
**REQUEST FOR PROPOSALS
FOR POTENTIAL SALE OF REAL PROPERTY
BY THE BREA OLINDA UNIFIED SCHOOL DISTRICT**

SURPLUS PROPERTY LOCATED AT 109 LILAC LANE, BREA, CALIFORNIA

**BREA OLINDA UNIFIED SCHOOL DISTRICT
FEBRUARY 2018**

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I. INTRODUCTION AND PURPOSE

The Request for Proposals (“RFP”) presents a unique opportunity to purchase property owned by the Brea Olinda Unified School District (the “District”). The site encompasses approximately 8.51 total acres located at 109 Lilac Lane, in a very desirable area of the City of Brea (the “Property”). The ideal proposer will be responsive to the RFP submission requirements and demonstrate the financial ability to complete the purchase consistent with the District’s minimum terms at the highest possible purchase price.

II. BACKGROUND

The District is located in Brea, California. The school district consists of six (6) elementary schools, one (1) middle school, one (1) high school, and one (1) continuation school. The ongoing goal of the District is to strive for excellence in education through partnership, past traditions, communication with teachers, staff, parents, community members and most importantly the children of the City of Brea.

A review of the District’s real properties was originally conducted in 2011, and resulted in an advisory recommendation that the Property was not required as a future school site and was not needed for District purposes. A 7-11 Committee was organized on August 29, 2011 and was comprised of ten (10) community members. After several meetings, including a public hearing, on December 12, 2011, the committee recommendation to the Board of Education for the Brea Olinda Unified School District (the “Board”) was to sell the Property.

After the 7-11 Committee recommendation, the Board first took action to offer the Property for sale in early 2013, formally declaring its intention to offer the Property for sale to both public and ultimately private parties as well in accordance with the requirements of the Education Code and the Government Code. Unfortunately, no sale of the Property was consummated based on the terms set by the Board at that time. In 2016, the District again attempted to conduct the competitive bid process required by the Education Code for sale to private parties, but again the proposed sale was not completed.

In light of the District’s inability to complete the sale pursuant to the generally applicable competitive bid process required by the Education Code, the Board decided to pursue a waiver of certain Education Code provisions from the California State Board of Education (the “SBE”) in order to obtain additional flexibility in potentially selling the Property. The SBE granted the District’s waiver request on January 22, 2018, and the waiver now allows the District the flexibility to sell the Property pursuant to this RFP process and additional negotiations with proposers as needed. Accordingly, on February 26, 2018, the Board adopted Resolution No. 18-10 formally stating its intention to make the Property available for sale pursuant to this RFP and setting forth certain minimum requirements for such written proposals. These minimum requirements and process for submitting and evaluating proposals is set forth in sections V and VI below.

III. DESCRIPTION OF AREA AND SITE

Brea is located at the northern edge of Orange County. The City of Brea has been one of the most desirable areas to live in the County. The area is suburban in character and approximately 92% developed. Primary highway access to the area is via the 57 Freeway and Carbon Canyon Road within the City of Brea, California. Public Transportation is provided by the Orange County Metro District and provides access to the entire metro area. The primary mode of

transportation in the area is the automobile. Major employers in the area include Bank of America, Mercury Insurance, Beckman Coulter, Alberston's Grocery Stores, Kirkhill Elastomers, Nature's Best, ViewSonic North America, and the Brea Olinda Unified School District. The City of Brea is also important retail center because of the large Brea Mall and the recently redeveloped Brea Downtown. Brea is known for its extensive public art program and has been used as a model for Public Art programs nationwide.

A. Brea Area

Brea is largely single-family residential in nature. According to the City of Brea's website, the City's current population is approximately 43,710 and the median household income is approximately \$81,538.

B. The Lilac Lane Site

The Lilac Lane site is located in the northeast portion of the County, as shown in Exhibit 1. The site is located on the corner of Lilac Lane and Olinda Place, as shown in Exhibit 2. Pictures of the site are shown in Exhibit 3.

1. Description

This Property is approximately 8.51 contiguous acres of land. The parcel is irregular in shape with a flat topography. The site is a former elementary school site, but is now vacant land, fenced off for security. The Assessor Parcel Number is 315-011-19.

2. Surrounding Uses

The site is situated in a residential area that includes open space areas.

3. Zoning

The site is currently zoned Public Facilities (PF). Please contact the City Planning Department for development guidelines and development potential. The District makes no assurances as to the ability to obtain zone changes or General Plan amendments from the City of Brea.

IV. THE SELECTION PROCESS AND MINIMUM REQUIREMENTS

Due to the SBE waiver, the Board has broad discretion to set minimum terms and ultimately award the potential sale of the Property pursuant to this RFP. Pursuant to Resolution No. 18-10, the Board has set the following minimum requirements for proposals to purchase the Property:

1. As – Is Sale. The Property is being offered for sale in an As-Is condition with no warranties or covenants as to suitability for any particular development or use. In addition, the District will not offer any contingencies or extended escrow period for the purchaser to pursue any entitlements for the Property.

