

Evaluation Criteria Summary

| | Anderson | Legacy |
|--|----------|--------|
| SCOPE | | |
| Conducting market and valuation analyses. | X | X |
| Developing marketing strategies and materials (electronic and/or hard copy). | X | X |
| Distributing marketing materials to potential buyers and reporting results to the Economic Development Director monthly. | X | X |
| Handling inquiries and showing properties. | X | X |
| Confirming qualifications of potential buyers. | X | X |
| Analyzing offers from potential buyers and advising the CDA and its representatives with respect to the offer and negotiations. | X | X |
| Representing the City during negotiations from time of offer until closing. | X | X |
| Coordinating all real estate transaction closings. | X | X |
| Handling all other customary activities and brokerage services associated with real estate transactions. | X | X |
| Providing the Economic Development Director with weekly activity reports. | X | X |
| Meeting with the Zoning administration monthly to understand how zoning impacts the future of the property in question. | X | X |
| Providing expert advice and consultation on real estate market conditions, potential returns, and investment opportunities. | X | X |
| Additional tasks as agreed upon by both parties. | X | X |
| | | |
| PROPOSAL REQUIREMENTS | | |
| An executive summary of the proposal. | X | X |
| A detailed description of the firm's history, size, structure, personnel and experience in providing similar services to government entities. | X | X |
| Proposed team structure and resumes of key personnel to be assigned to this project. | X | X |
| Description of the firm's knowledge of the local real estate market and demonstrated experience in managing and selling similar properties. ¹ | X | X |
| Additional services offered through your firm, that may be relevant to the sale or lease of publicly owned property. | X | |
| FEE PROPOSAL – SEE BELOW ² | X | X |
| References from at least three (3) clients for whom the proposer has provided similar services. | X | X |
| | | |
| On Time Proposal Submission | yes | yes |

¹ Additional information is below

² Additional information is below

Footnote 1: Knowledge of local real estate market and managing similar projects

ANDERSON

At the time of this Response to the Request for Proposal was written, ACG has 13 out of 19 of the commercial properties listed for lease or sale in the City of Whitewater. In other words, ACG has 70% of the commercial property listings in Whitewater. See listings in Exhibit C. We know Whitewater.

LEGACY: Legacy Realty

Legacy Realty Group was the only brokerage firm to bring a large-scale, outside development project to the City of Whitewater in recent years. Tim Vandeville Jr. successfully introduced and secured developer Hartland Shores for a project that has since closed, adding 128 new market rate apartment units to the city's future housing supply.

Despite other firms being hired, no other broker facilitated a deal of this scale. Legacy Realty Group's proactive approach, developer relationships, and understanding of Whitewater's zoning and market potential made this deal possible.

This project is a clear example of our ability to deliver tangible results—not just listings—and highlights our strength in representing municipal interests in complex real estate transactions.

Footnote 2: Fee Proposal

ANDERSON

ACG's commission from a fully executed sale shall be 10% of the original list price or adjusted higher list price, whichever is greater, per tax key as identified in the listing contract. The sale shall not be considered final until the sale is approved by the City, which has full discretion to accept or reject a sale for any reason. See Listing Agreement Exhibit E.

LEGACY

Legacy Realty Group proposes a listing agreement structured as follows:

- The listing commission shall be 4% of a mutually agreed-upon list price, converted to a flat fee.
- This structure ensures clear expectations and transparency, regardless of the final sale price.
- The 4% fee applies solely to Legacy Realty Group as the listing brokerage and is not intended to be split.
- Legacy Realty Group will collaborate with the City to determine an appropriate offer of compensation for any cooperating buyer's agent, which will be addressed and negotiated separately within the Offer to Purchase.

Additional Information:

- February 2025 – CDA directed staff to terminate for cause the contract with Anderson Commercial Group.

From Minutes:

EDD Zeinert was asked the reasons for termination. She outlined complaints received about slow or lack of follow up when people inquire about properties, and when asked by staff to make contacts regarding certain properties they do not go directly to the owners. Because of that and poor performance, staff recommended the CDA review the contract. Anderson Group was asked to attend the meeting tonight and did not attend.

- March 2025 – Anderson Commercial Group attended CDA meeting and gave a presentation. Their contract was discussed in Closed Session and status was changed from “terminated for cause” to “non-renewed”, with an invitation to apply through the RFP process.

From Minutes:

Patrick McGlinn, Anderson Commercial Group, provided an overview of the 15-year-old company. The firm has 24 members, including 14 brokers. He explained that he and Kristen Parks will be working with the City moving forward. Ray Gooden will no longer be part of this project. Results of Closed Session Discussion: Anderson Commercial Group will remain the broker until their contract expires in May. Results of the RFP process will determine the next broker.

- RFP for Listing & Brokerage Services City of Whitewater Issue 3/24/25/ Deadline 4/24/25