

**SAN JOAQUIN DELTA COMMUNITY COLLEGE DISTRICT**

**REQUEST FOR PROPOSALS AND QUALIFICATIONS (RFP/RFQ)**

**FOR**

**MEASURE L BOND PROGRAM  
NORTH COUNTY CENTER PROJECT  
ALTERNATIVE SITE(S)/FACILITIES**



**#LA-RFP-45**

**PROPOSAL SUBMITTAL DATE:**  
**Thursday, April 9, 2015 by 1:00 PM**

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## **APPENDICES**

- A. Listing of Applicable Education Codes for Educational Facilities of California's Community Colleges
- B. The Preferred Geographic Region for the North County Center (NCC)
- C. Educational Mission & Envisioned Academic Programs for NCC

## ARTICLE 1. OVERVIEW OF THE REQUEST FOR PROPOSALS AND QUALIFICATIONS

San Joaquin Delta Community College District (“District”) invites submission of Proposals from landowners, facilities owners, and/or representatives of landowners and facilities owners (collectively, “Respondents”) interested in offering land, existing facilities, or both, that address the content of this Request For Proposals and Qualifications (“RFP/RFQ”). Respondents shall either own the land or facility(ies) or be an authorized agent of the owner able to act on the owner’s behalf through the District’s site selection process.

The District will entertain proposals that offer to sell or donate land, facilities, or both that meet the attributes the District seeks for its North County Center (NCC) location. Respondents interested in submitting such a proposal are encouraged to review this RFP/RFQ for requirements. As a political subdivision of the State of California, the District is a tax-exempt organization, donations to which may be reported as charitable contributions under Internal Revenue Service Code § 170(c). The District makes no representations regarding the deductibility of such contributions or the availability of other tax benefits to any donor or individual Respondent, all of whom are encouraged to consult with financial and tax advisors as appropriate.

All Proposals must be received by the District on or before 1:00 p.m. on Thursday, April 9, 2015, and must be in accordance with the requirements outlined herein and must be directed to:

San Joaquin Delta Community College District  
Attn: Maria Bernardino, Director of Purchasing and Contracts  
Purchasing Department  
Danner Hall Building, Lower Danner-B4  
5151 Pacific Avenue  
Stockton, CA 95207-6370

Electronic documents (versions) of this RFP/RFQ and all related appendices are available through the Purchasing Department’s Business Opportunities Web Page under the “Procurement, General and Professional Service Opportunities” tab.

<http://www.deltacollege.edu/dept/purchasing/SJDCBusinessOpportunities.html>

**MANDATORY PRE-PROPOSAL MEETING.** All Respondents will be required to attend **one (1)** pre-proposal meeting. For the convenience of Respondents, two (2) pre-proposal meetings will be held, but **eligible Respondents need only attend one of the two scheduled meetings; the same information will be presented at each meeting.** Each meeting will take place in the Board Room in the L.H. Horton Administration Building (Admin 103) on the District’s main campus, 5151 Pacific Avenue, Stockton, California. See Article 2 (RFP/RFQ SCHEDULE) for the dates and times of these meetings. A Respondent’s Proposal may not be considered if the Respondent has not attended one of the pre-proposal meetings. A valid parking permit is required to park on the main campus. A parking permit may be purchased at the parking lot for two dollars (\$2.00) (coins only). **RESPONDENTS ARE REQUIRED TO CLOCK IN. ARRIVALS MORE THAN 10 MINUTES LATE WILL NOT BE ALLOWED IN THE ROOM.** A campus map has been posted to the Delta College Purchasing’s website (given above) to identify the parking lots closest to the Administration Building.

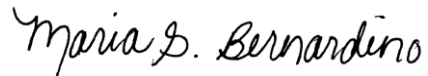
Upon receipt, interested parties should review the entire RFP/RFQ. Questions or requests for clarification must be submitted, in writing, to Kathy Roach of MurphyTate, LLC, Bond Program Manager & North County Center Project Manager, via e-mail at [kroach@deltacollege.edu](mailto:kroach@deltacollege.edu) not

later than 1:00 p.m. (Pacific Standard Time) March 19, 2015. The San Joaquin Delta Community College District's Board of Trustees ("Board") reserves the right to reject any or all proposals and further reserves the right to waive any informalities or irregularities in the proposals.

We appreciate your interest in San Joaquin Delta Community College District and our intentions to establish a community college educational center in the northern region of the District's boundaries.

Dated: February 12, 2015

SAN JOAQUIN DELTA COMMUNITY COLLEGE DISTRICT

A handwritten signature in black ink that reads "Maria S. Bernardino". The signature is written in a cursive, flowing style.

Maria Bernardino  
Director of Purchasing and Contracts Services

## Article 2. RFP/RFQ PROCESSING SCHEDULE

February 11, 2015	RFP/RFQ posted at various websites and advertised in local newspapers and other educational and civic institutions in the District's northern boundaries.
February 24, 2015	<b>First Pre-Proposal Meeting 4:30 – 5:30 PM.</b> Presentation by District administration officials ("Administration") on educational program planning, as well as presentation by the District's NCC Project Manager regarding overview of RFP/RFQ and the Preferred Site Attributes (See Article 7 of this RFP/RFQ), California Division of the State Architect ("DSA") certification after the fact, the District's currently-owned Liberty Road Property (see below), and other issues. See Article 1 above for additional information about Pre-Proposal Meetings.
March 12, 2015	<b>Second Pre-Proposal Meeting 4:30 – 5:30 PM.</b> See above for description.
March 19, 2015	<b>Last day for Respondents to submit written questions to District regarding RFP/RFQ.</b> Questions must be submitted by 1:00 p.m. (Pacific Time) to Kathy Roach of MurphyTate, LLC, Bond Program Manager & North County Center Project Manager, via e-mail at <a href="mailto:kroach@deltacollege.edu">kroach@deltacollege.edu</a>
April 2, 2015	Responses to Respondent questions and comments to be issued. Final addenda to RFP/RFQ issued.
<b>April 9, 2015</b>	<b>Proposal Due Date, Thursday by 1:00 p.m.</b>

