

Request for Qualifications

Real Estate Broker Services



RFQ # 24-11-1177 Real Estate Broker Services

Due Date: Wednesday December 11, 2024 at 10:00 AM CST

Note: Dickinson ISD will be closed for Thanksgiving Break holiday from November 25, 2024 to November 29, 2024.

Real Estate Broker Services

Date: November 20, 2024

Contact Name: Alyse Howell, Purchasing Coordinator, (281) 229-6007 or purchasing@dickinsonisd.org

Please mark your envelope "RFQ 24-11-1177 Real Estate Broker Services" and mail or hand deliver to the Dickinson ISD Administration Building, located at 2218 FM 517 Dickinson, TX 77539 no later than: Wednesday December 11, 2024. At which time, all responses will be opened, and the names of the participants will be read publicly.

Notes to All Vendors:

1. Vendor must provide one original, one copy and one electronic copy of the Request for Qualifications responses.
2. Questions regarding this Request for Qualifications must be referred to the contact's name designated above.
3. The Dickinson Independent School District (The District) reserves the right to reject any or all Qualifications responses, waive all irregularities and choose the best value consulting services.
4. The District reserves the right to conduct discussions and/or interviews if needed.
5. Initial contract award shall be from January 1, 2025, through December 31, 2025, with options to extend for four (4) additional twelve (12) month terms.

Submission of this response shall serve as evidence that the vendor understands and agrees to all conditions of the Request for Qualifications. Faxed or emailed responses will not be considered. All respondents must include executed Felony Conviction Form, Non-Collusion — Debarred/Suspension Notification, Conflict of Interest Questionnaire, W9, and all signed Addenda in their response submission.

Name of Vendor	Address/Zip	Date
Signature of Representative		Title
E-mail Address		Phone

1.

RFQ SCHEDULE

Issuance of RFQ	November 20, 2024
Deadline for Questions	December 6, 2024
District Responses to Questions Issued	December 9, 2024
Proposal Due Dates	December 11, 2024 by 10:00am CST

2. Submit one original and two (2) copies of the qualification statements. After opening and evaluation of responses, the District will select a firm or firms(s) for additional information, including proposed fees and prices for fulfilling the general conditions.
3. Interviews may be conducted with the short-listed firms prior to final selection. Cost and Fees information will be requested from the short-listed firms.
4. Questions, requests for clarification, additional information, omissions, or corrections should be addressed in writing to Ms. Alyse Howell, by December 6, 2024, 4:00P.M. You may e-mail this information to ahowell@dickinsonisd.org.
5. Dickinson Independent School District is a public entity subject to the provisions of the Texas Public Information Act (Texas Government Code Chapter 552). Responses to this Solicitation may be subject to release as public information unless the response or specific parts of the response are accepted from public disclosure under such Act. The District assumes no liability or responsibility for release of any information not properly identified and documented in accordance with the enclosed Confidential Information Declaration & Copyright Authorization Form - See Required Forms.
6. The successful company will be required to furnish copies of Professional Licenses and Insurance Certifications, including Professional & General Liability (E&O) for review.
7. An authorized representative of the respondent shall sign proposals. Failure to submit all information requested may result in the district requiring prompt submission of missing information and/or giving a lower evaluation of the proposal. The Purchasing office may reject proposals that are substantially incomplete or lack key information.

Proposer must include its *proposed contract* in its response to this RFQ.

Dickinson ISD Terms and Conditions

In submitting a Response, Broker understands and agrees to be bound by the following terms and conditions which shall be incorporated into any future contracts, agreements, or purchase orders relating to this RFQ between the firm and the District. Exceptions and additions to the Standard Terms and Conditions must be submitted with the proposal response, including a full explanation on the **Deviation/Compliance Form (See Required Forms)**, or as a separate attachment in the Response.

Assignment

The successful Broker may not assign its rights and duties under an award without the written consent of the District. Such consent shall not relieve the assignor of liability in the event of default by its assignee.

Indemnification

The Dickinson ISD is a Texas Political Subdivision and a local governmental entity; therefore, is prohibited from indemnifying third parties pursuant to the Texas Constitution (Article 3, Section 52) except as specifically provided by law or as ordered by a court of competent jurisdiction.

Governing Laws and Venue

This Agreement and all of the rights and obligations of the parties hereto and all of the terms and conditions hereof shall be construed, interpreted and applied in accordance with and governed by and enforced under the laws of the State of Texas, and the parties hereto agree that venue shall be in Galveston County, Texas.

