

**REQUEST FOR PROPOSALS
FOR
PURCHASE of HARROUN FARM PROPERTY
(or a part thereof)**

RFP No. 2009-47

City of Carlsbad

101 N. Halagueno
Carlsbad, NM 88221

Telephone: (575) 887-1191

Date: 9/22/09

Procurement Manager: Matt Fletcher

NOTICE OF REQUEST FOR PROPOSALS

Competitive sealed proposals for the **Purchase of Harroun Farm Property (or a portion thereof)** will be received by the **City of Carlsbad** for **RFP No. 2009-47**.

The City shall entertain proposals for the purchase of said property in accordance with State law and as outlined within the RFP. All proposals shall be evaluated according to set criteria as stipulated in the RFP documents with purchase price being only one of several factors considered.

Proposals will be received at **City of Carlsbad, Purchasing Department, 101 N. Halagueno, Carlsbad, NM 88220 or P.O. Box 1569, Carlsbad NM 88221-1569** until **October 5, 2009 before 5:00 p.m.**

Copies of the Request for Proposals can be obtained in person at the office of Purchasing Department, Room 104, at the City of Carlsbad, 101 N. Halagueno, Carlsbad, NM or will be mailed upon written or telephone request to Purchasing Department at (575) 887-1191 extension 223. The proposal may also be obtained on the City of Carlsbad's web site at www.cityofcarlsbadnm.com/finance/purchasing/index.html.

A Pre-Proposal Conference will not be held, however specific questions regarding the RFP may be directed to Harry Burgess, City Administrator, at (575) 887-1191.

PURCHASING AGENT:

Harry Burgess

Date: _____

RFP No. 2009-47

1. PROPERTY DESCRIPTION

The Harroun Farm property was purchased by the City of Carlsbad in the 1960's. Of the original 5,800 acres, approximately 5,250 acres are still owned by the City and are currently being considered for sale. The property borders the Pecos River in the Malaga Bend area, and consists of previously developed farmland, and undeveloped land, which has recently been under lease for grazing purposes. The original water rights to the property have been transferred from the land and are not included in any contemplated sale. As a part of the previous sale/transfer of water rights, the State of New Mexico Engineer's Office has amended the property deed to state that no water rights may be transferred to this property.

2. PROPOSAL FORMAT

- A. Offerors shall provide 5 copies of their proposal to the location specified on the page on or before the closing date and time for receipt of proposals.
- B. All proposals must be typewritten on standard 8 ½" x 11" paper and bound on the left-hand margin.
- C. A maximum of 15 pages, including title, index, etc., not including front and back covers.
- D. The proposal must be organized and indexed in the following format and must contain, as a minimum, all listed items in the sequence indicated:
 - 1) Cover Letter
 - 2) Bid Form (Attachment A)
 - 3) Text/Body describing proposal in accordance with items listed in Evaluation Criteria (Attachment B)
- E. Any cost incurred by the Offeror in preparation, transmittal, presentation of any proposal or material submitted in response to this RFP shall be borne solely by the Offeror.

3. SUBMITTAL OF PROPOSALS

- A. Proposals shall be submitted by the time and at the place indicated in the Notice of Request for Proposals.
- B. The envelope shall be addressed to the Purchasing Agent/Procurement Officer of the City. The following information shall be provided on the front lower left corner of the Bid envelope: RFP Title, RFP number, date of opening, and time of opening. If the Proposal is sent by mail, the sealed envelope shall have the notation "**SEALED PROPOSAL ENCLOSED**" on the face thereof.
- C. Proposals received after the date and time for receipt of Proposals will be returned unopened.

D. Oral, telephonic, or telegraphic proposals are invalid and will not receive consideration.

4. EVALUATION OF PROPOSALS

The City Council will designate a committee of no less than three persons to review and evaluate the submitted proposals. The proposals will be assigned points based upon the criteria outlined in Attachment B.

5. AWARD

The Carlsbad City Council shall consider the proposal(s) that receive the highest number of assigned points. The award of any RFP shall be determined by a vote of the City Council in an open meeting subsequent to the date of opening.

