

MUNICIPALITY OF THE COUNTY OF  
**ANTIGONISH**  
**REQUEST FOR PROPOSALS**

## Sale of Structure and Real Property – Antigonish County Court House

### Overview

The Municipality of the County of Antigonish (hereinafter referred to as “The Municipality”) invites proposals for the sale of the Antigonish County Court House.

### Property

Location	172 Main Street, Antigonish
PID	10126407
Lot Size	0.12 acres (5227.2 sq. ft)
Building Size	56.4 ft x 38 ft footprint
2019 Commercial Assessment	\$120,900

### Objective

The Municipality’s objective is to have the property used in a manner that is beneficial to the well-being of the community. At this time, the entire building is leased by the Department of Justice and serves as a community Court House. Should the Department of Justice choose to relocate after the term of their lease, the Municipality would like to see an adaptive reuse of this landmark structure.

Any proposed prospective re-development of the building should meet the following specific objectives:

- The building shall not be demolished, nor shall there be any significant alteration to its façade or its footprint;
- Any proposed re-development of the site should be in keeping with the policies and regulations regarding land use as found in the Town of Antigonish’s Municipal Planning Strategy and Land Use By-law, and any other applicable legislation;
- Any proposed re-development should consider the building’s status as a National Historic Site (<https://www.pc.gc.ca/en/lhn-nhs>);
- The use of the property should be appropriate considering the surrounding area and uses;
- The developer must have the financial resources, experience and ability to maintain the structure and complete any proposed re-development; and
- The proposed re-development must be financially viable, and the proponent should provide evidence to support the financial viability

Submissions should include the following:

- A monetary offer to the Municipality for the property that reflects fair market value;
- A written description of the proposed use of the building for the short term (i.e. next four years);
- A written description of the proposed intentions for the use(s) of the building if and /or when the Department of Justice lease terminates, including a written description of any proposed development to follow; and,
- Information regarding the proponent, including a general description, experience with similar developments, and client references.

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### Submission Requirements

1. Proposals must be delivered by mail, courier, or hand delivered to Beth Schumacher, Deputy Clerk, Municipality of the County of Antigonish, 285 Beech Hill Road, Antigonish, NS, B2G 0B4. Tel: (902) 863-1117. E-mail: beth.schumacher@antigonishcounty.ns.ca.
2. All proposals must be received in their entirety on or before Friday, May 3, 2019 at 4:00pm. Applicants are responsible for ensuring that their proposal is received on time and at the location specified.
3. Proposal must be clearly marked “Municipality of the County of Antigonish – Sale of Structure & Property - Antigonish County Court House” on the outside of the sealed envelope.
4. Applicants shall identify themselves or their company/organization and provide contact information.
5. The proposal must be signed by an appropriate authorized official of the firm submitting the proposal.
6. Proposals that are not complete or that do not conform with the requirements of this RFP may be eliminated from further consideration.
7. Proposals received late, or not received completely by the closing time will not be considered.
8. All prices should be quoted in Canadian dollars and should not include any Provincial or Federal sales taxes in the price.

### Property is “as is where is”

The Municipality makes no warranties with respect to the condition of the property or of the building on the property, including but not limited to the environmental condition of the property and the existence of any hazardous materials in the building or elsewhere on the property.

The Municipality will consider any requests from an interested party to be permitted to conduct certain environmental or building inspections. The Municipality has some reports with respect to the property and will make these reports available upon request, but the Municipality makes no warranty as to the accuracy or completeness of the reports.

### Further Information

*Built in 1855, the Antigonish County Court House was designated as a National Historic Site in 1981 because it is considered to be one of the best examples of the typical mid-19<sup>th</sup> century maritime court house in Nova Scotia. Although it has undergone some modifications, and survived a major fire, the building retains the layout and room functions, as well as the classicized ornamental details on a simple frame, typical of court houses of the period in the province. It continues to serve its original use.<sup>1</sup>*

The Court House is still actively used for hearings and is leased in its entirety to the Department of Justice. The current term of this lease runs until July 2023 and makes provision to permit the landlord to transfer its ownership of the real property and requires six (6) months notice if either party wishes to terminate the lease.

The Court House remains connected to the former correctional centre (now apartments) through a hallway at the back of the building, providing access to Department of Justice offices and chambers in the apartment building. Access easements through the rear and eastern side yards of the site provide emergency access to the rear patio area of the adjacent apartment site.

