

REQUEST FOR PROPOSALS

REAL ESTATE MARKETING AND BROKERAGE SERVICES

MAY 2015



OGDENSBURG GROWTH FUND DEVELOPMENT CORPORATION
330 FORD STREET, ROOM 11
OGDENSBURG, NEW YORK 13669



I. INTRODUCTION

The Ogdensburg Growth Fund Development Corporation (“OGF”) seeks a real estate firm specializing in commercial real estate to provide brokerage and marketing services for property owned by OGF, located at 611 Rensselaer Avenue in Ogdensburg NY.

It is the intent of this RFP to have the successful broker/firm enter into a Professional Services Contract with OGF to supply real estate services as outlined herein.

The property is a fully renovated 1,300 SF 3 bed room/2 bath, single-family home located in the City’s single-family zoning district. The property is complete with water, sewer, and natural gas.

Background

The Ogdensburg Growth Fund Development Corporation is a duly established as a not-for-profit local development corporation of the State of New York pursuant to the filing of a Certificate of Incorporation on April 19, 1983 in accordance with Sections 402 and 1411 of the Not-for-Profit Corporation Law.

In accordance with the Certificate and N-PCL, and in addition to those powers and purposes provided under Section 402 and 1411 of the Not-for- Profit Corporation Law the purposes of this Corporation shall be to:

- (a) Relieve and reduce unemployment and lessen the burdens of government and to act in the public interest.
- (b) Promote, provide, and/or facilitate projects and efforts intended to maximize employment opportunities for Ogdensburg residents through the creation of residential, commercial, and industrial developments throughout the community.
- (c) Instruct and train individuals to improve or develop their capabilities for jobs.
- (d) Conduct research for the purpose of attracting or retaining businesses in the greater Ogdensburg area.
- (e) Administer the Ogdensburg Growth Fund Loan Program.
- (f) Attract funding from private and public sources for the purposes of supporting economic growth within the greater Ogdensburg area.

The mission of the OGF is to enhance the quality of life in Ogdensburg by fostering cooperation between City Government, Economic Development Agencies and the private sector to strengthen businesses and create innovative economic, housing, and career development opportunities for area residents.

II. SUMMARY DATA

Property:	611 Rensselaer Avenue, Ogdensburg, New York
Property Area:	1,300 SF/36’x144’
Zoning Classification:	Single-Family Residential (SFR)
Notes:	There are no easements, or right-of-ways through or across the parcel.



III. PROPOSAL SUBMISSION REQUIREMENTS

Responses to this Request for Proposals must contain the information described below and conform to the following format:

A. SCOPE OF SERVICES

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

- Develop strategies for sale of properties,
- Work with the Administrative Director and Board of Directors to negotiate the sale {or lease} of said property with buyers and prospects,
- Coordinate real estate appraisals
- Coordinate real estate transaction closings
- Handle all other customary activities and services associated with real estate transactions. Attendance and presentations at meetings of the Finance Committee or Board of Directors meetings of OGF will be required.

B. FIRM/BROKER'S QUALIFICATIONS

Respondents to this RFP shall have the following qualifications:

- Must be licensed real estate professional and in good standing with the New York State Association of Realtors.



- 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 residential properties.
- Must be knowledgeable in the use of all public real estate records.

C. INSURANCE REQUIREMENTS

For proposal purposes, proposers must submit copies of certificates of insurance for general liability and workers compensation. The successful contractor must provide original certificates, listing the OGFDC as an “additional insured” on the policy prior to commencing services.

D. FEE SCHEDULE

The proposed fee schedule shall include the following items:

1. State your commission rate for selling properties.
2. State your commission rate for leasing properties.

E. CONTRACT PERIOD

The contract period for the successful broker/firm will be from date of award for one year with renewable options up to three additional one year terms. The contract may be terminated by either party with 30 (thirty) days prior notice.

F. ECONOMIC OPPORTUNITY POLICY & PROJECT GOALS

MBE&WBE do not apply to this disposition; however, M/WBE firms are encouraged to apply.

G. CERTIFICATE OF NON-INDEBTEDNESS

All proposals submitted in response to this RFP must contain a fully executed Certificate of Non-Indebtedness to the City of Ogdensburg. A copy of this Certificate is attached as Exhibit A.

H. CONFLICT OF INTEREST FORM

All proposals submitted in response to this RFP must contain a fully executed Conflict of Interest form. A copy of this form is attached as Exhibit B.

IV. SUBMISSION OF PROPOSALS AND SCHEDULE

All proposals, must be submitted on or before Friday, May 8, 2015 at 3:00 PM. All submissions must be addressed to the attention of Andrea L. Smith, Administrative Director, Ogdensburg Growth Fund, 330 Ford Street, Room 11, Ogdensburg, NY 13669. Please ask for a time-stamped receipt if hand delivering a proposal. If the proposal is mailed, please request delivery confirmation.



