

**REQUEST FOR PROPOSAL**  
**FOR**  
**REAL ESTATE BROKER/AGENT OF RECORD**

**St. Helens School District No. 502**  
**St. Helens, Oregon**



Issued: May 31, 2024  
**Proposals Due: June 13, 2024**

**Single Point of Contact (SPC):** Jessica Seay, Director of Fiscal Services  
Label for Proposal: RFP - Real Estate Broker/Agent of Record  
Address: 474 N. 16<sup>th</sup> Street, St. Helens OR, 97051  
Phone: 503-366-7225  
Fax: 503-397-1907  
Email: [jessicapi@sthelens.k12.or.us](mailto:jessicapi@sthelens.k12.or.us)

# REQUEST FOR PROPOSAL

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**SECTION 1  
GENERAL INFORMATION**

**1.01 ANNOUNCEMENT**

**LEGAL PUBLICATION**

**May 31, 2024**

**ST. HELENS SCHOOL DISTRICT No. 502  
REQUEST FOR PROPOSALS  
REAL ESTATE BROKER/AGENT OF RECORD**

The St. Helens School District Board of Directors requests proposals from experienced Real Estate Brokers to serve as the District's Real Estate Broker for various real estate transactions related to surplus district property. It is the intent of the School Board to enter into a contract with the selected Real Estate Brokerage or individual which will include specified rates for the services that are required to be provided for a specified scope of work. Respondents to this request will be evaluated based upon their qualifications, prior experience, associated fees, and other relevant factors.

Copies of the Request for Proposal document may be obtained online at <https://www.sthelens.k12.or.us/departments/departments/request-for-proposals-invitations-to-bid> or in person at 474 N. 16th Street, St. Helens, OR 97051. Proposals are due on or prior to 3:00 P.M. PDT Thursday, June 13, 2024. Proposals received after the specified time will not be considered. The District plans to interview one or more of the top finalists. Interviews are tentatively scheduled for Wednesday, June 19, 2024.

All proposers must be licensed by the Oregon Real Estate Agency prior to submitting proposals. Failure to register will be sufficient cause to reject proposals as non-responsive. For this service, the provisions of the contract attached to the RFP will apply; it is the intention of the Board to enter into a contract for these services for a period of two (2) years. This solicitation does not obligate the St. Helens School District to pay any costs incurred in preparation or presentations, or to select any proposer who responds. The District reserves the right to reject any proposal not in compliance with all prescribed requirements and may reject for good cause any or all proposals upon a written finding that it is in the public interest to do so.

## 1.02 INTRODUCTION

The District anticipates needing to buy or sell real estate and seeks a qualified relator to help facilitate transactions.

St. Helens School District serves 2,610 students in three elementary schools, one middle school, an alternative high school, one high school, and a virtual academy. The District owns property within Columbia County, Oregon including those within the city limits of the City of Columbia City, St. Helens and in un-incorporated areas.

## 1.03 SCHEDULE OF EVENTS

May 31, 2024	Advertise in the Daily Journal of Commerce
June 6, 2024	Questions/Requests for Clarification Due
June 10, 2024	RFP Protest Period Ends
<b>June 13, 2024</b>	<b>3:00 PM Closing (Proposals Due)</b>
June 19, 2024	Interviews, if scheduled (1:00 PM to 5:00 PM PST)
June 21, 2024	Issuance of Notice of Intent to Award (approximate)
June 28, 2024	Award Protest Period Ends

## 1.04 PROPOSAL DELIVERY

All proposals may be hand-delivered, mailed or emailed. If delivered to the District, the envelope should include a label: “**RFP Real Estate Broker**” to the following address:

St. Helens School District No. 502  
Attention: Jessica Seay, Director of Fiscal Services  
474 N. 16<sup>th</sup> Street  
St. Helens, Oregon 97051

Electronic versions of the Proposal are acceptable and must be in Adobe Acrobat (pdf) format and emailed to [jessicapi@sthelens.k12.or.us](mailto:jessicapi@sthelens.k12.or.us). The subject line should be labeled RFP Real Estate Broker.

