



LADYSMITH

## Development Services

### Request for Proposals

No. 2022-DS-01

## REAL ESTATE SERVICES

For further information please contact:

**Jake Belobaba**

**Director of Development Services**

**250.245.6405**

[jbelobaba@ladysmith.ca](mailto:jbelobaba@ladysmith.ca)

RFP Issue Date: **May 19, 2022**

RFP Closing Date: **June 9, 2022, 2:00 pm,**

RFP Opening: **June 9, 2022, 2:15 pm,**

Location of Bid Opening: **Ladysmith City Hall**



## 1. INTRODUCTION

The Town of Ladysmith (the “Town”) is seeking proposals from a licenced Realtor to assist in the disposition of real property owned by the Town. The Town has undertaken this Request for Proposal (RFP) with the intention to engage with a licenced Realtor to assist in the marketing and disposition of property in order to achieve the best possible return for the Town.

## 2. REQUIRED PROJECT DELIVERABLES

Under the direction of the Town’s Development Services Department, the successful proponent will be responsible for the provision of the following:

- Any and all real estate services that are considered to be industry standard including, but not limited to, print advertising, web presence and signage
- Provide maximum exposure within the Town of Ladysmith and region
- Provide sound real estate analysis, consulting advice and opinions
- Provide accurate and complete reports regarding the real estate transactions
- Lead negotiations of the sale process and prepare related documentation

## 3. AVAILABLE PROPERTY

**Location:** 1260 Churchill Place.  
The site is a “hooked” parcel, split by a dedicated road connecting McKinley Road and Churchill Place.

**Property Type:** Redevelopment Site

**Legal Description:** Lot 1 District  
Lot 97 Oyster District Plan  
EPP117980

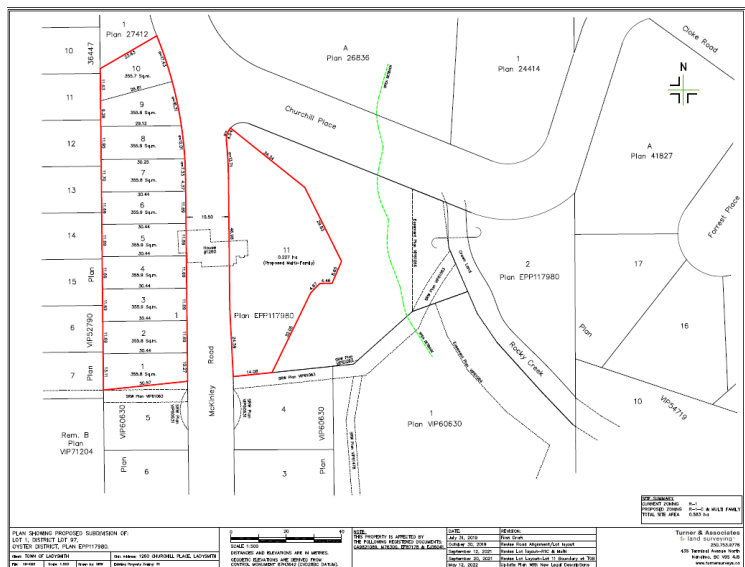
**PID:** 031-663-711

**Land Size:** 0.625 hectares

**Utilities Available:** Cable, natural gas, telephone, electricity

**Sewer:** Municipal sewer available at the end of Churchill Place (see PLA for construction requirements)

**Water:** Municipal water available at the end of McKinley Road (see PLA for construction requirements)



**Zoning Designation:** Medium Density Residential (R-3), Single Dwelling Residential Small Lot C (R-1-C)

**Preliminary Layout Approval (PLA):** Preliminary Layout Approval has been granted for 10 single-family lots under the Single Dwelling Residential Small Lot C (R-1-C) zone and one 0.27hectare lot under the Medium Density Residential (R-3) zone. The R-3 lot is suitable for a multi-unit development of approximately 12 units, subject to a development permit. The subject property currently lies between Churchill Place and McKinley Road (see attached PLA Plan). Topography is generally flat and most of the site is cleared.

**Charges and Covenants:** The property is subject to a housing agreement which requires construction of a single affordable housing unit to be sold at 30% less than market value. This unit can either be constructed as part of the multifamily development or as a single-family unit.

#### 4. ELIGIBLE OFFERS

4.1. The Town is disposing of the land pursuant to section 26(2) of the *Community Charter*. The land is to be sold to the highest bidder for market value and conditions of sale shall be limited to typical and reasonable “subjects” (e.g. financing, inspections etc.)

#### 5. INELIGIBLE OFFERS

5.1. The Town will not consider:

5.1.1. Offers for less than market value, offers other than cash (e.g. affordable housing, land swaps etc.) or combinations thereof; or

5.1.2. Offers subject to additional development approvals (e.g. rezoning, development permit etc.) or assurances thereof. The successful purchaser may apply for additional development approvals upon taking possession of the land.

