

STATE OF MAINE
Department of Administrative and Financial Services
Bureau of General Services

RFP#201508156

Professional Real Estate Sales Services

RFP Coordinator: Bill Leet

111 Sewall Street, SHS 77, Augusta, ME 04333-0077

Tel: 207-624-7345 E-mail: Bill.Leet@maine.gov

From the time this RFP is issued until award notification is made, all contact with the State regarding this RFP must be made through the aforementioned RFP Coordinator. No other person / State employee is empowered to make binding statements regarding this RFP. Violation of this provision may lead to disqualification from the bidding process, at the State's discretion.

Deadline for Submitted Questions: November 9th, 2015, 2:00 p.m. local time

Proposals Due: November 24th, 2015, not later than 2:00 p.m. local time

Submit to:

Division of Purchases
Burton M. Cross Building, 111 Sewall Street, 4th Floor
9 State House Station, Augusta ME 04333-0009

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Public Notice

State of Maine
Department of Administrative and Financial Services
Bureau of General Services
Public Notice for RFP#201508156
Professional Real Estate Sales Services

The State of Maine, Department of Administrative and Financial Services, has a requirement for Professional Real Estate Sales Services. In accordance with State procurement practices, the Department is hereby announcing the publication of a Request for Proposals (RFP) #201508156 for the purchase of the aforementioned services.

A copy of the RFP can be obtained by contacting the Department's RFP Coordinator for this project: Bill Leet. The RFP Coordinator can be reached at the following email address: Bill.Leet@maine.gov or mailing address: 111 Sewall Street, SHS 77, Augusta, ME 04333-0077. The Department encourages all interested vendors to obtain a copy of the RFP and submit a competitive proposal.

Proposals must be submitted to the State of Maine Division of Purchases, located at the Burton M. Cross Office Building, 111 Sewall Street, 4th Floor, 9 State House Station, Augusta, Maine, 04333-0009. Proposals must be submitted by 2:00 pm, local time, on 11/24/15, when they will be opened at the Division of Purchases' aforementioned address. Proposals not received at the Division of Purchases' aforementioned address by the aforementioned deadline will not be considered for contract award.

State of Maine - Department of Administrative and Financial Services
Bureau of General Services
RFP#201508156
Professional Real Estate Sales Services

PART I INTRODUCTION

A. Purpose and Background

The Department of Administrative and Financial Services, Bureau of General Services (“Department” and “Bureau”) is seeking proposals to provide Professional Real Estate Sales as defined in this Request for Proposals (RFP) document. This document provides instructions for submitting proposals, the procedure and criteria by which the Provider(s) will be selected, and the contractual terms which will govern the relationship between the State of Maine (“State”) and the awarded Bidder(s).

The Department is charged with various oversight responsibilities for state facilities and property.

The Commissioner of the Department is specifically authorized by Legislative Resolve to dispose of certain state properties in a timely manner which will require a substantive and well-managed effort on the part of the successful Bidder. The Department intends to select a Professional Real Estate Company to provide the Bureau with all required functions related to the disposition of state owned surplus properties.

The properties will require various types and amounts of the full range of real estate services including title searches, opinion of value, closing cost, appraisals, survey work, listing, marketing and negotiation. The vendor will be responsible directly or indirectly for all these services and such other tasks as may be associated with each property to achieve successful outcomes.

B. General Provisions

1. Issuance of this RFP does not commit the Department to issue an award or to pay expenses incurred by a Bidder in the preparation of a response to this RFP. This includes attendance at personal interviews or other meetings and software or system demonstrations, where applicable.
2. All proposals should adhere to the instructions and format requirements outlined in this RFP and all written supplements and amendments (such as the Summary of Questions and Answers), issued by the Department. Proposals are to follow the format and respond to all questions and instructions specified below in the “Proposal Submission Requirements and Evaluation” section of this RFP.
3. Bidders shall take careful note that in evaluating a proposal submitted in response to this RFP, the Department will consider materials provided in the proposal, information obtained through interviews/presentations (if any), and internal Departmental information of previous contract history with the Bidder (if any). In conducting any such interviews, there shall be no disclosure of any information derived from proposals submitted by competing vendors. The Department also reserves the right to consider other reliable references and publicly available information in evaluating a Bidder’s experience and capabilities. The proposal shall be signed by a person authorized to legally bind the Bidder and shall contain a statement that the proposal and the pricing contained therein will remain valid and binding for a period of 360 days from the date and time of the bid opening, with the option of three one year renewals.
4. The RFP and the selected Bidder’s proposal, including all appendices or attachments, shall be the basis for the final contract, as determined by the Department.