In addition to being evaluated against and compared to all competing Proposals, all Proposals will be evaluated against and compared to certain property already owned by the District (the "Liberty Road Property")(see Article 4), which is currently undergoing a Feasibility Study to assess its suitability for the proposed North County Center. Because of the nature of this solicitation and the time required to complete the Liberty Road Property Feasibility Study, it is difficult to anticipate the time that will be needed to clarify and evaluate the submitted proposals, brief the Administration, and to determine the short-list of qualified Proposals. Therefore, this schedule is an estimate and subject to change. Short-listed Proposals, if any, will be brought before the Board of Trustees along with the outcome of the District's Feasibility Study of the Liberty Road Property.

April—May 2015	Internal Technical Team Review of Proposals and Q&A with Respondents to clarify content of proposals. Preparations to brief the Administration and receive direction as to those Proposals to be short-listed.
June—July 2015	As necessary, the Technical Team will engage further with those short-listed Respondents or will conduct additional due diligence needed to provide a full briefing to the Administration, and ultimately, the Board.

July—August 2015	The Technical Team will brief the Administration in one or more meetings, and the Administration will determine which Proposals to bring to the Board for consideration. Completion of the Liberty Road Feasibility Study is slated to coincide with this deadline. The Technical Team will prepare a presentation to the Board.
August 2015	Board Meeting Workshop - Closed Session to present and recommend one or more Proposals (sites/facilities) for consideration for the North County Center and to obtain the Board's authorization to enter into additional due diligence, feasibility study(ies), or project planning as necessary on the short-listed proposals or pursue development of the North County Center on the Liberty Road Property.

### ARTICLE 3. INSTRUCTIONS FOR SUBMITTING PROPOSALS

Interested parties are invited to submit their Proposals, as described below, within one (1) unbound copy marked "Copy for Reproduction" and ten (10) bound copies. The 10 bound copies must include all information required by this RFP/RFQ, and will be maintained by the District as confidential. Additionally, Respondents must submit a portable storage drive (flash drive) with an electronic copy (PDF) of the entire Proposal, which shall be maintained as confidential by the District. Proposal format shall be 8.5" x 11" with the page limitation not to exceed 15 pages including any written, photographic or graphic material. The front and back cover pages, divider sheets or tabs, and the signature page, will not count against the 15 page allowance. Letters of support from public agencies, community organizations and groups, etc. are allowed, and are to be included as an appendix to the Proposal and will not be counted in the maximum page count.

The Proposal may be less than 15 pages but must address all the requirements of this RFP/RFQ. The body text for the Proposal should be in an easily readable font and not smaller than 10 point type. Margins should be 1 inch on all sides.

**Note: Proposals failing to comply with the page limitation and other RFP/RFQ requirements may be considered non-responsive and disqualified from the selection process, and may not be evaluated.**

The unbound copy marked "Copy for Reproduction" shall be formatted as follows:

- a. No divider sheets or tabs.
- b. Text printed on one side only (i.e. no back-to-back pages).
- c. Pages with proprietary information<sup>1</sup> removed.**
- d. A cover sheet listing the Respondent's name, the total number of pages, and identification of those pages that were removed due to proprietary information.

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<sup>1</sup> Certain information, which is considered to be the property of the holder (here, "Respondent"), that is not public knowledge (such as financial data, trade secrets, and other information) and which, if released to the public realm, might be used to the advantage of a party other than the Respondent.

Submission of Proposals must be received no later than 1:00 p.m., on Thursday, April 9, 2015 and must be directed to:

San Joaquin Delta Community College District  
Attn: Maria Bernardino, Director of Purchasing and Contract Services  
Purchasing Department  
Danner Hall Building, Lower Danner-B4  
5151 Pacific Avenue  
Stockton, CA 95207-6370

In order to control information disseminated regarding this RFP/RFQ, all Respondents are requested not to make personal contact with any members of the Board of Trustees, any District employees, or any consultants to the District, regarding the subject matter of this RFP/RFQ, with the exception of Kathy Roach of MurphyTate, LLC at [kroach@deltacollege.edu](mailto:kroach@deltacollege.edu). Questions or requests for clarification must be submitted, in writing, to Kathy Roach via email by the date noted within Article 2 of this RFP/RFQ.

This RFP/RFQ is **not** an offer by the District to contract with any party responding to this RFP/RFQ. The District reserves the right to reject any and/or all responses to this RFP/RFQ. All materials submitted to the District in response to this RFP/RFQ shall become the property of the District and, subject to certain exceptions in accordance with the requirements of the California Public Records Act (California Government Code § 6250 *et seq.*), may become subject to disclosure to the public upon request.

#### **ARTICLE 4. BACKGROUND**

San Joaquin Delta Community College District serves the needs of students and the community by providing excellent post-secondary education to the associate degree level, general education and preparation for transfer to other post-secondary institutions, career and technical education, economic development, and the development of intellectual autonomy. To achieve this objective, the faculty and staff are committed to offering high quality instructional programs, student services, and efforts to enhance the public good. The District employs 219 tenured and tenure track full-time faculty and more than 400 adjunct faculty to provide high quality instructional services to nearly 19,000 students. The FY2014-2015 operating budget was over \$85 million.

