



**REQUEST FOR PROPOSAL
TO PROVIDE
REAL ESTATE BROKER SERVICES
TO THE
BRUNSWICK-GLYNN COUNTY
JOINT WATER AND SEWER COMMISSION**

Office of the Director

Issued July 18, 2014

Submission Due by 12:00 Noon, EDT on August 15, 2014 to:

**Mr. Stephen A. Swan
Joint Water and Sewer Commission
700 Gloucester Street, Suite 300
Brunswick, Georgia 31520**

**Please Label Submission with Firm's Name and Address and
"Sealed Proposal – Real Estate Broker"**

**BRUNSWICK-GLYNN COUNTY
JOINT WATER AND SEWER COMMISSION**

REQUEST FOR PROPOSAL

REAL ESTATE BROKER SERVICES

I. OVERVIEW

The Brunswick-Glynn County Joint Water and Sewer Commission (the "JWSC"), created by Local Act of the General Assembly, seeks a real estate firm specializing in commercial real estate to provide services for property owned by the JWSC, located at 2307 Gloucester Street, Brunswick, GA 31520. It is the intent of this Request For Proposal (RFP) to have the successful broker/firm enter into a Professional Services Contract with the JWSC to supply real estate services as outlined herein. The property consists of 2.44 acres of vacant land. The firm is expected to market and sell the property to budding entrepreneurs, existing firms and new firms seeking a new location. The property is complete with water and sewer. The real estate firm will be paid strictly on commission basis and will be expected to work closely with the JWSC and provide monthly reports. The overall requirements are defined in the following pages.

The JWSC anticipates awarding a contract for the broker to market program to the successful proposer no later than September 4, 2014.

All proposals must include the Affidavit of Representation (Exhibit "A") Proposal for Services (Exhibit "B"), Proposal Exception Form (Exhibit "C") and E-Verify Affidavits and Agreements (Exhibits "D" and "E"). Incomplete proposals will not be considered.

Proposals may not be withdrawn after the time and date set for proposal closing, but shall remain open for acceptance for a period of thirty (30) days following such time.

All proposals are legal and binding. The JWSC shall not allow the proposer to modify or alter his/her proposal after the deadline for submission of proposals. This provision will not prevent the JWSC from seeking clarification from proposers as may be necessary during the evaluation section of this Request for Proposal ("RFP").

All proposals become property of the JWSC and shall not be returned to the proposer.

Proposers are cautioned that any documentation submitted with or in support of a proposal will become subject to public inspection under the Georgia Open Records Act. Labeling such information "Confidential," or "Proprietary," or in any other manner will not protect this material from public inspection upon request. All records become subject to public inspection only after award of the contract.

II. SCOPE OF SERVICES

The successful firm shall agree to contract with the JWSC to provide the following:

- Perform market analysis,
- Develop strategies for sale of properties,
- Work with JWSC Executive Director to negotiate land sales with buyers and prospects
- Coordinating real estate appraisals,
- Coordinating real estate transaction closings,
- Handling all other customary activities and services associated with real estate transactions. Services may include consultation with JWSC staff and the JWSC legal counsel relating to the sale of real estate. Presentations at public meetings may be required.

III. BROKER'S QUALIFICATIONS

Respondents to this RFP shall have the following qualifications:

- Must be licensed and in good standing with the State of Georgia.
- Must have an excellent reputation in the real estate community.
- Must be knowledgeable in the local real estate market and have experience with small and large commercial properties.
- Must be knowledgeable in the use of all public real estate records.

IV. SUBMISSION DUE DATE; DELIVERY; COPIES; COSTS

(a) Due Date

All submissions are due in the office of the Office Of The Director of the JWSC on or before **AUGUST 15, 2014 at 12:00 Noon EDT**. All submissions will be marked as to the date and time of receipt. Any submission received after the above stipulated due date and time will not be considered and will be rejected, and may be returned.

(b) Delivery

It shall be the sole responsibility of the proposer to have the submission delivered for receipt as specified herein. If a submission is sent by U.S. Mail, by an overnight delivery service, by courier, or by any other means, the proposer shall be responsible for its timely delivery.