5. Following announcement of an award decision, all submissions in response to this RFP will be considered public records available for public inspection pursuant to the State of Maine Freedom of Access Act (FOAA) (1 M.R.S. §§ 401 et seq.).
6. The Department, at its sole discretion, reserves the right to recognize and waive minor informalities and irregularities found in proposals received in response to this RFP.
7. The State of Maine Division of Purchases reserves the right to authorize other Departments to use the contract(s) resulting from this RFP, if it is deemed to be beneficial for the State to do so.
8. All applicable laws, whether or not herein contained, shall be included by this reference. It shall be Proposer's/Vendor's responsibility to determine the applicability and requirements of any such laws and to abide by them.

C. Eligibility to Submit Bids

Bidder must be a Maine Licensed Broker in good standing with the Maine Real Estate Commission.

D. Contract Term

The Department is seeking a cost-efficient proposal to provide services, as defined in this RFP, for the anticipated contract period of one year. The actual contract start date will be established by a completed and approved contract.

Contract Renewal: Following the initial term of the contract, the Department may opt to renew the contract for three renewal periods of one year each subject to continued availability of funding and satisfactory performance, at the Bureau's sole discretion and with the right to terminate at any time.

The term of the anticipated contract, resulting from this RFP, is defined as follows:

Period	Start Date	End Date
Initial Period of Performance	12/16/15	12/15/16
Renewal Period #1	12/16/16	12/15/17
Renewal Period #2	12/16/17	12/15/18
Renewal Period #3	12/16/18	12/15/19

E. Number of Awards

It is the intent of the Bureau to select one vendor to be responsible for providing the Company and related services, and to work effectively with the Bureau of General Services and any other project partners, stakeholders and vendors. This single vendor award intent does not, however, preclude joint ventures which are, in fact, encouraged where they will provide a more effective solution. If a joint proposal is submitted, one of the vendors must be the prime contractor and signatory of the agreement with the Bureau and thus be responsible for the effective Real Estate Service performance standards required under the agreement.

PART II SCOPE OF SERVICES TO BE PROVIDED

A. OVERVIEW

This Request for Proposals (RFP) is designed to select a qualified Vendor who will be responsible for providing Real Estate Planning, Management & Sales Services. The selected Vendor will be responsible for providing, via an inclusive services agreement, companies and services to meet the requirements identified in this RFP, and will be held accountable for meeting these requirements.

Below is a list of state surplus properties that have been approved for disposition by Resolve of the Maine Legislature. Applicable Legislative Resolves are included in Appendix C. The Department anticipates additional properties will be added to the list when approved by future legislation.

1. State Police Barracks – Orono
2. Elizabeth Levinson Center Parcel
3. Star Barn Road Parcel
4. Stevens School
5. Sinclair Elementary School
6. Hedin Hall
7. 22-26 Ship Circle
8. District Court House, Augusta
9. Welch House
10. Rockwood School
11. Bigelow Lab

B. APPROACH AND PLAN

This section of the proposal is intended to give respondents the opportunity to describe their sales approach.

Proposals may include brief free-form introductory or narrative material in this section. This section, however, must include responses to each of the items in this section below. Proposals should be formatted and labeled in such a way that those responses match this document. *For example*, proposals must identify the corresponding responses to Part II, B, subsection 1 a through p and Part II, B, subsection 2 a through e as listed below.

1. APPROACH - Please explain how your company will:
 - a. Ensure that it understands the desired outcomes.
 - b. Work effectively with the state and other stakeholders.
 - c. Evaluate and recommend a sale method for each property designated by the Bureau.
 - d. Market designated properties for sale.
 - e. Establish sufficient internal controls to prevent actions not authorized by the State.
 - f. Establish sufficient milestones that progress occurs and is not needlessly delayed.
 - g. Provide ancillary services such as appraisals, surveys, title searches and related services *if so required*.

