

MUNICIPALITY OF ANCHORAGE
Real Estate Department

BIDDING INSTRUCTIONS FOR SALE

FOR: Lot 5, Tract 3, Maui Industrial Park Subdivision (Plat 77-133)

The Municipality of Anchorage’s (MOA) Real Estate Department (RED) is conducting a sealed bid sale of municipally owned property in the Heritage Land Bank inventory, and will be accepting bids until 2pm, Friday, October 18, 2024. The parcel offered for sale is located in Anchorage on Olive Lane near C Street and O’Malley Road. Bid packets are available online by going to: <http://www.muni.org/Departments/hlb/Pages/HotTopics.aspx>, or can be picked up at the RED offices located on the second floor of the Permit and Development Center, 4700 Elmore Road, Anchorage, Alaska.

All Bids are due no later than 2pm Friday, October 18, 2024

I. Bid Procedures

1. Sealed Bid Sale.

Lot 5, Tract 3, Maui Industrial Park Subdivision is being sold via a sealed bid process. Minimum bid is \$575,000.

Sealed bids will be accepted at the above-noted address from 9am to 4pm Monday through Friday until the bidding period closes at 2pm on October 18, 2024. RED will not be able to accept any bids as of 2:01pm.

2. Submittals.

All bidders must provide the following in a sealed envelope:

- a) A Cashier’s check or other form of certified funds totaling at least 10% of the participant’s bid, which will be credited to the successful bidder’s purchase price; NO personal checks accepted; and
- b) The Bid Form (Form A); and
- c) The Bidder Qualification Statement (Form B) included in this bid packet.

See “Bidder Qualifications” and “Additional Qualifications” below for details and other conditional requirements.

3. Bidder Qualifications.

Only qualified bidders are eligible to participate. All bidders are required to complete the Bid Form (Form A) and the Bidder Qualification Statement (Form B) included in this bid packet. These forms must be submitted with a 10% deposit in a sealed envelope. If a bidder represents a company, a copy of the company business license must be provided with the Bid Form along with the Non-Collusion Affidavit (Form C). If a bidder represents another individual or entity, including a partnership,

corporation, association, trust or estate, proof of authority to sign on behalf of the principal(s) must be provided with the Bid Form.

4. Additional Qualifications.

Any bidder who is a municipal employee or member of the employee's household, a member of the public appointed to serve on a public body of the Municipality or a member of such person's household or an elected official or household member must file a Notice of Intent to Respond to Public Solicitation (Form D) with the Municipal Clerk's Office. Per AMC 1.15.100B.1 this form must be filed with the Municipal Clerk for electronic publication no less than seven (7) days in advance of the deadline for bid submission. A copy of this form is included in this bid packet.

5. Disqualifications.

Any of the following shall automatically disqualify a bid if the:

- a) Bid is submitted for less than the Minimum Bid Price.
- b) Bid is received without the correct deposit amount or in unacceptable method of funds.
- c) Bid form and other required forms, as applicable, are not completed in full, submitted, and manually signed.
- d) Bid is received after 2:00pm on the October 18, 2024.

6. Bid Opening.

Immediately following the bid closure date and time, all bids will be opened in the Real Estate Department Conference Room 275 on the 2nd floor of the Permit and Development Center, located at 4700 Elmore Road, and a winning qualified bidder may be determined as the Purchaser.

The highest qualifying bidder shall tentatively be named successful bidder and will be notified by phone and in writing by RED. The bidder so notified MUST, within five (5) business days of receipt of written notification, properly complete, sign, and return the Purchase Sale Agreement (sample attached), and include an additional five percent (5%) of the bid amount as down payment.

At closing, the successful bidder(s) will pay the balance of the purchase bid price and all costs associated with the sale.

