

Iredell County



Request for Proposals

Commercial Real Estate Brokerage Services

21-480-RFP-01

RFP Issue Date: April 16, 2021

Address to submit proposals:

Attn: Dean A. Lail, Purchasing & Contracts Manager

UPS/FedEX/Courier: 200 S. Center St.
Statesville, NC 28677

US Mail: PO Box 788
Statesville, NC 28687-0788

Deadline for Written/Email Questions: 4:00 PM April 23, 2021

Addendum Issued to Answer Questions: April 26-28, 2021

Proposal Due Date: May 4, 2021 4:00PM

Iredell County is seeking proposals from qualified real estate agents and brokerage firms to provide commercial brokerage services. The firm must be licensed and in good standing with the North Carolina Real Estate Commission. In addition, the firm must have an excellent reputation in the real estate community and be knowledgeable in local real estate as well as small and large commercial properties.

Sealed proposals must be clearly marked “**21-480-RFP-01 Commercial Real Estate Brokerage Services**” and be received by the Purchasing & Contracts Manager prior to the deadline expiration. All proposals received after the deadline expiration, regardless of reason, will be rejected and remain unopened. Vendors may arrange for return of their unopened proposal at their own expense, Iredell County will bear no expense of returning any proposal. Proposals received by the deadline will become the property of Iredell County.

All questions regarding this Request for Proposal must be in writing and emailed to dlail@co.iredell.nc.us prior to the noted deadline. Questions will be answered by written addendum to this RFP.

Issuance of this Request for Proposal shall not commit Iredell County to make an award or enter any contract nor shall Iredell County be responsible for any costs associated or incurred in preparation of a proposal submitted for consideration. Iredell County reserves the right to accept or reject any and all proposals, to waive minor technicalities and informalities, and to make an award deemed in its best interest.

The intent of this solicitation is to contract to list a +/- 43.7 acre parcel of County-owned property as later noted in this Request for Proposal document. The awarded broker/firm will perform a market analysis, list and market the property with the intention of obtaining the best initial offer to be used to conduct an upset bid process. All fees will be paid from proceeds of sale. The County reserves the right to cancel anytime as required by the needs of the County or at the will of the Board of Commissioners.

All proposal submissions should include a copy of the proposing Firm’s proposed standard contract, which will be reviewed and revised to meet the County’s requirements. Failure to agree to specified revisions will subject proposal to rejection.

Iredell County is a government entity subject to federal freedom of information and state public information request laws and all proposal submissions, including price offers, and resulting contracts and fee schedules are subject to release upon request without restriction or penalty. Exceptions to this release are trade secrets as defined within North Carolina General Statute. Proposals should not contain trade secrets or should clearly note that a trade secret has been shown within the body of a proposal or should list trade secrets on a separate page clearly noted as such. Definitions as noted within North Carolina General Statute shall be used in determining protected trade secrets. Iredell County shall not be held responsible or liable for information released within a proposal regardless of how marked. No proposal shall be marked, in any way or manner, as trade secret, or confidential, in its entirety. Proposals marked as such shall be rejected.

Iredell County contract awards are open to all qualified individuals and firms. The County does not discriminate against individuals or firms on the basis of race, color, religion, sex, national origin, or disability and highly encourages participation by NC Certified HUB, minority, women, disadvantaged, etc., business enterprises.

GENERAL – SCOPE of Work.

1.0 General

The County intends to sell a 43.7 +/- acre tract of land located at 204 Bluefield Road, Mooresville, NC, further identified as parcel identification number 4648-65-4543.

This property was used as an outdoor educational facility with confidence course - remnants of the course elements still remain including zip lines and a 50' Rock Climbing/Repelling Tower with 65' poles used in construction, all elements were inspected and deemed unsafe for continued use, decommissioned and access removed. Property includes bathroom facility on septic tank with men's and women's restrooms, each with two toilets and shower heads, 6 Adirondack Camping structures with an adjoining covered meeting area and storage building, several standalone storage buildings and a 30'x45' covered meeting area with a full cement pad. Water is provided by an onsite well and sewage is by septic system. Electricity is provided by local utility providers and all power lines that service the property were ran underground. City water and sewer lines run in local vicinity to serve neighboring residential areas and may be available for this property. Natural gas and cable are present in the vicinity as well.

