

REQUEST FOR PROPOSALS

**REAL ESTATE BROKER
SERVICES**

**DATE OF ISSUANCE:
June 30, 2023**

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REAL ESTATE BROKER
SERVICES**

SECTION I. GENERAL BACKGROUND

INTRODUCTION

The Port Authority of Kansas City, Missouri (“Port KC”), a political subdivision authorized under Chapter 68, RSMo, is inviting licensed real estate brokers (each a “Proposer”) to submit their proposals (each a “Proposal”) and qualifications to enter into an agreement to serve as Project Specific Real Estate Broker. The services most immediately needed would be for property owned by Port KC at 49 Crossing, recently identified as Richards-Gebaur Commerce Park, and commonly known as former Richards-Gebaur Air Force Base, as generally depicted on “Exhibit A” to this RFP. The services would include those parcels currently leased and developed, or which may be leased and developed at future dates, by third parties.

PORT KC BACKGROUND

Port KC’s mission is to grow the economy of Kansas City’s port district through transportation, global commerce and development.

Port KC possesses broad governmental and business enterprise powers for promoting economic development and job creation. The most important of these powers include the following:

- To acquire, own, construct, redevelop, lease, maintain, and conduct land reclamation, residential, commercial and mixed-use development, industrial parks, facilities, terminals, terminal facilities and any other type of port facility;
- To promote and expand inland and river port commercial throughput of cargo and freight;
- To identify and pursue redevelopment opportunities at blighted and historic preservation sites;
- To redevelop the Downtown Kansas City Riverfront to promote and develop new opportunities for residence, commerce and leisure; and
- To promote the full integration of multi-modal transportation assets to increase commercial opportunities locally, nationally and internationally.

INVITATION

Port KC is seeking the services of a licensed real estate brokerage company licensed by the Missouri Real Estate Commission to provide comprehensive services related to sale and/or lease of real estate at 49 Crossing. This RFP is an invitation by Port KC for Proposers to submit an offer, which may be subject to subsequent discussions and negotiations. It is not a request for a competitive bid. By submitting a Proposal, the Proposer agrees that the Proposer does not obtain any right in or expectation to a contract with Port KC or a vested interest or a property right in a contract with Port KC, regardless of the amount of time, effort and expense expended by the Proposer. A Proposer shall be solely responsible and liable for any and all costs incurred by the Proposer.

DESCRIPTION OF PROPERTY

49 Crossing, located in south Kansas City, Missouri, consists of more than 540,000 square feet of leasable commercial property. The collection of buildings at 49 Crossing were built by the United States Air Force on what was then known as the Richards-Gebaur Air Force Base, thus giving the commercial spaces a unique design, engineering, and construction. Port KC acquired the land in 2007 to commence intense clean-up and attract private development and jobs to the area. The current rent roll of the leased property is approximately \$1.1 - \$1.2 million annually. Port KC continues to explore options for the sale and redevelopment of 49 Crossing property.

TERM OF ENGAGEMENT

Port KC anticipates an initial five (5) year contract with the selected Proposer, to renew automatically on each anniversary of the contract after five years, unless given prior written notice, for up to a total of ten (10) years.

EXPANSION OF SERVICE AREA

While the services needed by Port KC are most immediately applicable to 49 Crossing, interested Proposers are advised that Port KC reserves the absolute right to contract with the selected Proposer for the same or similar services at other properties owned by Port KC. This could include, without limitation, additional property acquired by Port KC and adjoining 49 Crossing, property owned or acquired by Port KC at Berkley Riverfront, property owned or acquired by Port KC at the former AK Steel site (currently identified as the future "Missouri River Terminal" site), or any other property which Port KC may acquire and retain title to in the future. The decision whether to issue a subsequent RFP or IFB will be made by Port KC in its sole discretion and the Proposer selected pursuant to this RFP has no right of expectation with respect to such expanded services.

SECTION II. INSTRUCTIONS AND CONDITIONS

EXAMINATION OF ALL RFP DOCUMENTS AND REQUIREMENTS

Each Proposer shall carefully examine all RFP documents and thoroughly familiarize themselves with all RFP requirements prior to submitting a Proposal to ensure that Proposer's Proposal meets the intent and requirements of this RFP.