Submissions shall be addressed and delivered to:

Mr. Stephen A. Swan, Executive Director
Brunswick-Glynn County Joint Water and Sewer Commission
700 Gloucester Street, Suite 300
Brunswick, Georgia 31520

(c) Original and Copies

Responses must be submitted in **one (1) original and five (5) copies in a sealed envelope and clearly marked "Sealed Proposal – Real Estate Broker Services."**

(d) Cost

All costs incurred in connection with responding to this Request for Proposal, and the evaluation and selection process undertaken in connection with this procurement, and any subsequent negotiations with the JWSC, shall be borne solely by the proposer submitting its response. No claims shall be made for reimbursement of expenses as to any stage of the submission preparation or selection process.

V. CLARIFICATION

Proposers may submit requests for clarification and interpretations regarding the RFP in writing or via email for the JWSC's consideration. The JWSC will not respond to requests received after **August 1, 2014 at 5:00 PM EDT**. Proposers are advised that this Section places no obligation on the part of the JWSC to respond to any or all requests for clarification or interpretation, and that the JWSC's failure to respond will not relieve the proposer of any obligations or conditions required by this RFP.

Requests for clarification or interpretation regarding this RFP shall only be submitted in writing (letter or email) to the Executive Director of the JWSC, at the Gloucester Street address, above, or by email to sswan@bgjwsc.org with a delivery and read receipt request.

All responses to written requests for clarification, interpretation, or additional information will be distributed as addenda to this RFP to all persons registered with the JWSC to have received a copy of the RFP and will be posted on the JWSC website (www.bgjwsc.org). Each addenda issued will be numbered consecutively and constitute a part of this RFP. All responses to this RFP shall be prepared with full consideration of the addenda issued prior to the RFP Submission Date.

VI. AWARD AND TERM OF CONTRACT

The proposer shall submit a preliminary contract which may be utilized and/or conformed to JWSC needs and requirements, and subject to review and approval of the JWSC Attorney.

The successful proposer is expected to enter into a formal contract with the JWSC within thirty (30) calendar days after award by the JWSC. If the initial contract is not executed within thirty (30) calendar days from the date of the award, then the JWSC may elect to withdraw the award and to award to the next overall best proposal.

The initial term of the contract shall be for one hundred eighty (180) days, beginning with the date approved by the JWSC, but not later than October 1, 2014. At the end of the one hundred eighty days period the JWSC may use a competitive process to solicit broker services.

If the contract shall terminate or be likely to terminate prior to the making of a contract period, then the JWSC may, with the written consent of the successful proposer, extend this contract for such period as may be necessary to afford the JWSC continuous and uninterrupted services.

VII. SUBMISSION EVALUATION AND CRITERIA

All submissions will be evaluated using the criteria set forth in this Section. Selection will include an analysis of proposals by a selection committee of the JWSC who will review the submission in accordance with the submission requirements and evaluation criteria. The committee

may request oral interviews and/or site visits.

The JWSC reserves the right to request any and/or all proposers to provide a presentation to the JWSC for purposes of clarification and/or understanding of the services being offered.

When the JWSC selection committee selects a firm, a conference may be requested to formulate plans in greater detail, to clarify the terms and conditions of the contract, and to otherwise complete negotiations prior to the formal award. At any time during the conference(s), the JWSC may choose to modify its selection choice if the JWSC determines that such a change is in its best interest.

The award of this contract will be made by the Commissioners of the JWSC to the responsible offeror whose proposal is determined, upon written recommendation by the Selection Committee, to be in the best interests of the JWSC.

All exceptions to this RFP must be itemized on Exhibit "C." Details concerning the exception must be clearly explained. Each exception will be considered by the JWSC as to the degree of impact and total effect on the proposer's response in the final analysis of the proposal. Failure to include an exception on Exhibit "C" will render the exception as invalid and the proposer will be treated as being in compliance with the RFP, regardless of intent.