Gravel roads are still traversable but will require maintenance in some areas. The property was decommissioned from its previous use, closed, and has not been used in 4 years. Grounds have been occasionally maintained to control overgrowth. This property is Zoned RA (Residential/Agriculture) and surrounded by newer Residential Tracts and construction. It has its own private drive with direct road access and a key coded gate. There are two creeks that cross the property and may pose some restrictions.

Property is to be sold as is and there will be no warranty or guarantees as to the fitness of the property for any particular use.

2.0 Site Visit

Site visits will be scheduled with the final firm or firms under consideration for award.

3.0 Scope of Work

The selected firm will perform a market analysis and work with the Iredell County Purchasing & Contracts Manager to develop the listing price and strategy to obtain a first, best offer that, if approved by the Iredell County Board of Commissioners, will be used as the initiating bid in an upset bid process to be conducted by the County. The firm will coordinate real estate transaction closing with the County Attorney. The firm may be required to meet, along with the Purchasing & Contracts Manager, with the Iredell County Board of Commissioners to discuss the initial offer for the property.

4.0 Preparation of Proposal

Each firm must thoroughly examine the Request for Proposal to ensure that all requirements can be met. Firms are responsible for verifying any and/all information and to familiarize themselves with the required services prior to submitting a proposal.

Proposals shall be submitted in the format prescribed by this document on the forms included within. Additional information may be provided in 8x10 format, stapled once. Proposals shall be signed by the person or persons legally authorized to bind the firm to a contract. Failure to submit a proposal with all proposal requirements may be considered sufficient cause for rejection of the Proposal.

Proposals shall remain firm for a period of sixty (60) calendar days after proposals due date to allow for award and contract negotiations.

5.0 Submission Requirements

In order to facilitate the evaluation of responses efficiently and equitably, responses must be tabbed as identified below. Failure to submit this information may render your proposal non-responsive and subject to rejections as such. Points shown for each category are the maximum possible. Actual points can range from 0 to the maximum. Evaluation of proposals will be by County staff and the award, justification of points, and decision of staff is final.

Tab 1: Introduction: Company Information (10 points)

- Firm's name and business address, including telephone, email address, website address.
- The type of firm (individual, partnership, corporation, etc.) and list the names of all partners, principals, etc. or provide an organizational chart.
- Year established. Include former company name(s) and year(s) established, if applicable.
- The name, title, address, and telephone number of the firm's authorized negotiator. The person identified must be empowered to make binding commitments for the firm.
- Name the specific team member who will be the listing agent for this property
- Proof of brokerage license

Tab 2: Experience, Qualifications and Proposal (40 points)

- Provide the number of years of **commercial** real estate experience and global reach for marketing the property
- Track Record: Sales history for properties of this size and type in the past twelve months with examples
- Knowledge of various selling techniques
- Proposed process for obtaining goals of the RFP
- Any awards your firm has received within the past three years
- Awards of the specific team member that will be the listing agent for this property

Tab 3: References (20 points)

- Minimum of 3 signed references showing services conducted for this type and size of property within the last five (5) years
- Include size, type, listing price, and sales price of property (if not confidential).
- Include name, email and phone number of client's current representative familiar with service

Tab 4: Forms (10 points)

- Non-Collusion Affidavit
- Exceptions to the Proposal
- Sample Service Contract
- Claims/Complaints Form

Tab 5: Cost Proposal Form (20 Points)

6.0 Submittal Deadline

In order to be considered all proposals must be in writing, sealed, and submitted no later than **4:00 PM (EST) on May 4, 2021**. Time is of the essence and no proposal will be accepted after the deadline time and date. While only **sealed** proposals will be accepted, this is not a formal bid process and there

will be no public bid opening. Firms mailing responses should allow delivery time to ensure timely receipt of their proposals. The responsibility for getting the proposal to Iredell County Purchasing & Contracts Manager on or before the specified time and date is solely and strictly the responsibility of the responding firm. ***The County will in no way be responsible for delays caused by any occurrence.***

The outside of the sealed envelope shall be clearly marked “**RFP #21-480-RFP-01 Commercial Real Estate Brokerage Services.**”

Sealed proposals may be hand carried, sent by courier, by FedEx/UPS or US Postal Service USPS. If sent by FedEx/UPS, Courier or USPS the sealed proposal must be inserted inside the mailer and the outside of the mailer clearly identified with the RFP number and name.

