INVITATION TO RESPOND TO THE
REQUEST FOR RESPONSES/BIDS AND NOTICE OF SURPLUS REAL PROPERTY FOR SALE BY NORTH FORT MYERS FIRE CONTROL & RESCUE SERVICE DISTRICT

NOTICE IS HEREBY GIVEN THAT SEALED RESPONSES/BIDS WILL BE RECEIVED BY THE NORTH FORT MYERS FIRE CONTROL DISTRICT (THE "DISTRICT"), ATTENTION: CHIEF RONALD A. BEECROFT, 2900 TRAIL DAIRY CIRCLE, NORTH FORT MYERS, FLORIDA 33917, UNTIL 3:00 P.M., WEDNESDAY, APRIL 14, 2021. **NOTE: THE DISTRICT DOES NOT RECEIVE ANY U.S. MAIL DELIVERY AT THIS ADDRESS**. THE SEALED RESPONSES MUST CONTAIN ONE (1) ORIGINAL COMPLETED RESPONSE DOCUMENT AND SIX (6) COPIES OF THE COMPLETED RESPONSE DOCUMENT. THE PURPOSE OF THE DISTRICT'S RECEIPT OF SEALED RESPONSES/BIDS IS TO SELECT THE HIGHEST RESPONSIVE RESPONDER/BIDDER FOR THE RESPONDER'S PURCHASE OF SURPLUS DISTRICT REAL PROPERTY. THE SURPLUS DISTRICT REAL PROPERTY IS BEING SOLD "AS IS WHERE IS" AND IS GENERALLY DESCRIBED AS: 71 BROOKS ROAD, NORTH FORT MYERS, FLORIDA 33917, PARCEL ID NO. 02-44-24-03-0000A.014A. THE DISTRICT HAS SET A MINIMUM RESPONSE/BID PRICE OF $166,000.00. FOR INFORMATION CONCERNING THE DISTRICT'S SURPLUS REAL PROPERTY, PLEASE VISIT THE DISTRICT'S WEBSITE AT WWW.NORTHFORTMYERSFIRE.COM. CLICK ON THE "WHAT'S NEW" LINK ON THE DISTRICT'S HOME PAGE TO RETRIEVE THE REQUEST FOR RESPONSES/BIDS DOCUMENTS AND INFORMATION RELATED TO THE SURPLUS DISTRICT REAL PROPERTY FOR SALE. ANY RESPONSE RECEIVED AFTER THE RESPONSE DEADLINE OF 3:00 P.M., APRIL 14, 2021, WILL NOT BE ACCEPTED. RESPONSES DELAYED FOR ANY REASON SHALL NOT BE CONSIDERED. LATE RESPONSES WILL BE RETURNED TO THE RESPONDER UNOPENED. FAXED AND ELECTRONICALLY MAILED RESPONSES WILL NOT BE ACCEPTED. THE DISTRICT RESERVES THE RIGHT TO REJECT ANY OR ALL RESPONSES IN ITS SOLE DISCRETION. THE DISTRICT ALSO RESERVES THE RIGHT TO WAIVE IRREGULARITIES AND TECHNICALITIES AND TO READVERTISE FOR ADDITIONAL RESPONSES. ALL COSTS AND EXPENSES RELATED TO PREPARATION AND SUBMISSION OF A RESPONSE ARE THE RESPONSIBILITY OF THE RESPONDER. THE DISTRICT DOES NOT DISCRIMINATE ON THE BASIS OF AGE, RACE, COLOR, SEX, RELIGION, NATIONAL ORIGIN, DISABILITY OR MARITAL STATUS.

REQUEST FOR RESPONSES/BIDS AND NOTICE OF SURPLUS REAL PROPERTY FOR SALE BY NORTH FORT MYERS FIRE CONTROL & RESCUE SERVICE DISTRICT

INTRODUCTION

The North Fort Myers Fire Control & Rescue Service District (hereinafter "District") is requesting responses/bids from qualified responders for the selection of the highest responsible responder/bidder for the responder's purchase of surplus real property owned by the District, the description of which is 71 Brooks Road, North Fort Myers, Florida 33917, Parcel ID No. 02-44-24-03-0000A.014A. A response/bid form is attached hereto as Exhibit A which must be completed in its entirety and submitted as a part of the response. Failure to fully complete Exhibit A may result in disqualification of the responder. The District is requesting responses/bids from qualified responders who are able to pay the response/bid purchase price, in full, in cash, at the closing on the sale of the subject real property which shall occur within sixty (60) calendar days of the award of the response/bid by the District. The surplus District real property (hereafter "Property") is being sold "AS IS WHERE IS". For additional information concerning the Property, please visit the District's website at www.northfortmyersfire.com. Click on the "What's New" link on the District's home page to retrieve the Request for Responses/Bids Documents and information related to the Property for sale. Any questions related to this Request for Responses/Bids shall be directed in writing to Chief Ronald A. Beecroft via facsimile: (239) 995-3757, or via electronic mail: r.beecroft@northfortmyersfire.com.