The District is a single-college district governed by a seven-member elected board of trustees and a student representative. Trustees are elected to serve four year terms from each of the seven geographic areas within the District. The District operates three educational campuses recognized by the Accrediting Commission for Community and Junior Colleges (ACCJC) to offer more than half of its degree or certificate programs at locations in Stockton (5151 Pacific Avenue), Manteca (5298 Brunswick Road), and Mountain House (2073 South Central Parkway), California.

In 2004 the voters passed Measure L, a \$250 million general obligation bond measure, for the District. The intent of the bond was to provide needed improvements to the Stockton Campus, relocate the then-existing Tracy Center to the Mountain House location, pursue property acquisitions for other center locations in the District, modernize and expand existing facilities, and construct new facilities. The full language of the Measure L Proposition can be reviewed at the College's website, at the link below.

<http://www.deltacollege.edu/bond/bond/BallotLanguage.html>

One particular portion of Measure L noted the following with respect to establishing a “San Joaquin Delta College Education Center in Lodi/Galt Area to Accommodate Growth and Increasing Student Enrollment:

Acquire a site(s) in the Lodi/Galt area to provide permanent classrooms, labs, job training and college transfer counseling buildings facilities, and allow local students greater access to an affordable education...”

Toward this end, in 2006, the District conducted its due diligence and used Measure L funds to acquire a 140 acre site (south of the City of Galt) bounded by Liberty Road, North Lower Sacramento Road and Highway 99 in the northern portion of San Joaquin County; the property is comprised of three adjacent parcels and is generally referred to as the District’s “Liberty Road Property.”

The District now seeks to develop an educational center in the northern part of the official District boundaries, and the Board has currently authorized \$15 million for this project. An effort to update the District’s Educational Master Plan (EMP) has been underway since late September 2014, and an updated EMP is anticipated to be finalized and adopted by the Board within the first half of calendar year 2015. Furthermore, the District is currently conducting an updated Feasibility Study of its Liberty Road Property to assess its ability to support the envisioned educational programs at an acceptable level of cost—both in terms of 1) initial capital for both on- and offsite-infrastructure and facilities development, 2) on-site environmental constraints and mitigation costs, and 3) ongoing operational and maintenance costs for the life of the facilities (“life cycle costs”).

## **ARTICLE 5. INTRODUCTION**

The District’s Liberty Road Property is anticipated to largely meet the parameters of the Preferred Site Attributes (as described in Article 7). However, other sites and facilities might exist within or near the defined geographical boundaries that meet the Preferred Site Attributes and have development attributes that could prove to be in the best interest of the District, its constituencies, and the taxpayers at large. Therefore, in parallel with the Liberty Road Property updated Feasibility Study, the District is simultaneously requesting proposals for other potential sites/facilities in the North County region that can adequately and functionally accommodate timely initial and future phases of the District’s “North County Center” (NCC).

The District is issuing this RFP/RFQ for the purpose of identifying a short-list of sites/facilities that best meet the Preferred Site Attributes listed in Article 7. Accordingly, the District is requesting interested parties to submit a written response to this RFP/RFQ in accordance with the schedule presented in Article 2. As stated previously, Respondents shall either own the site or facility or be an authorized agent of the owner able to act on the owner’s behalf through the site selection process. If the Respondent is acting as an authorized agent of the site/facility owner, Respondent must provide supporting documentation (executed by all applicable parties) of its authority as part of its Proposal.

The District intends to identify several sites/facilities from the responses to this RFP/RFQ and enter into more detailed discussions and possibly further negotiations with the Respondents. The results of these detailed negotiations may be the final selection of a preferred site for the District’s North County Center in addition to or in lieu of the District’s existing Liberty Road Property.

As noted earlier, the District will entertain proposals that offer to donate land and/or facilities, in addition to offers of sites/facilities for the District’s purchase. Respondents could derive some



tax benefits through such donations. As a political subdivision of the State of California, the District is a tax-exempt organization, donations to which may be reported as charitable contributions under Internal Revenue Service Code § 170(c). The District makes no representations regarding the deductibility of such contributions or the availability of other tax benefits to any donor or individual Respondent, all of whom are encouraged to consult with financial and tax advisors. To the extent that any such benefits may be available to a Respondent, the value of donated property/facility shall be determined in accordance with the District's standard accounting policies and shall not exceed its fair market value at the time of donation to the recipient as established by an agreed upon independent appraiser(s) (e.g., certified real property appraiser) and certified by the Superintendent/President of the College.

The District anticipates purchasing or accepting a gift of the selected site and developing the site itself. However, the District will also consider proposals where a Respondent-owned or Respondent-affiliated development company would construct the infrastructure and facilities; however, the District will not require this.

The rationale for pursuing this solicitation is similar to that used in much of the District's Purchasing and Contracts Department. By using a fair and structured process, the District can:

- 1) Clearly communicate the District's needs. This solicitation communicates the needs in terms of educational mission and offerings as well as site and facilities infrastructure development, life-cycle, and operating cost considerations. Establishing clear, written documentation of the District's needs and preferences, and corresponding preferred site attributes, is critical to ensuring that the end result (the final site/facility and project to be pursued) will meet the District's short and long-term goals and the goals of the overall CCC System and its Board of Governors in an optimal way.
- 2) Use a structured process to best meet the District's needs. The solicitation process requires a formal set of communication channels to ensure questions and answers are documented and dispersed to all relevant parties and websites. This reinforces clarity and fairness as the District goes about identifying the best option for establishing a North County Center. Part of communicating the District's needs requires highlighting the State of California's regulations, policies, guidelines, and processes that frame and dictate how the District must pursue the development of a site /facilities, and authorize the District to implement the educational programs to be offered at the center. As just one example, the seismic structural fire/life/safety standards for facilities that house community college students exceed those established for general commercial construction and are governed by the California Division of the State Architect, which is one key regulatory authority having related jurisdiction over the District's development of its site, infrastructure, and facilities.
- 3) Solicit and collect similarly-structured proposals within a designated period of time.

