



Request for Qualifications

**Municipal Right of Way (ROW)
Acquisition / Relocation Services
Master Service Agreement**

October 1, 2020

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REQUEST FOR STATEMENTS OF QUALIFICATIONS

The City of Evans (City) is seeking Statements of Qualifications for a Master Service Agreement for Professional ROW/ Relocation Services starting in January 2021 and continuing on a project-by-project basis for up to five (5) years, depending on performance to assist the City with ROW acquisition and relocation services on various projects..

Submission shall be by email or other electronic means, if necessary. Proposals shall be submitted in .pdf format to the City Engineer before 4:00 p.m. (City time zone) on October 22, 2020.

The City encourages all disadvantaged business enterprises to submit proposals in response to all requests for qualifications. Disadvantaged business enterprises will not be discriminated against on the grounds of race, color, or national origin for any proposals for negotiated agreements.

The City is subject to public information laws, which permit access to most records and documents. Proprietary information in your response must be clearly identified and will be protected to the extent legally permissible. Proposals may not be marked 'Proprietary' in their entirety. Information considered proprietary is limited to material treated as confidential in the normal conduct of business, trade secrets, and discount information. Summary price information may not be designated as proprietary as such information may be carried forward into other public documents. All provisions of any contract resulting from this request for proposal will be public information.

No officer, employee, or member of City Council, shall have a financial interest in the sale to the City of any real or personal property, equipment, material, supplies or services where such officer or employee exercises directly or indirectly any decision-making authority concerning such sale, or any supervisory authority over the services to be rendered. This rule also applies to subcontracts with the City. Soliciting or accepting any gift, gratuity favor, entertainment, kickback or any items of monetary value from any person who has or is seeking to do business with the City is prohibited.

Any proposal deemed to be collusive or a sham proposal will be rejected and reported to authorities as such. Your authorized signature on this proposal is presumed to assert that such proposal is genuine and is not a collusive or sham proposal.

The City reserves the right to reject any and all proposals and to waive any irregularities or informalities.

Questions concerning the scope of the services should be emailed to City Engineer.

Mark Oberschmidt, P.E. City Engineer
1100 37th Street
Evans, CO 80620-2036
(970) 475-1110
moberschmidt@evanscolorado.gov

I. INTRODUCTION

A. Project Description

The City constructs many projects in a given year ranging from maintenance type projects such as curb, gutter, and sidewalk replacement to complete road reconstruction projects. The City also does utility replacement and new construction projects including sanitary sewer, waterline, and storm sewer projects. Some of these projects require Right of Way (ROW), Permanent Easements (PE), and/or Temporary Construction Easements (TCE) acquisition and possibly relocation services.

The City is looking to establish an on-call Master Service Agreement (MSA) with a qualified consultant to assist the City with ROW, PE, and TCE acquisition and relocation services on a project-by-project basis. The intent of the MSA is for it to be renewable on an annual basis dependent upon acceptable performance by the selected appraiser in the previous year for up to five (5) years. The City will contract with the selected ROW firm and negotiate a scope and fee on a project-by-project basis in accordance with the City Purchasing policy and the MSA.

B Option to Renew for Subsequent Years

The rates provided in a statement of qualifications shall remain effective for the initial term of the contract. The contract will automatically renew each January 1 after the effective date of the contract for up to five (5) successive one-year terms, subject to annual appropriation; provided, however, that the Contractor provides satisfactory performance during the previous contract term. Continuation of the contract beyond the initial term or any successive one-year term is a City prerogative and not a right of the Contractor and will be exercised only when such continuation is clearly in the best interest of the City.

On or before January 10th in each calendar year the contract is in effect, the Contractor may submit written notice of any increases in the contract rates to apply for that calendar year, such increases not to exceed 5%. Any such rate increases are subject to CONTRACTOR demonstrating to Evans with documentation that CONTRACTOR was subject to a commensurate price adjustment by a supplier or vendor. Any such rate increases shall not be effective until approved in writing by the City. The City will have the option to immediately terminate the contract in the event City receives notice from Contractor of an increase in rates over the prior term if the parties are unwilling or unable to negotiate and agree upon a rate increase.

C Firms

Statements of Qualifications will be considered only from firms or individuals that are well established in providing professional ROW/Relocation Services, who are financially responsible, and who have the resources and ability to provide services in a professional and timely manner. The City may request additional information as deemed necessary. The City reserves the right to obtain financial data or other supplemental information concerning the firm and/or its subcontractors. Failure to provide such information may result in the proposal being considered non-responsive.

It is understood that the right is reserved by the City to thoroughly inspect and

investigate the business reputation, or other general qualifications, of any firm and to reject any proposal, irrespective of quoted prices, if it is administratively determined to be lacking in any of the essentials necessary to assure acceptable standards of performance.