RESPONSE ELEMENTS

All responders shall prepare a written response to the District which contains the following information:

A. GENERAL INFORMATION AND REQUIREMENTS

1. The name, address and full contact information of the responder must be provided, including a telephone number, a facsimile number and an electronic mail address.

2. Please describe the total response/bid price and confirm that the response/bid price can be paid in full, in cash, at the closing on the sale of the Property which shall occur within sixty (60) calendar days of the award of the response/bid by the District. The District has set a minimum response/bid price of $166,000.00. In addition to the payment of the minimum response/bid price, the successful responder/bidder shall also be responsible for payment of the title insurance, documentary stamp taxes, if any, and a closing fee of $500.00.

3. Please describe any mandatory pre-closing conditions.

4. Responses received after the deadline will not be accepted under any circumstances. Late responses will be returned to the responder unopened.

5. Faxed responses and electronically mailed responses will not be accepted.

B. INQUIRY

For additional information concerning the District's Property, please visit the District's website at www.northfortmyersfire.com. Click on the "What's New" link on the District's home page to retrieve the Request for Responses/Bids Documents and related information.

C. TIMING/RESPONSE DEADLINE

Six (6) copies, plus one (1) original, of the completed bid response, including all of the listed information, shall be sealed and delivered to the District, to be received by the District, Attention: Chief Ronald A. Beecroft, 2900 Trail Dairy Circle, North Fort Myers, Florida 33917 on or before 3:00 P.M. on Wednesday, April 14, 2021. **NOTE: THE DISTRICT DOES NOT RECEIVE ANY U.S. MAIL DELIVERY AT THIS ADDRESS**.

D. SELECTION PROCESS

1. By submitting a response, each responder recognizes and agrees that the District may reject its response based upon the District's exercise of its sole discretion. Each responder waives any claims it may have for damages or other relief resulting directly or indirectly from the rejection of its response based on any ground whatsoever, including the District's exercise of its sole discretion and the District's disclosure of or refusal to disclose any pertinent information related to the reasons for the District's rejection of said response.

2. BEFORE SUBMITTING RESPONSES, INTERESTED RESPONDERS MUST MAKE ALL NECESSARY INVESTIGATIONS TO INFORM THEMSELVES THOROUGHLY AS TO ALL CONDITIONS OF THE SUBJECT DISTRICT PROPERTY AND AS TO ALL REQUIREMENTS OF THIS REQUEST FOR RESPONSES/BIDS PROCESS. NO PLEA OF IGNORANCE OF THE CONDITION OF THE DISTRICT PROPERTY WILL BE ACCEPTED AS AN EXCUSE FOR ANY FAILURE OR OMISSION ON THE PART OF THE SUCCESSFUL RESPONDER TO FULFILL, IN EVERY DETAIL, ALL OF THE REQUIREMENTS OF THE RESPONDER REQUIRED HEREIN, INCLUDING: (1) PAYMENT OF THE FULL PURCHASE PRICE FOR THE DISTRICT PROPERTY; (2) ACCEPTANCE OF THE DISTRICT PROPERTY IN ITS "AS IS WHERE IS" CONDITION; (3) CLOSING ON THE SALE OF THE SUBJECT REAL PROPERTY WHICH SHALL OCCUR WITHIN SIXTY (60) CALENDAR DAYS OF THE AWARD OF THE RESPONSE/BID BY THE DISTRICT.

3. All responses/bids will be reviewed by the Board of Commissioners of the District at a meeting open to the public. It is anticipated that the responses/bids will be reviewed by the Board of Commissioners at a public meeting of the Board of Commissioners held on or about April 19, 2021 at 5:05 P.M.

4. The Board of Commissioners will evaluate each response/bid. It is anticipated that the District Property will be sold to the highest responsive responder/bidder.

5. The District reserves the right to reject any and all responses/bids (regardless of whether a response/bid exceeds the $166,000.00 minimum bid price), to waive any and all informalities of any responses/bids and to disregard all non-conforming, non-responsive or conditional responses/bids. The District reserves the right to reject any and all responses/bids with or without cause. The District reserves the right to accept the responses/bids of the responders that in its judgment will be in the best interest of the District and to reject all responses/bids of responders that the District believes are not in the best interest of the District. The District reserves the right to re-advertise the Request for Responses/Bids. Nothing contained in any of the competitive selection documents shall require the District to reject any particular responder or award a contract to any particular responder based upon anything other than the District's sole discretion as to which responder has submitted the most responsive proposal for the highest response/bid price.

