

REQUEST FOR PROPOSALS FOR

**Turnkey Right-of-Way Acquisition Services for
The Southern Beltway U.S. Route 22 to I-79
Located in Washington and Allegheny Counties**

ISSUING OFFICE

Pennsylvania Turnpike Commission

Right-of-Way Department

RFP NUMBER

09-10190-1840

DATE OF ISSUANCE

February 5, 2009

REQUEST FOR PROPOSALS FOR

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Located in Washington and Allegheny Counties**

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PART I

GENERAL INFORMATION FOR PROPOSERS

I-1. Purpose. This request for proposals (RFP) provides interested Proposers with sufficient information to enable them to prepare and submit proposals for consideration by the Pennsylvania Turnpike Commission (Commission) to satisfy a need for Turnkey Right-of-Way Acquisition Services for the Southern Beltway U.S. Route 22 to I-79 project located in Washington and Allegheny Counties.

I-2. Issuing Office. This RFP is issued for the Commission by the Right-of-Way Department, P.O. Box 67676, Harrisburg, PA 17106-7676; physical address: 700 South Eisenhower Blvd., Middletown, PA 17057; Phone: 717-939-9551, extension 3220; FAX: 717-986-9654. The Issuing Office is the sole point of contact in the Commission for this RFP.

I-3. Scope. This RFP contains instructions governing the proposals to be submitted and the material to be included therein; a description of the service to be provided; requirements which must be met to be eligible for consideration; general evaluation criteria; and other requirements to be met by each proposal.

I-4. Problem Statement. The work to be done includes acquisition of the properties identified as residential and commercial relocations for the Southern Beltway U.S. Route 22 to I-79 project. The work includes acquisition and relocation plans, securing and compensating appraisers, title work, negotiations, settlement and closing services, condemnation assistance, and relocation assistance and computation.

I-5. Type of Contract. It is proposed that if a contract is entered into as a result of this RFP, it will be a cost plus fixed fee contract. The Commission may in its sole discretion undertake negotiations with Proposers whose proposals as to price and other factors show them to be qualified, responsible, and capable of performing the work.

I-6. Rejection of Proposals. The Commission reserves the right to reject any and all proposals received as a result of this request, or to negotiate separately with competing Proposers.

I-7. Subcontracting. Any use of subcontractors by a Proposer must be identified in the proposal. During the contract period use of any subcontractors by the selected Proposer that were not previously identified in the proposal must be approved in advance in writing by the Commission.

A firm that responds to this solicitation as a prime may not be included as a designated subcontractor to another firm that responds to the same solicitation. **Multiple responses under any of the foregoing situations may cause the rejection of all responses of the firm or firms involved.** This does not preclude a firm from being set forth as a designated subcontractor to more than one prime contractor responding to the project advertisement.

I-8. Incurring Costs. The Commission is not liable for any costs the Proposer incurs in preparation and submission of its proposal, in participating in the RFP process or in anticipation of award of contract.

I-9. Questions and Answers. Written questions may be submitted to clarify any points in the RFP which may not have been clearly understood. Questions should be forwarded to the Issuing Office at the above address or by fax to 717-986-9654 to be received by **Thursday, February 19, 2009**. All questions and written answers will be issued as an addendum to and become part of this RFP.

I-10. Addenda to the RFP. If it becomes necessary to revise any part of this RFP before the proposal response date, addenda will be posted to the Commission's website under the original RFP document. It is the responsibility of the Proposer to periodically check the website for any new information or addenda to the RFP.

The Commission may revise a published advertisement. If the Commission revises a published advertisement less than ten days before the RFP due date, the due date will be extended to maintain the minimum ten-day advertisement duration if the revision alters the project scope or selection criteria. Firms are responsible to monitor advertisements/addenda to ensure the submitted proposal complies with any changes in the published advertisement.

I-11. Response. To be considered, proposals must be delivered to the Pennsylvania Turnpike Commission's Contracts Administration Department, Attention: Fran Furjanic, Contracts Supervisor, on or before **12:00 noon, Wednesday, March 11, 2009**. The Pennsylvania Turnpike Commission is located at 700 South Eisenhower Boulevard, Middletown, PA 17057 (Street address). Our mailing address is P. O. Box 67676, Harrisburg, PA 17106-7676.

