

Calhoun County Land Bank Authority

Neighborhood Stabilization Program 2

Request for Proposal: Title Services

BID NUMBER: #03-CCLBA-2011

DATE ISSUED: January 27, 2011

DATE DUE: February 10, 2011; 4:00 PM (LOCAL TIME)

Bids will be opened publicly at this time in the Purchasing Department,
315 W. Green Street, Marshall, MI.

As part of the Michigan NSP2 Consortium, a partnership between:

Michigan State Housing Development Authority
The City of Battle Creek
Calhoun County Land Bank Authority

Para una versión en Español, por favor llamar a Nina Smith 269-781-0806



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REQUEST FOR PROPOSALS – TITLE SERVICES

INTRODUCTION

A. Overview

This Request for Proposals (“RFP”) is being issued by the CALHOUN COUNTY LAND BANK AUTHORITY in its capacity as partner of the Neighborhood Stabilization Program 2 (NSP2) for the City of Battle Creek and Calhoun County Land Bank Authority. THE CALHOUN COUNTY LAND BANK AUTHORITY invites the submission of proposals from title companies with expertise and experience in providing a range of title services.

Title companies with demonstrated experience in conducting title searches/ examinations, loan closings, and issuing title policies and with an interest in making their services available to the CALHOUN COUNTY LAND BANK AUTHORITY are invited to respond to this RFP. “**Respondents**” means the companies or individuals that submit proposals in response to this RFP.

THE CALHOUN COUNTY LAND BANK AUTHORITY is seeking to encourage participation by respondents who are MBE/WBE or Section 3 business enterprises and has a goal for minimum MBE/WBE participation of at least 10% MBE and 10% WBE participation.

The work contemplated is professional in nature. The Respondent shall be financially solvent and each of its members (if a joint venture), its employees, agents or sub-consultants of any tier shall be competent to perform the services required under this RFP document.

Nothing in this RFP shall be construed to create any legal obligation on the part of the CALHOUN COUNTY LAND BANK AUTHORITY or any respondents. THE CALHOUN COUNTY LAND BANK AUTHORITY reserves the right, in its sole discretion, to amend, suspend, terminate, or reissue this RFP in whole or in part, at any stage. In no event shall the CALHOUN COUNTY LAND BANK AUTHORITY be liable to respondents for any cost or damages incurred in connection with the RFP process, including but not limited to, any and all costs of preparing a response to this RFP or any other costs incurred in reliance on this RFP. No respondent shall be entitled to repayment from the CALHOUN COUNTY LAND BANK AUTHORITY for any costs, expenses or fees related to this RFP. All supporting documentation submitted in response to this RFP will become the property of the the CALHOUN COUNTY LAND BANK AUTHORITY. Respondents may also withdraw their interest in the RFP, in writing, at any point in time as more information becomes known.

The CALHOUN COUNTY LAND BANK AUTHORITY has adopted purchasing policies and procedures for procurement process. For further information on this requirement, contact the Calhoun County Purchasing Department, 315 W. Green St., Marshall MI 49068 or phone 269-781-0981.

B. Time of Completion

Any contract awarded pursuant to this RFP solicitation shall agree to complete the work on or before the times outlined in the Scope of Services.

C. Term of Contract

Any contract awarded pursuant to this RFP solicitation shall be for a contract period up to 18 months, with the possibility of an extension. All contracts made by the successful bidder with subcontractors shall be covered by the terms and conditions of the contract. The successful bidder shall see to it that their subcontractors are fully informed in regard to these terms and conditions.

D. Background

Under the Recovery Act, Congress established the Neighborhood Stabilization Program 2 (NSP2) to stabilize neighborhoods whose viability is negatively affected by properties that have been foreclosed upon and abandoned. NSP2 provides grants to states, local governments, nonprofits and a consortium of public and or private nonprofit entities on a competitive basis.