Consideration is made for experience, expertise, references and other evaluation factors set forth below. The selection criteria used in awarding a contract for the services as described herein shall include, but is not limited to, the following:

- Knowledge of local and regional real estate market and Glynn County.
- Commercial real estate experience, qualifications and references.
- Proven commercial real estate track record.
- Various industry and sector knowledge.
- Ability of the contractor(s) to meet or exceed the requirements defined in Section A. of this RFP.
- Local reputation.
- Completeness of response to RFP as outlined in this solicitation.
- Fees and Commission Schedule

VIII. QUALIFICATIONS AND SCOPE OF WORK

- (a) Must be licensed and in good standing with the State of Georgia.
- (b) Must have an excellent reputation in the real estate community.
- (c) Must be knowledgeable in the local real estate market and have experience with small and large commercial properties.
- (d) Must be knowledgeable in the use of all public real estate records.

IX. SUBMISSION FORMAT

PLEASE FOLLOW THESE INSTRUCTIONS WHEN RESPONDING TO THIS REQUEST FOR QUALIFICATIONS, USING THE EXHIBITS ATTACHED HERETO TO SUPPLEMENT THIS FORMAT.

Tab I – Transmittal Letter: The letter should address the proposers willingness and commitment, if selected to provide the services, and why the firm thinks it should be selected. The letter should be addressed to Stephen A. Swan, Executive Director as stated herein.

Tab II – Table of Contents

Tab III – Exhibits “A”, “B”, “C”, “D” and “E”

Tab III – Firm and Staff Profile: Respond to the following sections:

- (a) The selection criteria identified in Section VII, above.
- (b) The following minimum information required is as follows:
 - List years in business, previous names of the firm, if any.
 - Description of your firm including size of firm, location, number and nature of the professional staff to be assigned to JWSC; 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.
 - Listings versus sales for the last 3 years for commercial/land properties in the format below.

<u>Property Identification</u>	<u>Listing Date</u>	<u>Listing Amount</u>	<u>Selling Date</u>	<u>Selling Amount</u>
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- Experience in assisting similar size entities, including any and all services for government agencies.
- List of at least three references where and when your firm provided similar commercial sales services. Please provide names and telephone numbers of contact persons for each reference.
- Additional services offered through your firm.
- Listing of current litigation, outstanding judgments and liens, if any.
- State your commission rate for listing and selling of properties
- State any other costs JWSC may anticipate relating to the real estate services to be provided.
- Describe the methods of identifying target user groups and a description of the marketing materials and the strategy for presenting the site to a national and global marketplace.
- A copy of any listing agreement or other document(s) you would ask JWSC to execute.

Tab IV – Additional Information: Describe any other information not previously mentioned that the firm thinks should be given consideration.

VIII. RESERVED RIGHTS

The JWSC reserves the right to accept or reject any and/or all proposals, to waive irregularities, technicalities or informalities in any proposal or in the proposal procedures, and to accept or reject any item or combination of items, and to re-advertise for submissions. There is no obligation on the part of the JWSC to award the contract to the lowest proposer.

The JWSC reserves the right to award the contract to the responsible proposers submitting responsive proposals with resulting contracts most advantageous and in the best interests of the JWSC. The JWSC shall be the sole judge of the proposals and the resulting contract and its decision shall be final.

IX. INDEMNIFICATION

The successful proposer agrees to indemnify and hold harmless the JWSC, its employees, officers, and agents for any claim or liability arising under a contract with the JWSC due to any act or omission of the said proposer, excepting JWSC's own sole negligence.

X. GOVERNING LAW

The contract shall be construed and governed in accordance with the laws of the State of Georgia. Any controversy or claim arising out of or in relation to this contract, or the breach thereof, shall be settled by binding arbitration in accordance with the rules of the American Arbitration Association at a hearing in Glynn County, Georgia.

XI. PROTEST OF AWARD

All protests of the award or rejection of a purchase must be filed in writing with the JWSC within ten (10) days after the award of bid or proposal. The protest must describe in detail all alleged deficiencies. Any violations of law not specifically set forth in the protest are deemed waived. The validity of the protest shall be determined by the JWSC Director and the review shall be limited to any alleged violation of federal, state or local law.

