

PRESCIENT ASSET MANAGEMENT
FDIC Local Listing Broker
Request for Proposal

Overview: Prescient, Inc. d/b/a Prescient Asset Management ("**Prescient**") was awarded by the **Federal Deposit Insurance Corporation ("**FDIC**")**, a national contract ("**FDIC Contract**") to manage and market certain owned real estate in the portfolios of banks, or their subsidiaries, that are now in FDIC receivership. The FDIC Contract provides an opportunity for Prescient to assign listings to local real estate brokers of single-family (one to four units) homes, residential lots, acreage or other tracts of land, and various types of commercial properties, owned by the FDIC in its receivership capacity or a subsidiary of the receivership ("**FDIC ORE**").

Purpose: This **Local Listing Broker ("**LLB**")** Request for Proposal ("**RFP**") is intended to allow interested real estate brokers the opportunity to submit a written response (a "**Proposal**") documenting their qualifications for providing the listing and marketing services that may be required from local listing brokers. Qualified respondents may be offered the opportunity to enter into a Local Listing Broker Marketing Services Agreement ("**LLB Agreement**") with Prescient making them eligible to receive FDIC listings of properties as and when Prescient deems, in its sole and complete discretion, these services are needed. There are no guarantees of any minimum number of listings to any eligible LLB. Please note that incomplete Proposals may result in disqualification.

Proposals to the RFI must be executed and submitted to the following email address: yeilyngarcia@4prescient.net

If you should have any questions, you may contact Yeilyn Garcia at 786-433-0322 ext. 412.

Due to the anticipated volume of interest, please understand that it may not be possible to speak with respondents individually. Information will be provided through our website, www.4Prescient.net.

After completing its evaluations of all Proposals, Prescient will select an appropriate number of LLBs within each local area to serve as subcontractors who may be called upon to list an FDIC Property and provide marketing services for such Property.

Requirements and Information: Prescient is committed to utilizing qualified small, minority-owned, veteran-owned, and woman-owned businesses to the fullest possible extent. Please be sure to note any such ownership interests in your Proposal on the attached "**Subcontractor Certification Form**".

Respondents hereby acknowledge and accept that they will have no right to appeal

the decisions made by Prescient on whether to award or not award a LLB Agreement to any respondent. It is not possible to predict where, when, or how many assets will be available to assign to selected LLBs in the future.

Proposals must be signed by the owner or principal broker of the company, not an individual agent. This principal broker, who is authorized to execute agreements and who is responsible for listing assignments for your firm, should contribute to the Proposal. For day-to-day operations and communications, an additional Point of Contact ("*POC*") may be named and that person's complete contact information must be provided. The POC may be an experienced ORE agent or company administrator. Please use the "Proposal Transmittal Form" form attached to this RFP as the first page of your Proposal.

Submit only one Proposal for your company for each RFI. Please provide your market coverage area(s) by naming the county/counties you serve – not cities or zip codes. If you have several offices, indicate which office covers each area. It is very helpful to include a map showing the boundaries of each coverage area and pinpointing where the office is located that serves each area. Prescient reserves the right to unilaterally decide what makes up an adequate and acceptable coverage area, and to assign LLBs accordingly.

The LLB is responsible for placing into the local area's Multiple Listing System ("*MLS*") as "for sale" listings the FDIC Properties assigned to it by Prescient. The LLB is the only broker who will be allowed to position approved "for sale" signage on the property. The style, type, and wording of LLB signs must be approved by Prescient before they may be used on any FDIC property.

There is no minimum LLB listing fee. Property listing assignments that the LLB is offered and accepts will include a statement of the listing commission fee that will be paid when that property sells and closes. The assignment will also indicate the selling broker's portion of the total commission that will be paid to the cooperating broker who represents the buyer in the transaction. Subject to Prescient's prior written approval, the LLB may also collect the selling broker fee if the buyer is represented by the LLB, unless otherwise prohibited by state agency laws or regulations. LLBs are expected to advertise, show, and market to parties who contact the LLB as a result of its marketing efforts and to immediately deliver all offers to the Prescient Asset Manager assigned to the listing.

The LLB and all its agents and associates are required to participate fully with Prescient in its training and outreach events.

Scope of Work: The Scope of Work is fully set forth in the LLB Agreement. A copy of the Scope of Work is attached to this Solicitation for review. From time to time, the Scope of Work may be modified, expanded, or narrowed in Prescient's sole discretion as a result of FDIC requirements or changes to Prescient's procedures.