The Michigan NSP2 Consortium received \$223,875,339. The Michigan State Housing Development Authority (MSHDA), as lead applicant, 12 city governments, and eight county land banks will work together to remove blight, address vacancy and foreclosures, and reposition neighborhoods in targeted NSP2-eligible census tracts. MSHDA allocated \$201,487,805 to place properties back in productive use and \$22,387,534 in administrative fund for MSHDA, Cities and Lands Banks to share.

The City of Battle Creek received \$4,501,000 and the Calhoun County Land Bank Authority received \$3,218,839 for a total award amount of \$7,719,839 to assist the targeted census tracts in the City of Battle Creek.

E. Federal Regulations

Award recipients implementing the Michigan NSP2 Consortium must follow the Community Development Block Grant (CDBG) Program rules and regulations, unless stated otherwise in the May 4, 2009 of the Federal Register Notice [Docket No. FR-5321-N-01] regarding [Title XII of Division A of the American Recovery and Reinvestment Act of 2009](#), which is posted on

http://www.hud.gov/offices/cpd/communitydevelopment/programs/neighborhoodspg/pdf/nsp2_nofa.pdf

Respondents are strongly encouraged to read these regulations prior to submitting their response to this RFP. All NSP2 funds must be spent on specific eligible activities no later than February 10, 2013 and 50% of NSP2 funds must be spent no later than February 10, 2012.

PROFESSIONAL SERVICE REQUIREMENTS

A. Scope of Work

THE CALHOUN COUNTY LAND BANK AUTHORITY seeks sealed proposals from title companies interested in providing title services for properties located in targeted neighborhoods and census tracts in the City of Battle Creek. *See Appendix A – NSP2 Boundaries and Map.*

THE CALHOUN COUNTY LAND BANK AUTHORITY is interested in facilitating the acquisition of vacant/foreclosed properties from various mortgage loan servicers, private sellers, **and through the State of Michigan tax foreclosure process** for the purpose of rehabilitation, new construction, demolition and land banking to foster neighborhood stabilization. Respondent must be able to provide title insurance on Tax Reverted Properties. During the program period, which ends February 10, 2013, THE CALHOUN COUNTY LAND BANK AUTHORITY anticipate up 350 assignments across the respective NSP2 area, Further, THE CALHOUN COUNTY LAND BANK AUTHORITY anticipates multiple requests within a short timeframe.

The title company will conduct title searches and examinations, and issue title abstracts, title commitments, and owner's policies pursuant to the current standards of the American Land Title Association, in connection with the conveyance of single family, 2-4 unit buildings, and 5 or more unit multi-family properties located in the City of Battle Creek. The scope of work will include determining the condition of title to be insured and to evaluate the risk to be undertaken in the issuance of a title insurance policy. Title companies **MUST** establish a separate escrow account specifically for transactions involving NSP2 assisted properties.

Prior to the issuance of a title policy, the title company will determine proper execution, acknowledgment and delivery of all conveyance documents, including deeds, required to consummate transactions involving the sale of the properties. The scope of work will include a determination that proper consideration has passed confirmation of title clearance, preparation of settlements statements, and proper disbursement of all proceeds. The title company will also be required to coordinate with lenders in conjunction with the issuance of loan policies

EVALUATION CRITERIA AND SCORING

In evaluating responses to this Request for Proposal, THE CALHOUN COUNTY LAND BANK AUTHORITY will take into consideration the experience, capacity, and costs that are being proposed by the Respondent. Proposals should provide a straightforward, concise description of the proponent's capabilities to satisfy the requirements of the RFP. The following Evaluation Criteria will be considered in reviewing submittals:

- Experience in Title Services
- Capability of Respondent and its Personnel
- Price
- Qualifications
- Completeness of Response
- Locality of Business
- Section 3 Certification or MBE/WBE

A. Experience and Capacity

A point system is to evaluate the experience and capacity of the Respondent including locality and HUD Section 3/MBE/WBE (See Attachment B)

SUBMITTAL REQUIREMENTS

RFP responses must be submitted via hard copy and sent to Calhoun County Purchasing Department, 315 W. Green St, Marshall MI 49068 and clearly labeled RFP 2011-CCLBA-01. Each respondent shall submit one (1) original and two (2) copies of the required documentation in a clear, legible, and 8.5 by 11 inch format. Respondents are advised to adhere to the Submittal Requirements. Failure to comply with the instructions of this RFP will be cause for rejection of submittals.

