



**REQUEST FOR  
LETTERS OF INTEREST  
FOR  
RIGHT OF WAY ACQUISITION SERVICES  
City of Delaware – Public Works Department**

440 E. William Street  
Delaware, Ohio 43015

The City of Delaware, Ohio is requesting Letters of Interest (LOI's) from qualified consultants to assist in the Right of Way Acquisition Services for several small transportation projects. The projects are either bike paths or new local streets. The City will utilize a modified ODOT LPA Programmatic Selection Process to select a Consultant.

**Estimated Construction Cost:** N/A

**Required Prequalification, Combination of Prime Consultant and Sub consultants:**

RIGHT OF WAY ACQUISITION SERVICES:

Project Management for Right of Way Acquisition Services; Title Research; Value Analysis; Appraisal; Negotiation; Closing

The City of Delaware will enter into individual agreements for these services selecting a consultant based on the results of the scoring of the LOI's. A consultant cannot perform both appraisals and appraisal review, but can apply for both services. Consultants should indicate in their LOI which services they are interested in providing based upon their ODOT prequalification(s). Consultants are encouraged to indicate their interest in one or more of the services.

Selection Subfactors:

- A. Experience in LPA projects that include federal funds for right of way acquisition which are administered through ODOT.
- B. Flexibility to meet reasonable time constraints for the individual projects.
- C. Ability to work with City and State personnel to meet the requirements of the Uniform Act.
- D. Any other unique qualifications that would positively impact this service.

**Suspended or Debarred Firms**

Firms included on the current Federal list of firms suspended or debarred are not eligible

for selection.

## **Selection Procedures**

The LPA will directly select a consultant based on the Letter of Interest (LOI). The requirements for the LOI and the Programmatic Consultant Selection Rating Form that will be used to select the consultant are shown below

## **LOI EVALUATION**

### **LOI Evaluation Committee**

This Committee will consist of no less than three employees of the City of Delaware, all of which have experience in the design or administration of engineering related projects, and who are qualified to grade the quality and completeness of the Consultant's LOI.

### **Evaluation of Consultant's LOI**

Each LOI will be evaluated using the criteria and points established herein. Each member of the Committee shall evaluate all LOI. These individual evaluations shall be combined into a consensus evaluation, being totaled for a composite score.

Prior to completing evaluations, the LOI Evaluation Committee may request revisions or clarification. In the event that this should occur, all consultants will be given the same opportunity to revise their submittal.

### **Consultant Recommendation**

Once the proposal committee has evaluated all LOIs and ranked the consultants, the committee will prepare a letter notifying each firm of the results. The City will enter into a Task Order Agreement for 2017 with the highest ranked firm.

## **Final Contract Negotiations and Award**

**Negotiation Process.** A Negotiation Team or Individual will be appointed – may be the same as LOI Evaluation Committee – to enter into final contract negotiations with the highest ranked consultant. The negotiation will establish the final terms and Scope of Services for the project's contract. Should the negotiations with the highest ranked consultant be unsuccessful then they will be terminated and negotiations will begin with the next highest ranked consultant. This process will continue until a contract is successfully negotiated. If no negotiations are successful the Negotiation Team or Individual will notify the City Manager in writing, recommending the cancellation of the selection process. If the City Manager agrees then all firms will be notified and the selection process terminated.

**Approval by the City Manager:** Once a contract has been successfully negotiated and signed by the Consultant, the Contract will be presented to the City Manager for approval.

Firms interested in being considered for selection should respond by submitting the LOI by 4:00 PM on November 30, 2016. All submittals shall be an electronic submission through Bid Express at [www.bidexpress.com](http://www.bidexpress.com). Any questions should be directed to:

Chad W<sup>m</sup> Green, P.E.  
Project Engineer II  
740-203-1713  
[cgreen@delawareohio.net](mailto:cgreen@delawareohio.net)

Responses received after 4:00 PM on the response due date will not be considered.

## Scope of Services

The Scope of Services document is included below.