- h. Coordinate the performance of ancillary services by other parties such as appraisals, surveys, title search and related services *if so required*.
 - i. Provide appropriate public notice about the opportunity to buy designated properties.
 - j. Network with the Real Estate Professional and other stakeholder communities.
 - k. Assist State with facilitating any necessary community meetings.
 - l. Conduct property inspections, showings and visits.
 - m. Provide planning, managing and marketing real estate skills.
 - n. Assist State with property related recommendations and professional negotiations.
 - o. Coordinate and oversee all required sales documentation with the State's Attorney Generals Office and or other legal services as may be designated by the State.
 - p. Assist State with property closings and ownership transfers.
2. PLAN - Please explain how your company will:
- a. Provide the State with a timely, measurable and written strategic plan detailing how the company will accomplish the State's objectives and goals of disposing of state properties. Samples of similar plans prepared for other customers are welcome as a component of this response.
 - b. Efficiently and effectively manage the disposal of the proposed state properties and otherwise implement the marketing plan.
 - c. Communicate progress and other information about the plan.
 - d. Fulfill all required and customary federal and state-mandated disclosures associated with any property agreements or transactions.
 - e. Comply with all state laws and the Resolves under which these transactions are authorized.

C. ADDITIONAL SERVICES

The state reserves the right to obtain additional necessary services such as appraisals, surveys, title searches, closing costs, etc. from the awarded Bidder as may be necessary to carry-out this project. The state also reserves the right to obtain these services from a third party vendor and to require those services to be coordinated by but not directly performed by the awarded Bidder.

D. STRATEGIC MARKETING PLAN

The successful Bidder will provide a strategic marketing plan within 30-days of the executed contract and provide progress updates every 30 day or when requested by the state.

E. ADDITIONAL INFORMATION

As stated in Part I, Section B, 7 The State of Maine Division of Purchases reserves the right to authorize other Departments to use the contract resulting from this RFP, if it is deemed to be beneficial for the State to do so.

PART III KEY RFP EVENTS

A. Timeline of Key RFP Events

Event Name	Event Date and Time
Due Date for Receipt of Written Questions	11/9/15 at 2:00pm, local time
Due Date for Receipt of Proposals	11/24/15 at 2:00pm, local time
Estimated Contract Start Date (subject to change)	12/16/2015

B. Questions

1. General Instructions

- It is the responsibility of each Bidder to examine the entire RFP and to seek clarification in writing if the Bidder does not understand any information or instructions.
- Questions regarding the RFP must be submitted in writing and received by the RFP Coordinator listed on the cover page of this RFP document as soon as possible but no later than the date and time specified in the timeline above.
- Questions can be submitted by e-mail Bill.Leet@maine.gov include the RFP Number and Title in the subject line. The Department assumes no liability for assuring accurate/complete/on time e-mail transmission and receipt.
- Include a heading with the RFP Number and Title. Be sure to refer to the page number and paragraph within this RFP relevant to the question presented for clarification, if applicable.

2. Summary of Questions and Answers:

Responses to all substantive and relevant questions will be compiled in writing and distributed to all registered, interested persons by e-mail no later than seven (7) calendar days prior to the proposal due date. Only those answers issued in writing by the RFP Coordinator will be considered binding. The Department reserves the right to answer or not answer any question received.

C. Submitting the Proposal

- Proposals Due:** Proposals must be received no later than 2:00 p.m. local time, on the date listed in the timeline above, at which point they will be opened. Proposals received after the 2:00 p.m. deadline will be rejected without exception.
- Mailing/Delivery Instructions:** PLEASE NOTE: The proposals are not to be submitted to the RFP Coordinator at the requesting Department. The official delivery site is the State of Maine Division of Purchases (address shown below).
 - Only proposals received at the official delivery site prior to the stated deadline will be considered. Bidders submitting proposals are responsible for allowing adequate time for delivery. Proposals received after the 2:00 p.m. deadline will be rejected without exception. Postmarks do not count and fax or electronic mail transmissions of proposals are not permitted unless expressly stated in this RFP. Any method of hardcopy delivery is acceptable, such as US Mail, in-person delivery by Bidder, or use of private courier services.
 - The Bidder must send its proposal in a sealed package including one **(1) original and five (5) copies** of the complete proposal. Please clearly label the original. One electronic copy of the proposal must also be provided on CD or flash drive with the complete narrative and attachments in MS Word format. Any attachments that cannot be submitted in MS Word format may be submitted as Adobe (.pdf) files.
 - Address each package as follows (and be sure to include the Bidder's full business name and address as well as the RFP number and title):

