

PROPOSAL RESPONSE COVER SHEET

City of North Las Vegas



REQUEST FOR PROPOSAL (RFP)

TITLE INSURANCE, ESCROW, CLOSING AND RELATED SERVICES

The undersigned, having carefully read and considered the Request for Proposal for the above referenced project does hereby offer to perform such services on behalf of the City of North Las Vegas in the manner described and subject to the terms and conditions set forth in the attached RFP. Services will be performed at the rates set forth in submitted proposal or as negotiated by all involved parties.

In submitting this Proposal, it is understood that the City of North Las Vegas reserves the right to reject any and all Proposals, and to waive any informalities in Proposals as submitted. Proposer acknowledges that their firm is qualified in this area of work and has experienced personnel able to provide the required services. The City may request information substantiating the indicated requirements. Failure to provide this information may result in a vendor's Proposal being declared non-responsive. It is the Proposer's responsibility to verify if any addenda were issued prior to submission of their bid.

Proposer acknowledges and accepts that all components of and responses to this RFP will be included and become a part of the final contract by reference.

The undersigned further states that this Proposal is made in good faith and is not founded on, or in consequence of, any collusion, agreement or understanding between themselves or any other interested party.

(All contact information must be filled out and this cover sheet must be submitted with proposal)

PROPOSER:

Name of Person with Authority to Bind Proposer: _____

Title of Person with Authority to Bind Proposer): _____

ADDRESS: _____

PHONE: _____ FAX: _____

EMAIL: _____

FEDERAL TAX I.D. (or Social Security # if individual): _____

DUNS NUMBER: _____

GENERAL INFORMATION

TITLE INSURANCE, ESCROW, CLOSING AND RELATED SERVICES

The City of North Las Vegas ("City") is soliciting Request for Proposals from title insurance companies authorized to provide title insurance in Nevada, and who provide associated escrow, closing and related services, who desire to furnish such insurance and services to the City of North Las Vegas, Office of Housing and Neighborhood Services in accordance with all the terms and conditions contained in the Scope of Work herein.

Proposals are to be received no later than 3:00 P.M. on September 23, 2009, at the City of North Las Vegas City Clerk's Office located at 2200 Civic Center Drive, North Las Vegas, NV. 89030.

I. BACKGROUND / OBJECTIVE:

The City has received federal funding through the "Neighborhood Stabilization Program" ("NSP") established pursuant to the Housing and Economic Recovery Act of 2008 ("HERA"). The purpose of the NSP is the stabilization of neighborhoods through the purchase, rehabilitation, and disposition of foreclosed or abandoned and blighted properties ("Properties"). Properties to be acquired by the City under the NSP have not yet been identified, but will consist of single and possibly multi-family residential units. It should be assumed that the properties are all located within the established **Areas of Greatest Need** within North Las Vegas. (See Attachment A)

II. QUALIFICATIONS

All proposers responding to this request must demonstrate and meet the following minimum qualifications:

Proposer must be authorized under Nevada law to operate as a Title insurance company, and must comply with NRS Ch. 692A. Any entity submitting a proposal on behalf of a title insurance company must be licensed in accordance with NRS 692A.103.

III. PROPOSAL REQUIREMENTS

Proposers are required to submit the following information for consideration by the City. Using Proposer's letterhead, Proposer must attach all of the responses to the response cover sheet. Failure of any Proposer to respond completely to all of the following submittal requirements will be grounds for City treating a proposal as non-responsive. Each Proposer must submit five (5) copies of its proposal, one of which must be an unbound, untabbed signed original and one (1) electronic copy. The pages of the unbound copy shall be held together by paper clip or binder clip. The Proposal should include:

1. Statement of Qualifications:

A. The title company's name, address, phone and contact person with authority to bind the Proposer. Basic Proposer information, including the year the Proposer or its personnel became qualified as a title company in Nevada.

B. The title company's professional qualifications, experience on similar projects, and availability for this project.

C. Project Team and Experience: Identify the primary personnel which will perform the work and, if sub-consultants or sub-contractors are to be utilized by the Proposer. The Proposer shall also submit a list of same along with the qualifications and experience of each sub-consultant or sub-contractor.

D. Describe similar or recent projects for which the title entity was responsible that demonstrate the title entity's capability to meet schedule deadlines without delays, cost escalations or overruns. Submit references (name and current telephone number) of a client contact for each of the projects. By submitting a Proposal, the Proposer waives all claims against any person arising from such person providing information to City relating to Proposer's performance upon any title insurance work/ closing services/ escrow services previously performed.

E. Describe background and capabilities in dealing with the various local, state, and federal agencies that may be involved in the project.

