



**City of Pomeroy**  
**REQUEST FOR BIDS**  
**Surplus Property – 25<sup>th</sup> Street & Hwy 12**

- Submittal Deadline:** 1:00 p.m., Pacific Daylight Time, Wednesday, May 29, 2024
- Submittal Delivery:** Sealed submittals will be received and time stamped at this location only:  
Pomeroy City Hall  
80 N. 7<sup>th</sup> Street  
Pomeroy WA 99347
- Submittal Opening:** Sealed submittals in response to the RFB will be opened by the City Clerk and read aloud during a public bid opening held Wednesday May 29<sup>th</sup> at 1:00 p.m. in the Council Chamber at Pomeroy City Hall.
- Minimum Bid Amount:** \$22,500.00
- Solicitation Documents:** An electronic copy of the complete solicitation document may be viewed and obtained by accessing the City of Pomeroy website at: [www.cityofpomeroy1.com](http://www.cityofpomeroy1.com). A paper copy of the complete solicitation document may be picked up in person at Pomeroy City Hall (80 N. 7<sup>th</sup> Street)
- Additional Information:** Requests for information regarding the specifications may be obtained by contacting Diane Taylor, City Clerk, by email at [clerk1@pomeroy-wa.com](mailto:clerk1@pomeroy-wa.com).

## **SPECIFICATIONS TERMS AND CONDITIONS**

### **Request for Bids** **Surplus Property – 25<sup>th</sup> Street & Hwy 12**

#### **Bid Submittal Information**

Bids must be delivered to the location designated on the Bid Proposal Form, on or before the time mentioned thereon. Any bid received after the established opening time will not be considered.

Bidders may inspect the property offered for sale at the location indicated on the attached form.

Each bid must be accompanied by a Cashier's check or bid bond as a bid and performance guarantee in the amount of not less than five percent (5%) of the amount of the proposal, made payable to "City of Pomeroy".

The City reserves the right to reject any or all bids received for cause or for convenience, to waive any informalities in the bids, and to award as best serves the interest of the City. Bidder acknowledges award of bid is subject to City Council approval.

#### **Disclaimer of Warranty**

Property is sold AS-IS and WHERE-IS, with all faults. The City makes no warranty, express or implied with respect to the condition of the property. CITY SPECIFICALLY DISCLAIMS ANY AND ALL APPLICABLE IMPLIED WARRANTIES AND WARRANTY FOR HABITABILITY, MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

#### **Indemnification – Hold Harmless**

Purchaser acknowledges that pursuant to the terms of this agreement, Purchaser is totally responsible for the safety of all persons and property in the performance of this contract. Purchaser assumes the risk of all damages, loss, cost, penalties and expense and agrees to indemnify, defend and hold harmless the City of Pomeroy from and against any and all liability which may accrue to or be sustained by the City of Pomeroy on account of any claim, suit or legal action made or brought against the City of Pomeroy for the death of or injury to persons (including the Purchaser's or subcontractor's employees) or damage to property involving Purchaser or subcontractor(s) and their employees or agents, or for any other cause arising out of and in connection with or incident to the performance of the contract except for injuries or damages caused by the sole negligence of the City. In this regard, Purchaser recognizes that Purchaser is waiving immunity under Industrial Insurance Law, Title 51 RCW. This indemnification extends to the officials, officers and employees of the City and also includes attorney's fees and the cost of establishing the right to indemnification hereunder in favor of the City of Pomeroy.

The City of Pomeroy (City) is soliciting bids for the sale of real property located at the address listed below.

1. PROPERTY INFORMATION

ADDRESS: 25<sup>TH</sup> Street & Hwy 12, Pomeroy WA (bare lot, not addressed)  
PARCEL NUMBER: 80547501826100000 & 80703203311800000  
ZONING: C-2 Multi-Purpose Commercial  
LOT SIZE: Approximately 10,800 Square Feet (.24 acres) + joined vacated alley  
IMPROVEMENTS: None

Questions and requests for clarification of the specifications may be submitted in writing by 3:00 p.m., Pacific Daylight Time, **Friday, May 24, 2024**, to Diane Taylor, City Clerk, via email to [clerk1@pomeroy-wa.com](mailto:clerk1@pomeroy-wa.com). No further questions will be accepted after this date and time. The City will not be responsible for unsuccessful submittal of questions.

2. SELECTION PROCESS

A minimum bid amount of \$22,500 has been established for this property. No offer below \$22,500 will be considered.

The City will review the proposals submitted. Evaluation criteria will include bid price for the property, conditions of sale, and other criteria determined by the City of Pomeroy.

The City has the option to: 1) reject any and all bids; or 2) request that the bidders present further information in order to complete evaluations.

3. GENERAL SALE TERMS

A. BID PROPOSAL FORM

The Bid Proposal Form must be filled out legibly with all erasures, strikeovers, and corrections initialed by the person signing the proposal. The proposal must clearly identify the name and address of the bidder.

B. BID DEPOSIT

All proposals to be considered must be accompanied by a surety deposit. All deposits must be in the form of a cashier's check or bid bond.

Bidders are encouraged to note the parcel I.D. number and their name on the deposit check. The deposit must be at least five percent (5%) of the amount proposed. Should the apparent successful bidder or purchaser fail to complete the sale according to the terms stated herein, the deposit will be retained by the City as liquidated damages. The deposits of unsuccessful bidders shall be returned upon acceptance of bid award by City Council. These deposits shall not accrue any interest.

### C. CASH PURCHASE

The sale price shall be due and payable within ten (10) business days by 5:00 p.m. after the date of the City Council approval. Time extensions may be granted on a case-by-case basis by the City.