#### 6. RESPONSE CONTENT

All respondents should include the following information in their proposal. **Proposals shall not exceed 7 pages in length (s. 6.11 excluded from page count)**

6.1. **Cover Letter:** Provide a cover letter indicating the Respondent’s interest in serving as the Town’s agent to sell the subject property. By signing the cover letter the Respondent is representing that they are authorized on behalf of their organization to enter into an agreement with the Town and to be bound by the terms and conditions within said agreement.

- 6.2. **Professional Background Information:** Provide details on the background and qualifications of the Respondent's firm. For example, list years in the business with a description of the firm including: size of firm, location, number and nature of the professional staff to be assigned to this contract, with a brief resume for each key person listed.
- 6.3. **Experience Summary:** Describe the firm's pertinent real estate experience (minimum of five years previous experience with proven effectiveness). In particular provide examples of cases where the Respondent has successfully marketed similar properties, as well as any experience in marketing properties for local government clients.
- 6.4. **Marketing Methods:** Describe the methodology proposed to identify and target potential buyers, as well as proposed marketing materials, methods and strategies for presenting the subject property to potential buyers within the marketplace.
- 6.5. **Additional Services:** Describe additional relevant/unique services offered through the firm.
- 6.6. **Proposed Listing Price:** Provide a recommended listing price and a brief rationale for listing at that price. Prices quoted are to be in Canadian dollars. Goods and Services Tax is to be shown as a separate item.
- 6.7. **Commission and Fees:** State the commissions and additional fees for listing/marketing and selling of the property. Fees not disclosed in successful proponent's proposal will not be paid. Commissions will not be paid unless the property is sold. Quoted fees and commissions shall be valid for, at minimum, the duration of the service contract.
- 6.8. **References:** Provide a list of three (3) applicable references. Include name, title, and contact information for each reference, as well as a brief description of the specific services provided to them for which they will be providing a reference
- 6.9. **Conflict of Interest:** In order to avoid a conflict of interest, or the appearance of a conflict of interest, the Respondent's firm should not engage in any outside activities that are inconsistent, incompatible, or appear to conflict with their ability to exercise independent/objective judgement that is in the best interest of the Town. Please outline all conflicts of interest that may exist for the firm in relation to providing real estate services for the Town.
- 6.10. **Good Standing:** The successful bidder will be required to obtain and provide proof of the following:
- A current business licence for operating in the Town of Ladysmith dated

- prior to the issue date of this RFP.
  - A Clearance Letter from WorkSafe BC that confirms they are registered and in good financial standing with WorkSafe BC.
  - Minimum \$2 million liability insurance with the Town of Ladysmith named as additional insured.
  - Federal, provincial and municipal permits when and where applicable.
- 6.11. **Contract:** Provide an unsigned copy of Professional Services Contract. The contract must correspond to the services and fees outlined in the proposal. The Town shall not be bound to sign or accept the terms of the proposed contract, and shall be at liberty to negotiate the terms of any contract or to propose a new or amended contract with any Respondent.
- 6.12. **Ineligible Proposals:** The following proposals will not be considered:
- 6.12.1. Proposals recommending changes to development rights (e.g. zoning, PLA etc.), modifications to the property or installation of infrastructure prior to sale and/or offering advice or services for that service.
  - 6.12.2. No-commission or fee-for-service proposals, where realtor compensation is paid as a salary or similar compensation. Incidental fees (e.g. advertising fees, taxes etc.) are acceptable.
  - 6.12.3. Proposals where commissions are payable without a closed sale or that include contract with such terms.
  - 6.12.4. Development proposals, such as proposals to develop the land and market units on behalf of, or in partnership with, the Town.
  - 6.12.5. Proposals that include an explicit or implied offer from a prospective purchaser.
  - 6.12.6. Proposals with a listing price that is less than market value<sup>1</sup>.

## 7. KEY DETAILS

Questions Regarding this RFP:

- 7.1. Any question a Respondent has related to this RFP process must be submitted to the Town via email to: Jake Belobaba, Director of Development Services – jbelobaba@ladysmith.ca, with the subject line: 'RFP#2022-DS-01'

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<sup>1</sup> As determined by the Town's appraiser.

Answers to questions received will be provided either directly to the Respondent or via an addendum to all Respondents, which will be posted on the Town’s website. Information obtained from any source other than the Town’s website is unofficial and must not be relied upon as part of this RFP.

All questions regarding this RFP must be submitted prior to the ‘Deadline for Questions’ detailed below in the timetable. Questions received after the Deadline for Questions will be addressed if time permits.

The Respondent is solely responsible for seeking any clarification required regarding this RFP, and the Town shall not be held responsible for any misunderstanding by the Respondent.

7.2. **Timetable:** This RFP process will run to the following timetable. This timetable may be amended at the Town’s discretion through the issuance of an addendum to this RFP.

