

On Dec 8, 2020, at 5:02 PM, Karen Burke <[kburke@rrklaw.net](mailto:kburke@rrklaw.net)> wrote:

Hi, Tim,

As discussed, we could revise the RFP and Offer to allow a broker fee of 2.5% to be paid out of the Town's sale proceeds at the closing. The Town would pay the fee, but it would use proceeds of the sale to do so.

The Inspector General's 30B hotline has confirmed in the past this is acceptable under the procurement law. We are also aware of another town that did this – the town had issued an RFP, received no bids, and issued a new RFP that allowed a broker fee if the buyer was working with a broker.

We would let the bidders indicate whether this would apply; thus, if they do not have a broker, no fee would be paid. And we could include a statement that the buyer indemnifies the Town in the event there is another broker who claims they are entitled to a broker fee.

Again, we are happy to help revise the documents once a decision has been made.

Karen