

# **TOWN OF WAREHAM**

## **REQUEST FOR PROPOSALS**

### **“AUCTIONEER SERVICES”**

The Town Administrator/Chief Procurement Officer for the Town of Wareham, Massachusetts (the Town) is seeking proposals from qualified firms wishing to provide auctioneer services in connection with the Town of Wareham’s Public Auctions. The selected firm is expected to provide these services for a period of three (3) years.

Proposals are due on or before October 29, 2020 at 11:00 A.M. in the Office of the Town Administrator, 54 Marion Road, Wareham, MA 02571. Specifications and required forms are available at the Office of the Town Administrator, 54 Marion Road, Wareham, MA 02571, through October 28, 2020. Proposals will be opened and read on October 29, 2020 at 11:00 A.M. The opening of the “Price Proposals” is not public. All responses must be received in sealed envelopes properly marked prior to the deadline.

An interview may be conducted with any proposer during the evaluation of the proposals. These interviews may occur during the week of November 2 thru November 5, 2020. Any proposer should be available during that time period for interviews to be held in the Office of the Town Administrator, 54 Marion Road, Wareham, MA 02571.

The Town Administrator/Chief Procurement Officer reserves the right to reject any or all proposals when deemed to be in the best interest of the Town.

Derek Sullivan,  
Town Administrator/CPO

## **SECTION I. INTRODUCTION AND BACKGROUND**

The Town of Wareham, Massachusetts (the Town) is seeking proposals from qualified firms wishing to provide auctioneer services in connection with the Town of Wareham's Public Auctions. The selected firm is expected to provide these services for a period of three (3) years.

### **A. BACKGROUND**

The Town of Wareham is located in Plymouth County, approximately 60 miles south of Boston, and has a population of approximately 21,822 residents according to the most recent federal census. The Town was incorporated in the year 1739, and has an open town meeting form of government administered by a Town Administrator, who is appointed by a Board of Selectmen. The Town of Wareham's Public Auction portfolio is managed by the Town's Finance Director/Treasurer/Collector. The custodian of the tax possession and/or land of low value auctions shall be appointed by the Board of Selectmen prior to any public auction.

The Town of Wareham anticipates between one and two public auctions per year. The number of properties sold at these auctions will vary. The first auction will be held on or after January 1, 2020.

The primary contact for this RFP shall be Town Administrator/Chief Procurement Officer, Derek Sullivan. Mr. Sullivan may be contacted by email to [dsullivan@wareham.ma.us](mailto:dsullivan@wareham.ma.us); by writing at 54 Marion Road, Office of the Town Administrator, Wareham, MA 02571; by fax at (508) 291-3124; or by telephone at (508) 291-3100 ext. 3110. Any contract that may arise out of this RFP will be authorized by the Town Administrator/Chief Procurement Officer, Derek Sullivan.

## **SECTION II.**

## **KEY DATES FOR THE PROPOSAL**

October 8, 2020	RFP is issued and made public
October 29, 2020	Proposals Due in Office of Town Administrator At 11:00 A.M.
October 29, 2020	Proposals Opened by Town Administrator/CPO At 11:00 A.M.
November 2 thru November 5, 2020	Interviews with Proposers
November 16, 2020	Town Administrator/CPO will award contract or make a determination whether to award a contract
January 4, 2021	Estimated date of first public auction

## **SECTION III. DESCRIPTION OF REQUIRED SERVICES**

### **A. TECHNICAL SCOPE OF SERVICES**

The basic scope of services listed below provides the proposer with a listing of the services that the Town will require.