Please note that use of U.S. Mail delivery does not guarantee delivery to this address by the above-listed time for submission. Proposers mailing proposals should allow sufficient delivery time to ensure timely receipt of their proposals. If the Commission office location to which proposals are to be delivered is closed on the proposal response date, due to inclement weather, natural disaster, or any other cause, the deadline for submission shall be automatically extended until the next Commission business day on which the office is open. Unless the Proposers are otherwise notified by the Commission, the time for submission of proposals shall remain the same.

I-12. Proposals. To be considered, Proposers should submit a complete response to this RFP, using the format provided in PART II. Each proposal should be submitted in **10 copies** to the Contracts Administration Department. No other distribution of proposals will be made by the Proposer. Each proposal page should be numbered for ease of reference. Proposals must be signed by an official authorized to bind the Proposer to its provisions and include the Proposer's Federal Identification Number. For this RFP, the proposal must remain valid for at least 90 days. Moreover, the contents of the proposal of the selected Proposer will become contractual obligations if a contract is entered into.

Each and every Proposer submitting a proposal specifically waives any right to withdraw or modify it, except as hereinafter provided. Proposals may be withdrawn by written or telefax notice received at the Commission's address for proposal delivery prior to the exact hour and date specified for proposal receipt. However, if the Proposer chooses to attempt to provide such written notice by telefax transmission, the Commission shall not be responsible or liable for errors in telefax transmission. A proposal may also be withdrawn in person by a Proposer or its authorized representative, provided its identity is made known and it signs a receipt for the proposal, but only if the withdrawal is made prior to the exact hour and date set for proposal receipt. A proposal may only be modified by the submission of a new sealed proposal or submission of a sealed modification which complies with the requirements of this RFP.

I-13. Economy of Preparation. Proposals should be prepared simply and economically, providing a straightforward, concise description of the Proposer’s ability to meet the requirements of the RFP.

I-14. Discussions for Clarification. Proposers who submit proposals may be required to make an oral or written clarification of their proposals to the Issuing Office to ensure thorough mutual understanding and Proposer responsiveness to the solicitation requirements. The Issuing Office will initiate requests for clarification.

I-15. Best and Final Offers. The Issuing Office reserves the right to conduct discussions with Proposers for the purpose of obtaining “best and final offers.” To obtain best and final offers from Proposers, the Issuing Office may do one or more of the following: a) enter into pre-selection negotiations; b) schedule oral presentations; and c) request revised proposals. The Issuing Office will limit any discussions to responsible Proposers whose proposals the Issuing Office has determined to be reasonably susceptible of being selected for award.

I-16. Prime Proposer Responsibilities. The selected Proposer will be required to assume responsibility for all services offered in its proposal whether or not it produces them. Further, the Commission will consider the selected Proposer to be the sole point of contact with regard to contractual matters.

I-17. Proposal Contents. Proposals will be held in confidence and will not be revealed or discussed with competitors, unless disclosure is required to be made (i) under the provisions of any Commonwealth or United States statute or regulation; or (ii) by rule or order of any court of competent jurisdiction. If a contract is executed, however, the successful proposal submitted in response to this RFP shall be subject to disclosure. All material submitted with the proposal becomes the property of the Pennsylvania Turnpike Commission and may be returned only at the Commission’s option. Proposals submitted to the Commission may be reviewed and evaluated by any person other than competing Proposers at the discretion of the Commission. The Commission has the right to use any or all ideas presented in any proposal. Selection or rejection of the proposal does not affect this right.

I-18. Debriefing Conferences. Proposers whose proposals are not selected will be notified of the name of the selected Proposer and given the opportunity to be debriefed, at the Proposer’s request. The Issuing Office will schedule the time and location of the debriefing. The Proposer will not be compared with other Proposers, other than the position of its proposal in relation to all other proposals.

I-19. News Releases. News releases pertaining to this project will not be made without prior Commission approval, and then only in coordination with the Issuing Office.

I-20. Commission Participation. Unless specifically noted in this section, Proposers must provide all services to complete the identified work..