One original and 3 copies of the submission, as well as a CD or thumb drive containing materials (in a PDF format) must be submitted.

All questions or comments regarding this RFP must be submitted by email to Ms. Smith at asmith@ogdensburg.org. The OGF will circulate questions/comments and OGF's responses in writing to all teams.

The RFP timeline is as follows:

- 1) RFP Distributed – April 13, 2015
(Download RFP from the Redevelopment Authority's website at <http://ogdensburg.org/index.aspx?nid=92>)
- 2) Property Viewing – Monday, May 4, 2015 at 4 PM.
- 3) Submission Deadline – May 8, 2015; 3:00 PM
(OGF, 330 Ford Street, Room 11, Ogdensburg, NY 13669)
- 4) Firm Interviews (as needed) – Week of May 18, 2015
(OGF, 330 Ford Street, Room 11, Ogdensburg, NY 13669)
- 5) Firm/Broker Selection Target Date – On or before May 29, 2015

V. THRESHOLD REVIEW

The Business Review Committee will initially review all proposals to determine compliance with the Proposal Submission Requirements. Only proposals that comply with these requirements will be considered for evaluation. If no proposal meets these requirements, the OGF may allow all Firms/Brokers to supplement their submissions to conform to these requirements.

Issuance of this RFP and receipt of proposals does not commit OGF to award a contract. The OGF reserves the right to postpone receipt date, accepting or rejecting any or all proposals received in response to this RFP, or to negotiate with any of the brokers/firms submitting an RFP, or to cancel all or part of this RFP.

VI. EVALUATION OF PROPOSALS

Proposals selected pursuant to the Threshold Review will be evaluated by the OGF Business Review Committee using the evaluation factors listed below. It is anticipated that this process will take approximately two (2) weeks to complete. Proposals will be evaluated in their entirety – i.e., no one factor, but rather a combination of all of the following factors will determine the successful Firm/Broker. Final selection is subject to approval by the Board of Directors.

Firms submitting a proposal in response to this RFP may be required to give an oral presentation of their proposal. Additional technical and/or cost information may be requested for clarification purposes, but in no way will change the original proposal



submitted. Interviews are optional and may or may not be conducted as determined by the Board of Directors.

Following are the evaluation factors:

1. Knowledge of local real estate market and North Country region.
2. Ability for marketing the property widely across the region.
3. Residential real estate experience, qualifications and references.
4. Proven residential real estate track record.
5. Ability of the contractor(s) to meet or exceed the requirements defined in the RFP.
6. Fee schedule
7. Completeness of response to RFP as outlined in this solicitation.

2) Experience

1. History of Team Partnership: The development team's experience working together on similar projects will be considered as relevant.

VII. RESERVATION OF RIGHTS

The information in this RFP is provided for background purposes only. While every effort has been made to ensure the accuracy of the information contained in this RFP, it is not, and shall not be construed to be or constitute, a representation, warranty or guaranty regarding the content, completeness, or accuracy of such information, or the qualifications or expertise of the individual(s) or firm(s) providing or preparing such information. Each firm/broker shall rely solely on its own inspection, investigation, confirmation and analysis of (I) the Property, (II) the information contained in or delivered pursuant to this RFP and (III) any other information that such firm/broker deems necessary or prudent.

The RFP is not a legally binding document, but an invitation to submit proposals on the terms and conditions described in this RFP. The OGF shall not be under any obligation to a firm/broker unless and until the Board of Directors approve the firm/broker and the OGF and the firm/broker enter into a legally binding Agreement. In no event shall the OGF be responsible for any costs, expenses and fees incurred by or on behalf of any firm/broker in connection with this RFP. Each firm/broker shall be solely responsible for all such costs, expenses and fees.

The OGF reserves the right to modify the schedule and scope of this solicitation process and to reject, or not consider, all or part of any proposal submitted in response to this RFP for any reason whatsoever at any time prior to the full execution of a contract agreement. Further, after its review of proposals, the OGF reserves the right to request additional or clarifying information from any or all of the Responders.



The OGF makes no warranty as to the environmental condition of the Property. Any necessary environmental remediation will be the sole responsibility of the Purchaser or his/her representative.

OGF reserves and may exercise any of the following rights and options with respect to this selection process:

- 1) to request one or more of the firm/broker to provide additional material, clarification, confirmation or modification of any information in the submission;
- 2) to supplement, amend, substitute or otherwise modify this RFP any time prior to selection of one or more firm/broker for negotiation, and to cancel this RFP with or without issuing another RFP;
- 3) to request that one or more of the firm/broker supplement proposals based on the review of all proposals;
- 4) to negotiate with one or more of the firm/broker concerning any aspect of the proposal, including price;
- 5) to terminate any negotiations at any time;
- 6) to accept or reject at any time prior to the execution of the Contract Agreement, all submissions and/or to withdraw the RFP without notice;
- 7) to expressly waive any defect or technicality in any proposal;

VIII. SELECTION

The disclosure statements and other documentation submitted to OGF are the most important sources of information upon which the OGF may base its selection and approval of a firm/broker. Accordingly, any substantive misstatement or omission in any such disclosure statement or documentation shall be sufficient for the OGF to reject the proposal.

