



**REQUEST FOR PROPOSALS**  
**for**  
**PROFESSIONAL ONLINE AUCTION SERVICES**

**CLOSE DATE: MARCH 12, 2021**

# City of Fargo

## Request for Proposal

The City of Fargo is requesting proposals from qualified auctioneers to provide Professional Services in association with the City of Fargo Surplus Equipment and Vehicle Impound Auction. All proposals must be submitted to the City of Fargo Auditor's Office, 225 4<sup>th</sup> Street North, Fargo, ND 58102 on or before 2:00 PM on Friday, March 12, 2021. All envelopes for proposals must be clearly marked "**Professional Auction Services Request for Proposals**" in bold type. Proposals received later than the time and date specified will not be considered. Upon RFP closing, a selection committee will evaluate each proposal based on submitted information. On completion of the RFP evaluation, committee representative may contact and/or pursue contract with selected auctioneer service provider.

### CITY OF FARGO RIGHTS

The City reserves the right to cancel this RFP in writing or postpone the date and time for submitting proposals at any time prior to the proposal due date. The City by this RFP does not promise to accept the lowest cost or any other proposal and specifically reserves the right to reject any or all proposals, to waive any formal proposal requirements, to investigate the qualifications and experience of any Proposer, to reject any provisions in any proposal, to modify RFP contents, to obtain new proposals, to negotiate the requested services and contract terms with any Proposer, or to proceed to do the work otherwise.

The City hereby notifies all proposers that it will affirmatively insure that in regard to any contract entered into, pursuant to this request, minority business enterprises will be afforded full opportunity and are encouraged to submit proposals in response to this invitation and will not be discriminated against on the grounds of race, color, sex, or national origin in consideration for an award. The City reserves the right to accept or reject any and all bids that are in the best interest of the City.

All correspondence regarding the RFP must be addressed to:

Tanner Smedshammer  
Fleet Management Specialist  
Public Works  
402 23<sup>rd</sup> St. N  
Fargo, ND 58102  
Email: [Tanner.Smedshammer@FargoND.gov](mailto:Tanner.Smedshammer@FargoND.gov)  
Phone: (701) 241-1460  
Fax: (701) 298-6971

1. Acceptance/Rejection/Waiver. The City of Fargo reserves the right to accept or reject any or all bids and to waive minor irregularities or technicalities, provided such waiver does not substantially change the offer or provide a competitive advantage to any vendor, in the judgment of the state.
2. Affirmative Action. The selected auction service provider will take affirmative action in complying with all Federal and State requirements concerning fair employment and employment of handicapped, and concerning the treatment of all employees without regard to discrimination by reason of race, color, religion, sex, national origin, or physical handicap.
3. Sale Advertising: The selected auction service provider will be required to promote and advertise the sale in such a manner that benefits the City of Fargo.

***(Please submit advertising intent within proposal).***

4. Auctioneer: All auctioneers shall be licensed and bonded to conduct sales in North Dakota.
5. Binding Contract: Those who wish to submit a proposal to the City should and will be required to complete and sign a Professional Services Contract prior to award. Both City and submitter will perform in accordance with the terms and conditions of RFP solicitation and the Professional Services Contract. It will be the sole responsibility of the auction service provider to ensure all purchasing policies of the City of Fargo are followed in association with services provided.
6. Licensed and Bonded Clerk/Cashier: Required
7. Contract Award: The awarded contract shall be made to the responsible auction service provider whose proposal is determined to best fit the needs of the City. Proposals will be scored according to the following criteria:
  - Length of time in business;
  - Auctioneering experience – Type of auction sales conducted;
  - Commission – Percent of sales;
  - References;
  - Proposed Online;
  - Services and staffing levels to be provided on each auction;
  - Staff Qualifications;
  - Advertising; and
  - Ability to accept payment by Credit Card.

All of these aspects will be considered, not just the percent of commission, in making the award. Related information provided with the proposal will be considered in the evaluation.

8. Contract terms and Renewal Option: The City of Fargo will enter into an initial three (3) year contract from the effective date.

This initial contract may be renewed upon satisfactory completion of the original contract term. The City of Fargo reserves the right to execute the option to automatically renew for a successive period of three (3) years.

If the contract is extended, the City of Fargo reserves the right to renegotiate price and terms, provided that such negotiated price and terms fall within the original scope of work for this proposal. Such changes will be documented by amendment to the contract.

9. Estimated Sales Volume: The volume of this contract is estimated at \$310,000 per year for impound vehicles and surplus department equipment. The estimate is based upon past auctions and anticipated sale items to be sold in the coming years.
10. NSF Checks: If the awarded auction service provider is unable to collect payment on NSF checks, the auction service provider will be liable for repayment of an amount commensurate with the contract percentage that had been paid previously. The auction service provider will make every effort to collect payment from the auction bidder(s) prior to implementing this provision.
11. References: Three (3) written references including contact information (company and/or contact name and phone number) must be provided with submittal.
12. Unclaimed Sale Items: The auction service provider shall be liable to the city in the dollar amount of any items sold, but not paid for by successful bidder(s). Any such item shall be the property of the auction company.

