



REQUEST FOR PROPOSAL: RFP-2023-002-PLN

SALE AND DEVELOPMENT OF TOWN PROPERTY:

Civic Address: 52 PARADE STREET

Parcel Identification:(PID) 90330986

Lot Frontage: Parade Street

Date issued: October 25<sup>th</sup>, 2023

Response Receipt Location: 400 Main Street, Yarmouth, NS B5A 1G2

The Town requests that responses be submitted by **3:00 P.M. AST on January 25<sup>th</sup>, 2024**

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## 1.0 INTRODUCTION

The Town of Yarmouth (“Town”) is seeking development proposals (“Proposals”) from qualified firms or individuals (“Proponents”) for the opportunity to purchase and develop a town-owned property, known as 52 Parade Street (PID 90330986) assessed at 2.58 acres in area, located to the north of Parade Street and west of Pleasant Street, as shown on attached property map in Figure 1 and front façade in Figure 2.

The Town is interested in seeing this property developed for **multiple-unit residential** purposes as quickly as possible and will prioritize Proponents’ proposals according to their response to the current housing market demand, social benefit and overall fit with the community. The Town recognizes the lack of housing availability in the community throughout the full spectrum of the market. As such, a major component of the evaluation process will be the proponent’s ability to both begin and complete the development in the timeliest manner possible.

Proposals that include affordable housing (below-market rental rates), will receive higher scores. The Town encourages proponents to contact the Provincial Department of Municipal Affairs and Housing and/or the Canada Mortgage and Housing Corporation to inquire about available financial incentives to achieve deeper affordability.

Commercial uses will also be considered as part of the overall development proposal. This document contains information about the development opportunity, the Site, proposal content requirement, instructions for submitting a Proposal, and evaluation criteria.

The intended outcome of this Request for Proposals (“RFP”) is an agreement of purchase and sale that is subject to completion of a Development Agreement (“DA”) that will establish terms and conditions, and further define the development scope, design, overall use, and timeline of the Project upon which the selected Developer can purchase and develop the preferred project on the Site.

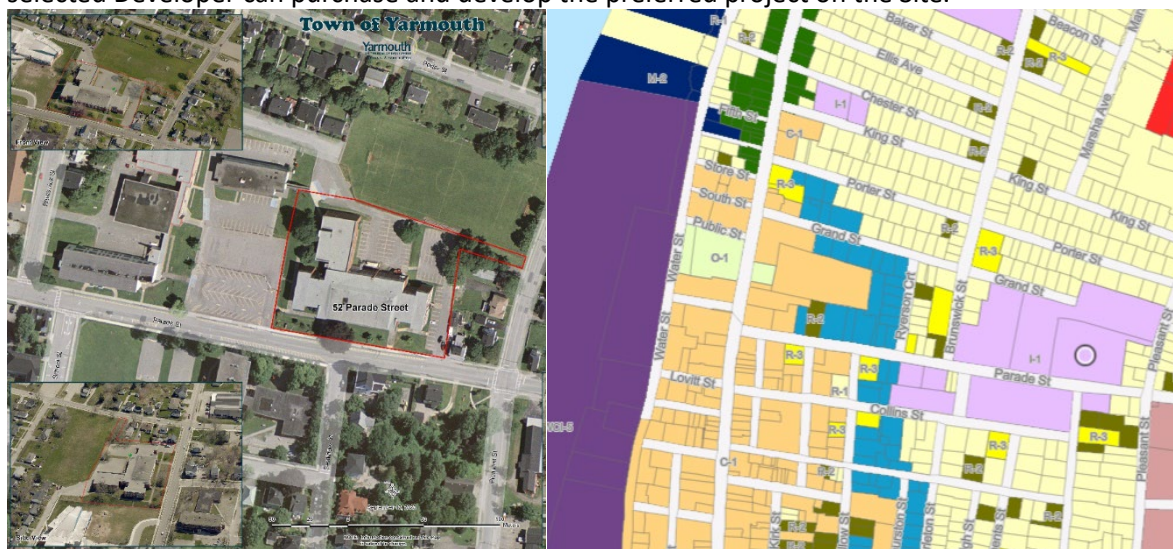




Image 3: Property aerial view West Side of Parade St.



