ADVERTISEMENT FOR RIGHT OF WAY AND RELATED SERVICES February 12, 2024

CONTRACT NOS. 40000187, 40000188 AND 40000189
IDIQ CONTRACTS FOR RIGHT OF WAY ACQUISITION, RELOCATION AND TITLE RESEARCH SERVICES FOR PROJECTS STATEWIDE

Under authority granted by Title 48 of the Louisiana Revised Statutes, the Louisiana Department of Transportation and Development (DOTD) hereby issues this advertisement for consulting firms to provide right of way and related services. .Consultants who are a Louisiana or foreign LLC or corporation should be appropriately registered with the Louisiana Secretary of State, as contemplated by Title 12 of the Louisiana Revised Statutes, and prime consultants must be registered with the Louisiana Secretary of State and the Federal Government, using SAM.gov, prior to contract execution.

One (1) proposal will be selected for each contract solicited per this advertisement. Only one (1) DOTD Standard Form (SF) 23-120 proposal is required for this advertisement, and it represents the prime consultant's qualifications to be used for the referenced contract(s). All identifying contract number(s) should be listed in Section 3 of the DOTD SF 23-120. **USE THE DOTD FORM 23-120, DATED FEBRUARY 7, 2024, PROVIDED WITH THE ADVERTISEMENT.**

Sub-consultants will not be considered in this selection.

Any questions concerning this advertisement must be sent in writing to DOTDConsultantAds80@la.gov no less than 48 hours (excluding weekends and holidays) prior to the proposal deadline.

SCOPE OF SERVICES

The general tasks that the consultant may be required to perform are described more specifically in Attachment A, which is incorporated herein by reference. The selected consultant will perform the specific services covered in an Indefinite Delivery/Indefinite Quantity (IDIQ) contract as detailed in individual Task Orders (TOs), which will specify TO-specific scope of services, contract time, and compensation.

The consultant shall perform the work in accordance with the requirements of this advertisement, the resulting contract, and any TOs issued thereunder. Deliverables shall be in such format as required in Attachment A, unless otherwise specified in an individual TO. The work performed by the consultant shall be performed in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances.

MINIMUM PERSONNEL REQUIREMENTS (MPRs)

The requirements set forth in Attachment B must be met at the time the proposal is submitted.

EVALUATION CRITERIA

The criteria to be used by DOTD in evaluating responses for the selection of a consultant to perform these services are listed below:

- 1. firm experience on similar projects, weighting factor of three (3);
- 2. staff experience on similar projects, weighting factor of four (4);
- 3. firm size as related to the project magnitude, weighting factor of three (3);
- 4. past performance on similar DOTD projects, weighting factor of six (6);
- 5. current work load with DOTD, weighting factor of five (5);
- 6. approach and methodology, weighting factor of nine (9).

Proposals will be evaluated as set forth in the "Evaluation Criteria" section of this advertisement. The evaluation will be by means of a point-based rating system. Each of the above criteria will receive a rating on a scale of one (1) through five (5). The rating will then be multiplied by the corresponding weighting factor. The rating in each category will then be added to arrive at the proposal's final rating.

DOTD's Project Evaluation Team (PET) will be responsible for performing the above described evaluation, and will present a shortlist of the nine (9) (if nine are qualified), highest rated consultants to the Secretary of DOTD. The Secretary will make the final selection.

COMPLIANCE WITH SUPPLEMENTAL ETHICS REQUIREMENTS

DOTD has established supplemental ethics requirements applicable to consultants and PET members. These requirements are found in the "Supplemental Ethics Requirements" article of the sample contract linked to this advertisement, which are incorporated herein by reference. Any firm that is found to have violated these requirements may not be considered for this selection.

By submission of a proposal to perform services pursuant to this advertisement, the consultant agrees to comply with DOTD's Supplemental Ethics Requirements.

RULES OF CONTACT UPON ADVERTISEMENT

DOTD is the single source of information regarding the contract selection. Any official correspondence will be in writing, and any official information regarding the contract will be disseminated by DOTD's designated representative via the DOTD website. The following rules of contact will apply during the contract selection process, commencing on the advertisement posting date and ceasing at the time of final contract selection.

