



INVITATION FOR BID

ATTENTION: This is not an order. Read all instructions, terms and conditions carefully.

INVITATION NO.:	K-0966-25	<u>RETURN ONE ORIGINAL COPY AND ONE CD OF BID TO:</u> UNIVERSITY OF KENTUCKY PURCHASING DIVISION BID DESK, BID # <u>K-0966-25</u> , BID DATE 12/06/24 322 PETERSON SERVICE BLDG. 411 South Limestone LEXINGTON, KY 40506-0005
Issue Date:	10/18/24	
Title:	Sale of University Property known as Hall's Prairie located at US Highway 68/80 Auburn, Logan County, KY 42206	
Contracting Officer:	Rebecca Purcell	
Phone:	859-257-5479	
Email:	rpurcell@uky.edu	

IMPORTANT: BIDS MUST BE RECEIVED BY 12/06/24 @ 3:00 P.M. LEXINGTON, KY TIME

The University's General Terms and Conditions and Instructions to Bidders, viewable at www.uky.edu/Purchasing/terms.htm, apply to this Invitation for Bid. When the Invitation for Bid includes construction services, the University's General Conditions for Construction and Instructions to Bidders, viewable at www.uky.edu/Purchasing/ccphome.htm, apply to the Invitation for Bid.

AUTHENTICATION OF BID AND STATEMENT OF NON-COLLUSION AND NON-CONFLICT OF INTEREST

I hereby swear (or affirm) under the penalty for false swearing as provided by Kentucky Revised Statutes (KRS) 523.040:

- That I am the bidder (if the bidder is an individual), a partner, (if the bidder is a partnership), or an officer or employee of the bidding corporation having authority to sign on its behalf (if the bidder is a corporation);
- That the attached bid has been arrived at by the bidder independently and has been submitted without collusion with, and without any agreement, understanding or planned common course of action with, any other vendor of materials, supplies, equipment or services described in the Invitation for Bids, designed to limit independent bidding or competition;
- That the contents of the bid or bids have not been communicated by the bidder or its employees or agents to any person not an employee or agent of the bidder or its surety on any bond furnished with the bid or bids and will not be communicated to any such person prior to the official opening of the bid or bids;
- That the bidder is legally entitled to enter into contracts with the University of Kentucky and is not in violation of any prohibited conflict of interest, including those prohibited by the provisions of KRS 164.390, 45A.330 to 45A.340.
- That the Bidders, and its affiliates, are duly registered with the Kentucky Department of Revenue to collect and remit the sales and use tax imposed by Chapter 139 to the extent required by Kentucky law and will remain registered for the duration of any contract award.
- That I have fully informed myself regarding the accuracy of the statement made above.

COLLUSION PROHIBITED

Any agreement or collusion among bidders or prospective bidders which restrains, tends to restrain, or is reasonably calculated to restrain competition by agreement to bid at a fixed price or to refrain from bidding, or otherwise, is prohibited, in accordance with KRS 45A.325.

SWORN STATEMENT OF COMPLIANCE WITH CAMPAIGN FINANCE LAWS

In accordance with KRS 45A.110(2), the undersigned hereby swears under penalty of perjury that he/she has not knowingly violated any provision of the campaign finance laws of the Commonwealth of Kentucky and that the award of a contract to a bidder will not violate any provision of the campaign finance laws of the Commonwealth of Kentucky.

CONTRACTOR REPORT OF PRIOR VIOLATIONS OF KRS CHAPTERS 136, 139, 141, 337, 338, 341 & 342

The contractor, by signing and submitting a bid on this invitation, agrees as required by KRS 45A.485 to submit final determinations of any violations of the provisions of KRS Chapters 136, 139, 141, 337, 338, 341 and 342 that have occurred in the previous five (5) years prior to the award of a contract and agrees to remain in continuous compliance with the provisions of these statutes during the duration of any contract that may be established. Final determinations of violations of these statutes must be provided to the University by the successful contractor prior to the award of a contract.