Image 4: Property aerial view East Side of Parade St.



Image 4: Front Façade view of 52 Parade Street, Yarmouth NS (PID 90330986)

## 2.0 SITE DETAILS

### 2.1 GENERAL

The Site was last occupied by the Yarmouth Consolidated Memorial High School, which was originally constructed in 1951 and closed in June 2012. Land use prior to the school consisted of a mixture of agricultural fields and trees. Land use prior to 1925 is unconfirmed. The building is unoccupied and essential systems (domestic water, power /electrical, heating- oil fired hot water system, fire suppression/sprinkler, security, and fire alarm) are maintained by the Town.

**2.1.1** The property for sale is the building comprising the former Yarmouth Memorial Highschool. It is a two-storey masonry structure with a partial basement. The building comprises approximately 65,100 ft<sup>2</sup> GFA (gross floor area) including the basement area. The interior comprises of typical classrooms, auditorium/gymnasium, library, laboratories, kitchens, ancillary support and other offices. The building was constructed in 1951 with the addition of the northwest wing in 1992.



- 2.1.2** Environmental Assessments were completed for Phase I in 2015 and Phase II in 2017 by the Town of Yarmouth.
- 2.1.3** Land Use on the properties adjoining the Site are predominantly a mixture of residential and commercial properties. The Site is generally bounded by Grand Street to the northwest; residential dwellings to the north and northeast; Pleasant Street and residential dwellings to the east; Parade Street to the south; and commercial properties to the west.
- 2.1.4** The property is centrally located, and a short walking distance to downtown's Main Street providing employment, services, restaurants, independent retailers, educational institutions, recreational spaces, and access to the Town transit bus. The Town's main commercial arterial street, Starrs Road, is accessible by car in 3 minutes, and by foot within 16 minutes. An elementary school is located on the west side of the property. A sports field is located on the north side of the property. A former elementary school is located directly on the south side of Parade Street.

## **2.2 ACCESS**

Direct access is available at Parade Street. Unimproved access is also available to the northwest, along a town-owned right of way that could provide vehicular and/or pedestrian access to Grand Street. A potential option exists to add a direct access driveway to Pleasant Street at the northeast corner of the property.

## **2.3 ZONING**

The property is zoned Institutional. The town's current Municipal Planning Strategy (MPS) requires that a Development Agreement be negotiated for any non-institutional uses. Proponents are encouraged to review MPS Policies and Land-Use Bylaw for these uses available at the following link: <https://www.townofyarmouth.ca/planning.html>

## **2.4 SERVICING**

A 6-inch sprinkler connection exists into the Town's 12-inch water main on Parade Street. Next to the sprinkler connection, there is a new 4-inch domestic service connection (capped off for future use). The property's existing domestic water and sanitary lateral is off of Pleasant Street, with option for a new sanitary connection to be connected on Parade Street near MH 2846, and for a new domestic water connection, it can be serviced from the aforementioned four-inch capped service on Parade Street. A 12-inch line (roof drain) for storm water connects to the Town's 12-inch storm line at the east side of the building.

## **3.0 PROPOSAL CONTENT**

Proposals submitted should be in enough detail to allow the Town to determine the Proponent's qualifications and capabilities from the documents received. Every effort should be made to include complete details. Proposals should contain, at minimum, the following items and should be identified accordingly:

### **3.1 EXECUTIVE SUMMARY**

Provide a snapshot of the proposal including an overview of the project and what makes it notable, key attributes of the project, estimate of when the project will be complete and operational, and how many affordable units you are proposing.

### **3.2 APPLICANT INFORMATION**

A summary of your organization, outlining elements such as history, and overall approach to property development, including previous development experience and any other relevant experience the Town

should know. Please include contact person(s) and contact details, as well as details on the organization, including legal name, province of incorporation, name of parent company if applicable, corporate/charitable status, and Board of Directors.

