

**COVINA-VALLEY UNIFIED SCHOOL DISTRICT**

**REQUEST FOR QUALIFICATIONS FOR  
BROKER/REAL ESTATE AGENT SERVICES FOR  
THE ACQUISITION OF PROPERTIES IN  
FURTHERANCE OF EXCHANGE TRANSACTIONS**

**Dated: August 17, 2022**

## I. INTRODUCTION AND BACKGROUND

The Covina-Valley Unified School District (“District”) is seeking qualified parties (“Proposers”) who have the expertise necessary to assist the District in the acquisition of real property pursuant to the “exchange process” set forth in the Education Code and further discussed herein.

Education Code Section 17536, *et seq.*, establishes the process by which school districts may exchange any real property it owns to acquire real property owned by another person or private business firm. Pursuant to this Exchange Process, the District entered into four (4) separate exchange agreements whereby the District gave separate properties owned by the District to different entities in exchange for funds to be used by the District to acquire separate properties (“Exchange Funds”). The District seeks an entity or person (the “Proposer”) with the expertise and knowledge necessary to assist the District identify properties it can acquire with the Exchange Funds to complete the exchange process (the “Potential Properties”). The Proposer should have the required experience and knowledge necessary to help identify properties that will provide the District a long term benefit, as set forth herein, investigate the properties to ensure they will meet the District needs, negotiate the District’s acquisition of such properties, and assist in the drafting of agreements to allow the District to acquire the properties.

**All responses must be received by 2:00 P.M. on Friday, September 2, 2022**  
**(the “Proposal Deadline”).**

## II. THE EXCHANGE FUNDS

As set forth above, the District previously entered into four (4) separate exchange agreements whereby the District is to acquire Exchange Funds to be used by the District to acquire other properties. Specifically, the District entered into exchange agreements in which it offered to exchange the following District properties in exchange for the Exchange Funds:

1. The Vincent Children's Center, Located At 1024 West Workman Avenue West Covina, CA 91790 (the “Vincent Property”)
2. The former Griswold School, 16209 East San Bernardino Road, Covina CA 91722 (the “Griswold Property”)
3. The former Pioneer School, 1651 East Rowland Avenue, West Covina, CA 91791 (the “Pioneer Property”)
4. The District’s former Business Center, 342 South 4<sup>th</sup> Avenue, Covina, CA 91723 (the “Business Center Property”)

As of the date of this RFQ, all of the transactions set forth in the Exchange Agreements have been completed, except for the Griswold School site noted above. Therefore, the District is not guaranteed to receive the final total amount of Exchange Funds it anticipates. However, the District may receive a total of approximately Forty Two Million Seven Hundred Twenty Five Thousand Dollars (\$42,725,000). As set forth in the Exchange Agreements, these Exchange Funds shall be used by the District to acquire additional properties. Therefore, the District seeks to enter into a separate agreement with a Proposer who can help identify real properties that the District can acquire with the Exchange Funds in the event the District receives the Exchange Funds, pursuant to the terms set forth herein.

### **III. THE POTENTIAL PROPERTIES**

Pursuant to Education Code Section 17536, *et seq.*, the District only acquires property with the Exchange Funds from a private company or person and may not exchange property with another public agency. Otherwise, the District is authorized to acquire any real property that provides a benefit to the District. Here, the District is seeking properties that can provide additional income to the District. Therefore, the District will consider acquiring property that provide rent payments or properties that can otherwise be sold or leased to other parties for additional payments. For example, the District may acquire properties with office buildings or apartments that are currently rented or available to rent, by other companies and therefore, upon acquisition, the District will receive rent payments. The District currently has no need to acquire real property for its own use and therefore, is seeking properties that are being, or can be, used by other parties and provide revenue to the District.

