REQUEST FOR PROPOSAL

Property Sale for future Hotel Development on Corner of West Pico Boulevard and South Figueroa Street

City of Los Angeles
Office of the Chief Legislative Analyst
November 1, 2012
Request for Proposals

Table of Contents

Letter of Invitation

I. Intent of Request for Proposals

II. Vision For The Neighborhood

III. Development Requirements

IV. Submission Requirements

V. Additional Documents Required

VI. Selection Process

VII. Appeals Process

VIII. Terms and Conditions

IX. General RFP Information

X. Proposal Package

XI. Pre-Proposal Conference

XII. Deadline for Submittals

XIII. Technical Assistance

Proposal Checklist
## Attachments

<table>
<thead>
<tr>
<th>Attachment</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Vicinity Map</td>
</tr>
<tr>
<td>B</td>
<td>Site Map</td>
</tr>
<tr>
<td>C</td>
<td>Child Care Policy</td>
</tr>
<tr>
<td>D</td>
<td>Workforce Information</td>
</tr>
<tr>
<td>E</td>
<td>Statement of Non-Collusion</td>
</tr>
<tr>
<td>F</td>
<td>Credit Authorization Form</td>
</tr>
<tr>
<td>G</td>
<td>Downtown Los Angeles Design Guide</td>
</tr>
<tr>
<td>H</td>
<td>Los Angeles Sports and Entertainment District Streetscape Plan</td>
</tr>
<tr>
<td>I</td>
<td>Technical Assistance Form</td>
</tr>
</tbody>
</table>
THE CITY OF LOS ANGELES

REQUEST FOR PROPOSALS

Date: November 1, 2012

Attention: Prospective Bidders

Subject: Property Sale for Future Hotel Development Proposals for Corner of West Pico Boulevard and South Figueroa Street (621 W. Pico Blvd. and 1256/1258 S. Figueroa).

The City of Los Angeles invites qualified bidders (Bidders) to submit proposals for the purchase and eventual development of a hotel on three parcels located on the corner of West Pico Boulevard and South Figueroa Street in Downtown Los Angeles. The parcels are across the street from the Los Angeles Convention Center and the Staples Center (see Attachment B).

This Request for Proposals ("RFP") includes guidelines pertaining to the proposal format, content and selection criteria. All submissions must conform to City of Los Angeles requirements as outlined in this letter of invitation and the RFP. A pre-proposal conference will be held at City Hall, 200 N. Spring St., Room 1035 in Los Angeles at 10:00 a.m. on Thursday, November 15, 2012 to answer questions related to this RFP. Although attendance is not mandatory, it is recommended that all parties contemplating submission of a proposal to attend the meeting. Parties interested in attending the pre-proposal conference should RSVP to Michael K. Kek at (213) 473-5705 or PicoandFigueroaHotelRFP@lacity.org.

All proposals must be sealed in an envelope, identified as to content, and marked with "RFP BID: Corner of West Pico Boulevard and South Figueroa Street." The deadline for submittal of the proposal is Friday, January 4, 2013 at 4:00 p.m. Proposals received later than the above date and time will be rejected and returned unopened. Please direct all inquiries concerning this RFP in writing to Michael K. Kek by email at PicoandFigueroaHotelRFP@lacity.org or by fax at (213) 680-0085.

Sincerely,

[Signature]

Gerry F. Miller
Chief Legislative Analyst
I. INTENT OF REQUEST FOR PROPOSALS

The City of Los Angeles wishes to enter into negotiations with a qualified Bidder for the sale and development of three City owned parcels located on the corner of West Pico Boulevard and South Figueroa Street in the South Park area of Downtown Los Angeles (the Site). While the area has experienced a major transformation as an entertainment destination for both local residents and international visitors, the city recognizes a need for additional hotel rooms Downtown in order to draw larger conventions and events to the area and make the city more competitive in convention and tourism.

Therefore, the preferred outcome for the City is to sell the property to a Bidder who will increase hotel rooms in the area. The acquisition of surrounding parcels for a large-scale development project which would pursue the Transfer of Floor Area Rights and other planning tools to effect a maximization of the developable area is strongly encouraged and preferred. If necessary to accommodate a proposal, a Bidder should indicate its willingness to apply for required land use entitlements. A proposed project should use design elements that incorporate pedestrian and multi-modal transit orientation and ground floor commercial uses, respectful of the Downtown Los Angeles Design Guide and other relevant policies, and which will complement the Pico/Chick Hearn Metro Blue Line Station. Achieving or exceeding LEED Silver certification or equivalent is encouraged.