7. Other.

RED is not obligated to sell its interest in the parcel identified in this bid brochure, nor pay any costs incurred by parties participating in the submission or preparation of bids. RED reserves the right to:

- a) Reject any and all bids; and
- b) Reject any and all parties whom it has determined do not meet the qualification Requirements; and
- c) Accept a bid without further discussions; and
- d) Waive any informality in the bids received; and
- e) Tentatively accept a bid in the best interest of the MOA; and

- f) Withdraw the parcels from this bid offering at any time for any reason.

II. Terms and Conditions of the Sale

1. Deposits, equivalent to cash, must be in the form of either:
 - a) U.S. Postal Money Order(s); or
 - b) Cashier's check(s) made payable to: Municipality of Anchorage.
2. Bids and deposits may be held by the RED up to fifteen (15) business days following bid closing. In the event the successful bidder fails to complete the following, ONE THOUSAND DOLLARS (\$1,000) of the money deposited toward the purchase price may be retained by the Municipality of Anchorage:
 - a) Properly complete and sign the Purchase Sale Agreement document or
 - b) Meet any and all terms and conditions contained in the Purchase Sale Agreement or the invitation.
3. The successful bidder as Purchaser shall be responsible for paying all closing costs which will include, but are not limited to: title insurance (if Purchaser so chooses to acquire), recording fees, deed preparation, commissions or other fees associated with closing.
4. The Seller's interest in the subject property shall be conveyed by Quitclaim deed, subject to the following:
 - a) Rights of way granted to the Municipality of Anchorage to replace any existing municipal intergovernmental right of way permits;
 - b) Assessments, reservations, exceptions, easements, rights of way, covenants, conditions and restrictions of record or created by operation of law;
 - c) Governmental regulations including but not limited to, setbacks, use classifications or zoning, special permit requirements;
 - d) Any matters including, but not limited to, existing trails or encroachments, which would be disclosed to the buyer by actual inspection or survey of the property; and
 - e) Restrictions on redevelopment.
5. The RED makes no warranties, either expressed or implied, nor assumes any liability whatsoever regarding the social, economic, or environmental aspects of any parcel, to include without limitation: the soil conditions, water drainage, physical access, condition of improvements, natural or artificial hazards which may or may not exist, or merchantability, suitability or profitability of the parcel or improvements for any use or purpose.
6. **This property will be sold "AS IS, WHERE IS."** It is the responsibility of the bidder(s) to investigate and determine existing or pending regulations, restrictions and potential defects, including those created by prior use, which would affect the use of the parcel. The feasibility and costs to remedy defects, such as obtaining

permits, variances, engineered septic systems, and replatting, should be determined prior to bidding. All such costs will be borne by the bidder. No adjustments to a bid price or reimbursement to a bidder will be made by the RED. The bidder is responsible for investigating any pending assessments or tax liability.

7. Utility easements shown on the maps may not be constructed. The construction and maintenance of roads, drainage systems, and the use of other common areas shall be the responsibility of the purchaser to determine. Purchasers shall be required, if applicable, to comply with, among others, the State of Alaska, Department of Environmental Conservation regulations regarding water and sewer installation, repair or replacement and, if applicable, the regulations of the U.S. Army Corps of Engineers regarding filling, altering or draining any area within the parcel which may be designated as wetlands by the appropriate authority.
8. **All interested bidders are strongly urged to physically inspect this property before submitting a bid. RED assumes no liability for matters which would have been disclosed by an inspection of the property.**
9. The following documents shall be used to complete the sale transaction: Purchase and Sale Agreement and Quitclaim Deed. Sample copies are available for review upon request.
10. The RED hereby discloses the following that may have an effect on the parcel's interest to be sold.
 - a) Buyer is responsible for research and determination of zoning conformity.
 - b) There may be easements that encumber the property.
11. Purchaser may obtain title insurance or a current appraisal at own expense.
12. The RED reserves the right to withdraw the offered parcel at any time, for any reason and to reject any or all bids for any reason.
13. The RED will not pay a real estate commission.
14. **The purchase of the parcel is subject to the approval by the Heritage Land Bank Advisory Commission and the Anchorage Assembly.**

FORM A - TO BE COMPLETED BY ALL BIDDERS

BID FORM: SALE OF REAL MUNICIPAL PROPERTY
VIA SEALED COMPETITIVE BID SALE

INSTRUCTIONS: Please print legibly. Read all the information contained in the bid brochure prior to completing this or other forms. This form must be filled out in its entirety.

