



ADVERTISEMENT FOR REAL ESTATE LISTING SERVICES

**Sale of Property Owned by the City of Brantford Located
at 282 Stanley Street, Brantford, ON**

Deadline: 9:00 a.m. April 14, 2020

Questions may be directed to Ron Gasparetto, Manager of Real Estate Services.
Phone – (519) 759-4150 Ext 5407, email: rgasparetto@brantford.ca

I. DEFINITIONS

“**Applicants**” means individuals or firms who wish to provide the Professional Services.

“**City**” means The Corporation of the City of Brantford.

“**Professional Services**” means the marketing, listing, and negotiating for the sale of the Property, including but not limited to:

- (a) Developing strategies for sale of the Property and making recommendations to the City;
- (b) Analyzing market conditions and comparable properties;
- (c) Recommending listing details, including listing price;
- (d) Completion of appropriate preliminary Vendor due diligence about the Property, including, for example: confirmation of site size, acquisition and collation of documents related to the Property, and obtaining photographs of the site;
- (e) Developing marketing materials (electronic and/or hard copy) to advertise the Property for sale, distribute the materials to potential buyers via the appropriate form(s) of media;
- (f) Communicating with and reporting to the City on an ongoing basis, regarding the status of the services and the progress towards a successful sale of the Property;
- (g) Organizing, attending and participating in site tours of the Property;
- (h) Analyzing offers from potential buyers and making recommendations to the City with respect to the acceptance or negotiation of such offers;
- (i) Representing the City in negotiations, on instructions from the City, with prospective buyers, up to and beyond closing;
- (j) Coordinating and facilitating real estate transaction closings, as may be appropriate; and
- (k) Performing such other services as may be contained in the contract between the City and the successful Applicant for the provision of the Professional Services;

“**Property**” means a portion of 282 Stanley Street, commonly known as Arrowdale Golf Course, being described as Parts 4, 5, 22, 23, 25, 26, 28, 29 and 30 – Parcel 1 and Parts 10, 11, 12, 13, 14 and 15 – Parcel 2 on the draft reference plan, and as further shown on Schedule B.

II. PROPERTY DETAILS, CITY’S OBJECTIVES and REQUIREMENTS

- (1) **Retaining Professional Services** The City wishes to retain an Applicant for the provision of the Professional Services in order to facilitate the sale of the Property while obtaining best value for money for the City.

- (2) **Agreement with Successful Applicant** The City and the successful Applicant will enter into a mutually agreeable contract, which will include, but will not be limited to, the following matters:
- (a) The successful Applicant will be the City’s exclusive agent for the listing, marketing, negotiation, and sale of the Property for the term of the agreement;
 - (b) The term of the agreement will be for a maximum of six months from the date. The agreement may be renewed for additional terms upon satisfactory performance by the Applicant on mutually agreeable terms;
 - (c) Successful Applicant is an independent contractor;
 - (d) The provision of Professional Services;
 - (e) The terms of payment;
 - (f) Insurance from the successful Applicant, including \$5 million CGL and \$2 million professional error and omissions;
 - (g) Defend, indemnify and save harmless clause by the successful Applicant to protect the City from anything arising from the Applicant’s actions, negligence, errors, omissions, or fraud, or otherwise from the provision of the Professional Services; and
 - (h) Terms of confidentiality;
- (3) **Property Details** The following is additional information regarding the Property:
- (a) It is a development site composed of two separate parcels approximately 29 acres and 2 acres;
 - (b) It is currently zoned Open Space Type 1;
 - (c) The Property is currently being operated as a municipal golf course;
 - (d) The City is retaining the remaining portion of the site for the purposes of developing a municipal park;
 - (e) A sketch of the Property is attached as Schedule “A”; and
 - (f) Draft Reference plan is attached as Schedule “B”;
- (4) **Closing Details**, include but are not limited to:
- (a) The closing date for the sale of the Property shall not be prior to Oct 31, 2020;
 - (b) The City hopes to achieve a closing date for the fourth quarter of 2020, but is subject to negotiation with the Purchaser, including for a potential due diligence period;
 - (c) The Property will be sold “as is-where is”;
 - (d) The City makes no representations or warranties with respect to any First Nation claims;
 - (e) The final Agreement of Purchase and Sale will include the City’s standard terms and conditions, subject to negotiation with the Purchaser;
 - (f) The following easements over the Property are required at or prior to closing:
 - (a) Water Main
 - (b) Sanitary Sewer

