceed three (3) pages: up to two (2) pages for above-required information and one (1) page for images. While the minimum number of projects is set forth above, Offeror may include up to five (5) qualifying project examples within the proposal. The project descriptions shall not exceed fifteen (15) pages in the aggregate. A summary of all qualifying projects should be submitted using Appendix C.6 – Form F – Listing of Projects Completed in the Last 10 Years.

For each project example, provide the following:

- Project location
- Type of business
- Client reference
 - o Name
 - o Title
 - Address
 - o Email address
- Mix of produce
- Size of the project

For each project example, please provide a reference (company references) for the primary/lead offeror and, if applicable, at least (3) references for members of a joint venture, partnership, limited liability company or other association created to participate in this procurement.

References shall include the following:

- Reference's full name;
- Employer or entity affiliated during the reference period;
- Address;
- Email address.

2.3.2 **Financial Capacity**

Demonstrate that the Offeror has the financial capacity to carry out the operation plan and to meet the proposed rent payments and pay all operating expenses associated with the use and operation of the Site. If a Sublessee is relied upon to demonstrate financial capacity, please provide this information for them as well.

Provide the following:

- The approximate investment the Offeror will make in the Site, including operations, and the ability to pay for the investment in the operations.
- The method of generating income/revenue to install the necessary equipment and fixtures, maintain, repair, and manage the operation of a Site of this size and type.
- Audited financial statements or other proof of financial ability should be included as part of the proposal.

2.3.3 Litigation, Bankruptcy and Debarment History

Disclose any litigation and/or bankruptcy information using Form C in Appendix C.3. Offeror shall disclose whether during the past ten (10) years, the Offeror, or joint venture partner, including their parent corporation or subsidiary or affiliated corporation as well as any of the Offeror's officers, principal members, major shareholders or investors have been adjudged bankrupt, either voluntarily or involuntarily, or have been involved in litigation relating to a development project or agricultural operations, either voluntarily or involuntarily. Additionally, using Form C in Appendix C.3, Offeror shall disclose whether the Offeror, or joint venture partner, including their parent corporation or subsidiary or affiliate corporation as well as any of the Offeror's officers, principal members, major shareholders, or investors have been debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any county, state, or Federal Department or agency. Be advised that a currently effective debarment, a position on an excluded person list or active bankruptcy will cause the submittal to be automatically disqualified from further consideration.

2.4 Project Narrative

Offeror shall provide a high-level narrative description regarding the Offeror's vision for the Site. Offeror should propose utilizing the Site to its full potential, consistent with applicable zoning and use guidelines, while also addressing the County's goals.

2.4.1 **Diversity, Equity, and Inclusion**

Describe the degree to which Offeror will integrate Diversity, Equity, and Inclusion within the organization, including but not limited to, workplace values, hiring and training practices, executive leadership, Board of Directors, etc.

- Provide Diversity, Equity and Inclusion statement and governing policies.
- Describe how the proposed Project will address racial equity and inequities including any local disproportionate impact by race and other protected classes.

2.5 Sustainability Plan

Please address the sustainability goals and considerations in Section 1.3.3 of the RFP. Please describe the anticipated sustainability features proposed for the development and describe how sustainability features align with the County of San Diego's Climate Action Plan and contribute to a robust local food system. For sustainable land and soil management, please describe BMPs for soil health practices and compost applications and how it will be implemented to minimize erosion, increase organic matter, and improve water infiltration. Please address what types of irrigation technologies will be used to maximize water efficiency and prevent irrigation runoff. Please describe what strategies will be employed to reduce reliance on municipal or groundwater supplies. Describe how agricultural pollutants such as sediment, fertilizers and pesticides will be prevented from entering storm drains and waterways. Please address measures to prevent contamination of local watersheds and protection of riparian habitats. For biodiversity and ecosystem health, please describe integrated pest management measures and strategies for minimizing or eliminating the use of synthetic pesticides and fertilizers. Please describe strategies for the management of agricultural waste, including plans for composting organic materials and recycling plastics and other farm related waste.

2.6 Small-Local Business Participation Plan

Offeror shall provide a Small-Local Business (SLB) Participation Plan.

