

RFP No.06062017

REQUEST FOR PROPOSAL

**Sale of Shelby Manor Senior Apartments
13780 Lakeside Boulevard
Shelby Township, Macomb County, Michigan 48315**

I. Introduction

The Charter Township of Shelby (“Shelby Township”), on behalf of the Shelby Township Building Authority, is seeking proposals from parties interested in purchasing certain real property and personal property (as described during tour) owned by Shelby Township Building Authority located at the street address commonly known as 13780 Lakeside Boulevard, Shelby Township, Michigan 48315, which is on Lakeside Boulevard North, north of M-59, east of Schoenherr Road (“Property”).

II. Property

The Property can generally be described as a 10.30 acre parcel containing approximately 237,108 square feet of improvements in 3 buildings. The site is presently being used as a age restricted independent senior housing facility known as the Shelby Manor Senior Apartments (“Shelby Manor”). Shelby Manor features 264 apartment-type residential units, currently at 100% occupancy, and a meeting hall. The Property is zoned R-12, for multi-family low rise use.

The following materials are available for review by appointment with Shelby Township Clerk’s Office: (i) 2016 Appraisal Report for the Property; (ii) the Property Survey and Legal Description; (iii) Title Commitment; and (iv) Shelby Manor Management Agreement. Shelby Manors website link is as follows: http://www.shelbytp.org/shelby_manor/index.jsp.

Shelby Township has not investigated the environmental condition of the Property. Bidders are encouraged to conduct their own due diligence regarding the environmental condition of the Property.

III. Bidding Instructions

Interested bidders shall submit an original copy of the proposal for the Property to:

Charter Township of Shelby
Clerk’s Office
52700 Van Dyke
Shelby Township, MI 48316

Proposals may be mailed or hand-delivered but must be received by 2:00 p.m. (EST) on July 6th, 2017, to be considered. An amended proposal is considered a new proposal, and will not be accepted after the specified time and date. Unless amended, all proposals submitted are irrevocable.

The Shelby Township Board of Trustees (“Township Board”) shall consider all bids. The award and sale of the Property is contingent upon Township Board approval. Shelby Township reserves the right to waive any irregularity or defect in any submission; request clarification or additional information regarding Proposals; cancel this Request for Proposal (“RFP”); extend the proposal period; and reject any and all proposals for any reason, at its sole discretion.

In the event that the initial bid period does not produce a viable award recommendation, Shelby Township Board may, at its discretion, extend the proposal period until it receives a viable proposal. Timelines will be moved to correspond to the accepted proposal date. Notification of a proposal extension is available at http://www.shelbytp.org/bid_opportunities/index.html.

Sealed proposals are due before Thursday, July 6th, 2017, at 2:00 p.m. (EST). Township Board may award the successful Bidder, if any, who is the most responsive, responsible, and offers the highest price or value to Shelby Township as early as July 18, 2017, subject to an extension of the proposal period as described above. Notification will be via phone, followed in writing.

Shelby Township will not pay broker fees relating to the sale of the Property.

IV. Bid Package Submission Instructions

1. Sealed proposals must be received before July 6th, 2017, at 2:00 p.m. (EST). Proposals received after this time will not be accepted.
2. Bidders shall submit proposals in a sealed envelope, with the name and address of the bidder plainly marked on the upper left corner. The face of the envelope must also bear the following: Proposal to Purchase the Shelby Manor Senior Apartments.
3. Bidders shall submit (1) clearly marked original and two (2) photocopies of their proposals. Proposals must be received in one envelope or box marked “Proposal to Purchase the Shelby Manor Senior Apartments” and must contain the Bidder’s name and return address.
4. The proposals may be sent via first class mail or hand-delivered to the following address:

Charter Township of Shelby
Clerk's Office
52700 Van Dyke
Shelby Township, MI 48316.

5. Bids documents must be typewritten in size 12 Font. Mistakes may be crossed out and all corrections inserted before submission of a proposal.
6. All documents submitted in the Proposal must be signed by the person(s) authorized to contractually bind the Bidder. Potential Bidders are encouraged to consult with legal counsel to ensure that their proposal constitutes a legally binding offer. Failure to submit a legally binding offer is grounds for rejection of a Proposal. Proposals must contain original signatures.
7. The Proposal must contain the following completed and executed documents: (i) Bidder's Acknowledgement; (ii) Offer to Purchase Property; and (iii) Release of Liability Form. The person signing the Offer to Purchase Property shall initial and date corrections in ink and shall also initial and date the bottom of each page of the enclosed Offer to Purchase Property in the spaces provided below.

