

**KETCHIKAN GATEWAY BOROUGH
REQUEST FOR PROPOSALS**

2023 REAL ESTATE BROKER SERVICES

RELEASE DATE: September 15, 2023

THIS IS NOT AN OFFER

The Ketchikan Gateway Borough is soliciting sealed proposals for:

2023 REAL ESTATE BROKER SERVICES

To receive the Request for Proposals (RFP), please contact: 907-228-6637, Amy Briggs, Borough Procurement Officer, Ketchikan Gateway Borough, 1900 First Avenue, Suite 118, Ketchikan, Alaska 99901. Requests for the RFP documents may be faxed to 907-228-6698 or emailed to amyb@kgbak.us. The RFP documents will also be posted on the Borough's website, <http://www.kgbak.us/>. Even though the RFP documents are provided online, each firm must register with the Borough each bidder must register with the Borough through the Borough's online bidder registration form: <http://www.kgbak.us/143/Procurement>. Proposals from unregistered respondents will not be accepted. No faxed or oral proposals will be allowed.

Proposal Submission Deadline: To be considered, a complete sealed proposal package in the format requested must be received at the Office of the Borough Clerk, 1900 First Avenue, Suite 115, Ketchikan, Alaska 99901 by 4:00 p.m. local time, October 17, 2023.



Amy Briggs, Procurement Officer

PROPOSAL CONTENT AND FORMAT

The Borough recognizes that respondents are likely to commit significant resources in preparation of their proposals. Further, it is in the Borough's best interest to have maximum competition among respondents to provide services in order that the Borough retains the best value respondent. As such, it is in the best interests of the Borough and each respondent to avoid any question whether the respondent's proposal is responsive to this RFP. Therefore, it is crucial that respondents thoroughly read this entire RFP and carefully follow all instructions. It is not uncommon for a proposal to be deemed non-responsive by the Borough because of what some might consider are inconsequential errors or omissions by a respondent. For example, proposals have been rejected by the Borough because they were not sealed or properly marked on the outside as specified in the RFP. Respondents should assume that the form and content requirements of this RFP will be rigorously applied by the Borough in determining the responsiveness of proposals. A checklist is included in this RFP to help respondents avoid errors and omissions.

Respondents should also allow adequate time for mailing or special delivery of proposals to the Borough Clerk. It is not uncommon for one or more respondents to be disqualified in submitting proposals to the Borough because the proposals were not received in a timely manner. For example, one of the four respondents for project manager services for the Aquatic Center project was disqualified because of a late proposal. USPS mail and special deliveries to Ketchikan may be delayed because of weather or other circumstances. Couriers should be given clear and accurate instructions in terms of the deadline and location for delivery of proposals.

Proposals must respond directly to the evaluation criteria for this project. Additional material (other than that requested below) is not required or desired. Clarity and brevity are encouraged. Limit submittals as follows:

Proposal Documentation	Use forms provided in RFP
Cover Letter	1 page suggested maximum
Response to Criteria	5 pages suggested maximum
Resumes	Provide resumes for key personnel, 1 page Suggested maximum each resume
Price proposal	Submit a Price Proposal in your own format.

The following sections address the specific content expected for each portion of the proposal.

COVER LETTER

In the cover letter, the respondent should:

- A. state its understanding of the services to be performed,
- B. explain why the respondent firm is the best qualified to provide those services,
- C. state why the respondent firm is most likely to help the Borough achieve the goals outlined in the Project Scope of Work portion of this request for proposals; and,
- D. Provide the name and contact information of the individual who is authorized to make representations and commitments on behalf of the respondent.

RESPONSE TO CRITERIA

The narrative response to the Selection Criteria should specifically and accurately address each criterion in the order listed in this proposal. Respondents are encouraged to limit the response to 5 pages. Project and individual experience must be verifiable by listed references. It is the responsibility of the proposer to make certain that contact information is current.

REQUIRED SIGNATURES

NOTE: The price-proposal component forms must be signed and dated by a person who is authorized to bind the respondent.

In addition to the price-proposal component, the proposal itself must also be signed by a person who is authorized to bind the respondent. Specifically:

- A. A proposal by a corporation shall be executed in the corporate name by the president, vice-president, or other corporate officer. Evidence of authority to sign must also be provided. Such evidence may be in the form of a copy of the corporate bylaws, articles of incorporation, resolution of the board, corporate certificate, or other reliable evidence.
- B. A proposal by a partnership shall be executed in the partnership name and signed by a partner (whose title must appear under the signature), accompanied by evidence of authority to sign. Evidence of authority to sign may be in the form of a copy of the partnership agreement or other reliable evidence.
- C. A proposal by a limited liability company shall be executed in the name of the firm by a member and accompanied by evidence of authority to sign. Such evidence may be in the form of a copy of the corporate bylaws, articles of incorporation, resolution of the board, corporate certificate, or other reliable evidence.
- D. A proposal by an individual shall show the proposer's name and business address.

