



Request for Sealed Proposals RFP # 2022-01

Sale of Real Property
320 Johnson Street, Alpena, MI

PROPOSAL DUE DATE/TIME/PLACE:

Tuesday, June 7th, 2022, 4:00 PM

Commissioner's Office

Attn: Mary Catherine Hannah, County Administrator

County of Alpena

720 W. Chisolm Street

Alpena, Michigan 49707

SITE VISIT SCHEDULED:

Tuesday, May 24, 2022, 1:00 PM

320 Johnson Street, Alpena, MI

(Main Entrance of Building)

Tentative Commission Award Date

xxxx 2022

For further information contact:

Mary Catherine Hannah

County Administrator

County of Alpena

Phone: 989-354-9500

Fax: 989-9648

Email : hannahmc@alpenacounty.org

**COUNTY OF ALPENA
REQUEST FOR PROPOSALS**

**RFP 2022-RFP SALE OF REAL PROPERTY
OFFER TO PURCHASE**

I. REQUEST FOR PROPOSAL

A. Request:

The County of Alpena, Michigan (County) will accept proposals for the sale of County owned property located at 320 Johnson Street, Alpena, Michigan (the "Property").

Respondents to this Request for Proposals (RFP) shall submit to the County of Alpena, a proposal(s), which will address the various components as set forth in this Request for Proposal.

B. Obtaining a Request for Proposal with Offer to Purchase Forms:

Proposal documents are available online by accessing the County's purchasing webpage through www.alpenacount.org or by contacting the Commissioner's Office at (989) 354-9500; commissionersoffice@alpenacounty.org.

II. PROPERTY INFORMATION

The County intends to sell this Property, which previously housed the County's Sherriff's Offices and Jail and is currently being used as a temporary animal shelter for Alpena County Animal Control. Property is being sold as is. It is the County's intention for the buyer(s) to develop the property to contribute to the economic base of the County. The sale shall be conditioned upon the offer, use of the property, proposed improvements, and timetable for making improvements.

The County constructed the current building in 1957 as a jail and County Sherriff's Offices and is was continuously operated as such until November of 2021 when operations were moved to a new facility.

The legal description for the Property is: SW ¼ quarter of the SW ¼ section line of Section 15, Township 31 North, Range 8 East, City of Alpena, Alpena County, Michigan; property tax ID: 091-015-000-801-00.

The Property site consists of 2.01 acres with a one-story building with a basement, prisoner cells, gym, cafeteria, and offices located near the center of the property. The property is located just east of a primarily commercial corridor along US-23 North. Access to the property is from Johnson Street to the north with two paved access drives located to the east and west of the building. Parking is located to the east, south and west of the building. City of Alpena municipal water and sewer are utilized at the property. In addition, commercial electric and natural gas service are currently in use at the property.

The building is a 17,000 square foot (sf), concrete block and on a concrete slab with stucco exterior, constructed in 1956. The building has a 1,400 square foot basement, which is located on the southeast side of the building. The property class is 202 Commercial-Vacant.

Additional documents included a former site plan for the proposed kitchen/gymnasium addition located on the southwest side of the original building. A review of the undated site plan indicated that a wood shed, gasoline UST, and associated dispense were located on the southwest corner of the original building, adjacent to the garage. The plan states that the UST and the dispenser was to be removed and reinstalled at a location southwest of the gymnasium, where a new UST had been installed around that time.

A full Phase I Environmental Assessment of the property has been conducted and is available upon request.

III. CONDITIONS GOVERNING DISPOSITION OF SAID PROPERTY

A. Offer:

Respondents must complete and submit the Offer to Purchase (Appendix A) and Property Narrative (Appendix B). Only offers meeting or exceeding **\$150,000.00** will be considered. All offers shall remain valid for a period of ninety (90) calendars days from the RFP due date. In case of ambiguity or lack of clearness, the County reserves the right to adopt the most advantageous thereof or to reject any or all proposals and waive irregularities.

B. Purchase Price:

Purchase price must be paid by certified or cashier's check at closing.

C. Title And Escrow Costs:

The successful Respondent(s) shall be solely responsible for paying all closing fees and costs (exclusive of the County's attorney fees), including but not limited to, an ALTA survey (if desired by Respondent), the cost of the owner's title policy and the escrow fees for the Property.

D. Commission:

The County agrees and acknowledges that it has not engaged the services of any agent or broker for the sale of this Property. In the event that Respondent has engaged an agent or broker, Respondent shall be solely responsible for the payment of said agent or broker, and said fees shall not be deducted from the purchase price.

E. Earnest Money Deposit:

Within five (5) business days after the County's acceptance of the offer, the successful Respondent(s) shall be required to deposit 10% of the accepted offer amount, as earnest money, with **XXXXXX** Title Company, Alpena, Michigan. The earnest money shall be non-refundable.