2.6.1 **Definitions**

- Small Local Business: An organization that qualifies as a Small Business (SB) OR qualifies as a Social Equity Enterprise (SEE) AND Qualifies as a Local Business
- Small Business: A qualifying Small Business must meet at least one of the following qualifications:
 - a. Certified by the State of California as a Small Business, Micro Business, or Small Business for the Purpose of Public Works (SB-PW)*.
 - b. Meets the revenue and employee count criteria of a Small Business or Small Business for the Purpose of Public Works, as applicable to the procurement, as defined by the State of California under the Procurement Division of the Department of General Services*; or
 - c. Qualifies as a Veteran-Owned Business (VOB) or Disabled Veterans Business (DVB) in accordance with Board Policy B-39a Veteran Owned Business (VOB) and Disabled Veterans Business (DVB) Program; or
 - d. Certified as a small business by a public agency whose certification is reciprocally recognized by the County of San Diego Office of Economic Development and Government Affairs (EDGA); **or**

e. Registered as a non-profit organization by the State of California and whose budget and employee count is aligned with the revenue and employee count criteria for a Small Business or Small Business for the Purpose of Public Works, as applicable to the procurement, defined by the State of California under the Procurement Division of the Department of General Services*.

*See table below for eligibility criteria as of the publication of this RFP. The most current criteria in place as of the due date for submissions will be used to evaluate eligibility. If subcontractor does not meet the SB requirements but meets the SB-PW requirements, subcontractor qualifies as a Small Business only if submitting to a Public Works procurement as defined by the State of California Labor Codes and/or Public Contracting Code.

• •	Small Business for the Purpose of Public Works* (SB-PW)	
Must meet both criteria	Must meet both criteria	
100 or fewer employees	200 or fewer employees	
	An average gross annual receipt of \$43 million or less, over the last three tax years	

- **Social Equity Enterprise:** An eligible Social Equity Enterprise (SEE) is a for-profit business or non-profit organization that meets at least one of the following criteria:
 - a. Has its principal place of business or is headquartered in an area of San Diego County designated as qualifying for New Market Tax Credits investments on the Community Development Financial Institutions Fund Map.
 - b. Enhances San Diego County by having primarily provided services to Low-Moderate Income (LMI) populations or justice-involved communities in the previous 12 months.
 - c. Enhances San Diego County by having primarily provided services to advance environmental justice and/or climate justice in the previous 12 months.
 - d. Provides pro bono services in San Diego County by:
 - i. Donating a minimum of 1% of products or services to LMI populations; or,
 - ii. Donating a minimum of 1% of gross annual revenue to philanthropy.
 - e. Is at least 51% owned by, and has management and daily operations controlled by, persons qualifying as LMI and/or that are justice-involved.
- **Local Business:** An eligible Local Business is defined as an organization that is either a for-profit business or a non-profit organization that meets any of the following criteria:
 - a. Maintains its international or domestic headquarters within the geographic boundaries of San Diego County.
 - b. Maintains a location within the geographic boundaries of San Diego County from which it performs work that is normal for the firm's business and functions.

c. Is a partnership, joint venture, or other legal entity where at least one of its members meets the qualifications under (a) or (b) above, and that member (i) performs a Commercially Useful Function; (ii) is an equity member of the entity; and, (iii) is not a subcontractor.

2.6.2 Small-Local Business Participation Plan Minimum Requirements

- 1. Identify how the Offeror is either a Small-Local Business, and/or will utilize these organizations in operating the Site. If the organizations that will be utilized by the Offeror are not yet known, please provide information on how you intend to screen for and select these organizations, and in what capacity that they may be utilized (i.e. consultants, suppliers, service providers, etc.).
- 2. Describe the nature and extent of the plan including, but not limited to, the following: names of partnering organizations or suppliers (if known) and their role, apprentice programs, and workforce community outreach programs, if any.

2.7 Review of County Agreements

Offeror shall acknowledge that it has read, reviewed, and understands the content of the following documents, and shall identify initial proposed edits to them using a redline/track changes format in an editable Microsoft (MS) Word file, and include in the RFP response (separate from the MS Word redline/track changes file) the rationale for each proposed change:

Draft Lease Agreement (Appendix B.1 - Form A)

While it is expected that Offeror will submit initial proposed edits to these documents as part of Offeror's submittal, these documents include certain standard County provisions that are not negotiable, including exculpation and indemnification, hazardous materials, assumption of all Project risk by Offeror, casualty, condemnation, among others. Award to an Offeror does not constitute acceptance by County of any proposed edits.