Failure to provide evidence of authority to sign on behalf of the respondent will not be grounds for rejection if the Borough is able to confirm the authority of the signer to bind the respondent.

RESUMES

Provide resumes for each managing member of the team (i.e., project manager for the prime contractor and each known or planned subcontractor) that will be assigned to this

project. List name, title, intended role and responsibilities for the duration of the contract, educational background, and specific qualifications related to role and responsibilities, past relevant experience, number of years of relevant experience, supervisory responsibilities if relevant, list of projects individual was associated with during the last five years including type of project and project cost.

For each managing member of the team, provide at least two Owner or two Firm references for recent relevant projects.

PROPOSAL DOCUMENTATION FORMS

To be considered, respondents must complete, sign, and include the Proposal Documentation Forms provided in the RFP with submitted proposals.

SUBMITTALS

DEADLINE

All Proposals must be received by the Borough no later than the date outlined in this RFP.

SUBMITTALS

All proposal documents must be submitted in a sealed envelope or box clearly marked on the outside to identify it as a proposal for the project specifically named in this RFP, and must be delivered to the Borough Clerk at the address outlined, and in the required format, on or before the deadline.

Each respondent must submit its complete proposal divided into 2 parts:

Part One: Proposal Exclusive of Price Proposal Component

Part One consists of the complete proposal exclusive of the price-proposal component. Part One must be signed and dated by a person who is authorized to bind the respondent. Failure to properly sign and date the proposal will be grounds for rejection.

For the convenience of the Borough, respondents are asked to include 3 paper copies and 1 copy in electronic format (MS Word or text-searchable PDF-document on a CD) of the Part One proposal. Because the printed and electronic copies are for the Borough's convenience, failure to provide the requested copies will not be grounds for rejection. However, if a respondent does not provide the copies, that respondent's proposal will receive a lower score for the criterion dealing with the form and content of the proposal.

Important note: The Part One Proposal and copies of Part One Proposal must exclude all price proposal information.

Part Two: Price Proposal Component

Submit 1 set of the Part Two price proposal component enclosed in a separate sealed envelope placed within the sealed envelope or box containing the Part One proposal.

The Part Two Price Proposal Component shall be submitted on the forms provided in this RFP for the specified project.

Each price-proposal component must be signed and dated by the person who prepares it. If that person is not authorized to bind the respondent, the price-proposal component must also be signed by a person who is authorized to bind the respondent.

Failure to properly sign and date the Part Two Price Proposal Component and to include it in a separate sealed envelope inside the sealed envelope or box containing the Part One proposal will be grounds for rejection.

The surety bond, if required, shall be included in the sealed envelope containing the price proposal component.

For the convenience of the Borough, respondents are asked to include 1 copy in electronic format (MS Word or text-searchable PDF-document on a CD) of the Part Two Price Proposal Component.

Important note: If a respondent provides the requested electronic copy of the Part Two Price Proposal Component, it must also be sealed with the Part Two Price Proposal Component. Failure to properly seal the copy of a Part Two Price Proposal Component will be grounds for rejection.

However, because the electronic copy is for the Borough's convenience, failure to provide the requested copy will not be grounds for rejection. If a respondent does not provide the copy, that respondent's proposal will receive a lower score for the criterion dealing with the form and content of the proposal.

The envelope containing the price proposal component (price proposal, electronic copy of the price proposal, and surety if required) must be clearly marked on the outside as the price proposal component.

Respondent's failure to submit its proposal prior to the deadline will cause the proposal to be disqualified. Late proposals or amendments will not be opened or accepted for evaluation. Proposals submitted by fax will not be accepted.

INQUIRY DEADLINE

Questions, objections, or protests relating to defects, errors, omissions regarding the project or this RFP should be submitted in writing no later than the date and time specified in this RFP. Substantive issues will be addressed in a written addendum to the RFP.

Address questions to:

**Borough Procurement Officer
Amy Briggs
Telephone: 907-228-6637**

Fax: 907-228-6698
E-mail: amyb@kgbak.us

DELIVERY INSTRUCTIONS

Proposals must be received by the Borough Clerk by the deadline specified in this RFP.