1. Co-ordinate auctions with Finance Director/Treasurer/Collector by making a listing of all properties to be sold at auction. Visit each site to note location and characteristics that might assist in marketing the property.
2. Compose a descriptive ad, including photos of developed properties, to attract potential bidders. All ads shall be approved as to form by Town Counsel prior to advertising.
3. Aggressively advertise the properties in local and regional newspapers, trade publications and utilize web-based and direct mail marketing tools.
4. Notify all abutters of auction properties by mail and provide the Town with the list.
5. Answer any auction related questions for interested parties.
6. Auctions will be held in the Wareham Town Hall Auditorium or other location designated by the Town. Prior to the auction, secure and set up a sound system for the auction.
7. On or about the day of the auction, the auctioneer shall register all qualified bidders. The registration shall include the bidder's name, address, telephone number, and proof of identification.
8. Receive and verify bid deposits. Return same to unsuccessful bidders.
9. Record all bids.
10. Upon completion the auctioneer, the auctioneer shall provide a smooth checkout process.

### **B. STAFFING REQUIREMENTS**

An important part of the evaluation of the proposer's firm will be based on the quality of the staff assigned to this account.

1. The Proposer must set forth the staffing to be utilized for this service, the management structure of the team, the account manager and qualifications of each member of the team.
2. List all the individuals and their duties broken down into the following categories:
  - a. Name
  - b. Qualifications
  - c. Work Assignment
  - d. Responsibilities

### **C. PRICING OF SERVICES**

The proposer must provide a price proposal, including the price worksheet included in this RFP. The completed form, including the signature of a person who has the authority to bind the Firm to the prices submitted, must be included in the proposal. The price worksheet shall be included in a separate envelope clearly marked "Price Proposal". Failure to comply with this requirement will result in automatic disqualification from further consideration.

The response, to be considered complete, must indicate the basis for all charges. All pertinent rates charged must be stated in the proposal and must be all-inclusive.

In evaluating the responses, the Town will seek to assure that a reasonable and equitable fee will be paid for a high quality of service. The selection will not necessarily be based solely on the lowest cost. Other qualitative factors that bring additional value to these services will be considered as well. **SECTION VI, PROPOSAL EVALUATION**, outlines the criteria for the evaluation process.

## **SECTION IV. THE PROPOSAL**

### **A. GENERAL PROVISIONS/INSTRUCTIONS**

1. The Town may cancel this RFP, in whole or in part, or may reject all proposals submitted in response, or may procure only some services outlined in this RFP whenever such action is determined financially advantageous to the Town.
2. The Town may request that supplementary information be furnished to assure the Town that a proposer has the technical competence, the business and technical organization, and the financial resources adequate to successfully perform the necessary work.
3. No forms are provided by the Town except the Certificate of Non Collusion (Appendix A), the State Taxes Certification Clause (Appendix B), the Price Proposal submission sheet (Appendix C), and the Agreement between the Firm and the Town of Wareham (Appendix D). However, all proposals shall be typed or handwritten and must be completed according to the instructions contained herein.
4. The proposal shall be signed by a person legally authorized to sign on behalf of the proposer, and legally authorized to bind the proposer to contractual obligations.
5. A proposer who wishes to withdraw a proposal should submit a written request to withdraw their proposal on or before the proposal deadline.
6. Each proposer shall be presumed to have read and be thoroughly familiar with the Request for Proposal and all documents included therewith. Unfamiliarity with these documents shall in no way relieve any proposer from any obligation with respect to the proposal submitted.
7. It is understood that all proposals, including all modifications and corrections, submitted to the Town of Wareham to provide said services constitute and offer to enter into a contract to provide said services, which offer shall remain open for 90 days from the date of the opening.
8. The proposer's attention is directed to the fact that all applicable state laws, municipal by-laws, and the rules and regulations, as they may be amended from time to time, having jurisdiction over municipal finance, shall apply to the contract throughout the term of the contract and shall be deemed to be included in the contract the same as if fully contained herein.
9. It is understood that the Proposer has submitted the Proposal in good faith and has not colluded with any other individuals, firms, or corporations in creating the proposal to subvert the market process. See Certificate of Non-Collusion (Appendix A).

