



Cherokee County Board of Commissioners  
Procurement Department  
1130 Bluffs Parkway, Canton, GA 30114  
Phone: (678) 493-6000  
Fax: (678) 493-6035

## REQUEST FOR BIDS

### **RFB 2019-074** **Real Property Sale – Land Adjacent to** **Cherokee County Aquatic Center**

**THE PROJECT:** The Cherokee County Board of Commissioners Procurement Department (County) is requesting competitive sealed bids from qualified individuals or organizations for the purchase of certain real property generally located adjacent to the Cherokee County Aquatic Center, as further defined in the legal description below. This property, which is currently owned by Cherokee County, Georgia is up for sale to the highest acceptable bid from the most responsive and responsible bidder.

#### **Property Legal Description:**

A TRACT OF LAND SITUATED IN LAND LOTS 636, 637.660 AND 661, 15TH DISTRICT, 2ND SECTION, CITY OF HOLLY SPRINGS, CHEROKEE COUNTY, GEORGIA, THE BEARINGS OF WHICH ARE BASED ON STATE PLANE GRID SYSTEM (GEORGIA WEST ZONE) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A CORP OF ENGINEERS MONUMENT MARKED 660/661 FOR ALLATOONA RESERVOIR AT THE SOUTHWEST CORNER OF LAND LOT 661; THENCE ALONG THE WEST LINE OF LAND LOT 661 AND THE ALLATOONA RESERVOIR NORTH 00 DEGREES 31 MINUTES 44 SECONDS EAST FOR A DISTANCE OF 677.62 FEET TO A CORP OF ENGINEERS MONUMENT MARKED L 4-2; THENCE LEAVING SAID LAND LOT LINE AND RUNNING WEST ALONG THE ALLATOONA RESERVOIR NORTH 89 DEGREES 02 MINUTES 17 SECONDS WEST FOR A DISTANCE OF 652.07 FEET TO A BROKEN CORP OF ENGINEERS MONUMENT DESIGNATION L 04-1; THENCE LEAVING SAID LINE AND RUNNING NORTH ALONG THE ALLATOONA RESERVOIR NORTH 00 DEGREES 42 MINUTES 25 SECONDS EAST FOR A DISTANCE OF 560.91 FEET TO A 5/8 INCH RE-BAR AT THE SOUTHWEST CORNER OF LOT 241 OF THE FALLS OF CHEROKEE UNIT-9, PLAT BOOK 80 PAGE 55, AS RECORDED IN CHEROKEE COUNTY, GEORGIA RECORDS; THENCE NORTHEASTERLY ALONG SAID SUBDIVISION LINE AND INTO LAND LOT 637, NORTH 53 DEGREES 21 MINUTES 43 SECONDS EAST FOR A DISTANCE OF 728.04 FEET TO A 1/2 INCH RE-BAR AT THE INTERSECTION OF THE ABANDONED OLD TRANSART PARKWAY AND PROPERTY OF UNKNOWN OWNERSHIP; THENCE ALONG SAID ABANDONED OLD ROAD SOUTH 73 DEGREES 40 MINUTES 55 SECONDS EAST FOR A DISTANCE OF 86.97 FEET TO A 1/2 INCH CAPPED RE-BAR; THENCE CONTINUING ALONG SAID ABANDONED OLD ROAD INTO LAND LOT 636, SOUTH 82 DEGREES 08 MINUTES 48 SECONDS EAST FOR A DISTANCE OF 69.86 FEET TO A 1/2 INCH CAPPED RE-BAR; THENCE NORTH 89 DEGREES 17 MINUTES 22 SECONDS EAST FOR A DISTANCE OF 142.73 FEET TO A 1/2 INCH RE-BAR AT PROPERTY NOW OR FORMERLY OWNED BY GROUP REALTY (TRANSART), LLC; THENCE ALONG SAID PROPERTY SOUTH 06 DEGREES 26 MINUTES 44 SECONDS EAST FOR A DISTANCE OF 292.98 FEET TO A 1/2 INCH CAPPED RE-BAR AT THE INTERSECTION OF SAID LINE WITH THE NORTH LINE OF LAND LOT 661; THENCE ALONG SAID PROPERTY LINE AND LAND LOT LINE SOUTH 88 DEGREES 44 MINUTES 51 SECONDS EAST FOR A DISTANCE OF 896.15 FEET TO WESTERLY RIGHT-OF-WAY OF INTERSTATE 575 AT A 1/2 INCH RE-BAR 0.14 FEET EAST OF RIGHT-OF-WAY; THENCE SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY 581.04 FEET ALONG THE ARC OF A CURVE,

