

**PERRY CITY
UTAH**

**REQUEST FOR PROPOSALS
REAL ESTATE BROKER SERVICES**

Overview

The City of Perry, Utah is hereby requesting proposals from qualified, real estate brokers to assist with the sale of approximately 63 acres of City-owned land. It is the intent of this Request for Proposals (RFP) to have the successful broker enter into a professional services contract with the City to provide real estate services as outlined herein.

The City is seeking brokers with experience in marketing, leasing and selling properties for owners with diverse portfolios of properties to best position selected properties in its small inventory. The broker should have familiarity with laws and practices applicable to municipal real estate matters, including relevant local land use and zoning controls for properties as governed by the Perry City Code, which is available online at <https://perry.municipalcodeonline.com>.

Scope of Work

The Scope of Work is attached to this document as Exhibit A.

Schedule of Work

Perry City is prepared to issue a Notice to Proceed upon acceptance of the best-qualified proposal. The City desires to list the property no later than one month after the issuance of the Notice to Proceed.

If the City Council approves any proposed lease or disposition of a subject property, the City would then enter into a listing agreement with the selected firm based on the rates set out in the proposal. The City currently has one property that it would like the selected broker to address immediately.

Award Criteria

Proposals will be evaluated and scored based on the following criteria and points:

Commission Structure: Competitiveness of pricing proposal (40 points)

Experience and Qualifications: Demonstrated prior experience with transactions of similar scope and complexity and the effectiveness of your proposed real estate transaction process in a municipal context (40 points)

Key Personnel and Resources: Demonstrated competence and experience of firm's personnel responsible for performing work and providing services (20 points)

A proposal review team will be assigned to evaluate all responsive proposals received by the City. The review team will consider the information in the proposals as outlined above. It should be noted that the contract resulting from this RFP will be awarded to the respondent whose proposal is determined to be in the “best interest” of the City. Therefore, the proposal offering the lowest cost may not necessarily be the proposal that is selected for award. It is anticipated that a bid opening will be held on September 11, 2018 at 4:00 pm, and the selection will be completed by September 13, 2018.

The City reserves the right to reject any or all proposals, to waive informalities in the process, provided the informalities do not affect the price, quality or performance, and to accept, modify or reject any item or combination of items. The award will be made to the respondent whose proposal, in the opinion of the City, best takes into consideration all aspects of the respondent’s proposal and represents the most beneficial procurement as determined by the City. The City reserves the right to contact any respondent, to conduct interviews or request additional information. In the event that the respondent to whom the award is made does not execute a contract within 30 days from the award, the City may give notice to such respondent of intent to award the contract to the next most qualified respondent, or to call for new proposals.

Proposals will be accepted from thoroughly competent, experienced and financially qualified individuals or firms as determined solely by the City. Respondents are responsible for submission of accurate, adequate and clear descriptions of the information requested. Omissions, vagueness or inaccurate descriptions or responses shall not be interpreted in favor of the respondent and shall be grounds for rejection.

This document is not an offer to contract, but is an RFP. Neither the issuance of the RFP, preparation and submission of a response, nor the subsequent receipt and evaluation of any response by the City, will commit the City to award a contract to any respondent even if all of the requirements in the RFP are met. The City may modify these requirements in whole or in part and/or seek additional respondents to submit quotations. Only the execution of a written contract will obligate the City in accordance with the terms and conditions contained in such contract.

Respondents may be required to make a presentation of their qualifications to the proposal review team.

Qualification Requirements/Proposal Format

The proposal should include the following clearly-labeled sections to coincide with this RFP:

- Description of your firm including size of firm, location, number and nature of the professional staff to be assigned to the City.
- Staff experience and training, including a brief resume for each key person listed. Describe experience (minimum five years previous experience with proven effectiveness) your firm or organization has in pertinent real estate experience.
- Experience in assisting similar entities, including any and all services for government

agencies. List of at least three (3) references where and when your firm provided similar services. Please provide names and telephone numbers of contact persons for each reference.

- The City is interested in a real estate transaction process that is as publicly accessible as possible. Please propose a process and anticipated timeline that includes a discussion of how you intend to market the property, inform and update City staff and how your proposed process addresses potential issues, conflicts of interest or challenges the City may anticipate in leasing and/or selling municipal property.
- Additional services offered through your firm, if any that may be relevant to the sale or lease of property.’
- The proposed term and fee schedule, including your commission rate and any other costs for leasing or selling property and how the rate varies in the event there is another broker involved in the transaction.
- A completed and signed **Exhibit B – Terms and Conditions**.
- Please provide one (1) original and three (3) copies of the proposal response.

