



REQUEST FOR PROPOSAL

for

MISSOURI REAL ESTATE BROKER LICENSEE

The Library Center of the Ozarks invites qualified firms and licensees to submit a response to this Request for Proposal for Missouri Real Estate Broker Licensee.

Qualified firms must be licensed in the State of Missouri, maintain an office in the state of Missouri, and have verifiable Missouri experience in real estate.

Proposal submission deadline is 5:00 p.m. on April 18, 2025.

Purpose: The purpose of this Request for Proposal (RFP) is to contract for Missouri Real Estate Broker Licensee services provided to Library Center of the Ozarks (LCO).

I. Terms and Conditions

a. General Terms and Conditions

- i. **Interested Parties:** All interested companies are invited to submit a proposal in accordance with the terms, conditions, and specifications contained herein. An electronic version of this document can be accessed on the LCO website at www.lcozarks.com.
- ii. **Sole Point of Contact:** Questions and requests for clarifications regarding this RFP must be emailed to Essy Day, Executive Director of the Library Center of the Ozarks, at eday@lcozarks.com. **Essy Day is considered the sole point of contact with regard to this RFP.** No communication from any other source shall be considered by the proposer(s) as valid information with regard to these terms, conditions, and specifications.

All questions and requests for clarification will be responded to by email to the originator, and all responses to questions will be posted periodically to the LCO website. Any responses by LCO that are considered to be a change in the terms, conditions, and specifications of this RFP will be provided by emailed addendum to this RFP, and they will be posted to the LCO website. No communications of any kind may be considered a change to the terms, conditions, and specifications of this RFP unless a formal addendum is prepared and posted to the LCO website.

- iii. **Tax Exemption:** LCO, as a publicly funded library, is exempt from sales and use tax.

- iv. **Expenses:** LCO assumes no liability for payment of expenses incurred by proposers in preparation and submission of proposals in response to this invitation.
- v. **Non-Discrimination:** The successful proposer agrees not to refuse to hire, discharge, promote, demote, or discriminate in matters of compensation against any person otherwise qualified solely because of race, color, religion, national origin, gender, age, military status, sexual orientation, marital status, or physical or mental ability.
- vi. **Insurance and License Requirements:** LCO requires the successful proposer to provide evidence of errors and omissions (E&O) coverage of not less than two million dollars (\$2,000,000). Such insurance shall extend to any covered act, error or omission in the performance of services under a contract with LCO committed, or alleged to have been committed, by the proposer or any person for whom the proposer is responsible. The certificates of insurance shall be issued by an insurance company licensed or authorized to operate in the state of Missouri by the Missouri Department of Insurance. If a proposer is self-insured for said coverage, that proposer shall use Addendum B.II.f to outline the specifics of its self-insured coverage to include evidence (e.g., statement updated to disclose loss contingencies, etc.) which reasonably establishes that it has assets to cover the amount self-insured. LCO reserves the right to require, from any proposer representing that it is self-insured, additional information or documentation that substantiates such claim, and may reject as unqualified, any proposal, which in the reasonable judgement of HPLD, cannot document sufficient assets to support the amount of self-insurance claimed.
- vii. **Governing Law:** The laws of the State of Missouri shall govern any contract executed between the successful proposer and LCO. Further, the place of performance and transaction of

business shall be deemed to be in the County of Taney, State of Missouri, and in the event of litigation, the exclusive venue and place of jurisdiction shall be the State of Missouri, and more specifically, Taney County, Missouri.

viii. **RFP Schedule:**

RFP released	03/28/2025
Questions due	04/11/2025
RFP bids due	04/18/2025 5:00 p.m.
Interviews scheduled	04/21-30/2025
Bid awarded/vendor notified	05/06/2025 10:00 a.m.
Services commence	05/06/2025

b. Proposal Preparation:

- i. **Substantive Proposals:** By submitting a proposal, the proposer guarantees that (a) its proposal is genuine and is not made in the interest of, or on behalf of, any undisclosed persons, firms, or corporations; (b) it has not directly or indirectly induced or solicited any other respondent to put in a false or sham bid; (c) it has not solicited or induced any other persons, firms, or corporations from proposing; and (d) it has not sought by collusion to obtain for itself any advantage over any other proposer or over LCO.
- ii. **Indemnification:** The proposer agrees to, and shall, defend, release, indemnify, and save and hold harmless LCO, its officers, agents, and employees from and against any and all damages to property or injuries to or death of any person or persons, including property and officers, employees, and agents of LCO, and further agrees to, and shall, defend, indemnify, and save and hold harmless LCO, its officers, agents, and employees, from and against any and all claims, costs, demands, liabilities, suits, actions, causes of action, and other legal or equitable proceedings of any kind or

nature whatsoever, of or by anyone whomsoever, including, but not limited to, claims arising out of and/or predicated upon negligence, breach of contract, tort, or strict liability, in any way resulting from, connected with, or arising out of the contractor's operations or performance in connection herewith.