Exhibit "A"

AFFIDAVIT OF REPRESENTATION

This Proposal is submitted to Brunswick-Glynn County Joint Water and Sewer Commission (JWSC) by the undersigned who is an authorized officer of the company and said company is licensed to do business in Georgia. Further, the undersigned is authorized to make these representations and certifies these representations are valid. The Proposer recognizes that all representations herein are binding on the Company and failure to adhere to any of these commitments, at the JWSC's option, may result in a revocation of the granted contract.

Consent is hereby given to the JWSC to contact any person or organization in order to make inquiries into legal, character, and other qualifications of the Proposer.

The Proposer understands that, at such time as the JWSC decides to review this Proposal, additional information may be requested. Failure to supply any requested information within a reasonable time may result in the rejection of the Proposal with no re-submittal rights.

The successful Proposer understands that the JWSC, after considering the legal and character qualifications of the Proposer, as well as what in the JWSC's judgment may best serve the interest of its rate payers, may grant a contract.

The successful Proposer understands that this bid is made without prior understanding, agreement, or connection with any corporation, firm or person submitting a Proposal for the same, and is in all respects fair and without collusion or fraud. I understand that collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards.

Company Name: _____

Authorized Person: _____ Signature: _____
(Print/Type)

Title: _____ Date: _____

Address: _____

Telephone: _____ Fax: _____ Email: _____

Exhibit "B"

PROPOSAL FOR SERVICES

The undersigned, being a duly authorized officer of the firm listed below, does hereby present this proposal for real estate broker services and expressly accepts, unless excepted on Exhibit "B," the terms specified in the Brunswick-Glynn County Joint Water and Sewer Commission's Request for Proposal, and said officer has ascertained the accuracy of the proposal before submitting it to the JWSC.

Further, the undersigned certifies the following:

(a) The proposal has been developed independent of all other proposers and has been submitted without collusion, agreement, understanding or any other course of action designed to limit competition with any other broker which provides or could provide the services described in the Request for Proposal;

(b) The firm has the resources and experience necessary for full performance of all services quoted in its proposal; and

(c) The broker is licensed by, and in good standing with, the State of Georgia Department of State.

Respectfully Submitted,

By: _____
(Authorized Officer)
Name: _____
Title: _____
Firm: _____
Address: _____

Telephone: _____
Facsimile: _____
Email: _____

(SEAL)

Attest by: _____

Its: _____

EXHIBIT "C"

PROPOSAL EXCEPTION FORM

The firm wishes to take exceptions to the following items:

<u>Page Item</u>	<u>Explanation</u>

**IF THE FIRM DOES NOT WISH TO TAKE EXCEPTION TO ANY OF THE
TERMS IN THE RFP THEN PLEASE NOTE "NO EXCEPTIONS."**

**THIS FORM MUST ACCOMPANY YOUR FORMAL PROPOSAL
EXHIBIT "D"**

Georgia Security & Immigration Compliance (GSIC) Act

E-VERIFY CONTRACTOR AFFIDAVIT AND AGREEMENT

The Brunswick-Glynn County Joint Water and Sewer Commission and Contractor agree that compliance with the requirements of O.C.G.A. §13-10-91 and Rule 300-10-1-.02 of the Rules of the Georgia Department of Labor are conditions of this Agreement for the physical performance of services.

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. §13-10-91, *stating affirmatively that the individual, firm, or corporation which is contracting with the Brunswick-Glynn County Joint Water and Sewer Commission has registered with and is participating in the federal work authorization program known as "E-Verify", web address <https://e-verify.uscis.gov/enroll/>* operated by the United States Citizenship and Immigration Services Bureau of the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603], *in accordance with the applicable provisions and deadlines established in O.C.G.A. §13-10-91.* The undersigned Contractor also verifies that he/she/it is using and will continue to use the federal work authorization program throughout the contract period.