The City of Los Angeles intends to select a qualified development team that can purchase the properties and demonstrate: (1) strong relevant experience with similar projects; (2) financial capability and (3) sensitivity to the local community and environment. Evidence of ability to finance, undertake, and complete the proposed project or projects in a timely manner is crucial to a successful submission. The development team must include an experienced development entity and such disciplines as a licensed architect and landscape architect.

Prospective Bidders should submit a proposal with sufficient information regarding prior development experience and financial capabilities to enable the City to award a Bidder an Exclusive Negotiation Agreement (“ENA”). The ENA period will not exceed 180 days.

Award of this bid does not constitute approval of any future hotel development. It shall be the responsibility of the successful Bidder to meet the requirements of California Environmental Quality Act (CEQA) and to obtain all entitlements required for any future development on the site.

All submittals will be evaluated on the quality of response to this solicitation. Proposals are due to City of Los Angeles by 4:00 P.M. on Friday, January 4, 2013. Proposals received after this date and time will be rejected and returned unopened.
A limited number of conceptual renderings may be submitted to explain the development concept and demonstrate conformance to the Downtown Los Angeles Design Guide (Attachment G) Downtown Strategic Plan, Design for Development and the Bidder's vision for the site. The Bidder will also be required to submit a Good Faith Deposit of 10% of the appraised value of the property which, will be used as part of the purchase price for the selected proposer and returned to non-winning proposers.

This RFP is subject to the completion of the City Surplus Property Process. In the event that the Site is not declared surplus, this RFP and any bid award will be voided.

II. VISION FOR THE NEIGHBORHOOD

The site is bordered by Flower Street on the north and 12th Street on the east and consists of three parcels (621 W. Pico Blvd. and 1256/1258 S. Figueroa) with a combined acreage of approximately one acre. The site is located at a dynamic corner with close proximity to the Los Angeles Convention Center (LACC), the Staples Center, the Metro Blue Line, the L.A. Live entertainment district, the proposed Convention and Event Center Project, and the proposed route for the Downtown Los Angeles Streetcar project.

According to a recent economic development analysis prepared for the Convention and Event Center Project, an estimated 1,685 hotel rooms are located within half a mile of the LACC. In comparison, the San Francisco Convention Center area has over 19,000 rooms and the San Diego Convention Center area has over 8,000 rooms. The preferred alternative for the future development of the Site is a four star or similar brand or boutique hotel. It is the intent and preference of the City to award the bid to the proposal that develops the maximum number of rooms and which would propose the utilization of planning tools and entitlements to maximize the developable area, including the potential acquisition of surrounding parcels and no fewer than 150 rooms. If necessary to accommodate a proposal, a Bidder should indicate its willingness to apply for required land use entitlements. In addition the hotel should include ground floor retail, restaurant and/or commercial uses, and a number of guest amenities including, a fitness center; spacious lobby with seating; and business center.

Due to its proximity to the Metro Blue Line, any development on this site will be considered a Transit-Oriented Development (TOD) with emphasis on pedestrian-friendly areas and public transportation. The Pico/Chick Hearn Metro Blue Line Station is located within one block of the Site and averages 2,653 daily boardings on weekdays. The Site is also near Pico Boulevard and Figueroa Street, which act as major pedestrian corridors when events take place at the LACC, Staples Center, and L.A. Live.

There are also a number of major projects within close proximity to the site in the pre-development phase including, but not limited to: the Downtown Los Angeles
Streetcar; and, the proposed Convention and Event Center project, which includes the construction of a football stadium and the expansion of the LACC.

III. DEVELOPMENT REQUIREMENTS

A. Planning Context

It shall be the Bidder’s responsibility to meet all applicable governmental codes and regulations, including the City of Los Angeles zoning requirements, the Downtown Design Guide, and Los Angeles Sports and Entertainment District Streetscape Plan requirements. Where applicable to accommodate a proposal, the Bidder should indicate a willingness to apply for any required land use entitlements.

Specific zoning questions must be addressed to the Metro-Central Unit of the Los Angeles City Planning Department at (213) 978-1167 or (213) 978-1173.

Depending on the nature and location of any proposed land uses in any given project proposal, discretionary approvals will be required from the City Planning Commission and Advisory Agency, including such approvals as plan amendments, zone changes, zone variances, conditional use approvals and a new tract map. The City will facilitate review and processing relative to the project, but the Bidder will be responsible for all costs associated with meeting governmental regulations for development of the project.