Be aware that Ketchikan is considered a remote location and, as such, mail and special deliveries by couriers to Ketchikan are commonly delayed beyond the advertised guaranteed arrival of carriers and couriers.

Proposals must be delivered to:

Borough Clerk
Kacie Paxton
Ketchikan Gateway Borough
1900 First Avenue, Suite 115
Ketchikan, Alaska 99901

INSURANCE AND LEGAL REQUIREMENTS FOR SELECTED CONTRACTOR

INSURANCE

Before execution of a contract, and during the entire period of the project, the contractor shall provide the types of insurance listed below. All policies shall have a mandatory 30-day cancellation clause. The Borough shall be named as additional insured on all insurance policies except professional liability policies. Insurance certificates will be required to be submitted for review by the Borough's Procurement Officer before the Borough will issue a notice to proceed. Unless specifically marked "not applicable" or "n/a" below, the following insurances are required:

Workers' compensation as required by law and employer's liability coverage at a minimum of \$1,000,000. The Workers' compensation policy shall include a Waiver of Subrogation in favor of the Ketchikan Gateway Borough, if applicable.

Commercial general liability insurance, not excluding explosion, contractual liability or product/completed operation liability insurance - \$1,000,000 per occurrence and \$2,000,000 aggregate.

LICENSES AND REGISTRATION: Before execution of a contract, the successful proposer must either have, or obtain, a State of Alaska business license, must have a current sales tax registration on file with the Borough, and must be in good standing in terms of sales tax, property tax, and all other taxes, fees, and monies due to the Borough.

COMPLIANCE WITH LAWS: The Contractor shall observe and abide by all applicable laws, regulations, ordinances and other rules of the State of Alaska and/or any political subdivisions thereof, or any other duly constituted public authority wherein work is done

or services performed, and further agrees to indemnify and save the Borough harmless from any and all liability or penalty which may be imposed or asserted by reason of the Contractor's failure or alleged failure to observe and abide thereby.

CANCELLATION OF SOLICITATION: The Ketchikan Gateway Borough reserves the right to cancel the solicitation, without penalty, at its sole discretion.

SELECTION CRITERIA

Responsive proposals to this RFP will be reviewed by a Proposal Review Team (PRT) appointed by the Borough Manager. The Borough Manager, at his discretion, may replace members of the PRT at any time. The top-ranked respondents may be short-listed. The PRT may, at its discretion, decide to interview the short-listed firms. The PRT will present its rankings of the respondents to the Borough Manager for consideration. After reviewing the PRT's recommendations, the Borough's financial resources, and following a 5-day protest period, the Borough Manager will present a recommendation to the Borough Assembly for its consideration. The goal is to award the contract to the Proposer that best meets the selection criteria set out in this RFP. Final action will be solely at the discretion of the Borough Assembly.

The selection will be made on the basis of qualifications and price offered in accordance with the criteria listed in this RFP. The Borough reserves the right to cancel this procurement effort. The Borough will not reimburse respondents for any costs of preparation or submission of proposals.

All interested firms who plan to submit a proposal must register with the Borough by sending an email to the Procurement Officer stating the company name, address, telephone number, and fax number.

A confirming email will be sent within one working day of registration. Potential respondents who do not receive this confirmation should contact the Borough via phone to complete the registration process.

PROPOSAL SCORING

Each proposal will be initially rated independently by each member of the PRT. The PRT members will then meet to discuss the proposals and initial scores. PRT members may change their scores following the meeting of the PRT. Scores may be further modified as a result of oral interviews. The final score will be based on the average of all final scores by the individual members of the PRT. The Proposer whose proposal is scored the highest may be asked to either negotiate a final Agreement or, if required, clarify their current proposal into a best and final offer. If negotiations are not successful with the top rated Proposer, negotiations may commence with the next highest rated Proposer until an Agreement is reached, or the Borough, at its sole discretion, elects to cancel the solicitation. The Borough will rate all proposals according to the form and content submitted. The Borough reserves the right to award a contract solely on the written proposal or through negotiations. The Borough further reserves the right to reject any and all proposals submitted.

The total score of all criteria combined will dictate the ranking of offers. Each offer will be evaluated based on the criteria provided below. The maximum weight (score) for each criterion is also provided.

0.9 - 1.0	Outstanding
0.7 - 0.8	Excellent
0.5 - 0.6	Good
0.3 - 0.4	Fair
0.1 - 0.2	Poor
0.0	Unsatisfactory

Evaluators may investigate and discuss factual knowledge of Proposers' and proposed Subcontractors' prior work experience and performance, including projects referenced in proposal, available written evaluations, et cetera, and may contact listed references or other persons knowledgeable of a Proposer's and/or a Subcontractor's past performance. Factors such as overall experience relative to the proposed contract, quality of work, control of cost, and ability to meet schedules may be addressed.