Contact includes face-to-face communication, the use of a telephone, facsimile, electronic mail (email), or formal or informal written communications with DOTD. Any contact determined to be improper, at the sole discretion of DOTD, may result in the rejection of the proposal (i.e., DOTD SF 23-120).

Consultants and consultant organizations shall correspond with DOTD regarding this advertisement only through the email address designated herein; DOTDConsultantAds80@la.gov and during DOTD sponsored one-on-one meetings.

No consultant, or any other party on behalf of a consultant, shall contact any DOTD employee, other than as specified herein. This prohibition includes, but is not limited to, the contacting of: department, office, or section heads, project managers, members of the evaluation teams, and any official who may participate in the decision to award the contract resulting from this advertisement.

DOTD will not be responsible for any information or exchange that occurs outside the official process specified above.

By submission of a proposal to perform services pursuant to this advertisement, the consultant agrees to the communication protocol herein.

CONTRACT TIME

This IDIQ contract shall be in effect for **five (5) years**. **All TOs must be completed by the termination date of the IDIQ contract.** No TO will be initiated unless sufficient contract time remains to complete the TO.

COMPENSATION

The maximum compensation payable to the consultant under each IDIQ contract shall not exceed **\$500,000**. Compensation to the consultant for services rendered in connection with each TO will be made on the basis of cost per unit of work as specified in each TO, subject to the limitation set forth in the IDIQ contract.

REFERENCES

- 1. Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 as amended.
- 2. Uniform Standards of Professional Appraisal Practice.
- 3. Louisiana Constitution: Article I, Section 4, Article VI, Section 21 and Article VII, Section 14
- 4. Louisiana Revised Statutes: Title 9, Title 19, Title 38, Title 48, and Title 70.
- 5. Louisiana Civil Code.
- 6. Louisiana Administrative Code: Chapter 70.
- 7. DOTD Right of Way Manual.
- 8. DOTD Guide to Title Research.
- 9. Title VI of the Civil Rights Act of 1964 and Title VII of the Civil Rights Act of 1964.
- 10. Equal Employment Opportunity Act of 1972.
- 11. Federal Executive Order 11246 as amended.
- 12. Rehabilitation Act of 1973.
- 13. Vietnam Era Veteran's Readjustment Act of 1973.
- 14. Title IX of the Education Amendments of 1972.
- 15. Age Discrimination Act of 1975.
- 16. Fair Housing Act of 1968.
- 17. Americans with Disabilities Act of 1990.

18. All other federal and state laws and regulations which may apply to acquisition of right of way and utility relocation for this project.

CONTRACT EXECUTION REQUIREMENTS

The selected consultant will be required to execute the contract within ten (10) days after receipt of the contract.

See sample contract posted with this advertisement.

SECONDARY SELECTION PROCESS

When multiple IDIQ contracts with similar scopes of service are available within a DOTD Section that is prepared to issue a TO, the TO selection procedures set forth in Attachment C shall be used to award that TO. Documentation of the selection process shall be retained by DOTD.

REVISIONS TO THE ADVERTISEMENT

DOTD reserves the right to revise any part of the advertisement by issuing addenda to the advertisement at any time. Issuance of this advertisement in no way constitutes a commitment by DOTD to award a contract. DOTD reserves the right to accept or reject, in whole or part, all DOTD SF 23-120s submitted, and/or cancel this consultant services procurement if it is determined to be in DOTD's best interest. All materials submitted in response to this advertisement become the property of DOTD, and selection or rejection of a proposal does not affect this right. DOTD also reserves the right, at its sole discretion, to waive administrative informalities contained in the advertisement.

CLARIFICATIONS

DOTD reserves the right to request clarification of ambiguities or apparent inconsistencies found within any proposal, if it is determined to be in DOTD's best interest.

PROPOSAL REQUIREMENTS

The consultant's proposal for this advertisement must be submitted by email to <u>DOTDConsultantAds80@la.gov</u>. **USE THE DOTD FORM 23-120, DATED FEBRUARY 7, 2024, PROVIDED WITH THE ADVERTISEMENT.** Hard copies of the consultant's proposal are not required. All proposals must be in accordance with the requirements of this advertisement. Unless otherwise stated in this advertisement, copies of licenses and certificates are not required to be submitted with the proposal.