F. Submission of Proposal:

To receive consideration, sealed Proposals must be submitted to the County of Alpena, 720 W Chisholm Street, Suite 7, Alpena, Michigna, 49707 **no later than 4:00 p.m. on June 07,**

2022. An original proposal and three (3) copies must be delivered to the County. No Proposals may be submitted by electronic mail or facsimile to the County will be accepted. **The outside of the envelope shall be marked “RFP 2022-001 SALE OF REAL PROPERTY”.** Late submittals will not be considered. Offers received after closing time will be returned unopened, to the sender.

Please note that the County of Alpena, MI is NOT a guaranteed delivery point for any of the various delivery services.

A public log will be kept of the names of all Offeror organizations that submitted proposals. Pursuant to MCL XX.XXX, the contents of proposals shall not be disclosed to competing potential Offerors during the negotiation process.

G. Award:

The County will award the Proposal to the highest responsible bidder or to the bidder otherwise determined to be in the best interests of the County and to support the highest and best use of the Property. Selection will be based on proposals executing the County’s form of Offer to Purchase, Property Narrative, other required documents and supporting documentation. The sale is subject to final approval of the County Commission and its determination of a sale in the best interest of the County. The County reserves the right to reject any or all offers.

H. Schedule:

The projected schedule for award of the proposal:

Site Visit:	<u>May 24, 2022 1:00 PM</u>
Proposals Due:	<u>June 07, 2022</u>
Award by County Commission:	<u>June 28, 2022</u>

This schedule is subject to change.

I. Exceptions to this Request for Proposal:

Any exceptions from the provisions of this Request for Proposals, which are desired by the Offeror, shall be specifically noted in the proposal submitted, including additional requirements and or requests. The exceptions are to be listed on Appendix “B”.

J. Questions:

Questions regarding this Request for Proposal, or need for additional data or information should be submitted in writing by email or fax, at least seven (7) days prior to proposal due date, Mary Catherine Hannah, hannahmc@alpenacounty.org or (989) 354-9648 (fax). Responses to questions will be posted to the County’s website and provided to all known interested parties.

K. Site Visit:

A site visit is scheduled for Tuesday, May 24th, 1:00 PM for all prospective Offerors. Prospective offerors will meet with County staff at the east entrance, 320 Johnson Street, Alpena, MI 49707.

L. Conflict of Interest Information:

Information on possible conflicts of interest should be provided in the proposal. The County will consider conflicts of interests in its award process.

M. Bribery and Kickbacks:

The Procurement Code, XXXXXXXX, imposes civil and criminal penalties for its violation. In addition, the Michigan criminal statutes impose felony penalties for illegal bribes, gratuities and kickbacks.

N. Point of Contact:

Mary Catherine Hannah
County Administrator
County of Alpena
720 W. Chisholm Street, Suite 7
Alpena, MI 49707
Phone: (989) 354-9500
FAX: (989) 354-9648 email: hannahmc@alpenacounty.org

IV. SUBMISSION REQUIREMENTS

One original and three (3) copies of the proposal shall be delivered to the County of Alpena, 720 W Chisholm Street, Suite 7, Alpena, MI 49707 no later than 4:00 p.m. on June 07, 2022.

Required Content

At a minimum the following information must be included in all Proposals:

1. Cover Letter

The Respondent must submit a cover letter committing the Respondent to purchasing the Property on the terms and conditions set forth in this RFP.

2. Offer to Purchase (Appendix A)

3. Property Narrative (Appendix B)

4. Submittal Form (Appendix C)

5. Campaign Contribution Disclosure Form (Appendix D)

6. Debarment/Suspension Certification Form (Appendix E)

V. EVALUATION CRITERIA

The County reserves the right to contact some or all of the Respondents to clarify nonmaterial aspects of their offers. In evaluating the Proposals, the County’s selection will be based upon those factors deemed necessary to promote the best interests and welfare of the County, including, without limitation, the best and highest use of the Property.

Factors	Points Available
Proposed Use of Property	100
Proposed Property Improvements	100
Timetable for Making Improvements:	100
Exceptions to Request for Proposal	100
Purchase Offer	100
Business Specifications	
Submittal Form	Pass/Fail
Signed Campaign Contribution Disclosure Form	Pass/Fail
Debarment/Suspension Form	Pass/Fail
TOTAL	500 points

Table 1: Evaluation Point Summary

The evaluation of each Offeror’s purchase offer will be conducted using the following formula:

$$\frac{\text{This Offeror's Purchase Offer}}{\text{Highest Responsive Purchase Offer}} \times 100$$

VI. REJECTION OF PROPOSALS

A. Selection does not Guarantee the Award of a Contract.

This RFP shall not create any legal obligation of the County to evaluate any Proposal that is submitted or to enter into any contract or any other agreement with an entity who submits a response except on terms and conditions that the County deems, in its sole and absolute discretion, to be satisfactory and desirable. All Proposals should contain an affirmative statement regarding whether there is any “conflict of interest” with the County, its elected and appointed officials, and the Respondent. The County reserves the right to reject all Proposals received and the right to waive nonmaterial formalities and technicalities according to the best interests of the County. Any Proposals submitted shall be binding for ninety (90) days following the County’s opening and review of the same. By submitting a Proposal, the Respondent acknowledges its understanding of the requirements of this submission and agrees to be bound to the same.