Multiple persons, groups, or organizations within the District community may believe they own or know of property or facilities that would meet the District's needs. These stakeholders believe that the District should consider this knowledge or these suggestions. Yet receipt of multiple inquiries or data, in various forms and at different times, by different district leadership and staff does not adequately allow for the proper analysis, consideration, and evaluation that such an important decision with implications for use of taxpayer dollars demands.

The District's RFP/RFQ process aims to solicit interest, and then require Respondents to submit meaningful and well documented proposals with factual data that can be

analyzed and fairly assessed by technical professionals with experience in community college campus planning and facilities-related project development. Furthermore, this process provides a framework for such proposals to be brought forward simultaneously to encourage fairness in competition and allow the District to review, consider, and determine which proposals (if any) to short-list and be able to adequately evaluate such proposals against its updated Feasibility Study of the Liberty Road Property.

- 4) Short-list those proposals that possess the attributes desired by and would adequately achieve the goals of the District.

Following its evaluation, the District's NCC technical team will brief the District's Administration on the evaluation process and the proposals received that have adequately addressed the requirements of this RFP/RFQ. The technical team will provide its feedback on the proposals to the District's Administration, which will then determine which Proposals, if any, are to be short-listed.

Subsequently, and as necessary, the technical team will further clarify Proposals with Respondents or conduct its own due diligence to support the presentation of reasonable analysis of all Proposals and the Liberty Road Property to the Administration. The technical team will then brief the Administration, and the Administration will provide direction that will the number and shape of the subsequent recommendation and closed-session workshop with the District's Board of Trustees.

In this closed-session workshop, the District's Administration and the NCC technical team will brief the Board on the outcome of the updated Liberty Road Feasibility Study, and bring forth the most promising competing alternative Proposals (if any) from this RFP/RFQ process. The District has retained a local no-commission real estate advisor to serve on the NCC technical team. This individual will be conducting a real estate market assessment in parallel with the NCC technical team's feasibility study of the Liberty Road Property and this RFP/RFQ to ensure that appropriate real estate opportunities are brought forth to the District for consideration within the same timeframe and to assess the quality of the price proposals.

## **ARTICLE 6. REGULATORY AND OPERATIONAL CONSIDERATIONS THAT SHAPE THE DISTRICT'S DEVELOPMENT OF EDUCATIONAL CENTERS AND SITE SELECTION**

The District's actions and decisions related to siting, design, and construction of facilities, management and control of property, sale and disposal, and other similar issues related to educational facilities are largely governed by California Education Code Part 49, Community Colleges, Education Facilities [§§ 81003. – 82548.], which includes the California Code of Regulations Title 24 and the Field Act,<sup>2</sup> and are subject to review and approval by the California Community Colleges ("CCC") Chancellor's Office and Board of Governors. As they apply to facilities design and construction, these requirements are much more stringent and conservative than those used in commercial construction. Appendix A provides a listing of the chapters and articles that are contained within this portion of the California Education Code. This body of regulations and others, such as the California Environmental Quality Act (CEQA), play a significant role in shaping the requirements for the site selection and development of physical facilities for community college educational centers.

The Preferred Site Attributes set forth in Article 7 reflect both mandatory requirements per the Education Code and good practices related to land and construction project development by public entities, and educational institutions in particular. The District's Preferred Site Attributes reflect a conservative approach to site investigation and potential purchase and development to ensure the safety of students, faculty, the Administration and members of the community who will visit the center, as well as good stewardship of the taxpayer funds expended in such an investment.

For any CCC district, two key goals of any new educational center are:

- 1) Approval by the Chancellor's Office and Board of Governors, and
- 2) Attracting students as quickly as possible such that enrollments exceed 1,000 Full Time Equivalents (FTEs) annually.

Meeting this enrollment threshold is critical as it is at this point when the State of California will provide operational funds to the District; prior to this, all operations must be funded and paid for by the District from its general fund or reserves, which is unsustainable for a long period of time. Also, it is at this enrollment threshold that the educational center becomes eligible to compete for facilities-related capital funds.

The CCC Chancellor's Office is charged with the administration and oversight of particular aspects of each community college district's planning and operations, including facilities development, operations, and maintenance. Currently, the Chancellor's Office is leading an effort to update the overall CCC System-Wide Long Range Master Plan, which is anticipated to be completed by the end of calendar year 2015 and presented to the Board of Governor's for approval in January 2016. The plan was last created/updated in 1991, and much has changed in the regulatory and operating environment (e.g., delivery methods for classes, State funding levels for higher education) in the intervening years. This CCC System Long Range Master Plan Update will undoubtedly influence the physical development of the CCC System, including the projections of need related to new educational centers, and the specific implications of the Master Plan Update to the San Joaquin Delta Community College District are unknown at this time. In addition, development of the District's proposed NCC will be subject to certain

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<sup>2</sup> The Field Act can be reviewed at Education Code sections 17280-17317 and 80030-81149.

discretionary approvals of the Chancellor's Office and the Board of Governors; as a result, the District cannot predict with certainty when or if the proposed NCC will be approved and constructed.