- (c) Storm Sewer

III. APPLICATIONS

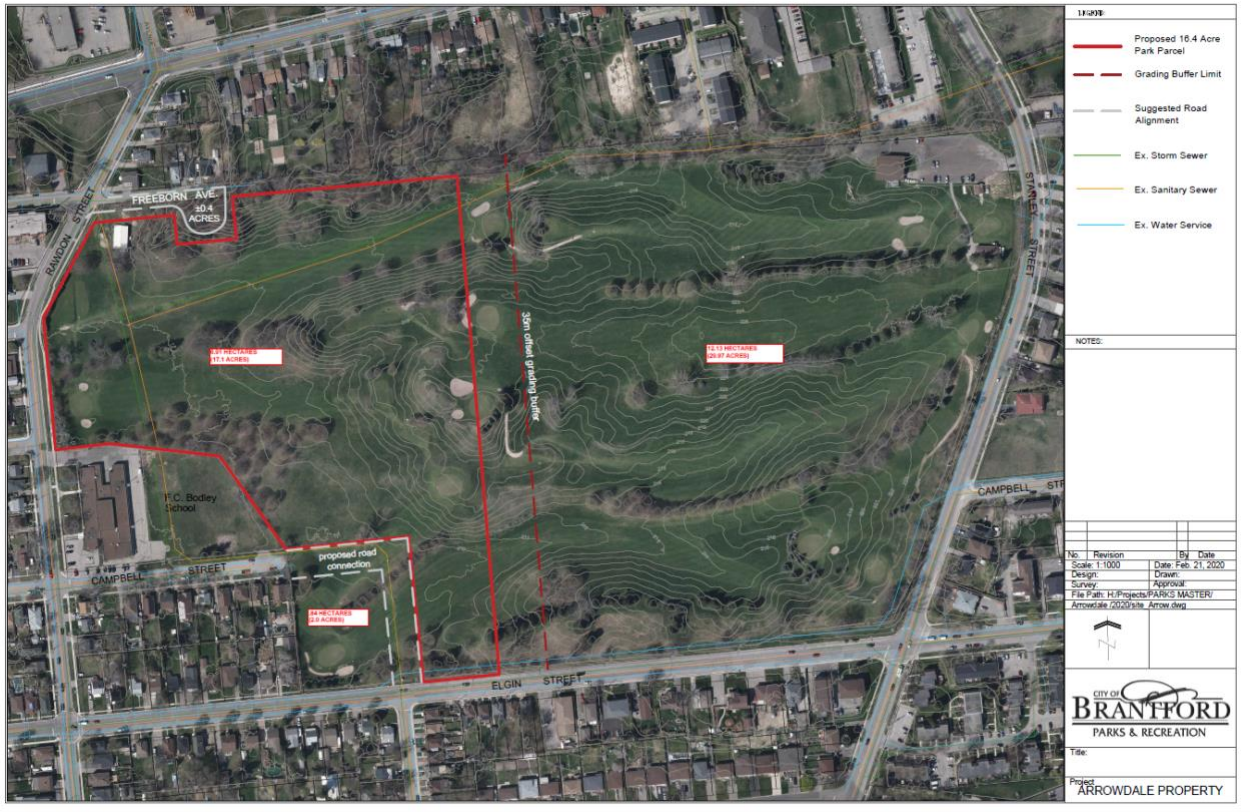
- (1) Applicants wishing to be considered to render the contemplated Professional Services should submit the following documents and information:
 - (a) Cover Letter which identifies the Applicant's interest in providing the Professional Services, and including a representation and warranty that the individual signing the cover letter has authority to represent and bind the Applicant; Applicant information, including the following:
 - (a) Applicant's legal name and business number, including where applicable, a corporate profile report;
 - (b) Background information of the Applicant;
 - (c) Prior experience of the Applicant with respect to real estate marketing and sales, municipal clients, sale of golf courses, and such other matters as the Applicant considers relevant;
 - (b) Where the Applicant is not an individual, information about the individual(s) who will be providing the Professional Services;
 - (c) Proposed methods to identify and reach target user groups;
 - (d) Description of the marketing materials and the strategy for presenting the Property to the target market;
 - (e) Additional services the Applicant will provide;
 - (f) Estimated market value of the Property, including a proposed listing price and possible sale price;
 - (g) Fee and payment terms;
 - (h) A declaration which either declares the absence of any conflicts of interest, or identifies existing or potential conflicts of interest; and
 - (i) Such other information an Applicant considers relevant, applicable, or valuable to the City's consideration of the Applicant.
- (2) Applications are to be received by the City on or before 9:00 a.m. on April 14, 2020.
- (3) Applications are to be submitted by email to rgasparetto@brantford.ca with a subject line of "Professional Services Application", or by mail to 100 Wellington Square, P.O. Box 818, Brantford, ON N3T 5R7, to the attention of Real Estate Services, Ron Gasparetto.
- (4) All documents submitted to the City are subject to the protection and disclosure provisions of the *Municipal Freedom of Information and Protection of Privacy Act*.
- (5) Applicants are solely responsible for preparing, and delivering their application. The City accepts no responsibility for applications which are lost, undelivered or otherwise not received by Ron Gasparetto by the deadline.

IV. APPLICATION REVIEW and NEXT STEPS

- (1) This is not a request for proposals, a call for tender, a request for binding offers. This is not a formal process of any kind. No contractual obligations will arise between the City and any Applicant until and unless the City and a proponent enter into a formal, written contract. The City is not required to review all or any Application(s), to use defined criteria in reviewing Applications, to follow any requirements or to select an Applicant. The City may extend the deadline, accept or reject any or all applications received, negotiate with any Applicant, determine another means of obtaining the Professional Services (including in house). Any agreement with a successful Applicant is subject to review and approval by the City, in accordance with its practices, or as it may determine.

- (2) Should the City proceed to review any applications, the City may take any, all, or any combination of the following actions:
 - (a) Request additional information or documents from any, some, or all Applicants;
 - (b) Request an Applicant or Applicants to attend an interview;
 - (c) Request an Applicant or Applicants to make a presentation;
 - (d) Commence negotiations with one or more Applicant;
 - (e) Cease reviewing applications and take no further action; or
 - (f) Such other action determined appropriation by the City, in its sole and unfettered discretion.

Schedule A



Schedule B