Written questions must be submitted via email to lobrig@calhouncountymi.gov by 5:00 pm Wednesday February 2, 2011. Written answers will be provided to all potential bidders via email by 5:00 pm Friday, February 4, 2011.

THE CALHOUN COUNTY LAND BANK AUTHORITY reserves the right to seek additional information to clarify responses to this RFP. Each response must include the following:

A. Letter of Interest

Please submit a Cover Letter of Interest signed by a duly authorized officer or representative of the Respondent, not to exceed two pages in length. The Letter of Interest must also include the following information:

1. The principal place of business and the contact person, title, telephone/fax numbers and email address.
2. A brief summary of the qualifications of the Respondent and team.
3. Description of organization (i.e. Corporation, Limited Liability Company, or Joint Venture).
4. The names and business addresses of all Principals of the Respondent. For purposes of this RFP “Principals” shall mean persons possessing an ownership interest in the Respondent.
 - If the Respondent is a partially owned or fully-owned subsidiary of another organization, identify the parent organization and describe the nature and extent of the parent organization’s approval rights, if any, over the activities of the Respondent.
 - If the Respondent is a partially owned or fully-owned subsidiary of another organization, identify the parent organization and describe the nature and extent of the parent organization’s approval rights, if any, over the activities of the Respondent.
5. The Certification attached hereto at the end of this RFP and incorporated herein by reference must be signed by Respondent and attached to the Letter of Interest.

B. Threshold Requirements

These documents must be submitted and acceptable along with your proposal:

1. Certificate of Good Standing (Corporation) or Certificate of Existence (Limited Liability Company) issued by the Michigan Secretary of State (If Respondent is a joint venture, a Certificate of Good Standing or Certificate of Existence, as applicable, must be submitted for each entity comprising the joint venture.)
2. Evidence of Insurance: Commercial General Liability with limits not less than \$2,000,000; Workers Compensation and Employers Liability with limits not less than \$500,000; Automobile Liability with limits not less than \$1,000,000 per occurrence; and, Professional Liability with limits not less than \$1,000,000.
3. State licensed and certified in accordance with title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA) (12 U.S.C. 3331 et seq.)
4. Evidence of Financial Stability: All Respondents shall include their most recent financial statements with the proposal response. This information will assist the CALHOUN COUNTY LAND BANK AUTHORITY in determining the Respondent’s financial condition. THE CALHOUN COUNTY LAND BANK AUTHORITY is seeking this information to ensure that the respondent’s have the financial stability and wherewithal to assure good faith performance.
5. Three (3) references of related projects, including date of project, contact person and phone number, and a brief description of the project.
6. Conflict of Interest Statement & Supporting Documentation: Respondent shall disclose any professional or personal financial interests that may be a conflict of interest in representing the CALHOUN COUNTY LAND BANK AUTHORITY. In addition, all Respondents shall further disclose arrangement to derive additional compensation from various investment and reinvestment products, including financial contracts.

C. Main Proposal

Please provide the following information:

1. Years of experience and detailed qualifications including resumes of the transaction team and their experience in handling affordable housing transactions.
2. Capacity to conduct title searches/examinations on a weekly basis.

3. Capacity to conduct closings on a weekly basis.
4. Pricing proposal associated with completing range of title services.
5. Respondents should state whether they are an MBE/WBE or Section 3 business enterprise. If so, please provide a copy of a current MBE/WBE certification letter.

SELECTION PROCESS

The Selection Committee comprised of THE CALHOUN COUNTY LAND BANK AUTHORITY staff will review qualifications in accordance with the evaluation criteria set forth herein and Michigan NSP2 Consortium objectives and policies. Proposals that are submitted timely and comply with the mandatory requirements of the RFP will be evaluated in accordance with the terms of the RFP. Any contract resulting from this RFP will not necessarily be awarded to the vendor with the lowest price. Instead, contract shall be awarded to vendor whose proposal received the most points in accordance with criteria set forth in RFP.

