

HACC — Central Pennsylvania's Community College
Request for Proposal, #09-33
Professional Commercial Real Estate Listing Services for Office Subleasing

Acknowledgement: Please acknowledge receipt and interest in this RFP by completing the information requested below and faxing it to (717)780-2325 prior to submittal date.

Also, please include this page with your Proposal.

Firm Name: _____ Agent Name: _____ PA Lic# _____
 Broker Name: _____
 Address (include city, state, zip): _____
 Phone: _____ Fax: _____ Email: _____
 Cellphone: _____
 Check One: We will _____ will not _____ be responding to this RFP.
 If not responding, please explain briefly: _____

Dates	
Issued:	February 16, 2009
Meeting:	Friday February 20, 2009, 10:00 a.m.
Reply due:	February 26, 2009
Proposal due:	Wed., February 26, 2009, 10:30 a.m.
Proposal opening:	Wed., February 26, 2009, 10:30 a.m.
Board meeting:	March 3, 2009
All Firms who respond to the RFP will receive a notification letter in the mail within one week of the Board meeting.	

HACC Contact Information
 Tom Fogarty, Executive Director, Procurement and Business Services

 Purchasing Office/W130
 One HACC Drive, Harrisburg PA 17110-2999

 Phone: (717) 780-1930
 Fax: (717) 780-2325

Terms

- All Proposals must be mailed or hand delivered in a **sealed** envelope clearly marked with company name and Proposal number. **Faxes are not acceptable.**
- All Proposals must be signed by an authorized representative of the company.
- The College reserves the right to select all or any items on the RFP or to reject all Proposals.
- Proposals must include all costs. HACC is tax exempt.
- Do not include a copy of this entire RFP document with your response.

**HACC — Central Pennsylvania's Community College
Harrisburg, PA**

**Request for Proposal, #09-33
for
Professional Commercial Real Estate Listing Services for Office Subleasing**

Deadline to Submit Proposals:	February 26, 2009 @ 10:00, a.m.
Sealed Proposals Must Be Delivered to:	HACC, Procurement and Business Services Room 130 One HACC Drive Harrisburg, Pa 17110

For information concerning the RFP process, required format and the schedule of activities,
Please direct questions to:

Thomas J. Fogarty, Executive Director, Procurement and Business Services
HACC — Central Pennsylvania's Community College
Procurement and Business Services
Harrisburg PA 17110
Telephone: (717) 780-1930
Email: tjfogart@hacc.edu

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A. Facility Information..... Attachments

 a. Second Floor Building Layout Acrobat Reader

 b. Third Floor Building Layout Acrobat Reader

 c. Forth Floor Building Layout..... Acrobat Reader

1. Key Dates

Important dates including Proposal deadlines are shown below. Dates indicated are tentative and may be changed during the RFP process due to revision of any part of the Request for Proposal because of questions from Proposers and/or additional information requested after the Proposal Opening. A formal addendum to this RFP will be issued to the Proposers notifying of any changes to these dates.

Activity	Date & Time
Advertisement	February 16, 2009
Formal Site Tour	February 20, 2009, 10:00 a.m.
Deadline for questions	February 24, 2009, 4:00 p.m.
Deadline to submit proposals	February 26, 2009, 10:00 a.m.
Proposal opening	February 26, 2009, 10:30 a.m.
Award of contract	After March 3, 2009 BOT Meeting

2. Proposal Submission Contents

Proposals must include all information required by the following sections (See Section VI):

- a. Cover Letter
- b. Firm Qualifications Exhibit A
- c. Firm History
- d. Project and Marketing Plan
- e. Cost

3. Definitions

The following terminology shall be used throughout this Request for Proposal.

