



REQUEST FOR PROPSALS

FOR

REAL ESTATE BROKER SERVICES

ISSUED: JANUARY 20, 2021

RESPONSES DUE: FEBRUARY 4, 2021 AT 1:00 P.M. EST

ISSUED BY

**CITY OF MARSHALL
323 WEST MICHIGAN AVENUE
MARSHALL, MI 49068
269-781-5183**

www.cityofmarshall.com

Table of Contents

SECTION 1 - BACKGROUND INFORMATION	2
SECTION 2 - STATEMENT OF PURPOSE	2
SECTION 3 - SCOPE OF WORK/PROJECT TASK	2
SECTION 4 - MINIMUM COMPANY QUALIFICATIONS	2
SECTION 5 - PROPOSAL REQUIREMENTS	3
SECTION 6 - TERMS AND CONDITIONS	4
SECTION 7 - REQUEST FOR CLARIFICATION	6
SECTION 8 - SUBMITTING PROPOSAL	6
SECTION 9 - SCHEDULE.....	7
SECTION 10 - SELECTION PROCESS AND EVALUATION CRITERIA	7
SECTION 11 - CONFIDENTIALITY.....	9
SECTION 12 - PROPOSAL ACCURACY	9
SECTION 13 - DISCLAIMER	9
SECTION 14 - CONFLICT OF INTEREST	9
SECTION 15 - ADMONITIONS	9
EXHIBIT “A” ACKNOWLEDGMENT FORM.....	11
EXHIBIT “B” SCOPE OF WORK/PROJECT TASK	12

SECTION 1 - BACKGROUND INFORMATION

The City of Marshall (“City”) is a municipality of approximately 7,000 residents in Calhoun County in southcentral Michigan public agency. In 1980, the City built a 100-hundred-unit senior and disabled citizen, mid-rise apartment complex (“Marshall House”). Due to changes in the City operations and other factors, the City is seeking proposals to sell Marshall House. Additional information about the City and Marshall House may be found on www.cityofmarshall.com.

SECTION 2 - STATEMENT OF PURPOSE

The City is seeking proposals from licensed commercial real estate brokerage firms with experience in providing commercial real estate brokerage and advisory services to clients in the multi-family and affordable housing industry. The purpose of this Request for Proposals (RFP) is to demonstrate the background, qualification, competence, and capability of the firm seeking to undertake these services with the City.

It is the intent of this RFP to have the successful broker/firm enter into an agreement with the City to supply real estate services as outlined herein. Specifically, the City seeks a real estate firm to assist with the sale of its property located at 200 East Spruce Street, Marshall, MI, 49068, commonly known as Marshall House. The real estate firm will be paid strictly on a commission basis and will be expected to work closely with City staff to assist the City in obtaining a qualified buyer with a reputable history. The City Council has indicated that the following priorities will guide its decisions in determining if and to whom to sell the property:

1. The buyer must be committed to maintaining the current or similar Section 8 contract
2. The level of improvements planned for and the plan to maintain the facility in the long term
3. Highest possible price for its property under the best possible terms

SECTION 3 - SCOPE OF WORK/PROJECT TASK

The qualified company is required to perform and complete the work and provide the services as set forth in Exhibit “B” of this RFP.

SECTION 4 - MINIMUM COMPANY QUALIFICATIONS

1. The company must have been in business for a minimum of five (5) years.
2. The company must provide real estate brokerage services must have an excellent reputation in the real estate community.
3. The company must be knowledgeable in the multi-family and affordable housing real estate market

4. The account executive(s)/lead brokers who will be assigned to the City's account must each have a minimum of ten (10) years' experience in providing commercial real estate brokerage services to clients. Within the last three (3) years, these brokers must have represented parties in at least three (3) completed purchase or sale transactions.

SECTION 5 - PROPOSAL REQUIREMENTS

All Proposals must include and will be evaluated based on the following criteria:

1. A brief overview of the company's organization, including history, organizational structure, market position, etc.
2. Provide written responses to all the "Minimum Company Qualifications".
3. Additional Company Qualifications: The Proposal shall include the size of the company, the company's location, and the number and positions of staff who will work with the City regularly. Please identify if the company is minority, women-owned or disadvantage business enterprise (DBE). The Proposal must include a description of the company's client mix, the range of transactional support services offered by the company, any relevant research products offered by the company, and any other unique qualifications or capabilities the company possesses relative to other companies that could assist the City in its transactional goals.
4. Personnel Qualifications: The Proposal shall identify the names and qualifications of the account executive(s)/lead real estate professionals proposed to be assigned to the City's account to perform the services outlined in Exhibit "B" attached hereto and who would be working directly with the City staff. Please include all relevant experience with non-profit and/or government clients.
5. Licenses/Certifications: Proposals must include copies of business licenses, professional certifications, or other credentials for its account executive(s)/brokers/real estate professionals to provide services outlined in Exhibit "B" attached hereto and who will be assigned to the City's account, together with evidence that the company, if a corporation, is in good standing and qualified to conduct business in Michigan.
6. Scope of Services: A detailed scope of services that reflects the company's understanding of the City's requirements. Proposals shall include the techniques, approaches, and methods the company will use in providing services to the City, including: description of the proposed marketing plan specific to selling the City's property (examples of previous brochures, flyers, ads, internet services, direct mailings, newspaper, etc.); and

