



2 Capitol Mall
P.O. Box 2981
Little Rock, AR 72203
dws.arkansas.gov

Asa Hutchinson
Governor

Daryl E. Bassett
Director

January 14, 2016

Marty Garrity
garritym@blr.arkansas.gov
(501) 682-1937
BLR – Bureau of Legislative Research

Re: Sale of office building in Walnut Ridge, AR

Dear Mr. Garrity:

We respectfully request that approval for the sale of an office building in Walnut Ridge, Arkansas be added to the agenda for the Legislative Council Meeting to be held in February 2016.

Attached, is the bid package, the buyer's proposal, our notification to ABA of our intent to accept the buyer's proposal, and the appraisal. If additional information is required, please contact Danny Lewis at (501) 682-3732. Thank you.

Sincerely,

A handwritten signature in black ink, which appears to read 'Daryl E. Bassett', is positioned below the word 'Sincerely,'.

Daryl E. Bassett

cc: Bryan Hicks, Ron Snead, Danny Lewis



STATE OF ARKANSAS
ASA HUTCHINSON
GOVERNOR

February 9, 2016

Daryl E. Bassett, Director
Department of Workforce Services
2 Capitol Mall P.O. Box 2981
Little Rock, AR 72203

Dear Director Bassett:

Thank you for your notification and request of approval regarding the sale of the Walnut Ridge Workforce Center facility at 116 Elm Street, Walnut Ridge, Arkansas to Allied Ag-Cat Corporation. I appreciate your commitment to finding solutions that will allow your agency to serve Arkansans as efficiently as possible.

After reading the information and speaking with Liz Yates, liaison to Workforce Services, I am writing to express my approval for your plans to sell the Walnut Ridge Workforce Center.

Thank you again for your work for the State of Arkansas.

Sincerely,

A handwritten signature in black ink, appearing to read "Asa Hutchinson", written over the word "Sincerely".

Asa Hutchinson



STATE OF ARKANSAS

**Department of Finance
and Administration**

DIVISION OF BUILDING AUTHORITY

501 Woodlane Street, Suite 101N
Little Rock, Arkansas 72201
Phone: (501) 682-1833
Fax: (501) 682-5589
www.aba.arkansas.gov

February 12, 2016

The Honorable Asa Hutchinson
Governor, State of Arkansas
Room 250, State Capitol
Little Rock, Arkansas 72201

Re: Request for Sale of State Property - Arkansas Department of Workforce Services
Former DWS Workforce Center - 116 West Elm Street, in Walnut Ridge/Lawrence County

Dear Governor Hutchinson:

On October 14, 2015, the Division of Building Authority received your approval to proceed with a bid solicitation for the sale of the above referenced property for the Arkansas Department of Workforce Services. The Division of Building Authority did not receive any bids for the property on its first attempt. In our second attempt, four bids were received with the highest bid being \$24,001.00 compared to the property's appraised value of \$90,000. Ark. Code Ann. §22-6-601(h)(2) allows for the sale of property for below appraised value if approved by your office and reviewed by Arkansas Legislative Council.

DWS would like to accept the bid on the basis that it is not reasonable to believe that additional bid solicitations will yield a higher bid. Daryl Bassett, DWS Director, has cited concerns with continued efforts to sale based on the very limited interest seen in the bid attempts thus far, as well as the agency's cost to maintain the vacant facility, including insurance premiums and lawn care required by City ordinance. Therefore, it is the view of both parties that the costs for the State to maintain possession of the property, as well as the resources that have already been expended in efforts to sell the property, outweigh the potential benefits to be gained through additional bid attempts. Therefore, it is the opinion and recommendation of this office and Daryl Bassett to sell the property for the bid amount received. We concur that further solicitation of these properties is not in the best interest of the State.

We therefore respectfully request that the bid of \$24,001.00, which is less than the appraised value, be accepted by the Arkansas Department of Workforce Services so that it may proceed with the sale of the property to the bidder. DWS has notified us that a similar request has been sent to the Legislative Council prior any finalization of the sale.