If more than one (1) contract is to be selected based on this advertisement, no prime consultant is allowed to be a sub-consultant on any other consultant's 23-120. If a prime consultant is submitted as a sub-consultant on another consultant's 23-120, its proposal as a prime consultant may be deemed non-responsive.

ANY CONSULTANT FAILING TO SUBMIT ANY OF THE INFORMATION REQUIRED ON THE DOTD SF 23-120, OR PROVIDING INACCURATE INFORMATION, MAY BE CONSIDERED NON-RESPONSIVE.

DOTD employees may not submit a proposal, nor be included as part of a consultant's proposal.

Contract and/or part-time employees are allowed. Such employees should identify their employment status in Section 10 Personnel List of the DOTD SF 23-120.

The DOTD Form 23-120 PDF file shall be labeled "Contract No. 40000187, 40000188 & 40000189, Consultant's name", and must be received no later than 3:00 p.m. Central Time by DOTDConsultantAds80@la.gov via email on Wednesday, March 6, 2024. The PDF file must be attached in the email or as a hyperlink in the email or as an email through third-party file transfer websites such as Dropbox or WeTransfer.

Please note that delivery failure may occur on email files exceeding 25MB uncompressed. In addition, all emails are scanned for cybersecurity threats prior to delivery to DOTDConsultantAds80@la.gov; **therefore**, **allow sufficient time** for this process to take place when submitting your proposal.

ATTACHMENT A SCOPE OF RIGHT OF WAY SERVICES

The project time is typical.

I. PROJECT MANAGEMENT AND ADMINISTRATION SERVICES

Consultant shall:

- Comply with DOTD's
 - o Title Research Manual
 - o Operations Manual
 - o 49 CFR
 - o USPAP
 - All other applicable laws and regulations
- Attend meetings including project kick-off, public hearings and other scheduled meetings
- Coordinate with Public Information Office as directed by DOTD
- Provide project field office if directed by DOTD
- Submit a service plan prior to kick-off meeting
- Appraisal plan
- Project schedule check points/milestones/updates
- Management work processes/work flow
- Work product approval process
- Submit resumes of staff and consultants not already approved in consultant's bid proposal
- Provide detailed monthly invoices for completed and approved work
- Submit all itemized invoices for DOTD approval
- Prepare voucher and pay invoices from clerk of courts when received
- Maintain AARS or other data management systems
- Prepare consultant cover letters
- Train and manage sub-consultants
- Execute and administer Sub-Consultant contracts
- Testify in legal proceedings on behalf of DOTD
- Implement and maintain quality assurance and quality control program
- Prepare and maintain right of way files
- Perform any other tasks and activities necessary to complete project management and administrative services.

II. TITLE RESEARCH REPORT SERVICES

- Consult Tobin Maps, field rolls, preliminary plans, and assessment records to determine current parcel owner(s) for each parcel
- Research conveyance records and provide a copy of current owner's deed of acquisition for each parcel

- Provide recordation information of all legal documents to include: book, page, entry/item/document number, document date and date of recordation for each parcel
- Provide parcel information to include the following:
 - Vendee's name(s)
 - Ownership interest
 - o Gender
 - o Whether ownership is separate or in community
 - Marital status
 - o Spouse's name if married
 - Name(s) of former spouse(s)
 - Domiciliary address
 - Mailing address
 - o Social Security Number
 - Make note of same information for vendor for each parcel
- Search records for sell offs, servitudes granted, all leases including mineral leases and all other documents affecting rights of ownership for each parcel
- Search records for and note existing highway right of way
- Search conveyance records for all acts involving the present owner(s) and each predecessor in title for a time period covering the lesser of three(3) valid transfers or thirty (30) years
 - Should three (3) transfers not date back eleven (11) years abstractor must search as many valid transfers as necessary to complete an eleven (11) year search for each parcel
- Provide plat(s) or map(s) copies if applicable
- Search tax tolls to verify that taxes have been paid for last three (3) years. All assessment information is to be copied verbatim from assessment rolls
- Compile title research reports with extracted information beginning with the current owner(s) and then proceeding back the required number of transactions using DOTD's provided forms and format
- Provide dated signature of title abstractor who performed the research and prepared the report
- Submit title research reports in one original and one digital copy
- Make corrections and provide information as directed by DOTD
- Perform any other tasks and activities necessary to complete title research services