NAME(S): PHONE:

PHONE:

MAILING ADDRESS:

E-MAIL ADDRESS (optional):

The amount of my bid to purchase municipal property legally defined as Lot 5, Tract 3, Maui Industrial Park Subdivision, is (write out the amount in words and numbers):

BID AMOUNT (\$)

BID AMOUNT

I have enclosed a U.S. Postal Money Order, or cashier's check, payable to the Municipality of Anchorage in an amount equal to ten percent (10%) of my Bid Amount. I hereby agree that the Bid Amount represents the purchase price I shall pay for the parcels.

If I am the high bidder and my bid is tentatively accepted, I hereby agree to execute the Purchase Sale Agreement and any other documents and closing costs required as disclosed in the bid brochure. If my bid in the sealed bid sale is tentatively accepted and, for whatever reason, I decide not to enter into the Purchase Sale Agreement, I agree that ONE THOUSAND DOLLARS (\$1,000) of the deposit may be retained by the Municipality of Anchorage.

Signature Date

Signature Date

Check list:

- Bid Form (A) Bidder Qualification Statement (B) Labeled Envelope
10% Deposit Non-Collusion Statement (C)* Notice of Intent to Respond (D)**
Business License* Proof of Authority*

* See Bidder Qualifications section to determine if this is required.

** See Bidder Qualifications section to determine if this is required.

FORM B - TO BE COMPLETED BY ALL BIDDERS

APPLICANT/BIDDER QUALIFICATION STATEMENT

I, _____,
(printed name)

I, _____,
(printed name)

of _____,
(address)

(city, state)

do hereby swear and affirm

I am eighteen years of age or older; and

I am a citizen of the United States or a permanent resident who has filed a declaration of intention to become a citizen or a representative of a group, association or corporation which is authorized to conduct business under the laws of Alaska; and

I am not delinquent on any deposit or payment of any obligation to the Municipality of Anchorage (MOA); and

I am not currently in breach or default on any contract or lease involving land in which the MOA has an interest; and

I have not failed to perform under a contract or lease involving MOA land in the previous five years and the MOA has not acted to terminate the contract or lease or to initiate legal action.

Signature Date

Signature Date

FOR MOA USE ONLY

QUALIFIED _____
(signature) (date)

UNQUALIFIED ___ *

* THE PERSON(S) LISTED ABOVE IS NOT QUALIFIED TO BID OR APPLY FOR MOA/RED OWNED LAND OR INTEREST IN LANDS BECAUSE _____

FORM C

DO YOU NEED TO SUBMIT THIS FORM?
See Bidder Qualifications for requirements.

NON-COLLUSION AFFIDAVIT

THIRD JUDICIAL DISTRICT)
) ss.
STATE OF ALASKA)

I, _____, (name)
of _____, (firm name)
being duly sworn, do depose and state:

That I, or the firm, association, or corporation of which I am a member, a bidder, on the contract to be awarded by the Municipality of Anchorage for the sale of municipal real property located at **Lot 5, Tract 3, Maui Industrial Park Subdivision** in Anchorage, Alaska, have not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with such contract.

(Signature)

Subscribed and sworn before me on this _____ day of _____, 2024.

Notary Public in and for Alaska
My Commission expires: _____

FORM D

Notice of Intent to Respond to Public Solicitation by a Public Servant Form

DO YOU NEED TO SUBMIT THIS FORM?