7. Fee and Marketing Schedule: The Proposal must include a proposed schedule of (a) commission rates for sale of the City's property located at 200 East Spruce Street, Marshall, MI 49068, (b) the time period (length) for listing and selling of property, negotiations, closing, and (c) any additional costs the City may anticipate relating to the real estate services to be provided.
8. List of References: A list of at least five (5) client references for deals completed by the account executive(s)/lead brokers, with an emphasis on government and non-profit clients, if possible. Include all relevant transaction details and the primary client's contact information (i.e., title, address, email address and phone numbers). The City reserves the right to contact any of them for references.
9. List of Transactions: A list of the purchase/sale transactions of similar properties closed by the company's proposed account executive(s)/lead brokers in the last three (3) years. Include building address, buyer, seller, square footage, price, date closed.
10. List of Proceedings: A list and description of any regulatory proceedings, licensing actions, lawsuits, arbitrations, formal protests, or other legal actions related to real estate services in which the company and its account executive(s)/brokers/real estate professionals have been involved in the last two (2) years.
11. W9: The Proposal shall include a copy of the company's W9.
12. Insurance: The Proposal should include a copy of your proof of insurance as per the requirement outline in Section 6 of this RFP.
13. Provide a sample or template of a brokerage services agreement.

SECTION 6 - TERMS AND CONDITIONS

Payment for Services:

Compensation for the entire scope of services as indicated in this RFP, including research, marketing and any additional/specialty support services related to a potential sale transaction shall be through commercial real estate brokerage commissions based on sale price, as follows:

1. Sales Commission:
Should the City complete a transaction for the sale of its property, the qualified company will receive a brokerage commission paid by the City based on a percentage of the selling price of the property, to be paid from the proceeds of the sale at the close of escrow. Company will state its requested commission percentage. The proposed commission will be the total commission paid by the

City, and *will include any commission due to the buyer's broker* pursuant to a commission split agreement between the company and the buyer's broker. The City would expect the company to cooperate with outside brokers in accordance with standard market practice.

Acknowledgement of City's Insurance and Indemnification Provisions

The company shall procure and maintain the insurance required, for the duration of the contract, insurance against claims for injuries to persons or damages to property arising from or in connection with the performance of the work performed.

1. Insurance Requirements: The following are the City's insurance requirements.
 - (i) Commercial General Liability: coverage should include \$1,000,000 per occurrence, \$2,000,000 aggregate, as applicable. Prior to the start of work, the selected company shall provide to the City evidence of insurance from an insurer(s) certifying the coverage. The CITY and its Council Members, officers, employees, agents, and volunteers are added as insureds.
 - (ii) Business Automobile Liability: Business Automobile Liability insurance insuring all owned, non-owned and hired automobiles - in the amount of \$1,000,000 combined single limit per accident for bodily injury and property damage.
 - (iii) Workers' Compensation and Employer's Liability Insurance: shall be furnished in accordance with statutory requirements of the State of Michigan and shall include Employer's Liability coverage of \$1,000,000 per accident for bodily injury or disease.
 - (iv) Professional Liability Insurance: For the full term of this Agreement, the Firm shall procure and maintain Errors and Omissions Liability Insurance appropriate to Consultant's profession. Such coverage shall have minimum limits of no less than One Million Dollars (\$1,000,000.00) per claim.
 - (v) Commercial General Liability & Workers' Compensation Liability Insurance policies shall contain a waiver of transfer rights of recovery ("waiver of subrogation") against the City, its Council Members, officers, employees, agents, and volunteers for any claims arising out of the work of the Company.

2. Indemnification: Company shall, prior to completion and upon completion of the work, deliver possession thereof to the City ready for use and free and discharged from all claims for labor and material from subcontractors, suppliers, or others. Company shall defend, indemnify, and hold harmless the City to the fullest extent permitted by law.

SECTION 7 - REQUEST FOR CLARIFICATION

Company requesting clarification pertaining to this RFP shall submit all requests through written correspondence by email **only** on or before 3:00 P.M. EST on Friday, January 29, 2021, to:

1. Eric Zuzga, Director of Special Projects
Email: ezuzga@cityofmarshall.com
Telephone No: (269) 558-0354
&
2. Christy Ramey, Purchasing Agent
Email: cramey@cityofmarshall.com
Telephone No: (269) 558-0326

Request for Clarification (RFC) will not be taken over the phone, via fax or via regular mail.