CONCAVE TO THE NORTHWEST, HAVING A CENTRAL ANGLE OF 06 DEGREES 01 MINUTES 14 SECONDS, A RADIUS OF 5,529.54 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 27 DEGREES 15 MINUTES 10 SECONDS WEST AND 580.77 FEET TO A CONCRETE R/W MONUMENT THENCE SOUTH 40 DEGREES 13 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 195.61 FEET TO A CONCRETE R/W MONUMENT; THENCE SOUTH 34 DEGREES 07 MINUTES 41 SECONDS WEST FOR A DISTANCE OF 383.45 FEET TO A CONCRETE R/W MONUMENT; THENCE SOUTH 28 DEGREES 49 MINUTES 24 SECONDS WEST FOR A DISTANCE OF 201.63 FEET TO A CONCRETE R/W MONUMENT; THENCE SOUTH 38 DEGREES 19 MINUTES 43 SECONDS WEST FOR A DISTANCE OF 238.89 FEET TO A 1/2 INCH RE-BAR AT THE INTERSECTION OF SAID RIGHT-OF-WAY WITH THE SOUTH LINE OF LAND LOT 661; THENCE ALONG SAID LAND LOT LINE NORTH 88 DEGREES 53 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 316.88 FEET TO A CORP OF ENGINEERS MONUMENT MARKED 660/661 FOR ALLATOONA RESERVOIR AT THE SOUTHWEST CORNER OF LAND LOT 661 THE POINT OF BEGINNING OF SAID TRACT. CONTAINING 37.66 ACRES OR 1,640,529 SQUARE FEET BEING MORE SPECIFICALLY SHOWN ON A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED FOR CHEROKEE COUNTY, GEORGIA BY ROSS CONSULTING ENGINEERS, P.C., DATED: JUNE 11, 2010, LAST REVISED: JUNE 17, 2010, (JOB NO. 10029) UNTO WHICH REFERENCE IS HEREBY MADE.

**Incorporated herein by this reference are the following:**

- 1) Legal Description
- 2) Zoning Site Summary Table
- 3) Phase 1 Environmental
- 4) Purchase and Sale Agreement

All times in the solicitation are local times to Cherokee County Board of Commissioners, 1130 Bluffs Parkway, Canton, Georgia 30114.

The County reserves the right to reject any or all bids/proposals, to waive technicalities and to make a selection and final award as deemed to be in the best interest of the County, including using any form of contract it deems most advantageous to the County.

**QUALIFICATIONS OF BIDDER:** Bidders for the Property must be financially and legally able to successfully close on the sale of the Property with the County, at a formal closing date to be set by the County with the County Attorney and the winning Bidder.

**SCHEDULE:**

<b>Issued</b>	September 5, 2019
<b>Legal Organ Posting</b>	September 5, 2019
<b>Questions Due</b>	<b>September 16, 2019 by 4:00 PM</b>
<b>Addendum Due</b>	September 19, 2019
<b>Bids Due &amp; Public Opening</b>	<b>September 26, 2019 at 2:00 PM</b>

**Terms and Conditions of Sale:**

1. The property is being sold “as is” “where is” and “with all faults”.
2. The County has included in the RFB documentation a Phase I Environmental Site Assessment and Zoning Site Plan, both of which are believed accurate but not guaranteed. The Bidder shall be responsible for performing the due-diligence it believes appropriate.
3. At the time of submission of the offer, the Bidder must provide evidence of availability of funds to close from a banking institution (Proof of Funds).
4. The winning Bidder shall, upon notification of being provided such notice, promptly execute the County’s Agreement for Sale of Realty, a copy of which is contained in the RFB documentation.
5. Funds shall be collected from the successful proposing individual or organization at the closing in the form of cashier’s check, wire transfer, or bank issued check.
6. Any Bidder determined to be unable to successfully close on the sale of the Property will have their bid rejected and the County will exercise its option to review and proceed with the next most responsive, responsible Bidder.
7. A minimum bid of Two Million Dollars and No/100 Dollars (\$2,000,000.00) has been established for the proposed sale.
8. Bids may be made conditional on the Bidder’s ability to rezone the property in question, provided that the conditional nature of the bid and the proposed new zoning classification are disclosed along with the bid price. Bids made contingent upon rezoning will be scrutinized as to the viability of the proposed rezoning in light of the City of Holly Springs’ recent denial of a proposed rezoning of the property to High Density Multi-Family Residential.
9. In contracting with the prevailing Bidder, the County reserves the right to impose a time limit in which rezoning must be accomplished, after which time the bid may be deemed forfeited and the County may contract with the next-highest Bidder. In accordance with O.C.G.A. § 36-9-3(a), the County reserves the right to reject any and all bids or cancel any proposed sale.
10. Bids shall be submitted utilizing the required forms included as part of the RFB package.
11. Questions, as of the time of this notification, are due no later than 16 September 2019 with both questions and answers provided on the County’s Procurement page by 19 September 2019.
12. Any amendments to this RFB will be posted on the County’s website.