6. The District may conduct such investigations as the District deems necessary and appropriate to assist in the evaluation of any response of any responder.

7. Within three (3) business days of selection of a responder/bidder by the Board of Commissioners, all responders will be notified of the Board's selection.

8. THE RESPONDER WHOSE RESPONSE/BID IS SELECTED BY THE BOARD OF COMMISSIONERS AS BEING THE MOST RESPONSIVE MUST PAY THE FULL BID PURCHASE PRICE FOR THE DISTRICT PROPERTY AND TAKE POSSESSION, OWNERSHIP AND SOLE RESPONSIBILITY FOR THE SURPLUS DISTRICT PROPERTY, AT THE RESPONDER'S SOLE EXPENSE, ON OR BEFORE SIXTY (60) CALENDAR DAYS OF THE AWARD OF THE RESPONSE/BID BY THE DISTRICT.

E. WITHDRAWAL OF RESPONSES/BIDS

Responses/bids may be withdrawn either in writing or in person through an authorized representative at any time prior to the submission deadline. Once opened, responses/bids may not be withdrawn or modified except to the extent agreed to by the District.

F. PUBLIC INSPECTION OF RESPONSES/BIDS

Responses/bids may be made available for public inspection as provided by Florida law, including Chapter 119, Florida Statutes.

G. RIGHT OF REJECTION

In all instances, the District shall have the unilateral right to reject any and all responses/bids (regardless of whether a response/bid exceeds the $166,000.00 minimum bid price) and to waive any and all deficiencies or irregularities in any responses/bids submitted by any responder in the District's sole discretion. In particular, the failure of any responder to satisfy all requirements of this Request for Responses/Bids may result in the rejection of the responder's response/bid by the District in the District's sole discretion.

H. NON-DISCRIMINATION

The District does not discriminate on the basis of age, race, color, sex, religion, national origin, disability or marital status.

I. COSTS OF RESPONSE PREPARATION

All costs incurred by any responder in the inspection of the District Property and in the preparation of a response to this Request for Responses/Bids shall be borne exclusively by the responder and the District shall in no instance be liable for any costs incurred by any responder.

J. PUBLIC ENTITY CRIME AFFIDAVIT

Any person or affiliate as defined by statute that has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a response/bid. Said person may not be awarded a contract by the District and cannot transact business with the District for a period of thirty-six (36) months from the date of conviction of a public entity crime. Each responder shall be required to execute a public entity crime affidavit, a copy of which is attached hereto as Exhibit B. FAILURE TO COMPLY WILL AUTOMATICALLY RESULT IN DISQUALIFICATION OF THE RESPONDER.

K. SWORN RESPONSE

All responses must be executed and dated by an authorized representative of the responder who must also print the name, title, mailing address, and telephone number of the

responder. Each responder must execute the response under oath in the presence of a notary public who must complete a notarization paragraph.

L AFFIRMATIONS

Each responder shall be required to include signed and notarized written affirmations with their response. The form of the affirmations that must be signed, notarized and submitted with each response is attached hereto as Exhibit C.

M. MINIMUM RESPONSE

The completion and timely submittal of one (1) original and six (6) copies of Exhibit A, Exhibit B and Exhibit C attached hereto constitutes a minimally sufficient response to this Request for Responses/Bids.

EXHIBIT A
RESPONSE/BID SHEET

1. Name and contact information of responder:

   Name:_____
   Address: _____
   _____
   Telephone:_____
   Email:_____

2. Response/bid price for the surplus Property:

   $_____

3. Describe any special pre-closing conditions or requirements, if any:

4. The responder agrees that it shall pay the response/bid price in full, in cash, at the closing on the sale of the Property which shall occur within sixty (60) calendar days of the award of the response/bid by the District.

4. The responder agrees that the responder shall also be responsible for payment of the title insurance, documentary stamp taxes, if any, and a closing fee of $500.00.

5. The responder agrees to execute a standard "AS IS WHERE IS" Real Estate Sale and Purchase Contract without an inspection period which shall be prepared by the District and which shall include the contract terms described in the Request for Responses/Bids and which also provides that the District's legal counsel will perform the closing.

6. Responder acknowledges and agrees that it is purchasing the Property "AS IS WHERE IS."

_____ _____
Signature Date

_____
Print Name

[NEXT PAGE FOR NOTARIZATION]

STATE OF _____
COUNTY OF _____

THE FOREGOING instrument was sworn to, signed and acknowledged before me by physical presence, this _____ day of _____, 2021, by _____, the _____ of _____ (responder), who is personally known to me or who produced _____ (type of identification and number) as identification.