- iii. **Date Schedule:** By submitting a proposal, the proposer guarantees that it will be able to comply with the overall elements of the services calendar.
- iv. **Submission Information and Documents:** The proposal must be comprehensive and address all elements requested in *Section II. Scope of Services* and *Section III. Proposal Requirements*. To ensure that the information provided can be readily identified, the proposal must include, but not only include, the submission of the following signed documents:
 - 1. Addendum B – Proposal Cover Sheet
 - 2. Addendum C – Checklist and Questionnaire

By submitting a proposal, the proposer represents that it has (1) thoroughly examined and become familiar with the scope of services outlines in this RFP and (2) is capable of performing quality work to achieve LCO's objectives.

- v. **Withdrawal of Proposal:** A proposer may withdraw its own proposal at any time prior to the proposal due date and time as identified herein. After that date and time, no proposers may withdraw their proposal for any reason. All proposals shall be valid for a period of not less than 90 calendar days after the proposal due date.
- vi. **Proposal Submissions:** Proposals are to be submitted via email to Essy Day, eday@lcozarks.com, identified with

proposal number and title, on the forms provided herein, with all attachments, no later than April 18, 2025. A complete submission includes the signed original with all attachments.

- vii. **Confidentiality:** All materials submitted in response to this RFP become the property of LCO upon delivery and are to be appended to any formal documentation that would further define or expand any resulting contract. All proposals are public information. Do not submit any confidential or proprietary information.

c. **Selection:**

- i. **Firm Selection:** LCO intends to select only one firm.
- ii. **Right of Acceptance and Rejection:** LCO reserves the right to accept or reject any or all proposals and to waive any formalities, informalities, and deviations, which, in its opinion, best serve the interests of LCO. LCO is not bound to accept the lowest priced proposal.
- iii. **Basis of Award:** The Board of Trustees will judge the merit of proposals received in accordance with the general criteria defined within this invitation before approval and execution. The following criteria will be taken into consideration when making evaluations of proposals. This list is not intended to be exhaustive:
 - 1. Adequacy, completeness, and responsiveness of the proposal
 - 2. Qualifications and experience of the firms submitting proposals
 - 3. Nature of services offered
 - 4. Pricing
 - 5. Any other items deemed in the best interests of LCO

d. **Contract Formation:**

- i. **Agreement in Writing:** The successful firm must enter into a written contract with LCO.
- ii. **Period of Performance:** The initial term of the contract will cover a period of one year from the award of contract date; with the option for annual renewals.
- iii. **Amendments to Contracts:** Parties hereto reserve the right to make amendments or modifications to the contract by written amendment signed by both parties. No amendment will be effective unless approved and signed by LCO.
- iv. **Termination:** Either party may terminate the contract without cause by giving written notice thirty (30) days in advance of termination.

In the event of termination pursuant to this section, the sole compensation to the Contractor will be for any unpaid portion of services performed or delivered at the date of termination.

This agreement will automatically terminate on the occurrence of any of the following events: bankruptcy or insolvency of either party, sale of the business of either party, failure to comply with federal, state or local laws, regulations or requirements, or the passing of one year.

To the fullest extent permitted by the law, the firm will agree to protect, indemnify, defend and hold LCO entirely harmless from and against any and all claims, actions, demands, proceedings, liabilities, damages, judgments, fines, penalties, settlements, costs, and charges, which shall survive the terms of this agreement.

II. **Scope of Services**

- a. The firm shall be readily available to perform the following real estate services as may be needed and requested by LCO's Board of Trustees:
 - i. The selected firm will be responsible for providing support to LCO staff and Board in analyzing, negotiating, and closing on the lease and/or purchase of land and/or real property.
 - ii. The principal responsibilities of the selected vendor shall be to identify and qualify potential land/buildings, conduct due diligence on each land/building, solicit term sheets from selected land/buildings, and advise and assist in the negotiation of the selected real estate transaction.
 - iii. Specific services may include, but are not limited to, the following:
 - 1. Analyzing the space programming study of future LCO library project requirements;
 - 2. Reviewing LCO's geographical parameters;
 - 3. Preparing a comprehensive market study of available space options along with an interpretation and assessment of relevant market trends;
 - 4. Conducting due diligence investigation of each potential site's specific suitability for LCO's requirements as well as ownership financial strength/liquidity;
 - 5. Assisting LCO in determining appropriate shortlist of candidate land and/or buildings;
 - 6. Preparing and negotiating landlord lease and/or building purchase agreements;

7. Analyzing initial term sheets received – both financial and nonfinancial proposed terms as well as build-out costs and timeframe implications;
8. Preparing presentations comparing alternatives to LCO;
9. Assisting client in selecting a primary and fallback locations;
10. Soliciting draft transaction documents from selected landlords and/or sellers;
11. Assisting LCO and legal counsel with lease and/or purchase negotiation process;
12. Coordinating execution of all transaction documents, evidence of insurance, Non-Disturbance Agreements, etc.;
13. Assisting client in the valuation, listing, and sale transaction of property;
14. Other services as requested.

