

**REQUEST FOR PROPOSAL &/OR
QUALIFICATIONS FOR:
REAL ESTATE TITLE AND ESCROW
SERVICES
NEIGHBORHOOD STABILIZATION
PROGRAM (NSP)**

*City of Toledo
Department of Neighborhoods
One Government Center, Suite 1800
Toledo, Ohio 43604*

A. INTRODUCTION

The City of Toledo has been selected to participate in the Neighborhood Stabilization Program (NSP) as part of the Housing and Economic Recovery Act of 2008.

The NSP will allow the City of Toledo to engage in activities designed to slow the decline of residential property values in selected neighborhoods and, over time, lead to the increase in the value of Toledo's housing stock.

In order to accomplish this goal, the growing number of foreclosed or vacant properties must be acquired, rehabbed and reoccupied. NSP funds awarded to the City of Toledo will provide the necessary capital to assist Toledo's residential housing market to absorb the foreclosed properties.

Toledo's NSP activities will include the acquisition and rehabilitation of residential foreclosed properties for sale to or for rent to households at or below 50% of the average median income (AMI) of the Toledo area. NSP rehabilitated properties may be sold outright, sold through lease-purchase option, or rented to income-qualified families.

NSP funds will be used to acquire, to rehabilitate and/or redevelop residential foreclosed properties or vacant properties and to pay eligible acquisition, rehabilitation, closing costs and sale soft costs, including but not limited to title services, escrow services, real estate appraisals, mandatory housing counseling, construction interest, financing fees, marketing, construction carrying costs, and a 15% developer fee based on the cost of the rehab or redevelopment portion of the project. In addition, program income from the property sale may be used to provide downpayment assistance financing, in an amount up to 20% of the appraised value, to qualified purchasers. Furthermore, NSP funds or program income may be used for demolition, HUD certified housing counseling and post purchase housing counseling services.

The City of Toledo's Department of Neighborhoods is therefore seeking proposals/qualifications from parties interested in participating in the NSP.

The City is currently seeking proposal/qualifications for real estate title and escrow services in conformance with the City of Toledo's approved NSP application purchase, financing and/or sale of rehabilitated or redeveloped housing units funded with NSP funds.

Informational Links:

City's NSP application: www.toledo.oh.gov

HUD guidelines: www.hud.gov

NSP guidelines:

www.hud.gov/offices/cdp/community/development/programs/neighborhoodspg/

B. PARAMETERS

1. Capacity

The city of Toledo is requesting qualifications from entities that can demonstrate that they have the capacity to undertake this project by showing past experience in residential foreclosure and real property appraisals.

The successful entity will be able to demonstrate that they have knowledge of and a track record working on projects in the identified targeted areas. They also must demonstrate a working knowledge of HUD guidelines, CDBG guidelines, and NSP guidelines.

2. Compliance

Entities must demonstrate that they have knowledge of and/or have a history of compliance with various federal and City of Toledo regulations, required to successfully participate in the City of Toledo NSP program, including the following:

- Compliance with requirements of Title III of Division B of the Housing and Recovery Act of 2008 and with rules and regulations promulgated by HUD regarding the Neighborhood Stabilization Program;
- Compliance with requirements of Title I of the Housing and Community Development Act of 1974 and implementation of regulations at 24 CFR part 570, except for those alternative requirements authorized under Title III of Division B of the Housing and Recovery Act of 2008; and
- Compliance with requirements of the City of Toledo's approved NSP application

3. Compensation

Compensation will be based on fair and customary fees for services rendered.

PROPOSALS

A. GENERAL

There will be no formal bid opening at the time the proposals are due. Proposals will not be publicly opened and read allowed. All persons or entities submitting proposals will be informed in writing of the City's decision concerning the acceptance or rejection of a proposal. Bids may be considered public record subject to the provisions of Ohio Law.

B. INQUIRIES AND CONTACT INFORMATION

Only information contained in this Request for Proposals (RFP), or supplemental information supplied by the City of Toledo ("City") should be considered in preparing proposals. No verbal interpretations, changes or modifications should be considered for preparing the proposal.

The responding person or entity understands and agrees that it has a duty to explain and clarify any and all conditions imposed on or included in its response to this RFP. The responding vendor further understands and agrees that it has an affirmative duty to inquire about and seek clarification of any RFP statement that the responding vendor

does not fully understand or the responding vendor reasonably believes may be susceptible to more than one interpretation.

Any questions that arise during the preparation of a response to the RFP should be directed **in writing** to the following: Andy Ferrara, Administrator, Department of Neighborhoods, City of Toledo, One Government Center, Suite 1800, Toledo, OH 43604, Phone: (419) 245-1467 Fax: (419) 245-1413.

