

Cannabis RFP Questions/Responses
10/31/23

Question: RFP states all business owners must complete a Live Scan background check at an approved City facility. Where can a list of City approved facilities be found?

RESPONSE: Any authorized Live Scan service provider is acceptable. You MUST use the “Request for Live Scan Service” form on the Cannabis Program web page (<https://covinaca.gov/cannabisprogram>) as it is preloaded with data to insure the results are transmitted directly to the Covina Police Department.

Question: Will property control documents such as leases count towards the 150-page limit?

RESPONSE: No, leases and other property control documents like deeds do not count towards the 150 page limit.

Question: Will Letter of Intent and Acknowledgement, ZVL letter etc. count towards the 150-page limit?

RESPONSE: Yes.

Question: What is the submission process procedure? Is an appointment needed? Do Owners need to be present or can it be done by a consultant/representative?

RESPONSE: Proposals must be submitted in person at the City Clerk’s office no later than December 20, 2023 by 2:00 p.m. No appointment is required, but it is encouraged. Fee payment must be made at time of submittal or the proposal will not be accepted. Owners do not need to be present. The proposal may be submitted by a business representative.

Question: What fees exactly need to be paid at the time of the submission? Is it only payment for Phase I and II? What is a background check fee per owner?

RESPONSE: At the time of Proposal submission, fees for Phase I/II are required - \$7,518.75. Staff time for Live Scan review of results is covered in this fee. The fee to have the Live Scan performed is charged by the entity doing the Live Scan service and is an outside fee.

Question: RFP states that during Phase III/IV applicants’ responsiveness will be evaluated, which is a subject of 50 points. Please define the term responsiveness in the context of the process and how it will be measured and scored.

RESPONSE: The scoring will account for the thoroughness of the responses and whether the actual question being asked was answered.

Question: Who is allowed to be present during the Interview and presentation? Is it only people specified as Owners on the application? Can leadership/management team be present if they are not owners? Will consultants be allowed?

RESPONSE: Applicants may determine their representation at the interview/presentation. At least one of the representatives must be an owner, as defined in Covina Municipal Code Section 5.80.050. Each applicant is limited to a maximum of 5 representatives at the interview.

Question: Does the City accept electronic signatures on application forms, such as Letter of Intent?

RESPONSE: Electronic signatures are acceptable.

Question: RFP requires three (3) public agency references where existing businesses currently operate. Please clarify what agency does the City exactly see as a Public Agency.

RESPONSE: An incorporated City or County jurisdiction. If the business does not have any other currently operating cannabis businesses, "N/A" is an acceptable response to this section.

Question: RFP requires owner's resumes and a minimum of 2 professional references per owner. Do resumes and professional references count towards the 150 pages limit?

RESPONSE: Yes, the owner's resumes and professional references do count towards the 150 page limit.

Question: RFP awards 25 points for "verification of information listed in resumes", under the Ownership team section. Could you please clarify what does the City mean by that verification? Is the applicant responsible for verifying that information? If yes, how are they expected to provide verification? Or will the City be verifying that information itself? Please clarify as it's very confusing.

RESPONSE: The applicant is responsible for submitting accurate information that the City will verify.

Question: Security Plan requires name(s) of professional fire prevention/suppression consultants. Is the Safety Fire Plan required to submit with an application in addition to the Security Plan?"

RESPONSE: Please see Section 7 (Security Plan) of the RFP that contains the information that should be included in the Security Plan, including fire prevention/suppression contractors. A Fire Safety Plan does not need to be included with the application, but fire prevention/suppression should be described in the Security Plan.

Question: "I am interested in knowing the current rates and charges for Cannabis in the city. Can you please provide me with information regarding the taxes and fees associated with it?"

RESPONSE: All fees associated with applying for and obtaining a cannabis business license, land use permits (CUP), and building permits from Covina can be found in the Fee Resolution available on the Cannabis Program web-page. Fee's from outside agencies are not included in the Fee Resolution. Additionally, the Development Agreement will require a Community Benefit Fee of 5% of gross business receipts for products sold at the business.

Question: Should the OCA Number (Agency Identifying Number) be left blank on the Live Scan forms?

RESPONSE: The OCA number should be left blank. The Request for Live Scan Service form found on the Cannabis Program website should not be altered, EXCEPT to include the "Applicant Information".

Question: Is Attachment 3, titled 'Letter of Intent,' included in the 150-page limit? If a business has multiple owners and each needs to sign this form, can we substitute the repetition of pages 1 and 2 with only an additional signature page (Page 3) for each owner? For instance, if there are three owners, can we submit the sequence as Page 1, Page 2, Page 3 (signature of owner 1), Page 3 (signature of owner 2), and so on? This approach would help us utilize more of the allotted 150 pages for addressing the evaluation criteria.

RESPONSE: Yes, the Letter of Intent & Acknowledgement is included in the 150-page limit. The only documents not included in the 150-page limit are the live scan/background information, labor peace agreement, leases and other property control documents. Yes, the signature pages can be submitted on one page. A letter of intent form must be filled out for each owner, and page 1 of the form requires information specific to each owner.

Question: The city has received multiple questions regarding fee payment and acceptable methods of payment. What forms of payment are accepted for the Phase I/II fee of \$7,518.75?

RESPONSE: The City accepts cash, credit card, or checks. The City's Finance Customer Service Division is open Monday – Thursday, 7 a.m. to 6 p.m. or may be reached at (626) 384-5510.