10. All costs involved in preparing the Proposal will be borne by the Proposer; the Town will not be liable for any costs associated with the creation of the Proposal. The proposer shall be deemed to be familiar with all state, local, and other laws relating to this type of work
11. Proposals that are incomplete, conditional or obscure will be rejected. No award will be made to any proposer who cannot satisfy the Town Administrator/CPO that the Firm has sufficient ability and sufficient capital to meet the requirements of these specifications. The Town Administrator/CPO's decision or judgment on these matters shall be final, conclusive and binding.
12. Any proposal received after the date and time stated in **SECTION II. KEY DATES FOR THE PROPOSAL** as the deadline for Proposals Due in the Office of the Town Administrator/CPO will be deemed non-responsive and shall not be opened, but shall be returned to the proposer.
13. The evaluation of the proposals will be conducted by the Town Administrator/CPO and the Finance Director/Treasurer/Collector, based upon their comparative assessment of responses to **SECTION VI**. The judgment of the Town Administrator/CPO and Finance Director/Treasurer/Collector will be based upon the evaluation criteria set forth in this RFP and shall be final.
14. The proposals will be opened on the date and at the time stated in **SECTION II. KEY DATES FOR THE PROPOSAL** as the date proposals will be opened by the Town Administrator/CPO and Finance Director/Treasurer/Collector. The name of the person or organization submitting a proposal will be read and recorded. The contents of all proposals will be opened privately and will not be disclosed to the public or to competing proposers until the evaluation process is complete. A register of proposals will be completed indicating the name of the proposer. This register may be viewed upon request.
15. Any contract resulting from this RFP shall be awarded to the proposer whose Proposal is deemed to be the most Highly Advantageous to the Town of Wareham. The Administrator/Chief Procurement Officer alone will be the sole judge in determining whether a vendor's proposal satisfies the requirements of the RFP and whether or not the Proposal will prove advantageous to the Town. The selected vendor will be under contractual agreement to the Town per the attached contract document.
16. Response to this RFP acknowledges the vendor's acceptance of all sections and requirements of this document. The RFP will be written into the successful vendor's proposal as part of the final contract. If the vendor's proposal does not comply with the requirements of this RFP, or if an item is not understood in any way, a copy of that section of the RFP must then be included in the proposal and all its copies clearly stating the deviation, additions, or other comments.
17. All materials submitted in response to this RFP shall become the property of the Town of Wareham and will not be returned. The materials will become part of the public record subject to the disclosure provisions of the Massachusetts Public Records Law. Any questions related to this RFP process or the disclosure provisions should be directed to Derek Sullivan, Town Administrator/CPO at (508) 291-3100 ext. 3110 voice, (508) 291-3124 fax or email to dsullivan@wareham.ma.us

**B. PRE-PROPOSAL CONFERENCE AND SITE VISIT**

There is no pre-proposal conference planned for this RFP.

**C. NOTIFICATION AND AWARD**

All Proposers will be notified of the selection decision.

**D. CONTRACT**

The successful proposer will be expected to enter into a written service agreement contract executed by both the Town and the Firm. This RFP, as well as the selected vendor's proposal, and any addenda to that proposal will become part of the final contract. The same contract the Town will sign is attached as Appendix D.

The contract period will be for the terms as written in the Legal Advertisement document included in Appendix E. Firm pricing limits are to be established and bound as part of the price portion of the proposal.

The contract shall be subject to **Force Majeure** considerations and in the event that either party hereto shall be prevented from the performance of any act required hereunder by reasons of strikes, lockouts, labor trouble, inability to procure materials, failure of power, fire, winds, Acts of God, riots, insurrections, war, acts of terrorism or other reason of a like nature not reasonably within the control of the party in performing any obligations shall be excused for the period of the nonperformance, and the period for the performance of such obligation shall be extended for an equivalent period for no additional cost to the Town.

**E. TERMINATION OF CONTRACT**

Subject to the provisions of the section explaining **Force Majeure**, if the Vendor shall fail to fulfill in a timely and satisfactory manner its obligations under this agreement; or if the Town shall violate any of the covenants, conditions, or stipulations of this agreement; which failure or violation shall continue for seven (7) business days after written notice of such failure or violation is received, the contract may be terminated by giving written notice of the termination to all parties to the contract specifying the effective date of termination, and the precise reasons therefore, at least seven (7) business days before the effective date of such termination.