The LLB is a local resource to provide real estate marketing services to benefit the following stakeholders:

- FDIC, its affiliates and receiverships;
- Prescient Asset Management, its team members, employees, other services providers, and subcontractors;
- Local community housing and homeownership advocates;
- The property-purchasing public; and,
- All selling agents/brokers in the immediate surrounding area.

LLBs must always present a positive, professional image and behave according to the highest professional and ethical standards. LLBs must take the initiative to assist Prescient to increase homeownership, maximize the value of FDIC-owned properties to prospective purchasers, and enhance the livability of communities.

If an LLB's Proposal is selected by Prescient, then the LLB must execute Prescient's Local Listing Brokers Marketing Services Agreement for FDIC Properties ("*LLB Agreement*") as the final step in becoming an LLB eligible to receive FDIC ORE listings. Thereafter, as a usual procedure, Prescient may, in its sole discretion, assign FDIC ORE listings to LLBs via a FDIC Property Listing Assignment Form (the "*Assignment*"), which will be transmitted by electronic mail. Upon receiving an Assignment, the LLB must acknowledge its acceptance thereof by executing and returning it to Prescient (which can be done via email) within two (2) business days. Such Assignment then becomes LLB's authorization to market each property that is so assigned. LLBs are to market FDIC ORE in MLS and other media deemed appropriate. LLB is responsible for becoming familiar with and utilizing the electronic systems and websites that Prescient provides.

Insurance Requirements

LLBs must maintain current Comprehensive General Liability insurance coverage with limits of (i) \$1,000,000 per occurrence, (ii) \$2,000,000 Products/Completed Operations Aggregate, and (iii) \$2,000,000 General Aggregate. In addition, the LLB shall maintain insurance coverage with limits of \$500,000 for motor vehicle liability and \$1,000,000 for errors and omissions coverage. In compliance with state and local laws, LLB must also maintain Worker's Compensation Insurance in an amount equal to the minimum required by state license laws. LLB must provide evidence of such coverage in its response to PRESCIENT's requests for information or proposals, which PRESCIENT will rely upon as factual. LLB shall be responsible to update PRESCIENT files when such coverage is changed, cancelled, or renewed. The required insurance coverage shall be primary and non-contributing with respect to any other insurance that may be maintained by Prescient. Documentation of these policies must be provided to Prescient as they are updated so that the LLB's file is kept current at all times.

Fair Housing Notices. All LLB offices must display the following:

Fair Housing Law and Equal Housing Opportunity

In real estate transactions, it is illegal to discriminate against any person on the basis of race, color, religion, gender, disability, familial status, or national origin.

This prohibition pertains to:

- The sale or rental of housing or residential lots;
- Advertisements of any description regarding the sale or rental of residential housing or lots;
- Financing of housing;
- Providing real estate brokerage services; and
- Appraisal of real estate, and “block-busting” or “steering” potential purchasers into or away from particular houses, neighborhoods, or areas.

THIS OFFICE AND EVERYONE ASSOCIATED WITH IT COMPLIES 100% WITH ALL FAIR HOUSING LAWS!

Evaluation Factors: Respondents must provide adequate information to demonstrate their ability to perform and manage the work summarized in the Scope of Services.

The following factors will be used by Prescient to evaluate proposals, not necessarily listed in order of their importance:

- (1) Respondent’s demonstrated ability to understand, perform, and manage the requirements of the Scope of Services;
- (2) Prior experience and past performance; and
- (3) Sufficient staff, facilities and equipment to maintain requirements of this Scope of Services.

Respondents that fail to include all required information *will be deemed non-responsive and their proposals rejected*. Please submit your proposals only after you have conducted a thorough review for accuracy and completeness.

Prescient reserves the indisputable right to:

- Award LLB Marketing Services Agreements to any respondent who demonstrates the ability to perform the Scope of Services, based upon Prescient’s sole judgment and determination. The factors stated above will be given consideration, but other factors may be included that Prescient is not required to disclose. Prescient may ask for additional information or make a decision based upon its own assessment of what may be in the best interest of FDIC, Prescient, and the housing stakeholders in the area.
- Award the LLB Marketing Services Agreements without any discussion or negotiation. Prescient may, however, choose to hold informal discussions with or request written responses from those respondents deemed to be competitive. Prescient further reserves the right to discuss the proposals with any respondent that is qualified technically and to award the LLB Marketing Services Agreement(s) to the respondents with whom discussions occurred, or to select a completely different respondent.