3.0 Evaluation Criteria

Proposals will be evaluated according to the criteria set forth below, with approximate weighting values for the County's evaluation. Proposals should give clear, concise information in sufficient detail to allow an evaluation based on these requirements.

3.1 Weighted Criteria

Overall Submittal Quality (Weighting: 5%)

• The degree to which the Offeror provides a complete, well-organized and thoughtful submittal, that is inclusive of all required information, and that provides the County with a clear understanding of the Offeror's team, capabilities, experience, approach and financial plan for the Site.

Financial Capacity, Financial offer and review of documents (Relevant RFP Sections 2.1 and 2.7) (Weighting: 30%)

• Offeror's ability to finance the project.

- Amount of proposed monthly rent payments. Additional points may be awarded if the Offeror proposes to pay rent that is higher than the minimum rent.
- Demonstrated financial capacity to carry out the operation plan and to meet the proposed rent payments and pay all operating expenses associated with the use and operation of the Property.
- The nature and extent of the Offeror's redlines/exceptions (if any) to the Lease.

Offeror Qualifications and Experience (Relevant RFP Sections 2.3) (Weighting: 25%)

- A complete team, with clear roles and responsibilities, inclusive of all requisite skills and experience necessary
 for the successful completion of the Project.
- A commitment to Diversity, Equity, and Inclusionary policies and practices.
- Project experience relevant examples that demonstrate successful management of projects of similar scope and scale, experience in commercial agriculture.
- Evaluation of reference checks.
- Past performance evaluation: County may consider performance on previous projects as an indicator of the ability to perform as proposed.
- Full disclosure of litigation, debarment, and bankruptcy history that is free of material concerns.

Project Concept and Sustainability Plan (Relevant RFP Sections 2.4 and 2.5 (Weighting: 30%)

- A thoughtful and credible Site concept and approach that reflects the County's goals, expectations and
 objectives and incorporates County requirements and policies. Additional points will be given to proposals that
 focus on methods to maintain soil health, conserve biodiversity, employ practices to grow without synthetic
 inputs, and minimize environmental impacts.
- Degree to which the project adheres to the current zoning and applicable Community Plans.
- Degree to which the Project operation demonstrates a commitment to sustainability that is aligned with the County's goals, expectations and sustainability guidelines.

Small-Local Business Participation Plan (Relevant RFP Section 2.6) (Weighting: 10%)

- Degree to which the Offeror proposed a specific and effective SLB Participation Plan.
- The Offeror's specific and measurable commitment to SLB's participation in the Project.

4.0 Rules of the Procurement

4.1 Location of RFP, Questions, Clarifications and Addendums/Addenda

This RFP is available on the County of San Diego's Website at www.sdcre.com ("Website"). Qualified Offerors may also request a hard copy from the Department of General Services.

Written addenda to the RFP may be issued to provide clarifications, corrections, or to answer questions and will be published on the Website. The County may issue an addendum up to two business days prior to the "Submittal Due

Date for RFP." It is the Offeror's responsibility to submit a proposal based on the most current RFP and addenda. Each Offeror should periodically check the Website for addenda that may be issued to implement changes or clarifications to the RFP prior to the due date.

4.2 Offeror Inquiries

All contacts from potential Offerors or their organizations and any entity or individual part of or related to the Offeror's development team about this RFP or its proposal, including questions, must be directed in writing exclusively to Elizabeth Enloe. Potential Offerors should not attempt to contact any other County personnel about this RFP unless authorized by Angela Jackson-Llamas ("County's Project Manager").

Potential Offerors should direct all inquiries about this RFP (marked and entitled "3000 Guajome Lake Road RFP") to:

Elizabeth Enloe, Senior Real Property Agent E-mail: DGSRESProcurement@sdcounty.ca.gov

4.3 Pre-Proposal Conference

The County reserves the right to host pre-proposal conference(s). If scheduled, the date, time, and location for the pre-proposal conference will be provided on the Website.