### D. CLOSING

The sale shall close within ten (10) business days by 5:00 p.m. after the date of City Council approval. However, the City may elect to extend the closing date, in the City's sole discretion, for the convenience of the parties. Purchaser's failure to adequately provide the requisite documentation and compensation to execute closing on the closing date shall constitute a default pursuant to Section H stated herein and shall result in a forfeiture of Purchaser's bid deposit identified in Section B above. The Purchaser will be entitled to possession of the property upon recordation of the Quitclaim Deed.

### E. CLOSING COSTS

The purchaser is required by law, RCW 65.08.095, to pay recording fees. Taxes, liens, utility payments, and other assessments, if any, will be prorated to the date of closing, and assumed by the Purchaser.

### F. CONVEYANCE AND TITLE INSURANCE

Upon receipt of the sale price, title will be conveyed by QUITCLAIM DEED. The City will not provide title insurance. If the Purchaser wishes to use an escrow service, this cost shall be at the Purchaser's sole expense.

### G. SALE PROCEDURE

The sealed submittals will be opened by the City Clerk and read aloud during the scheduled public bid opening to be held in Council Chambers at Pomeroy City Hall. Bids will be presented to the mayor for review and award recommendation. Award of bid is subject to City Council approval.

### H. DEFAULT

Should the apparent successful bidder default or fail to qualify, another bid solicitation may be scheduled or, at the City's option, the property will be offered to the next highest qualified bidder. Should the apparent successful bidder fail to complete the sale according to the terms stated herein, the bid deposit will be retained by the City as liquidated damages.

### I. PROPERTY CONDITION

The property is being offered "as is" and "where is" without representation, warranty or guarantee as to quality, character, condition, size or kind, or that the same is in condition or fit to be used for the purpose for which intended, and no claim for any allowance or deduction upon such grounds will be considered once bids have been awarded.

## J. DISCLOSURE STATEMENT

PURSUANT TO RCW 64.06.010, AS HEREAFTER AMENDED, THE BUYER HEREBY EXPRESSLY WAIVES THE RIGHT TO RECEIPT OF THE SELLER DISCLOSURE STATEMENT AS PROVIDED IN RCW 64.06.015, AS HEREAFTER AMENDED, WITHIN THE TIME FRAME REQUIRED BY RCW 64.06.030, AS HEREAFTER AMENDED.

## K. CONDITIONS OF SALE

THE CITY MAKES NO REPRESENTATION OF ANY KIND AS TO THE ACCURACY OR COMPLETENESS OF THE PARCEL INFORMATION PROVIDED AS WELL AS ANY OTHER PARCEL INFORMATION PROVIDED BY THE CITY. THE CITY MAKES NO WARRANTY, EXPRESSED OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, SUITABILITY FOR ANY USE. Interested parties are instructed to contact the local jurisdiction for specific requirements regarding use(s) allowed. All sales are subject to existing easements, reservations, restrictions, zoning ordinances, building and use restrictions, matters that would be disclosed by a survey, and such other encumbrances as may be disclosed by an examination of the public records and/or an inspection of the premises; rental or lease agreements as may exist; also, special conditions contained herein as may be named in other materials distributed by the City. The City reserves the right to cancel any or all sales and reject any or all proposals. All sales are subject to approval by the City Council.

## 4. PROPERTY DESCRIPTION

See Attachment I

## 5. SUBMITTALS

One (1) complete copy of your bid shall be submitted to the following address:

City of Pomeroy  
80 N. 70<sup>th</sup> Street  
Pomeroy WA 99347

Proposals must be received and time stamped at the above location no later than 1:00 p.m. Wednesday, May 29, 2024, to be considered responsive.

# ATTACHMENT I

## LEGAL DESCRIPTION

LOTS 16,17 AND 18 IN BLOCK 75 OF DEPOT ADDITION TO THE TOWN, NOW CITY OF POMEROY AND LOTS 1,2 AND 3 AND LOTS 16,17 AND 18 IN SAID BLOCK 75, WHICH FORMERLY CONSTITUTED THE ALLEY SINCE VACATED, BETWEEN THE LOTS MENTIONED.

25<sup>th</sup> Street & Hwy 12, Pomeroy WA  
Parcel #80547501826100000 & 80703203311800000



**CITY OF POMEROY  
 BID PROPOSAL FORM**

**SURPLUS REAL PROPERTY SALE**

SEALED BIDS WILL BE RECEIVED UNTIL: **1:00 p.m., Wednesday, May 29, 2024**

LOCATION OF SURPLUS PROPERTY: 25<sup>TH</sup> Street & Hwy 12, Pomeroy WA

DESCRIPTION	PURCHASE PRICE
REAL PROPERTY FOR SALE: Address: 25 <sup>th</sup> Street & Hwy 12, Pomeroy WA  GARFIELD COUNTY ASSESSOR: TAX PARCEL NUMBER: 80547501826100000 Approximately 10,800 Square Feet (.25 acres)  TAX PARCEL NUMBER: 80703203311800000 Approximately 1,440 Square Feet (.03 acres)	\$ _____ *Excluding all applicable taxes & fees.
<b>SOLD AS IS – WHERE IS</b>  <b>The Sale Will Be Subject to City Council Approval</b>	

Each bid must be accompanied by a cashier's check or bid bond as a bid and performance guarantee in an amount not less than five percent (5%) of the amount of the Proposal, made payable to "City of Pomeroy."

Check/Bond No. \_\_\_\_\_ Date: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

The undersigned hereby agrees to purchase any or all items described above in accordance with all instructions, terms and conditions of the "Bid Proposal Form", and the "Specification Terms and Conditions":

Proposer: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_