ORAL INTERVIEWS

The Borough reserves the right to request oral interviews with the highest ranked/rated firms. The purpose of the interviews is to allow expansion upon the written responses. A second score sheet will be used to score those firms interviewed. The final selection will be based on the total of all PRT member scores achieved on the second rating. The same criteria and point ranges will be used during the second evaluation.

CONTRACT NEGOTIATIONS

If contract negotiations are unsuccessful with Proposer(s) selected for negotiation, the Borough may either cancel the solicitation or negotiate with other Proposers in the order of ranking. After completion of successful negotiations, a Notice of Award/Protest will be provided to all Proposers.

In the manner provided in the request for proposals, the manager may negotiate with those responsible proponents whose proposals are determined by the manager to be reasonably responsive to the request for proposals. Negotiations shall be used to clarify and assure full understanding of the requirements of the request for proposals. The manager may permit proponents to revise their proposals after submission and prior to award to obtain best and final offers. Proponents deemed eligible for negotiations shall be treated equally regarding any opportunity to clarify and revise proposals. In conducting negotiations or requesting revisions, neither the manager nor any other borough officer or employee shall disclose any information derived from proposals of competing proponents.

REQUIREMENTS SPECIFIC TO EVALUATION CRITERIA

The narrative portion and the materials presented in response to this Request for Proposal shall be submitted in the same order as requested and must contain at a

minimum all information requested above. Proposers are encouraged make such preliminary recommendations as are necessary to demonstrate a thorough understanding of the scope of services contained herein.

Basis of award shall be the proposer securing the most total points based upon the stated criteria. Price proposals will only be reviewed for purposes of determining the degree of completeness to which proposers understand the project.

The Ketchikan Gateway Borough reserves the right to reject any proposal. In the event subcontractors are proposed that have been party to prior claim or failure to perform, the Ketchikan Gateway Borough reserves the right to notify the proposer that an alternate may be determined and reject their proposal if no alternate is provided.

EVALUATION CRITERIA

Note: Evaluation of those responding to this RFP that are current Borough contractors will also include consideration of current contract compliance.

1. FIRM QUALIFICATIONS

- A. List brokers and agents to provide services under this contract with following qualifications; licensed for the sale of real estate by the State of Alaska, current State of Alaska business license, registered for sales tax to conduct business within the Borough, and must be current on all sales and real property taxes.
- B. A demonstrated knowledge of local real estate market and the Ketchikan Gateway Borough.

2. RELEVANT EXPERIENCE

- A. Experience summary: Describe your firm's pertinent real estate experience (minimum five years previous experience with proven effectiveness).
- B. Provide all relevant examples of consultation with real estate developers in the development of real property for sale.

3. MARKETING STRATEGY

- A. Marketing methods: Describe the methods of identifying target user groups and a description of the marketing materials and the strategy for presenting a site to the marketplace.

NOTE: The PRT will not review Price Proposals until after Evaluation Criteria 1- 3 have been reviewed and scored.

4. COMMISSION STRUCTURE

- A. State your commission rates for leasing or selling properties. State your proposed method of compensation for representing the Ketchikan Gateway Borough in negotiations for leasing or selling properties.
- B. State any other costs the Borough should anticipate relating to the real estate services to be provided.
- C. State any required 'carry-over compensation' for your firm – meaning, compensation after real estate service agreement expires.
- D. State how your firm compensates real estate firms representing buyers and

whether this compensation would increase costs to the Borough.

REQUIREMENTS SPECIFIC TO EVALUATION CRITERIA:

The narrative portion and the materials presented in response to this Request for Proposal shall be submitted in the same order as requested and must contain at a minimum, the following:

The least-cost proposal will be awarded the maximum points. Higher cost proposals will receive a reduced award of points. The minimum score for the price criterion is zero points.

Proposer’s Score = ([Maximum Points Available] X ([Lowest Price Received] / [Proposer’s Price]))

EXAMPLE: Price Receives 50 points.

Firm A proposes \$50,000; Firm B proposes \$60,000 and Firm C proposes \$70,000.

