

FINANCE & ADMINISTRATION

REQUEST FOR EXPRESSIONS OF INTEREST

RFEI50262 – Expression of Interest to Purchase

PID# 45148244 - Revised

Release date: July 12, 2019

Submissions will be received up to
3:00:00 pm local time on Thursday, October 3, **2019**

Contact: Michael Hatfield
Procurement Officer
Municipality of East Hants
Telephone: (902) 883-7098, Ext 232
Email: mhatfield@easthants.ca



EAST HANTS
We live it!

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PART 1 - BACKGROUND

In 2016, the Municipality of the District of East Hants ("East Hants") identified that the existing pool in Milford, Nova Scotia, had reached the end of its operational life and they began the process to design a replacement aquatic centre at a different location. That process has culminated in the design and construction of the new East Hants Aquatic Centre located adjacent to the Municipal Office in Elmsdale.

As the construction of the new Aquatic Centre advances and the closure of the Milford Pool is imminent, East Hants has, after consultation with non-profit groups in accordance with our *Disposal of Surplus Property* Policy, decided to offer this property for sale to the public.

Potential buyers may submit sealed offers to purchase this property up until the date and time stated in this document. No minimum bid has been set for this property, though there are certain conditions of sale which will apply.

PART 2 - CONDITIONS OF SALE

COUNCIL POLICY

This process is conducted under the authority of the East Hants *Disposal of Surplus Property Policy* and any sale is therefore subject to final approval of East Hants' Municipal Council. Such approval will not be unreasonably denied, but in the event of competing offers, Council may choose to accept any offer, regardless of price, which they, in their sole discretion, may determine is in the best interests of East Hants.

Our intent is to get best value for the citizens of East Hants in disposing of this property, in keeping with our business objectives. The following conditions apply to this process:

- East Hants has twice publicly solicited interest from non-profit organizations and we have not received any interest; however, East Hants may choose to accept a bid from a non-profit group with a viable plan for using the property, over a higher bid from another individual or entity.
- East Hants prefers unconditional bids; the absence of a minimum price reflects the uniqueness and condition of the property. East Hants may, in their sole discretion, accept an unconditional bid over a conditional bid of a higher price.
- This Request for Expressions of Interest neither expresses nor implies any obligation on the part of East Hants to enter into a contract with any party submitting a response or responses.
- East Hants does not bind itself to accept any offer, but may accept any offer Council believes will be in the best interests of East Hants. East Hants may:
 - reject any or all of the offers;
 - accept any offer;
 - if only one offer is received, choose to accept or reject it;
 - choose not to accept the lowest bid price;
 - negotiate with one or more bidders;
 - alter the process as it may determine in its sole and absolute discretion.
- East Hants may cancel the process at any time, for any reason, in its sole discretion. In the event that the process is cancelled, East Hants will not be obligated to pay any costs, damages, or claims of any type to any bidder or potential bidder.

The Milford Pool is to remain operational until the new Aquatic Centre is opened, which is expected to occur in December of 2019. The closing date for any sale of the Milford Pool property will be no sooner than 15 business days after the new Aquatic Centre has officially opened and all operations have transferred to the new facility, which date East Hants shall confirm in writing when it occurs.

East Hants will drain the pool tank prior to closing. East Hants is developing a decommissioning plan for the pool building which it will share with the successful bidder prior to executing the purchase and sale agreement.

PART 3 - ABOUT THE PROPERTY

The Community

East Hants is centrally located in the Province of Nova Scotia and is within Hants County. The Municipality covers 466,426 acres (1909 km²) of varied terrain, ranging from fertile agricultural lands to forested lake lands. The census completed in 2016 estimates the total population of East Hants to be 23,542 in 9,427 households.

East Hants is one of the few growing municipalities in Nova Scotia. Suburban growth has spread along the Highway 102 Corridor, and the communities of Enfield, Elmsdale, and Lantz have grown quickly. Between 1961 and 2011 the population of East Hants more than doubled, to over 22,000 residents. More demographic information is available in the 2016 socio-economic study available here:

<https://www.easthants.ca/government/council/reports/statistical-reports/socio-economic-study/>

The Official Community Plan is the vision for what East Hants will look like and includes rules and policy to achieve that vision. The document includes the Municipal Planning Strategy, Land Use Bylaw, and Subdivision Bylaw and took effect on September 21, 2016. The 2016 Official Community Plan and Plan documents are available at:

<https://www.easthants.ca/wp-content/uploads/2016/09/2016-Municipal-Planning-Strategy.pdf>

Milford is within the Growth Management Area where Council encourages both residential and commercial development. The property has wastewater services, but no public water services (water comes from a drilled well on the property).

The Property/Zoning

The East Hants Swimming Pool is located at 2359 Highway 2, Milford, PID # 45148244.

A complete definition of all zones and permitted uses within same can be found in the [2016 Official Community Plan](#).

This property is currently zoned Institutional Use (IU), Highrisk Floodplain Zone (HF). While a large portion of the property is in the HF, portions are in the Moderate Risk Floodplain Overlay Zone (MF), and the property is also partially in the Shubenacadie Aquifer Protection Overlay Zone (SAP). East Hants may support change to the IU zoning provided the intended use does not have an adverse impact on the neighbourhood and subject to the requirements of the Municipal Planning Strategy and the *Municipal Government Act*.