4.4 Proposal Submission

1. Proposals may be delivered via email to DGSRESProcurement@sdcounty.ca.gov and the USB flash drive containing all required documents delivered to the County's Department of General Services by appointment only, no later than January 6, 2026, BY 5:00.00 PM PACIFIC TIME to:

County of San Diego Real Estate Services Division Attention: Elizabeth Enloe, Senior Real Property Agent 5560 Overland Avenue, Suite 410 San Diego, California 92123

Proposals must be submitted by the time and date specified. Late proposals will only be accepted as provided for in <u>Section 4.10</u> of this RFP.In the event of multiple submittals of an original proposal by an Offeror, the County will only consider the most recent submission by the due date and time. The County will not review or consider previous submittals. Offerors are strongly encouraged to submit only one original proposal and withdraw or replace any previous submittals in the event they choose to update their proposal. Proposals may be found nonconforming if the County is unable to determine the most recent, timely submittal.

- 2. The proposal shall be signed by an authorized officer of the submitting organization. The title of the authorized officer, name, email, address and phone and fax number of the organization shall be included. Scanned images of pages containing original signatures, electronic or digital signatures are acceptable for submission of an electronic file.
- 3. The proposal must be submitted in a format that complies with these submittal requirements. Unless otherwise specified, the proposal shall conform to the format listed below.

- The proposal shall not exceed a total of one hundred fifty (150) pages. This limitation includes all appendices
 and required forms, except that the limit <u>shall not apply</u> to the Confidential/Propriety Exhibit or the redline
 review of the Lease Agreement.
- Offeror must submit one electronic proposal in a PDF format, except that Offeror must also submit an MS
 Excel spreadsheet of the Pro Forma(s). Clearly name files as to the exhibit and order. Pages requiring
 signatures must be scanned from an original signature. Other pages may be scanned or converted to PDF
 from other file formats. Converted and searchable formats are preferred. The electronic submission shall
 be submitted via email or a share site and provided on a USB flash drive by appointment only by emailing
 DGSRESProcurement@sdcounty.ca.gov.
- Unless otherwise required, the proposal shall be formatted to print on 8-1/2" x 11" page size with no less than ½" margins and eleven (11) point font, except that renderings, drawings and pro formas may be formatted to print on 11" x 17" page size with no less than ½" margins and eleven (11) point font.
- Each page shall be consecutively numbered within the bottom or top margin, including attachments.
- The proposal shall be typed and concise. The proposal shall not include unnecessarily elaborate brochures, visual or other presentations, or artwork beyond what is sufficient to present a complete and effective proposal.
- 4. Offeror shall submit separate exhibits in separate files for the Financing Plan and Financial Information exhibits. No proposed Financing Plan or Financial Information data is to be included in any exhibit other than the Financing Plan and Financial Information exhibits. The County will review project description exhibits prior to evaluation to ensure that they contain no financial information. The County may remove proposed financial information or declare a proposal non-conforming because of the inclusion of this information other than as required by this paragraph.
 - No confidential or proprietary information, including Personnel Information (PI) or Personal Identifiable
 Information (PII), is to be included in non-confidential exhibit. Responses that include confidential or
 proprietary information shall refer to the response contained within the Confidential/Proprietary exhibit
 (for example, if submittal requirement #1 requires staff Social Security Numbers, the response to
 requirement #1 shall reflect "see response #1 contained within Confidential/Proprietary exhibit").
 - Submit a separate Confidential/Proprietary exhibit (if applicable). The County is a public agency subject to
 the disclosure requirements of the Public Records Act, State of California Government Code section
 7920.000 and following. The County may publish contracts, which may contain some or all the successful
 proposal(s), to its public website. If confidential or proprietary information is contained within the
 submission:
 - The response must be submitted in a separate clearly labeled exhibit with all pages marked as "EXHIBIT-CONFIDENTIAL/PROPRIETARY."
 - Offeror must provide an unaltered signed Indemnification Agreement, Appendix C.1 Form A.
 - In accordance with the State of California Public Records Act (CPRA), the County will not treat pricing or terms and conditions as confidential. Confidential/Proprietary exhibits will be examined prior to review, and price or terms and conditions may be removed, or the County may declare a proposal non-conforming because of the inclusion of price or terms and conditions in the Confidential/Proprietary exhibit.

