

Request for Proposals

Real Estate Broker Services

CITY OF PLATTSBURGH, NY



RFP Release Date: **February 26, 2021**

Proposals Due: **March 12, 2021 at 3:00 p.m. EST**

It is recommended that proposals be submitted in advance, at least one day prior to the specified date and time to allow for a timely receipt. LATE PROPOSALS will NOT be considered.

Send 3 copies of each proposal.

1. Overview

The City of Plattsburgh, New York is hereby requesting proposals from qualified, real estate brokers to assist with the sale or lease of City-owned, selected real properties. It is the intent of this Request for Proposals 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 some 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 Plattsburgh City Code, which is available online.

2. Scope of Work

The selected Company/Broker shall provide the services required in the Scope of Services, attached hereto and incorporated herein as Exhibit A.

3. Schedule of Work

The City of Plattsburgh is prepared to issue a Notice to Proceed upon acceptance of the best qualified proposal. The City desires to list its properties no later than one month after the issuance of the Notice to Proceed. Currently, there are several properties that the City is interested in getting listed as soon as possible. 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 several properties that it would like the selected broker to address immediately.

4. 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 the selection will be completed prior to April of 2021.

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 City also reserves the right to reject any proposal from a company or broker who is currently involved in litigation against the City, or who is a member of an organization that

is currently involved in litigation against the City. 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.

5. 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. Please reference familiarity/experience selling properties located within the City of Plattsburgh. Those firms located within the City, or with noted experience listing properties within the City will be preferred.
- 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, as well as any professional licenses.
- 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 publically 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 two (2) copies of the proposal response.

6. City Contact Person

If there are any questions concerning this RFP, please contact Sylvia Parrotte, City Clerk, City of Plattsburgh at 41 City Hall Place, Plattsburgh, NY, 12901; ParrotteS@cityofplattsburgh-ny.gov; (518) 563-7702.

7. Proposal Due Date

Proposals will be accepted until 3:00 pm on March 12, 2021 in the City Clerk's Office, City of Plattsburgh City Hall, 41 City Hall Place, Plattsburgh, New York 12901 and should be mailed or delivered in person in a sealed envelope to the attention of Sylvia Parrotte, City Clerk. Please mark "Real Estate Broker Services" on the outside of your response package.

8. 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:

Workers Compensation-Statutory Requirements

New York State Disability-Coverage Statutory Requirements

General Liability/Property Damage-\$1,000,000 combined single limit policy

Automobile Liability-\$500,000

Contractual Liability-Must be stated on C of I

Errors and Omissions-\$500,000

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

9. 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.

10. Additional Terms and Conditions

- The successful respondent must comply with all federal, state and City of Plattsburgh 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.
- The City reserves the right to reject any proposal from a company or broker who is currently involved in litigation against the City, or who is a member of an organization that is currently involved in litigation against the City.
- This contract shall be construed under the laws of the State of New York. 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 Supreme Court of the State of New York, Clinton County.
- By participation in this RFP process, Proposer agrees to hold harmless the City of Plattsburgh, its officers, employees and consultants from all claims, liabilities and costs related to all aspects of the selection process.

EXHIBIT A

REQUEST FOR PROPOSALS “Real Estate Broker Services”

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 or sale;
- 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 Real Estate Broker Services

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:

A. 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

B. 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

C. 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 City of Plattsburgh 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 Real Estate Broker, except as identified.

Company Name and Address _____

Name and Title (please print or type) Phone Number Email

Signature _____ Date _____