## Requirements for Letters of Interest, Programmatic Selection Process

### A. Instructions for Preparing and Submitting a Letter of Interest

1. Provide the information requested in the Letter of Interest Content (Item B below), in the same order listed, in a letter signed by an officer of the firm. **Do not** send additional forms, resumes, brochures, or other material.
2. Letters of Interest shall be limited to ten (10) 8½" x 11" single sided pages
3. Please adhere to the following requirements in preparing and binding letters of interest:
  - a. Use a minimum font size of 12-point and maintain margins of 1" on all four sides.
  - b. Page numbers must be centered at the bottom of each page.
  - c. Use 8½" x 11" paper only.

### B. Letter of Interest Content

1. Firm name, address, email, and telephone number.
2. Type of services for which the firm(s) is currently prequalified by the Ohio Department of Transportation and/or the Ohio Department of Natural Resources.
3. List proposed sub-consultants, their roles, relevant experience, and the percentage of work to be performed by each sub-consultant.
4. List the primary contact and other key staff members, including key sub-consultant staff, who would be assigned to the project, their roles, experience, and any certifications. Include resumes of key staff members.
5. Address the experience of the key staff members on similar projects, and the staff qualifications relative to the selection sub-factors noted.
6. Describe the capacity of your staff and their ability to perform the work in a timely manner, relative to present workload, and the availability of the assigned staff.
7. Hourly Rate Sheet

8. Illustrated examples of two (2) or three (3) similar projects for which the firm/team was principle consultant.
9. Three (3) recent client references for similar projects.

All Items must be included within the 10-page body of the LOI. Remaining space within the ten (10) pages may be utilized to provide additional personnel resumes or information concerning general qualifications.

| Category   | Value | Criteria  | Rating | Weight | Score     |
|--|-------|---|--------|--------|-----------|
| <b>Management &amp; Team</b>   |       |   |        |        |           |
| Strength/Experience of Assigned Staff and Sub-consultants  | 5     | Involvement of key staff in similar projects. Length of time with firm. Education and training of key staff.  |        | x 3    | 15        |
| Project Manager  | 5     | Experience leading projects of similar size and complexity with the identified staffing. Engineering and management experience. Length of time with firm. |        | x 2    | 10        |
| Consultant's Past Performance  | 5     | Involvement in similar projects of size and complexity.   |        | x 2    | 10        |
| Proposed Hourly Rates Compared to the Market   | 5     | The more the firm is cost competitive the higher the score  |        | x 1    | 5         |
| Percentage of Core Business related to Scope of Services   | 5     | 100%  | 5      | x 1    | 5         |
|  |       | 80% - 99%   | 4      |        |           |
|  |       | 60% - 79%   | 3      |        |           |
|  |       | 40% - 59%   | 2      |        |           |
|  |       | 20% - 39%   | 1      |        |           |
|  |       | > 20%   | 0      |        |           |
| Consultant Cost Containment Overall Multiplier (OH + Profit)   | 5     | OH < 2.60   | 5      | x 1    | 5         |
|  |       | 2.61 < OH < 2.70  | 4      |        |           |
|  |       | 2.71 < OH < 2.80  | 3      |        |           |
|  |       | 2.81 < OH < 2.90  | 2      |        |           |
|  |       | 2.91 < OH < 3.00  | 1      |        |           |
|  |       | 3.01 < OH   | 0      |        |           |
| Proposed Hourly Rates Compared to the Market   |       |   |        |        |           |
| <b>Total</b>   |       |   |        |        | <b>50</b> |
| Evaluation Rating Criteria:  |       |   |        |        |           |
| (5) Demonstrates complete knowledge or understanding of criteria; (4) Demonstrates strong knowledge or understanding of criteria ;(3) Demonstrates some knowledge or understanding of criteria; (2) Demonstrates limited knowledge or understanding of criteria; (1) Demonstrates minimal or no knowledge or understanding of criteria |       |   |        |        |           |
| (Rev. 10/5/16)   |       |   |        |        |           |