III. TITLE RESEARCH REPORT UPDATE SERVICES

- Consult Tobin Maps, field rolls, preliminary plans, and assessment records to determine current parcel owner(s) for each parcel
- Research conveyance records and provide a copy of current owner's deed of acquisition for each parcel
- Provide recordation information of all legal documents to include: book, page, entry/item/document number, document date and date of recordation for each parcel
- Provide parcel information to include the following:

- Vendee's name(s)
- Ownership interest
- o Gender
- o Whether ownership is separate or in community
- Marital status
- o Spouse's name if married
- o Name(s) of former spouse(s)
- Domiciliary address
- Mailing address
- Social Security Number
- Make note of same information for vendor for each parcel
- Search records for sell offs, servitudes granted, all leases including mineral leases and all other documents affecting rights of ownership for each parcel
- Search records for and note existing highway right of way
- Search conveyance records for all acts involving the present owner(s) and each predecessor in title for a time period covering the lesser of three(3) valid transfers or thirty (30) years
 - Should three (3) transfers not date back eleven (11) years abstractor must search as many valid transfers as necessary to complete an eleven (11) year search for each parcel
- Provide plat(s) or map(s) copies if applicable
- Search tax tolls to verify that taxes have been paid for last three (3) years. All assessment information is to be copied verbatim from assessment rolls
- Compile title research reports with extracted information beginning with the current owner(s) and then proceeding back the required number of transactions using DOTD's provided forms and format
- Provide dated signature of title abstractor who performed the research and prepared the report
- Submit title research reports in one original and one digital copy
- Make corrections and provide information as directed by DOTD
- Perform any other tasks and activities necessary to complete title research services

IV. ACQUISITION SERVICES

- Prepare and send out project notification letter to each owner via U.S. Mail
 - o Include in above mailing a copy of DOTD booklet *Acquisition of Right of Way and Relocation Assistance* for each owner
- Examine title research report to verify accuracy, completeness and usability
- Examine right of way maps and construction plans to verify accuracy, completeness and usability
- Examine appraisal report(s) and review sheet for accuracy, completeness and usability
- Notify supervisor of any discrepancies found in any of the above items
- Prepare offer packages including:
 - o Just compensation offer letter, including summary of compensation

- o Right of way map sheet
- Construction plan sheet
- o DOTD booklet Acquisition of Right of Way and Relocation Assistance
- o Draft copy of deed
- Prepare and maintain project master file and parcel files
- Set up owner and parcel screens in AARS system
- Update parcel status in AARS as necessary
- Determine mortgage certificate need and order same if needed
- Schedule appointment for the initial contact
- Meet property owner(s) residing in state
 - Present offer package and initiate negotiations
- Mail offer package to out-of-state property owner(s)
- Maintain a log of each contact with each owner
- Prepare administrative settlement reports
- Request right of way staking services as required
- Clear encumbrances
- Prepare and submit voucher packages to DOTD requesting checks to close acquisition transactions
- Visit Parish and review tax records
- Request Parish to pro-rate taxes for each parcel
- Pay pro-rated taxes before delivering check to owner
- Deliver acquisition checks to property owners
- Prepare draft of act of sale or servitude agreement
- Prepare final act of sale or servitude agreement (5 copies)
- Send original copy of act of sale or servitude agreement to the clerk of court for recordation
- Prepare voucher and pay invoice from clerk of court when received
- Provide Act of Sale recordation certificate
- Prepare uneconomic remainder (UR) packages for transmittal to Property Management
 - o Copy of the title research report
 - Copy of appraisal report
 - o Copy of the deed of acquisition
 - o Copy of the recordation certificate
 - o Copy of the applicable right of way map sheet
 - o Copy of the voucher for payment to the owner
- Testify in legal proceedings on behalf of DOTD
- Make corrections and provide information as required by DOTD
- Prepare closing package for DOTD signing to include:
 - o Triplicate original copies of act of sale or servitude agreement
 - Attach half size of applicable right of way map sheet to each copy of act of sale or servitude agreement
 - Copy of the voucher requesting payment
 - o Copy of Form W-9 for each vendor signing
 - o Copy of Corporate Resolution (Inc.) where required for each deed
 - o Copy of Articles of Organization (LLC) where required for each deed