Campus: HACC's Penn Center 3 site (former Polyclinic Hospital Nursing Education Building), 349 Wisconisco St, Harrisburg, PA

College: HACC - Central Pennsylvania's Community College, Harrisburg, PA

Consultant, Proposer, Vendor: The company, firm or corporation formally submitting a response to this RFP

Contract: The purchase order generated by the final award

Purchaser: HACC - Central Pennsylvania's Community College

Response for Proposal (RFP): the written Proposal to provide services

I. Background

Purpose

The College desires qualifications-based proposals for Professional Commercial Real Estate Listing Services for Office Subleasing of available space currently being leased by HACC at the Penn Center facility.

HACC is currently Leasing 61,000 square feet of office and classroom space at 2601 North Third street from Penn Center Harrisburg L.P., through the end of December 2013. It is HACC's intention to sublease all, or a subdivided portion, of the space beginning in 2009.

II. Request for Proposal

HACC formally invites responses to this Request for Proposal to provide Professional Commercial Real Estate Listing Services for Office Subleasing.

The College desires the preparation and execution of a project marketing plan that will require the full range of professional disciplines normally associated with listing and marketing real estate of this type. The College intends to award a single contract to the Firm who possesses the best experience working within the community and having a history of achieving previous successful marketing of similar space.

Proposers are advised to examine and investigate existing site conditions before submitting a proposal. There will be a pre-proposal meeting on site conducted by Joseph Wojtysiak on Friday February 20, 2009, meeting to begin promptly from the lobby of 349 Wisconsin Street Building. No other formal tours will be organized or scheduled by the College as part of this RFP.

Interested parties are invited to submit Proposals to HACC - Central Pennsylvania's Community College, Procurement and Business Services, One HACC Drive, Whitaker Room 130, Harrisburg PA 17110. Proposals will be accepted until 10:00 a.m., February 26, 2009

III. General Contract Provisions

A. Examination of Contract Conditions

It is HACC's intent through this Request for Proposal and contract conditions contained herein to establish to the greatest possible extent clarity about the requirements of both parties to the contract resulting from the RFP.

Before submitting a Proposal, the Firm shall be thoroughly familiar with all contract conditions referred to in this document, and any addenda issued before the Proposal submission date. Such addenda shall form a part of the RFP and shall be made a part of the contract. It shall be the Firm's responsibility to ascertain that the Proposal includes all addenda issued prior to the Proposal submission date.

By submitting a response to this RFP, the Proposer represents that the Proposer has read and understands the contract specifications and conditions.

B. Contract Manager

HACC's Procurement and Business Services shall be the authorized representative of the College for purposes of interpretation of the contract requirements. Determination of adequacy of performance shall be the responsibility of the HACC Project Manager. Neither the College, nor college consultants, nor any agent thereof, on behalf of the College, will supervise or be responsible for the actions of the Firm's employees, sub Consultants, or sub Consultant's employees.

C. Project Price Changes

Any changes in project workscope that alters costs must have prior approval from the Vice President for Finance and College Resources.

HACC's Director of Procurement and Business Services will be the authorized representative of the College for purposes of interpretation of contract requirements.

D. Contract Standards

After the Contract is awarded, it will be the Firm's responsibility to confirm, with the College's authorized representatives, that sufficient funds are available for the project through the issuance of a Purchase Order by the College (see *VIII. Award of Contract*).

The terms of this Request for Proposal will take precedence over all contracts signed with respect to this project. Exceptions noted in contractor responses must be accepted in writing by both parties as being incorporated into the terms of this RFP.

E. Invoices and Statements

Invoices must be descriptively itemized and must clearly indicate the applicable College Purchase Order number, including the project name, location, and HACC account number. Invoices must be submitted in duplicate before payment can be authorized. Monthly statements may be submitted for engagements that exceed 45 days up to 75% of total contract amount. The remaining balance is to be invoiced at time of project completion.

A copy of the invoice statement is to be submitted to the "Bill to. . ." location identified on the Purchase Order. Any invoice submitted without an approved College Purchase Order reference is subject to being classified as a gift to the College.