F. Respondents should state whether they are an MBE/WBE or Section 3 business enterprise. If so, please provide a copy of a current MBE/WBE certification letter.

2. **Proposed Scope of Work**

At a minimum, this proposed scope of work should include:

- Promptly furnishing a standard CLTA/ALTA (as necessary) title insurance commitment to City upon City's request for each property it considers for possible acquisition, and subsequent to closing.
- Real estate closing services. Proposer must include its form of closing instructions and fees for such services.
- Real estate closing escrow services. Proposer must include its proposed escrow instructions form and state its escrow fees.

3. **Fee Schedule** – Submit a fee schedule for providing title insurance, escrow, and closing services, and identify any additional charges for any services. Schedule should include a statement of whether updates to a title insurance commitment result in additional charges and the amount thereof.

4. **Time Frame** – The proposal shall include the number of business days that is needed for the company to issue a commitment after a request for the commitment is made by the City.

5. **Financial Resources** - Financial statements for the past two years.

6. **Jurisdictional Authorization** - Evidence that the title company is authorized to do business in the City of North Las Vegas.

7. **Company Rating** - Evidence of the company's rating from at least one of the independent rating agencies.

8. **References** - Three (3) references of related projects, including date of project, contact person and phone number, and a brief description of the project.

IV. SCOPE OF SERVICES

1. **Procurement Term**: The successful company or companies will be selected for title insurance and closing/escrow services for all NSP acquisitions by City for a period of 12 months with the possibility of extension.

2. **Contract Terms and Conditions**: Provision of the work is subject to the terms and conditions of this RFP and the responses made by Proposer.

3. **Order Volume:** The City will place orders on an as-needed basis and makes no guarantees whatsoever for any specific order quantities or dollar-volumes.

4. **Geographic Service Area:** The subject properties will be located within the City North Las Vegas **Areas of Greatest Need.** (See attachment A)

5. **Required Services:**

The City requires the following services:

A. Issue **new** title commitments and provide copies of all underlying exception and exclusion documents.

B. Issue **updates** to title commitments and provide copies of all underlying exception and exclusion documents.

C. Provide other related information and documents of record concerning title to a property, such as copies of vesting deeds, parcel maps/tract maps, FEMA flood zone designations (if available of record).

D. Assist with the development of legal descriptions for: a) properties being considered for acquisition; and/or b) easements, rights of way or other encumbrances or liens, or rights granted.

E. Assist the City, its legal counsel and other consultants in resolving issues affecting marketable title to properties being considered for acquisition, or removal of exceptions where possible.

F. Issue California Land Title Association (CLTA) Residential Title Insurance Policies or CLTA Homeowner's Policy of Title Insurance for properties conveyed to the City for which premiums have been paid together with any special endorsements requested by City, and which shall delete standard exceptions.

G. The following documents shall be initially prepared by Title Company only, and the following items executed and/or delivered at time of closing:

1. Seller's documents/items:

- (a) Deed;
- (b) Affidavit regarding seller;
- (c) FIRPTA Affidavit;
- (d) Executed Settlement Statement;
- (e) Declaration of Value;
- (f) Seller's Lien Affidavit;
- (g) Escrow Agreement.

2. Purchaser's documents/items:

- (a) Affidavit regarding purchaser;
- (b) Executed Settlement Statement;
- (c) The balance of purchase price due at closing; and
- (d) Escrow Agreement

H. Record with the County Recorder: releases of deeds of trust, grant deeds, certificates of acceptance, memoranda of agreements and related documents required with respect to the transfer of each property.

I. Distribute to the parties originals or copies (as appropriate) of executed and/or recorded closing documents.

- J. Disburse to the party or parties entitled thereto amounts required to be disbursed in connection with the closing of each property transfer transaction.
- K. Prepare closing settlement statements reflecting pro-rations and funds disbursed through escrow in each property transfer transaction.
- L. Provide additional Services related to the title, escrow and closing services specified above, at rates, if any, specified in the response to RFP.
- M. Status Reports: Proposer will at no charge provide the City with regular order status report.

6. Order Process; Status Reporting; Contract Administration

Work to be performed for each property will be undertaken in the following manner:

- A. Order Process: The Proposer will specify a form for City use, which will serve as the “request for title commitment” when properly executed by the Senior Assistant to the City Manager or designee. The request need not list all of the services which may be provided under this RFP, however, the request should include areas to be completed with the property address, legal description (as far as known), current owner, and other information deemed reasonably necessary by the Proposer to complete the required tasks.
- B. Status Reports: Proposer will provide the City with regular order status reports on a monthly basis. One report may include a summary of status for all the properties.
- C. Delivery of Title Commitments/Documents/Status Reports: As appropriate, original documents and hard copies requested shall be delivered to City of North Las Vegas Office of Housing and Neighborhood Service. Scanned images of all documents are requested and deliverable via e-mail. Upon execution of the Agreement, a contact person and e-mail address will be provided for all correspondence.
- D. Invoicing: Proposer will provide the City a fully itemized invoice, referencing the purchase order number and property address, which shall be payable out of Purchaser’s funds at closing on each property.