- Copy of coding sheet
- Perform any other tasks and activities necessary to complete acquisition services

V. RELOCATION ASSISTANCE AND ADVISORY SERVICES

Consultant shall:

- Submit relocation assistance plans to DOTD for approval
- Meet with the appraiser and review appraiser and conduct an onsite inspection for each
 parcel and determine which items are to be considered realty and which items are to be
 considered personality.
- Set up in AARS and maintain current status on displacees
- Provide advisory services
- Maintain contact log with each displacee
- Prepare replacement housing comparable file
- Submit relocation assistance payment calculations to DOTD for approval
- Prepare vouchers requesting payment, deliver payments and obtain receipts
- Deliver estimated cost of move letters by hand to displacees on first contact for residential displacees and within 30 days of first contact for non-residential displacees
- Establish and maintain displace contact logs
- Relocate all individuals, businesses, and personality
- Prepare claim forms
- Assist displaces with submission of appeal forms
- Establish and provide original file for each relocation to DOTD
- Verify signature and date is on all appropriate forms
- Testify in legal proceedings on behalf of DOTD
- Make corrections and provide information as requested by DOTD
- Perform any other tasks and activities necessary to complete relocation assistance and advisory services

VI. EXPROPRIATION SUPPORT SERVICES

- Prepare suit packages as necessary including:
 - o Negotiator's summary report
 - Copy of just compensation letter as certified by agent
 - o Copy of the mortgage certificate.
- Continue negotiations as may be required by DOTD
- Make corrections and provide information as directed by DOTD
- Perform other tasks and activities necessary to complete expropriation support services

VII. IMPROVEMENT CONTROL SERVICES

- Provide UR packages for acquired uneconomic remainders including:
 - o Copy of the title research report
 - o Copy of appraisal report
 - o Copy of the deed of acquisition
 - o Copy of the recordation certificate
 - o Copy of the applicable right of way map sheet
 - o Copy of the voucher for payment to the owner
- Execute leases and collect rents.
- Verify required liability and renter's insurance is maintained by lessee for the duration of the lease
- Ensure asbestos inspection and assessment report is prepared where required
- Provide before and after vacated inspection reports with a recommendation for disposal of improvements by demolition, sale or inclusion in highway construction contract.
- Submit keys to vacated properties to DOTD
- Prepare improvements list acquired in the department's electronic project tracking system which are to be removed under the roadway contract, including:
 - o Parcel number
 - o Owner's name
 - o Highway survey station number
 - o Right or left of project centerline
- Make corrections and provide information as directed by DOTD
- Perform any other tasks and activities necessary to complete improvement control services

ATTACHMENT B - MINIMUM PERSONNEL REQUIREMENTS (MPRs)

The following requirements must be met at the time the proposal is submitted:

- 1. At least one (1) principal or responsible member of the prime consultant shall have a baccalaureate degree and shall have a minimum of three (3) years of full time professional experience in the right of way or relocation assistance fields as an employee or a consultant for an expropriation agency or other governmental agency.
 - 1A. Approved Substitution: Eight (8) years of full-time work experience in any field may be substituted for the required baccalaureate degree only.
- 2. At least one (1) principal or responsible member of the prime consultant shall have a baccalaureate degree and shall have a minimum of three (3) years of full time professional experience in the right of way or relocation assistance fields as an employee or a consultant for an expropriation agency or other governmental agency.
 - 2A. Successful completion of five (5) of the following six (6) IRWA* Courses may be substituted for one (1) year of full time experience as an employee or a consultant for an expropriation agency or other governmental agency in the relocation assistance field.
 - 501 (Relocation Assistance)
 - 502 (Business Relocation)
 - 503 (Mobile Home Relocation)
 - 504 (Computing Replacement Housing Payments)
 - 505 (Advanced Relocation Assistance 1 Residential)
 - 506 (Advanced Relocation Assistance 2 Business)

*The following National Highway Institute Courses can be substituted:

- NHI Course Number FHWA NHI 141029, Basic Relocation under the Uniform Act can be substituted for IRWA Courses 501 and 504.
- NHI Course Number FHWA NHI 141030, Advanced Relocation under the Uniform Act can be substituted for IRWA Courses 505 and 506.
- NHI Course Number FHWA NHI 141031, Business Relocation under the Uniform Act can be substituted for IRWA Course 502.

