

CITY AND BOROUGH OF SITKA
Gary Paxton Industrial Park
BIDDING INSTRUCTIONS

FOR THE SALE OF: 4600 Sawmill Creek Rd., otherwise known as the Administration Building, located at the Gary Paxton Industrial Park, legally described as follows:

Lot 23, Block 4, Sawmill Cove Park Resubdivision No. 1, according to the plat thereof filed November 20, 2008, as Plat No. 2008-27, Sitka Recording District, First Judicial District, State of Alaska

The City and Borough of Sitka (CBS) is conducting a sealed bid sale of municipally owned property and accepting bids until 2 p.m., Thursday, October 11, 2018. The parcel offered for sale is the former Administration Building (Lot 23) of the Gary Paxton Industrial Park, located at 4600 Sawmill Creek Rd, in Sitka, Alaska. Bid documents may be downloaded from the web: www.cityofsitka.com (click on the BIDS and RFP link).

All Bids are due no later than 2 p.m. Thursday, October 11, 2018

I. Bid Procedures

1. Sealed Bid Sale.

The CBS parcel located at 4600 Sawmill Creek Rd is being sold via a sealed bid process. There is no Minimum bid.

Sealed bids will be accepted at the above-noted address until 2 p.m. on October 11, 2018. The CBS will **NOT** be able to accept any bids as of 2:01 P.M.

2. Submittals.

All bidders must provide in a sealed envelope:

- a) Proposed purchase price offer;**
- b) The Bid Form (Form A);**
- c) Bidders must provide written acknowledgement that they have read and understand the November 18, 2016 Gary Paxton Industrial Park Debris Flow Analysis completed by Shannon & Wilson, Inc.: and**
- d) Bidders must provide written acknowledgement that they have read and understand Sitka General Code 20.01.010 – Landslide Area Management.**

3. Disqualifications.

Any of the following shall automatically disqualify a bid:

- a) Bid is received after 2:00 P.M. on the October 11, 2018 (a bid received at or after 2:01 P.M. on October 11th is TOO LATE).**
- b) Bid form and other required forms, as applicable, are not completed in full, submitted, and manually signed.**

4. Bid Opening.

Immediately following the bid closure date and time, all bids will be opened in the Municipal Clerk's office on the 3rd floor of city hall, located at 100 Lincoln St, 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 the CBS. The bidder so notified **MUST**, within fifteen (15) business days of receipt of written notification, properly complete, sign, and return the Purchase Agreement (see attached sample).

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

5. Additional Qualifications.

Any bidder who is an employee, elected official, appointed officer, paid or unpaid member of boards, commissions, or committees of the CBS or an immediate family member of such an individual is also required to complete the financial disclosure and conflict of interest report (Form C) included in the bid brochure. CBS reserves the right to refuse any bid, which has the potential for conflict of interest or collusion of parties determined to have participated in the selection, classification, valuation or bidding process of the parcels included in this disposal.

6. Other.

The CBS 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. The CBS reserves the right to: **a)** reject any and all bids; **b)** reject any and all parties whom it has determined do not meet the qualification requirements; **c)** accept a bid without further discussions; **d)** waive any informality in the bids received; **e)** tentatively accept a bid in the best interest of the CBS; and **f)** withdraw the parcel from this bid offering at any time for any reason.

II. Terms and Conditions of the Sale

1. The successful bidder as Purchaser shall be responsible for paying all closing costs which will include, but are not limited to: appraisal cost, title insurance (if Purchaser so chooses to acquire), recording fees, deed preparation, commissions or other fees associated with closing.
2. 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 City and Borough of Sitka to replace any existing municipal intergovernmental right of way permits, including the Gary Paxton Industrial Park Sign; **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.
3. The CBS 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.

4. **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 landslide risks and 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 CBS. The bidder is responsible for investigating any pending assessments or tax liability.

The Real Property contains a “Restricted Landslide Area,” which means:

- (1) Any portion of any lot which has been identified as a moderate or high risk zone in any city geotechnical risk mapping commissioned and received by the City.
 - (2) For areas not mapped, properties damaged by previous landslides or within one hundred fifty feet of locations damaged by previous landslides. SGC 20.01.020.
5. 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.
 6. **All interested bidders are strongly urged to physically inspect this property before submitting a bid. The CBS assumes no liability for matters which would have been disclosed by an inspection of the property.**
 7. 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.
 8. The CBS 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.
 - i. Including but not limited to Table 22.16.015-1, located in Sitka General Code Title 22 Zoning, Chapter 22.16 District Regulations.
 - b) There may be easements that encumber the property.
 - c) Geotechnical report prepared by Shannon & Wilson Inc. Geotechnical and Environmental Consultants, dated February 2, 2016, entitled “South Kramer Avenue Landslide: Jacobs Circle to Emmons Street, Sitka, Alaska.
 9. Purchaser may obtain title insurance or a more current appraisal at own expense.
 10. The CBS reserves the right to withdraw the offered parcel at any time, for any reason and to reject any or all bids for any reason.
 11. The CBS will not pay a real estate commission.

FORM A
TO BE COMPLETED BY ALL BIDDERS
CITY AND BOROUGH OF SITKA

BID FORM: SALE OF REAL PROPERTY VIA SEALED BID

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: _____

_____ FAX: _____

MAILING ADDRESS: _____

E-MAIL ADDRESS (optional): _____

The amount of my bid to purchase municipal property located at 4600 Sawmill Creek Rd is (write out the amount in words and numbers):

_____ (\$ _____)

BID AMOUNT

If I am high bidder and my bid is tentatively accepted, I hereby agree to execute the Purchase Agreement and any other documents and closing costs required as disclosed in the bid brochure.

Signature _____ Date _____

Signature _____ Date _____

Check off before mailing: Bid Form (A); Bidder Qualification Statement (B); Financial Disclosure Form (C); * Non-Collusion Affidavit (D); 10% Deposit; Envelope Labeled; ** Business License; ** Proof of Authority

* See Page 2 Bidder Qualifications section to determine if Form C or D are required.

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

FORM A

FORM B

CITY AND BOROUGH OF SITKA

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 City and Borough of Sitka (CBS); and

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

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

(signature)

(date)

(signature)

(date)

FOR CBS 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 B

FORM C

CITY AND BOROUGH OF SITKA

CONFLICT OF INTEREST STATEMENT

Pursuant to Sitka General Code 1.04.080

_____:

- (1) Have read and understand the provisions of SGC 1.04.080
- (2) Disclose the following actual or potential conflict of interest.

(If there is no conflict of interest, please print or type “NONE” below this line.)

Signature

Date

FORM C