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<sup>1</sup> Antigonish County Court House Statement of Significance

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The site falls within the Planning jurisdiction of the Town of Antigonish and is currently zoned Downtown Commercial (C-1) Zone. Any development on the site should have consideration for the relevant policies and regulations found within the Town of Antigonish Municipal Planning Strategy and Land Use By-law, as well as any development applications/processes that may be required by the Town.

### **Other Terms and Conditions**

#### **Restrictive Covenants**

The Municipality may convey the property to the proponent subject to Restrictive Covenants so as to ensure the property is re-developed in keeping with the proposal submitted.

#### **Duration of Proposal**

Unless stated otherwise in this RFP, proposals must remain open to acceptance and are irrevocable for a period of 90 days after the closing date.

#### **Addenda, Corrections or Extensions of the Invitation**

The Municipality reserves the right to modify the terms of this RFP at any time prior to closing, at its sole discretion.

#### **Registration (if applicable)**

A proposal can be accepted for evaluation regardless of whether or not the proponent is registered to carry on business in Nova Scotia, and in good standing. However, a contract cannot be awarded unless the proponent is registered and in good standing according to applicable laws.

#### **Acceptance of Proposal / Right to Reject**

1. Failure to comply with any of the terms or conditions contained or referenced in this RFP document may result in the rejection of a proposal.
2. All of the terms, conditions and/or specifications stated or referenced in this RFP are assumed to be accepted by the proponent and incorporated in the proposal.
3. Issuing this RFP implies no obligation on the Municipality to accept any proposal, or a portion of any proposal submitted.
4. The lowest priced proposal or any proposal will not necessarily be accepted.
5. Following closing, the Municipality reserves the right to enter into negotiations with one or more proponents to enter into a contract. The Municipality will not be obligated in any manner to any proponent whatsoever until a written contract has been duly executed relating to an approved proposal.
6. The successful proponent shall enter into a contract with the Municipality.

#### **Cancellation**

1. This RFP may be cancelled in whole or in part without penalty, when:
  - a. there has been a substantial change in the requirements after this RFP has been issued;
  - b. information has been received by the Municipality after this RFP has been issued that the Municipality feels has substantially altered the procurement; or
  - c. there was insufficient competition in order to provide the level of service, quality of goods or pricing required.

2. The Municipality reserves the right to cancel this RFP in whole or in part without penalty if in its sole opinion there is sufficient justification to do so. .
3. The Municipality reserves the right to reject any or all proposals or to accept any offer that is deemed by Council to be in the best interest of the Municipality. The Municipality also reserves the right to waive any informality to any or all offers. In addition, the Municipality may cancel this RFP, reject all the Proposals, and seek to sell the property through a new RFP or other means.

#### Proposals Property of the Municipality

All submissions become property of the Municipality. The Municipality of the County of Antigonish will not be liable for any costs incurred by a proponent in responding to this RFP, regardless of whether the Municipality enters into any contracts through this process, decides not to go forward with the sale of the property, cancels this RFP for any reason, or contracts for the sale of the property through some other process or by issuing another RFP.

#### Liability for Costs

Proponents are responsible for their own expenses in preparing, delivering or presenting a proposal and for subsequent negotiations with the Municipality, if any. The Municipality will not be responsible for any costs, expenses, losses, damages or liability incurred by any proponent as a result of, or arising out of, the submission or any proposal, or due to the Municipality accepting or rejecting any proposal.

Any sale of Municipal property is subject to the Municipality's policy regarding the sale and exchange of Municipal land. A copy of this policy can be supplied upon request, and is also found online at:

<https://www.antigonishcounty.ns.ca/wp-content/uploads/2014/07/29-Sale-of-Municipal-Land-Policy.pdf>

#### Accuracy of the RFP Document

While the Municipality has tried to ensure accuracy in this RFP, it is not guaranteed or warranted by the Municipality to be accurate, nor is it necessarily comprehensive or exhaustive.

The Municipality reserves the right at their sole discretion to clarify any proposal after closing by seeking further information from that proponent, without becoming obligated to clarify or seek further information from any or all other proponents.

Proponents are cautioned that any clarifications sought will not be an opportunity either to correct errors or change their proposals in any substantive manner.