Notwithstanding the provisions in the preceding paragraph, either party shall have the right to terminate the contract for any other reason upon thirty (30) days written notice.

**F. INSURANCE REQUIREMENTS**

General - The Vendor shall, before commencing performance of the contract, be responsible for providing and maintaining insurance coverage in force for the life of the contract of the kind and in adequate amounts to secure all of the obligations under the contract and with insurance companies licensed to write insurance in the Commonwealth of Massachusetts. All such

insurance carried shall not be less than the kinds and amounts designated below, and the vendor agrees that the stipulation herein of the kinds and limits of coverage shall in no way limit the liability of the vendor to any such kinds and amounts of insurance coverage. All policies issued shall indemnify and save harmless the Town of Wareham, its agents and employees from any and all claims for damages to persons or property as may arise out of the performance of this contract.

Failure to provide and continue in force such insurance as aforesaid shall be deemed a material breach of this contract, and may constitute sufficient grounds for immediate termination of same. All insurance maintained as provided for in the above shall be taken out and maintained as the sole expense of the vendor.

No cancellations of such insurance, whether by the insurer or by the insured party shall be valid unless written notice thereof is given by the parties proposing cancellation to the other party and to the Town of Wareham at least fifteen (15) days prior to the intended effective date of cancellation, which date shall be expressed in said notice, which shall be sent out by registered mail, return requested. These provisions shall apply to the legal representatives, trustees in bankruptcy, receiver, assignee, trustee, and the successor in interest of the Vendor.

Prior to the execution of the contract, the contractor shall provide evidence of insurance for each of the items of insurance listed below, each of which must remain in force throughout the term of the contract and name the Town of Wareham as an additional insured:

1. Errors & Omissions Insurance—evidence of an in force policy that is adequate and customary to protect the Town of Wareham from losses incurred through errors and omissions.

#### **G. EQUAL OPPURTUNITY / ANTI-DISCRIMINATION PROGRAM**

During the performance of this contract, the Vendor, and all Sub-Contractors, agrees as follows:

In the performance of all work after award and prior to termination of the contract work, will not discriminate on the grounds of race, color, creed, religious creed, national origin, age or sex in employment practices, in the selection or retention of sub-contractors, or in the procurement of materials and rentals of equipment.

The Vendor, by signing the contract offered by the Town, agrees to abide by the above paragraph to the best of the Vendor's ability.

#### **H. INTERVIEWS**

At the discretion of the Town, an applicant preliminarily selected as a candidate may be required to meet with the Town Administrator/CPO prior to the award of the contract for an interview. If such an interview is requested, you should be prepared to meet during the times listed for interviews in **SECTION II. KEY DATES FOR PROPOSAL**. There will be no reimbursement for any expenses that you may incur to participate in the interview.

## **I. MISCELLANEOUS INFORMATION**

The proposer is expected to provide all of its own equipment and bear the cost associated with the acquisition and maintenance of their own equipment necessary to fulfill the obligations of the contract resulting from this RFP.

All information acquired by the Vendor from the Town or from others at the expense of the Town in performance of the agreement, shall be and remain to be the property of the Town. All records, raw data files, computer records, work sheets, deliverable products—complete and incomplete, and all other types of information prepared or acquired by the Vendor for delivery to the Town shall be and remain to be the property of the Town.

The Vendor agrees to use this information only as required in the performance of this agreement and will not, before or after completion of this agreement, otherwise use said information, nor copy, nor reproduce the same in any form except pursuant to the sole written instructions of the Town.

