

CITY OF OAKLAND



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REQUEST FOR QUALIFICATIONS – RECEIVERS DRUG NUISANCE ABATEMENT ACT, RED LIGHT ABATEMENT ACT, SUBSTANDARD AND PUBLIC NUISANCE PROPERTIES

I. Background

The Oakland City Attorney’s Office (“the OCA”) seeks receivers to nominate for court appointment for several different classes of real property as part of its efforts to abate public nuisances.

The OCA may seek court orders for receiverships over various real properties, including apartment complexes, hotels, motels, other single- and multiple- unit residential properties, and commercial properties. The receiver may be asked to operate the property for a limited time while problems at the property are addressed, including closure for one year under specific state laws, and possibly the sale of the property, or the sale of moveable property and fixtures. The receiver may need to be available to oversee property starting as early as the fall of 2016.

The OCA will nominate a particular receiver (or more than one) to the court for each property based on that receiver’s demonstrated ability to comply with the City’s and the court’s requirements. **If a firm has an interest in purchasing or obtaining a legal or equitable interest in a property that is the subject of a proposed receivership, the firm will not be nominated as a receiver for that property. If a firm is nominated as a receiver over a property, it will not be permitted to purchase or take an interest in that property.**

II. Experience

The OCA is interested in receivers that have experience in property management, including relocation of tenants and other occupants, in securing and maintaining vacant properties, and in managing repairs or rehabilitation of property. Similar experience as an executor in the bankruptcy context may also be acceptable.

III. Responsibilities

The receiver may be appointed per the Drug Nuisance Abatement Act (California Health and Safety Code § 11570), Red Light Abatement Act (California Penal Code § 11225), California Health and Safety Code § 17980.7(c), California Civil Procedure Code § 564, or based on other laws in which a receivership is an appropriate remedy.

The receiver will be responsible for taking full and complete control of the property on behalf of the court. If the property is closed or vacant, the receiver will be responsible for assuring the security of the property against vandalism, nuisance activity, and other threats. If the property is occupied, the receiver will be required to manage the property and to handle the removal and relocation of tenants should that be necessary under a closure order or in order to effect repairs or rehabilitation of the property. The receiver may also be required to sell fixtures and movable property, or the real property itself in order to recover costs or liens or as part of the court order.

Receivership responsibilities during an injunctive period will require a supervisory role to ensure that the terms and conditions of the injunction are properly followed pursuant to the court order. The receiver will be required to make periodic reports to the court regarding the status of the property and compliance with the court's order.

As an officer of the court, the receiver will be responsible for providing the court with an accounting of costs associated with managing, closing and/or selling the property, and to keep the court apprised of any other work done pursuant to HS § 11582 *et seq.*, or by court order. Please review HS § 11582 *et seq.* for additional information about these cases and receivers' rights and obligations.

IV. Statement of Qualifications

In order to select qualified receivers for nomination, the OCA is soliciting short statements of qualifications from receivers who have experience in property management. Statements of qualifications should include:

A. Relevant Experience

1. Describe experience in three receiverships including a brief description of recommendations and outcomes (include receiverships or bankruptcy executor functions).

2. Describe experience and ability to work effectively with the Court, City staff, community groups, and other stakeholders.

B. Background information on you and your firm, including resumes and qualifications of key personnel and any subcontractors you propose to use;

1. The Firm

a. In response to this RFQ, the prime contractor shall be the qualified receiver firm.

b. Sub-Consultants (if used): list addresses, telephone numbers and areas of expertise of each. Briefly describe the project responsibility of each team member.

2. Project Personnel

a. Prime(s): Provide a detailed resume of the proposed principal-in-charge, lead person and the project manager(s). Clearly identify experience. If any of the foregoing are professionals currently licensed in the State of California to perform any activities under a receivership, provide information on the license (such as construction contractor, real estate broker, attorney), including any license numbers.

b. Sub-Consultants: Provide a detailed resume of the proposed project manager, who shall be a full-time employee of each sub-contractor for this project. Clearly identify relevant experience. And if he/she is a professional currently licensed in the State of California to perform any activities under a receivership, provide information on the license, including any license numbers.

C. Project Approach and Organization

1. Present your concept of the approach and organization required for this project. Indicate your understanding of the critical receivership elements including the following:

a. Your ability to competently secure and maintain a property for the required period (If your firm is not locally based, describe how you will monitor the property or respond to complaints or emergencies at the property);

b. Your ability to arrange for the sale of fixtures and movable property;

c. Your ability to undertake major repairs or rehabilitation of property;

d. Your ability to sell real property, either on your own or through other real estate firms;

e. Your ability to develop a relocation plan for property occupants and to effectively manage relocation.

f. Your familiarity with state and Oakland landlord-tenant laws;

g. Your ability to manage your caseload and take on a new responsibility.

