



**REQUEST FOR PROPOSALS**

**PROPERTY ACQUISITION for NEW FIRE STATION #2**

**MARCH, 2017**

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## 1.0 INTRODUCTION, OVERVIEW AND PURPOSE

This Request for Proposals will be administered by means of a **two envelope system**. Proposals shall be submitted by submitting two distinct, opaque, sealed envelopes. Envelope # 1 shall contain the completed **“Property Description Form”** and be clearly marked on the outside, **“Property Acquisition for New Fire Station – 2 – Property Description”; Controller; 3rd Floor City Hall**. Envelope # 2 shall contain the **“Property Pricing Form”** and be clearly marked on the outside **“Property Acquisition for New Fire Station – 2 – Property Pricing”; Controller; 3rd Floor City Hall**. Each of the above envelopes must include a **“Proponent Information Form”**. Both of the above envelopes shall be contained inside a third envelope and be clearly marked on the outside **“Property Acquisition for New Fire Station – 2”; Controller; 3rd Floor City Hall**". All submissions must be received by the Controller before **2:00:00 pm local time on Wednesday, March 23, 2017**. It is the responsibility of the proponent to deliver the sealed proposal to the 3<sup>rd</sup> floor of City Hall before the time indicated. Late proposals will not be accepted and will be returned to the proponent.

Any addenda will be posted on the City of Charlottetown website at [www.charlottetown.ca/tenders.php](http://www.charlottetown.ca/tenders.php). Proponents are responsible for checking the website for proposal/quote/tender notices, documents, and addenda. The City is not responsible for ensuring proponents have obtained addenda.

No fax, email or electronic documents will be accepted as the sole method of submission although an electronic copy (PDF or Microsoft WORD) of the proposal would be appreciated either included in the envelope noted above or e-mailed following the closing date and time. It is the proponent's responsibility to ensure that the hard copies of their submission are received prior to the deadline noted above. **There will be a public opening of proposals received immediately after closing**. Only the names of those submitting proposals will be announced at the public opening. No details of the properties will be disclosed at that time. The selection and/or purchase of a property, if any, resulting from this Request for Proposal, shall be done, upon approval by City Council, as soon as practical after proposal evaluations have been completed. Results of this Request for Proposal will be posted on the City's awards webpage at [www.charlottetown.ca/awards.php](http://www.charlottetown.ca/awards.php).

This Request for Proposal creates no obligation on the part of the City of Charlottetown to select or purchase a particular property or to reimburse proponents for proposal preparation or submission expenses. The City of Charlottetown reserves the right to accept or reject any and all proposals, in whole or in part, received as a result of this request and to negotiate in any manner necessary to best serve the interests of the City. The decision as to which proposal best satisfies the needs of the City rests solely with the City and any decision is not open to appeal. Submissions will not be evaluated if the proponent's current or past corporate or other interests may, in the City's opinion, give rise to a conflict in connection with this project.

At the election of the City, whether or not a proposal otherwise satisfies the requirements of the Request for Proposal, the City may reject summarily any proposal received from a City or other person which has been anywise involved in litigation, arbitration or alternative dispute resolution with the City within the five (5) year period immediately preceding the date on which the Request for Proposals was issued.

The City's evaluation may consider the proponent's past or current dealings with the City or other institutions.

The City may prohibit a proponent from participating in the procurement process based on past performance or based on inappropriate conduct in a prior procurement process, and such inappropriate conduct shall include but not be limited to the following: (a) the submission of quotations containing misrepresentations or any other inaccurate, misleading or incomplete information; (b) the refusal of the proponent to honour its pricing or other commitments made in its proposal; or (c) any other conduct, situation or circumstance, as solely determined by the City.

Where applicable, the City will pay the successful proponent via Electronic Funds Transfer or direct debit. The successful proponent will be required to provide the necessary information for registration on the City's payment system.

Any questions in respect of this Request for Proposal shall be directed, in writing, by email to Stephen Wedlock, Controller ([swedlock@charlottetown.ca](mailto:swedlock@charlottetown.ca)). Questions must be received no less than three (3) business days before the closing date of this Request for Proposals.

## **OVERVIEW**

The City of Charlottetown is a flourishing community of over 36,094 people located on the south shore of Prince Edward Island. Charlottetown is the capital City of Prince Edward Island, and is called the "Birthplace of Confederation" after the historic 1864 Charlottetown Conference, which led to Confederation. City Hall is located at 199 Queen Street, Charlottetown, PE.