Any bidder who is a municipal employee or member of the employee's household, a member of the public appointed to serve on a public body of the Municipality or a member of such person's household or an elected official or household member must file a Notice of Intent to Respond to Public Solicitation (Form D) with the Municipal Clerk's Office. Per AMC 1.15.100B.1 this form must be filed with the Municipal Clerk for electronic publication no less than seven (7) days in advance of the deadline for bid submission. A copy of this form is included in this bid packet.



NOTICE OF INTENT TO RESPOND TO PUBLIC SOLICITATION BY A PUBLIC SERVANT

Public servant includes all municipal employees, board members, and elected officials. AMC 1.15.030D.

Prior to application, bid, and response submittal, this form must be filed with the Municipal Clerk for electronic publication no less than seven days in advance of the deadline for submitting a response. AMC 1.15.100B.1.

1. Name: _____ Phone: _____

Email: _____

2. **I hereby provide notice that I or a member of my immediate family or household intend to respond to the following public solicitation:**

Solicitation No. _____ Issued by: _____ Submission Deadline: _____

Project Description: _____

Solicitation is to provide: _____

Respondent proposes to: _____

3. **I am a(n) ...** **Employee** Municipal Department: _____
MOA Corporate Authority: _____
ASD Department/School: _____

Board Member Board/Commission/Authority/LRSA: _____

Elected Official Elected Office: _____

4. **Please check one of the following:**

Neither I, nor any member of my immediate family or household have any personal or financial interest in a Municipal contract or in an entity engaging in business with the Municipality that would directly effect the request for services, nor the award, execution, or administration of the solicitation.

I, or a member of my immediate family or household have a personal or financial interest in a Municipal contract or in an entity engaging in business with the Municipality. ***Please provide the information requested on the back of this form and a description of the economic interest. (Attach separate sheets as necessary.)***

5. **All filers must affirm the following statement:** I am filing this notice timely for publication and I shall submit a copy to the Purchasing Department with my response to the solicitation. **I affirm that the statements made by me on this form are true, correct, and complete to the best of my knowledge.**

Signature

Date

FOR MUNICIPAL CLERK'S OFFICE USE ONLY

Note: The Municipal Clerk's Office will publish this notice on the Municipality of Anchorage Website (www.muni.org).

Date Received: _____ Date Electronically Published: _____

Fee - \$15.00 Paid by: Cash Check _____ Credit Card _____ Receipt No. _____

TO THE PURCHASING OFFICER:

Return completed form to the Municipal Clerk's Office upon award of this public solicitation.

The integrity of the public solicitation process is not adversely affected by this award.

Purchasing Officer

Date

I am disclosing the following economic interest in a Municipal contract or in an entity engaging in business with the Municipality held by myself or a member of my immediate family or household:

Identify the Municipal Contract: *(Attach separate sheets as necessary.)*

Contract Name: _____ Date Acquired: _____

Name of the person with the economic interest: _____

Amount of interest held: _____ self or family-household member

Could the performance of your official duties in any way affect the contract? _____

(If yes, the public servant may request additional review by the Board of Ethics. AMC 1.15.100B.2.)

If yes, describe the potential for conflict:

If yes, describe the preventive measures that shall be taken to manage any potential for conflict:

and/or ...

Identify the Entity engaging in business with the Municipality: *(Attach separate sheets as necessary.)*

Entity Name: _____ Date Acquired: _____

Name of the person with the economic interest: _____

Title of position held: _____ self or family-household member

Describe the responsibilities of the position held:

Could the performance of your official duties in any way affect the entity's business with the Municipality? _____

(If yes, the public servant may request additional review by the Board of Ethics. AMC 1.15.100B.2.)

If yes, describe the potential for conflict:

If yes, describe the preventive measures that shall be taken to manage any potential for conflict:

This page of this form must be signed by both the public servant's supervisor and an ethics officer before filing is complete.
I have reviewed this disclosure and either no potential for conflict exists or it has been managed by taking the preventive steps described.

Supervisor's Signature Date

Ethics Officer's Signature Date

For Municipal Clerk's Office Use

Date Received: _____

Date Reviewed by Board of Ethics: _____