### **1.05 DISTRICT SINGLE POINT OF CONTACT (SPC)**

There will be only one point of contact during this procurement process for questions concerning the procurement process, change, clarification, award process and any other questions that may arise. Contact Jessica Seay, Director of Fiscal Services, St. Helens School District No. 502, 474 N. 16<sup>th</sup> Street, St. Helens, Oregon 97051, telephone 503-366-7225, fax 503-397-1907, email [jessicapi@sthelens.k12.or.us](mailto:jessicapi@sthelens.k12.or.us) or regular mail delivered to: 474 N. 16<sup>th</sup> Street, St. Helens, OR 97051.

**End of Section 1**

## **SECTION 2 AUTHORITY AND SCOPE OF SERVICES**

### **2.01 AUTHORITY AND METHOD**

The St. Helens School District (District) is issuing this RFP under the District's Public Contracting Rule and District Policy DJCA-AR Personal Services Contracts.

### **2.02 SCOPE OF SERVICES**

The District is requesting proposals from qualified and interested individuals and/or firms to represent the District in real estate negotiations and transactions. The selected individual or firm will market surplus District real property including:

- Listing District properties for sale
- Communicating with potential buyers
- Assisting with setting a sale price and terms
- Advising District Management and elected leadership during negotiations
- Serving as seller's representative in real estate transactions
- Assisting city staff in documenting sale offers, terms and transactions

The selected individual or firm will also help the District identify, evaluate, and acquire real property, including:

- Serving as buyer's representative in real estate transactions
- Reviewing and interpreting inspection results
- Assisting city staff in documenting sale offers, terms and transactions
- Working with title companies in establishing escrow and working to achieve a smooth transfer
- Attend all closing
- Work with District legal counsel to draft sale documents

**End of Section 2**

## SECTION 3 PROCUREMENT REQUIREMENTS AND EVALUATION

### 3.01 MINIMUM PROPOSER REQUIREMENTS

The District reserves the right to disqualify proposals failing to meet minimum requirements. To be considered for evaluation, each Proposal must demonstrate how the Proposer meets all requirements of this section:

1. The Broker/Agent-of-Record must be associated with a licensed real estate brokerage as required by the laws of the State of Oregon. All individuals within the brokerage involved in the sale of real estate must be duly licensed Real Estate Brokers.
2. The Broker/Agent-of-Record agrees that it presently has no interest, and shall acquire no interest, direct or indirect that would conflict in any manner or degree with the performance of its services hereunder. The company further agrees that, in the performance of the agreement, no person having any interest shall be employed.
3. Proposals must be valid for at least 180 days from the due date.

### 3.02 MINIMUM SUBMISSION REQUIREMENTS

#### A. Proposal Format

Proposer shall submit its Proposal without extensive art work, unusual printing or other materials not essential to the utility and clarity of the Proposal. Please limit your proposals to no more than 20 pages.

Proposals delivered to the District should be on white 8 ½" by 11" paper delivered in a sealed package addressed as provided in Section 1.04 of this RFP.

In addition, if Proposer believes any of its Proposal is exempt from disclosure under Oregon Public Records Law (ORS 192.410 through 192.505). Proposer shall complete and submit the Affidavit of Trade Secret (Attachment E) and a fully redacted version of its Proposal, clearly identified as the redacted version.

#### B. Authorized Representative

The Proposer Certification Form (Attachment A) shall be signed as follows **or the bid will be rejected.**

- In the case of an **individual** Proposer, by the individual Proposer.
- In the case of a **partnership**, the name of the partnership must be listed and the proposal shall be signed in the name of the partnership by at least one general partner. In addition, the names of all general and limited partners must be listed.
- In the case of a **corporation**, the corporate name shall be subscribed by the president or other managing officer and, under the signature of such officer, the name of the office such individual holds or the capacity in which he or she acts for the corporation.

### 3.03 PROCUREMENT PROCESS

#### A. Public Notice

Notice of the RFP has been advertised in the Daily Journal of Commerce. The RFP, including all Addenda and attachments, is available on the District's website at <https://www.sthelens.k12.or.us/departments/departments/request-for-proposals-invitations-to-bid>

#### B. Questions / Requests for Clarification

All inquiries, whether relating to the RFP process, administration, deadline or method of award, or to the intent or technical aspects of the RFP must:

- Be delivered to the SPC via email, mailed or hand-delivered in writing
- Reference the RFP name
- Identify Proposer's name and contact information
- Be sent by an authorized representative
- Refer to the specific area of the RFP being questioned (i.e. page, section and paragraph number); and
- Be received by the due date and time for Questions/Requests for Clarification identified in the Schedule.