The City provides a full range of municipal services including general government, police protection, fire protection, planning and development, building inspection, environmental health, environmental development, transportation, and recreation and cultural services. The City also operates the Charlottetown Water and Sewer Utility.

A Mayor and ten Councillors govern the City and the administration of the City is under the direction of a Chief Administrative Officer. There are eight departmental managers including a Manager of Human Resources, Manager of Finance, Manager of Water and Sewer Utility, Manager of Parks and Recreation, Manager of Planning and Heritage, Manager of Public Works, a Chief of Police, and Fire Chief.

The City of Charlottetown has an appointed Protective and Emergency Services Committee who liaise and oversee the administration of protective and emergency services. This committee consists of six individuals including a Chairperson, Vice-Chairperson, a City Councillor, 2 staff members (Police Chief and Fire Chief), The Mayor, as well as the CAO. The Mayor and CAO are non-voting members.

## **PURPOSE**

The **purpose of this request for proposal (RFP)** is to obtain proposals for the acquisition of property for the construction of a new fire station for the City of Charlottetown.

The City of Charlottetown is accepting sealed proposals from any individuals or organizations who own property which would be appropriate for the above noted purpose within a specified area of the City. The boundaries of this area and other specifications are detailed in [Section 3.0 – Description and Requirements](#), of this document.

## 2.0 REQUEST FOR PROPOSAL TERMS

The City has formulated the terms and procedures set out in this Request for Proposal to ensure that it receives proposals through an open, competitive process, and the Proponents receive fair and equitable treatment in the solicitation, receipt, and evaluation of their proposals.

The following terms will apply to this Request for Proposal and to any contract resulting therefrom. Submission of a proposal in response to this Request for Proposal indicates acceptance of all the following terms.

## 2.1 DEFINITIONS

Throughout this Request for Proposal, terminology is defined as follows:

- a) **“City”** means The City of Charlottetown.
- b) **“Administrator”** means the person or persons designated within the bylaws of the City as responsible for giving direction to or negotiating with a potential or successful proponent.
- c) **“Agreement”** means the written agreement, consisting of the agreement documents signed between the City and the successful proponent pursuant to this RFP and the successful proposal.
- d) **“Agreement Documents”** means the instructions to proponents, scope of service, addenda, response to the RFP, and the acceptance of proposal together with all subsequently negotiated agreements, written amendments, modifications, and supplements to such documents and all written authorizations signed by the administrator(s) amending, deleting, or adding to the contract.
- e) **“Requirements”** means those services described in the Scope of Service section of this RFP.
- f) **“Contract”** means the written agreement or Purchase Order resulting from this Request for Proposal, in accordance with this Request for Proposal.
- g) **“Must”, “mandatory” or “required”** means a requirement that has to be met, without exception, in order for a proposal to receive consideration.
- h) **“Proponent”** means an individual or a firm that submits, or intends to submit, a Proposal in response to this “Request for Proposal”.
- i) **“Proposal”** means the Proponent’s response to this “Request for Proposal”.
- j) **“Should”, “shall” or “desirable”** means a requirement having a significant degree of importance to the objectives of the Request for Proposal.

## 2.2 NO OBLIGATION TO PROCEED

Though the City fully intends at this time to proceed through the procurement process, the City is under no obligation to proceed to the negotiation, purchase, or any other stage. The receipt by the City of any information (including any submissions, ideas, plans, drawings, models or other materials communicated or exhibited by any intended Proponent, or on its behalf) shall not impose any obligations on the City. There is no guarantee by the City, its officers, employees or agents, that the process initiated by the issuance of this Request for Proposal will continue, or that this Request for Proposal process or any Request for Proposal process will result in a contract with the City.

### **2.3 CANCELLATION**

The RFP may be cancelled in whole or in part without penalty, when, in the opinion of the City:

- i. There has been a substantial change in the requirements after this RFP has been issued;
- ii. Information has been received by the City, after issuance of this RFP, that the City feels substantially alters the specified procurement;
- iii. There was insufficient competition in order to provide the level of service, quality of goods, or pricing required, or;
- iv. The City, in its sole discretion, decides that there is any other sufficient justification to cancel this RFP.