The Bidder shall also comply with the City's policy on sustainable development, including the incorporation of sustainable building methodologies and technologies in the proposed development. This may include use of active and passive energy conservation techniques, use of recycled materials and "green" materials, and use of water conservation techniques including landscaping and other conservation methods as may be recommended by relevant agencies. Provision of storage areas for recycling, solid waste management techniques, and incorporation of design features, allowing flexibility to use reclaimed gray water, are encouraged.

B. Art in Public Places

The proposed development will be required to conform to the City of Los Angeles Art in Public Places Policy, which requires that one percent of development costs (excluding the cost of affordable housing) be budgeted and paid for art in public places. Up to 100 percent of the Public Art Budget may be applied to on-site art.

C. CEQA Clearance

It should be understood by all Bidders that the City of Los Angeles cannot and will not approve a project unless the project has undergone all required environmental analyses, including but not limited to compliance with the California Environmental Quality Act (CEQA). Thus, it should be understood that
the award of a bid hereunder shall not constitute approval of any proposed project. It will be the Bidder's responsibility to retain an environmental consultant to complete the CEQA process at the earliest phase of the project's development. Any previous environmental studies prepared for the site will also be made available to the Bidder. The City of Los Angeles, Planning Department will serve as the lead agency under CEQA for the disposition of the City property.

IV. SUBMISSION REQUIREMENTS

All proposals shall include information in the format described below. Please submit information in appropriate detail on each of the items described below to allow adequate review and evaluation of your proposal. The format for the submission of information consists of the following elements, which should be answered as completely as possible and in the outlined organizational order:

A. Cover Letter
B. Bid Amount
C. Identification of the Site Covered by the Proposal
D. Identification of Bidder and Associates
E. Identification of Conflicts of Interest
F. Development Team Qualifications
G. Development Concept for the Site
H. Schedule of Performance and Timeline
I. Financial Capability

All materials should be sealed in one envelope and properly identified, marked with "RFP BID: Corner of West Pico Boulevard and South Figueroa Street." Proposals must be received by the City of Los Angeles no later than 4:00 PM on Friday, January 4, 2013 at the Office of the Chief Legislative Analyst, 200 N. Spring Street, Suite 255, Los Angeles, California, 90012.

Inquiries - All inquiries concerning this RFP, and the project in general, should be directed to: Michael K. Kek by e-mail at PicoandFigueroaHotelRFP@lacity.org or fax at (213) 680-0085.

A. Cover Letter

The proposal must include a letter signed by a principal or officer authorized to represent and commit on behalf of the firm(s).

B. Bid Amount

The proposal must include a bid amount for the acquisition of the Site.
C. **Identification of the Site Covered by the Proposal**

The proposal must include a general assessment of the physical site including opportunities that serve to enhance the project and constraints that will require special attention and actions to overcome.

D. **Identification of Bidder and Associates**

For each of the principal parties comprising the proposed development team, please provide:

Name, address, telephone number, and e-mail address of Bidder and project operator/manager (if appropriate);

1) Identification and organization of Bidder (individual, company, corporation, partnership, joint venture, other);
2) Identification of principals of development organization and project operator/manager (corporate officers, principal stockholders, general and limited partners) to be responsible for proposed project.
3) Indication of any relationship the development organization may have with a parent corporation, subsidiaries, joint ventures or other entities. If a joint venture is proposed, percentage of ownership of each entity should be specified. Describe the financial, liability-related and other decision-making relationships.
4) Identification of all key project team members including resumes of assigned personnel, describing relevant project experience as related to the subject proposal and specific required technical skills.

E. **Identification of Conflicts of Interest**

The Bidder must disclose any possible conflicts of interest, which would prohibit the Bidder from being awarded the ENA. You may contact the City’s Ethics Commission at (213) 978-1960 for additional information.

F. **Development Team Qualifications**

The Bidder’s ability to assemble and manage a development team including architects, artists, planners, engineers, builders, financial consultants, marketing specialists and management personnel is of particular interest. Experience in property or site remediation, if necessary for the property, is encouraged. The evaluation process will be heavily weighted on a Bidder’s experience and track record in each of these areas. Please provide:

1) A list of all team participants, including financial partners, owner participants, architectural and other design professionals, and their qualifications and relevant experience;
2) A list of comparable development projects in which the Bidder and proposed associates have participated, particularly projects within urban cores, describing the relationships to these projects (i.e., developed, owned, operated or managed), showing the location, cost and scale, type and dollar value of the work. Identify which of the listed comparable projects have been successfully completed, and which have been completed over and under budget. If possible, include photographs of these projects; and

3) Descriptions and illustrations of the proposed architect's work on development projects that have been built or are under construction.