Proposal Transmittal Form

Company Name:

Address:

Broker of Record:

Telephone Number:

Facsimile Number:

Cellular Number:

Company Web Site:

Email Address:

Broker of Record:

Tax Identification #:

Dun & Bradstreet #:

HUD NAID #, if any:

Point of Contact Person:

POC Direct Line #:

POC E-mail Address:

Major ORE Clients:

Company Proposal

Provide a written description on each of the following topics, which illustrates the respondent company's capability and capacity to perform the Scope of Services. Please number the pages of your proposal and provide a Table of Contents.

- **Name(s) of counties in proposed service area(s)**
(A map is helpful as an illustration, please.)

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- **Attachments: Copy of Current Broker's License, Business Certificate of Good Standing (or similar document as local and state statutes dictate), Evidence of E&O Insurance, Broker's W-9, Statement of Good Standing or other documentation from State Real Estate Commission**

- **Other: Samples of marketing, graphs of sales, awards, articles, etc.**

Subcontractor Certification Form

Throughout the United States, small businesses provide big opportunities for ownership, management, and employment to women, minorities, veterans, handicapped persons, and those who are located in historically underutilized business (HUB) zones. Prescient is proud to document to the Federal government our success in extending opportunities related to the performance of contract work on behalf of the Federal Deposit Insurance Corporation.

Please assist us by completing this form as part of your proposal. Thank you!

1) Small Business Concern - Is your business a "Small Business Concern" as defined by the Small Business Act and the regulations contained in 13 C.F.R. Part 121?

- Yes
- No

2) Certified HUBZone Business - Does your business appear on the Small Business Administration website, www.sba.gov/HUB, List of Qualified HUB Zone Certified Small Business Concerns?

- Yes
- No

3) Veteran-Owned Small Business - Is your business 51%, or more, owned by a Veteran(s) as defined in 38 U.S.C. 101(2)? If your business is publicly owned, is 51%, or more, of the stock owned by a Veteran(s)?

- Yes
- No

4) Service-Disabled Veteran-Owned Small Business - Is your business 51%, or more, owned by a Service-Disabled Veteran(s) as defined in 38 U.S.C. 101(2) and 38 U.S.C.101(16).? If your business is publicly owned, is 51%, or more, of the stock owned by a Service-Disabled veteran(s)?

- Yes
- No

Are the daily management and business operations of your business controlled by one or more Service-Disabled Veterans or, in the case of a Veteran with permanent and severe disability, the spouse or permanent caregiver of such a Veteran?

- Yes
- No

5) Women-Owned Small Business - Is your business 51%, or more, owned by one or more Women? If your business is publicly owned, is 51% or more, of the stock owned by one or more Women?

- Yes
- No

Are the daily management and business operations of your business controlled by one or more Women?

- Yes
- No

6) Small Disadvantaged Business - Is your business certified as a Small Disadvantaged Business (SDB) as per the SBA requirements found in 13 C.F.R. 124.1002?

- Yes
- No

If yes, has your business experienced any material change in its disadvantaged ownership and control since its certification?

- Yes
- No
- N/A

If the business is owned by one or more disadvantaged individuals, given consideration of the exclusions found in 13 C.F.R. 124.104 c) (2), is the net worth of each individual upon whom the certification is based \$750,000, or less?

- Yes
- No
- N/A

Is your business currently identified as a *certified* Small Disadvantaged Business in the Central Contractor Registry (CCR) on the Internet?

- Yes
- No

Is your business currently participating in the SBA 8(a) Business Development program?

- +Yes
- No

Certification - The information and statements given in this proposal are intended to be reliable as a response to the attached RFI in order to obtain a Local Listing Broker Marketing Services Agreement with Prescient for FDIC-owned property. By signature below, respondent certifies that no one associated with him/her has been prohibited from working with FDIC, and that there are no other civil, criminal, or professional ethics charges pending against the respondent or his/her associates. All information provided is true, correct, complete, and accurate. (Please report to Prescient within five (5) business days if any changes to this information occur after the date of this certification.)

Authorized Signature: _____

Name and Title (Printed): _____

Email: _____ Date: _____