The City of Charlottetown may cancel this RFP, reject all proposals, or seek to acquire the subject of this RFP through a new RFP or by other means.

### **2.4 CITY'S DECISION-MAKING**

The City has the power to make any decision, or to exercise any contractual right or remedy, contemplated in this Request for Proposal at its own absolute and unfettered discretion.

### **2.5 ENQUIRIES**

The City has endeavoured to provide complete, correct information and estimates to enable proponents to properly assess and determine the scope and complexity of the work required to submit a response to this RFP. Proponents are solely responsible for determining if they require more information or if anything appears incorrect or incomplete, and for contacting the person named in this RFP if they have any questions whatsoever prior to the closing date. All enquiries related to this Request for Proposal are to be directed, in writing, by email, to the City Controller, Stephen Wedlock, ([swedlock@charlottetown.ca](mailto:swedlock@charlottetown.ca)). Information obtained from any other source is not official and should not be relied upon. The City will not be responsible for any verbal statement, instruction, or representation. Enquiries and responses will be recorded and may be distributed to all Proponents at the City's option by way of an addendum. Any enquiries regarding this Request for Proposal must be submitted at least three (3) working days prior to the closing date. Any enquiries submitted after this date may remain unanswered.

### **2.6 ERRORS AND OMISSIONS**

Any ambiguities, inconsistencies, uncertainties or other errors related to this document of which any proponent may become aware should be directed, in writing, to the Controller, Stephen Wedlock ([swedlock@charlottetown.ca](mailto:swedlock@charlottetown.ca)). If necessary, response to such items shall be made by way of an addendum, which will be posted, serially, on the tender page of the City's website.

### **2.7 ADDENDA, CORRECTIONS, OR EXTENSIONS**

The City of Charlottetown reserves the right to modify the terms of this Request for Proposal by way of an addendum at any time prior to closing, at its sole discretion.

**2.8 ELIGIBILITY**

Proposals will not be evaluated if the Proponent's current or past corporate or other interests may, in the City's opinion, give rise to a conflict in connection with this RFP.

**2.9 EVALUATION COMMITTEE**

Evaluation of proposals will be by a committee formed by the City.

**2.10 EVALUATION AND SELECTION**

Proposals will be evaluated against the mandatory criteria. Proposals not meeting all mandatory criteria will be rejected without further consideration. Proposals that do meet all the mandatory criteria will then be assessed and scored against the desirable criteria. The City's intent is to enter into a Contract with the Proponent who has the highest overall ranking.

By responding to this Request for Proposal, Proponents will be deemed to have accepted all the terms, conditions, and/or specifications herein and have agreed that the decision of the Evaluation Team will be final and binding.

**2.11 PROPOSAL CLARIFICATION**

The City reserves the right, upon reasonable notice, to interview, examine, and make inquiries of any proponent after the closing date, generally, and also for the purpose of clarifying or verifying any particular portion of the proposal submitted, which may, in the opinion of the City, be unclear or require verification. All Proponents agree at their own expense to attend such interviews, and to fully co-operate with the City on any such inquiry, and to provide, at the Proponent's own expense, any such clarification and/or verification as requested by the City. Inquiries made of one or more proponents for the above purpose will not obligate the City to clarify or seek further information from any or all other proponents.

**2.12 DEBRIEFING**

Unsuccessful Proponents may request a debriefing meeting with the City.

**2.13 SIGNED PROPOSALS**

The proposal must be signed by the person(s) authorized to sign on behalf of the Proponent and will bind the Proponent to statements made in response to this Request for Proposal. All proponents who operate through an incorporated company shall affix their corporate seal to the submission documents in addition to the authorized signature.

**2.14 ALTERNATIVE SOLUTIONS**

All proponents are required to submit a basic proposal which strictly conforms with all of the Requirements in the RFP.

If alternative solutions are offered, which, in the Proponent's opinion may be advantageous to the City, economic or otherwise, please submit the information in the same format as a separate proposal. This alternative should clearly enumerate the advantages as well as any associated cost implications. Please indicate that it is an alternative to the initial submission and not a replacement by writing "Alternative Submission #" on the envelope as well as in the document itself.



**2.15 CHANGES TO PROPOSAL WORDING**

The Proponent will not change the wording of their proposal after closing and no words or comments will be added to the proposal unless requested by the City for purposes of clarification.