_____
Notary Public

_____
Print Name

EXHIBIT B
PUBLIC ENTITY CRIME AFFIDAVIT

THIS FORM IS TO BE COMPLETED AND RETURNED WITH THE RESPONSE

Sworn statement under Section 287.133(3)(a),
FLORIDA STATUTES ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted to the North Fort Myers Fire Control & Rescue Service District by:

_____
(Printed individual's name and title)

_____
(Print name of entity submitting sworn statement)

whose business address is: _____

_____

and (if applicable) whose Federal Employer Identification Number (FEIN) is: _____

(If the entity has no FEIN, include the Social Security Number of the individual signing this sworn

statement_____).

2. I understand that a "public entity crime" as defined in §287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with any agency or political subdivision of any other state or with the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

3. I understand that "convicted" or "conviction" as defined in §287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.

4. I understand that "convicted" or "conviction" as defined in §287.133(1)(b), Florida Statutes means:

a. A predecessor or successor of a person convicted of a public entity crime; or

b. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint-venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

5. I understand that a "person" as defined in §287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and

which proposals or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Please indicate which one statement applies).

___ Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor any affiliate of the entity have been charged with and convicted of a public entity crime within the period of thirty-six (36) full calendar months prior to the execution of this Affidavit.

___ The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime within the period of thirty-six (36) full calendar months prior to the execution of this Affidavit.

___ The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime within the period of thirty-six (36) full calendar months prior to the execution of this Affidavit. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearings and the final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list (Attach a copy of the final order).

I understand that the submission of this form to the public entity identified in paragraph one above is for that public entity only, and that this form is valid through December 31 of the calendar year 2021. I also understand that I am required to inform the public entity prior to entering into a contract in excess of the threshold amount provided in Section 287.017, Florida Statutes, for category two, of any change in the information contained in this form.

_____
(Signature)

STATE OF _____
COUNTY OF _____

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 2021, by _____, by physical presence, [ ] individually or [ ] as _____ and on behalf of _____, a Florida _____, [ ] who is personally known to me or [ ] who produced _____ as identification.

_____
SIGNATURE OF NOTARY PUBLIC

_____
Name of Notary, Printed, Typed or Stamped
My Commissioner Expires:

EXHIBIT C
AFFIRMATIONS

1) Neither the undersigned, nor any other person, firm or corporation named herein, nor anyone else, to the knowledge of the undersigned, have themselves solicited or employed anyone else to solicit favorable action by North Fort Myers Fire Control & Rescue Service District ("District") for this response, and further, no District official or employee is directly interested in the outcome of this matter. This response is genuine and not collusive or a sham. The persons, firms, or corporations named herein have not colluded, conspired, connived or agreed directly or indirectly with any other Responder or person, firm, or corporation, to put in a sham response, or to have any other person, firm or corporation refrain from responding. Further, the Responder has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference with any person, firm or corporation, to fix the price of said response or responses of any other Responder, or to secure any advantage against the District or any person, firm, or corporation.

2) The below signed Responder agrees to comply with all applicable provisions as set forth in the Anti-Discrimination laws of this land. The Responder further agrees to hold harmless, defend and indemnify the District and its agents from any losses, including attorney's fees, incurred as a result of the Responder's failure to abide by any applicable Anti-Discrimination laws.

3) The undersigned, who being first duly sworn, acknowledges and affirms that all the statements made in this response are true, correct and accurate and no false statements are made herein. The undersigned further acknowledges that he or she has full knowledge of Florida law regarding sworn statements and the penalties, including perjury, resulting from the making of any false statements or misrepresentations herein.

4) The Responder represents that the Responder has familiarized itself with and assumes full responsibility for having familiarized itself with the nature and extent of the Request for Responses/Bids Documents.

5) The Responder shall comply with all requirements, stipulations, terms, and conditions as stated in the Request for Responses/Bids Documents.

6) The Responder currently complies with all Federal, State, and local laws and regulations regarding employment practices, equal opportunities, industry and safety standards, performance and any other requirements as may be relevant to the requirements of this Request for Responses/Bids Documents.

7) The Affiant named below is officially authorized to represent the Responder in whose name the response is submitted.

8) The undersigned hereby agrees to abide by all of the terms and conditions of the Request for Responses/Bids Documents.

9) The Responder agrees that if requested by the District, the Responder shall furnish additional information, references, financial statements, and other information for the District to sufficiently evaluate the Responder's response and the Responder's ability to perform the Responder's obligations under the Request for Responses/Bids Documents.

Dated:_____

_____
Signature

_____
Printed Name and Title

_____
Name of Responder

_____
Address

_____
Address

_____
Telephone Number

_____
Electronic Mail Address

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was subscribed and acknowledged before me by physical presence by _____, as _____(title) of _____ (Responder), a _____ entity, on behalf of _____ (Responder) this _____ day of _____, 2021.

☐ Personally Known or ☐ Produced Identification

Type of Identification Produced _____
_____

_____
Notary Public

_____
Print Name

_____
NOTARY SEAL