

# **BETHLEHEM CENTRAL SCHOOL DISTRICT**



## **REQUEST FOR PROPOSAL**

### **Real Estate Broker Services**

**2010 - 2011 School Year**

**DUE: FRIDAY, MAY 20, 2011**

**2:00 p.m.**

**JUDITH E. KEHOE  
CHIEF BUSINESS AND FINANCIAL OFFICER  
90 ADAMS PLACE  
DELMAR, NEW YORK 12054  
Phone - (518) 439-7481  
Fax - (518) 475-0352**

**REQUEST FOR PROPOSAL (RFP)**  
**REAL ESTATE BROKER SERVICES**

**1. GENERAL INFORMATION**

The Bethlehem Central School District (the "District") is requesting proposals from local real estate brokers/firms to assist with the sale or lease of real property owned by Bethlehem Central School District. The subject property is the Educational Services Center (ESC) located at 90 Adams Place, Delmar, NY 12054. It is the intent of this RFP to have the successful broker/firm enter into a Professional Services Contract with the School District to supply real estate services as outlined herein. The District would prefer to lease the ESC building, but will also contemplate purchase offers.

The ESC building is currently used as office space, however, it is zoned as Core Residential. The single level building is approximately 6,850 square feet, and has natural gas service; 3 phase, 400 amp electric service; and town sewer and water service to the building. Please see attached drawings.

To be considered, five (5) copies of a proposal must be received by the Chief Business and Financial Officer and Administrative Services by 2:00 pm, Friday May 20, 2011. All proposals must be in a sealed envelope and clearly marked "RFP – Commercial RE Broker". The Bethlehem Central School District reserves the right to reject any or all proposals submitted.

The Bethlehem Central School District reserves the right to retain all proposals submitted and to use any ideas in a proposal regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the person of the conditions contained in this request for proposals, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the Bethlehem Central School District and the real estate broker/firm selected.

If a respondent believes that any information contained in its application qualifies for an exception to the Freedom of Information Law (FOIL), it must indicate which information in the application should be exempted from the Act and clearly state the grounds for the exception.

During the evaluation process, the Bethlehem Central School District reserves the right, where it may serve the Bethlehem Central School District's best interest, to request additional information or clarifications from proposers, or to allow corrections of errors or omissions. At the discretion of the Bethlehem Central School District, real estate brokers/firms submitting proposals may be requested to make oral presentations as part of the evaluation process. Interviews are optional, and at the district's discretion, and may or may not be conducted.

There is no expressed or implied obligation for the Bethlehem Central School District to reimburse responding persons for any expenses in preparing proposals in response to this request.

Selection of a Real Estate Broker/Firm shall be based upon the following considerations:

<u>Scoring Criteria</u>	<u>Weighted Value</u>
<b>Commission Structure</b>	<b>50%</b>
<ul style="list-style-type: none"> <li>• Competitiveness of pricing proposal</li> </ul>	
<b>Experience and Qualifications</b>	<b>30%</b>
<ul style="list-style-type: none"> <li>• Demonstrated prior experience with transactions of similar scope and complexity</li> </ul>	
<b>Key Personnel and Resources</b>	<b>20%</b>
<ul style="list-style-type: none"> <li>• Demonstrated competence and experience of firm's personnel responsible for performing work and providing services</li> </ul>	

A proposal review team will be assigned to evaluate all responsive proposals received by the Chief Business and Financial Officer. The review team will use the evaluation criteria as outlined above. It should be noted that the contract(s) resulting from this RFP will be awarded to the respondent whose proposal(s), conforming to the RFP, is determined to provide the "best value" to the School District. Therefore, the proposal(s) offering the lowest cost or receiving the highest technical score may not necessarily be the proposal that is selected for award.

It is anticipated that the selection will be completed by June 10, 2011, with Board of Education taking formal action on the June 15, 2011 agenda. Following the notification of the broker/firm, it is expected a contract will be executed between both parties by June 17, 2011.

## **2. SPECIFICATIONS**

### **Scope of Services**

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

- Develop and implement marketing strategies for sale or lease of property to yield the highest financial benefits for the District
- Provide a monthly report to the assigned staff contact about current/new marketing efforts, contacts/leads, and other developments
- Maintain timely telephone and/or email contact with the assigned staff when there are active interests and transactions
- Consult with School District staff relating to services provided. Presentations at public meetings may be required.
- Negotiate with potential buyers and/or tenants on behalf of the District
- Coordinate with District Counsel on real estate transaction closings
- Handle all other customary activities and services associated with real estate transactions

**Broker's Qualifications**

Respondents to this RFP shall have the following qualifications:

- Must be licensed and in good standing with the State of New York.
- Must be knowledgeable in the local real estate market and have experience with commercial properties.
- Must be knowledgeable in the use of all public real estate records.

**Insurance Requirements**

For proposal purposes, proposers must submit copies of certificates of insurance as follows:

- Automobile liability @ \$1,000,000 per occurrence
- Comprehensive general liability @ \$1,000,000 per occurrence/\$2,000,000 aggregate
- Workers Compensation @ statutory
- Disability benefits @ statutory
- Professional liability @ \$500,000
- Excess umbrella @ \$2,000,000 per occurrence/aggregate

**Fee Schedule**

The proposed fee schedule shall include the following items:

- State your commission rate for the selling or leasing of property
- State any other costs the School District may anticipate relating to the real estate services to be provided.

**Term of Contract**

The contract period for the successful broker/firm will be from date of award through nine (9) months, or upon closing of the real estate transaction, if sooner. The contract may be renewed for an additional sixty (60) day term as may be agreed to in writing by both the broker/firm and the Bethlehem Central School District.

**The following information must accompany your proposal:**

- Description of your firm including size of firm, location, number and nature of the professional staff to be assigned to the School District; 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.
- Additional services offered through your firm, if any.
- Listing of current litigation, outstanding judgments and liens, as it relates to real estate transactions.

### **3. PROPOSAL SUBMISSION**

Five (5) complete sets of the proposal are to be submitted to the District by 2:00 pm, Friday May 20, 2011 and clearly labeled as follows:

Judith E. Kehoe  
Chief Business and Financial Officer  
Bethlehem Central School District  
90 Adams Place  
Delmar, New York 12054

“RFP – Commercial RE Broker”

### **4. LAWS AND REGULATIONS**

The Real Estate Broker/Firm shall comply with all laws, ordinances and rules and regulations which may govern the work as specified in this contract.

### **5. INDEMNIFY**

The Real Estate Broker/Firm agrees to indemnify, defend and hold the Bethlehem Central School District, its Board of Education, officers and employees harmless from and against all liability, claims, actions, proceedings and suits, of any name and nature, as the same may relate to the services provided by the Real Estate Broker/Firm pursuant to this Agreement.

### **6. VEHICLE**

The Real Estate Broker/Firm shall provide his/her own transportation and gas in the execution of the aforementioned duties, and shall at all times, carry vehicle insurance as outlined above.

All costs related to the Real Estate Broker/Firm’s vehicle shall be the responsibility of the Broker/Firm.

### **7. TERMINATION**

The contract may be terminated by either party by a thirty (30) day written notice to the other party.