B. No Liability for Costs

The County is not responsible for costs or damages incurred by interested parties in connection with the RFP process. This includes, but is not limited to, costs associated with preparing the Proposals and of participating in any site visits, oral presentations and negotiations.

VII. CONTRACT AWARD

A. Completion

The Respondent's Proposal must be complete to be considered for the award.

B. County's Rights

The County reserves the right to qualify, accept or reject any or all Respondents and accept any Proposal deemed to be in the best interest of the County. The County reserves the right to accept or reject any or all Proposals and waive irregularities or technicalities in any Proposal when in the best interest of the County and the best and highest use of the Property. The County reserves the right to accept or reject any exception taken by the Respondent to the terms and conditions of the RFP. Consideration may be given to, but not limited to, Respondent's proposed use of the Property, the best and highest use of the Property, and the offer price(s). The County reserves the right not to accept the highest offer if it does not comport with the best and highest use of the Property or is not in the best interests of the County.

C. Award

Award, if made, shall be in the form of a contract. All prescriptions of the RFP shall be understood as a form of a signed contract.

APPENDIX A

**SALE OF REAL PROPERTY
OFFER TO PURCHASE (1 OF 2)
for 320 Johnson Street**

TO: County of Alpena
720 W. Chisholm,
Suite 7
Alpena, MI 49707

_____ herein called the Buyer(s), hereby offer(s) and agree(s) to purchase from the County of Alpena, hereinafter called the County, at the price subject to the terms, conditions, reservations, restrictions, and covenants herein stated, (see attachment(s)), and easements, encumbrances and other matters of record, and to all zoning, building or other Laws or Ordinances, the following described property.

The following legal description is included to precisely define the property: SW ¼ quarter of the SW ¼ section line of Section 15, Township 31 North, Range 8 East, City of Alpena, Alpena County, Michigan; property tax ID: 091-015-000-801-00.

Closing shall be within ninety (90) days of acceptance of this agreement, unless otherwise agreed to by the parties. This sale is subject to approval by the County Commission, and the County reserves the right to reject any and all offers.

SUBMITTAL: To ensure proper identification and handling, submit sealed offer in a sealed envelope. This may be hand delivered or mailed, and must be delivered by the date and time due to:

County of Alpena
RFP 2022- 001Real Property Sale
720 W. Chisholm Street, Suite 7
Alpena, MI 49707

Timely delivery of the offer shall be the sole responsibility of the Offeror. Late offers, as determined by the date & time received by the County, will not be accepted.

The purchase price for 320 Johnson Street, Alpena, MI: \$ _____

Within five (5) business days after the County's acceptance of the offer, the successful Respondent(s) shall be required to deposit 10% of the accepted offer amount, as earnest money, with XXXX Title Company, Alpena, Michigan. The earnest money shall be non-refundable.

**SALE OF REAL PROPERTY
OFFER TO PURCHASE (2 OF 2)
for 320 Johnson Street**

Print or Type Name of Buyer(s)

Address (Street, County, State and Zip Code)

Telephone Number

Signature of Buyer(s)

Date

Agent (if applicable)

Address (Street, County, State and Zip Code)

Area Code and Telephone Number

The County of Alpena reserves the right to waive any irregularities an award, or not to award, in the best interests of the County. The County is held harmless and is indemnified for the loss and/or misplacement of response submittals. The respondent is required to utilize this form. Signature is required and reflects agreement, by the respondent, to the terms of this document.

SIGNATURE OF BIDDER(S):

SIGNATURE OF BIDDER(S):

APPENDIX B

**PROPERTY NARRATIVE
(1 OF 2)
PROPOSAL RESPONSE FORM
for 320 Johnson Street**

Print or Type Name of Buyer(s)

Proposed Use of Property (use additional sheets, if necessary):

Proposed Property Improvements (se additional sheets, if necessary):

Timetable for Making Improvements (use additional sheets, if necessary):

Exceptions to Request for Proposal (use additional sheets, if necessary) :

Signature of Buyer(s)

Date

APPENDIX C
REQUEST FOR PROPOSALS SUBMITTAL FORM
RFP 2022-001 REAL PROPERTY SALE 320 Johnson St
Sealed proposals due by **May 7, 2022, 4:00 P.M. EST**