Jurisdiction and Service of Process

Any Proceeding arising out of or relating to this procurement process or any contract resulting from or any contemplated transaction shall be brought in a court of competent jurisdiction in Galveston County, Texas and each of the parties irrevocably submits to the exclusive jurisdiction of said court in any such proceeding, waives any objection it may now or hereafter have to venue or to convenience of forum, agrees that all claims in respect of the Proceeding shall be heard and determined only in any such court, and agrees not to bring any proceeding arising out of or relating to this procurement process or any contract resulting from or any contemplated transaction in any other court.

Termination

Dickinson ISD shall have the right to terminate for default all or part of a resulting contract if the firm breaches any of the terms hereof or if the firm becomes insolvent or files any petition in bankruptcy. Such right of termination is in addition to and not in lieu of any other remedies which Dickinson ISD may have in law or equity, specifically including, but not limited to, the right to collect for damages or demand specific performance.

Dickinson ISD has the right to terminate a resulting contract for convenience, without penalty, for non-appropriation or non-availability of funds by delivery to the offeror of a "Notice of Termination" specifying the extent to which performance hereunder is terminated and the date upon which such termination becomes effective.

Funding Out Clause

Pursuant to Texas Local Government Code Sec. 271.903, any Proposal/Offer accepted by Dickinson ISD and all contracts to be approved are subject to the budgeting and appropriation of then currently available funds. See statute for specifics or consult your legal counsel.

Ownership and Use of Documents

All documents and materials particular to the Work prepared by Broker ("Work Material"), are the property of the District and for its exclusive use and re-use at any time without further compensation and without any restrictions. Except for such Work Material which is intended to be made public as part of the Project, Broker shall treat all such Work Material as confidential, and Broker shall neither use any such Work Material or copies thereof on other work nor disclose such material or information to any other party without District's prior written approval.

Conflict of Interest

No employee of District shall have any personal interest, direct or indirect, in this Agreement nor shall any such member, official or employee participate in any decision relating to this Agreement which affects his or her interest or the interests of any corporation, partnership or association in which he or she is directly or indirectly interested.

Felony Conviction Notice

Broker shall certify compliance with Texas Education Code 22.0834 and Education Commissioner's rules regarding criminal history record review for all employees, applicants for employment, or agents of the Broker. Additionally, Broker must give advance notice to the District if the person or an owner or operator of the business entity has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of a felony. The District may terminate this Agreement if the District determines that the person or business entity failed to give notice as required by this paragraph or misrepresented the conduct resulting in the conviction. This paragraph requiring advance notice does not apply to a publicly held corporation.

Tax Exempt

Dickinson ISD is exempt from federal excise taxes, state and local sales taxes and use taxes.

Award/Evaluation of Proposals

Proposals will be evaluated by the following factors and criteria.

	EVALUATION CRITERIA
1	Ability of the contractor(s) to meet or exceed the requirements defined in the RFQ including the range of services offered
2	Experience, qualifications and references, Local reputation
3	Local real estate market, and school district real estate knowledge
4	Cost, Fee Structure and Rates
5	Completeness of response to RFQ as outlined in this solicitation package

SCOPE OF SERVICES

The Dickinson Independent School District (DISD) is soliciting proposals from experienced local real estate brokers/firms to provide Real Estate Broker Services in accordance with the instructions, specifications, terms, and conditions, contained in this Solicitation. It is the intent of this RFQ to have the successful firm(s) enter a Professional Services Contract with the District to provide real estate services as outlined herein.

The district intends to retain one or more qualified, licensed, commercial real estate broker entities for general real estate services including marketing DISD surplus properties and vacant properties as requested by the District.

Following submission of qualification statements, evaluation, and selection, and upon completion of a fully executed contract, Broker will begin marketing properties on a local as well as national basis. In accordance with applicable law, the school district sells real estate through a sealed-bid process. During the bid period, the school district will expect the property to continue to be marketed on a local as well as a national basis. The selected broker(s) will be expected to provide the services listed below in the Scope of Services section.

CURRENT SURPLUS PROPERTY

Throughout the term of the contract, the district may require the broker to bid and negotiate the sale of district surplus properties as needed and acquisition of properties as needed.

TERM OF CONTRACT

The contract period for the successful broker/firm will be from date of award through December 31, 2025. The contract may be renewed for four (4) additional one-year terms upon mutual agreement.

Services will include consultation with District staff relating to real estate needs of the District. Presentations at executive sessions and public meetings may be required during the course of any resulting contract.