<b>Event</b>	<b>Date</b>
Issue Date of this RFP	May 19, 2022
RFP Closing Date and Time:	June 9, 2022, 2:00pm
Contract Execution Date (estimated)	June 16, 2022

7.3. **Submission of Proposal (Location, Date & Time, Format):**

All submissions must be clearly marked “Request for Proposals No. 2022-DS-01”. Proposals to this RFP should be submitted in accordance with the following:

7.3.1. Proposals must be submitted electronically via email to Corporate Services: bids@ladysmith.ca. Proposals sent by paper copy, fax, electronic file sharing options or other methods will not be accepted.

7.3.2. Electronic Proposals must be completed and confirmed as ‘submitted’, no later than the RFP Closing Date and Time detailed above (s.7.2). The RFP Closing Date and Time shall be determined by the Town Hall clock. Late submissions will not be considered and will be returned unopened. Submissions in response to this RFP will be publically opened at 2:15pm on the closing date (s.7.2).

7.4. **Format:** A Proposal must be submitted in MS Word or PDF format. The Town of Ladysmith assumes no responsibility for the receipt of Proposals where the instructions detailed in s.7.3 have not be complied with.

7.5. **Amendment of a Proposal by Respondent:** A Respondent may amend a Proposal at any time up until the RFP Closing Date and Time. Amendments may be

submitted in the same way as the original Proposal noted in s.7.3.1.

**7.6. Withdrawal of a Proposal by Respondent:** A Respondent may withdraw a Proposal that is already submitted at any time throughout the RFP process, including after the Closing Date and Time. To withdraw a Proposal either before or after the Closing Date and Time, the Respondent should submit a request via email to: [bid@ladysmith.ca](mailto:bid@ladysmith.ca).

**7.7. Addenda Issued by the Town:** This RFP may only be amended by way of an Addendum issued in accordance with this Section. At any time up until the Closing Date and Time, the Town may issue an Addendum in order to amend, clarify, or answer questions to this RFP. Each Addendum will be issued by posting on the Town's website and BC Bid.

Each Addendum will form an integral part of this RFP. Respondents are solely responsible for checking for Addenda up until the Closing Date and Time. If the Town deems it necessary to issue an Addendum after the Last Day for Issue of Addenda, then the Town may extend the RFP Closing Date and Time in order to provide Respondents with more time to complete their Proposal.

## 8. PROPOSAL EVALUATION

The Town will evaluate proposals based upon but not limited to the following:

- Quality of the proposal
- Fee quote
- Principles of best value (see below)
- Demonstrated proven experience
- Accessibility and responsiveness
- Reference checks

8.1. The Town reserves the right to accept or reject any or all proposals either whole or in part at any time, or waive formalities in, or accept a proposal either whole or in part which is deemed most favourable in the interest of the Town. The Town will be under no obligation to proceed further with any submitted proposal and, should it decide to abandon same, it may, at any time, invite further proposals for the supply of the described services or enter into any discussions or negotiations with any party for the provision of the services. No alterations, amendments or additional information will be accepted after the closing date and time unless invited by the Town.

The lowest or any submission in response to this RFP will not necessarily be accepted. The bids will be considered on their merits and it is not the intention of the Municipality to buy on price alone.

The Town of Ladysmith Purchasing Policy entails the following Principles of “Best Value”:

- Procure the goods and services requirements of all departments in an efficient, timely and cost effective manner while maintain the necessary controls;
- Engage in an open bidding process wherever practical;
- Ensure maximum value is obtained during the acquisition of goods and services. Where applicable, the total cost of the goods and services purchased should be taken into account. Total cost may include but not be limited to acquisition cost, disposal cost, residual value, training cost, maintenance cost, product performance and environmental impact.
- Take into account wherever practical the commitment to protection of the environment, and energy conservation;
- Ensure the acquisition of goods and services meets the requirements of applicable legislation and trade agreements, including the New West Partnership Trade Agreement, and the Agreement on Internal Trade; and
- Ensure that maximum value is realized when disposing of surplus goods, materials and equipment.

8.2. Up to five (5) percent of the evaluation score will be allocated based on the proposal’s contribution to the following community benefits:

8.2.1. Economy

- Demonstrate job creation within the local area, which is defined as the Cowichan Valley Regional District and the Regional District of Nanaimo
- Contribute to a stronger local economy (buy local)
- Increase training and apprenticeship opportunities
- Provide work experience and employment opportunities for youth aged 15 to 24
- Ensure that a Living Wage for the local area is paid

8.2.2. Public Spaces

- Enhance community recreation, arts and / or culture infrastructure
- Improve enhance public spaces
- Improve access to public spaces for people living with disabilities

8.2.3. Environment

- Demonstrate that work undertaken exceeds requirements for environmental standards

## 9. OWNERSHIP OF PROPOSALS



- 9.1. All Proposals and subsequent information materials shall become the property of the Town of Ladysmith after the closing date and time and will not be returned.
- 9.2. The Proposals will be held in confidence by the Town subject to the provisions of the *Freedom of Information and Protection of Privacy Act*. This request for Proposals and all associated documentation is the property of the Town of Ladysmith and shall not be copied or distributed without the prior written approval of the Town.