**2.16 IRREVOCABILITY OF PROPOSALS**

A Proponent who has already submitted a proposal may submit a further proposal at any time up to the official closing time. The last proposal received shall supersede and invalidate all proposals previously submitted by that proponent for this Request for Proposal. Any proponent may withdraw or qualify his/her proposal at any time up to the official closing time by re-submitting a new proposal to the City. The time and date of receipt will be marked thereon and the new proposal will be placed in the tender box. The new proposal shall be marked on the sealed envelope by the Proponent as "Resubmission #" along with the name of the Request for Proposal and to the attention of the Controller, as noted above in the Request for Proposal. Proposals may be withdrawn at any time prior to opening upon written request from the proponent. Negligence on the part of the proponent in preparing his/her proposal shall not constitute a right to withdraw a proposal subsequent to the tender opening.

Upon closing time, all proposals become irrevocable. By submission of a proposal, the Proponent agrees that should its proposal be successful and the City should decide to proceed, the Proponent will enter into a contract with the City of Charlottetown by either signing a contract document or accepting a Purchase Order issued by the City.

**2.17 ASSIGNMENT**

This Request for Proposal and any resulting contract may not be assigned by either party without the prior written consent and approval of the other party, which consent may not be unreasonably withheld; provided however, either party, without such consent, may assign or sell the same in connection with the transfer or sale of substantially its entire business to which this contract pertains or in the event of its merger or consolidation with another City. Any permitted assignee shall assume all obligations of its assignor under this contract. No assignment shall relieve any party of responsibility for the performance of any accrued obligation that such party then has hereunder.

**2.18 CONFIDENTIALITY**

The successful proponent agrees not to release or, in any way, cause to release any confidential information of the City of Charlottetown unless an appropriate official of the City has specifically approved them to do so in writing.

The Proponents agree to treat all information contained in this Request for Proposal as confidential, to use such information only for purposes of responding to this Request for Proposal, and not to disclose any such information, in whole or in part, to any other party without the express prior written consent of either party or pursuant to legal power, other than: a) to an agent who in the City's reasonable opinion, is seeking information on behalf of the Proponent, b) to a party used by the City to evaluate the Proponents creditworthiness. Each party agrees to allow the other party to store contact information, such as names, phone numbers, and email addresses for its business representatives, in any country where that party does business and to use such information internally and to communicate with the other party for the purposes of their business relationship. Proponents agree to handle any personal information that it may gain

access to through this RFP in accordance with the requirements of privacy laws, and in a manner consistent with the City's published privacy policies, as amended from time to time.

### **2.19 CONFLICT OF INTEREST**

Any potential conflict of interest must be disclosed to the City in writing. Any conflict of interest identified will be considered and evaluated by the City. The City has the sole discretion to take the steps they deem necessary to resolve the conflict. If, during the term of the Contract, a conflict or risk of conflict of interest arises, the successful proponent will notify the City immediately in writing of that conflict or risk and take any steps that the City reasonably requires to resolve the conflict or deal with the risk.

### **2.20 LAWS OF PRINCE EDWARD ISLAND**

This Request for Proposal will be governed by and will be construed and interpreted in accordance with the laws of the Province of Prince Edward Island.

### **2.21 FINAL AGREEMENT**

This solicitation does not necessarily contain all terms and conditions necessary for conducting business with the City of Charlottetown.

### **2.22 GRATUITIES**

The City of Charlottetown may, by written notice to a proponent, cancel any contract if it is found by the City of Charlottetown that gratuities, in the form of entertainment, gifts, or otherwise, were offered or given by the proponent, or the agent or representative of the proponent, to any employee or agent of the project with a view toward securing favorable treatment with respect to the awarding or amending, or making any determinations with respect to performing of such contract.

### **2.23 PERFORMANCE**

The City has the right to cancel any agreements resulting from this Request for Proposal based on performance, with the City as the sole judge of that performance.

### **2.24 VALIDITY OF PROPOSALS**

All Proposals must remain valid and open for acceptance by the City for a period of one hundred, twenty (120) days after the closing date. This period may be extended if requested by the City and agreed to by the Proponent in writing.