7.0 Questions

All questions pertaining to this Request for Proposal (RFP) must be submitted in writing by email no later than April 23, 2021 by 4:00 PM. Questions must be emailed to: dlail@co.iredell.nc.us. Only written questions will be answered. **Any information given verbally or by telephone will be considered of no force.** All questions that the County feels are pertinent to all Proposers will be answered by addendum to the RFP and emailed to those who submitted.

8.0 Addenda

Any interpretation, correction or change to this RFP will be made by Addendum and issued through the County Purchasing Department. Addenda will be emailed to all firms known by the County to have received the RFP documents and uploaded to the County’s bid page at <http://www.co.iredell.nc.us/481/Current-Bids-RFPs>. While the County will make effort to ensure all who submitted questions receive addenda, ***it is the responsibility of the Proposer to ensure that all Addenda have been received prior to submitting a response.***

9.0 Evaluation & Award of Contract

Iredell County reserves the right to accept or reject any and/or all proposals and to waive any minor informalities in a proposal. Intention is to award a contract to the firm whose proposal, in the County’s sole opinion, is most advantageous to the County taking into consideration the following or additional criteria:

- The ability, capacity, and skill of the firm to perform the services required under the contract, selling techniques, etc.
- Experience, proven real estate track record, including any past experience with the County
- The character, integrity, and reputation of the firm, references
- Qualifications, knowledge of local real estate market (commercial) and surrounding region; global reach for marketing the property
- Fee
- Completeness of the response to the RFP as outlined in this solicitation

Iredell County reserves the right to interview one or more firms, or none, to enhance the evaluation process. The successful firm will be notified by email as soon as is practical after the receipt of proposals. Verbal notification of award will not be made and therefore will not be recognized as an official notification.

10.0 Contract & Period

Upon issuance of a contract award by the County, the successful firm will perform the services in accordance with all provisions of the proposal documents.

The term of the contract will be dependent on negotiations between the County and awarded firm and shall be renewable at the County's discretion. It is anticipated that the contract will begin on or about May 15, 2021. All dates are approximate and may start earlier or later depending on contract negotiations.

11.0 Withdrawal of Proposal

A firm may withdraw its proposal at any time prior to the time that proposals are due by sending a written request (email) to the Purchasing & Contracts Manager. Proposals may not be withdrawn after the submission date.

12.0 Exceptions to the Proposal and Sample Contract

Exceptions to any requirement contained herein must be clearly stated on separate page.

13.0 Sample Agreement

Each firm must attach their standard *Sample* Service Contract. This agreement will be reviewed, edited and revised to meet the County's requirements. The successful firm will be expected to enter into a service contract and failure to accept required revisions may be reason for rejection and removal from future opportunities.

14.0 Non-Collusion Affidavit

Each submittal must be accompanied by a notarized affidavit on non-collusion, executed by the firm or in the case of a corporation, by a duly authorized representative of said corporation. The Non-Collusion Affidavit is provided herein.

15.0 Proprietary Information

Trade secrets or proprietary information submitted by a firm in connection with a procurement transaction shall not be subject to public disclosure under the North Carolina Public Records Act pursuant to NC General Statutes §66-152(3). However, the firm must clearly and noticeably label each section or page within their submission for which protection from disclosure is sought and must identify the data on other materials to be protected and state the reasons why protection is necessary. Proposals in their entirety are not to be marked as proprietary or confidential and risk being rejected.

16.0 Change of Ownership

If the firm changes owners or goes out of business during the term of the contract, sixty (60) days advance written notice of such change shall be provided to the County. If the firm changes ownership and fails to comply with this provision, the County may terminate the contract immediately with no penalty, fee or firm recourse.

In the event the firm provides sixty (60) days advance notice to the County of change of ownership, the County, at its sole discretion, may terminate the contract at the end of the sixty (60) day notice period, or may continue the contract with the new owner(s) under the same terms and conditions. The new owner(s) shall not have the right to unilaterally terminate the contract.