ALL BIDS ARE TO BE " F.O.B. DESTINATION – FREIGHT PREPAID AND ALLOWED"

THIS AREA MUST BE COMPLETED

NAME OF COMPANY or PERSON:	PHONE:
ADDRESS:	FAX:
ADDRESS:	E-MAIL:
CITY, STATE & ZIP CODE:	FEDERAL EMPLOYER ID NO. OR S.S #
SIGNATURE:	DATE:

SIGNATURE REQUIRED: This bid cannot be considered valid unless signed and dated by an authorized agent of the bidder. Type or print the information requested in the spaces provided.

UNIVERSITY OF KENTUCKY
INSTRUCTIONS TO BIDDERS

All University of Kentucky bid solicitations are made upon and subject to the following conditions:

1 Preparation of Bids

- 1.1 All solicitations are subject to the provisions and requirements of any applicable Kentucky Revised Statutes, including the Kentucky Model Procurement Code, and the rules, regulations and policies of the University of Kentucky including the University of Kentucky's General Terms and Conditions.
- 1.2 Bidders are expected to examine the complete bid and all attachments including drawings, specifications and instructions. Failure to do so is at bidder's risk.
- 1.3 Bidders shall furnish information required by the solicitation in the form requested. The University reserves the right to reject bids with incomplete information or which are presented on a different form.
- 1.4 All bids must be legible. A legally authorized company representative shall sign all bids in the appropriate location. Erasures or other changes must be initialed by the person signing the bid. Signature on a bid certifies that the bidder has read and fully understands all bid specifications and bidder agrees to all terms and conditions stipulated in the Invitation For Bids (IFB).
- 1.5 Bid prices shall be entered in spaces provided on the bid form. All unit prices and mathematical extensions and totals shall be indicated where required. In cases of errors in extensions or totals the unit price will govern.
- 1.6 Should any potential bidder doubt the true meaning of any part of the solicitation, a written request for an interpretation may be submitted to the University. Requests for such interpretation shall be made in writing to the appropriate Contracting Officer identified in the solicitation. Every interpretation made shall be in the form of an "addendum" to the solicitation sent as promptly as is practicable to all prospective bidders to whom the solicitation has been issued. Failure by the University to send or any potential bidder to receive such interpretation(s) shall not relieve any bidder from any obligations under the bid solicitation or the bidder's response. Any interpretations, corrections or changes to the solicitation made in any other manner, including oral explanations and instructions, are not binding upon the University.
- 1.7 Bidders or potential bidders are required to coordinate all discussions concerning solicitations through the appropriate Contracting Officer or other purchasing official within the University of Kentucky Purchasing Division. Bidders or potential bidders are not authorized to communicate with any University administrator, faculty, staff, or Board of Trustees member concerning this solicitation. Failure to comply with this requirement is grounds for the bidder's disqualification.
- 1.8 Unless otherwise stipulated in a bidder's response, the bidder's offer is in strict accordance with the University's specifications and terms and conditions of the Invitation For Bids. Any deviations must be fully itemized in detail. Any deviations from the requirements of this solicitation are at bidder's risk and the University may determine the bid to be non-responsive.

2 Submission of Bids

- 2.1 Bids, and modifications thereof, using the BID PROPOSAL FORM (found below) shall be returned in a sealed envelope and submitted in such a manner as to ensure their arrival in the University of Kentucky Purchasing Division before the due date and time set forth in the solicitation. The time shown on the recording clock in the Purchasing Division is the official time. Unless otherwise indicated in the solicitation no oral, facsimile, e-mail or telephone bids will be accepted.
- 2.2 Bids may be modified or withdrawn in writing or in person by an authorized representative if done so prior to the exact time and date for receipt of the bids. Telephone and facsimile modifications or withdrawals are not permitted. Withdrawn bids may be resubmitted, with or without modifications, up to the solicitation due date and time. No bids may be withdrawn after the due date and time without the express authorization of the University of Kentucky Purchasing Division.