### 3.0 DESCRIPTION and REQUIREMENTS

#### 3.1 GENERAL DESCRIPTION

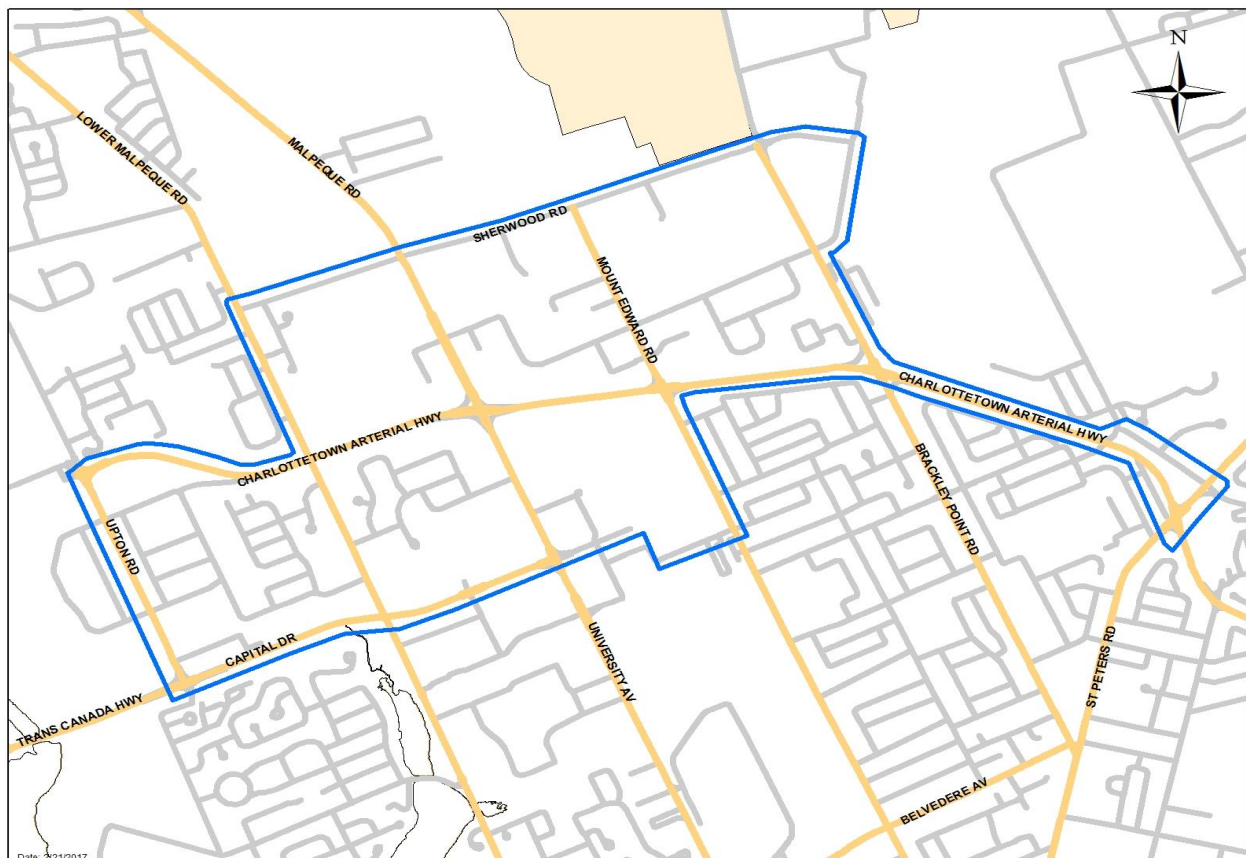
The City of Charlottetown is interested in receiving proposals for the acquisition of suitable properties for the construction of a new fire station to replace Fire Station # 2 now located at 152 St. Peters Road. This project is being undertaken with the view to providing better fire services to the residents of the north end of the City by having the new fire station in a more centralized location with respect to the service area.

This request for proposals is open to any individual or organization who currently owns suitable property within the prescribed area described below.

#### 3.2 REQUIREMENTS

Currently, the only stipulations with respect to the potential new fire station site are that it be located within the boundaries as detailed on the map below and that the property or adjacent properties which may have the potential of being combined, are a minimum of five (5) acres in size. This size requirement is, at this time, only an estimate. The City would like to ensure that the potential properties have the capacity to support all contemplated uses including a building site, parking area, training area etc. Other factors will be considered regarding the suitability of the property during the evaluation phase of this Request for Proposal.