### **IV. GENERAL QUALIFICATIONS**

All Proposers must provide the following basic information:

#### **A. COVER LETTER**

#### **B. DESCRIPTION OF FIRM**

Include name of firm, address, telephone number, fax number, type of firm (i.e., corporation, partnership, etc.), and name of principal contact. Provide a brief history of the organization, including:

- \* Number of years in business
- \* Names of people who will be working with the District
- \* Whether the organization has gone by a different name while under substantially the same management
- \* Location of office
- \* List of basic services provided by firm to meet the requirements of this RFQ

### **V. EXPERIENCE RELATIVE TO DISTRICT NEEDS**

Discuss the organization's knowledge of, and experience with, similar services involving identifying available properties, assessing said properties to ensure they meet the needs of the Proposer's clients, and negotiating final agreements. While such experience is not required, the District will favorably consider experience working with other school districts or other public agencies in similar exchange agreements.

### **VI. PROPOSED PROCESS**

Provide a general description of how you will help the District identify and acquire properties pursuant to the process set forth herein. Specifically, explain your general process for seeking and locating available properties, ensuring said properties meet the needs of your client, and negotiating final agreements.

## VII. FEES

Provide breakdown of proposed fees and personnel to be assigned to the Project. The proposal should include a lump sum fee or a “percentage based” fee based on the value of the properties acquired by the District, or a combination thereof. As set forth herein, the District is not guaranteed it will receive a specific final amount of Exchange Funds, and therefore, any fee charged by the Proposer must be contingent on the District using Exchange Funds to acquire a separate property. In other words, the District cannot pay a “base fee” or “service charge” that is applicable even if the District does not acquire a property. Furthermore, it is desired that when acquiring listed properties, any District broker will be paid a commission under such listing and not directly from the District).

## VIII. PROPOSAL PROCESS

1. The District will begin accepting responses upon the date of issuance of this Request for Qualifications and will continue to accept responses until the Proposal Deadline as set forth above.
2. Submittals shall include three (3) copies of the proposal.
3. Submittals may be mailed or delivered to the District Contact as identified below. All responses shall be sealed and clearly marked: “Covina-Valley Unified School District Exchange Services Agreement.” PLEASE NOTE: FOR ANY PROPOSER WHO PREVIOUSLY PROVIDED A PROPOSAL TO THE DISTRICT FOR THESE SPECIFIC SERVICES, AN UPDATED AND CURRENT PROPOSAL IS STILL REQUIRED.
4. Telephone or electronic submittals will not be accepted.
5. Costs incurred by the Proposer in preparation of the response to the Request for Qualifications are the sole responsibility of the Proposer.
6. The District may choose to interview the Proposers at the District’s discretion, which interviews will likely occur beginning at **3:30pm on Wednesday September 7, 2022**, and will likely conclude later that day. The District may also select solely on the basis of the written proposal. Therefore, Proposers must include all information required herein and necessary to establish its qualifications for providing the services herein. Responses that indicate “further information will be provided during an interview” or something similar may be rejected as non-responsive. The District anticipates it will select the winning proposal and begin discussions/negotiations shortly after the interviews.
7. All submissions should be verified before submission. Adjustments will not be permitted after submission to the District. The District will not be held responsible for any errors or omissions on the part of the Proposer in the preparation of their Proposal.
8. The District reserves the right to reject any and/or all responses, or to refuse to negotiate or withhold the award of any contract, for any reason. The District may also waive or decline to waive irregularities in any Proposal.

9. The District may begin discussions/negotiations with selected Proposer at the District's discretion. If such discussions/negotiations are successful, the District's Board may invite one or more Proposers to present its/their Proposal(s) to the District School Board.
10. Upon selection of a Proposer, the District shall provide an agreement for negotiation by the Parties which will set forth the terms of the lease, sale, or exchange agreement. However, Proposers are also welcome to provide suggested agreements for the District's consideration. The District reserves the right to terminate this process at any point prior to the selection of the successful Proposer and solicitation of responses in no way obliges the District to proceed with any transaction.