Any new or existing buildings proposed for use by the District must meet the current version of the California Division of the State Architect (DSA) seismic and structural, fire/life/safety requirements (or be rehabilitated to meet those requirements). If a proposed facility does not meet the applicable standards, the District would be required by the State of California to improve the facility to meet current requirements and obtain DSA certification thereof—a process that is costly and time consuming. Therefore, the District strongly encourages all Respondents proposing facilities that were not specifically designed and built for housing students to study and understand the process and potential costs of rehabilitating such facilities for use by the District and to structure their price proposals accordingly.

Respondents should visit the DSA website to learn about these requirements.

Under DSA Quicklinks on the right of the page you can click on "Publications" and then "Rehabilitation/Adaptive Reuse" and it will take you to the following section. You can click on the bullet items for more information about converting a non-school building to school use:

### **Rehabilitation/Adaptive Reuse**

#### **Navigating the Building Code Requirements for the Seismic Rehabilitation of Schools in California**

<http://www.documents.dgs.ca.gov/dsa/pubs/2012-SEAOC-Conv-SeismicRehabSchools.pdf>

Adaptive Re-Use: An Option For California's Schools (PDF - 300 KB)

[http://www.documents.dgs.ca.gov/dsa/pubs/feasibility\\_guidelines\\_pub\\_dsa\\_reh\\_01.pdf](http://www.documents.dgs.ca.gov/dsa/pubs/feasibility_guidelines_pub_dsa_reh_01.pdf)

#### **REHABILITATION OF EXISTING NON-CONFORMING BUILDINGS FOR PUBLIC SCHOOL AND CALIFORNIA COMMUNITY COLLEGE USE**

[http://www.documents.dgs.ca.gov/dsa/pubs/DSA\\_Rehab\\_Stakeholders.pdf](http://www.documents.dgs.ca.gov/dsa/pubs/DSA_Rehab_Stakeholders.pdf)

Each pdf will also be made available along with this RFQ/RFP/RFQ at the District's Purchasing & Contracts webpage and bid page.

### **ARTICLE 7. PREFERRED SITE ATTRIBUTES**

The District seeks a site for its "North County Center" campus that possesses the following attributes, to the maximum extent practicable, within a setting appropriate for a community college center:

The North County Center site must accommodate and allow for an efficient and well-designed educational center containing a maximum build-out of 130,000 -150,000 Gross Square Feet (GSF) of facilities with acreage for parking, associated utilities and infrastructure and 8 - 10 acres of undeveloped fertile land for a successful educational farming program. Total acreage must be in the range of 25 to 40 net developable /usable acres.

The ideal site will be within the defined geographic area in northern San Joaquin County, as

shown in Appendix B.

1. In the event a site (legal parcel or parcels) is greater than the noted net developable (25-40 acres), the District will evaluate and consider acquiring property in excess of the 25-40 net acres if those additional acres are deemed by the District to provide significant benefit to the District from a planning, operational, and open-space standpoint.
2. While reflecting the nature of northern San Joaquin County, the site should allow for sustainable land use, low impact development, and circulation patterns that achieve an optimal center (campus) land plan and, to the greatest extent practicable, reduce overall building footprints, conserve open space, and maximize bicycle, pedestrian, and public transit/shuttle services. Simultaneously, the site should allow for the placement, organization, and massing of buildings and allow for pedestrian outdoor spaces within a campus setting concept that is respectful of the environment in which the site is located. For instance, a five-story building with a 10,000 GSF footprint located within a commercial shopping center is not compatible with the District's vision for the North County Center.
3. The site should be located within or adjacent to a city or town that has community-wide support and interest in development of the site/facility and the resulting educational center to be developed, operated, and maintained.
4. The site/facility should be accessible through a variety of modes of personal and public transportation, including pedestrian, bicycling, personal vehicles/carpooling, and local bus and shuttle services.
5. The site/facility should be proximate to either existing or planned public services (such as restaurants, cafes, general retail, etc.). The site should be proximate to existing or planned publicly-accessible recreational facilities such as health clubs and public parks.
6. The site should be free of all easements and other encumbrances (e.g., legal, environmental, financial, Williamson Act, easements, irrevocable offers of dedication, etc.) that could in any manner restrict or constrain the District's ability to functionally and financially develop the site/facility consistent with the District's goals and State of California requirements and in a timely manner.
7. Site characteristics should facilitate efficient and reasonable design and constructability of facilities (buildings, surface parking lots, etc.), infrastructure development (off-site and on-site roads, underground utilities, pedestrian walkways, etc.), and open space. The site should allow for connection to public electrical, natural gas, sanitary sewer, storm drainage, and water utilities for the lowest possible cost, both in terms of initial capital investment and in life cycle costs.
8. The site should have, or it should be reasonably feasible to attain, unimpeded access to and ability to connect to public fiber optic paths (telephone, cable provider or third party) and dual cable entrance facilities.
9. The site should require minimal or no environmental remediation/mitigation or have a funded plan approved to address such items. Any prior decontamination/remediation of the site shall be documented and in accordance with state and federal requirements.
10. The site must be at least two (2) nautical miles from the nearest airport runway and the

potential educational facilities. The site should have adequate separation (approximately 1,500 lineal feet) from railways, freeways, high pressure natural gas transmission lines, etc. or electromagnetic radiation (e.g. overhead transmission lines or power substation).