- 2.3 Bids received after the designated time and date in the solicitation will not be considered. Bids will or will not be publicly opened and read in accordance with the Invitation For Bids.
- 2.4 Bidders shall show the bid due date and time, the solicitation number, and the name and address of the bidder on the face of the bid envelope.
- 2.5 All bids will be considered firm for a period of forty-five (45) calendar days from the bid opening date.

FOR SALE

Property known as Hall's Prairie located at US Highway 68/80, Auburn, Logan County, KY 42206 owned by the University of Kentucky.

In accordance with Kentucky laws applicable to the sale or disposition of real property, the University of Kentucky is soliciting bids for the sale of real property known as Hall's Prairie located at US Highway 68/80, Auburn, Logan County, KY 42206. The University desires to sell the property in its entirety.

The property consists of approximately 103 acres of real estate located on US Highway 68/80 in Auburn, Logan County, KY. This property was appraised on August 29, 2023 by Brantley Appraisal for Seven Hundred Forty Thousand Dollars (\$740,000.00) see ATTACHMENT A. Pursuant to KRS 164A.575, the sale price of the property shall not be less than the fair market value.

LEGAL DESCRIPTION – See ATTACHMENT B

TERMS AND CONDITIONS

1. Bid Submittal

Bids must be received by the University of Kentucky Purchasing Division no later than 3:00 p.m. Lexington, KY time on 12/06/24, 2024

The face of the envelope containing the bid must be addressed to:

University of Kentucky Bid Clerk
Purchasing Division
Room 322 Peterson Service Building
Bid Number – K-0966-25
Lexington, KY 40506-0005

2. Bid Form

- a. All bids must be submitted on the Bid Proposal Form contained in this Invitation for Bid. The bid must include Page 1 of this Invitation for Bid, executed on behalf of the bidder, and the signed Bid Proposal Form.
- b. A single non-conditional lump sum bid must be submitted for the property. No bid contingencies shall be permitted (e.g. financing, inspections). The terms of purchase are strictly cash only upon closing.

3. Bid Deposit and Performance Guarantee

- a. A certified check made payable to the University of Kentucky in the amount of 1% of the bid price must accompany each bid as a good faith deposit. To guarantee performance, the successful bidder must provide, within fourteen (14) days after the bid opening date, an Irrevocable Letter of Credit in the amount of twenty (20%) percent of the bid price, in favor of the University of Kentucky. The Irrevocable Letter of Credit must be from a generally recognized lending institution (member FDIC) acceptable in form and content to the University's Office of Legal Counsel. Upon receipt and approval of the Letter of Credit, the one (1 %) percent good faith deposit made payable to the University of Kentucky will be immediately refunded. Failure to close in accordance with the sales contract will authorize the University to exercise its rights under the Irrevocable Letter of Credit and draw against the account of the bidder in an amount equal to twenty (20%) percent of the bid price.
- b. Checks from unsuccessful bidders will be returned the following business day after the bid opening. Checks may be picked up in the Office of the Purchasing Director, Room 322 Peterson Service Building, between the hours of 8 a.m. and 5 p.m. Checks not picked up will be returned by mail. Proper identification must be made when picking up checks and a receipt must be signed.

4. Requirements of the Sale

- a. The property is offered for sale and will be sold "as is and where is" without representation, warranty, or guarantee or that the property is in condition or fit to be used for the purpose intended. Bidders are responsible to verify that any information contained in this Invitation For Bids is to be relied upon and essentially correct.
- b. By submitting a bid, the bidder represents and warrants the bidder is prepared to carry out the terms of the bid if accepted by the University, the bidder has made its own investigation of the property as to location, value, zoning and other conditions, and the bidder is making such bid based upon its own findings and not on any representations made by the University.

5. Withdrawal of Bid

Bids may be withdrawn prior to the date and time set for opening of the bids. Proper identification and authorization to withdraw the bid must be presented and accepted prior to the return of any bid.

6. Term of Acceptance

The successful bidder must not limit the time of acceptance of the bid to less than ninety (90) days. This Invitation for Bid, the successful bidders Bid Form, and the University's written acceptance shall constitute the sale and purchase contract documents.