Sincerely,


Anne W. Laidlaw, Director

c: Daryl E. Bassett, Director, DWS



2 Capitol Mall
P.O. Box 2981
Little Rock, AR 72203
dws.arkansas.gov

Asa Hutchinson
Governor

Daryl E. Bassett
Director

January 14, 2016

Ann Laidlaw, Director
DFA - Division Building Authority
501 Woodlane Avenue, Suite 101N
Little Rock, AR 72201

Re: Acceptance of Bid

Dear Director Laidlaw:

The Arkansas Department of Workforce Services (DWS) will accept an offer of \$24,001.00 for the building located at 16 West Elm Street in Walnut Ridge, Arkansas. Although the \$24,001.00 being offered is below the appraised value of \$90,000.00 (dated June 23, 2015), this offer appears to be justifiable.

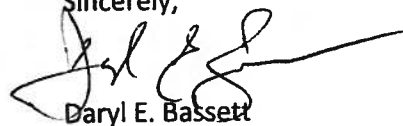
Since November 2015:

- a. Efforts have been made to sell this property without any success (newspaper, sealed bid, etc.).
- b. Maintenance and lawn service costs are being incurred.
- c. This property, bought in 1960, will continue to deteriorate, becoming blight to the area.

This offer allows DWS the opportunity to remove from its property inventory a facility that is not in line with our long term Workforce Investment Opportunity Act strategy of co-locating our workforce centers with multiple center partners.

If further information is needed, please contact Bryan Hicks at (501) 682-3108.

Sincerely,



Daryl E. Bassett

SALE OF PROPERTY: FORM OF PROPOSAL

DBA Property Sale #: 15/38-810-01

I, FRANK KELLEY (print name), do hereby offer to purchase, subject to terms set forth herein, the following property identified as **All of Walnut Ridge Original Block (18), Lot (6) in the City of Walnut Ridge, Lawrence County, Arkansas.** My offer is valid from ninety (90) days of the bid opening.

I agree to pay the owner in the form of a cashier's check on the date of closing the following amount of:

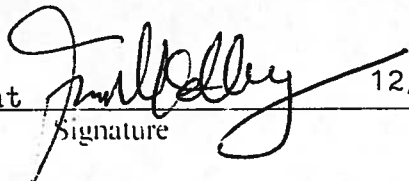
\$ 24,001.00 (Twenty Four Thousand & One Dollars)

(State the numerical amount)

I have enclosed a bidder's check which consists of a cashier's check drawn upon a bank or trust company doing business in Arkansas payable to the *Arkansas Department of Workforce Services* in an amount equal to one-tenth (10%) of the bid. If I become the successful bidder, the bidder's check submitted will be credited against the bid amount upon my payment of the balance or it shall be retained by the state agency as liquidated damages upon failure to tender and pay the balance of the bid price.

I certify that I have completed my due diligence with respect to the property and in accordance with the "*Sale of Property Terms and Conditions*" and have inspected the property and am not relying upon any warranties, representations, and statements of the State as set forth in paragraphs #9-12 of the terms and conditions.

I understand and agree to all of the terms and conditions of the "*Sale of Property Terms and Conditions*" and all issued addenda for this sale and submit my bid in accordance thereof I understand that by submitting this bid, I am waiving any added or deleted term and/or condition in conflict with the State's bid documents and the State has the sole discretion of determining what is and is not conflicting language.

<u>FRANK KELLEY, President</u>			<u>12/21/2015</u>
Print Name	Signature	Date	
<u>ALLIED AgCat LLC</u>			
<u>P. O. Box 482</u>	<u>Walnut Ridge</u>	<u>AR</u>	<u>72476</u>
Address	City	State	Zip Code
<u>870-886-7853</u>	<u>870-886-2418</u>	<u>870-886-2489</u>	
Phone: Home	Business	Fax	
<u>e-mail: pinseeking@sbcglobal.net</u>			

SALE OF PROPERTY: INVITATION TO BID

DFA, Division of Building Authority
Real Estate Services Section

DBA Property Sale #: 15/38-810-01

DFA, Division of Building Authority (DBA) will receive sealed offers for the sale of a brick veneer commercial office building, consisting of approximately 7,100 square feet of site in use area, improved with approximately 2,897 total square feet of building area, that is currently zoned "commercial", at 116 West Elm, Lot 6, Walnut Ridge Original Block (18), Lot (6), Walnut Ridge, Lawrence County, Arkansas for the Arkansas Department of Workforce Services.