## **SECTION V. PROPOSAL REQUIREMENTS**

### **A. MINIMUM REQUIREMENTS**

In order to be considered for evaluation, the proposer must meet the minimum requirements. The proposer must:

1. Be in business or practice of providing Municipal Auctioneer Services for a minimum of five (5) years.
2. Submit at least five (5) references, including names, addresses and telephone numbers.
3. Submit a listing of clients for the past three (3) years for which the proposer has performed similar municipal auctioneer services as set forth in the RFP.
4. Have a response that complies with the general submission requirements as noted below in Paragraph B.
5. Clearly identify and describe any pending legal proceeding(s) against your firm or a member of your firm, or any judgments against your firm within the past three years. If there are none, please make that statement in your response.
6. The Town reserves the right to ask for additional information if submitted materials are deemed inadequate.

### **B. GENERAL REQUIREMENTS**

The applicant must respond to the following items. The response should reflect detailed consideration of the issues and opportunities presented by this RFP. Please repeat each item listed below directly above the response to that item.



1. All responses are to include a statement that the Proposal is in accordance with this RFP and that the proposer had read and understands all sections and provisions herein. Exceptions, if any, are to be clearly stated.
2. Provide a brief description and history of your firm, including its size, location(s), organizational structure, and experience in the auction of real estate.
3. Describe your firm's qualifications and experience as an auctioneer. Include any innovations that your firm had introduced to this market. Particularly list any governmental entities that are among your clientele.
4. Provide resumes of the principal staff that would be assigned to the Town. Include professional qualifications and registrations. Describe the anticipated role of each person.
5. Describe your firm's technical resources to include whether or not Internet access is possible. Indicate how these resources will be utilized in providing auctioneer services to the Town and whether any of the tasks listed under "Scope of Services" will be outsourced to vendors.
6. Explain how your firm would measure performance and which benchmarks would be used.
7. Confirm your agreement to perform each of the tasks listed under "Scope of Services." You may expand on any of the tasks that you feel are particularly pertinent to the Town's needs or suggest additional tasks that you feel should be included in a basic agreement for these services.

### **C. SUBMISSION REQUIREMENTS**

One sealed envelope, containing an original (unbound) and two (2) copies of the complete technical proposal, clearly marked "**AUCTIONEER SERVICES**" and an additional envelope containing one original and two (2) copies of the price proposal, clearly marked "**PRICE PROPOSAL**" must be received per the time frame outlined in **SECTION II. KEY DATES FOR THE PROPOSAL.** (Two Separate Sealed Envelopes)

ALL PROPOSALS MUST BE DELIVERED TO:

Derek Sullivan, Town Administrator/CPO  
Town of Wareham  
54 Marion Road  
Wareham, MA 02571

### **SECTION VI. PROPOSAL EVALUATION**

The evaluation process will include each proposal being reviewed by the Town Administrator/CPO and Finance Director/Treasurer/Collector. Those proposals that meet all of the minimum requirements as outlined in the RFP, and are determined to be both responsive (those that offer all of the services requested in the RFP and contain all of the required information and forms properly completed) and those that are responsible (those with the

capability, integrity, and reliability to perform under contract) will be further reviewed using the comparative criteria outlined in this section.

The Town reserves the right to award the contract to the responsive and responsible proposal which best meets the Town's needs, taking into account proposal quality and proposal price. If the lowest priced proposal is not selected and has received at minimum a comparative criteria rating of advantageous, it shall be explained in writing by the Town Administrator/CPO, specifying in reasonable detail the basis for determining that the Town should award the contract to a different proposal.

**CRITERIA TO BE CONSIDERED:**

*Minimum Evaluation Criteria* – Failure to meet the following minimum evaluation criteria will result in immediate rejection of the proposal.

Minimum Requirements: Proposers must meet the minimum requirements as specified in Section V—A of this RFP.

*Comparative Evaluation Criteria*

AN “UNACCEPTABLE” RATING IN ANY OF THE CRITERIA WILL ELIMINATE THE PROPOSAL FROM FURTHER CONSIDERATION.