Any responding vendor who does not follow the above, prescribed methods of contact through the appropriate contact person may be disqualified and its proposal rejected, regardless of its value to the City.

C. RFP TIMELINE

<u>3/21/09 & 3/29/09</u>	Advertise RFP/RFQ
<u>3/27/09</u>	Deadline for Written Questions to be submitted to City
<u>4/1/09</u>	Responses to Written Questions to be issued by the City
<u>4/7/09</u>	Proposals Due (by 2:00 p.m., edt)

D. CLOSING DATE

Each responding vendor should forward an original and two (2) copies of the proposal in a sealed envelope or package clearly indicating the contents contained therein **on or before April 7, 2009 at 2:00 p.m., local time. All proposals must be submitted to: City of Toledo-Purchasing Div., One Government Ctr. #1970, Toledo, OH 43604.**

Proposals received after the proposal due date and time will not be considered, nor will faxed or e-mailed proposals, whenever received. Failure to submit proposal on time will not be waived by the City of Toledo under any circumstances.

E. ELECTRONIC COPY OF RFP

A copy of this Request for Proposal is available in an electronic format on the City of Toledo's website at:

www.toledo.oh.gov/Departments\Finance\DivisionofPurchasingSupplies\ActiveCityBids

REQUIREMENTS

A. INFORMATION TO BE PROVIDED

The following is a list of information to be provided in the proposal. A proposal that does not include all of the information required below may, at the City's sole discretion, be deemed non-responsive and subject to rejection. All proposals should respond to all areas listed, in the order listed, and conclude with a separate section regarding the proposed contract price.

1. COVER LETTER

Each person or entity submitting a proposal is required to submit a cover letter that shall be signed by the individual or individuals authorized to legally and contractually bind the responding individual or entity. By signing the cover letter the responding individual or entity is agreeing to be bound by the terms of the RFP and the subsequent submission of their proposal for ninety (90) days from the listed proposal due date.

2. PROPOSAL INFORMATION

All proposals must provide answers to the following series of requests:

- a) Name, title, address, telephone and fax number, and e-mail address of the individual the City should contact in regards to your proposal;
- b) Evidence of capacity;
- c) Evidence of experience in foreclosed real property title services;
- d) Evidence of a working knowledge of HUD and CDBG guidelines;
- e) Evidence of a working knowledge of the NSP; and
- f) Fee schedule

EVALUATION

The City reserves the right to review proposals for acceptance or rejection for a period of up to 90 days from the proposal opening date. Typically, however, the normal evaluation period is less than 30 days. The City likewise reserves the right to reject all proposals, to amend the proposal and to advertise for new proposals.

BASIS OF AWARD

The City intends to select persons or entities that are fully qualified and best suited from among those submitting proposals to fulfill the objectives of this RFP. The City reserves the right to negotiate after the proposals are submitted, in any manner that the City deems to be in its best interest. After completion of negotiations, if any, and evaluations, the City will select and notify the persons/entities, which in the opinion of the City presented the best overall proposal.

TERMS AND CONDITIONS

A. General

The submission of a proposal by a person/entity shall be considered as a representation that the submitter has carefully investigated all conditions that affect or at some future date may affect the ability to perform as required by this RFP.

B. Rejection of Proposals

The City may reject any or all proposals, or any part thereof. Further the City, at its sole discretion, may modify this RFP or withdrawal this RFP and submit a new RFP or

withdrawal this RFP and not seek new proposals at all. The City may, at its discretion, waive formalities and technicalities or take any other related action as it deems to be in the best interest of the City.

C. Assurances

Prior to the award of any contract pursuant to this RFP, the City shall have the right to request adequate assurance from the submitter of any proposal that the submitter has sufficient finances, experience, resources and/or personnel to perform as outlined in the scope of services in this RFP. These assurances may include inspection of current facilities, if any, operated by the submitter and requests for financial and/or personnel records.

D. Legality

The City is a public entity that must comply with certain legal requirements and internal review procedures prior to awarding any contract. It shall be, ultimately, the responsibility of the contractor/developer to insure that legal requirements have been met. No party has a right to expect that he/she/it will be awarded a contract with the City absent adherence to legal requirements and review procedures.

E. Exceptions

Deviations and exceptions from terms, conditions, specifications set forth in this RFP shall be described fully in any submitted response to this RFP. The absence of such a statement describing any deviation and/or exceptions may cause the proposal to be considered in strict compliance with all terms, conditions and specifications.

F. General

It shall be understood that the City is to make the final determinations regarding the quality of the services provided or furnished under this RFP and/or any contract that may be awarded. The City reserves the right to modify or to change the specifications or scope at any time. If any modification or change necessitates price adjustments, a satisfactory adjustment will be negotiated between the City and the contractor.