

A REQUEST FOR PROPOSAL FOR PROFESSIONAL SERVICES CONTRACT

Department of Highways Professional Services Procurement Bulletin 2023-02 Statewide Right of Way Appraisal Review Services

This document constitutes a Request for Proposals for a Professional Service Contract from qualified individuals and organizations to furnish those services as described herein for the Commonwealth of Kentucky, Department of Highways.

I. PROJECT DESCRIPTION

This statewide contract is to provide necessary Right of Way Appraisal Review Services. Four (4) appraisers will be selected to provide these services on an as-needed basis for two (2) years.

II. PROJECT INFORMATION

Project Manager -	Eric Monhollon
User Division -	Right of Way & Utilities
Approximate Fee -	\$100,000 per contract (Upset Limit)
	Work will be assigned via Letter Agreement, not to exceed \$20,000
Project Funding -	State and Federal Funds
Contract Term -	Two Years

III. PURPOSE AND NEED

The purpose of this contract is to assist the Kentucky Transportation Cabinet in providing appraisal review services on a statewide basis for both Highway Plan and non-highway plan projects, on an as-needed basis.

IV. DBE REQUIREMENT

The Consultant team may include a DBE Participation Plan with their Response to Announcement to help the Department meet the 11.95% DBE goal established by FHWA. The plan would demonstrate how DBE companies will be mentored or used to assist in the area(s) pertaining to this contract. If included, an additional page will be allowed in the Project Approach (Section 7) to exhibit this plan. No additional points will be provided in the Evaluation Factors for the DBE Participation Plan.

V. SCOPE OF WORK

The selected review Appraiser(s) will be responsible for the review of appraisals and other appraisal related services. Additionally the review Appraiser may be called upon to testify in a court of law during a condemnation trial. Additional compensation will be negotiated at the time

of the request to testify.

- a. The selected review Appraiser agrees that upon request, he or she will be available to assist in responding to FHWA or State inquiries or citations.
- b. The District Right of Way Agent Supervisor will be the single point of contact for all Valuation Services and will be responsible for resources, assignment of work, managing workload, monitoring schedules and ensure quality of reports meet Department expectations and requirements.

1. Appraisals

- 1.1. Review Appraisers must be one of the pre-qualified review appraisers from the KYTC ROW list and have Review Status. Please contact Eric Monhollon at Eric.Monhollon@ky.gov for a copy of the list.
- 1.2. Shall accompany the appraiser on the appraiser's inspection of subject property whenever possible.
- 1.3. For the initial appraisal, prepare complete a review appraisal report for each parcel to be acquired utilizing KYTC forms. These reports shall conform to KYTC policies and procedures along with the Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Foundation. The use of Narrative Reports may be utilized if it is determined best practice by the Appraisal Branch Manager and Director of Right of Way & Utilities. All appraisals and appraisal reviews shall comply with KYTC Appraisal Guidelines found here: <https://transportation.ky.gov/Organizational-Resources/Policy-Manuals-Library/Appraisal-Guidelines.pdf>
- 1.4. As necessary, prepare written notification to the Project Manager of any environmental concerns associated with the right of way to be acquired, which could require environmental remediation.
- 1.5. As necessary, the review appraiser shall coordinate with the appraiser regarding revisions, comments, or additional information that may be required.
- 1.6. Respondent (s) shall review project plans on site in order to discover and recommend corrective solutions to plan problems prior to assignment of appraisals if necessary.
- 1.7. Respondent (s) must agree to the anticipated scope of the valuation problem for each parcel and the format of the review.

VI. SPECIAL INSTRUCTIONS

Four (4) appraisers will be selected to provide these services for a period of two (2) years with no new work assigned after two years from the Notice to Proceed, although the contract may be extended for time to complete work already assigned. Contracts will have an upset limit of \$100,000. Once the upset limit is reached or the two (2) year term has expired, services may be re-advertised and no additional Letter Agreements will be executed under the contract. Contracts will not be modified to increase the upset limit or extended for time to assign new work. No Letter Agreement shall exceed \$20,000 without written approval from the State Highway Engineer.