11. The site should have minimal overdraft (groundwater depletion) and groundwater related subsidence. Areas of development (buildings, exterior spaces designed for pedestrians to gather, parking lots) within the site must be out of the 100 year flood zone as defined by Federal Emergency Management Agency (FEMA). The site should not be located in areas where there is the risk of flooding caused by storm-related events, potential dam failure, or coastal hazards (including sea water rise) that cannot be mitigated at a reasonable expense and within a reasonable time-line. If buildings exist on the site, they should include systems for appropriate storm water management and wastewater discharge related to existing aquifers, waterways, and storm water systems.

12. The site should not be located on an active fault zone.

13. The site should have no occurrence of highly-compressible ground surface conditions (e.g. areas known or considered prone to liquefaction).

14. Any existing building(s) that a Respondent proposes for use by District must meet the current version of the California Division of the State Architect (DSA) seismic and structural, fire/life/safety requirements (or be subject to rehabilitation to meet those requirements).

## ARTICLE 8. CONTENT OF THE RESPONSE FOR PROPOSALS

San Joaquin Delta Community College District ("District") invites a submission of Proposals from Respondents interested in offering a site (land), facility(ies)(building(s)) or both (as a donation or purchase) that address the content of this RFP/RFQ. Requirements delineated below also indicate the maximum number of pages allowed per section. Respondents shall either own the site or facility or be an authorized agent of the owner able to act on the owner's behalf through the process.

As noted above, Respondents are required to attend the **mandatory** pre-proposal meeting. The Respondents' proposals will be short-listed based upon the District's internal evaluation process and subsequent decision by the District. In its evaluation of the Proposals, the District's technical team may request additional information or documents to further clarify the proposals. For example, Respondents might be asked to provide additional clarification or documents, such as: deeds; title report; any Phase I site assessment reports; and other similar land development documents. The District acknowledges and accepts that not all Respondents will have equivalent levels of documentation readily available; the technical team will build that into its evaluation and estimation of what the District's due diligence/feasibility efforts might entail and cost to conduct.

Each response/Proposal must include the following items. Page maximums are noted below; however, Respondents do not necessarily have to use the maximum number of pages shown. Relative to each of the items, Respondents shall clearly cite the source of their information including the entity that prepared the document or record and the data thereof.

1. General – Provide a Cover Letter and Authority Verification (2 pages maximum)

A. Identify the Respondent's name and address, RFP/RFQ solicitation number and title, and the name(s), title(s), email address, and telephone number(s) of the

individuals who have commitment authority on behalf of the site/facility being proposed.

- B. If Respondent is acting on the behalf of the property or facility owner, include signed documentation indicating that Respondent is authorized to act as the property/facility owner's agent through the end of the District's site acquisition process.

2. Summary Statement of the Proposal and its Merits (1 page maximum)

- A. Provide a clear statement of the Proposal being made and give an overview of nature of the site/facility being proposed.
- B. Provide a concise statement of the key reasons why the proposed site and/or facility should be short-listed for further consideration as Delta College's North County Center.

3. Overview of Respondent (2 pages maximum)

- A. Provide a summary of the site's ownership, legal description, a description of the Respondent's legal structure, team, organization, and related information.
- B. Describe Respondent's business and real estate development project experience in California, the Central Valley, and the locality of the proposed site, including the dates and length of time of such experience(s).
- C. If the proposed site (land) is privately owned, provide a statement indicating how long the current property owner has owned it.
- D. Provide a brief description of any known conflicts of interest Respondent might have in relation to this Proposal or the contents therein.

4. Site/Facility Use – Past and Present (1 page maximum)

- A. Describe the site/facility history, and describe the past and present tenants and uses of the site/facility.

5. Location, Size and Shape, and Accessibility (4 pages maximum)

- A. Provide a map(s)/exhibit(s) of the proposed site/facility in the context of the nearest city or town and indicate if the site/facility is located within the preferred geographic area depicted in Figure 2. Note the driving distance (in miles) from San Joaquin Delta Community College District's Stockton campus, which is located at 5151 Pacific Avenue in Stockton, CA.
- B. Within a map and/or exhibit clearly identify the approximate dimensions of the site, the gross acreage, and net developable acreage of the site/facility, including any easements, future development plans, etc. that might constrain the District's use of the site/facility. Provide assessor parcel map(s) identifying the location of the site/facility.

- C. Identify and describe the existing General Plan and Zoning designations for the site/facility and the land use designations of all adjacent properties. Identify and describe any existing entitlements (including environmental impact reports), permits, encumbrances, etc.
  - D. Identify all nearby major roadways, including interstate freeways, state highways, and corresponding off-ramp(s)/on-ramp(s). Note the names of major transportation routes to and around the site/facility. Describe adjacency to or nearby roadways with a high volume of traffic.
  - E. Identify and describe existing and proposed transportation systems/routes (public transit, public agency approved bike routes, pedestrian systems, etc.) to the site.
6. Geotechnical and Related Characteristics (1 page maximum)

Describe and highlight the key, salient issues related to the topography and soils of the site/facility. Indicate characteristics related to the site, such as:

- A. General topographic characteristics of the site
  - B. Soil characteristics that would inhibit common and industry standard design and construction practices related to underground infrastructure, building foundations, surface parking lots, etc.
  - C. Proximity to a seismic fault zones
  - D. In a dam inundation area or 100-year flood plain as determined by Federal Emergency Management Agency (FEMA).
  - E. Surface and subsurface drainage issues
  - F. Appropriate (fertile) land for agriculture and animal husbandry programs
  - G. Indicate and provide any knowledge related to the soils and their composition, stability, bearing capacity, percolation rates, level of compaction, etc.
  - H. Indicate if there is any danger of land slides or liquefaction on the property.
  - I. Indicate and identify any and all water courses (creeks, sloughs, detention/retention basins) on or near the property.
7. Environmental, Health, and Safety (EH&S) Issues (1 page maximum)
- A. Identify the distance (in nautical miles) of the site/facility from an airport runway.<sup>3</sup>
  - B. Identify the distance of the site/facility from high-pressure lines and transmission lines, for example, natural gas, gasoline, sewer, or water lines.
  - C. Identify the distance (in miles) from active railroad tracks.