Bidder Name/Return Address

Division of Purchases
Burton M. Cross Building, 4th Floor
111 Sewall Street
9 State House Station
Augusta ME 04333-0009

Re: RFP#201508156

PART IV PROPOSAL SUBMISSION REQUIREMENTS

This section contains instructions for Bidders to use in preparing their proposals. The Bidder's proposal must follow the outline used below, including the numbering and section and sub-section headings as they appear here. Failure to use the outline specified in this section or to respond to all questions and instructions throughout this document may result in the proposal being disqualified as non-responsive or receiving a reduced score. The Department and its evaluation team for this RFP have sole discretion to determine whether a variance from the RFP specifications should result in either disqualification or reduction in scoring of a proposal. Rephrasing of the content provided in this RFP will, at best, be considered minimally responsive. The Department seeks detailed yet succinct responses that demonstrate the Bidder's experience and ability to perform the requirements specified throughout this document.

A. Proposal Format

1. For clarity, the proposal should be typed or printed. Proposals should be single-spaced with 1" margins on white 8 1/2" x 11" paper using a font no smaller than 12 point Times New Roman or similar.
2. All pages should be numbered consecutively beginning with number 1 on the first page of the narrative (this does not include the cover page or table of contents pages) through to the end, including all forms and attachments. For clarity, the Bidder's name should appear on every page, including Attachments. Each Attachment must reference the section or subsection number to which it corresponds.
3. Bidders are asked to be brief and to respond to each question and instruction listed in the "Proposal Submission Requirements" section of this RFP. Number each response in the proposal to correspond to the relevant question or instruction of the RFP.
4. Include any forms provided in the application package or reproduce those forms as closely as possible. All information should be presented in the same order and format as described in the RFP.
5. It is the responsibility of the Bidder to provide all information requested in the RFP package at the time of submission. Failure to provide information requested in this RFP may, at the discretion of the Department's evaluation review team, result in a lower rating for the incomplete sections and may result in the proposal being disqualified for consideration.
6. Bidders should complete and submit the proposal cover page provided in Appendix A of this RFP and provide it with the Bidder's proposal. The cover page must be the first page of the proposal package. It is important that the cover page show the specific information requested, including Bidder address(es) and other details listed. The proposal cover page shall be dated and signed by a person authorized to enter into contracts on behalf of the Bidder.

B. Proposal Contents

Section I Organization Qualifications and Experience

1. Overview of the Organization

Present a brief statement of qualifications and short summary of relevant experience. If subcontractors are to be used, provide a list that specifies the name, address, phone number, contact person, and a brief description of the subcontractors' organizational capacity and qualifications. Provide evidence of adequate financial stability to fulfill the requirements of the project.

2. Organization Location, Licensure & Liability Insurance Certificate

- a. Location of the corporate headquarters. Also, describe the current or proposed location where services will be provided or from which the contract will be managed.
- b. Attach documentation of any applicable Maine licensure requirements (or any specific credentials required).

- c. Attach a certificate of insurance on a standard Acord form (or the equivalent) evidencing the Bidder's general liability, professional liability and any other relevant liability insurance policies that might be associated with this contract.

3. Organizational Experience

- a. Provide a summary which lists the previous relevant work accomplished by the company in the state of Maine. Provide the project manager assigned that has experience of similar size, scope and complexity.
- b. Discuss the factors your services meet and/or exceed the requirements of the RFP.
- c. Please provide three references from customers who can attest to the bidder's qualifications and experience, including the level and quality of service the customer reference has experienced.
- d. Provide resumes for all key personnel.

Section II Proposed Services

1. Services to be Provided

Discuss the Scope of Services referenced above in Part II of this RFP and what the Bidder will offer. Give particular attention to describing the methods and resources you will use and how you will accomplish the tasks involved to include an organizational chart for the entities and individuals being proposed for the project, their roles and time commitment. If subcontractors are involved, clearly identify the work each will perform.