17.0 Insurance Requirement for Service

The firm shall provide the County an original Certificate of Insurance indicating that the firm has in force all coverage as required by NC Law prior to the start of any services under this Contract and agrees to maintain such insurance until the completion of this Contract. All insurance policies shall be with insurers with an acceptable rating, registered and licensed to do business in the State of North Carolina and shall name Iredell County as an additional insured.

Each policy shall provide a thirty (30) day notification clause in the event of cancellation, non-renewal or adverse change. In the event the insurance coverage expires prior to the completion of the project, a renewal certificate shall be on file with the County at least fifteen (15) days prior to the expiration date. Failure to maintain the proper insurance will be grounds for termination of contract.

PROPOSAL FORM – Page 1 of 1

To Iredell County, North Carolina:

I have carefully examined the Request for Proposal, any other documents, and addenda accompanying or made a part of this Request for Proposal to perform the necessary services.

I certify that all information contained in this proposal is truthful to the best of my knowledge and belief. I further certify that I am duly authorized to submit this proposal on behalf of the firm as its act and deed and that the firm is ready, willing and able to perform if awarded the contract.

I hereby acknowledge receipt of the following Addenda issued by County and that it is the responsibility of the Proposer to ensure that all addenda has been received.

Addenda No. _____ dated _____
Addenda No. _____ dated _____
Addenda No. _____ dated _____

Company Name: _____

Address: _____

City/State/Zip: _____

Phone/Fax: _____

Email: _____

Authorized Signature: _____ Date: _____

Printed Name: _____

Cost

Provide the commission rate or cost proposal based on the final sale price/accepted offer amount if the sale was obtained by your firm as the contracted realtor.

Please provide the commission rate or cost proposal based on the final sale price/accepted offer amount if the sale was obtained by Iredell County without the assistance of your firm as the contracted realtor.

Please provide other cost proposal based on the process the County must follow as a local government entity in the State of North Carolina.

REFERENCES (Copy form as needed)

Provide, at a minimum, three (3) references in which your company has performed these services for similar size and type properties. Attach additional information on a separate page. Along with each reference, provide a description of the subject property sold, list and sales price (if able), pictures, etc., as able.

Agency/Company Name: _____

Street Address: _____

City, State and Zip Code: _____

Contact Name: _____

Contact Phone Number: _____

Date Service Provided: _____

Description of property sold: _____

Agency/Company Name: _____

Street Address: _____

City, State and Zip Code: _____

Contact Name: _____

Contact Phone Number: _____

Date Service Provided: _____

Description of property sold: _____

Agency/Company Name: _____

Street Address: _____

City, State and Zip Code: _____

Contact Name: _____

Contact Phone Number: _____

Date Service Provided: _____

Description of property sold: _____

NON-COLLUSION AFFIDAVIT

Proposal Request No. 21-480-RFP-01

State of North Carolina
County of Iredell

_____ (name of individual), being first duly sworn, deposes and says that:

1. He/She is the _____ (title) of _____ (company name), the proposer that has submitted the attached proposal;
2. He/She is fully informed respecting the preparation and contents of the attached proposal and of all pertinent circumstances respecting such proposal;
3. Such proposal is genuine and is not a collusive or sham proposal;
4. Neither the said proposer nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly, with any other proposer firm or Person to submit a collusive or sham proposal in connection with the contract for which the attached proposal has been submitted or to refrain from proposing in connection with such contract, or has in any manner, directly or indirectly sought by agreement or collusion of communication or conference with any other proposer, firm or person to fix the price or prices in the attached proposal or of any other proposers, or to fix any overhead, profit or cost element of the proposal price of the proposal of any other proposer or to secure through collusion, conspiracy, connivance or unlawful agreement any advantage against the County of Iredell or any person interested in the proposed contract; and
5. The fees provided in the attached proposal are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the proposer or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

Signature

Seal
if Corporation

Title

Date: _____

This form must be notarized

SUBSCRIBED AND SWORN TO BEFORE ME,
This _____ day of _____, 20____

Notary Public _____

My Commission Expires: _____