2. Minimum Price. The District will only accept proposals offering a minimum purchase price of Three Million Dollars (\$3,000,000.00) or more.
3. Escrow Terms. The District will make available copies of all records related to the Property within its possession during the RFP process, and will allow a thirty (30) day due diligence period in the potential Purchase and Sale Agreement (“PSA”). Close of escrow will be fifteen (15) days after the expiration of the due diligence period.
4. Deadline for Receipt of Written Proposals. The envelope/written submittal containing the proposal must be received by Jean Aldrete, Assistant Superintendent, Business Services in the District Office no later than **4:00 p.m.** on **April 13, 2018**. No written proposals will be accepted after the time.
5. Award. The District will award the right to purchase the Property to the best proposal/proposer. The best proposal shall be the proposal that offers the highest purchase price possible, agrees to meet the minimum terms and conditions set forth in this RFP, and who successfully negotiates a PSA with the District based on the terms and conditions set forth herein.
6. Reservation of Right to Negotiate. The District reserves its right to negotiate any and all terms of the potential PSA with the exception of those minimum terms set forth herein.

The Board has tentatively established that it will publicly review the proposals at its Board meeting on May 7, 2018 at 6:30 p.m. The Board reserves the right to reject any and all proposals and to withdraw the Property from sale. The Board reserves the right to determine who is a responsible proposer/proposal and also reserves the right to waive any and all immaterial defects in proposals and to waive any minor irregularities. In the event that the best responsible proposer/proposal fails to enter into a PSA with the District, the Board may, at its discretion, offer the Property to the next best proposal, reject all proposals, call for new proposals, or remove the Property from sale. If the District and the best proposer cannot reach agreement on the terms of the PSA, the District reserves the right to withdraw the Property from sale or to start negotiation with the next highest proposer.

V. PROPOSAL PROCESS

A.	<u>Action</u>	<u>Date</u>
1.	Release of Request for Proposals	February 27, 2018
2.	Recommended Pre-Proposal Meeting Location at 2:00 p.m.:	March 16, 2018
	Brea Olinda Unified School District 1 Civic Center Circle, Level II Brea, CA 92822	
3.	Last Day to Submit Questions for Clarification Received by the District at or before 4:30 PM	April 6, 2018

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| 4. | Clarifications Issued by the District
District at or before 4:30 PM | April 9, 2018 |
| 5. | Deadline for Receipt of Written Proposals
Submitted at or before 4:00 p.m. | April 13, 2018 |
| 6. | Negotiations with Staff/District Broker (if necessary) | April 16-25, 2018 |
| 7. | Board Review and Potential Award | May 7, 2018 |

B. Pre-Proposal Meeting

It is recommended that each proposer attend the pre-proposal meeting to be held on **March 16, at 2:00 p.m.** at **Brea Olinda Unified School District** located at **1 Civic Center Circle, Level II, Brea, CA 92822**. Failure to attend this meeting will not preclude a firm from submitting a proposal. However, attendance at the pre-proposal meeting is highly recommended to ensure the proposer understands the RFP requirements.

C. Questions Concerning Request for Proposal/Property Inspection

All questions, interpretations or clarifications, either administrative or technical must be requested in writing and directed to the District's broker at:

Wally Courtney, Paul Kott Realtors, Inc.
 Paul Kott Realtors, Inc.
 1225 W. Lincoln Ave.
 Anaheim, CA 92805
 714-772-0602
wcourtney@pkrealtors.com

All written questions will be answered in writing and conveyed to all firms via posting on the District's website. Oral statements regarding this RFP by any persons should be considered unverified information unless confirmed in writing. To ensure a response, questions must be received in writing by the scheduled date given in the schedule of events above.

The Property may be inspected by appointment only and proposers may set up any appointments needed to inspect the Property through Mr. Courtney.

VI. SUBMISSION REQUIREMENTS

In order to assist the District in determining responsible proposers, the proposal should include at least the following information:

- A. Proposer's Identification** — The proposal should identify:
- The name of the legal entity and type of organization;

- The name, address, telephone number and email address of the individual and his/her firm, which has the authority to represent and make legally binding commitments on behalf of the proposer; and
- The identity of any key staff members who would be involved in the purchase and sale process, identifying their roles and expertise.

B. Relevant Experience/ References – The proposal should identify any relevant experience/references proposers may have with acquiring similar property and/or entering into similar transactions. Proposers should provide contact names and phone numbers of appropriate references in support of proposal.

C. Evidence of Financial Capability to Perform – The proposal should include appropriate documentation showing the financial capability to meet the District’s minimum requirements to purchase the Property.

D. Purchase Price and Minimum Terms – The proposal should identify the proposer’s offered purchase price, confirm acceptance of the District’s minimum terms, and list any other terms and conditions requested by the proposer.

EXHIBIT 1