### **3.3 PROPERTY DEVELOPMENT AND MANAGEMENT EXPERIENCE**

Background on previous development experience on projects of similar scale (size and complexity), property management experience, and any other information that may affirm your ability to ensure the successful delivery and ongoing management of the proposed project.

### **3.4 PROJECT TEAM**

Brief profiles and further information on project team, their involvement in the project and their intended involvement going forward.

### **3.5 PARTNERSHIPS**

Provide information of any formal partnerships that are in place or planned for this project. Be sure to outline roles and responsibilities of each partner, as well as how the partnership will function relative to this project.

### **3.6 RESOURCES FOR THIS PROJECT**

Discuss the team's ability to deliver within the proposed timeline. How will you ensure required access to trades and materials?

### **3.7 PROJECT DETAILS**

A detailed description of the project being proposed, a general outline for access and utility provision, a site plan with building setbacks and footprints, parking, and outdoor amenity provision, the overall configuration of units, breakdown of market units and affordable units, details of the demographics it will serve, and any other unique characteristics.

### **3.8 CONSTRUCTION MANAGEMENT**

Discuss how you will ensure access to necessary trades and materials to meet the proposed timeline.

### **3.9 SCALE AND TIMELINE**

Describe the scale of the project including the number and breakdown of units (market rent units and affordable units). Share a proposed project timeline that includes development approval, construction, and occupancy timelines.

### **3.10 ACCESSIBILITY**

Explain the Accessibility characteristics of the project. Please note the number of Accessible (barrier free) units and discuss the plans for meeting and/or exceeding the most current building code regulations. For projects where Code requirements will be exceeded, please reference the most current B651-23 Accessible Design for the Built Environment or Rick Hansen Foundation Accessibility Standards.

### **3.11 ENERGY EFFICIENCY**

Please explain the Energy Efficiency characteristics of the project. Please discuss plans for meeting or exceeding the most recent National Energy Code. For projects where Code requirements will be exceeded, please reference Efficiency Nova Scotia, Canada Green Building Council, or Passive House Standards.

### **3.12 FINANCIAL**

Confirmation of the Proponent's ability to secure financing for the purchase and development of the project within the timeframes outlined in the Proposal.

### **3.13 FUNDING SOURCES**

Details on financing, a summary of all intended/financing sources, equity components, and any other source of capital that will fund the project.

### **3.14 MANAGEMENT STRATEGY**

Explanation of the role the Developer's organization will play in the proposed project after its completion. What will be the ongoing management and operational structure.

### **3.15 PURCHASE PRICE**

Proposed offer price to purchase the property and proposed terms, and a description of any other benefit(s) the proposed project would bring to the Town.

### **3.16 APPENDICES**

Include any drawings you have prepared, cost estimates, operating pro-forma, plus anything else the Town should consider understanding the full view of your proposal.

## **4.0 SUBMISSION OF PROPOSALS**

### **4.1 SUBMISSIONS**

**4.1.1** To submit, Proponents must first register with the Planning Assistant to provide access to additional property information.

**4.1.2** The Town will receive sealed proposals by mail or hand-delivered from Proponents until 3:00 p.m. (local time) on Thursday January 25, 2024, addressed as follows:

**Town of Yarmouth  
RFP ID: RFP-2023-002-PLN 52 Parade Street  
Attn: Director of Planning and Economic Development  
400 Main Street  
Yarmouth, NS, B5A 1G2**

**4.1.3** The Town of Yarmouth will not accept electronic submissions.

**4.1.4** Developers are to submit four (4) bound copies and a flash drive containing an electronic copy formatted for printing.

**4.1.5** Failure to mark the subject line with the RFP ID could result in a proposal being rejected as late.

#### **Time:**

**4.1.5.1** It is solely the responsibility of each Proponent to ensure their Submission arrives on time. Late Submissions will not be accepted.

**4.1.5.2** Proposals may be withdrawn at any time prior to opening.

**4.1.6** Any submissions or addenda submitted by fax, or telephone, or email will not be accepted under any circumstances.