Section III Cost Proposal

1. General Instructions

- a. The Bidder must submit a cost proposal that covers the entire period of the contract, including any optional renewal periods. Please use the expected contract start date of December 16, 2015 and an end date of December 15, 2016 in preparing this section.
- b. The cost proposal shall include the costs necessary for the Bidder to fully comply with the contract terms and conditions and RFP requirements.
- c. Failure to provide the requested information and to follow the required cost proposal format provided in Appendix B may result in the exclusion of the proposal from consideration, at the discretion of the Department.
- d. No costs related to the preparation of the proposal for this RFP or to the negotiation of the contract with the Department may be included in the proposal. Only costs to be incurred after the contract effective date that are specifically related to the implementation or operation of contracted services may be included.
- e. Bidder must submit a commission rate proposal in the form of a percentage. The Bidder's commission rate should include, but not limited to, an option of value, advertising, marketing and additional management services, travel and all other tasks deemed necessary to perform the service in accordance with this RFP and Scope of Services.

2. Cost Proposal Form Instructions

The Bidder should fill out Appendix B, following the instructions detailed here and in the form.

Section IV Economic Impact within the State of Maine

Using the form in Appendix D, the Bidder is required to describe the Bidder's recent and anticipated economic impact upon and within the State of Maine. The use of economic impact in making contract award decisions is required in accordance with Executive Order 2012-004, which states that certain service

contracts "...advertised for competitive bid shall include scoring criteria evaluating the responding Bidder's economic impact on the Maine economy and State revenues."

PART V PROPOSAL EVALUATION AND SELECTION

Evaluation of the submitted proposals shall be accomplished as follows:

A. Evaluation Process - General Information

1. An evaluation team, comprised of qualified reviewers, will judge the merits of the proposals received in accordance with the criteria defined in the RFP, and in accordance with the most advantageous cost and economic impact considerations (where applicable) for the State.
2. Officials responsible for making decisions on the selection of a contractor shall ensure that the selection process accords equal opportunity and appropriate consideration to all who are capable of meeting the specifications. The goals of the evaluation process are to ensure fairness and objectivity in review of the proposals and to ensure that the contract is awarded to the Bidder whose proposal best satisfies the criteria of the RFP at a reasonable/competitive cost.
3. The Department reserves the right to communicate and/or schedule interviews/presentations with Bidders if needed to obtain clarification of information contained in the proposals received, and the Department may revise the scores assigned in the initial evaluation to reflect those communications and/or interviews/presentations. Interviews/presentations are not required and changes to proposals will not be permitted during any interview/presentation process. Therefore, Bidders should submit proposals that present their costs and other requested information as clearly and completely as possible.

B. Scoring Weights and Process

1. **Scoring Weights:** The score will be based on a 100 point scale and will measure the degree to which each proposal meets the following criteria.

Section I. Organization Qualifications and Experience (35 points)

Includes all elements addressed above in Part IV, Section I.

Section II. Specifications of Work to be Performed (25 points)

Includes all elements addressed above in Part IV, Section II.

Section III. Cost Proposal (35 points)

Includes all elements addressed above in Part IV, Section III.

Section IV. Economic Impact within the State of Maine (5 points)

Includes all elements addressed above in Part IV, Section IV.

2. **Scoring Process:** The review team will use a consensus approach to evaluate the bids. Members of the review team will not score the proposals individually but instead will arrive at a consensus as to assignment of points on each category of each proposal. The contract award(s) will be made to the Bidder(s) receiving the highest number of evaluation points, based upon the proposals' satisfaction of the criteria established in the RFP. The Cost and Economic Impact sections will be scored according to a mathematical formulas described below.
3. **Scoring the Cost Proposal:** The total cost proposed for conducting all the functions specified in this RFP will be assigned a score according to a mathematical formula. The lowest qualified bid will be awarded 35 points Proposals with higher bids values will be awarded proportionately fewer points calculated in comparison with the lowest bid.
The scoring formula is:

(Lowest submitted Commission Percentage proposal / Commission Percentage of proposal being scored) x 35 = pro-rated score

No Best and Final Offers: The State of Maine will not seek a best and final offer (BAFO) from any Bidder in this procurement process. All Bidders are expected to provide their best value pricing with the submission of their proposal.