**Evaluation Committee Members:**

- Matthew B. Weber, P.E., Deputy City Engineer
- Chad W<sup>m</sup> Green, P.E., Project Engineer II
- Ted Miller, PLA, Parks and Natural Resources Director
- \_\_\_\_\_

Project: \_\_\_\_\_

Firm Name: \_\_\_\_\_ Evaluation Date: \_\_\_\_\_

## **SCOPE OF SERVICES RIGHT-OF-WAY ACQUISITION City of Delaware, Ohio**

THIS request is issued for an Hourly Fee Proposal for Property Acquisition Services for City of Delaware on an annual basis. Consultant shall provide property acquisition services in accordance with the Letter of Interest received from said Consultant and will comply with all requirements of the Ohio Department of Transportation, to include the accepted real estate acquisition standards that are in compliance with the Ohio Revised Code, the Federal Uniform Act, and as outlined in the most current version of the Ohio Department of Transportation's *Real Estate Policy & Procedures Manual*. Applicable provisions of the following documents will be incorporated by reference into this Scope of Service: 1) Ohio Department of Transportation, Office of Real Estate Policy and Procedures Manual, 2) The Ohio Revised Code; and 3) The Ohio Administrative Code.

### **1.01 SCOPE OF WORK**

- A. **Project Mobilization Meeting**- a Project Mobilization Meeting will be held to introduce each other and to clarify any questions relating to project scope. At this meeting, all issues related to the specific Task(s) and its division of responsibilities will be resolved. The Consultant will be provided with a complete set of right-of-way plans and legal descriptions for all effected properties at the meeting or as the plans and descriptions become available.
- B. **Property Inventory Classification**- The Consultant will prepare a Property Inventory Classification (using Ohio Department of Transportation (ODOT) Form RE-95's), if needed, for specific parcels which are located in the Warranty Deed (WD) areas. This form will establish ownership and identify which improvements are real property and which are personal property.
- C. **Title/Title Updates**- For parcels requiring fee simple takes, the Consultant will be responsible for a 42-year title search according to ODOT Standards. Abbreviated title reports per the latest addition of ODOT's Real Estate Policy and Procedures Manual will be required for temporary easements. The Consultant will review County records and note any recent activity affecting the property to be acquired since the original date of the title search, if needed. Updates will be prepared by the Consultant for appropriation cases, and immediately before closings. 32 Title Reports have been completed prior to this proposal. Title reports may need updated if the owner record has changed.
- D. **Donation Request** - Utilize Donation Request with effected property owners by

holding a public meeting at which time property owners will be invited to meet to discuss the project.

- E. **Appraisal & Appraisal Updates**- The Consultant will be responsible for appraisal activities. All valuation activities will be done in accordance with The Uniform Standard of Professional Appraisal Practice (USPAP) appraisal standards and ODOT Real Estate Manual Section 4000 et seq., unless otherwise directed. Appraisal and appraisal updates will be the responsibility of the Consultant.
- F. **Appraisal Reviews**- Consultant will be responsible for sub-contracting appraisal review and the price of review included in this proposal.
- G. **Legal {Conveyance} Instruments by the Consultant**- The Consultant will utilize ODOT approved Conveyance Documents for this project, unless otherwise directed. Items required on the legal instrument: current owner(s), name as they took title, marital status, Auditor's Permanent Parcel Number(s), Volume/Page or imaging number(s) where current owner(s) took title, survey statement, surveyor name and number, and dollar amount. With Warranty Deed (WD) parcels, the right of ingress and egress statement must be present. On Temporary Easements, the duration of the easement must be present. Also, any descriptions containing more than one Auditor's Parcel Number will show all Auditor' Numbers. All land and/or property shall be acquired by the Consultant in the name of the City of Delaware, Ohio, unless directed otherwise.
- H. **Acquisition (Negotiations)**- The Consultant will be responsible for all negotiation activities. All negotiation activities will be done in accordance with Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act), Section 163 of the Ohio Revised Code and the ODOT Real Estate Manual Sections 5100-5700 et seq. Consultant is responsible for the preparation and distribution of the Notification Letters and Brochures; and the preparation and distribution of Good Faith Offer Letters. During negotiations, the Consultant shall supply the fee owner with a copy of the applicable Appraisal or Value Analysis. Consultant will prepare and supply the owner an approved acquisition Brochure.
- I. **Billing**- Complete billing packages (signed parcels or appropriations) will be submitted to The City of Delaware for processing. Billing package contents will be consistent with the particular section of the ODOT Policies and Procedures Manual being utilized. Specific items of information to be included in the package will be defined in the Project Mobilization meeting. All billing requests will be reviewed and warrants processed by appropriate City personnel. Deficient packages returned for correction shall be completed and returned to The City of Delaware within ten (10) business days. In the case of signed parcels, the warrant shall be prepared by The City and then forwarded to the Consultant for payment to the owner(s). In the case of appropriations, the warrant will be forwarded to The City.

