

# **A REQUEST FOR PROPOSAL FOR PERSONAL SERVICES CONTRACT**

## **Department of Highways Professional Services Procurement Bulletin 2014-04 McCreary - Whitley / KY 92 / 11-184**

This document constitutes a Request for Proposals for Personal 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**

County – McCreary / Whitley  
Route – KY 92  
Item No – 11-184.00

Project Description – Provide Right of Way acquisition services to reconstruct KY 92 from KY 592 in McCreary County to Cornbread Branch in Whitley County.

### **II. PROJECT INFORMATION**

Project Manager – David Hensley, Right-of-Way Agent Supervisor (District 11)  
User Division – Division of Right of Way and Utilities  
Approximate Fee – \$285,000 (Estimated/Unit Price Contract)  
Project Funding – State Funds (SPP funds)  
Project Length – 3.856 miles  
Number of Parcels – 32

### **III. PURPOSE AND NEED**

The purpose of this project is to assist the Kentucky Transportation Cabinet in providing Right of Way acquisition activities on the above project in McCreary and Whitley Counties. The subject project begins at KY 592 in McCreary County and ends at Cornbread Branch in Whitley County. This is a control of access facility by permit. The project will reconstruct KY 92. There are approximately 12 +/- residential relocations and 25 miscellaneous moves. The project report references 32 parcels of which 3 parcels will be total takes. There are approximately 21 appraisals and 21 appraisal reviews along with 11 MAR's.

Services will include appraising, acquisition, and relocation. Appraisal reviews will be performed by the District Office, while title services and closing will be handled by General Counsel (OLS) on an independent contract.

Project completion time – It is estimated that a 12 month time frame should be allowed for acquisition and relocation of businesses and individuals on this project.

### **IV. DBE REQUIREMENT**

None

## **V. SCOPE OF WORK**

The selected consultant(s) will be responsible for the following: appraisals; all negotiations including MARs; and relocation series.

Title Reports have been requested by District Office through Central Office to the Division of Legal Services.

Appraisers must be well versed in SFR, business appraisals (income approach), and various types of commercial property appraisals.

The selected consultant may be required to provide a field office for property owners to reach its personnel. The selected consultant agrees that upon request, staff will be available to assist in responding to FHWA or State inquiries or citations.

### **1. Titles & Closing**

All titles, updates, closings and other legal services shall be performed by an attorney assigned by KYTC Office of Legal Services. Payment for these services shall be the responsibility of KYTC.

### **2. Appraisals (Reviews will be performed by the District Office)**

#### **a. Complex BAV (Before and After Value)**

In rare instance, the complexity of a property and/or appraisal problem may require specialized knowledge or increased documentation. Examples of this type of appraisal may include but not be limited to:

1. An acquisition from a university campus where the contributing value of the improvements must be documented as part of the larger parcel.
2. An acquisition from a golf course that affects one or more fairways and/or greens where the appraiser may need to consult an engineer or course designer to determine the true nature of the affect of the taking on the course.

#### **b. Standard BAV**

This category will be used for most KYTC appraisals. The contributing value of all improvements must be documented. Damages may apply in the after situation and may include but not be limited proximity, changes in topography, severed remainders, changes in highest and best use, loss of parking, etc.

#### **c. Minor BAV**

Used for minor acquisitions in which the amount of just compensation exceeds the maximum amount under which an MAR (Minor Acquisition Review) may be used. Improvements acquired will be minor in nature and will include but not be limited to items of landscaping, fencing and small secondary buildings (i.e. sheds). The principle building is unaffected and its contributing value may be estimated.

#### **d. BV (Before Value)**

Used only when the parcel is considered a total take and only the before value is needed.

### **3. Acquisitions**

All Acquisition Parcels are completed following the procedures within Right of Way Guidance Manual.

### **4. Relocations**

- a. When relocation assistance is required as part of a contract the selected consultant shall complete an Acquisition Stage Relocation Report (ASSR) for any and all relocations

being assigned.

- b. All relocation will be done in accordance of 49 CRF, Part 23, Uniform Relocation Assistance and Real Property Regulations for Federal and Federally assisted Programs and 600 KAR 3:010 Relocation Assistance Payments of the Transportation Cabinet and the Kentucky Transportation Cabinet Relocation Assistance Guidance Manual, revised February 2011.