The Rating Board (Town Administrator/CPO and Finance Director/Treasurer/Collector) will use the comparative criterion for each separate rating area, and based upon those criteria, will assign an overall rating to each. Each of the four criteria may be assigned a rating of:

- Unacceptable
- Not Advantageous
- Advantageous
- Highly Advantageous

Each member of the board will assign his/her own rating for each of the comparative criteria, and the board will adopt the average score for each criterion between the members. The overall rating score for comparative criteria will be tallied by the board and an average score for each proposer in the comparative criteria will be determined. Proposals will then be ranked according to the final score in this section.

1. Years of experience in providing Auctioneer Services.
  - UNACCEPTABLE—Less than five (5) years' experience
  - NOT ADVANTAGEOUS—Five (5) to Seven (7) years' experience
  - ADVANTAGEOUS—Seven (7) to Ten (10) years' experience
  - HIGHLY ADVANTAGEOUS—More than Ten (10) years' experience

2. Experience in providing Auctioneer Services to different Massachusetts Governmental Entities.
  - UNACCEPTABLE—The provision of the specified services to four (4) or fewer Massachusetts Governmental Entities.
  - NOT ADVANTAGEOUS—The provision of the specified services to five (5) Massachusetts Governmental Entities to nine (9) Massachusetts Governmental Entities.
  - ADVANTAGEOUS—The provision of the specified services to ten (10) Massachusetts Governmental Entities to fourteen (14) Massachusetts Governmental Entities.
  - HIGHLY ADVANTAGEOUS—The provision of the specified services to fifteen (15) or more Massachusetts Governmental Entities.
  
3. Properties sold at “Tax Possession” and “Land of Low Value” auctions for Massachusetts Governmental Entities.
  - UNACCEPTABLE—Zero (0).
  - NOT ADVANTAGEOUS—More than zero (0) but less than twenty-five (25).
  - ADVANTAGEOUS—Twenty-five (25) or more but less than one hundred (100).
  - HIGHLY ADVANTAGEOUS—One hundred (100) or more.
  
4. Staffing needs.
  - UNACCEPTABLE—There is no staffing information provided, or the staffing information provided will not meet the Town’s needs.
  - NOT ADVANTAGEOUS—The staffing information provided may meet the Town’s needs, but the information provided is not clear enough to make a determination.
  - ADVANTAGEOUS—The staffing information provided will adequately meet the Town’s needs.
  - HIGHLY ADVANTAGEOUS—The Staffing information provided shows the proposer’s commitment to directing staff and resources that are among their best to this account and willingness to exceed the needs set forth by the Town.

Price Evaluation Criteria

Each proposal’s Price Proposal Worksheet will be ranked by projected cost, expressed as a percentage of auction sales. The Board reserves the right to ask for additional information in order to clarify a proposal’s actual cost structure.

**APPENDIX A**

TOWN OF WAREHAM

CERTIFICATE OF NON COLLUSION

The undersigned certifies under penalties of perjury that this proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word “person” shall mean a natural person, business, partnership, corporation, union, committee, club, or other organization, entity or group of individuals.

FIRM \_\_\_\_\_

ADDRESS \_\_\_\_\_

SIGNATURE \_\_\_\_\_

PRINTED NAME \_\_\_\_\_

TITLE \_\_\_\_\_

DATE \_\_\_\_\_

**APPENDIX B**

TOWN OF WAREHAM

STATE TAXES CERTIFICATION CLAUSE

I certify under penalties of perjury that I, to the best of my knowledge and belief, have filed all state tax returns and paid all state taxes under law, I have addressed any tax liability, or I am in the process of setting up a plan to satisfy any tax liability.

\_\_\_\_\_  
Signature of Individual or  
Corporate Name (Mandatory)

BY: \_\_\_\_\_  
Signature of Corporate  
Officer

\_\_\_\_\_  
Social Security Number or  
Federal Identification #

**APPENDIX C**

**PRICE PROPOSAL WORKSHEET**

The Price Proposal shall be complete and indicate the firm’s fee based upon a percentage of sales. The fee should include all labor, advertising and incidental expenses related to the auction. The Town anticipates that all costs, including advertising, will be borne by the proposer. In evaluating the responses, the Town will seek to assure that a reasonable and equitable fee will be paid for a high quality of service. The selection will not be based solely on the lowest price.

