

REQUEST FOR QUALIFICATIONS FOR RIGHT OF WAY AND RELATED SERVICES

STATE PROJECT NO. H.007811.3

CONTRACT FOR RIGHT OF WAY ACQUISITION FOR COMITE RIVER DIVERSION CANAL PROJECT A
EAST BATON ROUGE PARISH

Under Authority granted by Title 48 of the Louisiana Revised Statutes, the Louisiana Department of Transportation and Development (DOTD) hereby issues a Request for Qualification Statements (RFQ) on Standard Form 23-116 (SF 23-116), "Professional Right of Way and Related Services", revised January 2003, from Consulting Firms (Consultant) to provide right of way and related services. One Prime-Consultant/Sub-Consultant(s) will be selected for this Contract. If Sub-Consultants are used, no individual Sub-Consultant may perform a higher percentage of work than the prime Consultant.

Project Manager Mr. Russel Shaffer

All questions regarding this request for qualifications should be submitted in writing to Ms. Jennifer Lee, Administrative Coordinator at email: jennifer.lee@la.gov no later than 3:00 pm, ~~Friday September 30th, 2011~~Tuesday, October 4, 2011. Consultant's email contact address should be provided to Ms. Lee no later than 3:00 pm, Tuesday, October 4, 2011.

Project Description

The selected Consultant will be required to provide right of way project management services, right of way services and other right of way related services necessary to acquire and clear the right of way for construction of this project. This contract will include coordination of activities between the United States Army Corps of Engineers (USACE), the Amite River Basin Drainage and Water Conservation District (ARBC), the City of Baton Rouge and the Parish of East Baton Rouge (EBRCP), and DOTD. The project is a flood control project which provides for construction of a 12 mile long diversion channel from the Comite River to the Mississippi River, guide levees, Lilly Bayou control structure, and four drop structures at the intersections of the diversion channel with McHugh Road, Bayou Baton Rouge, Cypress Bayou, and White Bayou and highway and railroad bridges. The right of way is approximately 1000 feet in width and runs south of the City of Zachary and north of the City of Baker. It is estimated that there is a total of 300 parcels to be acquired for right of way and for mitigation.

Scope of Services

The Consultant selected will be expected to provide right of way services to DOTD required for the timely and successful delivery of the right of way for the Comite River Diversion Canal Project. These services may include but are not limited to: Maintain and staff a project site office, title research services, appraisal and appraisal review services, deed preparation services, mortgage certificates, recordation services, payment services, negotiation and acquisition services, relocation assistance and advisory services, stake out services, asbestos inspection and assessment services, improvement control services, quality assurance and quality control services and other services as might be required. Consultant is also required to prepare and submit UR Parcel packages to ARBC for disposal. Consultant is required to attend and participate in monthly meetings with the USACE held at its New Orleans offices.

The Project Manager/Team will be responsible for the management of all Sub-Consultant contracts such as contracts for right of way services, etc. for the total project delivery.

Items and services to be provided by DOTD

The DOTD will furnish without charge the following services:

1. DOTD will assign a Right of Way Project Manager from its Headquarters Office.
2. DOTD will assign a lead Right of Way Agent from its Headquarters Office.
3. DOTD will provide periodic status meetings at its Headquarters Office.
4. DOTD will provide technical assistance for relocation assistance and advisory service activities.
5. DOTD will provide technical assistance for appraisal and appraisal review activities.
6. DOTD will provide technical assistance for negotiation and acquisition activities.
7. DOTD will provide electronic project tracking system.

The services are also to include the following:

- A. Development of a Project Delivery Strategy; Project Manager/Team will:

Be required to develop an overall strategy for execution and completion of the Project as well as a system for Project prioritization. The strategy must include input from the DOTD, USACE, ARBC, and the EBRC and other entities as appropriate.

- B. Develop the Project Schedule; Program Manager/Team will:

Develop a preliminary Project schedule and establish milestone dates for all events necessary to advance each process to completion.

- C. Right of Way Acquisition and Management;

Project Manager/Team will provide title abstractors, real estate appraisers, real estate appraisal reviewers, right of way acquisition/relocation assistance agents,

Deliverables

The Consultant/Team hereby agrees to produce deliverables including but not limited to: Maintain and staff a site project office, service plan, appraisal plan, title research reports, title research report updates, appraisal reports, appraisal comparable binders, appraisal reviews, appraisal ten day letters, mortgage certificates, negotiation and acquisition services, negotiation and acquisition files, relocation assistance services, relocation assistance files, just compensation offer letters with a summary of just

compensation, completed acts of sale, vouchers in request of payment, negotiation packages to be referred for expropriation, asbestos inspection and assessment reports, maintenance of electronic project tracking system and other items as might be required.

Quality Control/Quality Assurance

The DOTD requires the Consultant to develop a Quality Control/Quality Assurance program; in order to provide a mechanism by which all deliverables can be subject to a systematic, consistent review. Consultants must ensure quality and adhere to the standards of the DOTD Right of Way Manual and DOTD Title Research Manual.

Compensation

Compensation for services provided under this Contract are to be negotiated between the DOTD and the Consultant/ Team selected to provide the required services. Fees such as recordation fees, mortgage certificate fees, mortgage release fees, attorney's fees, et al will be reimbursed at actual cost.

Within 15 calendar days of notification of selection, a kickoff meeting will be held with the selected Consultant/Team and appropriate DOTD personnel. The selected Consultant/Team will be required to submit a proposal within 14 calendar days following the notification of selection. All negotiations must be completed within 30 calendar days following the notification of selection.

Contract Time

The estimated contract time for this project is thirty six (36) months.

References

1. Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970.
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. Viet Nam 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.

Minimum Personnel Requirements

A master's degree in a relevant field may substitute for one (1) year of work experience. A Ph. D. in a relevant field may substitute for two (2) years of work experience.

Company Principal: The company principal must be a principal of the said company empowered and authorized to accept and sign contracts on behalf of the said company.

Project Manager: A baccalaureate degree plus five (5) 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.

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

Appraisal and Appraisal Review Manager: Must be a Louisiana Licensed General Appraiser pursuant to the Louisiana Licensed Real Estate Appraiser Law with a minimum of five (5) years experience in highway right of way appraisal.

Additional education, training and experience as well a proven ability are required for more complex assignments.

Negotiation and Acquisition Manager: A baccalaureate degree plus five (5) years 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.

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

Relocation Assistance and Advisory Services Manager: A baccalaureate degree plus five (5) years of full time professional experience in the relocation assistance and advisory services field as an employee or a consultant for an expropriation agency or other governmental agency.

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

Successful completion of five (5) of the following six (6) IRWA Courses (or equivalent courses from other organizations approved by the Department): 501 (Relocation), 502 (Business Relocation), 503 (Mobile Home Relocation), 504 (Computing Replacement Housing Payments), 505 (Advanced Relocation Assistance 1 – Residential) and 506 (Advanced Relocation Assistance – 2 Business) may be substituted for one (1) year of full time experience as an employee or a consultant for an expropriation agency in the relocation assistance field.

The following National Highway Institute Courses: 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.

Additional education, training, and experience, as well as proven ability are required for more complex assignments.

Quality Control/Quality Control Manager:

The minimum qualifications for the Quality Control/Quality Assurance Manager must meet the minimum qualifications for any other key staff person listed above.

EVALUATION CRITERIA

A two-tiered evaluation process will be used in the selection of the Project Manager/Team. The criteria to be used by DOTD in evaluating responses for the selection of a consultant to perform these services are:

1. **Consultant's firm experience on Right of Way Projects involving work with the public agencies-USACE:**

Weighting factor of 4.

2. **Consultant's personnel experience on Right of Way Projects involving work with the USACEpublic agencies:**

Weighting factor of 4.

3. **Consultant's past performance on similar DOTD Projects:**

Weighting factor of 4.

4. **Consultant's team size as related to the total estimated project magnitude:**

Weighting factor of 2.

5. **Consultant's current work load with LaDOTD:**

Weighting factor of 2.

6. **Location where the work will be performed:**

Weighting factor of 3.

7. **Consultant's Interview/Presentation.**

TIER 1 Evaluation: All Consultant's/Team's members will be evaluated as indicated in Items 1-6. 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 0-4. The rating will then be multiplied by the corresponding weighting factor.

The Tier 1 Evaluation will be based off the information provided in the Consultant's/Team's SF 23-116 submittal. If during the course of the evaluation the Project Evaluation Team has questions or requires clarification of the information provided, the Project Evaluation Team may send request to the Consultant/Team for additional information through the Consultant Contract Services Administrator.

TIER II Evaluation: The Consultants/Teams on the TIER I short-list of the three to five highest rated Project Managers/Teams will be asked to attend an Interview/Presentation (Item 7) within three weeks of the announcement of the alphabetical TIER I short-list. The presentation will be made in Power-Point format, and the power point presentation of the selected Project Manager/Team will, at DOTD's discretion, become part of the contract. During the presentations each Project Manager/Team will be given up to forty five (45) minutes for their presentation followed by a question and answer period. The schedule of presentations will be announced at the time of the announcement of the alphabetical TIER I short-list.

The Project Manager/Team's Interviews/Presentations (Item 7) will be used, along with the results of the Tier I evaluation, to develop the ranked TIER II short-list. The Interview/Presentation score will account for 70% of the Tier II score. The TIER I evaluation will account for 30% of the Tier II score. A ranked TIER II short-list of the three highest rated Project Manager/Teams will be submitted to the Secretary of the DOTD. The Secretary will make the final selection. DOTD's Project Evaluation Team will be responsible for performing the above described evaluation, and preparation of the TIER I and TIER II short-lists.

The presentation will include/outline the following points (Each item's weight to the overall presentation is shown in parentheses):

- 1) Proposers knowledge and understanding of the Project (3).
- 2) Proposers experience relative to similar projects working with USACE (3).
- 3) Concepts & methods to control/manage project costs and schedule (2).
- 4) Concepts & methods to control administrative and management costs (2).
- 5) Concepts & methods for document control. (2)
- 6) Proposers team qualities and attributes to be brought to bear on the Project (1).
- 7) Proposers force requirements throughout contract period (1).
- 8) Plan to be used to communicate and coordinate with DOTD, ARBC, USACE, property owners and public and private stakeholders, as well as all other Public Outreach efforts (1).
- 9) Other points that the Proposers wish to be considered in the evaluation (1).

The Interview/Presentation evaluation will be based on a numerical rating process (0-10). Each member of the evaluation team will individually rate each evaluation criterion listed above as weighted and assign numerical ratings as defined below:

To receive a rating of 8-10, the Project Manager/Team's presentation and proposal must ***significantly exceed*** the stated objectives/requirements and demonstrate an exceptional understanding of the goals and objectives of the Program with an outstanding level of quality and no weaknesses.

To receive a rating of 5-7, the Project Manager/Team's presentation and proposal must ***exceed*** the stated objectives/requirements and demonstrate an understanding of the goals and objectives of the Project. Strengths outbalance any minor weaknesses that may exist.

To receive a rating of 1-4, the Project Manager/Team's presentation and proposal must ***meet*** the stated objectives/requirements and demonstrate an understanding of the goals and objectives of the Project. There are minor weaknesses that can be overcome.

The Project Manager/Team will receive a rating of 0 on any of the individual evaluation criterion for failing to meet the stated objectives/requirements and demonstrate an understanding of the goals and objectives of the Project. There are excessive and significant weaknesses.

Once each DOTD Project Evaluation Team member completes evaluations for all factors, the scores will be averaged to arrive at a final score. The corresponding value will then be multiplied by the item's weight then totaled for the final interview/presentation score for that Project Manager/Team.

Communication Protocol

DOTD's Project Evaluation Team will be responsible for performing the above described evaluation, and will present a short-list of the three (if three are qualified) highest rated Consultants to the Secretary of the DOTD. The Secretary will make the final selection. **Below are the proposed Team members. DOTD may substitute for any reason provided the members meet the requirements of R.S. 48:291.**

1. Janice Williams – Ex officio
2. Russel Shaffer
3. Kevin Szatmary
4. Erin Roussel
5. Hubert Graves
6. Larry Ardoin

Rules of Contact (Title 48 Engineering and Related Services)

These rules are designed to promote a fair, unbiased, legally defensible selection process. The LA DOTD is the single source of information regarding the Contract selection. The following rules of contact will apply during the Contract selection process and will commence on the date of advertisement and cease at the contract execution of the selected firm. Contact includes face-to-face, telephone, facsimile, Electronic-mail (E-mail), or formal written communications. Any contact determined to be improper, at the sole discretion of the LA DOTD, may result in the rejection of the submittal (SF 23-116):

- A. The Consultant shall correspond with the LA DOTD regarding this advertisement only through Jennifer Lee by email at the LA DOTD.
- B. The Consultant, nor any other party on behalf of the Consultant, shall not contact any LA DOTD employees, including but not limited to, department heads; members of the evaluation teams; and any official who may participate in the decision to award the contract resulting from this advertisement except through the process identified above. Contact between Consultant organizations and LA DOTD employees is allowed during LA DOTD sponsored one-on-one meetings;
- C. Any communication determined to be improper, at the sole discretion of the LA DOTD, may result in the rejection of submittal, at the sole discretion of the LA DOTD;
- D. Any official information regarding the project will be disseminated from the LA DOTD'S designated representative on the LA DOTD website. Any official correspondence will be in writing;

- E. The LA DOTD will not be responsible for any verbal exchange or any other information or exchange that occurs outside the official process specified herein.

By submission of a response to this RFQ, the Consultant agrees to the communication protocol herein.

Insurance

During the term of the Contract the consultant will carry professional liability insurance in the amount of \$1,000,000. This insurance will be written on a "claims made" basis.

SUBMITTAL REQUIREMENTS

One original (**stamped "original"**) and **six (6)** copies of the SF 23-116 must be submitted to DOTD. All submittals must be in accordance with the requirements of this advertisement. Any Consultant/Team failing to submit any of the information required on the SF 23-116, or providing inaccurate information on the SF 23-116, will be considered non-responsive.

Any Sub-Consultant to be used, including Disadvantaged Business Enterprises (DBE), in performance of this Contract, must also submit a SF 23-116, which is completely filled out and contains all information pertinent to the work to be performed.

The Sub-Consultant's SF 23-116 must be firmly bound to the Consultant's SF 23-116. In Section 9, the Consultant's SF 23-116 must describe the **work elements** to be performed by the Sub-Consultant(s), and state the approximate **percentage** of each work element to be subcontracted to each Sub-Consultant.

Name(s) of the Consultant/Team listed on the SF 23-116, must precisely match the name(s) filed with the Louisiana Secretary of State, Corporation Division, and the Louisiana State Board of Registration for Professional Engineers and Land Surveyors.

The SF 23-116 will be identified with **Project No. H.008711.3**, and will be submitted **prior to 3:00 p.m. CST on Tuesday, October 4, 2011**, by hand delivery or mail, addressed to:

Department of Transportation and Development
Attn.: Mr. Harvey Blanchard
Assistant Right of Way Administrator
1201 Capitol Access Road, **Room S 335**
Baton Rouge, LA 70802-4438 or
Telephone: (225)242-4527

REVISIONS TO THE RFQ

DOTD reserves the right to revise any part of the RFQ by issuing an addendum to the RFQ at any time. Issuance of this RFQ 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 Qualification Statements submitted, and/or cancel this announcement if it is determined to be in DOTD's best interest. All materials submitted in response to this announcement become the property of DOTD, and selection or rejection of a submittal does not affect this right. DOTD also reserves the right, at its sole discretion, to waive administrative informalities contained in the RFQ. NOTE: SF 23-116 has been revised as of September 13, 2011. Any firm which submits outdated SF 23-116 as part of its proposal shall be deemed unresponsive.