## **IX. ADDITIONAL INFORMATION**

Additional information may be obtained by contacting the District Contact identified below. Proposers are not to contact District officials including Board Members, the Superintendent or any other employee or representative of the District, other than the District Contact regarding this RFQ. Contacting District officials, employees and/or representatives, other than the District Contact, **MAY RESULT IN THE DISQUALIFICATION OF YOUR PROPOSAL.**

## **X. RECEIPT OF RESPONSES; CONTACT INFORMATION**

Responses shall be received by, and additional information may be obtained from, the following "District Contact," **in writing**:

Manuel Correa, CPA, Chief Business Officer  
Covina-Valley Unified School District  
519 E. Badillo Street  
Covina, CA 91723  
[mcorrea@c-vusd.org](mailto:mcorrea@c-vusd.org)

Any questions regarding the RFQ process must be emailed to the District Contact pursuant to the requirement of the Questions section below. Further, all RFQ responses must be addressed and delivered to the District Contact by the Proposal Deadline at the address above, through hand delivery or mail. The District is not responsible for any problems or issues with the mail delivery system; therefore, Proposers must take all acts necessary to ensure the delivery of the RFQ response. Again, correspondence with the District Contract must be done in writing: Any oral statement made to or by the District Contact shall not be considered part of the RFQ and shall in no event bind the District.

## **XI. QUESTIONS**

Any party who has questions about the District Property may submit questions in writing to the District Contact via email as noted above on or before **Friday, August 26, 2022 at 2:00 PM**. The District will provide responses to all questions received by close of business on **Tuesday, August 30, 2022**. Proposers must incorporate the information provided by the District in response to the questions into their responses. The District shall not provide responses to any oral questions and any oral statement made by any person shall not be construed as part of the District's RFQ package.

## **XII. PUBLIC NATURE OF SUBMISSION MATERIAL**

Responses to this RFQ become the exclusive property of the District. All responses received in response to this RFQ become a matter of public record and shall be regarded as public records, with the possible exception of those elements in each submission as follows: Proposers may mark portions of their response which are defined by the Proposer as business or trade secrets and plainly marked as “Confidential,” “Trade Secret,” or “Proprietary”; however, the District does not guarantee that any information so marked will be protected from public disclosure. Proposers recognize that the District, as a public agency, is subject to disclosure requirements of with the exception of where disclosure is required under the California Public Records Act. Any Proposal which contains language purporting to render all or significant portions of the proposal “Confidential,” “Trade Secret,” or “Proprietary” shall may be rejected or regarded as non-responsive.

Although the California Public Records Act recognizes that certain confidential trade secret information may be protected from disclosure, the Covina-Valley Unified School District shall not be in a position to establish that the information contained in any Proposal is a trade secret. If a Public Records Act request is made for information marked “Confidential,” “Trade Secret,” or “Proprietary,” the District will provide the entity making the Proposal in question with reasonable notice before releasing the information. However, the District will comply with its Public Records Act requirements unless the entity making the Proposal seeks and obtains protection from disclosure by a court of competent jurisdiction.

## **XIII. CONDITIONS AND LIMITATIONS**

This RFQ does not represent an offer or commitment by Covina-Valley Unified School District to enter into an agreement with a Proposer or to pay any costs incurred in the preparation of a response to this request. The proposal and any information made a part of the proposal will not be returned to Proposer.

The District has sole discretion and reserves the right to reject any and all responses received with respect to this RFQ and to cancel the RFQ at any time prior to entering into an agreement for the District Property. It should be noted explicitly that there is no “bidding” process intended with this submission review process, and this invitation is not an offer by the District to enter into an agreement to negotiate or any other agreement, nor is a response by an interested party to be considered as an offer that may be accepted by the District. Neither the District nor any Proposer will be bound to any agreement unless that agreement is in writing, approved by the District’s Board, and executed by both the interested party and an official authorized by District.

The District reserves the right to issue clarification of the RFQ or additional data without changing the terms of the RFQ. The District reserves the right to reject any response or all responses, to terminate discussions and to select any party with whom to deal, whether or not that party has responded to this RFQ. The District may entertain or make a proposal that may not conform to this RFQ and may adopt terms that may have been proposed by a party not selected.

The District thanks you for your interest, and looks forward to receiving submissions.