Inquiries requiring clarification or modification from the District will be sent to all Proposers in the Form of an addendum to this RFP.

#### C. Pre-Proposal Conference

There will be no pre-proposal conference.

#### D. Solicitation Protests

Prospective Proposers may submit a written protest of anything contained in this RFP, including but not limited to, the RFP process, Specifications, Scope of Work, and the proposed terms and conditions of the proposed Contract/Price Agreement. This is a prospective Proposer's only opportunity to protest the provisions of the RFP, except for protests of Addenda or the terms and conditions of the proposed Contract/Price Agreement, as provided below.

Protests to Addenda: Prospective Proposer may submit a written protest of anything contained in the respective Addendum. Protests of matters not added or modified by the respective Addendum will not be considered.

Protests must:

- Be delivered to the SPC via email, facsimile, hard copy
- Reference the RFP name
- Identify prospective Proposer's name and contact information
- Be sent by an authorized representative
- State the reason for the protest, including: the grounds that demonstrate how the Procurement Process is contrary to law, unnecessarily restrictive, legally flawed,

or improperly specifies a brand name; and evidence or documentation that supports the grounds on which the protest is based

- State the proposed changes to the RFP provisions or other relief sought
- Protests to the RFP must be received by the due date and time identified in the Schedule
- Protests to Addenda must be received by the due date identified in the respective Addendum

The District will respond timely to all protests submitted by the due date and time listed per the Schedule in Section 1.03. Protests that are not received timely or do not include the required information may not be considered.

#### **E. Proposal Submission Options**

Proposer is solely responsible for ensuring its Proposal is received by the SPC in accordance with the RFP requirements. The District is not responsible for any delays in mail or by common carriers or by transmission errors or delays or mistaken delivery. A Proposal submitted by any means not authorized will be rejected.

The Proposal may be emailed, hand-delivered, or submitted through the mail or via parcel carrier, and must be clearly labeled as provided in Section 1.04.

Proposals will be accepted at the District Office during the District's normal Monday-Friday business hours of 8:00 am to 4:30 pm Pacific Time, except during District holidays and other times when the District office is closed.

#### **F. Proposal Modification or Withdrawal**

Any Proposer who wishes to make modifications to a Proposal already received by Agency shall submit its modification in one of the manners listed in the Proposal Submission Options section and must denote the specific change(s) to the Proposal submission.

If a Proposer wishes to withdraw a submitted Proposal, it shall do so prior to Closing. The Proposer shall submit a written notice Signed by an authorized representative of its intent to withdraw its Proposal. The notice must include the RFP name and be submitted to the SPC.

#### **G. Proposal Due**

The Proposal and all required submittal items, as well as any modification or withdrawal of a Proposal, must be received by the SPC on or before Closing. Original or modified Proposals received after Closing are considered LATE and will be returned unopened or destroyed.

## H. Proposal Rejection

The District may reject a Proposal for any of the following reasons:

- Proposer fails to substantially comply with all prescribed RFP procedures and requirements, including but not limited to the requirement that Proposer's authorized representative sign the Proposal in ink.
- Proposer fails to meet the responsibility requirements of ORS 279B.110.
- Proposer makes any contact regarding this RFP with other District employees or officials other than the SPC or those the SPC authorizes.
- Proposer attempts to inappropriately influence a member of the Evaluation Committee.

## I. Opening of Proposal

Proposals will be publicly opened immediately following the Closing, and the names of all Proposers will be disclosed at that time. However, Proposals received will not be available for inspection until after the evaluation process has been completed and the Notice of Intent to Award is issued.

### 3.04 PROPOSAL CONTENT REQUIREMENTS

#### A. Proposal Content

Every proposal must reply to each of the following items. Responses must be in the same order listed below. Concise and direct answers are encouraged.

By listing individuals in the proposal, the Brokerage guarantees that these individuals will be available to work with the District as needed. The District reserves the right to approve or reject any changes to the proposed personnel. The District further reserves the right to request a substitution of personnel if deemed to be in the best interest of the District.

**1. Background**

- a. Brief description of your Brokerage's history and its capabilities.
- b. Background of key brokers within the Brokerage that would be available to the District.