Before submitting a Proposal to Port KC, each Proposer shall be responsible for making all investigations and examinations that are necessary to ascertain any and all conditions and requirements that affect the requirements of this RFP. Failure to make such investigations and examinations shall not relieve the Proposer from Proposer's obligation to comply, in every detail, with all provisions and requirements of the RFP.

By submitting a Proposal to Port KC, Proposer certifies that Proposer has provided Port KC with written notice of all ambiguities, conflicts, mistakes, errors or discrepancies that Proposer has discovered in the RFP.

TIMELINE

The following timeline shall be applicable unless modified by Port KC pursuant to addendum to this RFP:

- RFP Issued: June 30, 2023
- Deadline for Questions: August 4, 2023 - 5:00 PM (CT)
- Due Date for Proposals: August 11, 2023 - 12:00 PM (CT)
- Port KC provides all Proposals to Selection Committee: August 11, 2023
- Interviews of Shortlisted Proposers (if desired by Selection Committee): August 14-21, 2023
- Contract Negotiations and Contract Execution: August 21-31, 2023
- Brokerage Services Commence: September 1, 2023

Site Visit. Any Proposer wishing to visit and inspect 49 Crossing must contact Chase Johnson, cjohnson@portkc.com and Jocelyn Knight, jknight@portkc.com to make appropriate arrangements. Any site visits must be completed prior to August 10, 2023. Proposers are encouraged to plan accordingly and allow time for the scheduling of a mutually workable date and time. Port KC may elect to facilitate individual site visits or group site visits based on the level of interest and Port KC staff availability.

Questions. Any general questions, requests for clarification or notices of ambiguities, conflicts, mistakes, errors or discrepancies in this RFP must be submitted to info@portkc.com before August 4, 2023 at 5:00 PM (CT). All questions, requests and notices will be routed from to the appropriate Port KC staff member(s) without further action by the inquirer. All questions and answers will be distributed anonymously, to all potential Proposers.

With the excepti

on of the site visit and questions, Proposers shall not contact individual Port KC staff members for purposes of discussing this RFP. Failure to follow this procedure may result in a Proposer's disqualification.

Submittal. Proposers shall submit one (1) electronic copy and three (3) hard copies of their Proposal. Proposals will be accepted by Port KC at 110 Berkley Plaza, Kansas City, Missouri, 64120, until **August 11, 2023 at 12:00 PM (CT)**. Any proposals, modifications, or revisions received by Port KC after that date and time will not be considered. It is the Proposer's responsibility to ensure timely receipt by Port KC at the location designated herein.

Notwithstanding anything herein to the contrary, Port KC reserves the right to change or extend any and all dates including the due date for Proposals for any reason and at any time, including after the Due Date for Proposals shall have expired.

SCOPE OF SERVICES

The successful Proposer shall agree to contract with Port KC to provide the following:

- Services required involve performing market analysis necessary to establish offering price,
- Developing strategies for sale/lease of mixed use properties that Port KC owns or has long term land leases on or near 49 Crossing,
- Negotiating with buyers on behalf of Port KC,

- Coordinating real estate appraisals,
- Coordinating real estate transaction closings, and
- Handling all other customary brokerage activities and services associated with real estate transactions.

Services will include consultation with Port Authority staff and authorized Port Authority vendors relating to the sale and/or lease of real estate.

SELECTION PROCESS

Proposals will be evaluated by a selection committee of not less than three (3) Port KC staff members selected by Port KC's President & CEO (the "**Selection Committee**").

Upon receipt of the Proposals, the Selection Committee will review each Proposal to determine consistency with the requirements of this RFP, and may summarily reject any Proposals that are deemed non-responsive by virtue of their non-compliance or non-conformity.

The Selection Committee will develop a shortlist of the best Proposals. The Selection Committee may determine that interviews with one or more Proposers is necessary, but no Proposer will be entitled to an interview except upon request of the Selection Committee. During any interviews, the Proposer will present their Proposal in keeping with the goals and criteria described in this RFP. The Selection Committee will then rank the shortlisted Proposals.

Port KC will enter into negotiations with the top ranked Proposer. In the event they are unable to agree upon terms, Port KC will proceed down the list by ranked order until such time as the terms of a management contract have been successfully negotiated or Port KC elects, in its sole discretion, to terminate the RFP.