**4.1.7** The Town reserves the right to accept or reject any or all proposals, or to accept any proposal which it may consider to be in the best interest of the Town. The Town also reserves the right to waive any formality, informality, or technicality in any proposal.

**4.1.8** The Town reserves the right to request clarification and additional information. All costs associated with the compilation and presentation of any and all proposals or any supplemental information requirements shall be borne solely by the Proponent.



**4.1.9** The Proponent is responsible for obtaining any needed clarification of the RFP while it is open. Questions are to be directed in writing to: **Planning Assistant** [planningadmin@townofyarmouth.ca](mailto:planningadmin@townofyarmouth.ca)

Email is the preferred method of contact. No verbal responses will be given. Only information received from the Planning Assistant is considered valid and is to be used within the Proposal response.

**4.1.10** This RFP is subject to applicable trade agreements, including, but not limited to the Canadian Free Trade Agreement and the Atlantic Procurement Agreement.

## **4.2 TOWN CONTACT**

All question relating to this Request for Proposals to be directed IN WRITING to:

**Name:** Judy Durkee

**Title:** Administrative Assistant for the Planning and Development Department

**Phone:** 903-742-1505

**Email:** [planningadmin@townofyarmouth.ca](mailto:planningadmin@townofyarmouth.ca)

**4.2.1** Should any question raised by a proponent necessitate an addendum to this Request for Proposal, addendum notice will be posted on the Provincial ([www.procurement.novascotia.ca](http://www.procurement.novascotia.ca)) and Town of Yarmouth ([www.townofyarmouth.ca](http://www.townofyarmouth.ca)) websites.

**4.2.2** The Town of Yarmouth has the right to reject any vendor that is found to be in communication with a Town staff member other than the contact above. The Town will not, and cannot be held responsible for, any information used within a proposal that has not been communicated through this RFP, an addendum issued by Town staff specific to this RFP, and/or including information heard or communicated at any site visit.

## **4.3 RECOMMENDED SITE VISIT**

Site visits can be scheduled to accommodate the proponent's availability through the Town Contact (refer to section 4.2).

## **4.4 PROPOSAL PROCESS**

**4.4.1** This RFP will not have a public opening.

**4.4.2** It is the specific intention of the Town to conduct consecutive or concurrent discussions or negotiations with Proponents at the Town's sole discretion based on the results of the evaluation of the Proposal submissions.

**4.4.3** The Town of Yarmouth will be employing a multi-stage process to select a potential Developer. The process will be as follows:

**4.4.3.1** Proposals will be submitted in accordance with the instructions of this document;

**4.4.3.2** Submissions will be evaluated based on the Town's requirements and the criteria provided in this document;

**4.4.3.3** Potentially suitable Developer(s), in the Town's opinion, may be identified;

**4.4.3.4** The most suitable Developer(s) in the Town's opinion, as may be viewed by Town Representatives;

**4.4.3.5** The Town and the Developer(s) will then enter into further negotiations for finalizing an Offer to Purchase; and,

**4.4.3.6** The Offer of Purchase will be subject to approval by Council.

**4.4.4** The anticipated timeline for this process is as follows:

1. Issue RFP: October 25<sup>th</sup>, 2023
2. Deadline for RFP Submission: January 25<sup>th</sup>, 2024, by 3:00 p.m. (local time)
3. Award the RFP: March – April 2024
4. Proponent initiates the Development Agreement process: (April/May 2024)
5. Development Agreement approved: (September/October)
6. Development & Building Permits issued, and construction commenced: End of 2025

**4.4.5** The current DA process is as follows:

1. Proponent application (\$400 fee) with supporting documentation that includes a site plan, proposed uses, building elevations, and construction timeline.
2. Advertised Public Participation Opportunity.
3. Review and recommendation from the Planning Advisory Committee.
4. First reading by Council and Scheduling of a Public Hearing.
5. Second reading by Council.
6. Notice of 14-day Appeal period.
7. Assuming no appeals are submitted, the DA is executed and registered, and Development/Building Permits can be issued

#### **4.5 SUBMISSION OF PROPOSALS**

The Proponent is solely responsible for ensuring that the Town receives a complete Proposal, including all attachments or enclosures when submitting a response to this RFP. Proposals will be marked with their receipt time and date received. The Town will review complete Proposals based on the terms of the RFP. Any proposals deemed incomplete will be returned to the Proponent. The Proponent is solely responsible for ensuring that the submission method is completed in the method defined in section 4.1 of this document.