Upon completion of the review and evaluation, the OGF Board of Directors shall make the final decision with respect to the selected firm/broker proposal. Acting as an agent for the OGF, the Administrative Director shall notify all proposers of the results.

IX. THE FOLLOWING INFORMATION/FORMS MUST ACCOMPANY YOUR RESPONSE

- A.** List years in business, previous names of the firm, if any.
- B.** Description of your firm, including size of firm, location, number and nature of the professional staff to be assigned; staff experience and training, including a brief resume for each key person listed.
- C.** Describe experience (minimum five years previous experience with proven effectiveness) your firm or organization has in pertinent real estate experience.
- D.** Experience in assisting similar size entities, including any and all services for government agencies.

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- E. List of at least three references where and when your firm provided similar services. Please provide names and telephone numbers of contact persons for each reference.
- F. Additional services offered through your firm.
- G. Listing of current litigation, outstanding judgments and liens, if any.
- H. Fee schedule:
 - a. State your proposed commission rate for sales and leases.
 - b. State any other costs the OGF may anticipate relating to the real estate services to be provided.
- I. Certificate of Non-Indebtedness, Exhibit A
- J. Conflict of Interest Form(s), Exhibit B
- K. Firm/Broker Agreement, Exhibit C [**to be provided by respondent**]

EXHIBIT A: CERTIFICATE OF NON-INDEBTEDNESS

**CERTIFICATE OF NON-INDEBTEDNESS TO THE CITY OF
OGDENSBURG, NY**

Firm/Broker hereby certifies and represents that the he/she, and or the firm/broker's parent company(ies) and subsidiary(ies) are not currently indebted to the City of Ogdensburg ("City") for or on account of any delinquent taxes (including, but not limited to, taxes collected by the City on behalf of the School District of Ogdensburg), liens, fees, or other debts for which no written agreement of payment plan satisfactory to City has been established.

Name of Firm/Broker

By: _____
Authorized Signatory

Title: _____

Print Name

Witness: _____

Print Name

EXHIBIT B: CONFLICT OF INTEREST FORM(S)

CONFLICT OF INTEREST

I (We) _____, hereby certify under penalty of perjury that I/(we)
Do _____ or Do Not _____
(check appropriate line)

have a relationship (by blood, marriage, or business) with any of the following individuals who may play a role in the administration or delivery of the Request for Proposals at 420 Ford Street.*

If you do have a relationship, please complete page two (2) of this document.

Ogdensburg Growth Fund Board of Directors:

William Nelson, Scott Wright, Lori Smithers, Michael Brashaw, Samuel LaMacchia,
Gary Hammond, Dallas Sutton, and John Pinkerton

Ogdensburg Growth Fund Staff

Andrea Smith, Philip Cosmo, Timothy Johnson

Firm/Broker(s) Name _____

Firm/Broker (s) Signature _____

Date _____

*Please note that if you do have a relationship with any of the identified parties, this does not automatically disqualify you from responding to this RFP. It does mean that the relationship must be openly disclosed and documented in the files to avoid the appearance of impropriety.

If you **do** have a relationship (by blood, marriage, or business) to someone associated with this RFP, please complete the following questions to further document said relationship. The regulations concern the following groups:

- A. Officers, or elected or appointed officials of the Ogdensburg Growth Fund Development Corporation.
- B. Employees, or consultants of the Ogdensburg Growth Fund Development Corporation.

1. Are **you** now, or have you been during the preceding year, in one or both of the categories (A or B) described above?

YES NO

2. Is any member of your family or your spouse's family now, or have they been during the preceding year in one or both of the categories (A or B) described above?

YES NO

If yes, please state the nature of your relationship and briefly describe your family member's duties or title with respect to the organization or business.

3. Is any person with whom you have a business relationship, or with whom you have had a business relationship during the preceding year, in one or both of the categories (A or B) described above?

YES NO

If yes, please state the nature of your relationship and briefly describe that person's duties or title with respect to the organization or business.

4. Does or will any person in either category A or B described above have any interest in contract for materials or services related to the project or property for which you are applying?

YES NO

If yes, briefly describe the nature of that person's interest with respect to this project.

CERTIFICATION

I do hereby declare that I have filed the foregoing Statement of Interest and do hereby certify that the statements made in the foregoing Statement are true and correct to the best of my knowledge, information and belief. I understand that false statements made herein are subject to penalties of perjury.

Signature: _____

Printed Name: _____ Date: _____

EXHIBIT C: FIRM/BROKER AGREEMENT
[To be provided by respondent]