Any evaluation criteria or weighting of criteria is used only as a tool to assist in selecting the best Proposal. Evaluation scores or ranks do not create any right in or expectation to a contract with Port KC regardless of any score or ranking given to any Proposal. In other words, even if the Selection Committee gives a Proposal the highest rank, the Proposer still has no expectation of a contract with Port KC and Port KC may choose to contract with any other Proposer regardless of the score or rank of the other Proposer.

Port KC will develop the criteria for scoring and ranking Proposals and may change criteria and criteria weights at any time including after the due date for Proposals.

RESERVATION OF RIGHTS IN SELECTION PROCESS

The Selection Committee, in reviewing and ranking Proposals, and Port KC, in negotiating the terms of any contract with the ranked Proposers, may do any or all of the following:

- Interview none, one, some or all of the Proposers who submit Proposals;
- Discuss and negotiate anything and everything with any Proposer or Proposers at any time;
- Request additional information from any or all Proposers;
- Request a Proposer or Proposers to submit a new Proposal;
- Request one or more best and final Proposals from any or all Proposers;

- Accept and reject any Proposal in whole or in part;
- Require a Proposer or Proposers to make modifications to their initial Proposals;
- Reject all Proposals.
- Pick and choose services the combination of services desired.
- Expand or decrease the scope of services.
- Expand or decrease the properties where the services are provided.

Without limiting the foregoing, Port KC reserves the absolute and unconditional right to reject any or all Proposals received in response to this RFP at any time prior to the execution of any contract. No Proposer obtains any right in or expectation to a contract with Port KC or a vested interest or a property right in a contract with Port KC, regardless of the amount of time, effort and expense expended by the Proposer, and regardless of ranking. Proposer shall be solely responsible and liable for any and all costs incurred by Proposer.

DISPOSITION OF PROPOSALS

Port KC reserves the right to reject any and all Proposals, to accept portions of any Proposal(s), and to negotiate the terms of any Proposal(s) in determining whether to award any contract.

WAIVER OR MODIFICATION OF RFP REQUIREMENTS

Port KC, in its sole discretion, may waive or modify everything or anything contained in this RFP at any time including after the Proposal due date, except with regards to the Minimum Project Standards, which may only be waived or changed with the consent of the City. If Port KC modifies the RFP after the due date for Proposals, Port KC may, in its sole discretion, solicit new Proposals in an amended RFP from anyone or everyone regardless whether a person submitted a Proposal in response to the original RFP.

Port KC reserves the right to waive informalities or irregularities in Proposals, to accept or reject any or all Proposals, to cancel this RFP in part or in its entirety, and to re-solicit Proposals if it is in the best interest of Port KC as determined by Port KC in its sole discretion.

EVALUATION CRITERIA

The Selection Committee will evaluate the Proposals with respect to the following criteria, in addition to any others they may determine to be relevant:

1. The team's financial capability and administrative capacity to undertake brokerage operations;
2. The team's possession of all required licensure and standing with the Missouri Real Estate Commission;
3. Overall quality of the team as shown by their previous experience with similar Formerly Used Defense Sites (FUDS) and Base Realignment and Closure (BRAC) properties, constructed between the 1950s through 1980s;
4. The team's experience in selling/leasing land bank properties;
5. The team's experience in selling/leasing properties owned by other governmental entities;

6. The proposed annual cost to Port KC and value in relation to services proposed to be provided.

FORM AND CONTENT OF PROPOSAL

Proposals shall be limited to no more than thirty (30) single-sided 8.5x11 pages, inclusive of any attachments, shall utilize Times New Roman 12-point font, and shall be organized and tabbed as follows:

TAB A Business / Firm Profile and Legal Structure

TAB B Experience

TAB C Brokerage Approach

TAB D Compensation Structure

TAB E References

All information requested or required to be provided by this RFP shall be provided under the applicable Tab.

SUBMITTAL OF PROPOSAL

Any incomplete Proposal may be rejected by Port KC or the Selection Committee. By submitting a Proposal, Proposer agrees that Proposer's Proposal shall constitute a firm irrevocable offer to Port KC that Proposer shall not withdraw or modify without Port KC's approval for one hundred eighty (180) days after the Proposal due date. Proposer agrees that even if Port KC negotiates or makes a counter offer to Proposer on Proposer's original Proposal or any subsequent Proposal submitted by Proposer, Proposer grants to Port KC, in Port KC's sole discretion, the unconditional right for Port KC to accept Proposer's original Proposal and Port KC's negotiation or counter offer shall not be deemed to be a counter offer.