#### **4.6 REVISION OF PROPOSAL SUBMISSION**

The Town of Yarmouth reserves the right to amend this Request for Proposal at any time before the closing date and will issue an addendum should a change be required.

#### **4.7 PROPOSALS RECEIVED AFTER SUCCESSFUL DEVELOPER CHOSEN**

Once a successful Developer has been chosen, the Town at its discretion may choose to review other submissions where other opportunities may be present with the Town but unknown at the time of releasing the RFP. No negotiations or notifications as part of the RFP process will be binding upon the Town until such time as the execution of an Offer to Purchase approved by the Council for the Town of Yarmouth.

## **5.0 CLARIFICATION AND ADDENDA**

**5.1** Notify Planning Assistant not less than ten (10) working days before Request for Proposals Closing of omissions, errors, or ambiguities found in Request for Proposal documents. If the Planning Assistant and/or Director of Planning and Economic Development considers that correction, explanation, or interpretation is necessary, a written addendum will be issued.

**5.2** All addenda will form part of Contract Documents.

## **6.0 EVALUATION OF PROPOSALS**

### **6.1 CLARIFICATION**

The Town of Yarmouth reserves the right to seek clarification from any Proponent to assist in the evaluation of its Proposal.

### **6.2 EVALUATION PROCESS**

**6.2.1** Once a Proposal has been accepted as eligible, the Town will evaluate it based on the total purchase price offered by the Proponent, as well as the Proponent's experience and demonstrated ability to complete a multi-family development in compliance with the Town's statutory and non-statutory plans and policies. Without limiting the Town's sole discretion to determine the offer it deems most beneficial to the Town's interests; the Town will also consider:

**6.2.1.1** Any conditions proposed as part of the offer to purchase, and whether such conditions would serve to delay the closing of the sale or increase the risk the sale would not proceed;

**6.2.1.2** Any risk that the Proponent will not be in a position to obtain financing for the purchase;

**6.2.1.3** Any risk that the Proponent will not be in a position to complete proposed development in a timely manner; and,

**6.2.1.4** Any other potential benefits or detriments associated with the proposed development described and proposed by the Proponent.

**6.2.2** Based on such initial evaluations, the Town may enter into negotiations with one or more Proponents regarding the terms of their Proposal and Offer to Purchase or may accept and Offer to Purchase it deems most advantageous.

**6.2.3** Prior to or during such negotiations, the Town may seek additional information from any Proponent or from other sources to assist in that evaluation; provided that the Town will be under no obligation to receive further information, whether written or oral, from any Proponent. The Town is under no obligation to perform any investigations or to otherwise verify any statements or representations made in a Proposal.

**6.2.4** Proposals from not-for-profit agencies will be evaluated against the same criteria as those received from any other Proponents.

**6.2.5** Evaluation of Proposals will be by a committee formed by the Town and may include employees and consultants of the Town and other appropriate participants.