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<sup>3</sup> See California Education Code (EDC), Title 3 Postsecondary Education; Division 7 Community Colleges; Part 49 Community Colleges, Education; Facilities, Chapter 1 School Sites; Article 2. School Sites; Sections 81031 and 81033(c).



- D. Indicate if the site/facility is adjacent to high-voltage power lines, and if so, note the KV of those power lines and the distance (in feet) from the site/facility to the easement associated with the high voltage lines. Also note if the utility company has any plans to (a) increase the voltage of those lines; or (b) build other towers on the easement. Identify which agency owns/has jurisdiction over those lines.
  - E. Identify if a Phase I Environmental Site Assessment has been conducted for the site. If it has, summarize the conclusions from that Assessment. If a Phase I Environmental Assessment has not been conducted, do you have knowledge of or suspect that contaminants or toxics might be present in the soil or groundwater (such as from landfills, pesticides, herbicides, dumping, chemical plants, etc.)? If yes, describe in detail.
  - F. Identify any and all applicable sources of noise that may impede with the instructional process, such as high decibel noise sources from manufacturing or other industrial operations; proximity to open pit or underground mining; proximity to an interstate, highways, freeways.
  - G. Is the site/facility free of air, water, soil and noise pollution? Note all potential areas of concern such as pesticide spraying either by farm equipment or crop dusters.
8. Utilities, Public Services and Amenities (1 page maximum)
- A. Address and describe the availability of utilities and identify utility (e.g., water, sewer, power, telecommunications, etc.) service providers.
  - B. Identify local public service providers (public transportation; police, fire/emergency response agencies) and describe the availability of such services; indicate whether such services are volunteer-based or otherwise and indicate response times if known.
  - C. Describe the proximity to, and nature of any nearby restaurants, general retail, or potential for service by mobile food trucks, libraries, parks, museums, and other community services.

9. Cost (1 page maximum)

State the total site and/or facility(ies) price, per acre price (if applicable), and all relevant and material terms and conditions relating to the Respondent's offer to sell/convey and District's potential acquisition of the site.

**NOTE: The final price paid for any site or facility to be acquired by the District shall be subject to negotiation, an appraisal process, and District Board of Trustees' approval.**

10. Local community support for or opposition to a project of this type and scale (1 page maximum)

- A. Describe the local attitude toward the project and identify and describe any potential financial incentives (public and/or private) that may be offered for selection of the site.

- B. Include as an Appendix, any letters of support from local municipalities, neighborhood groups, and community and business organizations. The letters in this Appendix will not count against the Respondent's overall page count.
- C. Disclose any known community objections or opposition to a project of this type on the proposed site.

## **ARTICLE 9. RFP/RFQ QUESTIONS**

The District will respond to questions submitted **in writing** via email to Kathy Roach at [kroach@deltacollege.edu](mailto:kroach@deltacollege.edu) on or before 1:00 PM Pacific Standard Time **March 19, 2015**. All answers will be provided in writing and posted on the District's website. Questions received after this date will not be answered.

**All emails shall contain "RFP/RFQ #LA-RFP-45 in the email subject line.**

**Email questions to:**

**[kroach@deltacollege.edu](mailto:kroach@deltacollege.edu)**

Answers to questions that are germane to the interpretation of the District's RFP/RFQ requirements and submitted prior to the deadline will be posted, with other relevant information and documents, on the District's website:

<http://www.deltacollege.edu/dept/purchasing/SJDCBusinessOpportunities.html>

## **ARTICLE 10. RFP/RFQ AMENDMENTS and CLARIFICATIONS**

If necessary, the District will provide supplementary information and clarifications in amendment form with specific instructions. Amendments will be posted on the websites listed within Article 9. Respondents are encouraged to check the website frequently to obtain any new postings. Respondents are solely responsible for obtaining any and all information posted on the District's website.

## **ARTICLE 11. SUBMITTAL OF PROPOSALS**

Proposals shall be submitted **at or before 1:00 PM (PST) on April 9, 2015**. Respondents shall submit one (1) unbound copy marked "Copy for Reproduction", ten (10) bound copies, and one portable storage drive (flash drive) with an electronic copy (PDF) of their entire proposal (see specific submittal requirements in Article 3) to:

San Joaquin Delta Community College District  
Attn: Maria Bernardino, Director of Purchasing and Contract Services  
Purchasing Department  
Danner Hall Building, Lower Danner-B4  
5151 Pacific Avenue  
Stockton, CA 95207-6370

Respondents are solely responsible for assuring that their Proposals are prepared and submitted in accordance with the described requirements. There will be no public opening of Proposals, and the identity of Respondents will remain confidential until a decision is rendered by the District's Board of Trustees regarding the preferred site for the District's North County Center.

Acceptance of late Proposals will be at the District's sole discretion. The District reserves the right to reject any and all responses, to waive any minor irregularities in any response, and to cancel this RFP/RFQ at any time without any cost to the District.

The District will not reimburse any Respondent or be liable for the cost of preparing and responding to this RFP/RFQ.