Firm A: $(50 \times (50,000 \div 50,000)) = 50$ points

Firm B: $(50 \times (50,000 \div 60,000)) = 41.667$ points

Firm C: $(50 \times (50,000 \div 70,000)) = 35.714$ point

	EVALUATION CRITERIA	POINTS	PRT SCORE	WEIGHTED SCORE
	Firm & Individual Qualifications, Relevant Experience, Marketing Strategy, and Price: Evaluation will examine the Contractor’s qualification, experience and resources in conducting the Project. The maximum total score is 100 points.			
1.	FIRM QUALIFICATIONS : 30 points			
	a) List brokers and agents to provide services under this contract with following qualifications; licensed for the sale of real estate by the State of Alaska, current State of Alaska business license, registered for sales tax to conduct business within the Borough, and must be current on all sales and real property taxes.	20		

	EVALUATION CRITERIA	POINTS	PRT SCORE	WEIGHTED SCORE
	b) A demonstrated knowledge of local real estate market and the Ketchikan Gateway Borough.	10		
2.	RELEVANT EXPERIENCE: 30 points			
	a) Experience summary: Describe your firm's pertinent real estate experience (minimum five years previous experience with proven effectiveness).	20		
	b) Provide all relevant examples of consultation with real estate developers in the development of real property for sale.	10		
3.	MARKETING STRATEGY: 10 points			
	a) Marketing methods: Describe the methods of identifying target user groups and a description of the marketing materials and the strategy for presenting a site to the marketplace.	10		
4.	COMMISSION STRUCTURE: 30 points			
	a) State your commission rate for listing and leasing/selling of space/properties. State your proposed method of compensation for representing the Ketchikan Gateway Borough in negotiations for purchasing properties. b) State any other costs the Borough should anticipate relating to the real estate services to be provided. c) State any required 'carry-over compensation' for your firm – meaning, compensation after real estate service agreement expires. d) State how your firm compensates real estate firms representing buyers and whether this compensation would increase costs to the Borough.	30		

PROJECT OVERVIEW

PROJECT

The Ketchikan Gateway Borough (Borough) is seeking real estate broker services from a licensed broker or firm to market and sell Borough-owned properties (including foreclosed properties) located within the Ketchikan Gateway Borough boundaries and establish listing prices. Real estate broker services will also include finding suitable lessees to occupy vacant space within the White Cliff Building, should space become available.

PROJECT SITE

Within the boundaries of the Ketchikan Gateway Borough.

PROJECT SCHEDULE

Request for Proposals Issued:	September 15, 2023
Deadline for questions, objections, or protests relating to defects, errors, omissions regarding the project or this RFP	12:00 p.m./September 29, 2020
Proposals Due:	4:00 p.m./October 17, 2020
Proposal Review Meeting:	October 19, 2020
Interviews (If held):	October 19, 2020
Notice of Intent to Award:	October 19, 2020
Approval of Contract Award by Assembly:	November 6, 2020

SCOPE OF WORK

- A. The broker/firm shall provide realty services for the sale of Borough-owned property according to Resolution 2696S (included as Attachment A) and as follows:
1. Provide comparative market analysis on properties listed for sale by the Borough.
 2. Consult with Borough staff on the recommendation of listing prices to be approved by the Borough Assembly.
 3. Develop a sales and marketing strategy to be approved by the Borough Manager or designee, which will include inspecting the properties, taking photos, placing signage, drafting marketing descriptions, researching all necessary documents on properties, and develop a detailed information sheet on each property.
 4. Brokers/firms shall design and pay media advertisements listing all Borough properties that are for sale.
 5. Brokers/firms shall collect earnest money and draft purchase agreements for any sale and present said agreements to the Borough Manager. The broker/firms shall ensure that earnest money amounts and purchase agreements are accurate and in conformance with established Borough codes and policies.

6. Upon acceptance of offers, the brokers/firms shall work closely with the purchaser, lenders, and the Borough for a timely closing of the transaction.
 7. For listed properties, Broker/firm shall submit offers to Borough within 48 hours of receipt.
 8. Brokers/firms shall provide expertise on the local real estate market to determine which properties should be added to the list and the timing of such additions.
 9. Brokers/firms shall provide expertise on the local real estate market to determine the best subdivision strategy with the greatest return on investment for Borough-owned properties.
 10. For unsolicited land sale offers, the Broker/firms shall provide to the Borough an analysis and listing sales prices for properties that are not listed for sale, according to Resolution 2696S. Brokers/firms will consult with Borough staff to assist in determining if the sale is in the Borough's best interest.
- B. As space becomes available, the broker/firm shall provide marketing and realty services for the unoccupied spaces within the Borough-owned White Cliff Building as follows:
1. Establish a marketing strategy that employs multiple types of advertising including, but not limited to, showing the property, internet exposure, signs, trade publications, etc.
 2. Advise and assist the Borough Manager on negotiations with prospective lessees concerning lease terms.
 3. Perform due diligence on customers prior to bringing offers to the Borough.
- C. The broker/firm shall provide general realty services as follows:
1. Attend Assembly meetings to provide progress updates and in relation to received offers as requested.
 2. Provide a quarterly report to the assigned staff contact about current/new marketing efforts, contact/leads, and other developments.
 3. Broker opinion of values, as needed.