4) These projects should be of a similar magnitude to the proposed development of the Site.

G. Development Concept for the Site

Please provide the following:

- A narrative description of the proposed development, identifying square footage of hotel rooms, the number hotel rooms, amount of parking, and construction type. The proposed development should be described in sufficient detail to form the basis for the Bidder's preliminary cost estimates;

- A conceptual site plan; and

- A list of proposed government actions that may be required to complete this project (i.e., street widening, utility relocation, entitlements, etc.). A development pro-forma for the site, corresponding to the narrative description above. The pro-forma should include direct and indirect costs, development cost estimates and income and operating cost projections for a minimum of ten years in current dollars, and clearly set forth the expected return on investment. Please include a statement of basic assumptions affecting the economic feasibility of the project. Indicate anticipated amount of equity and financing costs within the proforma for both the construction loan and for permanent financing.

H. Schedule of Performance and Timeline

A Schedule of Performance outlining the estimated time for each step and phase (if appropriate), including a summary "time line" or other similar graphic representation, of the development process. The schedule should recognize the time involved in completing site assembly, finalizing development agreements, receiving project entitlements, designing the project, financing the project, commencing construction and completing construction. The schedule must also show the phasing, if relevant, of future project components.
I. Financial Capability

For each of the principal parties comprising the proposed Bidder team, please provide:

1) A certified financial statement of each of the principal parties of the Bidder, current within six months or, upon request, an audited statement current within twelve months; and a list and the status of any and all pending litigation against the Bidder, its subsidiaries, or affiliates.

2) Copies of any financial rating reports or other documents indicating the financial condition of the Bidder.

3) A list of names and addresses of bank(s) and or other financial institution(s) references.

4) A statement indicating whether or not the firm or any of its officers or partners has ever declared bankruptcy. If so, state the date, court jurisdiction and amount of liabilities and assets.

5) A statement indicating how Bidder proposes to finance the purchase of the Site and the development of the project, showing the proposed source and the amount of equity investment and the proposed source of financing, including probable terms and conditions of the financing. Provide banking references with authorization contact references and a willingness to post letters of credit or performance bonds necessary to fund development costs, including, but not limited to: securing entitlements and environmental.

6) A statement indicating the purchase price offered for the Property.

V. ADDITIONAL DOCUMENTS REQUIRED

A. Requirements for this Proposal

The City has compiled a set of Standard Provisions to be adhered to in the case of pre-contract and/or contract execution. If selected, the Bidder may have to comply with these ordinances and requirements including, but not limited to: Living Wage, Equal Benefits, Slavery Disclosure, Service Contractor Worker Retention and Contractor Responsibility Ordinances (see Part VI I I, Section C for additional information). The following is a list of requirements and documents to be submitted in conformance with these Standard Provisions:

1. Secretary of State Documentation

Bidders are required to submit one copy of their Articles of Incorporation, partnership, or other business organizational documents (as appropriate) filed with the Secretary of State. Organizations must be in good standing and authorized to do business in California.
2. City Business License Number

All Bidders are required to submit one copy of their City of Los Angeles Business License, Tax Registration Certificate or Vendor Registration Number. These documents must be current. To obtain a Business Tax Registration Certificate (B'TRC) call the Office of Finance at (213) 473-5901 and pay the respective business taxes. The address is as follows: City of Los Angeles, City Hall, Room 101, Office of Finance, Tax and Permit Division, 201 North Main Street, Los Angeles, CA 90012.

3. Child Care Policy - not required of sole proprietors

It is the policy of the City of Los Angeles to encourage businesses to adopt childcare policies and practices. Consistent with this policy, Bidders shall complete and submit the "Child Care Policy Declaration Statement" with their proposal (Attachment C).

4. Workforce Information

Bidders shall submit with their proposal a statement indicating their headquarters address, as well as the percentage of their workforce residing in the City of Los Angeles (Attachment D).