A. BROKER RESPONSIBILITIES

The qualified, licensed, commercial real estate broker's scope of services will include, but not be limited to the following:

- a. Assist Dickinson ISD in development of marketing materials and brochures describing the sites that are for sale including physical characteristics and other pertinent information.
- b. Assist Dickinson ISD in preparation of the offerings and related documents.
- c. Develop and provide a data base of qualified and prospective purchasers of District properties.
- d. Market sites on a local and national basis, including direct contacts, advertising, and internet website marketing.
- e. Prepare periodic status reports indicating progress in marketing the properties.
- f. Meet with Dickinson ISD personnel on a periodic basis to review status reports on marketing efforts.
- g. Assist in the sealed bid opening process.
- h. Assist with negotiation of all aspects of the sales contract(s) and other requirements related to the sale(s) of District properties.
- i. Assist Dickinson ISD and its attorneys in coordinating efforts to achieve a timely and efficient documentation and closing of transactions.
- j. Assist as requested by Dickinson ISD with various other miscellaneous real estate activities such as assistance in locating future Dickinson ISD sites for lease or purchase, providing general real estate economic information and analysis on real estate issues of interest to Dickinson ISD, assist in negotiating for purchase or lease of properties by Dickinson ISD, and provide general expertise to Dickinson ISD on real estate related matters.
- k. Searching for properties, per district request
- l. Developing strategies for rental, acquisition and/or sale of properties, per district request
- m. Negotiating with landlords, sellers, or buyers on behalf of the District, per district request
- n. Providing appraisals or coordinating with Real Estate Appraisers, per district request
- o. Coordinating and securing title information, real estate transaction closings, and
- p. Handling all other customary activities and services associated with real estate transactions

The use of Real Estate Broker Services for the District will be coordinated through the Purchasing Department. The provider will be expected to work directly with representatives of various District departments when providing services. All services shall be administered in conformance with Federal and State Laws, and applicable Dickinson ISD policies and procedure.

B. BROKER'S QUALIFICATIONS

Respondents to this RFQ shall have the following qualifications:

- Must be licensed and in good standing with the Texas Real Estate Commission.
- Must have an excellent reputation in the real estate community.
- Must be knowledgeable in the local real estate market and have a minimum of five (5) years' experience with small and large commercial properties, and unimproved land acquisition.
- Knowledge of the Dickinson Independent School District area real estate is desired.
- Knowledge and experience in the acquisition and sale of school district owned property is desired.

C. INSURANCE REQUIREMENTS:

The successful company will be required to furnish copies of Professional Licenses and Certifications, Professional & General Liability (E&O) and Workers' Compensation Insurance Certificates.

- D.** An internal Evaluation Committee will evaluate all proposals received for completeness and the broker's/firm's ability to meet all specifications as outlined in this RFQ.

BROKER QUESTIONNAIRE

Please provide the following information in the sequence and format prescribed by this questionnaire. Supplemental materials providing additional information may be attached, but the information requested below is to be provided in this format.

1. Firm Information:

Name of firm:

Address of principal office:

Phone:

Fax:

Form of Business Organization (Corporation, Partnership, Individual, Joint Venture, Other?):

Year founded:

Primary individual to contact:

2. Organization:

- 2.1 How many years has your organization been in business in Real Estate Brokerage Services?
- 2.2 How many years has your organization been in business under its present name? Under what other or former names has your organization operated?
- 2.3 If your organization is a corporation, answer the following: Date of incorporation, State of incorporation, President's name, Vice-President's name(s), Secretary's name, Treasurer's name.
- 2.4 Is it a publicly held organization?
- 2.5 If your organization is a partnership, answer the following: Date of organization, type of partnership (if applicable), names of general partner(s).
- 2.6 If your organization is individually owned, answer the following: Date of organization, name of owner.
- 2.7 If the form of your organization is other than those listed above, describe it and name the principals.

3. Licensing:

- 3.1 List jurisdictions in which your organization is legally qualified to do business and indicate registration or license numbers, if applicable.
- 3.2 List jurisdictions in which your organization's partnership or trade name is filed.
- 3.3 List Certification Agencies if you are a Certified Historically Underutilized Business

4. Experience:

- 4.1 List the categories of work that your organization normally performs with its own forces. Would you propose to do any work with your own forces or to assign or sub work to third parties?

- 4.2 List any partnerships in which your organization has some ownership and list the categories of work those partners normally perform.
- 4.3 Claims and suits. (If the answer to any of the questions below is yes, please attach details.)
- 4.3.1 Has your organization ever failed to complete any work or contracted services awarded to it?
- 4.3.2 Are there any judgments, claims, arbitration proceedings or suits pending or outstanding against your organization or its officers?
- 4.3.3 Has your organization filed any lawsuits or requested arbitration or mediation with regard to Real Estate Brokerage Services contracts within the last five years?
- 4.4 Within the last five years, has any officer or principal of your organization ever been an officer or principal of another organization when it failed to complete a Real Estate Brokerage Services contract? (If the answer is yes, please attach details.)
- 4.5 Current work:
List the major Real Estate Brokerage Services projects your organization has in progress.
- 4.6 Work over last 5 years:
List major projects (specifically educational properties or facilities) for which your firm has provided Real Estate Brokerage services over the last 5 years. For each project, provide the name, nature of the project/function of the building, size, location, cost, completion date, owner. and the manner in which services were carried out.
- 4.7 Experience with Dickinson I.S.D.

