

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

**REQUEST FOR PROPOSALS
FOR**

**Real Estate Broker for Selected NJEDA Parcels
(Reference RFP #2022-RFP-159)**

Date: January 20, 2023

ADDENDUM #1

The following constitutes an Addendum, which can be a Clarification and/or Modification to the above-referenced solicitation. This Addendum is divided as follows:

- Part 1: Answers to Questions Submitted
- Part 2: Additions, Deletions, Clarifications and Modifications to the RFP

Part 1: Answers to Questions Submitted		
No.	Question	Answer
1.	RFP Page 4, Section 1.0: Is there an incumbent firm currently providing these disposition services to NJEDA? If so, which firm is the incumbent?	No. The NJEDA does not have a contract with a firm providing disposition services.
2.	RFP Page 15, Section 3.1: Could NJEDA provide a list of the potential selected properties (including addresses) for disposition?	At this time, the NJEDA is not prepared to provide a list of selected properties. Proposers are directed to review the RFP and its requirements in order to provide their responsive proposal.
3.	RFP Page 15, Section 3.1: How many selected properties does NJEDA anticipate disposing in each year of the contract?	At this time, the NJEDA does not have an anticipated number of selected properties it expects to dispose of. The NJEDA will render this determination based upon various factors during the term of the contract.
4.	RFP Page 17, Section 3.2.5.c This section states Fee Proposal must include commissions payable to a cooperating broker. However, the Fee Schedule does not contain a section if a cooperating broker is involved. Further,	As set forth in RFP Section 3.2.5, NJEDA will not directly pay any fees or commissions for a cooperating broker. All commission rates specified in the successful firm's Fee Proposal must include commissions payable to a cooperating broker. In no event shall the

	<p>the Fee Proposal states that altering the form will result in the proposal being rejected as non-responsive. Does NJEDA require one (1) fee regardless if a cooperating broker is involved or not involved? How should proposals address cooperating broker commissions in the Fee Schedule?</p>	<p>total amount paid by NJEDA to the successful firm in connection with a sale of property be in excess of the rate outlined in the successful firm's Fee Proposal for the sale of the Property. If applicable, the successful firm will be responsible for entering into an agreement with a cooperating broker and for paying all commissions due to the cooperating broker.</p> <p>Please also review Section 4.2.2 addressing the Fee Schedule wherein the Commission Rate in the Fee Schedule are all inclusive and include all direct and indirect costs. Please review the Fee Schedule itself as well for additional information.</p>
5.	<p>RFP Page 26, Section 4.2.2</p> <p>In commercial transactions, commission percentages often vary based upon the size, selling price, or asset type. The provided Fee Schedule does not allow for flexibility, such as waterfalls or sliding scales to address the potential wide variety of transactions. Will NJEDA allow proposers to provide sliding scales?</p>	<p>Respectfully, the NJEDA is not willing to consider or accept the requested modifications.</p>
6.	<p>Please advise if within the RFP materials there is information regarding property locations and descriptions.</p>	<p>See response to Question No. 2.</p>
7.	<p>Are the subject properties primarily residential properties or commercial properties?</p>	<p>The subject properties are primarily commercial.</p>
8.	<p>Are there any controls or exclusions on the buyers? Could the broker/agent represent both the buyer and EDA as part of the transaction? Could the buyer be an entity related to the brokerage if a competitive offer is submitted for the property?</p>	<p>Please see RFP including Section 3.2.5 addressing Real Estate Brokerage Commissions. Further, please review Section 3.2.5(c) as to commissions to cooperating broker, Section 3.5 as to related brokerage services and Section 3.6 as to specific prohibitions of brokerage services commission fee.</p>

		<p>It is not permissible for the broker/agent to represent both the buyer and EDA as part of the transaction.</p> <p>EDA may allow the buyer to be an entity related to the brokerage, if a competitive offer is submitted for the property, provided the vendor can demonstrate and prove that the purchase price is at fair market value.</p>

Part 2: Additions, Deletions, Clarifications & Modifications to the RFP

No.	Description	Clarification/Modification
1.		
2.		
3.		
4.		
5.		