5. Statement of Non-Collusion

Proposers shall complete and return with the proposal, an affidavit of non-collusion signed by a person(s) authorized to bind the proposer (see Attachment E), which states that:

1. The proposal is genuine, not a sham or collusive;

2. The proposal is not made in the interest of or on the behalf of any person not named in the proposal;

3. The Proposer has not directly or indirectly induced or solicited any person to submit a false or sham proposal or to refrain from proposing; and

4. The Proposer has not in any manner sought by collusion to secure an advantage over any other proposer.

6. Subcontractors

If a Bidder foresees the need for subcontractors in the project, a list of the subcontractors must also be submitted with the proposal (if available). The City reserves the right to confer with the Bidder regarding subcontractors at any time during the negotiation or development process.
7. Credit Authorization Form

Bidders are required to submit a credit authorization form authorizing the City to conduct a credit check (Attachment F).

B. Requirements for Contract Execution

1. Corporate Documents

All Bidders who are organized as a corporation or a limited liability company are required to submit a Secretary of State Corporate Number, a copy of its By-Laws, a current list of its Board of Directors, and a Resolution of Executorial Authority with a Signature Specimen.

2. IRS Number

All Bidders are required to complete and submit Proof of IRS Number (W-9) form.

3. Insurance Certificates

Bidders may be required to maintain insurance at a level to be determined by the City's Risk Manager, with the City named as an additional insured. Bidders who do not have the required insurance should include the cost of insurance in their proposal. Bidders will be required to provide insurance at the time of contract execution.

4. Affirmative Action Plan

All Bidders who are awarded contracts in excess of $5,000 are required to comply with the City's Affirmative Action Policies and must submit an Affirmative Action Plan.

5. Community Benefits Package

The successful Bidder, during contract negotiations, will be required to provide the City with a community benefits package, including, but not limited to, apprenticeship programs and local hiring strategies. Contractors and others engaged in construction are encouraged to hire at least 30% of the workforce from a 5 mile project radius. Within this 30% local hiring recommendation, Bidders are encouraged to set aside 10% for special needs populations, which are defined as individuals facing at least two barriers to employment including homelessness, single parenthood, physical or mental disability, lack of GED or high school diploma, criminal record or other involvement with the criminal justice system or chronic unemployment. Other community benefits that are preferred include a covenant guaranteeing that the parcels be used as a hotel for at least 50 years, card check neutrality agreement, a room block agreement with the Los Angeles Tourism and Convention Board, streetscape and other public improvements, and minimum LEED Silver sustainability requirement.
6. Collaboration

The City may, at its discretion, require two or more Bidders to collaborate as a condition of contract execution.

VI. SELECTION PROCESS

All proposals submitted in response to this RFP will be reviewed for their relative strengths and weaknesses based on the submission requirements described herein. Selection will be based on the completeness and quality of responses to this solicitation.

Proposals will be evaluated based on the following criteria:

1. Purchase Offer and Responsiveness of Development Concept and (40%)

Most heavily weighted in the selection process will be purchase price offered to the City for the purchase of the Site, plans for pursuing maximization of the developable area, and adherence to the Downtown Los Angeles Design Guidelines.

2. Community Employment, Expanded Living Wage and Other Community Benefits (20%)

Proposals that expand community benefits like the development of public spaces, create employment opportunities for local residents, provide card check neutrality, provide a room block agreement with the Los Angeles Tourism and Convention Board, and which create environmentally sensitive features are preferred.

3. Financial Feasibility of the Proposal (20%)

Soundness and credibility of economic assumptions and analysis, including reasonableness of cost, revenue projections, and return on investment. Reasonableness of conditions required and/or proposed for project development, operation and maintenance.

4. Development Team Qualifications (20%)

Demonstrated record of experience of the development team in completing projects similar in size, type and magnitude to the proposed development concept, including past performance in meeting development schedules.

5. Financial Capacity of Development Team (pass/fail)

Demonstrated financial capacity; demonstrated ability to obtain construction and permanent financing for the proposed development. A panel consisting of City of
Los Angeles staff will recommend a Bidder(s). City staff will then prepare an Exclusive Negotiation Agreement (ENA). The bidder will also be required to submit a Good Faith Deposit of 10% of the appraised value of the property which, will be used as part of the purchase price for the selected proposer and returned to non-winning proposers.

VII. APPEALS PROCESS
All applicants shall have the opportunity to appeal recommendations. Information on the appeals process and timeline will be specified in a written notice to all proposers.