V. DISCLOSURE

By law, the response to the RFP and reports produced by the successful Proposer may become public documents that are subject to public inspection upon request. Response to the RFP and reports shall not contain any language that restricts public inspection. If the response or any report contains language restricting public inspection, the language may not apply as determined by City.

VI. FEDERAL AND STATE STANDARDS

Federal financial assistance under HERA is intended to be available for the acquisition of the properties. Consequently, the successful title company under this RFP shall be required to conform and comply with all applicable Federal and State requirements, standards, orders and regulations that are associated with its functions relating to the acquisition and disposition of the real property for a program or project for which federal financial assistance will be available to pay all or any part of the cost to such program or project.

The regulations governing NSP were published in the Federal Register on October 6, 2008 (Volume 73, Number 194) and can be viewed at www.hud.gov/nsp. Respondents are strongly encouraged to read these regulations prior to submitting their response to this RFP.

VII. CONTRACT LIMITATIONS

This contract is subject to the provisions of Executive Order 11246 (Affirmative Action to Ensure Equal Employment Opportunity).

All proposers are advised that the work will be accomplished contingent upon funding availability.

All proposers are advised that some of the services may not be required and that the City reserves the right to initiate additional procurement action for any of the services included in the initial procurement.

VIII. WRITTEN AGREEMENT(S)

Agreement(s)

IX. OMISSIONS

Should the City omit anything from this Request for Proposal, which a Proposer considers necessary for a clear understanding of the work, or should it appear that various instructions are in conflict, then anyone interested in submitting a proposal shall submit a written request for clarification to the Office of Housing and Neighborhood Services Division located at 2225 Civic Center Drive, North Las Vegas, NV 89030 not less than three days prior to closing to allow sufficient time for posting to the City's webpage.

X. RECEIPT OF PROPOSAL AND EVALUATION PROCESS

Proposers must complete and return the entire Request for Proposals packet. A selection committee consisting of City staff members shall evaluate and select the proposer(s) to provide the required services based on the completed Proposal responses, which may be contingent upon contract award by City Council. The selection committee shall be the judge in determining how the evaluation process shall be conducted and what title entity shall be considered for award as deemed to be in the best interest of the City.

The selection process shall be based on a comparative analysis of the professional qualifications, costs and time frame necessary for satisfactory performance of the services required.

XI. REJECTION OF PROPOSALS

No Proposal shall be accepted from, or contract awarded to, any person, firm or corporation that is in arrears to the City, upon any debt or contract or for service fees or that has defaulted, as surety or otherwise, upon any obligation to the City, or that may be deemed irresponsible or unreliable by the City. Proposers will be required to submit satisfactory evidence that they have the necessary **financial resources** to perform and complete the work outlined in this RFP.

XII. DEBARMENT

By submitting this Proposal, the Proposer certifies that neither he, his company, nor its principals, is presently debarred, suspended, in the process of debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal or state of Nevada department or agency.

XIII. EQUAL OPPORTUNITY

The City of North Las Vegas is an Equal Opportunity Employer. City of North Las Vegas will make every effort to ensure that all Proposers are treated fairly and without discrimination throughout the solicitation, evaluation and selection process. The procedures established herein are designed to provide all interested Proposers reasonable access to the same relevant information.

XIV. COST OF DEVELOPING PROPOSALS

All costs related to the preparation of the Proposals and any related activities are the sole responsibility of the Proposer. The City assumes no liability for any costs incurred by Proposers throughout the entire selection process.

XV. PROPOSALS OWNERSHIP / CONFIDENTIALITY

All Proposals, including attachments, supplementary materials, addenda, etc. shall become the property of the City and will not be returned to the proposer. The only documents that will be considered confidential will be financial statements or trade secrets that are specifically marked "CONFIDENTIAL" on each page.

XVI. ADDITIONAL INFORMATION

For information concerning this Request for Proposal, or applicable procedures and regulations (i.e. submission deadline, forms required, etc.), interested parties may contact **Rick Damian, Office of Housing and Neighborhood Services Division via fax 702.642.1511 or e-mail: DamianR@cityofnorthlasvegas.com.**

It is understood that any/all changes or revisions to our published specifications will be through written addendum to the RFP as posted on the City's web site at:

<http://www.cityofnorthlasvegas.com/Departments/CityManager/NeighborhoodServices.shtm>