City Contact Person

If there are any questions concerning this RFP, please contact Robert Barnhill at 435-723-6464.

Proposal Due Date

Proposals will be accepted until Tuesday, 4:00 pm on September 11, 2018 in the Perry City Offices, 3005 South 1200 West, Perry, Utah 84302 and should be mailed or delivered in person in a sealed envelope to the attention of Robert Barnhill.

Liability Requirements

Upon award, the successful respondent shall supply and maintain insurance which indemnifies and holds harmless the City, its officers, employees and agents from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorney’s fees or loss arising directly out of acts or omissions here under by the contractor or third party under the direction or control of the contractor. The successful respondent must furnish the City with Certificates of Insurance prior to commencement of work. The required coverage shall not be less than the following:

\$1 million per occurrence and \$2 million aggregate

INSURANCE CERTIFICATES SHALL NAME PERRY CITY AS ADDITIONALLY INSURED PARTY AND SHALL STATE THAT ALL COVERAGE SHALL BE PRIMARY TO ANY COVERAGE HELD BY THE CITY.

Cancellation

Any violation of the terms, conditions, requirements and/or non-performance of the agreement resulting from this RFP shall result in immediate cancellation. The agreement may be cancelled

by the City for any other reason(s) upon 30 days written notice.

Additional Terms and Conditions

The successful respondent must comply with all federal, state and Perry City statutes and codes as may be applicable to the scope of work detailed herein, including all labor laws.

All respondents must quote their fees in the proposal response clearly labeled "Cost Summary Section."

Proposals and prices must remain valid for three (3) months.

This contract shall be construed under the laws of the State of Utah. All claims, actions, proceedings and lawsuits brought in connection with, arising out of, related to, or seeking enforcement of this contract shall be brought in the Utah State District Court.

In addition, respondents that are not incorporated in the State of Utah shall produce a Certificate to do Business in the State of Utah from the Utah Secretary of State prior to executing their contract with Perry City.

EXHIBIT A
REQUEST FOR PROPOSALS SCOPE OF WORK

The selected firm will be responsible for assisting the City with commercial brokerage services, representing the City's interest in marketing and negotiating leases or sales for assigned real estate properties, vetting tenants and/or sub-tenants, and potentially providing other commercial real estate related services as requested.

The successful respondent shall agree to contract with the City to provide the following:

Advice regarding building and property rental valuation, including suitability for leasing;

Strategic planning for property leasing and/or disposal;

Progress updates and maintain timely telephone and e-mail contact with assigned staff when there are active interests and transactions;

In addition, the successful respondent may also be required to:

Make presentations at public meetings;

Consult with City Corporation Counsel on real property deed restrictions and/or conditions (e.g., easements, covenants, etc.); and

Handle all other customary activities and services associated with real estate transactions.

Deliverables may include valuation, marketing and strategic planning reports as specified in each task order that may be issued during the term of the agreement.

EXHIBIT B
REQUEST FOR PROPOSALS

All terms, conditions and requirements as set forth in this Request for Proposals are acceptable as specified therein.

Yes _____ No _____

If "NO", please provide a detailed description and/or explanation of any deviation in your proposal from the specification detailed in the Request for Proposal with your proposal response. By submission of this proposal, each respondent and each person signing on behalf of any respondent, and in the case of a joint proposal, each party thereto as to its own organization, under penalty of perjury, certifies to the best of its knowledge and belief:

The prices in this proposal have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other respondent of any competitor; and

Unless otherwise required by law, the prices which have been quoted in this proposal have not been knowingly disclosed by the respondent prior to the opening, directly or indirectly, to any other respondent or to any competitor; and

No attempt has been made or will be made by the respondent to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

The respondent certifies that this proposal is made without any connection with any other person making a proposal for the same purpose and is in all respects fair and without collusion or fraud, and that no elected official or other officer or employee or person whose salary is payable in whole or in part from the Perry City treasury is directly or indirectly interested therein, or in any portion of the profits thereof.

As an authorized representative of the identified company, I accept all the terms and conditions identified in Request for Proposal Specification # 4964, except as identified.

Company Name and Address

Name and Title (please print or type)

Signature

Date

Phone Number: _____

Email: _____

REFERENCE MAPS
Perry City Property Highlighted in Pink