D Projects

The first project requiring ROW services in will involve ROW acquisition at the SW corner of 37th Street and Two Rivers Parkway as part of intersection improvements planned for 2021.

Other projects that may require ROW or easement acquisition in the near future include the 35th Avenue Storm Sewer outfall, Railroad Ponds storm sewer outfall, St. Vrain Storm Sewer outfall, several waterline crossings under State Highway 85, and other yet to be named projects.

II. REQUIRED QUALIFICATIONS

Consultants must be pre-qualified by CDOT to work on federally funded acquisitions and relocations based on the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 (the Uniform Act).

Professional services may include assistance with Municipal ROW acquisition and/or relocation of property rights for bridges, sidewalks, roadways and roundabouts, utility, drainage and other public improvements. Additional services may include assistance during process of eminent domain and provide expert testimony in contested property disputes.

The selected firm must have experience with engineers and surveyors and know how to read legal descriptions, right-of-way plans and permits related to property acquisition. The selected firm will also coordinate negotiations with property owners after review and acceptance of appraisal valuations from the City to start the negotiation process.

III. CONTRACTING PROCESS

A. General Items

The City of Evans shall be the Owner. The Owner's Project Manager is the City Engineer or their designee.

The Owner reserves the right to reject or accept any or all proposals or waive any formalities, informalities, or information therein.

The Owner will establish this MSA based on the merits of the Statements of Qualifications (SOQ) received.

IV. METHOD OF SUBMITTAL

Statements of Qualifications shall be submitted electronically in .pdf format. All copies shall be submitted to:

City of Evans, Engineering
moberschmidt@evanscolorado.gov

Header: Evans Municipal ROW Services Master Services Agreement

All SOQ's submitted shall become the property of City of Evans and will become public record.

V. FORM OF STATEMENT OF QUALIFICATIONS

The Consultants SOQ must include a scope of qualifications which the Consultant believes is appropriate to achieve the purposes of the attached scope in Attachment A. Please limit SOQ's to twenty (20) pages or less, not including dividers and resumes.

VI. INSTRUCTIONS TO CONSULTANTS

A. Submittal Requirements

Qualified teams interested in performing the work described in this request for qualifications should submit the information detailed below to the City in electronic format only. Responses must include a minimum of all of the items listed below, in the order listed, or it may be deemed incomplete and be subject to rejection.

B. Executive Summary

The Executive Summary should highlight the consultant's qualifications, approach to the acquisition process, and any unique aspects, benefits or skill sets provided by your team.

C. Team Information and Experience

The Team should provide the following minimum information:

- Primary contact information for the team including contact name(s) and title(s), mailing address(s), phone number(s), and email address(s).
- Qualifications of the team, and qualifications and experience of the specific staff proposed to provide appraisal services similar to those being requested. A résumé for key professionals assigned to the contract.
- Identify the primary contact person and roles of each team member.
- Provide a list of ROW acquisitions done under a similar process completed in the last five (5) years by the key members of the proposed team.
- References (current contact name, telephone number, and email address) from at least three (3) similar projects that have been completed within the past five (5) years that have involved the staff proposed to work on this project. Provide detail about each referenced project including a description, original cost, and final cost.
- Fee Schedule

D. Scope of Services

Refer to Attachment A

VII. Contact

Questions related to the this MSA shall be emailed to:

Mark Oberschmidt, P.E.
City Engineer
moberschmidt@evanscolorado.gov

The deadline for questions is Friday 10/16/2020 @ 1700 hours. Answers to questions will be emailed to all interested parties by 1700 hours on Monday 10/19/2020.

VIII. SELECTION CRITERIA AND METHOD

A. Review and Assessment Criteria

Professional Teams will be evaluated on the following criteria. These criteria will be the basis for review of the written proposals and interview session (if the City should determine an interview process is required).

The rating scale shall be from one (1) to five (5), with one (1) being a poor rating, three (3) being an average rating, and five (5) being an outstanding rating.

A shortlist of teams may be identified and invited for an interview at the City. The final selection will be made from this shortlisted group. The City reserves the right to award directly as a result of the written statement of qualifications.

WEIGHTING FACTOR	QUALIFICATION	STANDARD
2.0	Scope of Services	Does the proposed scope show an understanding of the project objective, methodology to be used and results that are desired from the project?
2.0	Assigned Personnel	Do the persons who will be working on the project have the necessary skills? Are sufficient people of the requisite skills assigned to the project? Is your experience pertinent?
1.0	Availability	Can the work be completed in the necessary time? Can the target start and completion dates be met? Are other qualified personnel available to assist in meeting the project schedule if required? Is the project team available to attend meetings as needed to complete the scope of work?
1.0	Motivation	Is the team interested and are they capable of doing the work in the required time frame?
2.0	Team Capability	Does the team have the support capabilities that the assigned personnel require? Has the team completed previous projects of this type and scope?