**6.2.6** Compliant proposals will be further evaluated based on the following criteria:

Category	Points
<ul style="list-style-type: none"><li>• Developer experience and demonstrated ability to undertake project within the proposed timeline.</li><li>• Composition and experience of the development group.</li><li>• Demonstrated experience in housing development including successful financing and operation of similar sized projects.</li><li>• Developer approach for energy efficiency and accessibility standards for the built environment.</li><li>• Timeframe for initiating and completing components of the plan.</li></ul>	40
Type of housing and number of units constructed: <ul style="list-style-type: none"><li>• Description of the type or mix of housing proposed for development</li><li>• Number of potential units</li><li>• Efficient use of land</li><li>• Quality of elements such materials used, architectural design, landscaping, tenant amenities.</li></ul>	20
Mix of market and below-market units.	10
Amount of private investment: <ul style="list-style-type: none"><li>• Purchase Price; Closing Date; Condition Period; Key Term and Conditions of Offer and Agreement.</li><li>• Financial or other forms of guaranteed performance to implement major aspects of the proposed development.</li></ul>	30

**7.0 PLANNING/PREDESIGN**

**7.1** Following the award of the Request for Proposals, the winning Proponent will meet with Town staff to detail the land use planning process and schedule.

**7.2** The Owner will have access to all information throughout the project.

**8.0 DEVELOPER'S RESPONSIBILITIES**

**8.1** Following Developer selection and execution of a Purchase and Sale, the Developer shall proceed with detailed due diligence, pre-development, and entitlement activities while working with the Town to negotiate a Development Agreement.

**8.2** Developer shall be responsible for all aspects of the Project including pre-development planning, environmental review and design.

**8.2.1** The selected Developer shall be responsible, at its sole expense, for obtaining all land use entitlements and other government approvals required for its proposed Project.

**8.3 PREDEVELOPMENT COSTS**

**8.3.1** The selected Developer shall bear all pre-development costs relating to this Project.

**8.3.2** All fees or expenses of engineers, architects, financial consultants, attorneys, planning or other consultants or contractors retained by the Developer for any study, analysis, evaluation, report, schedule, estimate, environmental review, surveys, planning and/or design activities,

drawings, specifications or other activity or matter relating to the Project shall be the sole responsibility of and undertaken at the sole cost and expense of Developer and no such activity or matter shall be deemed to be undertaken for the benefit of, at the expense of, or in reliance upon the Town.

#### **8.4 LEGISLATIVE ACTION**

**8.4.1** The Town and the Developer acknowledge that the Town must exercise its independent legislative authority in making any and all findings and determinations required of it by law concerning the municipal properties.

**8.4.2** The Developer selection does not restrict the legislative authority of the Town in any manner whatsoever and does not obligate the Town to enter into the Development Agreement or to take any course of action with respect to the Project.

#### **8.5 FINANCING**

**8.5.1** The Developer shall be responsible for providing funding for the Project.

**8.5.2** No financial risk shall be imposed upon the Town.

**8.5.3** The proposal shall clearly identify any cost or financial commitment to be borne by the town.

#### **8.6 CONSTRUCTION**

The Developer shall be responsible for construction and commissioning of the Project including obtaining all permits, fees, and approvals necessary for construction of the Project.

#### **9.0 CONDITIONS**

##### **9.1 CONFLICT OF INTEREST/NO LOBBYING**

**9.1.1** A Proponent may be disqualified if the Proponent's current or past corporate or other interests, or those of a proposed subcontract, may, in the Town's opinion, give rise to an actual or potential conflict of interest in connection with the purchase described in the RFP. This includes, but is not limited to, involvement by a Proponent in the preparation of the RFP or a relationship with any employee, Proponent or representative of the Town involved in the preparation of the RFP or the subject matter of this RFP. If a Proponent is in doubt as to whether there might be a conflict of interest, the Proponent should consult with the Town Representative – in writing, from an email or through a call, prior to submitting a Proposal. By submitting a Proposal, the Proponent represents that it is not aware of any circumstances that would give rise to a conflict of interest that is actual or potential, in respect to the RFP.

**9.1.2** Proponent must not attempt to influence the outcome of the RFP process by engaging in lobbying activities. Any attempt by the Proponent to communicate for this purpose directly or indirectly with any employee, Proponent, or representative of the Town, including members of the evaluation committee and any elected officials of the Town, or with the media, may result in disqualification of the Proponent or further legal action.