DBA will receive sealed bids **until 3:00 p.m. on Tuesday, December 22, 2015** at 501 Woodlane Street, Suite 101N of the 501 Building, Little Rock, Arkansas. Any bid(s) received after the specified time will not be accepted. All interested parties are invited to attend, but attendance is not required.

Terms and Conditions of the above referenced bid can be obtained at the DBA Real Estate Services Section. Only one bid shall be submitted for this sale of property. Bids shall be submitted on the Sale of Land form of proposal provided by the State and shall be delivered in a **clearly identified, sealed, opaque envelope. A bid security in the form of a cashier's check in the amount of 10% of the base bid must accompany each bid submittal. The proceeds of the cashier's check of the successful bidder shall be credited against the bid upon payment of the balance or shall be retained by the state agency as liquidated damages upon failure to tender and pay the balance of the bid price.**

The State reserves the right to accept or reject any and all bids, to waive formalities therein and/or to accept bids with variations from sale conditions that serve the best interest of the State of Arkansas. While bidders may place additional conditions which are not in conflict with the terms and conditions, those terms and conditions stated in the "Sale of Property/ Terms and Conditions" shall govern and supercede any additional condition or term provided by the bidder which is in conflict. By submitting a bid, bidder waives any added or deleted term and/or condition that is in conflict with the state's bid documents.

Proposals which fail to comply fully with any mandated code provisions or regulation will be considered invalid and will not receive consideration.

02/09/07

SALE OF PROPERTY: TERMS AND CONDITIONS

1. The Arkansas Department of Workforce Services will offer for sale the following property located in Walnut Ridge, Lawrence County, Arkansas. See map enclosed.
2. The Legal Description of the property:

“Walnut Ridge Original Block (18), Lot(6), Walnut Ridge, Lawrence County”.
(Otherwise known as 116 West Elm Street).
3. All bids submitted shall be valid for ninety (90) days from the bid opening.
4. Bidders are required to complete the “State Sale of Property Form of Proposal” and submit with their form of proposal, a bidder’s check which consists of a cashier’s check payable to the order of *Arkansas Department of Workforce Services* drawn upon a bank or trust company doing business in Arkansas in an amount equal to one-tenth (1/10) of the bid. The successful bidder shall have the amount of his bidder’s check credited against the bid amount upon payment of the balance or shall be retained by the state agency as liquidated damages upon failure to tender and pay the balance of the bid price. FAILURE TO MAKE THE CASHIER’S CHECK PAYABLE TO THE ORDER OF THE *Arkansas Department of Workforce Services* SHALL BE CAUSE FOR BID REJECTION.
5. Non-successful bidders’ checks will be returned by mail upon completion of the sale to the successful bidder, or if the bid(s) are rejected.
6. The acceptance of the highest bid shall be in accordance with Ark. Code Ann. § 22-6-601. The successful bidder will have thirty (30) days from date of Notice of Agency’s approval to make complete payment of the balance of the purchase price. Payment will be made by enclosing a cashier’s check payable to the order of *Arkansas Department of Workforce Services* drawn upon a bank or trust company doing business in Arkansas for the full purchase price, less bidder’s deposit.
7. Upon failure of the successful bidder to make complete and full payment within the thirty (30) day time frame, the bidder’s deposit shall be retained by the *Arkansas Department of Workforce Services* as liquidated damages upon failure to tender and pay the balance of the bid price. The next highest bidder may become the successful bidder and if the State determines an award can be made to the next highest bidder, this bidder will then be given an opportunity to purchase the above named property within fifteen (15) days upon notice. The acceptance of this bid shall be in accordance with Ark. Code Ann. §22-6-601.
8. The State reserves the right to accept or reject any and all bids, to waive formalities therein and/or to accept bids with variations from sale conditions that serve the best interest of the State of Arkansas. While bidders may place additional conditions which are not in direct conflict with this document, the conditions and terms stated

in this document shall govern and supercede any additional condition or term provided by the bidder which is in conflict. Proposals which fail to comply fully with any code provisions and/or bid documents will be considered invalid and will not receive consideration.