All paid in full items must be retrieved by bidders within seven (7) days. The auction service provider shall ensure that all items are removed from the auction lot within seven (7) days. Items not removed after seven (7) days are subject to a daily fee assessed of \$20 per day. Paid items not removed after thirty (30) days will become property of the City of Fargo.

The City of Fargo will not be responsible or assist in the loading of sale items. Arrangements must be made with the auction service provider.

13. Contract Price Adjustment: The contract prices shall be firm for the first 36 months of the contract period. Thereafter, on an annual basis, all prices in the implementing of extensions to the contract(s) may be subject to price adjustment (increase / decrease). The request for a price adjustment must be submitted to the City of Fargo at least 45 days before the scheduled contract expiration date and must include justification for the proposed change. The City of Fargo will respond as follows:
  - The request may be granted
  - The contract may be cancelled and solicitation may be re-advertised
  - The contract may be continued without change

If a price increase is approved by the City of Fargo, the date the increase will be effective along with the new price will be included in the extension amendment document. Approval of any price increase renews the three (3) year firm price period.

The City shall be advised of and receive the benefit of any price decrease. The same notification and review process will apply to a decrease in cost.

14. Compliance with Laws: The auction service must provide successful performance of work under all terms of awarded contract and fully comply with all applicable federal, state, or local laws and regulations. The contractor must comply with the provisions of all appropriate federal laws, including Title VI of the Civil Rights Act of 1964. Any subletting or subcontracting by the contractor are subject to the same provision.
15. Cancellation of Contract. Failure to satisfactorily perform in accordance with the terms and conditions of the contract may be basis for immediate termination and removal from the proposal list(s) of this office for up to three (3) years.
16. Investigations. The city reserves the right to make an investigation(s) of the materials, equipment, supplies, qualifications, or references offered by the apparent low proposer or proposers. This investigation would be to determine whether or not the apparent low proposer or proposers could meet the requirements set forth in the solicitation.
17. Rejection of any or all proposals. The City of Fargo reserves the right to reject any and all proposals in whole or in part.
18. Credit Card Processing. Required

#### SPECIFIC TERMS AND CONDITIONS

The awarded auction service provider will be required to furnish complete auctioneering and clerking services pertinent to the sale of impound/surplus city equipment and vehicles.

Services are to be performed in accordance with the applicable laws and the highest business-like auctioneering practices to include, but not limited to the following:

1. Conduct equipment sales in such a manner where auction service provider can move from item to item. Sufficient helpers shall be provided to catalog vehicles-pre auction, take online bids and reconciling sale items. The surplus equipment will be situated in the City of Fargo impound lot. Stationary equipment may be sold in place at location of item. Contractor is to provide a mobile auctioneer system along with clerking services for pick up.
2. Buyers Premium: Besides credit card fees, **No Buyers Premium** will be charged to winning bidders. Credit card can only be charged if bidders use credit card for purchases.

3. Provide a suitable auction platform, to record the sale. This would be used to resolve any disputes, misunderstandings, or confusion resulting from the sale of any item.
  
4. Gate security will be towing company appointed by the City. Gate security will verify sale tickets before allowing item to leave the secured area.
  
5. The City of Fargo and/or city appointed subcontractor will assist in pre-sale activities that may include the following.
  - Arranging sale items in order per direction of auctioneer.
  - Washing and cleaning sale items.
  - Remove department identification where necessary.
  
6. Clerking services are to include the following:
  - A list of the buyers, their address and the purchase price for each sale item and original copies of clerking sheets (day of sale).
  - Settlement sheet, showing gross sales total, expenses, net and auctioneer's commission, sorted by department.
  - Complete ND DMV form SFN 2902 (05-2016) for all impounded vehicles at time of sale.
  
7. Conduct a minimum of two sales at the following location and dates. There may be up to two additional sales to sell Impound vehicles. Dates for the additional two sales will be agreed upon by the Tow Company, Auctioneer and the City of Fargo. Tentative dates listed below:
  
8. Location and dates may be changed by mutual agreement.

Location	Date
City of Fargo Impound, 715 17 <sup>th</sup> St. N.	January / Clean up Sale
City of Fargo Impound, 715 17 <sup>th</sup> St. N.	May / Impound/City Fleet
City of Fargo Impound, 715 17 <sup>th</sup> St. N.	August / Clean up Sale
City of Fargo Impound, 715 17 <sup>th</sup> St. N.	October / Impound/City Fleet

9. Auction Summary

Auction Gross
- Expenses
Auction Net
Commissions Charged to the City of Fargo from Auction Net

**PROPOSAL FORM**

**Professional Online Auction Services**

Name of Firm: \_\_\_\_\_ North Dakota License Number: \_\_\_\_\_

Online Auction Services Platform: \_\_\_\_\_

Length of time in auctioneering \_\_\_\_\_

Auctioneering Experience-Types of auctions conducted \_\_\_\_\_

Commission % of NET sales \_\_\_\_\_

References (Name, City, Phone Number) 1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

Online Services including adequate staffing of each auction YES / NO

Name of Auctioneers / Experience / Auction School \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Advertising methods \_\_\_\_\_

Credit Card Fee (%) \_\_\_\_\_

Additional items not included in the base bid price: **(Please identify items and pricing)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Company Representative: \_\_\_\_\_

(Name)

(Phone)