- 4. Scoring the Economic Impact:** The Economic Impact for this RFP will be assigned a score according to a mathematical formula.

Recent Economic Impact: The highest recent economic impact will be awarded 2.5 points. Proposals with lower recent economic impact will be awarded proportionately fewer points calculated in comparison with the highest impact.

The Recent Economic Impact scoring formula is:

(Recent Economic Impact proposal being scored / Highest submitted recent Economic Impact proposal) x 2.5 = pro-rated score

Projected Economic Impact*: The highest projected economic impact will be awarded 2.5 points. Proposals with lower projected economic impact will be awarded proportionately fewer points calculated in comparison with the highest projected economic impact.

The Projected Economic Impact scoring formula is:

(Projected Economic Impact proposal being scored / Highest submitted projected Economic Impact proposal) x 2.5 = pro-rated score

Projected Economic Impact is to be based **solely on the resulting contract should the Bidder be awarded the contract for these services.*

Please note: If the State determines that the Bidder's recent and/or projected economic impact information is deemed to be substantially inaccurate, then the State may not award any points for economic impact to that Bidder for the applicable section(s).

- 5. Negotiations:** The Department reserves the right to negotiate with the successful Bidder to finalize a contract at the same rate or cost of service as presented in the selected proposal. Such negotiations may not significantly vary the content, nature or requirements of the proposal or the Department's Request for Proposals to an extent that may affect the price of goods or services requested. The Department reserves the right to terminate contract negotiations with a selected respondent who submits a proposed contract significantly different from the proposal they submitted in response to the advertised RFP. In the event that an acceptable contract cannot be negotiated with the highest ranked Bidder, the Department may withdraw its award and negotiate with the next-highest ranked Bidder, and so on, until an acceptable contract has been finalized. Alternatively, the Department may cancel the RFP, at its sole discretion.

C. Selection and Award

1. The final decision regarding the award of the contract will be made by representatives of the Department subject to approval by the State Purchases Review Committee.
2. Notification of contractor selection or non-selection will be made in writing by the Department.
3. Issuance of this RFP in no way constitutes a commitment by the State of Maine to award a contract, to

- pay costs incurred in the preparation of a response to this request, or to pay costs incurred in procuring or contracting for services, supplies, physical space, personnel or any other costs incurred by the Bidder.
4. The Department reserves the right to reject any and all proposals or to make multiple awards.

D. Appeal of Contract Awards

Any person aggrieved by the award decision that results from this RFP may appeal the decision to the Director of the Bureau of General Services in the manner prescribed in 5 MRSA § 1825-E and 18-554 Code of Maine Rules, Chapter 120 (found here: <http://www.maine.gov/purchases/policies/120.shtml>). The appeal must be in writing and filed with the Director of the Bureau of General Services, 9 State House Station, Augusta, Maine, 04333-0009 within 15 calendar days of receipt of notification of contract award.

E. Agreement Structure

As part of the RFP, the state reserves the right to adopt either a full-service or hybrid approach in any final agreement. In a hybrid approach, the vendor would plan, coordinate and implement the necessary services described in Part II of this RFP but some of those services – such as property surveying, appraisals, title search, etc. – might be provided by a third party under a separate agreement with the state. In a full service response, the vendor would directly or as part of a collaborative response provide all necessary services.

PART VI CONTRACT ADMINISTRATION AND CONDITIONS

A. Contract Document

1. The successful Bidder will be required to execute a contract in the form of a State of Maine Agreement to Purchase Services (BP54). A list of applicable Riders is as follows:

Rider A: Specification of Work to be Performed

Rider B: Method of Payment and Other Provisions

Rider C: Exceptions to Rider B

Rider D: (Optional; for use by Department)

Rider E: (Optional; for use by Department)

Rider G: Identification of Country in Which Contracted Work Will Be Performed

The complete set of standard BP54 contract documents may be found on the Division of Purchases website at the following link: <http://www.maine.gov/purchases/info/forms/BP54.doc>

Other forms and contract documents commonly used by the State can be found on the Division of Purchases website at the following link: <http://www.maine.gov/purchases/info/forms.html>

2. Allocation of funds is final upon successful negotiation and execution of the contract, subject to the review and approval of the State Purchases Review Committee. Contracts are not considered fully executed and valid until approved by the State Purchases Review Committee and funds are encumbered. No contract will be approved based on an RFP which has an effective date less than fourteen (14) calendar days after award notification to Bidders. (Referenced in the regulations of the Department of Administrative and Financial Services, Chapter 110, § 3(B)(i): <http://www.maine.gov/purchases/policies/110.shtml>

This provision means that a contract cannot be effective until at least 14 days after award notification.