1. OFFEROR INFORMATION

COMPANY NAME

ADDRESS/COUNTY/STATE/ZIP

If a corporation, state of incorporation: _____

Michigan Tax ID No: _____ Federal Tax Id No: _____

2. CONTACT PERSON TO CLARIFY/RESPOND TO INQUIRIES

NAME TELEPHONE NUMBER

TITLE EMAIL ADDRESS

3. PERSON AUTHORIZED TO CONTRACTUALLY OBLIGATE ON BEHALF OF THIS OFFER

NAME TELEPHONE NUMBER

TITLE EMAIL ADDRESS

4. PERSON AUTHORIZED TO NEGOTIATE ON BEHALF OF THIS OFFER

NAME TELEPHONE NUMBER

TITLE EMAIL ADDRESS

PROPOSALS, ONE ORIGINAL AND THREE (3) COPIES, MUST BE SUBMITTED IN A SEALED ENVELOPE WITH THE RFP NUMBER AND TITLE CLEARLY INDICATED ON THE FRONT OF THE ENVELOPE. EMAILED OR FAXED PROPOSALS WILL NOT BE ACCEPTED.

Sealed proposals will be received until **May 7, 2022, 4:00 P.M. MDT** and then opened at the **County of Alpena Commissioner's Office**. The opening of proposals shall be conducted in private in order to maintain the confidentiality of the contents of all proposals during the negotiation process. The undersigned declares that the amount and nature of the service to be furnished is understood and that the nature of this proposal is in strict accordance with the conditions set forth and is a part of this Request for Proposal ("RFP"), and that the undersigned Offeror has read and understands the scope and conditions of the RFP.

The undersigned accepts the Conditions Governing the Procurement, as required in Section III.

The undersigned concurs that submission of our proposal constitutes acceptance of Section V of this RFP.

The undersigned acknowledges receipt of any and all amendments.

The Respondent further warrants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance or services required under the Agreement. The Respondent certifies that the requirements of the Governmental Conduct Act, Sections 10-16-1 through 10-16-18, NMSA 1978, regarding Contracting with a public officer or County employee or former County employee have been followed.

The undersigned, in submitting this proposal, represents that Respondent is an equal opportunity employer, and will not discriminate with regard to race, age, religion, color, national origin, ancestry, sex, or physical or mental handicap as specified in Sec. 28-1-7 NMSA 1978 in the performance of this contract.

To be a valid proposal, person authorized to contractually obligate organization must sign:

Signature

Title

Date

Appendix D

Campaign Contribution Disclosure Form

Pursuant to MCL XXXXX, any person seeking to enter into a contract with any state agency or local public body for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body shall void an executed contract or cancel a solicitation or proposed award for a proposed contract if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

THIS FORM MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

"Applicable public official" means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

"Campaign Contribution" means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to either statewide or local office. "Campaign Contribution" includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

"Family member" means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law.

"Pendency of the procurement process" means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals. "Person" means any corporation, partnership, individual, joint venture, association or any other private legal entity.

“Prospective contractor” means a person who is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person qualifies for a sole source or a small purchase contract.

“Representative of a prospective contractor” means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

DISCLOSURE OF CONTRIBUTIONS MADE:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Name of Applicable Public Official: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) _____

(Attach extra pages if necessary)

Signature

Date

Title (position)

—OR—

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member or representative.

Signature

Date

Title (Position)

APPENDIX E

DEBARMENT/SUSPENSION CERTIFICATION FORM

THE FOLLOWING MUST BE CERTIFIED IF THIS PROCUREMENT IS \$60,000 OR GREATER

CONFLICT OF INTEREST

No elected official or employee of the County of Alpena (COA) has a direct or indirect financial interest in the Vendor or in the proposed transaction. Vendor neither employs, nor is negotiating to employ, any County elected official or employee, with the exception of the person(s) identified below. Vendor did not participate, directly or indirectly, in the preparation of specifications upon which the quote or offer is made.

DEBARMENT/SUSPENSION STATUS

The Vendor certifies that it is not suspended, debarred or ineligible from entering into contracts with any federal entity, state agency or local public body. The Vendor agrees to provide immediate notice to the COA Purchasing Office in the event of being suspended, debarred or declared ineligible by any entity (federal , state or local), or upon receipt of a notice of proposed debarment that is received after the submission of the quote or offer but prior to the award of the purchase order or contract.

CERTIFICATION

The undersigned hereby certifies that he/she has read the above CONFLICT OF INTEREST AND DEBARMENT/SUSPENSION STATUS requirements and that he/she understands and will comply with these requirements. The undersigned further certifies that they have the authority to certify compliance for the vendor named and that the information contained in this document is true and accurate to the best of their knowledge.

Signature: _____ Title: _____ Date: _____

Names Typed: _____ Company Name: _____

Address: _____ County/State/Zip: _____