**Bid Submission Requirements and Public Opening Location:**

This invitation for Sale by Sealed Bids and supporting documents can be downloaded from the Cherokee County website. From the homepage, follow the link to Procurement Bids & RFPs and on the procurement page click on the link to solicitations issued on or after March 1, 2017 in the resources tab. This package is also available in paper form at the Administrative Complex, 1130 Bluffs Parkway, Upper Level Receptionist Desk, Canton, GA 30114.

Bids shall be provided in a sealed envelope, be addressed to Cherokee County Procurement Department, reference RFB 2019-074 and contain the following completed forms; (1) Bid Pricing Form for Real Property, (2) Information and Addenda Acknowledgement Form, (3) Non-Influence and Non-Collusion Affidavit and (4) provide evidence of Proof of Funds. Bids shall be delivered to the Cherokee County Administrative Complex, 1130 Bluffs Parkway, Canton, GA, 30114, Upper Level and presented to the Receptionist’s Desk no later than 2:00 PM on September 26, 2019 and will be publically opened immediately after the submission cut-off at the County’s Administrative Complex, upper level, Commissioner’s Conference Room.

**SUBMITTAL INSTRUCTIONS:** Interested Bidders/Proposers should complete and submit the Bid/Proposal Package which, at a minimum, will contain the following:

1. Completed Purchase Proposal Form,
2. Information and Addenda Acknowledgement Form (Appendix A),
3. Non-Influence and Non-Collusion Affidavit (Appendix B)
4. Proof of Funds.

Number of Submittals:

Original – One (1) (Unbound, 8 1/2x11, One sided only)

Copies – 1 copy, stapled or bound

Proposal packages will NOT be accepted by fax or e-mail unless authorized, in writing, by the Procurement Director. No late bids will be accepted for any reason.

**QUESTIONS/ADDENDA:** Only written inquiries will be permitted during the solicitation period. Questions are to be submitted via email to the Purchasing Agent for this solicitation at: [tbseay@cherokeega.com](mailto:tbseay@cherokeega.com) no later than the date and time indicated in the Schedule, as may be amended. Answers will be posted via formal Addendum and only released as part of the solicitation documents on the County's website. All interested parties are instructed to monitor the County's website on a regular basis throughout the solicitation period. The final date for posting of Addenda is per the Schedule, as may be amended.

## Bid Form for Real Property

Request for Bid Number: \_\_\_\_\_

Offer Date & Time Due: \_\_\_\_\_

Brief Description of Property: \_\_\_\_\_

Proposed Pricing: \$ \_\_\_\_\_

Proposed Earnest Money Amount: \$ \_\_\_\_\_

(Please Note: Must be in US Dollars, see Request for Bid for minimum bid requirements, if any.)

Terms Associated with the Proposed Price: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Please Note: Must address all terms that differ from those in the RFB.)

### **Required Attachments:**

- ☐ Proof of Funds,
- ☐ Information and Addenda Acknowledgement Form (Appendix A), and
- ☐ Non-Influence and Non-Collusion Affidavit (Appendix B)

The bid price and terms are submitted in full compliance with the RFB requirements. I, the undersigned, having full authority to make this offer, hereby propose to purchase this property under the pricing and other terms defined in the subject RFP above on this \_\_\_\_ day of \_\_\_\_\_, 2019.

(Signature Page Follows)

Request for Bids Number: \_\_\_\_\_  
(Signature Page)

Legal Name of Bidder:

\_\_\_\_\_

Bidder is a(n): ☐ Individual ☐ Partnership ☐ LLP ☐ LLC ☐ Corporation ☐ Agent

Bidder's Street Address:

\_\_\_\_\_

Bidder's Mailing Address:

\_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

\_\_\_\_\_  
Signed

*Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.*

Notary Public \_\_\_\_\_ (Seal)

My Commission Expires: \_\_\_\_\_