Building

The property consists of a main building which is currently being used as a community pool. Exhibit 1 shows the floor plans used during the renovations to the building. A kitchenette, storage space, and two offices were added to the mezzanine. The parking area is primarily gravel.

The asphalt shingle roof was replaced in 2017. The nature of the curved exterior is subject to damage to shingles in high wind, but, as of the date of this RFI, the roof was intact. Various other repairs have been completed as necessary to maintain the building for our use. We do not recommend buyers consider purchase of this property to use as a pool; although we have done a number of repairs to keep the pool building safe and operational, our opinion is that continued operation as a pool is not cost effective.

East Hants makes no representation or warranties with regard to the condition of the property or its suitability for any particular purpose. In particular, but without limitation, East Hants makes no representation with regard to environmental condition of the property or the existence of any hazardous or toxic materials that might be located in or about the property. It shall be the sole responsibility of the bidder to satisfy itself with regard to the condition of the property. East Hants will endeavour to accommodate any reasonable request to access to the property to inspect the building or conduct environmental testing, provided the request is made in advance such that East Hants can prepare for the access and that it does not affect the operation of the pool operation or its programming.

A change in use, triggered by the sale, may require the new owner to meet the National Building Code for the intended building use. The bidder shall be solely responsible to comply with the National Building Code requirements and other applicable Federal, Provincial, or Municipal legislation or policy related to their intended use.

East Hants has had a number of assessments completed on the building and has, where possible, implemented a substantial number of these recommendations. The following documents are available included in this download. East Hants does not warrant the information in these reports as representing current condition

- East Hants Municipal Swimming Pool Audit and Life Cycle Plan Final Report, May 1999 - Lewis Engineering Inc.
 - Ongoing implementation of the recommendations, plus additional repairs as operationally required
- Professional Engineering Study Services for Solar Panel Investigation, Municipality of East Hants Pool - Milford, August 2013 - MCA Consultants
- Roof Inspection Report, East Hants Swimming Pool, Milford, NS, October 2014, Roof1 Consultants
 - Roof and ventilation strips were replaced after this report

- Cannot confirm if crack in chimney cap was repaired

Interested parties are expected to do their own research with respect to the condition of the building and property and East Hants will take no responsibility for any of the conditions disclosed within the reports, nor for items to which East Hants is unaware of which may exist on the premises. The reports and exhibits are provided for information only and without representation or warranty. Any Purchase and Sale Agreement made with East Hants shall be "as is where is" with no representations or warranties whatsoever.

Part 4 - Submission Procedures and Deadline

Bidder Information

Bidder must include name, mailing address, phone number, and email address in their bid.

Bid Price

Council has not set a minimum sale price for this property. Therefore, all potential buyers making submissions must set out the amount they are prepared to pay to purchase the property.

Intended Use

Please include any information which will be relevant to your use of the property and which you believe will help Council determine the true value of the bid.

Questions

Any request for additional information, questions, or clarifications relating to the RFEI must be submitted in writing, prior to the deadline for submissions, to Michael Hatfield at mhatfield@easthants.ca.

Submissions

Sealed submissions are to be clearly marked "RFEI50262 - Expressions of Interest to Purchase PID# 45148244" and must be received by **October 3, 2019 at 3:00:00**, local Nova Scotia time. Submissions will not be opened publically. Submissions may not be submitted electronically, by facsimile, or by email. Submissions must be signed by the person(s) authorized to sign on behalf of the bidder.

PART 5 - OWNERSHIP OF BID AND FREEDOM OF INFORMATION

Bidders are advised that East Hants is governed by Nova Scotia's *Freedom of Information and Protection of Privacy Act (FOIPOP)* and any information submitted to East Hants in response to this REI may be subject to disclosure under *FOIPOP*. Bidders may identify any confidential information in their submission or any accompanying documentation and are advised to consult with their own legal advisors regarding the appropriate way to identify such information. East Hants will make reasonable efforts to safeguard confidential information, subject to its disclosure requirements under *FOIPOP* or any disclosure requirements imposed by law or by order of a court or tribunal. Bidders are advised that their submissions will, as necessary, be disclosed to Council and to advisers retained by East Hants to advise or assist with the process. Bidders are further advised that East Hants may make public the names of the successful bidder. If a bidder has any questions about the collection and use of information pursuant to this

process, questions are to be submitted to: Michael Hatfield, procurement Officer, (902) 883-7098 ext. 232 or mhatfield@easthants.ca.

PART 6 - WAIVER

Although East Hants is seeking Expressions of Interest through this process, East Hants is under no obligation to complete the process. The receipt of any information, including any submissions, plans, drawings, concepts or other materials communicated or submitted by any bidder, or on its behalf, shall not impose any obligations on East Hants or the bidder.

By making a submissions, each and every bidder is deemed to have agreed that they waive any right whatsoever however arising to make any claim against East Hants as a result of that bidder's participation in this call for Expressions of Interest, including any costs or expenses incurred in putting together their submission.