



## City of Auburn, Maine

Economic and Community Development  
Eric Cousens, Interim Director

[www.auburnmaine.gov](http://www.auburnmaine.gov) | 207.333.6601  
60 Court Street, Auburn, Maine 04210

September 9, 2020

Dear Bidder;

The City of Auburn, a municipal corporation (hereinafter "the City") is accepting written proposals for services for a real estate firm to provide brokerage and marketing services for two downtown commercial properties owned by the City of Auburn.

The City reserves the right to accept or reject any or all proposals in whole or in part and to waive any informality the City may determine is necessary. The City also reserves to itself the exclusive right to accept any proposals when it is deemed by the City to be in its best interest. The City is governed by Title 1 M.R.S.A. § 401-410, otherwise known as the Freedom of Information Act, which considers bid specifications as public documents. In awarding any proposal, the City may consider, but not be limited to, any of the following factors: cost, professional qualifications, experience, and references. The City may hold interviews with the broker agency and broker/realtor prior to making a decision. Broker Agency shall be current on all amounts due to the City prior to the City entering into any contract agreement.

Proposals must be submitted in accordance with the following instructions to bidders. Please mark sealed envelopes plainly: "**Real Estate Broker Services– Bid 2021-010**"

Questions regarding this Request for Proposals should be directed to Justin L. Poirier, Urban Development Specialist, [jpoirier@auburnmaine.gov](mailto:jpoirier@auburnmaine.gov).

Please submit your proposal in a sealed envelope to the City of Auburn **by 2:00 p.m. on October 8, 2020**. Proposals must be received by **Derek Boulanger, Facilities Manager/Purchasing Agent, 60 Court Street, Auburn, Maine 04210** on or before the date and time appointed. Proposals will be opened at 2:00 PM at Auburn City Hall. The City will not accept late bids.

Sincerely,

A handwritten signature in black ink, appearing to read "DBL", is written over a light blue horizontal line.

Derek Boulanger  
Facilities Manager/Purchasing Agent

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## **SCOPE OF WORK**

The selected firm will be responsible for assisting the City of Auburn, Maine (hereinafter “the City”), with commercial brokerage services, representing the City’s interest in marketing and negotiating sales or leases for assigned real estate properties, and potentially providing other real estate related services as requested. The initial properties being marketed are the City owned lots located at 186 Main Street (PID: 231-020) and a pad located off the newly constructed Anniversary Park (PID: 221-101).

## **REQUEST FOR PROPOSALS**

The City is requesting proposals for services to market these properties for sale or lease and coordinate the sale transaction with other potential buyers. The broker should have some familiarity with laws and practices applicable to municipal real estate matters, including relevant local land use and zoning controls for properties. The selected broker will demonstrate an ability to carry out the assignment, and has the skills and experience necessary to complete the task.

There will be a limit of one proposal from any one broker agency. The City will award a contract from date of award for one year, with renewable options up to three additional one year terms. The City requires that the company hold a Real Estate Brokerage Agency license by the State of Maine, and the principal in charge hold a Broker/Realtor license.

Questions regarding this Request for Proposals should be directed to Justin L. Poirier, Urban Development Specialist, 60 Court Street, Auburn, Maine at [jpoirier@auburnmaine.gov](mailto:jpoirier@auburnmaine.gov).

## **COMPLIANCE WITH FEDERAL REGULATIONS**

1. Equal Employment Opportunity: The City of Auburn is an Equal Opportunity Employer and shall not discriminate against an applicant for employment, and employee or a citizen because of race, color, sex, marital status, physical and/or mental handicap, religion, age, ancestry or natural origin, unless based upon a bona-fide occupation qualification. Vendors and contractor or their agents doing business with the City shall not violate the above clause or the Civil Rights Acts of 1964. Violations by vendors shall be reviewed on a case-by-case basis and may mean an automatic breach of contract or service to the City.
2. Save Harmless: The Broker/Agent agrees to protect and save harmless the owner from all costs, expenses or damages that may arise out of alleged infringement of patents of materials used.
3. Subcontracting: The Broker/Agent shall not subcontract any part of the work or materials or assign any monies due it without first obtaining the written consent of the municipality. Neither party shall assign or transfer its interest in the contract without the written consent of the other party.