9. In any conveyance of title of lands owned by the State of Arkansas, the State shall retain 100% ownership of interest in and to all the oil, gas and other minerals therein or thereunder.
10. The property described shall be sold as a whole tract in its condition. Bidders shall certify that they have made due diligence investigations regarding the purchase of the property at the time of their bid proposal. Bidders shall not rely upon any warranties, representations or statements of the State or any person on the State's behalf as to the age or physical condition of any improvement, environmental conditions, taxes, encroachments, special assessments or any other matters related to or pertaining to the property. Nor shall bidders rely upon any representations or statements of the State of the property, any matters affecting title to the property, or of any other matters related to the property but, rather, is relying on the Bidder's own diligence and judgment and experience. It is specifically understood and agreed, without limiting the generality of the foregoing, that the State shall have no obligation to correct defects, if any, in the title to the property.
11. Other than the special warranty deed, the State makes no warranty, expressed or implied, concerning the boundaries, corner markers, encroachments or easements for utilities, streets, private right-of-ways that might exist by record or prescription and that no warranty is given concerning the condition of the land or improvements thereon.
12. Bidders understands that it is purchasing the Property, AS IS, WHERE IS with all defects, if any, in title matters or in matters related to physical condition of the property. If Bidder desires to have a boundary survey, title insurance and/or an environmental site assessments or other due diligence materials, it must proceed, at its own cost, to obtain same during the due diligence period.
13. The State and successful bidder shall be responsible for their respective closing costs.
14. The State of Arkansas encourages all small, minority, and women business enterprises to submit responses for any bids and Requests for Proposals. Encouragement is also made to all prospective Lessors that in the event they subcontract portions of work for lease improvements, consideration be given to the identified groups.

SALE OF PROPERTY: FORM OF PROPOSAL

DBA Property Sale #: 15/38-810-01

I, _____ (print name), do hereby offer to purchase, subject to terms set forth herein, the following property identified as **All of Walnut Ridge Original Block (18), Lot (6) in the City of Walnut Ridge, Lawrence County, Arkansas.** My offer is valid from ninety (90) days of the bid opening.

I agree to pay the owner in the form of a cashier's check on the date of closing the following amount of:

\$ _____
(State the numerical amount)

I have enclosed a bidder's check which consists of a cashier's check drawn upon a bank or trust company doing business in Arkansas payable to the **Arkansas Department of Workforce Services** in an amount equal to one-tenth (10%) of the bid. If I become the successful bidder, the bidder's check submitted will be credited against the bid amount upon my payment of the balance or it shall be retained by the state agency as liquidated damages upon failure to tender and pay the balance of the bid price.

I certify that I have completed my due diligence with respect to the property and in accordance with the "*Sale of Property Terms and Conditions*" and have inspected the property and am not relying upon any warranties, representations, and statements of the State as set forth in paragraphs #9-12 of the terms and conditions.

I understand and agree to all of the terms and conditions of the "*Sale of Property Terms and Conditions*" and all issued addenda for this sale and submit my bid in accordance thereof I understand that by submitting this bid, I am waiving any added or deleted term and/or condition in conflict with the State's bid documents and the State has the sole discretion of determining what is and is not conflicting language.

_____		_____		_____	
Print Name		Signature		Date	
_____		_____	_____	_____	
Address		City	State	Zip Code	
_____		_____		_____	
Phone: Home		Business		Fax	

SALE OF PROPERTY: PROPERTY DESCRIPTION

Legal Description: All of Walnut Ridge Original Block (18), Lot (6) in the City of Walnut Ridge, Lawrence County, Arkansas.

The subject property consists of approximately 7,100 square feet of site in use area, improved with approximately 2,897 total square feet of building area that is currently zoned "commercial".

Appraisal Report attached: Reconciled Value of **\$90,000.00**.