J. **Closings**- All closing activities will be the responsibility of the Consultant. Closing activities may include, but are not limited to:

- Preparation of mortgage and lien releases, if necessary;
- Securing of said releases on encumbered property from the property owners or the mortgage/lien holders;
- Conducting of closings and the disbursement and collecting of monies as required;
- Assisting the property owner in the execution of required instruments and forms, including but not limited to the Closing & Settlement Statement (RE-44/44-1) and Affidavit by Seller (RE-45);
- Securing the necessary approvals from required local agencies to permit the transfer of ownership of property rights in the County Auditor's Office. Engineering consultant will provide legal descriptions approved by the County Engineer for use by the Right-of-Way Consultant;
- Recording the instruments and releases with the County Recorder's Office;
- Paying owner(s) and securing receipt upon property owners' compliance with requirements.

After the completion of the closing process, the Consultant will deliver to ODOT and the City a completed parcel file. This file will contain, as applicable, the following items: All correspondence relative to the parcel including, but not limited to: recorded instruments and releases; **original** of all signed, recorded legal instruments; a copy of the signed Closing and Settlement Statement (RE 44/44-1); any warranty receipts for payment, the Affidavit by Seller (RE-45); a title update or copy of the original title with original certification that no changes have occurred in the property title, the certification must also be dated immediately before the closing of the right-of-way parcel;

The City will review closing packages as necessary, and notify the Consultant of any deficiencies. Deficiencies shall be corrected by the Consultant and returned to the City within ten (10) business days.

K. **Project Administration (Management)**- The Consultant is responsible for the following activities:

- Review plans, titles, appraisals for compliance with aforementioned policies and standards.
- Monitor overall project for compliance with ODOT Policy and Procedures
- Review and coordinate billing packages and invoicing requests
- Respond to inquiries from the City, ODOT or property owners.
- Verify right-of-way plans with owners.

- Obtain clear and marketable title.
- Provide all appropriate notices.
- Prepare Right of Way Certification
- Upon completion of all acquisition activities for the project, the Consultant will certify to the ODOT that all acquisition activities are completed in accordance with ODOT Real Estate Policies and Procedures.
- Final File Disposition
- All documentation compiled during the term of the agreement will be submitted to the City at the conclusion of the work. This documentation will be organized by Consultant. A complete original file will be submitted to the City at the conclusion of the acquisition process.

**Preparation of Individual Parcel Files** - The Consultant will be responsible for the assemblage and maintenance of all acquisition and relocation files. All files will be maintained in accordance with the ODOT Real Estate Policies and Procedures Manual. Complete copies will be provided to the City upon the completion of the work.

## **1.02 PERFORMANCE AND DELIVERABLES**

All work will be completed and the right-of-way for the project will be conveyed within one year from the beginning of the acquisition. Upon completion of the project, all acquisition files become the property of the City of Delaware, files must be made available at any time for agency review upon reasonable request.