VIII. TERMS AND CONDITIONS

A. City Right of Cancellation and Amendment

The City reserves the right to withdraw this RFP at any time without prior notice. The City makes no representation that any contract will be awarded to any Bidder responding to the RFP. The City reserves the right to reject any or all submissions. If an inadequate number of proposals is received or the proposals received are deemed non-responsive, not qualified or not cost effective, the City may at its sole discretion reissue the RFP. The City maintains the right to amend this RFP.

B. Land Disposition Process

Fee title will be conveyed to the selected Bidder upon satisfaction of the conditions set forth in the Sales and Development Agreement, including, but not limited to, compliance with CEQA or any other applicable environmental laws, the payment of the purchase price, security for performance of Bidder obligations satisfactory to the City (e.g. performance bond, letter of credit, etc.), and upon final approval of the Bidder and proposal by the City Council and the Mayor based on the City recommendations.

C. Additional City Requirements

Depending on the elements of the selected proposal and final project, the selected Bidder may have to comply with one or more of the ordinances listed in Part V, Section A. For more information concerning these possible requirements, please visit the Department of Public Works, Bureau of Contract Administration (BCA) website at: http://bca.lacity.org/index.cfm, or call the BCA at (213) 847-1922.

IX. GENERAL RFP INFORMATION

A. Costs Incurred by Bidder

All costs of proposal preparation shall be the responsibility of the Bidder.
The City shall not, in any event, be liable for any pre-contractual expenses incurred by Bidders in the preparation and/or submission of the proposals. Proposals shall not include any such expenses as part of the proposed budget.

B. Accuracy and Completeness

The proposal must set forth accurate and complete information as required in this RFP. Unclear, incomplete, and/or inaccurate documentation may not be considered. Falsification of any information may result in disqualification.

If the Bidder knowingly and willfully submits false performance or other data, the City reserves the right to reject that proposal. If it is determined that a contract was awarded as a result of false performance or other data submitted in response to this RFP, the City reserves the right to terminate the contract. Unnecessarily, elaborate or lengthy proposals beyond those needed to give a sufficient, clear response to all the RFP requirements are not desired.

C. Withdrawal of Proposals

Proposals may be withdrawn by written request of the authorized signatory on the Bidder's letterhead or by certified mail at any time prior to the submission deadline.

D. General City Reservations

The City reserves the right to extend the submission deadline should this be in the interest of the City. Bidders have the right to revise their proposals in the event that the deadline is extended. The City shall review and rate submitted proposals. The Bidder may not make any changes or additions after the deadline for receipt of proposals. The City reserves the right to request additional information or documentation as deemed necessary.

The City reserves the right to verify all information in the proposal. If the information cannot be verified, the City reserves the right to reduce the rating points awarded.

The City reserves the right to require a pre-award audit.

The City reserves the right to waive minor defects in the proposal in accordance with the City Charter. If the selection of the Bidder is based in part on the qualifications of specific key individuals named in the proposal, the City must approve in advance any changes in the key individuals or the percentage of time they spend on the project.

The City reserves the right to have the Bidder replace any project personnel. At the City's sole discretion, oral interviews may be held with top scoring proposers. The results of the oral interview will determine the final selection recommendations. At this time, proposers will be asked to make presentations of
their proposed project including design elements and financial capabilities of the development team.

E. Contract Negotiations

Bidder approved for the sale shall be required to negotiate a contract with the City. The best terms and conditions originally offered in the proposal shall bind the negotiations. The City reserves the right to make a contract award contingent upon the satisfactory completion by the Bidder of certain special conditions. The contract offer of the City may contain additional terms or terms different from those set forth herein.

As part of the negotiation process, the City reserves the right to:

1. Select all or portions of a Bidder's proposal and/or require that one Bidder collaborate with another for the provision of specific services, whether prior to execution of an agreement or at any point during the life of the agreement;
2. Elect to contract directly with one or more of any identified collaborators; and
3. Require that all collaborators identified in the proposal to become cosignatories to any contract with the City.

F. Proprietary Interests of the City

The City reserves the right to retain all submitted proposals which shall then become the property of the City and a matter of public record. Any department or agency of the City has the right to use any or all ideas presented in the proposal without any change or limitation. Selection or rejection of a proposal does not affect these rights. All proposals will be considered public documents, subject to review and inspection by the public at the City's discretion, in accordance with the Public Records Act. Bidders must identify all copyrighted material, trade secrets or other proprietary information claimed to be exempt from disclosure under the Public Records Act.