Responses: if deemed necessary by the City, will be in writing for the benefit of all prospective companies and will be posted on the City's website at www.cityofmarshall.com. It is the Company's responsibility to visit our website to check and view any response to RFCs or view changes/addenda made to this RFP by the City. RFC must be submitted five (5) business days prior to the RFP due date of February 4, 2021.

SECTION 8 - SUBMITTING PROPOSAL

No person or company who has a potential new contract with the City, either for professional and other services or for the furnishing of any material, supplies, equipment, or real estate to the City shall communicate directly or indirectly with an employee while that matter is pending before the City. Persons or companies that violate this policy will be disqualified from the procurement process.

The following information is required by the deadline for the company to be considered:

1. Title Page and Table of Contents;
2. Letter of Introduction signed by an officer of the company and the proposed account executive(s)/lead brokers, and a summary highlighting the key points of the proposal;
3. Detailed Proposal (addressing the scope of work);
4. Fee and Marketing Schedule;
5. Signed Acknowledgement Form - refer to Exhibit "A" attached hereto;
6. Additional documentation, if applicable.

To be considered:

1. Five (5) hard copies and one (1) electronic copy, on a USB flash drive, of the proposal must be received on or before 1:00 P.M. EST on Thursday, February 4, 2021; and

Submit your Proposal to:

Christy Ramey
RE: Real Estate Brokerage Services
City of Marshall
323 West Michigan Avenue
Marshall, MI 49068

Proposals submitted via Fax or Email will not be accepted.

SECTION 9 - SCHEDULE

The following dates reflect the anticipated schedule for the Proposal and selection of the company:

<u>Events</u>	<u>Date</u>
RFP distribution to companies	January 20, 2021
Questions from companies about scope or approach due	January 29, 2021
Responses to companies about scope or approach due	February 1, 2021
Proposal due date	February 4, 2021
Target date for review of Proposals	February 5, 2021
Final Company selection and Interviews	February 8/9, 2021
Anticipated decision and selection of company(s)	February 16, 2021
Anticipated commencement date of work	March 2, 2021

SECTION 10 - SELECTION PROCESS AND EVALUATION CRITERIA

Proposals will be examined for compliance with all the requirements in the sections of this RFP. The City, at its discretion, may waive any omission which it deems to be non-essential or inconsequential.

City at its discretion will evaluate each proposal submitted for the following criteria:

1. Suitability of the company's proposed services to meet the City's needs.
 - a. Understanding the City's requirements, including identification of critical elements and key issues, regional reach for marketing the City's property;
 - b. Proven commercial real estate track record, including experience of successfully selling property of a similar type;
 - c. Assignment approach that includes comprehensive scope of work;
 - d. Work plan that clearly defines assignment deliverables;
 - e. Work plan that provides quantitative and/or qualitative measurement criteria for results;
 - f. Details of marketing plan, purchasing plan and examples of prior transactional successes; and

- g. Project work plan that offers estimated timelines for milestone completion as an aid to creating systematic progress reporting on vendor performance.
- 2. Experience and knowledge of the company considering the type of services required and the complexity of the assignment;
- 3. Experience and qualifications of identified team members;
- 4. Clarity and completeness of proposal;
- 5. Pricing or fee schedule included in the proposed services;
- 6. Evidence of how long the company has been in business by submitting a copy of their business and/or any other relevant license(s);
- 7. Evidence of insurance certificates;
- 8. Meeting all criteria of City’s conflict of interest form;
- 9. Other key factors as appropriate for the type of services.

Proposing companies should note that the pricing, while important, will not be the **only** deciding factor in the final selection but rather the ability of the company to provide and perform the required duties as outlined in Exhibit “B”.

Weighted Evaluation Criteria:

Completeness of the Proposal	10%
Company qualifications and experience	20%
Evaluation of scope of work, deliverables, quantitative, timelines for milestone	20%
Capability to meet City requirements	40%
Fee and marketing schedule	10%
TOTAL	100%

Oral presentations and written questions for further clarifications may be required of some or all companies. Interviews will be held via Zoom February 8th or 9th. Final scoring will be based on a predefined method considering the proposal and interview.

City staff will present the recommendation for contract award to the City Council, who will make the final decision on which company to award the contract. The City will provide all companies with a written notice of the recommendation the staff will present. The notice will provide a reasonable date and time for the next Council meeting at which the City Council plan to authorize the contract.

Any Proposal that does not include written/documented responses to all items of the “Proposal Requirements” will not be considered. Postmarks, facsimiles, and e-mails will not be accepted.

SECTION 11 - CONFIDENTIALITY

The City is subject to Freedom of Information Act. As such, all required submitted information is subject to disclosure to the general public.