OWNERSHIP OF PROPOSALS

By submitting its Proposal, Proposer hereby agrees that Proposer's Proposal and any supplementary material submitted by the Proposer shall become property of Port KC.

DISCLOSURE OF PROPRIETARY INFORMATION

A Proposer may attempt to restrict the disclosure of scientific and technological innovations in which the Proposer has a proprietary interest, or other information that is protected from public disclosure by law, which is contained in the Proposal by marking each response of each such document prominently with the words "**PROPRIETARY INFORMATION**" in red, bold 20-point font.

After either a contract is executed pursuant to the RFP, or all submittals are rejected, if access to documents marked "**PROPRIETARY INFORMATION**", as provided above, is requested under the Missouri Sunshine Law, Port KC will notify the Proposer of the request, and it shall be the burden of the Proposer to establish that such documents are exempt from disclosure under the law.

If the Proposer elects to challenge a formal request for such information made to Port KC and if the Proposer is unsuccessful in keeping such information closed, the Proposer shall pay for any and all costs, attorney fees and fines that are a result of Proposer's attempt to keep the information closed.

Notwithstanding the foregoing, in response to a formal request for information, Port KC reserves the right to release any documents if Port KC determines that such information is a public record pursuant to the Missouri Sunshine Law. Port KC shall have no liability to any Proposer or anyone else for releasing any Proprietary Information of a Proposer even if Port KC is negligent in releasing or disclosing any Proprietary Information of any Proposer.

CLOSED RECORDS

All Proposals including interviews, presentations and documents, and meetings relating thereto may remain closed records or meetings under the Missouri Sunshine Law until a contract is executed or until all Proposals are rejected by Port KC. If Port KC amends this RFP, Proposals submitted in response to the original RFP may remain closed records until a contract is executed or all Proposals submitted in response to the amended RFP are rejected.

SECTION III. BUSINESS/FIRM PROFILE AND LEGAL STRUCTURE

The Proposal must include the following information as listed below:

1. Legal Name, address, phone, fax, e-mail, Federal ID#, and website address.
2. Brief history of business/firm including date the business/firm was established under the current name.
3. List all services provided by the business/firm.
4. Number of total employees including number of total employees in Kansas City, Missouri and number of employees in Greater Kansas City Area.
5. Type of ownership, or legal structure of business/firm.
6. Proof of licensing by the Missouri Real Estate Commission.
7. List any civil or criminal actions and unresolved disputes/allegations pending against the business/firm or any key personnel related in any way to its services, along with a summary of the same.
8. Provide a brief history of the business/firm's contractual litigation, arbitration, and mediation cases for the last five (5) years.
9. Identify whether the business/firm has ever been disqualified from working for any public or quasi-public entity and, if so, provide an explanation of the circumstances.

SECTION IV. EXPERIENCE

Summarize the Proposer's qualifications, experience and special expertise in providing the type of services identified in this RFP, include resumes of key personnel.

The Proposal must include the following information as listed below:

1. Listing of all partners and their respective roles.
2. Organizational chart for the assigned project personnel.

SECTION V. BROKERAGE APPROACH

Provide a brief overview of the Proposer's real estate philosophy, methods and practices and how they would meet the needs identified in this RFP. Describe how communication and reporting would occur between your firm and Port KC.

Identify any services included within the list of Scope of Services which the Proposer is unable or unwilling to provide with an explanation for the same. Include any additional services the Proposer is able to provide.

SECTION VI. COMPENSATION STRUCTURE

A schedule of proposed commission rates that could be charged or a formula for each principal or other professional who will be involved in providing the services contemplated is requested. Additionally, Proposer should state any other costs Port KC may anticipate relating to the Real Estate Services to be provided. Payments to the successful Broker will be based on actual services received. Port KC will pay for reasonable disbursements/expenses and other charges at cost with prior authorization.