QUESTIONS

Written questions must be submitted via email to lobrig@calhouncountymi.gov by 5:00 pm Wednesday February 2, 2011. Written answers will be provided to all potential bidders via email by 5:00 pm Friday, February 4, 2011.

SUBMITTAL DUE DATE

Responses to this RFP are due by 4 P.M. (local time) on FEBRUARY 10, 2011. The prevailing clock shall be www.time.gov. Each Respondent is responsible for labeling the exterior of the sealed envelope containing the proposal response with the proposal number, proposal name, proposal due date and time, and your firm's name. Hard copies must be delivered to:

Calhoun County
CCLBA
Purchasing Department
315 W. Green St.
Marshall MI 49068
ATTN: Leslie R. Obrig

LATE PROPOSALS WILL NOT BE CONSIDERED

CERTIFICATION FORM NOTE

THIS PAGE MUST BE COMPLETED AND INCLUDED WITH THE SUBMITTAL CERTIFICATION

The undersigned hereby certifies, on behalf of the Respondent named in this Certification (the “Respondent”), that the information provided in this RFP submittal to THE CALHOUN COUNTY LAND BANK AUTHORITY is accurate and complete ,and I am duly authorized to submit same. I hereby certify that the Respondent has reviewed this RFP in its entirety and accepts its terms and conditions.

(Name of Respondent)

(Signature of Authorized Representative)

(Typed Name of Authorized Representative)

(Title)

(Date)



RFP SUBMITTAL REQUIREMENTS CHECKLIST

Please provide Checklist with response to RFP

- Letter of Interest
- Certification
- Certificate of Good Standing (Corporation) or Certificate of Existence (Limited Liability Company) issued by the Michigan Secretary of State (If Respondent is a joint venture, a Certificate of Good Standing or Certificate of Existence, as applicable, must be submitted for each entity comprising the joint venture.)
- Evidence of Insurance
- State License and or Certification
- Evidence of Financial Stability
- References
- Conflict of Interest Statement & Supporting Documentation:
- Description of Company
- Capacity of Company
- Pricing Proposal
- Historic Preservation, Weak Markets Sales, Energy Retrofits, and Green Technologies
- MBE/WBE, Local Hiring, HUD Section 3, if applicable
- RFP Submittal Requirements Checklist

APPENDIX B

In evaluating responses to this Request for Proposal, Calhoun County Land Bank Authority will take into consideration the experience, capacity, and costs that are being proposed by the Respondent. The following Evaluation Criteria will be considered in reviewing submittals:

D. Experience and Capacity

The point system is to evaluate the experience and capacity of the Respondent.

a. Experience in providing housing inspection and specification writing services

Less than one (1) year of experience providing title services, scheduling closings, and issuing title insurance	5 Points
One (1) to three (3) years of experience providing title services, scheduling closings, and issuing title insurance	10 Points
Greater than ten (3) years of experience providing title services, scheduling closings, and issuing title insurance	20 Points

b. Capacity to provide inspection and specification writing services and ability of the firm to meet timelines.

Demonstrated capacity and experience to provide up to ten title commitments, schedule up to ten closings, and provide up to ten insurance policies per week	5 Points
Demonstrated capacity and experience to provide up to twenty title commitments, schedule up to twenty closings, and provide up to twenty insurance policies per week	15 Points
Demonstrated capacity and experience to provide over twenty title commitments, schedule over twenty closings, and provide over twenty insurance policies per week	25 Points

c. Pricing Proposal

Lowest bid amount	60 Points
Next lowest bid amount	55 Points
Each additional lowest bid amount will be reduced by 5 points	

d. Local Preference

Principal Business Office Location within 20 miles of Battle Creek, MI	20 Points
Principal Business Office Location within 40 miles of Battle Creek, MI	10 Points
Principal Business Office Location outside 40 miles of Battle Creek, MI	5 Points

e. Section 3/MDE/WBE

Respondents meeting MBE/WBE requirements	10 Points
Respondents meeting HUD Section 3 requirements	10 Points