In the event that such an exemption is claimed, the proposal must state: "(Name of Bidder) shall defend and indemnify the City and hold it and its officers, employees and agents harmless from any claim or liability and defend any action brought against the City for its refusal to disclose copyrighted material, trade secrets or other proprietary information to any person making a request thereof." Failure to include such a statement shall constitute a waiver of the Bidder's right to exemption from disclosure.

G. Americans With Disabilities Act

Any contract awarded pursuant to this RFP shall be subject to the following: The Bidder/Consultant hereby certifies that it will comply with the Disabilities Act 42, U.S.C. Section 12101 et seq., and its implementing regulations. The Bidder/Consultant will provide reasonable accommodations to allow qualified
individuals with disabilities to have access to and to participate in its programs, services and activities in accordance with the provisions of the Disabilities Act. The Bidder/Consultant will not discriminate against persons with disabilities or against persons due to their relationship to or association with a person with a disability. Any subcontract entered into by the Bidder/Consultant, relating to this Contract, to the extent allowed hereunder, shall be subject to the provisions of this paragraph.

H. Child Support Assignment Orders

Any contract awarded pursuant to this RFP shall be subject to the following: This Contract is subject to Section 10.10 of the Los Angeles Administrative Code, Child Support Assignment Orders Ordinance. Pursuant to this Ordinance, Bidder/Consultant certifies that it will (1) fully comply with all State and Federal employment reporting requirements applicable to Child Support Assignment Orders; (2) that the principal owner(s) of Bidder/Consultant are in compliance with any Wage and Earnings Assignment Orders and Notices of Assignment applicable to them personally; (3) fully comply with all lawfully served Wage and Earnings Assignment Orders and Notices of Assignment in accordance with California Family Code Section 5230 et seq.; and (4) maintain such compliance throughout the term of this Contract.

Pursuant to Section 10.10.b of the Los Angeles Administrative Code, failure of Bidder/Consultant to comply with all applicable reporting requirements or to implement lawfully served Wage and Earnings Assignment Orders and Notices of Assignment or the failure of any principal owner(s) of Bidder/Consultant to comply with any Wage and Earnings Assignment Orders and Notices of Assignment applicable to them personally shall constitute a default by the Bidder/Consultant under the terms of this Contract, subjecting this Contract to termination where such failure shall continue for more than ninety (90) days after notice of such failure to Bidder/Consultant by City. Any subcontract entered into by the Bidder/Consultant relating to this Contract, to the extent allowed hereunder, shall be subject to the provisions of this paragraph and shall incorporate the provisions of the Child Support Assignment Orders Ordinance. Failure of the Bidder/Consultant to obtain compliance of its subcontractors shall constitute a default by the Bidder/Consultant under the terms of this contract, subjecting this Contract to termination where such failure shall continue for more than ninety (90) days after notice of such failure to Bidder/Consultant by the City.

Bidder/Consultant shall comply with the Child Support Compliance Act of 1998 of the State of California Employment Development Department. Bidder/Consultant assures that to the best of its knowledge it is fully complying with the earnings assignment orders of all employees, and is providing the names of all new employees to the New Hire Registry maintained by the Employment Development Department as set forth in subdivision (1) of the Public Contract Code 71 10.
I. Prevailing Wage

This project may be subject to State of California and City of Los Angeles prevailing wage requirements and federal Davis-Bacon requirements. Details of the requirements are available upon request.

J. Project Labor Agreement

Bidders are encouraged to develop a Project Labor Agreement before commencement of construction.

X. PROPOSAL PACKAGE

General Preparation Guidelines

If a Proposer does not follow these instructions and/or information is left out or a particular exhibit and/or attachment is not submitted, the Proposer may be determined to be ineligible and excluded from the review.

A. The proposal must be submitted in the legal name of the firm or corporation and the corporate seal must be embossed on the original proposal. An authorized representative of the applicant organization who has legal authority to bind the organization in contract with the City must sign the proposal.

B. Proposers must submit one original proposal and five (5) stapled copies. The original must be marked "Original" on the cover and must bear the actual "wet" signature(s) of the person(s) authorized to sign the proposal.