Question: Are questions due by October 23 or November 6? Both of these dates are stated in the RFP

RESPONSE: Questions on the RFP are due by November 6, 2023.

Question: Does the Business License Zoning Clearance Form need to be submitted by November 30 along with Attachment 1: Commercial Cannabis Permit Program Zoning Verification? If so, can you please clarify when and how to submit the \$105 payment?

RESPONSE: The Zoning Verification Form (Attachment 2 to the RFP and found of the Cannabis Program webpage - <https://covinaca.gov/cannabisprogram>) needs to be submitted to the Planning Department by November 30, 2023 at 2 p.m. Applicants must complete the form and provide proof of property site control (signed and notarized purchase agreement, lease agreement, letter of intent to lease or proof of ownership).

As noted in Resolution CC 2023-79 “Fee Schedule and Establishing User Fees Pertaining to the Commercial Cannabis Permit Program”, costs related to the review of the “Cannabis Zoning Verification” form and supporting documents are included the Phase I/II Application Fee of \$7,518.75. Please note that per the RFP, Page. 6 “Proposal Submittal and Review”, the Phase I/II Application Fee must be paid in full by the proposal submittal deadline in order to be considered responsive to the RFP requirements.

Question: Section 8 of the application mandates a copy of the State of California Cannabis License or evidence that the applicant is pursuing one. However, the State only accepts applications and issues licenses after a local license has been awarded. How can applicants fulfill this requirement? Or are you seeking copies of state licenses from other cannabis businesses that share ownership or affiliation with the applicant entity?”

RESPONSE: The City acknowledges this issue and has added the “State of California Cannabis Business License Acknowledgement Form” to the Cannabis Program web-page. Each proposal is required to include the completed and signed form, signed by each owner listed in the proposal (see Covina Municipal Code Section 5.80.050 for the definition of “owner”). This signed form will not count towards the 150 page limit for the proposal.

Question: Is there a way to sign up with our email addresses to get notifications from the City of Covina?

RESPONSE: No. All communications related to the Cannabis Program RFP will be posted on <https://covinaca.gov/cannabisprogram>. Please check the webpage frequently for updates.

Question: If I could not attend the mandatory Pre-Proposal meeting, do I need to be added to a list that indicates my intent to submit an RFP?

RESPONSE: No. Attendance at the mandatory pre-proposal meeting is a pre-requisite to submitting a proposal. There is no list for those that did not attend the mandatory meeting.

Question: Is having only one representative from the company present at the meeting sufficient in order for the applicant to apply?

RESPONSE: Yes.

Question: Does there need to have been a specific percentage of the overall ownership of the license that is being applied for that needed to be at the meeting?

RESPONSE: No, a specific percentage of the ownership team was not required to attend the mandatory meeting. The City will be cross-referencing the list of those persons that attended the mandatory meeting and persons listed in any RFP that is submitted for consideration. The name of a representative or owner identified in the RFP must match the name of a person who attended the mandatory meeting.

Question: Are applicants locked into applying with the company name they signed in with on the sign-up sheet during the mandatory meeting?

RESPONSE: No, applicants are not locked into applying with the company name they listed on the sign in sheet. Applicants may submit a proposal under a different name than what was listed on the sign-in sheet during the mandatory meeting. The proposal for the RFP must include the name of the representative or owner that attended the mandatory meeting. A representative or owner that attended the mandatory meeting cannot submit on behalf of multiple businesses. For example, if Paula Jones attended the meeting as a representative of Cannabis Business A, Paula Jones may be listed as the owner or representative for a proposal that is submitted on behalf of Cannabis Business B. But, Paula Jones may not be listed as an owner or representative for proposals for both Cannabis Business A and Cannabis Business B. Paula Jones will need to select which business she is submitting the proposal for as she cannot submit proposals on behalf of more than one business.

Question: I missed out on the mandatory meeting. Will there be another meeting?

RESPONSE: No, not for this procurement.

Question: Can I still apply if I did not sign in?

RESPONSE: No, not for this procurement.

Question: I had an associate attend the meeting under a different business name. Can I still apply using a new company name?

RESPONSE: Yes, you can apply using a different company name that was listed on the sign in sheet at the mandatory meeting. But a person who signed in at the mandatory meeting must be listed as an owner or representative of a business that submits an RFP.

Question: How will the city score a free-standing building compared to a multi-tenant building assuming all other factors are equal?

RESPONSE: There will be no advantage given to a stand-alone versus a multi-tenant location.

Question: The City received several questions requesting verification that a specific address location or a specific zone type was allowed for a cannabis retail or micro-business site.

RESPONSE: It is the applicant's responsibility to self-certify their location is in an approved location (see Covina Municipal Code Section 17.84.070). The City will only comment on locations via the Zoning Verification Form process per the RFP. The deadline to submit the Zoning Verification Form request is November 30, 2023 per the RFP.

Question: Please advise if there is a live stream or there will be a recording provided afterwards for those who cannot make it in person if attendance to this pre-proposal meeting is mandatory."

RESPONSE: No live stream or recording will be provided. Per the RFP, attendance in person at City Hall is required.

Question: The City received several questions regarding the mandatory nature of the pre-proposal meeting, and if an interested applicant did not attend the meeting, can they submit a proposal?

RESPONSE: No, not for this procurement.

Question: Do applicants/applicants representatives interested in applying for a cannabis license need to register to attend a mandatory October 5th meeting?

RESPONSE: No registration is required to attend the mandatory pre-proposal meeting, but attendance at the pre-proposal meeting is mandatory to submit a Proposal.