F. RFP Clarification

Proposers may request an explanation of the intent or content of this RFP and clarification of procedures used for this procurement. No interpretation made to any Proposer as to the meaning of the RFP shall be binding on the College unless repeated in writing and distributed as an addendum by College Procurement and Business Services Office. Official written responses to all relevant written questions will be mailed or faxed by HACC's College Procurement and Business Services Office.

Requests for written explanation or clarification shall be made in writing and submitted in an envelope marked "Questions Related to RFP #09-33" to HACC, Procurement and Business Services Office, ATTN: Thomas J. Fogarty Director, One HACC Drive, Room Whitaker 130, Harrisburg PA 17110, or by Fax (717) 780-2325. Email Questions are acceptable tjfogart@hacc.edu. Such requests must be received no later than February 24, 2009 @ 4:00 PM

Failure of the Proposer to make appropriate inquiries, to evaluate any special conditions, or to verify requirements of this RFP shall not relieve the Firm of responsibility for fulfilling the contract in accordance with the terms of this RFP.

Oral communication with any College employee, unit, department, or organization concerning this RFP is not binding on the College and shall in no way modify the RFP or the obligation of the College or the Firm.

G. Addenda to the RFP

In the event that it becomes necessary to revise any part of this RFP, HACC's Procurement and Business Services Office will provide addenda in writing to the proposers who indicate that they are interested by returning the acknowledgement and intent to bid page of this document (page 1). No oral statements, explanations, or commitments by whosoever made shall be of any effect except as the College's Procurement and Business Services Office has confirmed the same in writing.

H. Acceptance of Proposals

The College reserves the right in awarding the contract to consider the competency, responsibility, and suitability of the Proposer, as well as the services to be provided. The College further reserves the right to accept or reject any or all Proposals, to waive any irregularities or informalities, and to award the contract in the best interest of the College. Neither the College nor any agent thereof on behalf of the College will be obligated in any way by any Proposal's response to this RFP.

I. Payment

The College will make payment to the Firm from the approved invoice. Payment will be accomplished within thirty (30) days of project acceptance or invoicing, unless other arrangements are approved by the college in writing, if the project is as specified and the invoice statements are in proper form.

IV. Rights And Remedies

A. Arbitration

All disputes between the parties to this agreement arising out of or in connection with the contract documents shall be submitted for arbitration. If arbitration is selected by the College, the College shall also select the number of arbitrators and the manner of arbitration, which shall be either: (1) arbitration according to the rules of the American Arbitration Association; or (2) referral to one of more arbitrators mutually agreed upon by the parties.

When a written decision of the College states that (1) the decision is final but subject to arbitration and (2) a demand for arbitration of a claim covered by such decision must be made within thirty (30) days after the date on which the party making the demand received the final written decision. Failure to demand arbitration within said thirty (30) days' period shall result in the College's decision becoming final and binding upon the College and Firm.

In responding to a claim brought by a Firm, the College shall have a minimum of forty-five (45) days in which to respond to a revised claim prior to the arbitration hearing.

B. Litigation

In the event that any term of this contract is the subject of litigation, it is hereby agreed that the parties in that litigation shall pay their own attorney's fees and court costs incurred, including court costs and attorney's fees incurred in appellate proceedings.

C. Venue and Jurisdiction

The terms and conditions herein constitute the sole and entire agreement among parties and the laws of the State of Pennsylvania shall govern any disputes. In the event of litigation concerning this agreement, venue shall be in the County of Dauphin Courts, Harrisburg, PA.

D. Right to Audit

The College and appropriate designated representatives reserve the right to audit the College account records and other financial records of the Firm, as they pertain to the College. Auditors selected by the College, if deemed necessary by the College shall, perform such audits.

E. Force Majeure

Neither party to this Agreement will be liable to the other for any failure or delay in performance under this Agreement due circumstances beyond its reasonable control including, without limitation, Acts of God, accident, labor disruption, acts, omissions and defaults of third parties, and official governmental and judicial action not the fault of the party failing or delaying in performance.