The Selection Committee will rank and list the selected appraisers in consecutive order to determine the initial order for which projects will be assigned. Projects will generally be assigned on a rotational basis. The Department reserves the right to select one of the firms outside of the assignment order for a particular project if it is to the benefit of the Department. That firm, if selected out of order, will be skipped in the rotation when their turn comes and the regular order will be followed thereafter. The Division of Right of Way & Utilities reserves the right to group multiple projects together as one offering if it is advantageous to the Department. The Department

may also add additional work to an existing Letter Agreement, if needed. A firm will not be offered an additional project until the remaining firms on the list have been offered a project. If a firm declines to accept a project, that firm will not be eligible to accept another project until the remaining firms on the list have been offered a project. If a firm declines a project or does not respond to an invitation to perform services for a project within five (5) business days, documentation shall be provided in the project files and the next firm on the rotating list shall be offered the project.

The selected review appraiser will be required to maintain continuing Professional Liability Insurance of an amount not less than \$500,000 during the life of this contract.

The Department reserves the right to terminate this agreement at any time upon a thirty (30) day written notice to the selected Appraiser. In the event of termination, the selected Appraiser will be compensated for work performed through the date of said termination. Work completed, in whole or in part, will become the property of the Department. Any dispute in connection with work not disposed of by this agreement will be referred to the Secretary of the Transportation Cabinet, or duly authorized representative, whose decision will be final.

Instructions for Response to Announcement can be found at:

<https://transportation.ky.gov/ProfessionalServices/Pages/Respond-to-an-Announcement.aspx>

KRS 322.060 applies to engineers and will not apply to this service contract. KRS 324A is the statute related to necessary licensure for Real Estate Appraisers which is required.

KYTC will allow the following modifications to the standard response format for response to the Statewide Right of Way Appraisal Services advertisement only:

- Section 2 Staff Summary, will be reduced, not to exceed one page
- Section 4 (A-B) Resumes, will be reduced, not to exceed two pages
- Section 5 Workload / commitments, will be reduced, not to exceed one page
- Section 6 (A-B) Project Experience, will be reduced, not to exceed two pages
- Section 7 (A-B) Project Approach, will be reduced, not to exceed two pages

VII. PREQUALIFICATION REQUIREMENTS

To respond to this project, the Consultant must be prequalified in the following areas by the response due date of this advertisement.

RIGHT OF WAY SERVICES

- Appraisal Review

VIII. PROCUREMENT SCHEDULE

Dates other than Response Date are tentative and provided for information only.

- Advertisement Date: August 9, 2022
- Response Date: August 31, 2022 by 4:30 PM ET (Frankfort Time)
- First Selection Meeting: September 2, 2022
- Final Selection: September 21, 2022
- Scoping Conference: September 28, 2022
- Notice to Proceed: October 19, 2022

IX. PROJECT SCHEDULE

Individual project schedules will be defined by Letter Agreement on a project-by-project basis.

- Completion of All Services – 2 years from Notice to Proceed

X. EVALUATION FACTORS

Consultants will be evaluated by the selection committee based on the following, weighted factors:

1. **Quality of Work – (25 points)** Score is based on the assigned Appraiser's experience with KTYC, with other agencies, professional training, quality of work, professionalism and ratings from previous assignments
2. **Cooperation and Timeliness on the Project – (25 Points)** Cooperation is based on how well the appraiser has responded to requests from those responsible for oversight on any past contracts. Timeliness is based on how well the appraiser has performed in completing any prior assignments in a timely manner; taking into account those events beyond the control of the selected appraiser which may have caused delays.
3. **Communication – (20 points)** The ability of the appraiser to communicate the details of the proposed acquisition, the appraisal process and answer questions from the affected property owner and/or their representative. Additionally the ability to communicate any difficulties with the appraisal process or acquisition to the review appraiser, right of way supervisor, engineers, attorneys and other right of way staff.
4. **Experience – (15 Points)** Score is based on the appraiser's experience with KYTC or any other projects from previous assignments, and any professional training. The appraiser should have appropriate communication skills, be responsive, effectively report progress, maintain organized project files, and have all necessary qualifications to manage the project.
5. **Knowledge of Right of Way Principles – (15 points)** The appraiser's knowledge of and experience with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended (Uniform Act), KYTC Right of Way Guidance Manual, KYTC Appraisal Guidelines and USPAP. Capability and experience of the assigned Appraiser(s), to competently accept the appraisal assignment.

XI. SELECTION COMMITTEE MEMBERS

1. Eric Monhollon, User Division
2. Joseph Justice, User Division
3. Amanda Desmond, P.E., Secretary's Pool
4. Erika Drury, P.E., Secretary's Pool
5. Bart Bryant, P.E., Governor's Pool