**2. Experience & Qualifications**

- a. Specific experience in residential real estate sales, specifically in Columbia County
- b. Experience with public property real estate transactions
- c. Successful determination of Fair Market Value. (ie. Established value and actual sale).
- d. Free of conflicts of interest regarding the District

**3. Staffing**

- a. Experience of proposed broker or brokers

**4. Fees and Compensation**

- a. Explain how you would bill compensation. Include an explanation of any costs that are not covered in a standard brokerage fee.
- b. Include information about costs associated with failed transactions or work not resulting in a real estate transaction.

**5. References**

- a. Provide three (3) references of commercial and/ or public clients.

**6. Proposal Certification Sheet**

- a. Include signature of authorized representative.

**B. Public Record/Confidential or Proprietary Information**

All Proposals are public record and are subject to public inspection after the District issues the Notice of the Intent to Award. If a Proposer believes that any portion of its Proposal contains any information that is a trade secret under ORS Chapter 192.501(2) or otherwise is exempt from disclosure under the Oregon Public Records Law (ORS 192.410 through 192.505), Proposer shall complete and submit an Affidavit of Trade Secrets (Attachment D) and a fully redacted version of its Proposal.

**3.05 EVALUATION PROCESS**

**A. Responsiveness and Responsibility Determination**

Proposals will be reviewed for Responsiveness to all RFP requirements, including timely submission, compliance with Minimum Requirements and Proposal Content Requirements. If the Proposal is unclear, the SPC may request clarification from Proposer. However, clarifications may not be used to rehabilitate a non-Responsive Proposal. If the SPC finds the Proposal non-Responsive, the Proposal may be rejected, however, Agency may waive mistakes in accordance with OAR 137-047-0470.

At any time prior to award, Agency may reject a Proposer found to be not Responsible.

**B. Evaluation Criteria**

Proposals meeting Proposal Content Requirements will be evaluated by an Evaluation Committee using criteria and priorities as defined by the District. The Evaluation Committee will determine which Proposal or Proposals taken as a whole, and in the District sole judgment, are in the best interest of the organization. Proposals should address the evaluation criteria listed on the following page.

The SPC may request further clarification to assist the Evaluation Committee in gaining additional understanding of Proposals. A response to a clarification request must be to clarify or explain portions of the already submitted Proposal and may not contain new information not included in the original Proposal.

**C. Selection Process**

The Evaluation Committee may invite the recommended finalist or finalists for an interview based solely upon its evaluation of the proposals and the evaluation criteria. If the Committee elects to interview finalists, the final recommendation will be based on the majority opinion of the interview panel. The Evaluation Committee at its sole discretion may forego the interview process.

After evaluation, and interviews if necessary, the Evaluation Committee will recommend one finalist to the District’s Board of Directors for consideration of award. The contract award will be entirely at the discretion of the District. The District reserves the right to waive minor irregularities in the selection process and to reject any and all proposals.

<b>EVALUATION CRITERIA</b>		<b>Points</b>
<b>20%</b>	<b>Brokerage’s Experience and Qualifications</b>	<b>20</b>
<b>20%</b>	<b>Qualifications, Experience and Commitment of Proposed Personnel</b>	<b>20</b>
<b>30%</b>	<b>Experience with Public Real Estate Sales</b>	<b>30</b>
<b>5%</b>	<b>References</b>	<b>5</b>
<b>25%</b>	<b>Fee and Costs</b>	<b>25</b>
<b>100%</b>	<b>TOTAL POINTS POSSIBLE</b>	<b>100</b>

**End of Section 3**

## **SECTION 4 AWARD AND NEGOTIATION**

### **4.01 AWARD NOTIFICATION PROCESS**

#### **A. Intent to Award Notice**

The District, if it awards a contract, shall award to the highest ranking Responsible Proposer based upon the evaluation criteria described in Section 3. The District may award less than the full scope defined in this RFP. The District will notify all Proposers in writing of its intent to award a contract to the selected Proposer subject to successful negotiation of any negotiable provisions.

#### **B. Protest of Notice of Intent to Award**

An affected Proposer shall have seven (7) calendar days from the date of the intent to award notice to file a written protest and specify the grounds for the protest as set forth in ORS 279B.410(1).

Protests must be delivered to the SPC via email or hardcopy, reference the RFP name, identify the Proposer's name and contact information, be signed by an authorized representative, and specify the grounds for the protest.

The District will address all timely submitted protests within a reasonable time and will issue a written decision to the respective Proposer.