V. Proposal Submission

Any term or condition stated in this RFP document shall be considered accepted by the Firm unless specifically objected to by the Firm. The College may accept or reject Firm's alternative Proposals to the terms of this RFP. A Proposal may be rejected if it is incomplete or conditional.

To receive consideration, Proposals shall be made in agreement with the instructions as stated in this RFP, and such Proposals and awards made therein shall be subject to all of the terms and conditions hereof:

A. Economy of Preparation

Proposals should be prepared simply and economically, providing a straightforward, concise description of the Proposal's capabilities to satisfy the requirements of the RFP. Special bindings, colored displays, promotional materials, etc., are not desired. Emphasis should be on completeness and clarity of content.

B. Incurred Cost

The College is not liable for any costs incurred by the Proposer in the preparation and presentation of their Proposals.

C. Signatories

The Proposal shall include information as requested throughout the RFP. The signature of all persons authenticating the Proposal shall be printed and written in longhand in any designated area on page one (1) of the Master Copy. The Proposal shall be signed with blue ink by both agent and his/her Broker.

D. Proposal Deadline

To be considered for selection, Proposals shall arrive at HACC's Procurement and Business Services Office, One HACC Drive, Room Whitaker 130, Harrisburg, PA, 17110, by 10:00 a.m. on or before February 26, 2009. Proposals must be in a sealed container, clearly marked "Proposal RFP #09-33. The mailing of Proposals shall allow for normal mail delivery time to ensure timely receipt of their Proposals by HACC's Procurement and Business Services Office. Proposals arriving after the deadline will not be considered. All Proposals become the property of the College.

E. Number of Copies and Mailing of Proposal

Six (6) Copies of the Proposal will be submitted in a sealed container clearly marked with the name of the Proposal and labeled "Proposal RFP #09-33, Real Estate Listing Services ". One (1) of the copies shall be marked "Master Copy" and will contain original signatures. The remaining copies do not require original signatures.

The Proposals must be addressed as follows:
Proposal RFP # 09-33
HACC
Procurement and Business Services
ATTN: Thomas J. Fogarty
One HACC Drive, Room Whitaker 130
Harrisburg PA 17110

VI. Format for Proposal

The proposal shall be clear, concise and limited to no more than 20 pages. The title page accompanying the proposal shall be signed by the person or persons required and authorized to legally bind the firm to the proposal and shall specifically state that the firm shall complete all services set forth in the proposal within the proposed time limits to the satisfaction of the College. Any justification or explanatory materials relevant to the Proposal shall be set forth in this letter. The letter shall be concise and need not repeat any of the detailed information set forth in the Proposal. Proposal shall be on 8 ½ x 11 paper only.

A. Cover Letter

The cover letter shall contain a brief introduction of the Firm and Listing Agent. Any terms or conditions of this RFP to which the Firm objects and/or does not accept shall be clearly stated in the cover letter along with any alternatives or further explanation. At a minimum, the cover page shall be on company letterhead and shall include the name and working address of the firm submitting a Proposal, the name and telephone number of the primary company representative to be contacted with reference to the Proposal, and the date of submission.

B. Firm Qualifications

Each Proposal must contain a complete description of the Firms and Listing Agents qualifications to perform the services specified in this RFP. Identify only those individuals who will be assigned and involved in executing the plan.

Provide data regarding at least three but no more than five college, university, state, or municipal projects the firm has been involved in the past three years. This description of previous projects shall include overall size of facility, value of projects, commission received, owner's name, address and telephone number.

C. Firm History

Each Proposal must provide a brief narrative demonstrating an established, successful track record of past performance in providing services closely related to the requirements specified in this RFP.

How many years has the firm been in business? Explain the firm's management structure and provide a one page or less history of the firm.

Provide a list of the firm's current similar and competing listings.