4.5 Proposal Ownership

All proposals become the property of the County. An Offeror may request the return of its proposals upon withdrawal as specified in <u>Section 4.10</u> of this RFP. The County reserves the right to grant or deny an Offeror's request for return of its proposal(s) at the County's sole discretion.

4.6 Public Records

It is understood and agreed upon by the Offeror in submitting a proposal that the County has the right to withhold all information regarding this procurement until after contract award, including but not limited to: competitive project description information; competitive proposed Financial Capability and the County evaluation of competing proposals. Information releasable after the award is subject to the disclosure requirements of the CPRA.

4.7 Proposal Evaluation

- 1. Proposals will be evaluated by a Source Selection Committee (SSC) appointed by the Director, Department of General Services, also known as the Source Selection Authority (SSA).
- 2. Any proposal may be construed as non-conforming and ineligible for consideration if it does not conform to the requirements of the RFP. If a proposal is found to be non-conforming, the Offeror will be notified, and the proposal may no longer be considered for award.
- 3. Proposals will be evaluated based upon the information provided in response to the RFP Evaluation Criteria and Response Requirements and other information known to the County.
- 4. The County reserves the right to request clarification and/or request additional information from Offerors if necessary. A request for clarification from one Offeror does not obligate the County to seek clarification from any other Offeror. Clarifications and/or additional information shall be submitted by the Offerors as an addendum to the proposal or revised proposal upon request of the County's Project Manager. However, since the County might not request any additional input, Offerors are advised to submit complete and accurate information in the proposal.
- 5. The SSC may invite competitive Offerors to make a presentation to, or participate in interviews with, or both, the County at a date, time and location determined by the County. The purpose of such presentations or interviews would be to allow the Offerors to present their proposed solutions to the County and for the SSC to obtain additional information.
- 6. Upon receipt of the submittals in response to this RFP, the SSC will review the submittals and may shortlist one or more Offerors. Interviews may or may not be held with any RFP shortlisted or selected Offerors, at the discretion of the SSC. Evaluations to determine the highest ranked proposal(s) shall be based on the list of criteria contained in Evaluation Criteria (Section 3.0) and Response Requirements (Section 2.0). The Offerors of all proposals not found to be highest ranking will be notified, and the proposals no longer considered for award.
- 7. The SSA may, at its sole discretion, authorize the County's Project Manager, and as necessary others, to enter into negotiations with the Offeror found to be highest ranking by the SSC.
- 8. A request for revised proposal(s), request for Best and Final Offer(s) (BAFO(s)), or addenda to the proposal may be issued during and at the conclusion of negotiations and may contain additional selection factors. At the conclusion of negotiations, the SSC will review responses and make an award recommendation to the SSA.

- 9. Upon Posting of the Notice of Intent to Award a contract to the Offeror whose proposal(s) has been ranked highest by the County based on the Evaluation Criteria, the County's Project Manager, and as necessary others, will enter into lease negotiations, subject to additional action by the County's Board of Supervisors.
- 10. The County reserves the right to postpone opening responses to this RFP for its own convenience, and/or to waive any informality or irregularity in the responses received.
- 11. The timing and sequence of events resulting from this RFP shall ultimately be determined by the County.
- 12. The County may reject all proposals.

4.8 Interlocking Directorate

In accordance with Board of Supervisors Policy A-79, if Offeror is a nonprofit entity as indicated on the Representations and Certifications form, Appendix C.4 — FORM D, paragraph 2, Offeror is required to identify any related for-profit subcontractors in which an interlocking directorate, management or ownership relationship exists. By submission of this proposal, Offeror certifies it will not enter into a subcontract relationship with a related for-profit entity if Offeror is a nonprofit entity. If Offeror is a nonprofit entity and will be subcontracting with a related for-profit entity, Offeror must list the entity(s) on the Representations and Certifications form, and any resulting agreements shall be subject to final approval by the County.