5. Financial Information:

- 5.1 Attach a financial statement, preferably audited, including your organization's latest balance sheet and income statement.
- 5.2 Provide name, address, phone for bank reference.

6. Personnel:

Identify and Provide a resume and references for each individual who would be involved in carrying out services to Dickinson ISD should your firm be selected.

7. References:

For 3 of the projects listed above, identify a representative of the owner (provide name, phone numbers, email addresses) who could be contacted as references regarding your firm's services.

8. Cost, Fee Structure and Rates

Please provide the fees and rates that the firm will require on both potential sales of District owned property. State any other costs the District may anticipate relating to the real estate services to be provided in the Scope of Services.

BONDING COMPANY AND AGENT (if ever bonded):

NAME: _____

PHONE: _____

(A) CURRENT BONDING RATE: _____

(B) LARGEST INDIVIDUAL PROJECT BOND TO DATE: _____

SURETY REFERENCE FOR LAST FIVE (5) YEARS:

IF ADDITIONAL INFORMATION IS PROVIDED ON A SEPARATE SHEET FOR ANY OF THE ABOVE ITEMS,
CLEARLY SPECIFY ON THIS FORM WHERE IT CAN BE LOCATED IN YOUR PROPOSAL PACKAGE.

Required Forms

- a.** Deviation/Compliance Signature Form
- b.** Confidentiality Declaration Form
- c.** Certification for Criminal History Check
- d.** Conflict of Interest Disclosure
- e.** Conflict of Interest Questionnaire
- f.** Family Conflict of Interest Questionnaire

**ALL REQUIRED FORMS MUST BE COMPLETED, SIGNED, AND RETURNED WITH RESPONSE, OR THE RESPONSE
WILL BE DEEMED NONRESPONSIVE.**

DEVIATION/COMPLIANCE SIGNATURE FORM

RFQ # 24-11-1177

Company Name

Address

City

State

Zip

Phone Number

Fax Number

If the undersigned bidder intends to deviate from the General Conditions Standard Terms and Conditions or Item Specifications listed in this bid invitation, all such deviations must be listed on this page, with complete and detailed conditions and information included or attached. The District will consider any deviations in its bid award decisions, and the District reserves the right to accept or reject any bid based upon any deviations indicated below or in any attachments or inclusions.

In the absence of any deviation entry on this form, the bidder assures the District of their full compliance with the Standard Terms and Conditions, Item Specifications, and all other information contained in this Bid Invitation.

☐ No Deviation

☐ Yes Deviation (If yes is checked, please list below):

[illegible]

CONFIDENTIALITY DECLARATION FORM

CONFIDENTIAL INFORMATION SUBMITTED IN RESPONSE TO COMPETITIVE PROCUREMENT REQUEST FOR Dickinson ISD IS GOVERNED BY TEXAS GOVERNMENT CODE, CHAPTER 552

If you consider any portion of your proposal as confidential information and not subject to disclosure pursuant to Chapter 552 Tex. Gov't Code or other laws, you **must make a copy** of all claimed confidential materials within your proposal and put this COMPLETED form as a coversheet to said materials and place this completed form and the copied materials in a separate envelope and include the confidential materials envelope with your proposal submission. ***(The envelope will not be opened unless a Public Information Request is made. You must include the confidential information in the submitted proposal as well. The copy in the envelope is to show DISD which material in your proposal you deem confidential only in the event of a Public Information Request.)*** You must place the following wording that is between the dotted lines on the outside of the envelope containing the copies of the confidential materials. You may copy, complete and affix the following to the envelope containing the copies of the confidential materials. Dickinson ISD will follow procedures of controlling statute(s) regarding any claim of confidentiality. Pricing of solicited products or service may be deemed as public information under Chapter 552 Tex. Gov't Code.

This envelope contains material for our proposal that I classify and deem confidential under Tex. Gov't Code § 552 and I invoke my statutory rights to said confidential treatment of the enclosed materials:

Name of company claiming confidential status of material

Printed Name and Signature of authorized company officer claiming confidential status of material

Address City State Zip Phone

ENCLOSED ARE COPIES OF ____ PAGES OF CONFIDENTIAL MATERIAL FROM OUR RESPONSE TO CSP # 16-57-737

Express Waiver: I desire to expressly waive our claim of confidentiality of any information contained within our response to the competitive procurement process by completing the following and submitting this sheet with our response Dickinson ISD procurement process (e.g. RFQ, CSP, Bid, etc.).

Name of company expressly waiving confidential status of material

Printed Name and Signature of authorized company officer expressly waiving confidential status of material

Address City State Zip Phone