III. Proposal Requirements:

- a. Proposers should refer to Addendum C for a checklist of items that require a written response as part of a proposal.

ADDENDUM A
REQUEST FOR PROPOSAL for MISSOURI REAL ESTATE BROKER LICENSEE
LCO Background

After operating as a privately funded library for nearly a century, the Library Center of the Ozarks serves as Taney County's first publicly funded library. On August 8, 2023, voters of Taney County voted to levy an \$0.18 tax on personal and real property to fund library operations. A library board was appointed, and the existing Taneyhills Community Library was reformed into the Library Center of the Ozarks.

LCO is a political subdivision, which is comprised of the Branson and Hollister school districts and is a distinct legal entity. LCO has one affiliation, a friends organization, which raises funds for the benefit of LCO.

LCO has a service population of 41,000. While library cards are free only to residents and taxpayers of the Branson and Hollister school districts, out-of-district library cards may be purchased for a fee by those who still wish to use LCO's services and resources. LCO strives to serve its community by providing access to traditional library resources for the enrichment of residents' personal, professional, and communal lives.

More information about LCO can be found on its website at www.lcozarks.com.

ADDENDUM B
REQUEST FOR PROPOSAL for MISSOURI REAL ESTATE BROKER LICENSEE
Proposal Cover Sheet

I. General Information

a. Firm Name

b. Firm Address

c. Firm Phone

d. Firm Fax

e. Firm Email

f. Firm Website

g. Firm Contact

II. Statement of Minimum Qualifications

I, _____ (printed name), hereby declare that I am the _____ (title) of _____ (name of firm) submitting this profile and declaration, and that I am duly authorized to sign this profile and declaration on behalf of the above-named firm. All information set forth in this profile and declaration and all attachments hereto are, to the best of my knowledge, true, accurate, and complete as of the submission date.

The signer further certifies that (please initial):

- a. _____ The firm has carefully examined all instructions, requirements, specifications, and terms and conditions of this RFP for which this proposal has been submitted.
- b. _____ This proposal is a valid and irrevocable offer that will not be revoked and shall remain open for LCO's acceptance for a period of ninety (90) calendar days from the proposal and due date.

- c. _____ The firm is in full compliance with all applicable federal, state, and local laws, rules, regulations, and ordinances governing business practices.
- d. _____ All statements, information, and representations prepared and submitted in this proposal are current, complete, true, and accurate.
- e. _____ Submission of this proposal indicates the signer's acceptance of the evaluation technique and that some subjective judgements may be made by LCO as part of the evaluation process.
- f. _____ The firm carries all required insurance and licenses as outlined in Section I.a.vi. of this RFP and will provide certificates of insurance if selected as the successful proposer and before the contract period commences. If self-insured for the required coverages, a full description of the proposing firm's self-insurance program is attached to this proposal.
- g. _____ The firm is registered in the State of Missouri. A copy of the registration is attached.
- h. _____ There have been no claims, litigation, or other issues filed or pending against the firm in the past five (5) years except as listed below.

- n. _____ The firm is aware of Missouri legislation relevant to the services described in this RFP.

Authorized Signature

Date

ADDENDUM C
REQUEST FOR PROPOSAL for MISSOURI REAL ESTATE BROKER LICENSEE
Checklist and Questionnaire

I. Firm, Team, and Resources

- a. Provide a brief overview of your firm's history, including details of any parent company, subsidiary and/or associated organization (where applicable), its key differentiators, scope of services, and years in business.
- b. Discuss any impending changes in your organization that could impact the delivery of services.
- c. What makes your firm uniquely qualified to work on our behalf?
- d. Please identify your proposed service team and supporting personnel (where applicable) who would service the LCO account.
- e. Please provide three current references for organizations similarly situated to LCO with respect to size and complexity. For each reference, please include (1) length of the servicing relationship with your firm and (2) reference contact name, title, and phone number.

II. Real Estate Agent/Broker

- a. Please describe your real estate experience, particularly in the public entity and non-profit sectors.
- b. As part of the information to be provided above, please describe your organization, size structure, areas of practice, and office locations.
- c. Please describe the qualifications of agents/brokers to be assigned to LCO's account. Descriptions should include:
 - i. Professional and educational background of each agent/broker;
 - ii. Overall supervision to be exercised;
 - iii. Prior experience of the individual agents/brokers with respect to the required experience listed above. Include only resumes of agents/brokers likely to be assigned to the account. Education, position in firm, years and types of

experience, and continuing professional education will be considered;

iv. Proposed compensation structure.

Authorized Signature

Date