##### **9.2 PROPONENTS' PROPOSAL EXPENSES**

Proponents are solely responsible for their own expenses in participating in the RFP process, including costs in preparing a Proposal and for subsequent finalizations with the Town, if any. The Town will not be

liable to any Proponent for any claims, whether for costs, expenses, damages, or losses incurred by the Proponent in preparing its Proposal, loss of anticipated profit in connection with any final contract, or any other matter whatsoever. By submitting a proposal, each Proponent acknowledges and agrees that this is a non-binding process, and that the Town is not agreeing to select any Proposal or enter into an Offer to Purchase Agreement with any Proponent.

### **9.3 COMMISSIONS FOR THE SALE OF PROPERTY**

The Town will not negotiate, accept nor be responsible for any commissions payable to the Proponent or any third party in connection with the sale of the Property.

### **9.4 LIMITATIONS OF DAMAGES**

By submitting a Proposal, the Proponent agrees that it will not claim damages, for whatever reason, relating to the Proposal or in respect of the RFP process.

### **9.5 OWNERSHIP OF PROPOSALS**

All proposals and other records submitted to the Town of Yarmouth in relation to the RFP become the property of the Town and, subject to the provisions of the *Freedom of Information and Protection of Privacy Act* and the RFP, will be held in confidence.

### **9.6 LIABILITY OF ERRORS**

While the Town has used considerable efforts to ensure information in the RFP is accurate, the information contained in the RFP is supplied solely as a guideline for Proponents. The information is not guaranteed or warranted to be accurate by the Town, nor is it necessarily comprehensive or exhaustive. Nothing in the RFP is intended to relieve Proponents from forming their own opinions and conclusions with respect to the matters addressed in the RFP.