I-21. Cost Submittal. The cost submittal shall be placed in a separately sealed envelope within the sealed proposal and kept separate from the technical submittal. **Failure to meet this requirement may result in disqualification of the proposal.**

I-22. Term of Contract. The term of the contract will commence on the Effective Date (as defined below) and will end thirty months from that date or the completion of the acquisition, whichever occurs first. The Commission shall fix the Effective Date after the contract has been fully executed by the Contractor and by the Commission and all approvals required by Commission contracting procedures have been obtained.

I-23. Proposer's Representations and Authorizations. Each Proposer by submitting its proposal understands, represents, and acknowledges that:

- a. All information provided by, and representations made by, the Proposer in the proposal are material and important and will be relied upon by the Issuing Office in awarding the contract(s). Any misstatement, omission or misrepresentation shall be treated as fraudulent concealment from the Issuing Office of the true facts relating to the submission of this proposal. A misrepresentation shall be punishable under 18 Pa. C.S. 4904.
- b. The price(s) and amount of this proposal have been arrived at independently and without consultation, communication or agreement with any other Proposer or potential Proposer.
- c. Neither the price(s) nor the amount of the proposal, and neither the approximate price(s) nor the approximate amount of this proposal, have been disclosed to any other firm or person who is a Proposer or potential Proposer, and they will not be disclosed on or before the proposal submission deadline specified in the cover letter to this RFP.
- d. No attempt has been made or will be made to induce any firm or person to refrain from submitting a proposal on this contract, or to submit a proposal higher than this proposal, or to submit any intentionally high or noncompetitive proposal or other form of complementary proposal.
- e. The proposal is made in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other noncompetitive proposal.
- f. To the best knowledge of the person signing the proposal for the Proposer, the Proposer, its affiliates, subsidiaries, officers, directors, and employees are not currently under investigation by any governmental agency and have not in the last four (4) years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction, involving conspiracy or collusion with respect to bidding or proposing on any public contract, except as disclosed by the Proposer in its proposal.
- g. To the best of the knowledge of the person signing the proposal for the Proposer and except as otherwise disclosed by the Proposer in its proposal, the Proposer has no outstanding, delinquent obligations to the Commonwealth including, but not limited to, any state tax liability not being contested on appeal or other obligation of the Proposer that is owed to the Commonwealth.

- h. The Proposer is not currently under suspension or debarment by the Commonwealth, or any other state, or the federal government, and if the Proposer cannot certify, then it shall submit along with the proposal a written explanation of why such certification cannot be made.
- i. The Proposer has not, under separate contract with the Issuing Office, made any recommendations to the Issuing Office concerning the need for the services described in the proposal or the specifications for the services described in the proposal.
- j. Each Proposer, by submitting its proposal, authorizes all Commonwealth agencies to release to the Commission information related to liabilities to the Commonwealth including, but not limited to, taxes, unemployment compensation, and workers' compensation liabilities.

PART II

INFORMATION REQUIRED FROM PROPOSERS

Proposals must be submitted in the format, including heading descriptions, outlined below. To be considered, the proposal must respond to all requirements in this part of the RFP. Any other information thought to be relevant, but not applicable to the enumerated categories, should be provided as an appendix to the proposal. Each proposal shall consist of two (2) separately sealed submittals. The submittals are as follows: (i) Technical Submittal, in response to Sections II-1 through II-6 hereof; (ii) Cost Submittal, in response to Section II-7 hereof.

The Commission reserves the right to request additional information which, in the Commission's opinion, is necessary to assure that the Proposer's competence, number of qualified employees, business organization, and financial resources are adequate to perform according to the RFP.

The Commission may make such investigations as deemed necessary to determine the ability of the Proposer to perform the work, and the Proposer shall furnish to the Issuing Office all such information and data for this purpose as requested by the Commission. The Commission reserves the right to reject any proposal if the evidence submitted by, or investigation of, such Proposer fails to satisfy the Commission that such Proposer is properly qualified to carry out the obligations of the agreement and to complete the work specified.

II-1. Statement of the Problem. State in succinct terms your understanding of the problem presented or the service required by this RFP.