B. Reference Evaluation

The Project Manager will check references using the following criteria. The evaluation rankings will be labeled Satisfactory/Unsatisfactory.

QUALIFICATION	STANDARD
Overall Performance	Would you hire this Professional again? Did they show the skills required by this project?
Timetable	Was the original Scope of Work completed within the specified time? Were interim deadlines met in a timely manner?
Completeness	Was the Professional responsive to client needs? Did the Professional anticipate problems? Were problems solved quickly and effectively?
Budget	Was the original Scope of Work completed within the project budget?
Job Knowledge	Did the appraisal meet the scope of work outlined and was the work sufficiently detailed to provide a good basis for property purchase negotiations?

ATTACHMENT A

SCOPE OF WORK

Right-of-Way and Easement Acquisition On-Call Services

The City of Evans is requesting written statements of qualifications from qualified licensed consultants to be under contract to provide professional services on an as-needed basis. The focus of this contract is right-of-way and easement acquisition services. The City's objective is to have one consultant available that has the ability either in-house or through sub-consultants to accomplish tasks requested by the City in a timely professional fashion. Fees will be on a predetermined rate schedule. Services will be requested by the City on an as-needed basis by issuing individual "task orders."

This is an On-Call Agreement and the City does not know the extent of the need to issue task orders in any given year. There is no guarantee that the City will need or utilize the services of the Consultant in any given year. There is no retainer paid by the City.

The Consultant understands and agrees that there are no guarantees of specific tasks or quantities of services associated with this engagement. Consultant may perform any real property acquisition tasks or may perform none as circumstances require. Further, City of Evans is in no way obligated to utilize the Consultant in every acquisition or relocation situation encountered.

The Consultant further understands that the contract awarded to the successful bidder will not create an exclusive contract for goods or services and the City is free to contact and contract with other contractors for such work.

Section A: Requirements

The Consultant will work closely with City staff to provide professional services related to the acquisition of rights-of-way and easements for public improvement projects, including roads, bridges, culverts, drainage facilities, and other public infrastructure projects. The Consultant shall, at a minimum, provide, perform, and/or furnish the following on an as-needed basis:

1. Task Order
 - a. A Task Order will be used for all projects. For each assignment, Consultant shall prepare a brief description of the services required for the project along with a fee estimate to complete the project in accordance with the Schedule of Charges proposed herein. The services description and fee estimate, if acceptable to City of Evans, shall be used as the basis of a Notice to Proceed to be prepared and issued by City of Evans. Receipt of a Notice to Proceed from the City of Evans shall be taken by Consultant as authorization to proceed with a particular assignment.
 - b. The Consultant shall not provide services until so directed by the City Engineer through a Notice to Proceed.
2. Meetings and General Coordination/Research
 - a. Assist City staff in determining ownership and encumbrances of affected parcels.
 - b. Coordinate with appraisal consultants, engineers, local attorneys, surveyors, title companies, and project managers, as required.

3. Preparation of Documentation
 - a. Incorporate legal descriptions, title work, and appraisal information.
 - b. Prepare documentation, including notice letters and contracts/agreements for proposed acquisitions. All contracts/agreements must be approved by the City Attorney.
4. Negotiations
 - a. Present City's offer and negotiate in good faith with subject property owners
 - b. Negotiation procedures must conform to local, State, and Federal requirements.
5. Close Acquisitions
 - a. Work with City staff and Title Company to obtain clear title.
 - b. Obtain the City staff's and City Attorney's approval of contracts/agreements.
 - c. Manage exchanges of agreed-upon consideration with the necessary documentation, such as deeds, easements, etc. Any documents transferring any interest in property must be approved by the City Attorney.
 - d. Obtain necessary releases of financial encumbrances on the subject property.
 - e. Provide City with all associated documentation after completion of acquisition.
6. Relocation Services
 - a. Prepare necessary relocation notices.
 - b. Provide relocation advisory services to residents and businesses that will require relocation as a part of the project.
 - c. Perform market research to locate comparable housing and business locations and written determinations of potential benefits prepared for the City's approval.
 - d. Administer the relocation process in a manner consistent with applicable local and/or federal law.
7. Condemnation support
 - a. In the event condemnation proceedings are deemed necessary, the costs associated with those services shall be based on an hourly rate and handled on a case-by-case basis.
8. Right-of-way and easement negotiation services shall be for federally and non-federally funded projects.
9. Provide right-of-way acquisition and relocation services for federally funded projects in accordance with the "Uniform Relocation Assistance and Real Property Policies Act of 1970 as amended," and 24-56-101 through 121, C.R.S., as amended and the policies and procedures as contained in the CDOT's Right of Way Manual.
10. Expert witness testimony and determination of fair market value and damage claim settlements for eminent domain actions.