D. Project and Marketing Plan

Each Proposal must include a general project and marketing plan that includes a list of specific tasks, timeline for their completion, and expected outcomes. It is assumed that the project will include routine updates to identified College personnel, through regularly scheduled marketing reports and meetings.

Provide for evaluation purposes project and marketing plan which includes;

1. Estimation of what the market will bear for this space
2. Sub-Lease Terms
3. Multi-media Advertising and Marketing Plan
4. Budget for Advertising and Marketing Plan
5. Additional recommendations
6. Reporting recommendations

E. Cost

Each cost proposal must contain as a minimum;

1. Commission Schedule
2. Contract Period
3. Proposed Listing Contract

VII. Evaluation

A. Proposal Process

1. After the date established for receipt of Proposals, a register of Proposals shall be prepared which shall include the name of each Proposal. The register of Proposals shall be open to public inspection only after Proposal opening. No additional Proposals will be accepted after the opening date.
2. The evaluation shall be based on the evaluation factors set forth in this request for Proposal. Factors not specified in the request for Proposal shall not be considered.
3. For the purpose of conducting discussions, Proposals shall be initially classified as:
 - a. responsive; or
 - b. non-responsive.
4. Discussions may be held with one or more Proposers to:
 - a. Promote understanding of the College's requirements and the Proposers' Proposals; and
 - b. Facilitate arriving at a contract that will be most advantageous to the College taking into consideration all factors set forth in the request for Proposals.
 - c. Discussions may include oral presentations, interviews, demonstrations, responses to specific questions, modifications, and negotiations. Proposers shall not be informed of their rank at the time of discussions. The College reserves the right to visit and inspect other sites of the potential Firm.
 - d. Proposers must be prepared to send qualified personnel to discuss technical and contractual aspects of the Proposal.
 - e. One or more Proposers may be provided an opportunity to submit a "best and final" offer.
5. References and the credit and financial responsibility of the Proposals may be verified as appropriate.

B. Evaluation Criteria

All proposals must meet or exceed mandatory requirements outlined in this RFP in order to be reviewed. Those proposals meeting the minimum mandatory requirements will be considered based upon a point scoring evaluation system described in this section.

Information and data for scoring will come from information supplied with the Firm's proposal, from the three references and any clarification information requested by the College. Points will be tallied for three areas: Firm Qualifications, Project Plan, and Total Cost of the proposal. The maximum possible points for the combined areas will be 100 points.

1. Firm and Individual Agent Qualifications & History (30 points maximum)

Information provided by references and in the Qualification Questionnaire will be evaluated and awarded a maximum of 40 points. Particular attention will be given to prior experience with projects of similar size and scope as well as the qualifications and work experience of specific staff who will be assigned to the project. It is highly recommended that Firms provide the names and qualifications and work experience of staff who would conduct the project.

2. Project and Marketing Plan (50 points maximum)

The project plan will be evaluated for feasibility, completeness, and thoroughness in addressing the items in the project plan. Particular attention will be given to feasibility of providing Project Deliverables.

3. Commission Requirements (20 points maximum)

VIII. Award

The College will review all Proposals. The College reserves the right to cancel the selection process or the negotiations when a selection is made or at anytime prior to entering into a formal written agreement with the Firm.

The College intends to execute a contract with the Firm submitting the Proposal which the College determines to best meet the College's requirements. The College will be the sole judge of the acceptance of any and all Proposals.

In awarding the contract, the College may take the following into consideration: the references, experience, responsibility, reputation, financial standing of the respondent, and the ability of the Firm to provide an advantageous time schedule for providing service. The inability of any respondent to meet the requirements may be cause for rejection of the Proposal.

After selection approval by the College's Board of Trustees, HACCC's Procurement and Business Services Office will cause a contract/purchase order to be prepared for signatures by both parties. A contract will be issued to the responsible Firm whose Proposal is the most advantageous to the College, taking into consideration all evaluation factors. No other evaluation criteria, other than that outlined in this Proposal, will be used.