Proposals submitted and terms and conditions specified in each company's bid response will remain the property of the City.

SECTION 12 - PROPOSAL ACCURACY

A proposal which is in any way incomplete, irregular, or conditional will not be accepted. By submitting a proposal, companies agree that any significant inaccuracy in information given by the company to the City will constitute good and sufficient cause for rejection of the proposal.

SECTION 13 - DISCLAIMER

City reserves the right:

1. To reject any or all Proposals for any reason;
2. Withdraw this solicitation at any time without prior notice, and furthermore makes no representations that any contract will be awarded to any respondent to this RFP;
3. Negotiate a final contract with any respondent(s) as necessary to serve the best interest of the City;
4. Select the Proposal most advantageous to the City;
5. Verify all information submitted in Proposal;
6. Reject companies that a found to have made misleading statements or material misrepresentations; and/or
7. Amend this RFP.

SECTION 14 - CONFLICT OF INTEREST

To protect the City Council and staff, all potential contracting parties with the City shall be required to disclose any Conflict of Interests prior to the award.

SECTION 15 - ADMONITIONS

As of the date in this Request for Proposals and continuing until the notice of intent to award is released or the recommended contract is placed on the agenda of the City Council for a public meeting, all proposers are specifically directed not to hold any discussions, meetings, conferences or technical discussions regarding the RFP with City officials or employees. During the submittal period, questions regarding this RFP may be directed only to the person indicated in the cover letter or emailed to the individual.

Contact with any other City official or employee during the submittal period regarding this RFP may be cause for immediate disqualification of the Proposer as determined in the sole discretion of the City Council.

It is improper for any City officer, employee, or agent to solicit consideration, in any form, from a Proposer with the implication, suggestion, or statement that the Proposer's provision of the consideration may secure more favorable treatment for the Proposer in the award of the contract or that the Proposer's failure to provide such consideration may negatively affect the City's consideration of the Proposer's submittal. A Proposer shall not offer or give, either directly or through an intermediary, consideration, in any form, to a City officer, employee, or agent for the purpose of securing favorable treatment with respect to the award of the contract.

A Proposer shall immediately report any attempt by a City officer, employee, or agent to solicit such improper consideration. The report shall be made to the City Manager and/or the City Attorney. Failure to report such a solicitation may result in the Proposer's submittal being eliminated from consideration.

Among other items, such improper consideration may take the form of a campaign contribution, cash, discounts, services, the provision of travel or entertainment, or tangible gifts.

EXHIBIT "A" ACKNOWLEDGMENT FORM

RFP for Licensed Real Estate Broker Services

PART A

The proposing company warrants the following:

- 1) That it will not delegate or subcontract its responsibilities under contract without the expressed, prior written permission from City of Marshall.
- 2) That all information provided in connection with this proposal is true and correct.
- 3) That it will acknowledge and agree with all terms and conditions stated in this request for proposal.

Company Name (Respondent to RFP): _____

Address: _____

City: _____ State: _____ Zip: _____

Contact Name: _____ Title: _____

Telephone No: _____ Email: _____

Fax No: _____

Signature

PART B

The above listed company is responding to a Request for Proposals for a qualified and experienced company to provide commercial real estate brokerage services.

THIS COMPLETED FORM MUST BE RETURNED TO CITY OF MARSHALL BY THE RESPONDENT WITH THEIR PROPOSAL.

RETURN ON OR BEFORE 1:00 P.M. TUESDAY, FEBRUARY 4, 2021.

EXHIBIT “B” SCOPE OF WORK/PROJECT TASK

The City seeks a real estate firm to assist with the sale of its property located at 200 East Spruce Street, Marshall, MI 49068. The real estate firm will be paid strictly on a commission basis. Services should include, but are not limited to:

1. Sale of the City’s property:
 - a. Perform market analysis and/or conduct market research;
 - b. Develop strategies for marketing of property;
 - c. Create/ Design all materials for sale of building;
 - d. Assist in valuation of the property;
 - e. List property for sale, respond to submitted offers, assist the City in due diligence and closing process associated with such property sale transaction;
 - f. Show property and location, and schedule and coordinate with City personnel as needed;
 - g. Act as an intermediary between the City and proposed purchaser;
 - h. Consult and coordinate with and otherwise support the City’s staff and Council in analyzing, negotiating, and closing the sale of the City’s property;
 - i. Complete and facilitate all necessary work while complying with the City’s policies and procedures, public agency standards, and state/local/federal requirements;
 - j. Complete all necessary documentation for sale;
 - k. Provide updates to the Council as needed;
 - l. Present at public/Council meetings, as necessary;
 - m. Procure resources and necessary approvals as needed to ensure proper sale of building;
 - n. Provide expertise and guidance to ensure successful sale of building;
 - o. Handle all other customary activities and services associated with real estate transactions;
 - p. Other services as requested.