6. RESERVATIONS

This Request for Proposals may be canceled, or any or all proposals may be rejected in whole or in part, when it is in the best interest of the City. This Request for Proposals does not bind the City of Carlsbad to sell any of the property discussed herein.

7. GENERAL TERMS AND CONDITIONS

a. **GOVERNING LAW** – The Agreement shall be governed exclusively by the laws of the State of New Mexico as the same from time to time exist.

b. **INDEPENDENT CONTRACTORS** - The Offeror and his agents and employees are independent Contractors and are not employees of the City. The Offeror and his agents and employees shall not accrue leave, retirement, insurance, bonding, use of City vehicles, or any other benefits afforded to employees of the City as a result of the Agreement.

c. **BRIBED, GRATUITIES AND KICK-BACKS** – Pursuant to 13-1-191 NMSA 1978, reference is hereby made to the criminal laws of New Mexico (including 30-14-1, 30-24-2, and 30-41-1 through 30-41-3 NMSA 1978) which prohibit bribes, kickbacks and gratuities, violation of which constitutes a felony. Further, the Procurement Code (13-1-28 through 13-1-199 NMSA 1978) imposes civil and criminal penalties for its violation.

d. **STANDARD FORM OF AGREEMENT BETWEEN CONTRACTING AGENCY AND CITY** – The form of agreement required by the State of New Mexico or issued by the City will be used for this project.

e. **FEES** – A lump sum fixed fee for the purchase of property will be submitted by each Offeror(s) on the form provided (Attachment A). Additional Fees such as legal fees,

surveying, title insurance, closing costs, etc. will be the responsibility of successful Offeror(s). [Note: Or as appropriate or agreed upon.]

f. CONTACTS WITH CONTRACTING AGENCY OFFICIAL OR STAFF MEMBERS – Prior to, and after submittal of proposal, prospective Offerors shall **not** make contact with any official or staff member regarding this RFP, other than contact to obtain a copy of related documents.

[Note: This Notice is issued pursuant to the requirements of '13-1-104 NMSA 1978 and must be published not less than 10 calendar days prior to the date set for the receipt of proposals ('13-1-113) and published in a newspaper of general circulation in the area.]

[Attachment A]

BID FORM

Name of Offeror _____

Address _____

Telephone Number (____) _____ - _____

Proposed Number of Acres to Purchase _____

Proposed Purchase Price* _____

***/This proposed purchase price shall include all costs of transaction as indicated in #7.e. of RFP No. 2009-47.**

General description of property desired** _____

Summary of Proposed use of property** _____

****This description is for general reference only. Please include additional sheets as necessary to completely address items as indicated under Attachment B, Evaluation Criteria.**

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Attachment B]

EVALUATION CRITERIA

CRITERIA AND POINT VALUES

Proposals must address each of the following criteria. Each proposal may be awarded points up to the amount listed.

	<u>Maximum</u> <u>Points</u>	<u>Points</u> <u>this RFP</u>
1. Utilization of Property	[25]	_____
Anticipated use of property with respect to beneficial use. Such beneficial use shall include consideration of environmental impacts, recreational benefits, public use, etc.		
2. Capacity and Capability	[10]	_____
Capacity and capability of the business/individual to implement the proposed use of the property.		
3. Amount of Property Utilized	[15]	_____
Maximum points shall be awarded for purchase of entire property as one single unit. Smaller purchases shall be judged based on whether the smaller unit negatively affects prospects for future sale (access, contiguity). Access to river for recreational opportunities, fencing of smaller parcels, roadway easements and general access shall also be considerations. Sales of smaller portions which require subdivision review shall receive fewer points due to costs that would be incurred.		
4. Economic Development	[25]	_____
Impact upon local economy in terms of payroll, property taxes, and ancillary jobs created by the sale. Maximum points shall be awarded for proposals clearly and realistically stating these figures for a minimum of a five year period.		
5. Purchase Price	[25]	_____
Shall be considered on a per acre basis		
Total Possible Points this RFP	[100]	

Total Points Awarded