#### Boundaries for New Fire Station Site



The proposed property(ies) may be located on either side of the outlying boundary streets or anywhere therein. This would include any properties located along the Charlottetown Arterial Highway which runs through the centre of the outlined area.

The acceptance of any particular property will be conditional on the basis that it meet any municipal and/or provincial requirements or regulations for a property to be used for the stated purpose.

### **3.3 ANTICIPATED TIMELINE**

The following outlines the anticipated schedule for the Request for Proposal and contract process. The timing and sequence of events resulting from this Request for Proposal may vary and shall ultimately be determined by the City of Charlottetown.

#### **Event Anticipated Dates**

Request for Proposal issued	Thursday, March 9, 2017
Last Date for Submission of Questions	Monday, March 20, 2017
Request for Proposal closes	Thursday, March 23, 2017
Review of Proposals	March 23 – April 6, 2017
Contract Award	Upon approval by City Council on Monday April 10, 2017 or as soon as practical after proposal evaluations.

#### **4.0 EVALUATION CRITERIA**

The following criteria outlines the primary considerations to be used in the evaluation of all properties being considered as a result of this Request for Proposal. (not in any particular order). The listed criteria may not encompass all factors that may be considered during the evaluation phase of this RFP. The City reserves the right to prioritize and weigh the importance of each criterion confidentially.

- Grade of property and drainage
- Soil composition (suitability for proposed use)
- Site lines
- Environmental assessment including previous land use
- Traffic levels and flow
- Proximity to utilities (electrical, sewer, water, storm drainage)
- Zoning issues
- Site ingress and egress (right-of-way)
- Location in relation to hazardous occupancy
- Suitability for emergency vehicle response (proximity to school bus pick-up/drop-off, crosswalks, etc.)
- Potential site development costs (infill, services, assessments, etc.)

The evaluation of potential properties will be undertaken by an evaluation committee appointed by the City and may include consultation with appropriate professionals to determine the suitability of the property for its intended use.

Proponents are reminded that the City is under no obligation to proceed with either negotiations nor purchase of property under the terms of this Request for Proposal. It is the City's intention to proceed with the acquisition of a property(ies) in a timely manner should a suitable location be selected as a result of this RFP.

**APPENDIX A**  
**PROPOSAL SUBMISSION FORMS**

**PROPONENT INFORMATION FORM: (Page 1)**

**(To be included in both envelopes # 1 and #2)**

Proponent (Firm) Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Province: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Website: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Title: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

\_\_\_\_\_  
NAME (Please print)

\_\_\_\_\_  
TITLE (Please print)

\_\_\_\_\_  
AUTHORIZED SIGNATURE

\_\_\_\_\_  
DATE

**Affix Corporate Seal**  
(If applicable)

**PROPERTY DESCRIPTION FORM: (Page 1)**

(To be included in envelope # 1)

**Property Civic Address:** \_\_\_\_\_  
\_\_\_\_\_

**Parcel Identification Number (PID):** \_\_\_\_\_  
(Per property tax assessment)

**Registered Owner:** \_\_\_\_\_  
(Per property tax assessment)

**Legal Description of boundaries:** \_\_\_\_\_  
(Per registered land deed)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Size of Property:** \_\_\_\_\_  
(Please indicate at least one)      Acres      Hectares

**Current use of property:** \_\_\_\_\_  
\_\_\_\_\_

**Description of structure(s) currently on property:** \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
**NAME (Please print)**