V. Bid Proposal Package Requirements

To be eligible for consideration, each applicable must include the following in their proposal:

1. Earnest Money in the form of a cashier's or certified check in the amount of one hundred thousand dollars (\$100,000.00) made payable to Shelby Township must be submitted with the proposal as security for the Offer to Purchase Real Property. The Earnest Money will be deposited by Shelby Township in a township account and will be applied at closing as a credit against the Purchase Price of the successful Bidder. No escrowing of the Earnest Money deposit will be accepted. Treatment of Earnest Money is more specifically defined in the attached Offer to Purchase Real Property. Earnest Money submitted by unsuccessful Bidders will be returned by certified mail, return receipt requested, and will be placed in the mail no later than three business days after the award of the Proposal.

2. A bid for the purchase price of the Property.
3. An executed copy of the Release of Liability Form attached to this RFP as Ex. A.
4. An executed copy of the Bidder's Acknowledgement attached to this RFP as Ex. B.
5. An executed copy the Offer to Purchase Property with the Property's legal description attached as Ex. C.
6. Evidence of Bidder's financial capability to complete the purchase, including the source of funds that will be used to purchase the Property.
7. A statement indicating how your proposal represents the highest price or highest value to Shelby Township in terms of direct and indirect financial, economic, and community benefits.
8. A summary of your proposed use of the Property.
9. A statement regarding whether you intend to make any improvements to the property, including the type of improvements.

NOTE-failure to provide any of the above requested information may result in your proposal's disqualification. Shelby Township reserves the right to request additional information pertaining to the proposal package, or any other matters related to the RFP.

The winning proposal made to Shelby Township shall be irrevocable, except as set forth in Section 6 of the Offer with respect to Cancellation. Shelby Township does not assume any liability whatsoever for any expense incurred by a Bidder in responding to this RFP.

VI. Evaluation and Selection Process

The Township Board will evaluate proposals on the basis of their responsiveness to Section V, though such evaluation may occur during a closed session meeting of the Board. Selection criteria will include, but is not limited to, the following:

- Specific details in the response particularly in terms of dates, numbers, and dollars. Vague and/or general responses are not acceptable.
- The most responsive and responsible Bidder that will allow Shelby Township to realize the highest price or highest value.
- Evidence of Bidder's seriousness and financial capability to complete the purchase.
- Compliance with statutory, constitutional, and terms set forth in this RFP, including the Offer to Purchase Property.

VII. Schedule

The timeline of key events is as follows:

- June 6th, 2017: RFP release date.
- June 15th, 2017: A non-mandatory property site inspection shall occur at 2PM on this date. Please contact Township Attorney Rob Huth (rhuth@khlblaw.com or 586-412-4900) to register for the tour. Bidders are encouraged to inspect the property.
- July 6th, 2017: All proposals due before 2:00 p.m.
- July 18, 2017: Shelby Township Board of Trustees may award the winning proposal at the Township Board Meeting.
- November 1st, 2017: Closing on the Property may occur on or before this date.

If the initial proposal period does not produce a viable award recommendation, Shelby Township may, at its discretion, extend the proposal period until it receives a viable proposal. The timeline of events stated above will be moved to correspond to the accepted proposal date.

VIII. Contact Information

Any questions regarding the RFP must be made in writing and submitted electronically to Township Attorney Rob Huth (rhuth@khlblaw.com). A Shelby Township official will respond to questions within 5 business days of receipt.

The official contact information for this RFP and the Property is:

Rob Huth
Kirk, Huth, Lange & Badalamenti, PLLC
19500 Hall Road, Suite 100
Clinton Township, MI 48038

IX. Reservation of Rights

Be advised all property, including the Property, personal property, and fixtures, is sold “as is, where is”. Shelby Township makes no warranty or representation regarding the Property unless otherwise stated herein.

Shelby Township, at its sole discretion, reserves the right to accept any bid even if it is not the highest purchase price and to reject any and all bids.

X. Miscellaneous

Please note that all information in a Bidder’s proposal is subject to the provisions of the Freedom of Information Act (FOIA), 1976 Public Act 442, as amended, MCL 15.231, et seq.