PROPOSAL CHECKLIST

This Proposal Checklist is a summary of the forms and materials required as part of your firm's proposal. Respondents are urged to thoroughly read the entire proposal. It may be helpful to use this checklist to help ensure compliance with the submission requirements.

Place a check mark (✓) in the box next to each qualification when completed.

PROCEDURAL QUALIFICATIONS

- Respondents must register as indicated in this solicitation.
- Proposals must be received in the Office of the Borough Clerk no later than the date and time indicated in solicitation.

FORM AND CONTENT OF PROPOSALS

- Proposals must be in a sealed envelope or box clearly marked with the name of the project on the outside of the envelope or box in order to be considered responsive.
- The proposal (exclusive of the price-proposal component) must be submitted.
- At least three printed copies of the proposal (exclusive of the price-proposal component) are requested for the convenience of the Borough (one of the copies should be suitable for copying, specifically it should not be bound and it should be printed on one side of 8.5-inch by 11-inch white paper).
- At least one copy of the complete proposal (exclusive of the price-proposal component) in electronic format is requested for the convenience of the Borough.
- Respondents must list and acknowledge receipt of each Addendum on the Proposal Documentation form by signing in the space provided and listing the date that it was received.
- Respondents must fill out the Subcontractors List included in the Proposal Documentation indicating the name(s) of any anticipated subcontractors for the proposed project. Use multiple pages if necessary. For portions of the work where a subcontractor will be selected by competitive proposals at a later date enter the type of Work to be subcontracted followed by "To be Determined". For example: "Electrical – To Be Determined". **If the use of subcontractors is not anticipated, "N/A" or "NONE" is to be written on the form.**
- The Proposal Documentation Forms must be signed by an individual authorized to bind the respondent. All proposers, other than individuals, must include evidence of authorization to sign on behalf of the corporation, partnership, limited liability Company, or other organization. Failure to provide evidence of authority to sign on behalf of the respondent will not be grounds for rejection if the Borough is able to confirm the authority of the signer to bind the respondent.

- The Price Proposal must be submitted in a separate sealed envelope marked as the price proposal component. The separate sealed and marked envelope containing the price proposal must be placed within the sealed envelope or box containing the proposal. Price proposals must be submitted on the forms supplied.
- One electronic copy of the Price Proposal is requested for the convenience of the Borough, and must be provided in the separate sealed envelope marked as the price proposal component.
- Proposals must respond directly to the evaluation criteria for this project as specified in the Select Criteria Section and must include the contents specified in the Proposal Content and Format section. (Note: The determination whether a proposal responds directly to the evaluation criteria for this project will not be made by the Borough Clerk or designee at the time of the opening of the proposals. Instead, the Proposal Review Team or the Borough Manager will, during the proposal review process, determine whether each proposal responds directly to the evaluation criteria.) Proposals that do not meet that requirement will be considered non-responsive.

Completion of this checklist does not guarantee that a proposal will be considered to be responsive. The checklist is provided strictly as a courtesy to respondents.

PROPOSAL DOCUMENTATION FORMS

2023 REAL ESTATE BROKER SERVICES

Award of Project. The Borough shall have the right to reject this proposal and such proposal shall remain open and may not be withdrawn for a period of sixty (60) days after the date prescribed for its closing.

Notice of Acceptance. Notice of acceptance and award of the project or requests for additional information may be addressed to the undersigned Respondent at the business address set forth in this proposal.

Minimum Standards. The required work and/or specifications attached herein shall be considered as the minimum standards acceptable to the Borough. Any deviations, modifications, or alternatives proposed shall be specified and clarified by the respondent on the provided form as an EXCEPTION SUMMARY. Insufficient information pertaining to exceptions shall be at the respondent's risk and may result in rejection of the proposal.

Respondent certification.