#### **ARTICLE 12. PROPRIETARY<sup>4</sup> INFORMATION**

The District will treat financial information in the response to this RFP/RFQ as proprietary. The District prefers not to receive proprietary technical information. If the Proposal includes any proprietary technical information, it must be marked "Proprietary" or equivalent. The District will use reasonable efforts to (1) maintain such proprietary information in confidence, giving it the same degree of care, but no less than a reasonable degree of care, as it exercises with its own proprietary information to prevent its unauthorized disclosure; and (2) only disclose such proprietary information to its employees, agents, consultants, subcontractors or Government personnel who have a need to know in order to achieve the goals stated within this RFP/RFQ.

#### **ARTICLE 13. BASIS FOR SHORT-LISTING AND POSSIBLE SELECTION**

The District will evaluate each proposal based on the information provided, the District's own experience, evaluation and assessment by the District's retained professional consultants, and/or information from public sources. Additional factors not included in the various proposals may also be considered. The District reserves the right to negotiate with any one or more Respondent upon terms that may differ from the terms and conditions originally solicited or offered.

The actual purchase price of a proposed site is one factor to be considered by the District. Purchase price is not the only factor to be considered by the District, and other factors associated with the various sites may outweigh the comparative acquisition costs, even if a proposed site is offered to the District at no cost.

The District intends to evaluate the submitted proposals and identify anywhere from zero to five maximum potential proposals that offer the best overall northern District boundary location for the planned North County Center. The resultant identification of a limited number of qualified proposals is referred to as a "short-list".

The qualification criteria the District will use to evaluate sites/facilities include the following factors (not necessarily listed in order of importance):

1. Location and proximity within the preferred geographic area that provides an environmental suitable for and posing the attributes supportive of an educational center (near term and long term).
2. Development capacity to match the District's needs.
3. Ability to provide an environment that would facilitate excellent academic instruction and

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<sup>4</sup> Certain information, which is considered to be the property of the holder (here, "Respondent"), that is not public knowledge (such as financial data, trade secrets, and other information) and which, if released to the public realm, might be used to the advantage of a party other than the Respondent.

opportunities outlined in Appendix C.

4. Compatibility with surrounding land uses.
5. Environmental site constraints associated with development of the site.
6. Public transportation accessibility.
7. Proximity to public amenities that enhance the workplace and educational environment.
8. Community support.
9. Sustainable and/or low-impact development potential or opportunities.
10. Existing and potential utilities capacity and the ability to secure low-cost utility service.
11. Existing facilities (buildings) potential for adaptive reuse at a reasonable initial cost and with sustainable lifecycle costs.
12. Ability to develop the site in a manner consistent with the District's program and schedule.
13. Costs of site acquisition and all other known and anticipated costs associated with development of the site.
14. Impact of adjacent development(s)

**The CCC Chancellor's Office and Board of Governors must approve both the District's execution of a Letter Of Intent to establish a new educational center, and the subsequent Needs Assessment to be developed by the District with respect to the preferred site.**

#### **ARTICLE 14. REQUIREMENTS AFTER RESPONSE**

The Respondents may be required to submit additional information that allows the District to make a more informed decision about placing the site/facility(ies) on the short-list. Following the submittal of proposals, some or all Respondents may be required to provide additional information by responding to requests for clarifications, submitting additional information upon request, and/or making a presentation and providing immediate responses to questions. Any requests for additional clarifying information will help support the District in its deliberations and decision regarding which Respondents and proposals are short-listed.

#### **ARTICLE 15. APPROXIMATE PROJECT SCHEDULE**

It is anticipated that the District will determine its preferred location for its North County Center by late August 2015. After completion of the District's site selection process and the CCC Board Of Governors' approval of the CCC Long Range Master Plan update, the District intends to submit a "Letter of Intent" to establish the subsequent timeframe for establishing "education center" status with the CCC Chancellor's Office, and required project planning, environmental review, design and design review and approvals, procurement, construction and start-up of operations will vary depending on which proposal and site/facility is ultimately selected.

## **ARTICLE 16. RESERVATION OF RIGHTS**

The District reserves the right to enter into discussions with any Respondent on any aspect of this RFP/RFQ. The District further reserves the right to request additional information or clarification from any Respondent as necessary. The expected result of this RFP/RFQ is identification of a short-list of Proposals (sites/facilities) for further in-depth evaluation.

By participation in this RFP/RFQ process, the Respondent agrees to hold harmless the District, its officers, employees, students, and consultants from all claims, liabilities, and costs related to all aspects of this RFP/RFQ and its process.

The District reserves the right, in its sole and absolute discretion, to discuss the requirements of this RFP/RFQ or any element of a response to this RFP/RFQ with any entity. If the District elects to enter into such discussions with any entity, the District shall have no obligation to give notice to any other entity of the fact or content of such discussions.

## **ARTICLE 17. REAL ESTATE BROKER/AGENT REPRESENTATION**

The District has retained a non-commission real estate consultant and a land use attorney to advise the District. Both of these consultants are retained on a professional time and materials basis and will not make a commission in relation to any real estate action. Therefore, if any agent, broker or other support is engaged by the Respondent in responding to this RFP/RFQ, such agent, broker or other support shall be solely payable, in its entirety, by the Respondent.

## **ARTICLE 18. ENVIRONMENTAL ASSESSMENT AND REVIEW**

This RFP/RFQ and the identification of a short-list of sites/facilities, and the identification of a preferred site are not actions that trigger environmental review pursuant to the California Environmental Quality Act (CEQA). At the appropriate time, environmental assessments and review will be completed by the District in compliance with CEQA requirements.

## **END OF RFP/RFQ**