D. Additional information.

1. A list of your current clients;
2. Any current or previous contracts, agreements, and partnerships with the City of Oakland related to blight abatement, nuisance abatement, and/or redevelopment, or acting as a receiver on a property brought into receivership by the City of Oakland;
3. Insurance and bonding capacities for your firm and personnel;
4. Proposed fees for services or personnel;
 - a. Provide a complete list of all staff hourly rates by category, i.e., Principal, Project Manager, Project Professional, Technician, Clerical, etc.
 - b. Hourly rates shall be all-inclusive, i.e., base salary, fringe benefits, overhead, profit, etc.
5. Your ability to finance, or obtain financing of the receivership for the court-ordered period;

V. References

- A. Prime: Provide three business related references, giving name, company, address, telephone number and business relationship.
- B. Proposed Project Manager(s): Provide two business related references, giving name, company, address, telephone number and business relationship to project manager.

VI. Supplemental RFQ's,

Statements Of Qualifications That Are Missing The Information Requested In The Supplemental RFQ Will Not Be Considered.

As part of the response, please designate a contact person for a possible in-person or telephonic interview. The Statement of Qualification must be signed by an officer of the firm. In case of a joint venture or other joint prime relationship, an officer of each venture shall sign. Email and hard copy responses are required. Mail hard copy Statements of Qualification to:

Barbara J. Parker, Oakland City Attorney, c/o Maria Bee, 1 Frank H. Ogawa Plaza, 6th Floor, Oakland, California, 94612. (Please do not submit proposals to this address).

Email copy Statements of Qualification to:

mbee@oaklandcityattorney.org

Reponses are due no later than 5:00 pm on October 27, 2016 at the City Attorney's Office.

Please direct any questions to Maria Bee, mbee@oaklandcityattorney.org.

Supplemental RFQ: Large Multi-unit Residential Properties
(50 or More Units)

In addition to the information generally requested, statements of qualifications should include the following:

1. Your understanding of the receiver's rights and responsibilities in Drug Nuisance Abatement Act or comparable cases (which differ from substandard receiverships);
2. Your experience managing property in high-crime areas with: (i) strong gang activity; (ii) drug sales; (iii) prostitution; (iv) graffiti; and/or (iv) illegal dumping;
3. Your ability to manage these properties and the relocation of tenants who may be displaced;
4. Your experience managing repairs or renovations of such units;
5. Your ability to finance the receivership for the court-ordered period.

Supplemental RFQ: Smaller Residential Properties
(1-4 Units)

In addition to the information generally requested, statements of qualifications related to residential property of 1-4 units should include the following:

1. Your understanding of the receiver's rights and responsibilities in Drug Nuisance Abatement Act or comparable cases (which differ from substandard receiverships);
2. Your ability to manage these properties and the relocation of tenants who may be displaced;
3. Your experience managing repairs or renovations of such units;
4. Your ability to finance the receivership for the court-ordered period.

Supplemental RFQ: Medium Multi-unit Residential Properties
(5 to 50 Units)

In addition to the information generally requested, statements of qualifications should include the following:

1. Your understanding of the receiver's rights and responsibilities in Drug Nuisance Abatement Act or comparable cases (which differ from substandard receiverships);
2. Your experience managing property in high-crime areas with: (i) strong gang activity; (ii) drug sales; (iii) prostitution; (iv) graffiti; and/or (iv) illegal dumping;
3. Your ability to manage these properties and the relocation of tenants who may be displaced;
4. Your experience in managing repairs or renovations of such units;
5. Your ability to finance the receivership for the court-ordered period.

Supplemental RFQ: Hotel and Motel Properties

In addition to the information generally requested, statements of qualifications related to hotel and motel properties should include the following:

1. Your understanding of the receiver's rights and responsibilities in Red Light Abatement Act, Drug Nuisance Abatement Act or comparable cases (which differ from substandard receiverships);
2. Your experience operating, managing, maintaining, and securing commercial real estate like hotels and motels;
3. Your experience managing and securing properties in high-crime areas with: (i) strong gang activity; (ii) drug sales; (iii) prostitution; (iv) graffiti; and/or (iv) illegal dumping.
4. Your familiarity and experience with state and Oakland landlord-tenant laws;
5. Your ability to manage the property and the relocation of tenants who may be displaced;
6. Your experience in managing repairs or renovations of such units;
7. Your ability to finance the receivership for the court-ordered period.

Supplemental RFQ: General Commercial Properties

In addition to the information generally requested, statements of qualifications related to commercial properties should include the following:

1. Your experience managing and securing properties in high-crime areas with: (i) strong gang activity; (ii) drug sales; (iii) prostitution; (iv) graffiti; and/or (v) illegal dumping.
2. Your experience in managing repairs or renovations of such units;
3. Your ability to finance the receivership for the court-ordered period.

Supplemental RFQ: Single Room Occupancy Properties (SROs)

In addition to the information generally requested, statements of qualifications related to SROs should include the following:

1. Your understanding of the receiver's rights and responsibilities in Red Light Abatement Act, Drug Nuisance Abatement Act or comparable cases (which differ from substandard receiverships);
2. Your experience managing, maintaining, and securing large multi-unit residential properties;
3. Your experience managing and securing properties that were previously used for illegal activities;
4. Your ability to manage these properties and your experience with the relocation of tenants who may be displaced;
5. Your experience managing repairs or renovations of such units;
6. Your familiarity and experience with state and Oakland landlord-tenant laws;
7. Your ability to finance the receivership for the court-ordered period.