By signature on this proposal documentation, the undersigned respondent certifies that:

- A. The respondent will comply will all insurance requirements in this RFP;
- B. The respondent will comply with all applicable local, state, and federal laws, including but not limited to, wage and hour laws and non-discrimination laws;
- C. The respondent will comply with all terms and conditions set out in this RFP;
- D. The respondent's proposal was independently arrived at, without collusion, under penalty of perjury; and
- E. The proposal will remain open and valid for at least 60 days from the closing date of the RFP.

Receipt of Addenda. Receipt of the following Addenda to the RFP Documents is hereby acknowledged.

ADDENDUM NO.	DATE OF RECEIPT OF ADDENDUM	SIGNED ACKNOWLEDGMENT
1	_____	_____
2.	_____	_____
3.	_____	_____

(Note: Failure to acknowledge receipt of each addendum will be considered an irregularity and will result in rejection of the proposal.)

RESPONDENT:

By: _____

Title: _____

Alaska Business License No. _____

Company/Firm Name _____

Telephone _____

Fax No. _____

Mobile No. _____

Business Address _____

Email _____

Pursuant to and in compliance with the Request for Proposals, the undersigned respondent, being fully familiarized with all the terms of the specifications hereby proposes and agrees to deliver, within the time and in the manner stipulated in the proposal for the following:

2023 REAL ESTATE BROKER SERVICES

Signature of Individual Authorized to Bind the Respondent

Printed Name and Title of Individual Authorized to Bind the Respondent

Date

SUBCONTRACTOR LIST

SUBCONTRACTORS: The respondent may not subcontract greater than fifty percent of this project without prior written approval of the Borough. List all subcontractors who will be providing greater than 5 percent of the project work and an approximate percentage of their individual participation by discipline. **”. If the use of subcontractors is not anticipated, “N/A” or “NONE” is to be written on the form.** Use additional copies of this form as needed.

SUBCONTRACTORS:

Company/Firm Name _____

Estimated percentage of subcontractor’s participation by discipline _____

Telephone _____

Fax No. _____

Business Address _____

Company/Firm Name _____

Estimated percentage of subcontractor’s participation by discipline _____

Telephone _____

Fax No. _____

Business Address _____

Company/Firm Name _____

Estimated percentage of subcontractor’s participation by discipline _____

Telephone _____

Fax No. _____

Business Address _____

PARTNERSHIP ACKNOWLEDGMENT (if applicable)

STATE OF _____)
) ss.
 _____ JUDICIAL DISTRICT)
COUNTY OF _____)

On this _____ day of _____, 2023, before me appeared _____ and _____ to me personally known, who, being by me duly sworn, did say that they are the Partners of _____, a _____ (State) Partnership and that said instrument was signed on behalf of said Partnership and said partner acknowledged said instrument to be the free act and deed of said Partnership.

NOTARY PUBLIC

Notary Public, State of _____
My Commission Expires _____

(SEAL)

INDIVIDUAL ACKNOWLEDGMENT (If applicable)

STATE OF _____)
) ss.
_____ JUDICIAL DISTRICT)
COUNTY OF _____)

THIS IS TO CERTIFY that on this _____ day of _____, 2023, before me, the undersigned, a Notary Public in and for the State of _____, duly commissioned and sworn, personally appeared _____ to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged to me that he/she/they signed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year in this certificate above written.

(Seal)

NOTARY PUBLIC FOR _____
My Commission Expires: _____

KETCHIKAN GATEWAY BOROUGH

RESOLUTION NO. 2696 - SUBSTITUTE

A Resolution of the Assembly of the Ketchikan Gateway Borough, Amending Resolution 2687-A to Clarify the Procedure for Unsolicited Offers to Purchase Borough Property

RECITALS

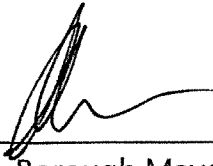
- A. **WHEREAS**, Resolution 2687-A established the process for solicited and unsolicited land sales; and
- B. **WHEREAS**, the process set out in Resolution 2687-A requires clarification with respect to treatment of unsolicited offers and unsubdivided land; and
- C. **WHEREAS**, the Assembly believes that this Resolution 2696, with accompanying exhibit, satisfactorily amends the process for solicited and unsolicited land sales, and is in the best interest of Borough residents.

NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE FACTS, IT IS RESOLVED BY THE ASSEMBLY OF THE KETCHIKAN GATEWAY BOROUGH as follows:

Section 1. That Attachment A to Resolution 2687A is amended to read as set out in Exhibit A to this resolution.

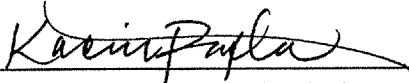
Section 2. Effective Date. This resolution shall be effective immediately upon adoption.

ADOPTED this 21st day of February, 2017.