\_\_\_\_\_  
**TITLE (Please print)**

\_\_\_\_\_  
**AUTHORIZED SIGNATURE**

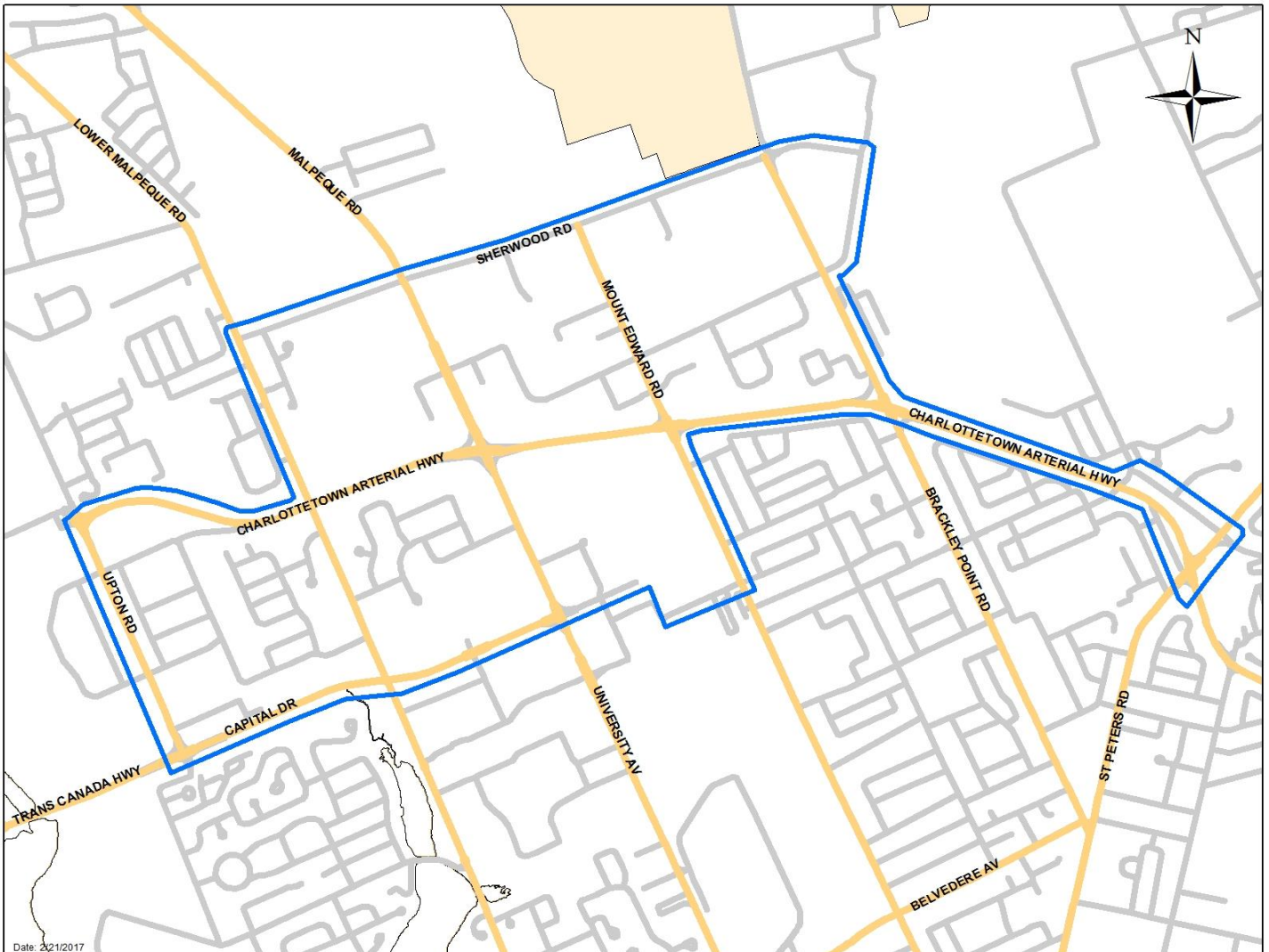
\_\_\_\_\_  
**DATE**



**PROPERTY DESCRIPTION FORM: (Page 2)**

(To be included in envelope # 1)

Please indicate the approximate location of the property by marking an X on the map below.



**PROPERTY PRICING FORM: (Page 1)**

(To be included in envelope # 2)

**Property Civic Address:** \_\_\_\_\_  
\_\_\_\_\_

**Parcel Identification Number (PID):** \_\_\_\_\_  
(Per property tax assessment)

**Market Value Assessment:** \$ \_\_\_\_\_  
(Per property tax assessment)

**Tax Value Assessment:** \$ \_\_\_\_\_  
(Per property tax assessment)

**Proposed Selling Price:** \$ \_\_\_\_\_  
(Numerical)

**Proposed Selling Price:** \_\_\_\_\_  
(Written)

**Is the Selling Price negotiable:** \_\_\_\_\_ YES \_\_\_\_\_ NO

\_\_\_\_\_  
**NAME (Please print)**

\_\_\_\_\_  
**TITLE (Please print)**

\_\_\_\_\_  
**AUTHORIZED SIGNATURE**

\_\_\_\_\_  
**DATE**