

**COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject

Procuring Professional Services to Assist with County Acquisition and Leasing of Real Property

**Policy
Number**

F-47

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Purpose

The purpose of this policy is to establish guidelines and procedures to be followed when selecting and contracting with private firms or individuals for brokerage and related services in connection with the County's purchase or lease of real property.

Background

The County has on-going requirements to lease and purchase real property to serve County operations. In certain leasing or purchasing transactions, it may benefit the County to utilize the services of real estate brokers to (i) provide information not available to County staff, (ii) assist the County in locating and evaluating suitable properties, and (iii) assist the County in negotiating its leasing and purchasing transactions.

The services that real estate brokers provide, however, and the mechanisms through which they traditionally receive compensation for such services, differ from those of other consultants who provide professional services to the County. These differences necessitate the establishment of a specialized procedure to govern contracting with brokers.

Policy

It is the policy of the Board of Supervisors that:

1. The County may use the services of private, licensed real estate brokers to assist the County in leasing and purchasing of property, as needed, when it is deemed to be in the best interests of the County. Accordingly, the County of San Diego may contract for real estate brokerage and related professional services when the Director of the Department of General Services determines the need for such services.
2. The County shall ensure that selected brokers have the capability and qualifications to satisfactorily perform the required service.
3. Selection criteria may include, but not be limited to
 - a. Professional qualifications necessary for satisfactory performance of required services;
 - b. Specialized experience and technical competence in the type of work required;
 - c. Capacity to accomplish the work in the required time;
 - d. Satisfactory past performance on contracts with the County, other government agencies, and private industry in terms of cost control, quality of work and compliance with performance schedules;
 - e. Familiarity with market conditions in the target area of San Diego County;

These criteria are not listed in any order of importance, but any solicitation may establish the order of importance.

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Contracting Process

1. The Director of the Department of Purchasing and Contracting (Director) shall contract for Brokerage and related professional services for the County in accordance with Board Policy A-87, Competitive Procurement, and Administrative Code Section 401.
 - a. Each such request for proposal shall contain a copy of the County's Exclusive Authorization and Agreement to Locate Real Property. Each firm submitting a proposal shall include an acknowledgment that it is willing to execute the County's form contract, should it be awarded a project.
2. Assignment Tasking Process.
 - a. Award of the Contract to the Selected Firm does not guarantee that such firm will receive any assignments (Tasks) from the County. Tasks may be granted by the County, in its sole discretion, based upon availability of projects and the appropriateness of a project for use of brokerage services.
 - b. As projects arise, task orders (Task Orders) for specific assignments shall be issued under the Contract to the Selected Firm; provided, however, that if, in the opinion of the Director, the Selected Firm, due to other commitments, and/or lack of expertise, lacks the capacity to perform satisfactorily on the proposed project at the time the work is needed, or if the Selected Firm is prevented by a conflict of interest from working on the proposed project. In such instances, the Director may, in accordance with Board Policy A-87, Competitive Procurement, and Administrative Code Section 401, enter into a separate contract with, and assign the task to an alternate firm (Alternate Firm) to perform the Task.

Protest Procedure

A protest shall be processed in accordance with procedures set forth in Board of Supervisors' Policy A-97, Protest Procedures for Award of Contracts.

Responsible Departments

1. Department of General Services
2. Department of Purchasing and Contracting

Sunset Date

This policy will be reviewed for continuance by 12-31-30.

References

Board Action

November 7, 1995 (27)

January 12, 1999 (29)

January 28, 2003 (16)

December 4, 2012 (13)

November 15, 2016 (15)

November 7, 2023 (21)

August 26, 2025 (29) - Sunset effective 09/25/2025