David Landis, Borough Mayor

ATTEST:



Kacie Paxton, Borough Clerk

APPROVED AS TO FORM:



Scott A. Brandt-Erichsen, Borough Attorney

Exhibit A to Resolution 2696-S**A. Solicited Land Sales**

1. The Assembly shall approve by Resolution (Ordinance for foreclosed properties) the disposal method (Sale by realtor) and the listing price based on the "Real Property Value" as defined in KGBC 11.40.020. On an annual basis the Assembly may review the listing prices for all properties listed on the Assembly-approved "Borough Real Estate List".
2. Offers to purchase land listed on the "Borough Real Estate List" shall include the following:
 - a. A legal description of the property location as shown on the Borough Real Estate List.
 - b. Amount of the offer and any proposed sales conditions.
 - c. Earnest money deposit in the amount \$1,000 or 1% of the listing price, whichever is greater.
3. The Manager is authorized to take final action on a sale agreement on offers no less than 90% of the listing price.
4. The Assembly shall review offers that are less than 90% of the listing price, except that offers that are less than 70% of the listing price shall be determined to be unreasonable and shall be rejected in writing by the Manager. Exception: Offers to purchase foreclosed properties for less than 70% may be brought before the Assembly as long as the proposed sale price covers all taxes and fees owed, and the required sales commission.

B. Unsolicited Land Sale

1. Offers to purchase land not listed on the Assembly-approved land sale list shall include the following:
 - a. A legal description of the property location. For an offer on a portion of property a detailed map identifying the area shall be provided including the size of the area in square feet or acres. If the land is not a platted parcel, the parcel will need to be subdivided prior to any offer to sell by the Borough in order to comply with KGBC 17.10.070 and AS 29.40.180. Therefore, if the unsubdivided land is determined to be surplus to the Borough's needs, the offeror shall provide a deposit to cover the costs of subdivision and platting, and the proposed parcel shall be platted prior to the Borough offering the parcel for sale under subsections 4(d)-(h) of this policy. The deposit shall be nonrefundable if the property remains unsold or the party paying the deposit is the buyer, and the deposit shall be repaid from the sale proceeds if the Borough sells the parcel to another buyer.
 - b. Amount of the offer and any proposed sales conditions.

2. The Manager shall review the characteristics of the property requested to be sold, giving due consideration to the Borough's current and anticipated future infrastructure needs, and the need for future public parks, beaches, and trails.
3. If the Manager determines that the property is needed for Borough purposes, the request shall be denied. A written statement of the reasons for the denial shall be provided to the individual or organization that submitted the request and a copy of the statement shall be provided to the Assembly.
4. If the Manager determines that the property is surplus to the Borough's current and anticipated future needs, the Manager shall present a resolution for consideration by the Assembly authorizing disposal of the property and establishing a sale price. The following steps shall be followed:
 - a. The Borough Manager shall present a resolution to the Borough Assembly for approval to offer the parcel for sale and determining an asking price based upon the estimated "Real Property Value" determined in accordance with KGBC 11.40.020.
 - b. If the Assembly fails to approve a resolution authorizing disposal of the property, the offer is rejected and the property is not offered for sale, and the process stops.
 - c. If the Assembly approves a resolution authorizing disposal and setting a listing price, then the process continues with steps d through h.
 - d. The offer to purchase and the listing price determined by the Assembly shall be posted on the Borough Land Sales webpage and on the Planning and Community Development bulletin board.
 - e. Borough staff shall post ads in the Ketchikan Daily News in the weekend edition for four consecutive weekends after posting of the offer on the Borough Land Sales webpage.
 - f. After 30 days from the first publication of notice in the newspaper, the Manager can accept an offer of no less than 90% of the listing price, a price less than 90% of the listing price will require Assembly approval under subsection h. For multiple offers, the Manager shall accept the highest and best offer, which is at or above 90% of the listing price. If offer(s) include non-monetary terms which affect the value of the proposed purchase price, the Manager shall refer the offer(s) to the Assembly for determination under subsection h and shall identify the offer the Manager recommends as the highest and best offer;
 - g. Minimum earnest money will be \$1,000;
 - h. If the only offers submitted are below 90% of the asking price, or include material non-monetary terms, which affect the value of the proposed purchase price, the offer or offers shall be placed on the next available

Assembly meeting agenda as an action item for a decision on acceptance by the Assembly.

5. Once an offer which qualifies under Section 4 has been accepted, the Manager may sign a sale contract in accordance with the accepted offer and carry out such steps as are required to complete the sale.