7. Acceptance of Bid

- a. The University intends to accept the responsive and responsible bidder with the highest cash offer, in accordance with applicable state law(s).
- b. The University reserves the right to accept the next highest bid without further bidding procedures if the highest responsive and responsible bidder fails to close the transaction pursuant to the sales contract.

8. Rejection of Bids and Waiver of Informalities and Irregularities

The University reserves the right to accept or reject any and all bids. At its discretion, the University may waive any informality or irregularity and to accept any bid it deems to be in the University's best interest. The University may request any bidder to supply additional information in order to determine the best bid.

9. Late Bids

Bids received in the office of Procurement Services after 3 p.m. Lexington time on 12/06/24, will not be considered.

10. Bid Opening

Bids will be opened publicly in Room 379 of the Peterson Service Building on 12/06/24 at 3 p.m. Lexington time. All bids must be turned in at Room 322 Peterson Service Building.

11. Required Submittals

The bidder should include the following information with the bid:

- a. Names and addresses of the individual owners, partners or officers of the firm or corporation who will take title to the property.
- b. A certified check for 1% of the bid, made payable to the University of Kentucky.

12. Broker's Commission

The University will allow the use of duly licensed real estate brokers in the purchase of this property. Payment of commissions or broker's fees is the responsibility of the bidder.

13. Surveys

The tract may be surveyed at any time by perspective bidders at the bidder's expense.

14. Taxes

The successful bidder shall be responsible for any taxes assessed following closing.

15. Possession of Land, Access for Planning

It is the intent of the University of Kentucky to give possession with the deed.

In accepting a bid for sale of this property, the University pledges its willingness to work with the bidder and to provide reasonable access to the property to allow the bidder to evaluate suitability of utilities, to conduct site engineering studies, and to begin site development planning.

16. Final Closing

Final closing should be within thirty (30 to 45) days from the date the bidder has been notified that all necessary approvals for acceptance of the bid have been obtained.

17. Conveyance of Land Title

At the time of closing and upon payment of the purchase price in full, the University will deliver a General Warranty deed. In addition, the property will be sold in its "as is" condition.

18. Title to Land

The property known as Hall's Prairie located at US Highway 68/80, Auburn, Logan County, KY 42206 is owned in fee simple by the Commonwealth of Kentucky for the use and benefit of the University of Kentucky. If title insurance is deemed necessary, the purchaser shall be responsible for any costs involved.

19. Questions

All questions or other communication concerning this Invitation for Bid should be addressed to:

Rebecca Purcell
Category Specialist
University of Kentucky
Purchasing Division
Room 322 Peterson Service Building
Lexington, KY 40506-0005
Telephone: (859) 257-5479
E-mail: rpurcell@uky.edu

20. Interpretation of Invitation for Bids Document

Any person contemplating submitting a bid, pursuant to this Invitation For Bids, who is in doubt as to the true meaning of any part of the document may submit a written request for an interpretation thereof. Any interpretation or correction of the document will be made only by written addendum. The University will not be responsible for any other explanations or interpretation of the documents.

21. Site Visit

A site visit will be held at the property known as Hall's Prairie located at US Highway 68/80, Auburn, Logan County, KY 42206 on November 25, 2024 from 1 p.m. until 3 p.m. Auburn, KY (cst) time to allow prospective bidders an opportunity to see the property .

The following items should be noted in reference to the site visit:

- Attendance at the site visit is optional.

BID PROPOSAL FORM

**FOR THE SALE OF PROPERTY LOCATED AT THE PROPERTY KNOWN AS HALL'S PRAIRIE
LOCATED AT US HIGHWAY 68/80, AUBURN, LOGAN COUNTY, KY 42206 owned by the
University of Kentucky.**

**UNIVERSITY OF KENTUCKY
INVITATION FOR BID NO. K-0966-25**

\$ _____ *

*** This total must be the net amount payable to the University and shall EXCLUDE any and all commissions or fees which shall be paid by bidder.**

SIGNATURE: _____

SIGNER'S NAME: _____

COMPANY: _____

DATE: _____