3. The Department estimates having a contract in place by December 16, 2015. The State recognizes, however, that the actual contract effective date depends upon completion of the RFP process, date of formal award notification, length of contract negotiation, and preparation and approval by the State Purchases Review Committee. Any appeals to the Department's award decision(s) may further postpone the actual contract effective date, depending upon the outcome. The contract effective date may need to be adjusted, if necessary, to comply with mandated requirements.
4. In providing services and performing under the contract, the successful Bidder shall act independently and not as an agent of the State of Maine.

B. Standard State Agreement Provisions

1. Agreement Administration
 - a. Following the award, an Agreement Administrator from the Department will be appointed to assist with the development and administration of the contract and to act as administrator during the entire contract period. Department staff will be available after the award to consult with the successful Bidder in the finalization of the contract.
 - b. In the event that an acceptable contract cannot be negotiated with the highest ranked Bidder, the Department may withdraw its award and negotiate with the next-highest ranked Bidder, and so on, until an acceptable contract has been finalized. Alternatively, the Department may cancel the RFP, at its sole discretion.

2. Payments and Other Provisions

The State anticipates paying the Contractor on the basis of net 30 payment terms, upon the receipt of an accurate and acceptable invoice. An invoice will be considered accurate and acceptable if it contains a reference to the State of Maine contract number, contains correct pricing information relative to the contract, and provides any required supporting documents, as applicable, and any other specific and agreed-upon requirements listed within the contract that results from this RFP.

No payment will be made under the resulting agreement until services are rendered and invoices are approved by the Bureau.

PART VII LIST OF RFP APPENDICES AND RELATED DOCUMENTS

1. Appendix A – State of Maine Proposal Cover Page
2. Appendix B – Cost Proposal Form
3. Appendix C – Legislative Resolves
4. Appendix D – Economic Impact

PART VIII APPENDICES

Appendix A

State of Maine
Department of Administrative and Financial Services
Bureau of General Services
PROPOSAL COVER PAGE

RFP#201508156
Professional Real Estate Sales Services

Bidder's Organization Name:		
Chief Executive - Name/Title:		
Tel:	Fax:	E-mail:
Headquarters Street Address:		
Headquarters City/State/Zip:		
<i>(provide information requested below if different from above)</i>		
Lead Point of Contact for Proposal - Name/Title:		
Tel:	Fax:	E-mail:
Street Address:		
City/State/Zip:		

Proposed Percentage:	
<i>The proposed cost listed above is for reference purposes only, not evaluation purposes. In the event that the cost noted above does not match the Bidder's detailed cost proposal documents, then the information on the cost proposal documents will take precedence.</i>	

- This proposal and the pricing structure contained herein will remain firm for a period of 180 days from the date and time of the bid opening.
- No personnel currently employed by the Department or any other State agency participated, either directly or indirectly, in any activities relating to the preparation of the Bidder's proposal.
- No attempt has been made or will be made by the Bidder to induce any other person or firm to submit or not to submit a proposal.
- The undersigned is authorized to enter into contractual obligations on behalf of the above-named organization.

Debarment, Performance, and Non-Collusion Certification

By signing this document I certify to the best of my knowledge and belief that the aforementioned organization, its principals, and any subcontractors named in this proposal:

- a. Are not presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from bidding or working on contracts issued by any governmental agency.*
- b. Have not within three years of submitting the proposal for this contract been convicted of or had a civil judgment rendered against them for:*
 - i. fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state or local government transaction or contract.*
 - ii. violating Federal or State antitrust statutes or committing embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;*
 - iii. are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and*
 - iv. have not within a three (3) year period preceding this proposal had one or more federal, state or local government transactions terminated for cause or default.*
- c. Have not entered into a prior understanding, agreement, or connection with any corporation, firm, or person submitting a response for the same materials, supplies, equipment, or services and this proposal is in all respects fair and without collusion or fraud. The above mentioned entities understand and agree that collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards.*

Failure to provide this certification may result in the disqualification of the Bidder's proposal, at the discretion of the Department.