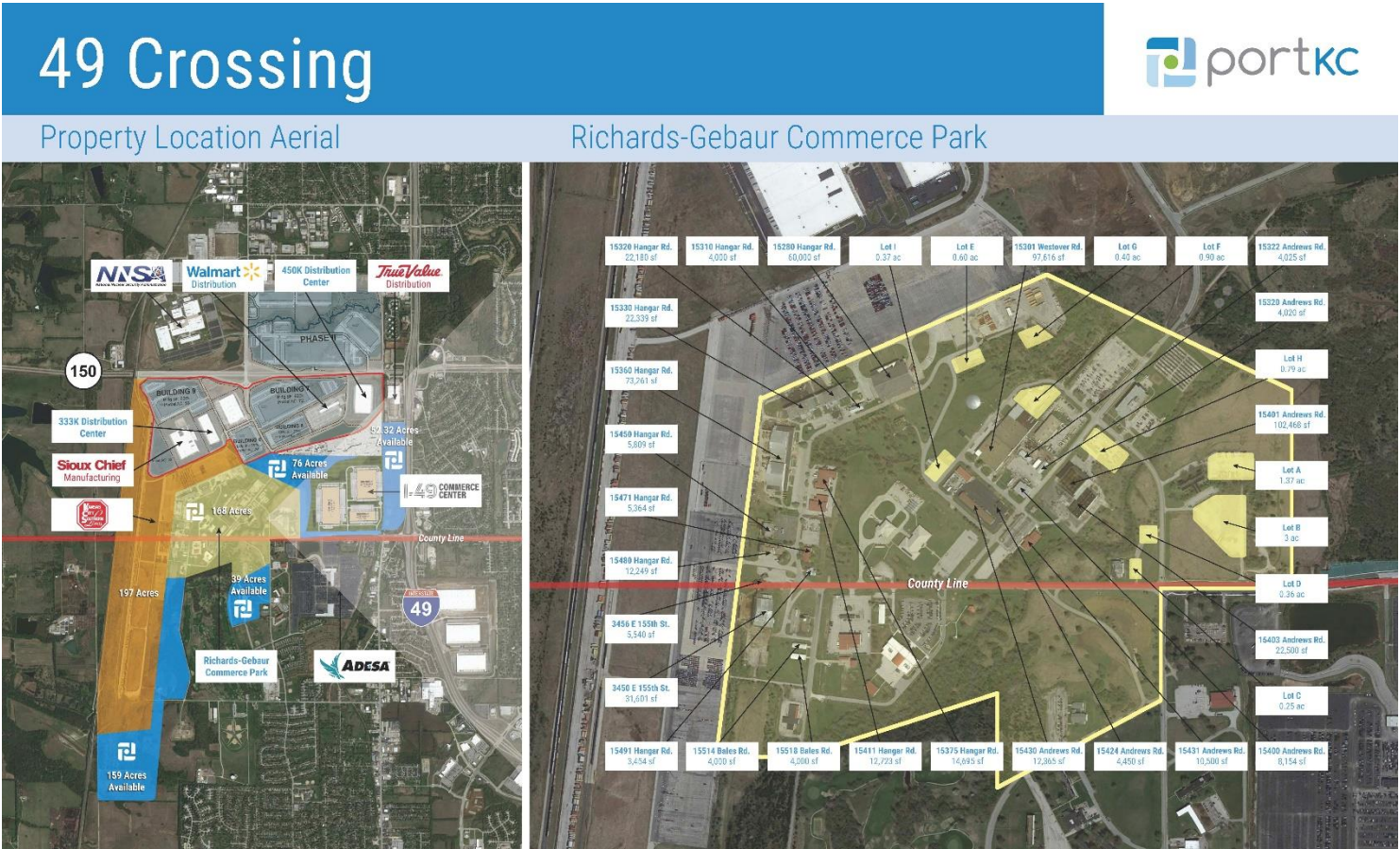
SECTION VII. REFERENCES

Proposers are required to provide three (3) client references, including contact information, for similar properties that the Proposer has brokered within the past five (5) years. Port KC reserves the right to contact references without prior notice to Proposer.

It is preferred that at least one (1) client reference be a government sector client.

EXHIBIT A

*Core properties are depicted on the right, identified as Richards-Gebaur Commerce Park. Total property



depicted on the left.