## APPENDIX A – 52 Parade Street, Building Floors Layout



Image 5: 52 Parade St First Floor Layout

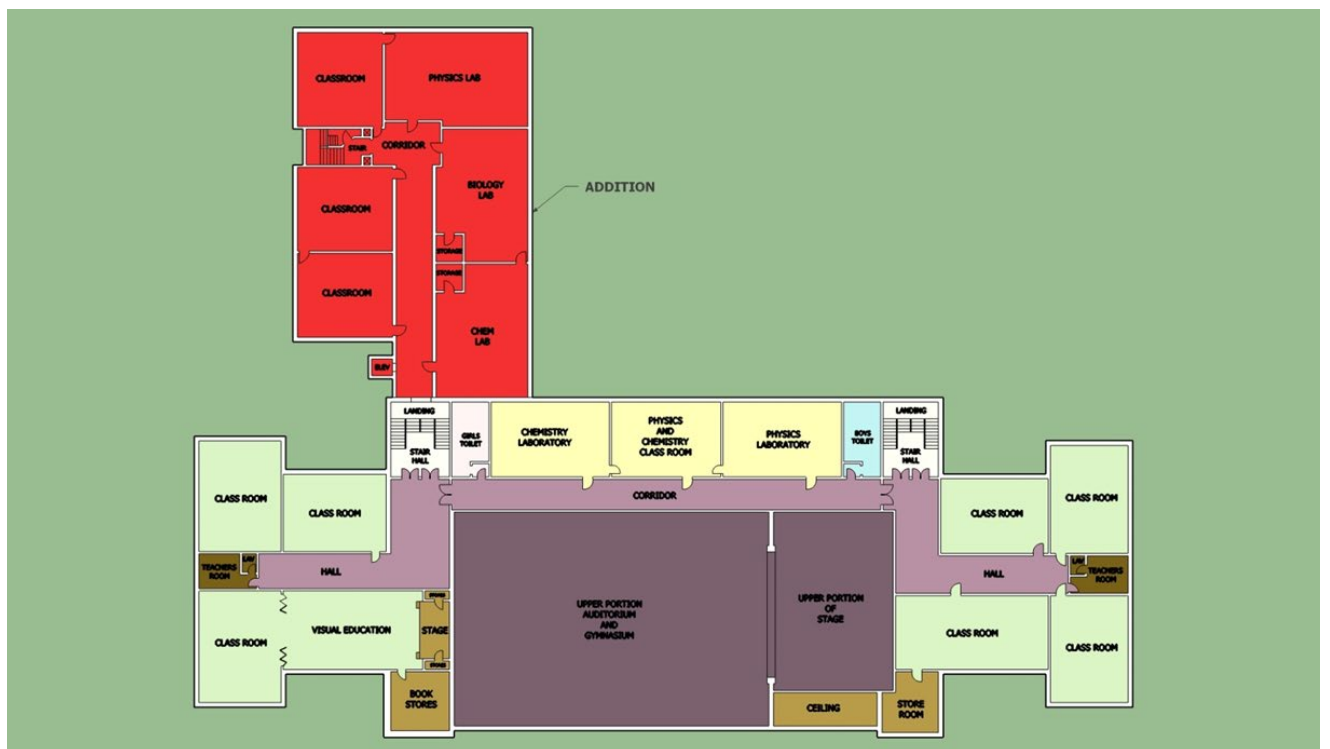


Image 6: 52 Parade St Second Floor Layout

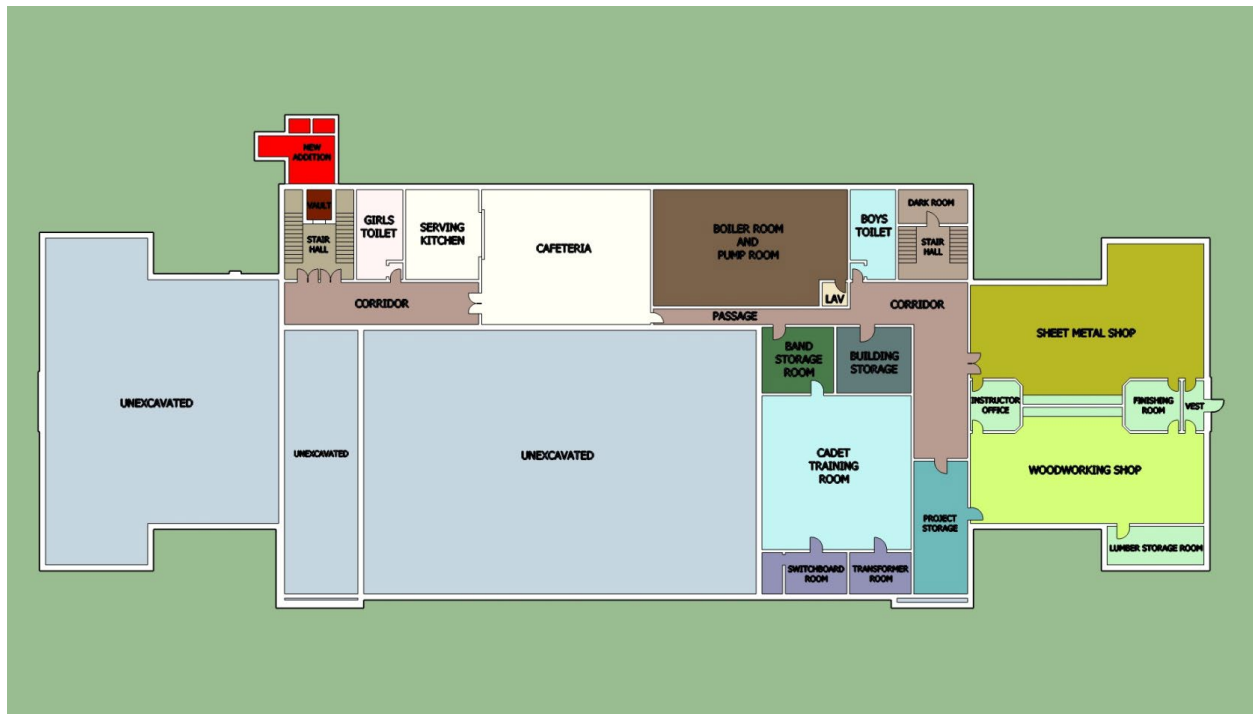


Image 7: 52 Parade St Basement Floor Layout