You may submit suggestions for additional work that could be performed with the associated costs for this additional work but the core of the requests as outlined and defined in this RFP must all be addressed before any subsequent services will be considered. Conditional proposals requiring additional services to be contracted for, above and beyond those services contained in these documents, will not be considered unless the base requirements are offered with no additional obligation on the part of the Town of Wareham.

The Town, however, will not pay for any additional work under this contract without the prior written approval of appropriate Town Officials.

Your signature below acknowledges your understanding of these parameters. The section below must be signed by a person with the authority to commit the price(s) noted.

This form must be submitted, along with two copies, in a sealed envelope clearly marked **“PRICE PROPOSAL”**. Failure to do so will result in rejection of the Proposal. You may, and are encouraged, to add additional text, exhibits, or attachments demonstrating additional support for your price submission.

Firm Name \_\_\_\_\_

Price for Auctioneer Services \_\_\_\_\_

Authorized Signature \_\_\_\_\_

Name \_\_\_\_\_ Title \_\_\_\_\_

Date \_\_\_\_\_

**APPENDIX D**

**TOWN OF WAREHAM, MASSACHUSETTS  
DRAFT AGREEMENT BETWEEN CONTRACTOR AND TOWN**

This agreement, made this \_\_\_\_\_ day of \_\_\_\_\_, 2021 by and between the Town of Wareham, Massachusetts, hereinafter called the Town, and

\_\_\_\_\_ with legal address and principal place of business at:

\_\_\_\_\_ hereinafter called Contractor.

WITNESSETH: That for and in consideration of payments and agreements hereinafter mentioned, to be made and performed by the Town, the Contractor hereby agrees with the Town to provide services as outlined in the RFP, as proposed hereinafter called the Services, upon demand of the Town, made as hereinafter provided, at a pricing proposal exhibit attached to and made part of this contract.

The Request for Proposals entitled “Auctioneer Services,” and the “Price Proposal” made by the Contractor are made a part hereof and collectively evidence and constitute the contract.

This agreement including the operating agreement constitutes the entire contract, and there are no agreements other than those incorporated herein. This agreement may not be changed, altered, amended, modified, or terminated orally and any such change, alteration, amendment, or modification must be in writing and executed by both parties hereto.

In Witness Whereof, the parties to these presents have executed this Contract in the year and day first above mentioned.

TOWN OF WAREHAM  
By,

CONTRACTOR  
By,

\_\_\_\_\_  
Derek D. Sullivan, Town Administrator

\_\_\_\_\_  
Title

Approved as to Form:

\_\_\_\_\_  
Richard Bowen, Town Counsel

**APPENDIX E**

LEGAL ADVERTISEMENT FOR RFP

**TOWN OF WAREHAM**

**REQUEST FOR PROPOSALS**

**“AUCTIONEER SERVICES”**

The Town Administrator/Chief Procurement Officer for the Town of Wareham, Massachusetts (the Town) is seeking proposals from qualified firms wishing to provide auctioneer services in connection with the Town of Wareham’s Public Auctions. The selected firm is expected to provide these services for a period of three (3) years.

Proposals are due on or before October 29, 2020 at 11:00 A.M. in the Office of the Town Administrator, 54 Marion Road, Wareham, MA 02571. Specifications and required forms are available at the Office of the Town Administrator, 54 Marion Road, Wareham, MA 02571, through October 28, 2020. Proposals will be opened and read on October 29, 2020 at 11:00 A.M. The opening of the “Price Proposals” is not public. All responses must be received in sealed envelopes properly marked prior to the deadline.

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The Town Administrator/Chief Procurement Officer reserves the right to reject any or all proposals when deemed to be in the best interest of the Town.

Derek Sullivan,  
Town Administrator/CPO