## **CONDITIONS AND INSTRUCTIONS TO BIDDERS**

1. Broker Agents shall use the enclosed bid form.
2. Proposals must be completed in full, in ink and must be signed by firm official. Proposals **MUST be notarized** prior to bid being sealed and will be disqualified if not notarized. Proposals may be withdrawn prior to the time set for the official opening.
3. Proposals will be opened publicly. Broker Agent or representatives may be present at opening.
4. Issuance of this RFP and receipt of proposals does not commit the City to award a contract. The City 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.
5. The City is exempt from payment of Federal Excise Taxes on the articles not for resale, Federal Transportation Tax on all shipments and Maine Sales Tax and Use Taxes. Please quote less these taxes. Upon application, exemption certificate will be furnished with the Purchase Order when required.
6. No contract may be assigned without the written consent of the Finance Director or her designate.
7. Please state "**Real Estate Broker Services – #2021-010**", on submitted, sealed envelope.
8. The City of Auburn reserves the right to waive any formality and technicality, whichever is deemed best for the interest of the City.
9. 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 60 (sixty) days prior notice.
10. Award Criteria: Proposals will be evaluated and scored based on the following criteria and points:
  - Commission Structure: Competitiveness of pricing proposal (25 points)
  - Experience and Qualifications: Demonstrated prior experience with transactions of similar scope and complexity and the effectiveness of your proposed real estate transaction process in a municipal context (50 points)
  - Key Personnel and Resources: Demonstrated competence and experience of firm's personnel responsible for performing work and providing services (25 points)

A proposal review team will be assigned to evaluate all responsive proposals received by the City. The review team will consider the information in the proposals as outlined above. It should be noted that the contract resulting from this RFP will be awarded to the respondent whose proposal is determined to be in the "best interest" of the City. Therefore, the proposal offering the lowest cost may not necessarily be the proposal that is selected for award. It is anticipated that the selection will be completed by October 8, 2020.

**PROPOSAL FORM:**

Due Thursday, October 8, 2020

To: City of Auburn  
Derek Boulanger  
Facilities Manager/Purchasing Agent  
60 Court Street  
Auburn, ME 04210

The undersigned individual/firm/business guarantees this price for thirty days (30) from the proposal due date. The undersigned submits this proposal without collusion with any other person, individual, or firm or agency. The undersigned ensures the authority to act on behalf of the corporation, partnership or individual they represent; and has read and agreed to all of the terms, requests, or conditions written herein by the City of Auburn, Maine.

By signing this form, the firm listed below hereby affirms that its bid meets the minimum specifications and standards as listed above.

Signature \_\_\_\_\_ Company \_\_\_\_\_  
Name (print) \_\_\_\_\_ Telephone # \_\_\_\_\_  
Title \_\_\_\_\_ Fax # \_\_\_\_\_  
Address \_\_\_\_\_  
Email Address \_\_\_\_\_  
Web Site \_\_\_\_\_

STATE OF MAINE

\_\_\_\_\_, SS.

Date: \_\_\_\_\_

Personally appeared \_\_\_\_\_ and acknowledged the foregoing instrument to be his/her free act and deed in his/her capacity and the free act and deed of said company.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print Name

Commission Expires \_\_\_\_\_

## **PROPOSAL FORMAT**

Proposals shall contain the following information:

1. Cover letter
2. Bid submission form – Authorization (page 5 of this Request for Proposals)
3. Identify Principal in Charge (Realtor to be assigned to this work)
  - a. General statement of professional qualifications, experience, capacity
  - b. Specific experience (statistics of sales or any other information that would be useful to the City in evaluating your proposal);
  - c. Experience with a variety of income-based programs
  - d. Relevant professional memberships, awards, certifications or other affiliations
  - e. Relevant continuing education or other training
  - f. 3 client references
4. Identify a marketing strategy for commercial properties
5. Identify creative strategies and experience with development/redevelopment projects
6. Identify what would make your firm a better choice than other firms or brokers; include sales data, organized by commercial properties closed within the last year
7. Submit copies of licenses
8. Describe claims history during the past five years made on any liability insurance policies covering the broker agency, any of its officers, owners or key employees for professional work rendered
9. State your proposed commission rate for sales and leases; include proposed compensation for non-traditional transactions. **Note: The City, under certain circumstances, may sell these properties at a significantly discounted rate or convey at no cost for development opportunities – please keep this in mind when developing your proposed compensation.**
10. State any other costs the City may anticipate relating to the real estate services to be provided