## **VI. SPECIAL INSTRUCTIONS**

Instructions for Response to Announcement can be found at:

<http://transportation.ky.gov/Professional-Services/Pages/Respond-to-an-Announcement.aspx>

The selected consultant 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) days written notice to the selected consultant. In the event termination is a result of a cancellation of a project, no deed will be taken for property once notice is received, unless specifically authorized in writing by the Director of the Division of Right of Way. IN the event of termination, the selected consultant 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 I 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.

A 12 month time frame should be allowed for acquisition and relocation of businesses and individuals on this project.

Right of Way contract scoping meeting requirements and general guidelines shall follow:

<http://transportation.ky.gov/Professional-Services/Forms/Right%20of%20Way%20Scoping%20Meeting%20Requirements%20General%20Guidelines.pdf>

## **VII. AVAILABLE STUDIES**

Project Report - [Project Report 11-184\\_00.pdf](#)

Right of Way Plan set – [ROWplans 11-184\\_00.pdf](#)

Cross Sections – [XSecPDF 11-279\\_10.pdf](#)

## **VIII. PREQUALIFICATION REQUIREMENTS**

To respond to this project, the consultant proposed consultant must be currently prequalified for Right of Way Services by the Division of Right of Way and Utilities. The selected consultant must maintain prequalification as set out in the ROW Guidance Manual throughout the term of the contract.

[Click here for a list of firms prequalified by KYTC Division of Right of Way and Utilities](#)

## **IX. PROCUREMENT SCHEDULE**

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

RESPONSE DATE • Wednesday, October 23<sup>rd</sup>, 2013, 4:30 p.m. E.S.T. (Frankfort time)

FIRST SELECTION COMMITTEE • October 29, 2013

SECOND SELECTION COMMITTEE • November 6, 2013

CONTRACT SCOPING CONFERENCE • November 13, 2013

TENTATIVE DEADLINE FOR CONSULTANT FEE PROPOSAL • November 25, 2013

CONTRACT NEGOTIATIONS • December 2, 2013

NOTICE TO PROCEED • January 15, 2014

## **X. PROJECT SCHEDULE**

COMPLETION OF ALL SERVICES • January 30, 2015

## **XI. EVALUATION FACTORS**

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

1. **Project Manager – (50 Points)** Score is based on the Project Manager's experience with KYTC or any other projects, as a Project Manager, from previous assignments, and any professional training. Project Manger shall provide documentation to be evaluated.
2. **Staff Experience – (60 Points)** Score is based on the experience of the assigned Appraiser(s), Negotiator(s), and Relocation Assistance Agent(s) on their experience with KYTC, experience with other agencies, professional training, as well as, experience on past projects. Staff Members shall provide documentation to be evaluated.
3. **Quality of Work – (50 Points)** Score is based on the assigned Appraiser(s), Reviewing Appraiser(s), Negotiator(s), and Relocation Assistance Agent(s) on their experience with KTYC, with other agencies, professional training, quality of work, professionalism and ratings from previous assignments. Must provide documentation to be evaluated.
4. **Cooperation of Past Assignments – (40 Points)** Score is based on how well the firm has responded to requests from those responsible for oversight on any past contracts.
5. **Timeliness on Past Assignments – (40 Points)** Score is based on how well the firm has performed in completing any prior assignments in a timely manner; taking into account those events beyond the control of the selected consultant which may have caused delays.
6. **Consultant's offices where work is to be performed – (10 Points)** For state-funded projects, if a Selection Committee vote results in a tie between two (2) firms, one (1) of

which will perform more of the work tasks in Kentucky than the other, then the former firm shall be ranked one (1) place ahead of the latter.

**XII. SELECTION COMMITTEE MEMBERS**

1. Greg Combs, User Division
2. Dean Loy, User Division
3. Tim Pyles, P.E., Secretary's Pool
4. Carl Van Zee, P.E., Secretary's Pool
5. James Rogers, Governor's Pool

**PROJECT MAP**  
**MCCREARY COUNTY**  
**WHITLEY COUNTY**  
**ITEM NO. 11-184.00**

Provide Right of Way acquisition services to reconstruct KY 92

Date: 9/26/2013