### **4.02 APPARENT SUCCESSFUL PROPOSER SUBMISSION REQUIREMENTS**

#### **A. Insurance**

Prior to the execution of the Contract, the apparent successful Proposer shall secure and demonstrate to Agency proof of insurance coverage meeting the requirements identified in the RFP or as otherwise negotiated.

#### **B. Taxpayer Identification Number**

The apparent successful Proposer shall provide its Taxpayer Identification Number (TIN) and backup withholding status on a completed W-9 form. District will not make any payment until a properly completed W-9 form is received.

#### **C. Contract Negotiation**

After selection of a successful Proposer, the District may negotiate the form of the Agreement, the statement of work, pricing, methods of payment, inclusive of additional services. If an agreement cannot be reached, the District may open negotiations with the next ranked Proposer.

**End of Section 4**

## **SECTION 5 ADDITIONAL INFORMATION**

### **5.01 GOVERNING LAWS AND REGULATIONS**

This RFP is governed by the laws of the State of Oregon. Venue for any administrative or judicial action relating to this RFP, evaluation and award is the Circuit Court of Columbia County for the State of Oregon.

### **5.02 OWNERSHIP/PERMISSION TO USE MATERIALS**

All Proposals submitted in response to this RFP become the property of the District. By submitting a Proposal in response to this RFP, Proposer grants the District a non-exclusive, perpetual, irrevocable, royalty-free license for the rights to copy, distribute, display, prepare derivative works of and transmit the Proposal solely for the purpose of evaluating the Proposal, negotiating an Agreement, if awarded to Proposer, or as otherwise needed to administer the RFP process, and to fulfill obligations under Oregon Public Records Law (ORS 192.410 through 192.505). Proposals, including supporting materials, will not be returned to Proposer unless the Proposal is submitted late.

### **5.03 CANCELLATION OF RFP**

Pursuant to ORS 279B.100, the District may reject any or all Proposals in-whole or in-part, or may cancel this RFP at any time when the rejection or cancellation is in the best interest of the District. The District is not liable to any Proposer for any loss or expense caused by or resulting from the delay, suspension, or cancellation of the RFP, award, or rejection of any Proposal.

### **5.04 COST OF PROPOSAL**

Proposer shall pay all the costs in submitting its Proposal, including, but not limited to, the costs to prepare and submit the Proposal, costs of samples and other supporting materials, costs to participate in demonstrations, or costs associated with protests.

### **5.05 CONTRACT**

All specifications, terms and conditions contained in the Request for Proposal shall be incorporated by reference and made a part of a contract awarded to the successful bidder. A copy of our sample contract is attached to this document.

**End of Section 5**

**ATTACHMENT A  
PROPOSER CERTIFICATION SHEET**

The undersigned further certifies that he/she has read, understands and agrees to abide by all terms and conditions of this Request for Proposal if awarded.

Acknowledgment of Addendum: None \_\_\_\_\_ 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

Proposal is FIRM for 180 days following the Closing.

Proposer certifies that all contents of the Proposal (including any other forms or documentation, if required under this RFP) and this Proposal Certification Sheet, are truthful and accurate and have been prepared independently from all other Proposers, and without collusion, fraud, or other dishonesty.

The Proposer certifies that it does not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, national origin, marital status, age or disability or other non-job-related factors as per ORS 659 and 42 U.S. C. 2000e.

If awarded a contract, Proposer agrees to perform the scope of work and meet the performance standards set forth in the final negotiated contract and statement of work.

Company Name (DBA): \_\_\_\_\_

Legal Name: \_\_\_\_\_

Type of Organization (Circle One): Sole Proprietor / Partnership / Corporation

If Corporation, State of Incorporation \_\_\_\_\_

If Partnership, attach list of all general and limited partners.

Is the proposer an Oregon resident bidder as provided in ORS 279A.120 (i.e. paid unemployment taxes or income taxes in Oregon during the 12 calendar months immediately preceding submission of the proposal, and has a business address in Oregon)? YES \_\_\_ NO \_\_\_

BY: \_\_\_\_\_ TITLE: \_\_\_\_\_  
Signature

BY: \_\_\_\_\_ DATED: \_\_\_\_\_  
Print/type name

CONTACT PERSON:

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

E-mail: \_\_\_\_\_ Fax Number: \_\_\_\_\_

ATTACHMENT A





## **EXHIBIT A**

Proposer identifies the following information as exempt from public disclosure:

