JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF MANAGEMENT & BUDGET
LANSING

LISA WEBB SHARPE
DIRECTOR

ITB No. 2008-8

INVITATION TO BID

Sale of 17.10 acres in Prairieville Township, Barry County, Michigan

I. Introduction and Overview

Pursuant to Public Act 370 of 2004, the Michigan Department of Management and Budget (DMB), acting through its Real Estate Division (the "Office"), has been authorized to sell certain real property owned by the State of Michigan (the "State") located on Pine Lake Road in Prairieville Township, Barry County, Michigan (the "Property"), and legally described in the attached Offer to Purchase Real Property (the "Offer") for not less than fair market value. Fair market value for the Property, as determined by an independent appraiser, is $75,000.

> The Property can be generally described as an irregular parcel having approximately 140 feet of frontage on the south side of Pine Lake Road in Prairieville Township. The site is unimproved vacant land zoned R-2, 1 and 2 Family Medium Density Residential. Total land size is 17.10 acres.

The State will be accepting sealed Bid Proposals for the Property until 10:00 a.m., Monday, September 8, 2008 (the "Due Date"). Bids will be opened on the Due Date at 11:00 a.m. It is the intention of the State to notify, no later than Friday, September 19, 2008 the successful Bidder who is the most responsive and responsible and offers the highest price or highest value to the State. Notification will be via phone, followed in writing.

The State reserves the right to waive any irregularity or defect in any submission; request clarification or additional information regarding Bid Proposals; to conduct a Best and Final Offer (BAFO); to cancel this Invitation To Bid (ITB) and to reject any

and all Bids at its sole discretion. The State shall assume no liability whatsoever for any expense incurred by a Bidder in replying to this ITB.

A. The following documents are available on-line at DMB's Real Estate Division website www.michigan.gov/dmb-realestate (then click on the following link "Surplus Real Property For Sale through DMB"):

1. Invitation to Bid (ITB)
2. Purchaser's Acknowledgement
3. Offer to Purchase Real Property
4. Release of Liability Form
5. Public Act 370 of 2004
6. Appraisal – Summary of Salient Facts
7. Property Survey & Legal Description
8. Title Commitment
9. Opinion & Judgment, Hon. James H. Fisher (File No. 92-601-AW & 1666)

B. Key ITB Dates

1. Wednesday, August 13, 2008 – ITB Release Date
2. Tuesday, August 19, 2008 – Non-mandatory Onsite Property Inspection
3. Monday, August 25, 2008 – End of Question Period
4. Friday, August 29, 2008 - Final Questions and Answers Posted on Website
5. Monday, September 8, 2008 – Bids Due and Opened
6. Friday, September 19, 2008 – Bid Awarded and Accepted

II. Instructions to Bidders

A. Proposal Submission Procedures

1. Sealed Bid Proposals must be delivered to the person and address listed in Section III (E), on or before the Due Date (September 8, 2008 – 10:00 a.m.). Bid Proposals received after 10:00 a.m. on the Due Date will not be accepted or will be marked late, unopened, and returned to sender.

2. Bid Proposals must be received in one envelope or box marked "PROPOSAL – PRAIRIEVILLE." The envelope or box must also contain the Bidder's name and return address.

3. Bid Proposals may only be delivered via U.S. Mail, courier service, or hand delivery. Electronic or facsimile Bid Proposals will not be accepted.

4. All information shall be entered in ink or typewritten. Mistakes may be crossed out and all corrections inserted before submission of a Bid Proposal. The person signing the Bid Proposal shall initial and date corrections in ink.

5. Bid documents, including the Offer to Purchase Real Property, shall be signed by an authorized signatory that is the person(s) authorized to contractually bind the

Bidder. Bid Documents signed by persons on behalf of entities or on behalf of another person, must be accompanied by documents evidencing authority as outlined in Section II.A.6, below. Potential Bidders are encouraged to consult with legal counsel to ensure that their proposal constitutes a legally binding offer. Failure to submit a legally binding offer is grounds for rejection of a Bid Proposal. Bid Proposals must contain original signatures.

6. Bid documents, including the Offer to Purchase Real Property, signed by persons on behalf of entities, other than for a natural person, must be accompanied by documents evidencing authority as follows:

   a. Submissions by corporations or limited liability companies shall be signed by a person with authority to bind the corporation or limited liability company and shall be accompanied by a current certificate of good standing and certified copies of resolutions authorizing such submission, including the Offer to Purchase Real Property.

   b. Submissions by municipalities or municipal entities shall be signed by two officers with authority to bind the municipality or the municipal entity and shall be accompanied by certified resolution authorizing the submission, including the Offer to Purchase Real Property.

   c. Submissions by partnerships shall be signed by the authorized partner and shall be accompanied by a certified copy of the partnership certificate on file with the appropriate county clerk and a copy of the partnership agreement and any amendments in effect as of the date of submission.

   d. Submissions by persons doing business under an assumed name shall be accompanied by a certified copy of an assumed name certificate on file with the appropriate county clerk.

   e. Submissions by one natural person on behalf of another natural person shall be accompanied by a power of attorney which would be fully effective on the date of signature and irrevocable thereafter and which would authorize such action with regard to this specific transaction.

III. Bid Package Format

A. Bid Packages must be submitted in individual three-ring binders. Bidders shall submit one clearly marked original and two photocopies of their Bid Package, containing the following information, tabbed in the order below:

   1. Copy of this Invitation to Bid (ITB).

   2. Signed Purchaser's Acknowledgement, as provided in this ITB.

   3. Signed and initialed Offer to Purchase Real Property with Purchase Price completed and property legal description attached, as included in this ITB.

Indicate if any revisions, deletions, and/or changes have been made to the Offer, and if so, attach an Addendum.

4. Earnest Money in the form of a cashier's or certified check in the amount of Seven Thousand Five Hundred Dollars ($7,500) made payable to the State of Michigan shall be submitted with this Bid Proposal, as security for the Offer to Purchase Real Property. The Earnest Money will be deposited by the State in a State account and will be applied at closing as a credit against the Purchase Price of the successful Bidder. No escrowing of the Earnest Money deposit will be accepted. Treatment of Earnest Money is more specifically defined in the attached Offer to Purchase Real Property. Earnest Money submitted by unsuccessful Bidders will be returned by certified mail, return receipt requested, and will be placed in the mail no later than three business days after the award of the Bid.

5. Signed Release of Liability Form, as provided in this ITB.

6. Evidence of Bidder's financial capability to complete the purchase, including the source of funds that will be used to purchase the Property.

7. Indicate how your proposal represents the highest price or highest value to the State in terms of direct and indirect financial, economic and community benefits.

The State reserves the right to request additional information pertaining to the Bid Package, or any other matters related to the Invitation to Bid.

The winning Bid made to the State shall be irrevocable, except as set forth in Section 6 of the Offer with respect to Cancellation.

B. Public Act 370 of 2004

1. The sale of this Property shall be consistent with the terms and conditions mandated in Section 1 of PA 370 of 2004 (attached).

2. The Property was offered to the local units of government on May 18, 2007. No responses indicating interest in purchasing the property were received.

C. Property Inspection

A non-mandatory property site inspection is scheduled for Tuesday, August 19, 2008. Bidders are encouraged to attend. Contact Carol Schulz at (517) 373-6847 for an appointment.

D. Questions Regarding Invitation to Bid

Questions regarding the ITB must be made in writing and submitted electronically to the DMB Real Estate Division e-mail address dmbred-landsales@michigan.gov by the close of business on Monday, August 25, 2008 to ensure that questions and answers are posted before the close of bidding.

1. All questions and answers from all Bidders will be made available on the DMB Real Estate Division web site www.michigan.gov/dmb-realestate, under the following link "Surplus Real Property For Sale through DMB".

2. The State will not respond to telephone inquiries or visitation by Bidders or their representatives with respect to this ITB.

E. Official Contact Information:

Name:	Terri L. Fitzpatrick
Title:	Director, Real Estate Division, Department of Management & Budget
Address:	530 W. Allegan, Lansing, MI 48933

IV. Method of Award and Selection Criteria

Complete responses to this ITB will be evaluated by DMB, which may convene a Joint Evaluation Committee (JEC), based on the extent to which each proposal responds to the information requested in Section III. Selection criteria will include, but is not limited to, the following:

A. Specific details in the response, particularly in terms of dates, numbers and dollars. Vague and/or general responses are not acceptable.

B. The most responsive and responsible Bidder that will allow the State to realize the highest price or highest value. –

C. Evidence of Bidder's financial capability to complete the purchase.

D. Compliance with statutory, constitutional, and terms set forth in this ITB, including the Offer to Purchase.

The bid shall in all respects be governed by, and construed in accordance with, the laws of the State of Michigan.

V. Best and Final Offer (BAFO)

If the selection process does not lead to a viable award recommendation, or if deficiencies are identified, DMB, at its discretion, may prepare a Deficiency Report and/or Clarification Request (DR/CR) for each proposal determined to be in the competitive range. Bidders will be allowed to respond in writing to the DR/CR with a Best and Final Offer (BAFO). The BAFO may include changes to the original proposal, including alterations to the original price proposed. BAFOs must be submitted by the deadline established by DMB.

After reviewing the BAFOs, DMB will reevaluate the proposals using the original evaluation method. If an alteration to the original published evaluation criteria is to be made, changes in the criteria will be published to all Bidders as part of the issuance of the DR/CR's.

Bidders will NOT be provided any information about other proposals or where the Bidder stands in relation to others at any time during the evaluation process. Any request for such information will be viewed as a compromise to the evaluation process and the requesting Bidder may be eliminated from further consideration. Requests for proposal information by a Bidder, its subcontractor, or an affiliated party before bid award may also result in disqualification.

Bidders are cautioned to propose their best possible offer at the onset of the process, as there is no guarantee that any proposal will be allowed an opportunity to submit a BAFO.

VI. Freedom of Information Act (FOIA)

All information in a Bidder's proposal is subject to the provisions of the Freedom of Information Act (FOIA), 1976 Public Act 442, as amended, MCL 15.231, et seq.

Thank you for your interest in doing business with the State of Michigan.