4.9 No County Commitment

- 1. County shall have the right to reject or accept any proposal or offer for any reason whatsoever and to accept any proposal other than the highest offer, at its sole discretion.
- 2. This RFP does not commit the County to lease or sell the Site, to pay any cost incurred in the submission of Offeror's proposal or in making necessary studies or designs for the preparation thereof, or to procure or contract for services or supplies. Further, the County shall have no obligation to reimburse any cost incurred in connection with the RFP or otherwise in anticipation of the execution of agreements contemplated by this RFP.
- 3. The County reserves the right to accept or reject any or all proposals received as a result of this solicitation or to negotiate with any selected Offeror.
- 4. The County reserves the right to terminate this RFP in part or in its entirety at any time prior to the approval by the County and execution of agreements contemplated by this RFP.
- 5. No prior, current, or post award communication with any officer, agent, or employee of the County shall affect or modify any terms or obligations of this RFP except as explicitly provided for in this RFP.
- 6. Award of this lease does not commit the County to provide additional financial assistance for construction, maintenance or operation of the Site.

4.10 Late, Modified or Withdrawn Proposal

- 1. Any proposal received after the exact time specified for receipt will not be considered unless it is received before award is made, and it was sent by mail or personal delivery, and it is determined by the County that the late receipt was due solely to mishandling by the County after receipt by the County.
- 2. Proposals may not be modified after the due date, except for a modification resulting from a request from the County's Project Manager for a revised proposal, BAFO(s), or an addendum to the proposal.

3. Proposals may be withdrawn by written notice signed by a duly authorized representative of Offeror if received prior to Notice of Intent to Award. Thereafter, all proposals constitute firm offers, subject to negotiation, that will remain open and cannot be revoked, withdrawn, or modified for a period of six (6) months thereafter.

4.11 Knowledge of RFP and Proposal Conditions

Before submitting a Proposal, Offerors shall carefully read all sections of this RFP, including all forms, schedules and exhibits, and shall fully inform themselves as to all existing conditions and limitations.

4.12 Diligence Material

The information provided in this RFP and in any diligence material that may be provided is subject to the following disclaimer:

Neither the County nor any of its agents, advisors, or representatives has made or makes any representation or warranty, express or implied, as to the accuracy or completeness of the Diligence Material. Without limiting the generality of the foregoing, the Diligence Material may include certain assumptions, statements, measurements, estimates, and projections provided by or with respect to the County. Such assumptions, statements, measurements, estimates, and projections reflect various assumptions made by the County, which assumptions may or may not prove to be correct. No representations are made by the County as to the accuracy of such assumptions, statements, measurements, estimates, or projections. It shall be the Offeror's responsibility to independently verify all facts contained in this RFP and in any diligence material provided.

4.13 Duty to Inquire

Should an Offeror find discrepancies in or omissions from the RFP, plans, specifications or other documents, or should the Offeror be in doubt as to their meaning, the Offeror shall at once notify the County's Project Manager in writing by e-mail. If the County determines that clarification is necessary, a written addendum will be issued and posted on the Website. It is the Offeror's responsibility to periodically check the Website for such addenda. The County will not be responsible for any oral instructions nor for any written materials provided by any County personnel that are not posted on the Website.

4.14 Explanation to Offerors

Any explanation desired by an Offeror regarding the meaning or interpretation of the RFP must be directed in writing exclusively to the County's Project Manager by e-mailing DGSRESProcurement@sdcounty.ca.gov. Telephone calls will not be accepted. In no event will the County be responsible for ensuring that prospective Offerors' inquiries have been received by the County. Offerors should not attempt to contact any other County personnel about this solicitation. Oral explanations or instructions will not be binding. Any explanation concerning a solicitation will be provided to all prospective Offerors through posting on the Website in the form of an addendum to the solicitation. The County may choose not to respond to questions received after the date stated in this RFP.

4.15 Protest Procedure

Board <u>Policy A-97</u> shall apply to all protests, except that (i) "Director" means the Director, Department of General Services, (ii) "Contracting Officer" means the County's Project Manager, and (iii) "Contracting Office" means the address

of the Department of General Services listed in <u>Section 4.4</u> of this document. All protests shall be made in writing and shall be filed with the County's Project Manager. A protest shall be filed in accordance with the time requirements set forth in Board <u>Policy A-97</u>. Copies of the Board Policy are available from the Clerk of the Board, 1600 Pacific Highway, San Diego, California 92101, or on the County's Website at: http://www.SanDiegoCounty.gov/ under the Clerk of the Board's page.