To the best of my knowledge all information provided in the enclosed proposal, both programmatic and financial, is complete and accurate at the time of submission.

Name:	Title:
Authorized Signature:	Date:

Appendix B

State of Maine
Department of Administrative and Financial Services
Bureau of General Services

COST PROPOSAL FORM

RFP#201508156
Professional Real Estate Sales Services

Bidder's Organization Name: _____

Instructions: Bidders should provide a Gross Sale Commission Rate in the form of a percentage associated for the sale value of each State property. The commission shall include, but not limited to, an opinion of value, advertising, marketing and additional services management, travel and all other tasks deemed necessary for the sale. For evaluation purposes, all proposals must provide and will be evaluated on the proposed gross sale commission percentage.

Proposed Gross Sale Commission Percentage: _____%

Appendix C

Legislative Resolves

Project #	Property name and grouping	Location	Authority
1	State Police Barracks	Orono	Resolves, Chapter 28
2	Elizabeth Levinson Center Parcel	Bangor	Resolves, Chapter 28
3	Star Barn Road parcel	Frenchville	Resolves, Chapter 70
4	Stevens School	Hallowell	Resolves, Chapter 70
5	Sinclair Elementary School	Sinclair	Resolves, Chapter 70
6	Hedin Hall	Bangor	Resolves, Chapter 70 Veteran Housing Only
7	22-26 Ship Circle	Thomaston	Resolves, Chapter 28
8	District Court House	Augusta	Resolves, Chapter 20
9	Welch House	Boothbay	Resolves, Chapter 53
10	Rockwood School	Rockwood	Resolves, Chapter 70
11	Bigelow Lab	Boothbay	Resolves, Chapter 53

State of Maine
Department of Administrative and Financial Services
Bureau of General Services
ECONOMIC IMPACT FORM

RFP#201508156
Professional Real Estate Sales Services

Instructions

In addition to all other information requested within this RFP, each Bidder should complete the tables below to quantify the Bidder's economic impact upon and within the State of Maine. The use of economic impact in making contract award decisions is outlined in Executive Order 2012-004, which states that certain contracts "...advertised for competitive bid shall include scoring criteria evaluating the responding Bidder's economic impact on the Maine economy and State revenues."

For the purposes of this RFP, the term "economic impact" shall be defined as the "Economic Impact Factors" listed in the table below. To complete the "economic impact" section of the Bidder's response, the Bidder shall provide the information requested, describing the Bidder's recent economic impact with the State of Maine and, separately, the projected economic impact with the State of Maine that would **specifically result from the awarded contract only**, should the Bidder be selected.

Recent Economic Impact (past 12-month period)

Economic Impact Factors	Factors Expressed in Dollars
Salaries paid to Maine residents in past 12-month period	\$
Payments made to Maine-based subcontractors in past 12-month period	\$
Payments of State and local taxes in Maine within past 12-month period	\$
Payments of State licensing fees in Maine within past 12-month period	\$
Total Recent Economic Impact	\$

Projected Economic Impact (future 12-month period following contract award)

Economic Impact Factors	Factors Expressed in Dollars
Salaries to be paid to Maine residents in future 12-month period	\$
Payments to be made to Maine-based subcontractors in future 12-month period	\$
Payments of State and local taxes in Maine to be made in future 12-month period	\$
Payments of State licensing fees in Maine to be made in future 12-month period	\$
Total Projected Economic Impact <u>only</u> from awarded contract, if selected	\$

For the tables above, the following definitions are provided:

- "Maine resident": any person whose primary residence is located within the State of Maine.
- "Maine-based": any organization whose primary operations are located within the State of Maine.
- "Past 12-month period": the past 12-months, starting on the date that the RFP was publicly released.
- "Future 12-month period": a projection for the future 12-month period, starting upon the "Estimated Contract Start Date" (PART III, A. of RFP).

Certification Statement

To the best of my knowledge, all information provided in the State of Maine Economic Impact Form is complete and accurate at the time of submission and I confirm that I am authorized to make such a determination on behalf of my organization.

Name:	Title:
Authorized Signature:	Date: