

**NO ADDENDUM NECESSARY/
NO ADDENDUM ISSUED.**

NCDOT RIGHT OF WAY UNIT

REQUEST for LETTERS of INTEREST (RFLOI)

2016-2018 On-Call Right of Way Services

TITLE: **2016-2018 On-Call Right of Way Services**

USING AGENCY: North Carolina Department of Transportation
NCDOT RIGHT OF WAY UNIT

ISSUE DATE: **August 15, 2016**

SUBMITTAL DEADLINE: **September 9, 2016**

ISSUING AGENCY: North Carolina Department of Transportation
Technical Services Division
Professional Services Management Unit

SYNOPSIS

SUBCONSULTANTS ARE PERMITTED UNDER THIS CONTRACT.

The primary and/or subconsultant firm(s) *(if Subconsultants are allowed under this RFLOI)* shall be pre-qualified to perform ANY COMBINATION of the work codes listed below for the NCDOT RIGHT OF WAY UNIT . Work Codes required are:

- •00168 – Project Management
- •00170 – Property Management
- •00185 – Relocation Review
- •00186 – Relocation Assistance
- •00192 – Right of Way Appraisals
- •00194 – Right of Way Negotiators

WORK CODES for each primary and/or subconsultant firm(s) *(if Subconsultants are allowed under this RFLOI)* SHALL be listed on the respective RS-2 FORMS (see section 'SUBMISSION ORGANIZATION AND INFORMATION REQUIREMENTS').

This RFLOI is to solicit responses (LETTERS of INTEREST, or LOIs) from qualified firms to provide professional consulting services to:

Provide Right of Way Services for the Department statewide.

Except as provided below any firm wishing to be considered must be properly registered with the Office of the Secretary of State and with the North Carolina Board of Examiners for Engineers and Surveyors. Any firm proposing to use corporate subsidiaries or subcontractors must include a statement that these companies are properly registered with the North Carolina Board of Examiners for Engineers and Surveyors and/or the NC Board for Licensing of Geologists. The Engineers performing the work and in responsible charge of the work must be registered Professional Engineers in the State of North Carolina and must have a good ethical and professional standing. It will be the responsibility of the selected private firm to verify the registration of any corporate subsidiary or subcontractor prior to submitting a Letter of Interest. Firms which are not providing engineering services need not be registered with the North Carolina Board of Examiners for Engineers and Surveyors. Some of the services being solicited may not require a license. It is the responsibility of each firm to adhere to all laws of the State of North Carolina.

The firm must have the financial ability to undertake the work and assume the liability. The selected firm(s) will be required to furnish proof of Professional Liability insurance coverage in the minimum amount of \$1,000,000.00. The firm(s) must have an adequate accounting system to identify costs chargeable to the project.

SCOPE OF WORK

The North Carolina Department of Transportation (NCDOT) is soliciting proposals for the services of a firm/team for the following contract scope of work:

SCOPE OF WORK

The North Carolina Department of Transportation (hereafter referred to as the “Department”) is soliciting written proposals from qualified consultants (contractors) to establish a contract to provide Right of Way Services for the Department statewide. The Department will establish a list comprised of several qualified consultants to perform right of way acquisition, appraisal, relocation, property management, program support, project management, and program management services on an as-needed basis statewide. The consultant will be required to perform Right of Way Services based on an assigned task authorization, for the completion of the task or project in accordance with G.S. 136-28.1 of the General Statutes of North Carolina, as amended, and in accordance with the requirements set forth in the Uniform Appraisal Standards and General Legal Principles for Highway Right of Way, the North Carolina Department of Transportation's Right of Way Manual, the North Carolina Department of Transportation's Rules and Regulations for the Use of Right of Way Consultants, the Code of Federal Regulations, and Chapter 133 of the General Statutes of North

Carolina from Section 133-5 through 133-18, hereby incorporated by reference, including the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

The consultant shall perform the services as set forth herein and as described within the specific task authorization and furnish and deliver to the Department appropriate reports and other documents relative to the completion of the task.

CONSULTANTS' / CONTRACTORS' RESPONSIBILITIES

With respect to the payments, costs and fees associated with the acquisition of right of way in this contract or other services, the Department shall be responsible for only direct payments to property owners for negotiated settlements, recording fees, any relocation benefits, and deposits and fees associated with the filing of condemnation. The Department shall assume responsibility for all costs associated with the litigation of condemned claims, including testimony by the appraiser(s).

•A Right of Way Manager or representative from the Department's right of way management team will be available to provide technical and administrative guidance on right of way acquisition, relocation, and appraisal and program management issues applicable to the contract task. The assigned Right of Way Manager will provide procedural information to make timely decisions on approving relocation benefits and the approval of administrative adjustment settlements on behalf of the Department over and above the authority granted to the Department Right of Way Consultant Project Managers.

•The Contractor must have an active Corporate NC Real Estate License to be considered for Acquisition assignments. All right of way agents assigned to negotiate parcels must have an active NC Real Estate License.

•The Contractor will submit a right of way project tracking report and right of way quality control plan to the Department as required. The Department standard forms and documents shall be used on all projects unless otherwise approved.

The following shall be required:

•The Contractor shall prepare, execute and record documents with the Register of Deeds conveying title to acquired properties to the Department.

•The Contractor shall deliver all executed and recorded deeds and easements to the Department.

•It is understood and agreed by and between the parties hereto that all reports, surveys, studies, specifications, memoranda, estimates, etc., secured by and for the Contractor shall remain the property of the Department and shall have the right to use same for any public purpose without compensation to the Contractor.

•The Contractor shall prepare appraisals in accordance with the Department's Uniform Appraisal Standards and General Legal Principles for Highway Right of Way Acquisitions. The Contractor's appraiser shall be on the Department's approved state certified appraiser list. The Contractor may request its state certified appraiser be added to the approved state certified appraiser list, subject to approval by the Department's Area Appraiser and State Appraiser.

Any appraisal over \$1,000,000.00 must have 2 appraisals.

All parcels where the initial appraisal indicates damages to the remaining property equal to or greater than Two Hundred Fifty Thousand Dollars (\$250,000.00), where damages to the remaining property are defined as a loss in value to the remaining land and / or improvements and / or a cost to cure. The second appraisal may be waived by the Department's Area Appraiser and / or the State Appraiser

PROPOSED CONTRACT TIME: TWO (2) YEARS.

PROPOSED CONTRACT PAYMENT TYPE: LUMP SUM and/or COST-PLUS.

SUBMITTAL REQUIREMENTS

All LOIs are limited to **FIFTEEN PAGES in WORDS (exclusive of resumes) (15)** pages (RS-2 forms are not included in the page count) inclusive of the cover sheet, and shall be typed on 8-1/2" x 11" sheets, single-spaced, one-sided.

LOIs containing more than **FIFTEEN PAGES in WORDS (exclusive of resumes) (15)** pages will not be considered.

WORK CODES for each primary and/or subconsultant firm(s) (if Subconsultants are allowed under this RFLO) SHALL be listed on the respective RS-2 FORMS (see section 'SUBMISSION ORGANIZATION AND INFORMATION REQUIREMENTS').

ONLY ELECTRONIC LOIs WILL BE ACCEPTED.

LOIs should be submitted in .pdf format using software such as Adobe, CutePDF PDF Writer, DocuDesk deskPDF, etc.

One copy of the LOI should be sent as a .pdf file, **through NCDOT's FTS System**, to: psmu-411@ncdot.gov . **The FTS system will send you an electronic receipt when your LOI is uploaded to NCDOT's FTS system.** Paper copies are not required. The subject line should contain the Firm's Name, and **"LOI for 2016-2018 On-Call Right of Way Services"**.

If an interested firm does not have an FTS account they should send a request through regular e-mail to psmu-411@ncdot.gov . A response will be sent via the FTS system that will provide a login username, password, and login procedures.

LOIs SHALL be received electronically no later than 12:00 P.M., SEPTEMBER 9, 2016.

LOIs received after this deadline will not be considered.

Firms submitting LOIs are encouraged to carefully check them for conformance to the requirements stated above (and any other requirements in this Advertisement). If LOIs are submitted late, exceed the maximum number of pages, are sent by any means other than NCDOT's FTS system, or are sent to any address other than psmu-411@ncdot.gov they will be disqualified.

The Department reserves the right to reject all LOIs and not proceed with procurement.

The Department reserves the right to waive any technicality in LOIs, or notify the Firm(s) of such technicality and allow the Firm(s) up to two (2) business days to rectify the technicality.

SELECTION PROCESS

Following is a general description of the selection process:

- The NCDOT Selection Committee will review all qualifying LOI submittals.
- For Limited Services Contracts (On-Call type contracts), the NCDOT Selection Committee MAY, at the Department's discretion, choose any number of firms to provide the services being solicited.
- For Project-Specific Contracts (non On-Call type contracts), the Selection Committee MAY, at the Department's discretion, shortlist a minimum of three (3) firms to be interviewed. IF APPLICABLE, dates of shortlisting and dates for interviews are shown in the section SUBMISSION SCHEDULE AND KEY DATES at the end of this RFLOI.
- In order to be considered for selection, consultants must submit a complete response to this RFLOI prior to the specified deadlines. Failure to submit all information in a timely manner will result in disqualification.

SMALL PROFESSIONAL SERVICE FIRM (SPSF) PARTICIPATION

The Department encourages the use of Small Professional Services Firms (SPSF). Small businesses determined to be eligible for participation in the SPSF program are those meeting size standards defined by Small Business Administration (SBA) regulations, 13 CFR Part 121 in Sector 54 under the North American Industrial Classification System (NAICS). The SPSF program is a race, ethnicity, and gender neutral program designed to increase the availability of contracting opportunities for small businesses on federal, state or locally funded contracts. SPSF participation is not contingent upon the funding source.

The Firm, at the time the Letter of Interest is submitted, shall submit a listing of all known SPSF firms that will participate in the performance of the identified work. The participation shall be submitted on the Department's Subconsultant Form RS-2. RS-2 forms may be accessed on the Department's website at [NCDOT Electronic Forms](#).

The SPSF must be qualified with the Department to perform the work for which they are listed.

Real-time information about firms doing business with the Department and firms that are SPSF certified through the Contractual Services Unit is available in the Directory of Transportation Firms. The Directory can be accessed on the Department's website at [Directory of Firms](#) -- Complete listing of certified and prequalified firms.

The listing of an individual firm in the Department's directory shall not be construed as an endorsement of the firm.

PREQUALIFICATION

The Department maintains on file the qualifications and key personnel for each approved discipline, as well as any required samples of work. Each year on the anniversary date of the company, the firm shall renew their prequalified disciplines. If your firm has not renewed its application as required by your anniversary date or if your firm is not currently prequalified, please submit an application to the Department **prior to submittal of your LOI**. An application may be accessed on the Department's website at [Prequalifying Private Consulting Firms](#) -- Learn how to become Prequalified as a Private Consulting Firm with NCDOT. Having this data on file with the Department eliminates the need to resubmit this data with each letter of interest.

Even though specific DBE/MBE/WBE goals are not required for this project, the Department of Transportation is committed to providing opportunity for small and disadvantaged businesses to perform on its contracts through established Department goals. The Firm, subconsultant and subfirm shall not discriminate on the basis of race, religion, color, national origin, age, disability or sex in the performance of this contract.

SELECTION CRITERIA

All prequalified firms who submit responsive letters of interest will be considered.

In selecting a firm/team, the selection committee will take into consideration qualification information including such factors as:

1. **45%** = The consultants' right of way expertise and staff experience (including subcontractors) to perform the type of work required.
2. **45%** = The consultants' ability to meet the time schedule established for the work based on the ability of proposed staff and current work load.
3. **10%** = The proposed consultants' classifications as disadvantaged business enterprises.

4. **N/A%** = The consultants should provide with this submittal the expertise in each of the right of way disciplines; also specific experience in Rail Acquisition.
5. **N/A%** = N/A.

After reviewing qualifications, if firms are equal on the evaluation review, then those qualified firms with proposed SPSF participation will be given priority consideration.

SUBMISSION ORGANIZATION AND INFORMATION REQUIREMENTS

The LOI should be addressed to **Mr. Robert J. Stroup, PE -- State Professional Services Engineer** and must include the name, address, telephone number, and e-mail address of the prime consultant's contact person for this RFLOI.

The LOI must also include the information outlined below:

Chapter 1 - Introduction

The Introduction should demonstrate the consultant's overall qualifications to fulfill the requirements of the scope of work and should contain the following elements of information:

- Expression of firm's interest in the work;
- Statement of whether firm is on register;
- Date of most recent private engineering firm qualification;
- Statement regarding firm's(') possible conflict of interest for the work; and
- Summation of information contained in the letter of interest.

Chapter 2 - Team Qualifications

This chapter should elaborate on the general information presented in the introduction, to establish the credentials and experience of the consultant to undertake this type of effort. The following must be included:

1. Identify recent, similar projects the firm, acting as the prime contractor, has conducted which demonstrates its ability to conduct and manage the project. Provide a synopsis of each project and include the date completed, and contact person.
2. If subconsultants are involved, provide corresponding information describing their qualifications as requested in bullet number 1 above.

Chapter 3 - Team Experience

This chapter must provide the names, classifications, and location of the firm's North Carolina employees and resources to be assigned to the advertised work; and the professional credentials and experience of the persons assigned to the project, along with any unique qualifications of key personnel. Although standard personnel resumes may be included, identify pertinent team experience to be applied to this project. Specifically, the Department is interested in the experience, expertise, and total quality of the consultant's proposed team. If principals of the firm will not be actively involved in the study/contract/project, do not list them. The submittal shall clearly indicate the Consultant's Project Manager, other key Team Members and

his/her qualifications for the proposed work. Also, include the team's organization chart for the Project / Plan. A Capacity Chart / Graph (available work force) should also be included. Any other pertinent information should also be listed in this section.

Note: If a project team or subconsultant encounters personnel changes, or any other changes of significance dealing with the company, NCDOT should be notified immediately.

Chapter 4 - Technical Approach

The consultant shall provide information on its understanding of, and approach to accomplish, this project, including their envisioned scope for the work and any innovative ideas/approaches, and a schedule to achieve the dates outlined in this RFLOI (if any project-specific dates are outlined below).

APPENDICES-

CONSULTANT CERTIFICATION Form RS-2

Completed Form RS-2 forms SHALL be submitted with the firm's letter of interest. This section is limited to the number of pages required to provide the requested information.

Submit Form RS-2 forms for the following:

- **Prime Consultant firm**
 - Prime Consultant Form RS-2 Rev 1/14/08; and
- **ANY/ALL Subconsultant firms (*If Subconsultants are allowed under this RFLOI*)** to be, or anticipated to be, utilized by your firm.
 - Subconsultant Form RS-2 Rev 1/15/08.
 - In the event the firm has no subconsultant, it is required that this be indicated on the Subconsultant Form RS-2 by entering the word "None" or the number "ZERO" and signing the form.

Complete and sign each Form RS-2 (instructions are listed on the form).

The required forms are available on the Department's website at:

<https://apps.dot.state.nc.us/quickfind/forms/Default.aspx> .

[Prime Consultant Form RS-2](#)

[Subconsultant Form RS-2](#)

All submissions, correspondence, and questions concerning this RFLOI should be directed to **Robert J. Stroup, PE** at rstroup@ncdot.gov. However, the LOI itself must be submitted to 'psmu-411@ncdot.gov' via NCDOT's FTS System.

IF APPLICABLE, questions may be submitted electronically only, to the contact above. Responses will be issued in the form of an addendum available to all interested parties. Interested parties should also send a request, by email only, to the person listed above to be placed on a public correspondence list to ensure future updates regarding the RFP or other project information can be conveyed. Questions must be submitted to the person listed above no later than **AUGUST 31, 2016**. The last addendum will be issued no later than **SEPTEMBER 2, 2016**.

NOTE: To adhere to the Timeframe, a Notice to Proceed is expected to be issued shortly after (a) firm(s)/team(s) is/are selected. All firm(s)/team(s) submitting a LETTER OF INTEREST should make sure that their rates and overheads are current and have been audited by NCDOT.

SUBMISSION SCHEDULE AND KEY DATES

RFLOI Release – **AUGUST 15, 2016**

Deadline for Questions – **AUGUST 31, 2016**

Issue Final Addendum – **SEPTEMBER 2, 2016**

Deadline for LOI Submission – **SEPTEMBER 9, 2016**

Shortlist Announced * -

Interviews - the week of

Firm Selection and Notification ** - **TBD**.

Anticipated Notice to Proceed – **TBD**.

* Notification will **ONLY** be sent to shortlisted firms.

** Notification will **ONLY** be sent to selected firms.