The undersigned Contractor agrees that, should it employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to the contract with the Brunswick-Glynn County Joint Water and Sewer Commission, Contractor will secure from each subcontractor(s) similar verification of compliance with O.C.G.A. §13-10-91 on the Subcontractor Affidavit provided in Rule 300-10-01-.08 or a substantially similar form. Contractor further agrees the Contractor will advise the Brunswick-Glynn County Joint Water and Sewer Commission of the hiring of a new subcontractor and will provide the Brunswick-Glynn County Joint Water and Sewer Commission with a Subcontractor Affidavit attesting to the Subcontractor's name, address, user identification number, and date of authorization to use the Federal Work Authorization Program within five (5) days of the hiring before the Subcontractor begins working on the Project. Contractor also agrees to maintain all records of such compliance for inspection by the Brunswick-Glynn County Joint Water and Sewer Commission at any time and to provide a copy of each such verification to the Brunswick-Glynn County Joint Water and Sewer Commission at the time the subcontractor(s) is retained to perform such services.

E-Verify Employment Eligibility Verification User Identification Number

Date of Authorization to Use Federal Work Authorization Program

NAME OF CONTRACTOR

Title of Authorized Officer or Agent of Contractor

Signature and Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE ____ DAY OF _____, _____

Notary Public

My Commission Expires: _____

As of the effective date of O.C.G.A. §13-10-91, the applicable federal work authorization program is the "EEV/Basic Pilot Program" operated by the U.S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration (SSA). Authority O.C.G.A. §13-10-91.

THIS FORM MUST ACCOMPANY YOUR FORMAL PROPOSAL

EXHIBIT "E"

Georgia Security & Immigration Compliance (GSIC) Act

E-VERIFY SUBCONTRACTOR AFFIDAVIT AND AGREEMENT

The Brunswick-Glynn County Joint Water and Sewer Commission and Subcontractor agree that compliance with the requirements of O.C.G.A. §13-10-91 and Rule 300-10-1-.02 of the Rules of the Georgia Department of Labor are conditions of this Agreement for the physical performance of services.

By executing this affidavit, the undersigned subcontractor verifies its compliance with O.C.G.A. §13-10-91, *stating affirmatively that the individual, firm, or corporation which is contracting with* _____ *a Contractor contracting with the Brunswick-Glynn County Joint Water and Sewer Commission has registered with and is participating in the federal work authorization program known as :E-Verify", web address <https://e-verify.uscis.gov/enroll/> operated by the United States Citizenship and Immigration Services Bureau of the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603], in accordance with the applicable provisions and deadlines established in O.C.G.A. §13-10-91.* The undersigned Subcontractor also verifies that he/she/it is using and will continue to use the federal work authorization program throughout the contract period.

The undersigned Subcontractor agrees that, should it employ or contract with any other subcontractor(s) in connection with the physical performance of services pursuant to the contract with the Brunswick-Glynn County Joint Water and Sewer Commission, Subcontractor will secure from such subcontractor(s) similar verification of compliance with O.C.G.A. §13-10-91 on the Subcontractor Affidavit provided in Rule 300-10-01-.08 or a substantially similar form. Subcontractor further agrees the Subcontractor will advise the Brunswick-Glynn County Joint Water and Sewer Commission of the hiring of a new subcontractor and will provide the Brunswick-Glynn County Joint Water and Sewer Commission with a Subcontractor Affidavit attesting to the Subcontractor's name, address, user identification number, and date of authorization to use the Federal Work Authorization Program within five (5) days of the hiring before the Subcontractor begins working on the Project. Subcontractor also agrees to maintain all records of such compliance for inspection by the Brunswick-Glynn County Joint Water and Sewer Commission at any time and to provide a copy of each such verification to the Brunswick-Glynn County Joint Water and Sewer Commission at the time the subcontractor(s) is retained to perform such services.

E-Verify Employment Eligibility Verification User Identification Number

Date of Authorization to Use Federal Work Authorization Program

NAME OF SUBCONTRACTOR

Title of Authorized Officer or Agent of Contractor

Signature and Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE ____ DAY OF _____, _____

Notary Public

My Commission Expires: _____

As of the effective date of O.C.G.A. §13-10-91, the applicable federal work authorization program is the "EEV/Basic Pilot Program" operated by the U.S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration (SSA). Authority O.C.G.A. §13-10-91.

THIS FORM MUST ACCOMPANY YOUR FORMAL PROPOSAL