2B. Eight (8) years of full-time work experience in any field may be substituted for the required baccalaureate degree only.

3. At least one (1) principal or responsible member of the prime consultant shall have a baccalaureate degree and shall have three (3) years of full-time professional experience in the title research field.

3A. Eight (8) years of full-time work experience in any field may be substituted for the required baccalaureate degree only.

MPRS ARE TO BE MET BY SEPARATE INDIVIDUALS OF THE PRIME CONSULTANT, UNLESS STATED OTHERWISE BELOW.

MPR Nos. 1 through 3 may be met by the same person.

NOTE: WHEN SATISFYING A MINIMUM PERSONNEL REQUIREMENT, PLEASE ENSURE THE RÉSUMÉ REFLECTS REQUIRED EXPERIENCE AS REQUESTED.

• Please note the number of MPRs are minimal; however, all relevant personnel necessary to perform the Scope of Services must be identified in Section 10 of the DOTD SF 23-120 and their resumes included in Section 11 of the DOTD SF 23-120

ATTACHMENT C - SECONDARY SELECTION PROCESS

Description of Secondary Selection Process:

- There are two processes for selecting a consultant to award a task order
 - Task Order Query consultants are sent a short questionnaire pertaining to a specific project. Consultants' responses are recorded and scored. The consultants are ranked according to numerical score, then the Right of Way Administrator recommends consultants for selection.
 - Task Order Justification a memo is prepared explaining why a particular consultant is being selected for a task order rather than sending a query to a group of consultants. The Right of Way Administrator signs, recommending the selection. Common reasons for selecting a consultant instead of sending a query are:
 - Updating the consultant's own work on a project
 - Performing additional work on a project, previously performed by that consultant
 - Performing new work on a project adjacent or related to a project for which the consultant has previously performed services

Description of Task Order Query Process:

- When using the task order query process, consultants with IDIQ contracts for the appropriate service will be sent a task order query and a description of the work to be performed.
- Consultants are instructed as to when responses to each query are due. Once the responses are returned to Support Services, the responses are recorded and scored.
 - Tier 1 Consultants are asked Yes/No questions to determine their interest and eligibility for the project. Additional eligibility requirement may be maintained by Support Services. Examples:
 - Are you interested in this assignment?
 - Can you meet our required completion date?
 - Do you and/or your firm meet specific minimum requirements for this assignment which are greater than the minimum requirement to be awarded a IDIQ contract?
 - Consultants who answer "No" to any of the previous questions are eliminated.
 - Tier 2 Remaining consultants are scored based on information maintained by Support Services. The categories are:
 - Deliverables Due
 - Amount of Work Issued in the past 12 months
 - The intent of this tier is to distribute work as evenly as possible across the pool of IDIQ contracts.
 - The top four consultants advance to Tier 3.
 - Tier 3 Remaining consultants are scored based on information provided in their task order query.
 - Proposed Delivery Date consultants are provided the opportunity to propose a delivery date earlier than our required completion date. Not all projects may be accelerated. Support Services may alter this date based on weekends, holidays and/or other factors to best meet the needs of the project.

- Experience consultants are asked report specific experience relevant to the project. These responses are evaluated and scored.
- Consultant Evaluation System (CPE) the consultants' scores from the CPE System over the previous five years are averaged.
- Final Scores The scores from Tier 2 and Tier 3 are weighted to generate a final score as follows:
 - Deliverables Due 20%
 - Work Issued in Past 12 Months 15%
 - Proposed Delivery Date 20%
 - Experience Relevant to Project 15%
 - Consultant Past Performance Rating 30%
- Consultant Ranking and Recommendation for Selection
 - Once the consultants are ranked by final score, the Real Estate Section Task Manager has an opportunity to review the responses and provide comments to the Real Estate Administrator.
 - o The Real Estate Administrator reviews the ranking and any comments provided, then recommends a consultant or consultants for selection.
 - Should the Real Estate Administrator wish to recommend a consultant or consultants other the highest ranked, a justification will be provided the Chief, Project Development Division along with the recommendation for selection.