4.16 Debrief and Review of RFP Files

When an Offeror has been notified by the County's Project Manager that the proposal is no longer being considered for award, the Offeror may request a "debriefing" from the County on the findings about that one proposal (with no comparative information about proposals submitted by others). After a lease contemplated by this RFP is executed, any interested party may make an appointment to review the proposals, the SSC Report and any other releasable documents. Copies of any documents desired by the reviewer will be prepared at the requestor's expense in accordance with current County rates for such copies.

4.17 News Releases

Offerors shall not issue any news release pertaining to this RFP without prior written approval of the County's Project Manager, which may be withheld at the County Project Manager's sole discretion. A minimum of ten (10) business days' notice is required for approval.

4.18 Claims Against County

Neither Offeror nor any of its representatives shall have any claims whatsoever against the County or any of its respective officials, agents, or employees arising out of or relating to this RFP or these procedures (other than those arising under a definitive contract with Offeror in accordance with the terms thereof).

4.19 Employment Offers

Until the Lease contemplated by this RFP is approved, Offerors shall not, directly or indirectly, solicit any employee of the County to leave the County's employ in order to accept employment with the Offeror, its affiliates, actual or prospective, or any person acting in concert with the Offeror, without prior written approval of the County's Project Manager. This paragraph does not prevent the employment by an Offeror of a County employee who has initiated contact with the Offeror.

5.0 Exhibits

5.1 Appendix A

5.1.1 Appendix A.1 - Site Map

5.2 Appendix B

5.2.1 Appendix B.1 - Form A - Draft Lease Agreement

5.3 Appendix C – Statement of Qualifications Forms

Appendix C contains forms necessary to complete the Offeror's submittal and are required to be submitted as part of the response to this RFP. Microsoft Word and Excel version of the forms (where applicable) are available at: http://www.sdcre.com.

5.3.1 Appendix C.1 - Form A - Indemnification Agreement

Form A shall be completed, signed and returned with the proposal package. Fill in all necessary information to complete Form A.

Form A is available <u>HERE</u>. The County will not accept proposal packages without Form A if Offeror submits a confidential/proprietary exhibit or packages that include a version of Form A that has been amended or altered.

5.3.2 Appendix C.2 - Form B - Transmittal Letter

Form B shall be used to complete the Transmittal Letter as required in <u>Section 2.2</u> of this RFP. Fill in all necessary information to complete Form B.

Form B is available <u>HERE</u> and shall be used to complete Form B. Do not include the instruction page in the Proposal package.

5.3.3 Appendix C.3 - Form C - Information Regarding the Offeror, Team Members, and Financially Responsible Parties

Form C shall be used to complete the Offeror's Team Summary as required in 2.5 as well as Litigation and Bankruptcy History as required in Section 2.5.4 of this RFP. Fill in all necessary information to complete Form C.

Form C is available <u>HERE</u> and shall be used to complete Form C. Do not include the instruction page in the Proposal package. A separate Form C should be completed for each entity and individual identified in <u>Sections 2.4</u>.

5.3.4 Appendix C.4 - Form D - Representations and Certifications

Form D shall be used to complete the Representation and Certifications as required in <u>Section 2.4</u> of this RFP. Fill in all necessary information to complete Form D.

Form D is available <u>HERE</u> and shall be used to complete Form D. Do not include the instruction page in the Proposal package. A separate Form D should be completed for each entity and individual identified in <u>Section 2.4</u>.

5.3.5 **Appendix C.5 - Form E - Conflict of Interest Declarations**

Form E shall be used to complete the Conflict of Interest Declarations as required in <u>Section 4.20</u> of this RFP. Fill in all necessary information to complete Form E.

Form E is available <u>HERE</u> and shall be used to complete Form E. A separate Form E should be completed for each entity and individuals identified in <u>Section 4.20</u>.

5.3.6 Appendix C.6 - Form F - Listing of Projects Completed in the Last 10 Years

Form F shall be used to provide a listing of projects that have been completed by the Offeror(s) in the last ten (10) years, as required in <u>Section 2.3.1</u> of this RFP. Form F shall only be used to list completed projects. A separate Form F shall be provided for each entity and individuals listed in <u>Section 2.4</u>.

Form F is available <u>HERE</u> and shall be used to complete Form F. Do not include the instruction page in the Proposal package.