The copies must be numbered 01-1 the upper right hand side of the cover to indicate "Copy No." Staple all pages firmly in the upper left-hand corner. **Specialized coverings, paper clips, or other removable fasteners are not acceptable.**

C. All proposals must be accompanied by a cover letter that should be limited to one page. The letter must:
   - Include the title, address, telephone number, fax number, and email of the person(s) who will be authorized to represent the Proposer and each collaborator.
   - Be signed by the person(s) authorized to bind the agency to all commitments made in the proposal and, if applicable, be accompanied by a copy of the Board Resolution authorizing the person(s) to submit the proposal. If a Board Resolution cannot be obtained prior to proposal submission, it may be submitted no later than three (3) calendar weeks after the proposal submission deadline.
   - Identify the individual or firm which prepared or assisted in preparing the proposal. If that individual or firm will not participate in the implementation of the project, describe how the transfer of responsibility will occur to ensure timely implementation.
• Proposals must be submitted in the English language. Numerical data must be in the English measurement system; costs must be in United States dollars.

Narratives must follow these standards:
• Font size - 12 points.
• Margins- At least one-inch on all sides
• Line Spacing- Single-spaced
• Single-sided, plain white paper

F. Each page of the proposal, including exhibits, must be numbered sequentially at the bottom of the page to indicate Page - of -.

G. Please use the indicative mood (will, shall, etc.) in narratives rather than the subjective (would, should, etc.) so that proposals can be easily converted to contract form.

H. The Proposal Checklist lists all narratives, exhibits and certifications that must be included in the proposal. In assembling the completed proposal, please insert the exhibits and certifications where they are indicated in the Proposal Checklist. The Proposal Checklist will serve as your Table of Contents.

I. Answers should be as concise as possible while providing all the information requested.

J. In completing the narratives and exhibits, including the budget, please include and clearly identify the services to be provided by and the demonstrated ability of subcontractors, if any.

**XI. Pre-Proposal Conference**

A Proposers' Conference (Conference) has been scheduled to answer questions about this RFP. See cover page for Conference date and location. At this Conference, City staff will review the RFP document and respond to questions regarding requirements of the RFP. City staff will not provide assistance regarding a Proposer's individual project design. Attendance to the Conference is not mandatory. BRING YOUR OWN COPY OF THE RFP. NO COPIES WILL BE PROVIDED AT THE CONFERENCE. The City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Please contact the City at least seventy two (72) hours in advance to request an accommodation.

**XII. Deadline for Submission of Proposals**

The original proposal, together with five (5) complete copies, must be hand or courier delivered in a sealed package by 4:00 p.m. PST (please account for any
potential delays caused by a security check when entering City Hall) on the deadline date on the cover of this document; or delivered via U.S. Mail postmarked no later than 11:59 p.m. PST on the deadline date, to the submission address on the cover of this document.

Persons who hand-deliver proposals shall be issued a "Notice of Receipt of Proposal." The original copy of proposals submitted will be marked with a time and date stamp. Proposers using the U.S. Mail are required to obtain a "Proof of Mailing Certificate" stamped by the Postal Service as evidence that the proposals were mailed no later than 11:59 p.m. on the deadline date.

Timely submission of proposals is the sole responsibility of the Proposer. The City reserves the right to determine the timeliness of all submissions. Late proposals will not be reviewed. All proposals hand-delivered after 4:00 p.m. PST or postmarked after 11:59 p.m. PST on the deadline date will be returned unopened to Proposers. Proposals must be labeled as "Hotel RFP: Corner of West Pico Boulevard and South Figueroa Street" and delivered to:

City of Los Angeles
Office of the Chief Legislative Analyst
200 N. Spring Street, Suite 255
Los Angeles, CA 90012

XIII. Technical Assistance

All technical assistance questions must be submitted by e-mail or fax, using the attached Technical Assistance Request form (Attachment I). Please identify the RFP title on the subject line of your message. To ensure the fair and consistent distribution of information, all questions will be answered by a Question-and-Answer (Q&A) document available on this RFP's webpage on http://www.labavn.org. No individual answers will be given.

The Q&A document will be updated on a regular basis to ensure the prompt delivery of information. If you do not have access to the Internet, the Q&A document will be available by fax or by pick-up at the address on the front cover.
Proposal Checklist - Documents to be submitted with Proposal

1. Cover Letter
2. Identification of the Site Covered by the Proposal
3. Identification of the Bidder and Associates
4. Development Team Qualifications
5. Development Financial Concept for the Site
6. Schedule of Performance and Time Line
7. Financial Analysis
8. Financial Capability
9. Secretary of State Documentation
10. City Business License Number
11. Child Care Policy (if applicable) - Attachment C
12. Workforce Information - Attachment D
13. Statement of Non-Collusion Attachment E
14. Subcontractor information
15. Credit Authorization Form - Attachment F