II-2. Management Summary. Include a narrative description of the proposed effort and a list of the items to be delivered or services to be provided.

II-3. Work Plan. Describe in narrative form your technical plan for accomplishing the work. Use the task descriptions in Part IV of this RFP as your reference point. Modifications of the task descriptions are permitted; however, reasons for changes should be fully explained. Indicate the number of personhours allocated to each task.

II-4. Prior Experience. Include experience in right-of-way acquisition, relocation, and the management and tracking of the services. Specific reference to last resort situations and to specific and/or unique solutions are helpful and instructive. Experience shown should be work done by individuals who will be assigned to this project as well as that of your company. Studies or projects referred to should be identified and the name of the customer shown, including the name, address, and telephone number of the responsible official of the customer, company, or agency who may be contacted.

II-5. Personnel. Include the number, and names where practicable, of executive and professional personnel, analysts, auditors, researchers, programmers, consultants, etc., who will be engaged in the work. Show where these personnel will be physically located during the time they are engaged in the work. Include through a resume or similar document education and experience in acquisition and/or relocation. Indicate the responsibilities each will have in this project and how long each has been with your company. Identify subcontractors you intend to use and the services they will perform.

II-6. M/W/DBE Participation. The Turnpike Commission is committed to the inclusion of disadvantaged, minority, and woman firms in contracting opportunities. The minimum participation level for DBE/MBE/WBEs in this contract will be 10% of the total. Responding firms shall clearly identify DBE/MBE/WBE firms, expected to participate in this contract, in their Proposal. If the selected firm does not meet the minimum requirement for DBE/MBE/WBE participation, they will be required to demonstrate good faith efforts to achieve the required level. Proposed DBE/MBE/WBE firms must be certified by the Pennsylvania Department of Transportation, Pennsylvania Department of General Services or the PA UCP at the time of the submission of the proposal. **If further information is desired concerning DBE/MBE/WBE participation**, direct inquiries to the Pennsylvania Turnpike Commission's Contract Administration Department by calling (717) 939-9551 Ext. 4241.

II-7. Cost Submittal. The information requested in this section shall constitute your cost submittal. **The Cost Submittal shall be placed in a separate sealed envelope within the sealed proposal, separate from the technical submittal.**

Proposers should **not** include any assumptions in their cost submittals. If the proposer includes assumptions in its cost submittal, the Issuing Office may reject the proposal. Proposers should direct in writing to the Issuing Office pursuant to Part I-9 of this RFP any questions about whether a cost or other component is included or applies. All Proposers will then have the benefit of the Issuing Office's written answer so that all proposals are submitted on the same basis.

The total cost you are proposing must be broken down into the following components:

- a. **Direct Labor Costs.** Itemize to show the following for each category of personnel with a different rate per hour:
 - (1) Category: e.g., partner, project manager, analyst, senior auditor, research associate.
 - (2) Estimated hours.
 - (3) Rate per hour.
 - (4) Total cost for each category and for all direct labor costs.
- b. **Labor Overhead.** Specify what is included and rate used. If there is no labor overhead rate in your proposal, so state.
- c. **Travel and Subsistence.** Itemize transportation, lodging and meals per diem costs separately. Travel and subsistence costs must conform to the requirements of the most current version of the Commission's Travel Guidelines.
- d. **Consultant Costs.** Itemize as in (a) above. If there are no consultant costs in your proposal, so state.
- e. **Subcontract Costs.** Itemize as in (a) above. If there are no subcontract costs in your proposal, so state.

- f. **Cost of Supplies and Materials.** Itemize. If there are no supplies and materials in your proposal, so state.
- g. **Other Direct Costs.** Itemize. If there are no other direct costs in your proposal, so state.
- h. **General Overhead Costs.** Specify what is included and rate used. If there are no general overhead costs in your proposal, so state.
- i. **Fee or Profit.**
- j. **Total Cost.**

Any costs not provided in the cost proposal will be assumed as no charge to the Commission.

The selected Proposer shall only perform work on this contract after the Effective Date is affixed and the fully-executed contract sent to the selected Proposer. No Commission employee has the authority to verbally direct the commencement of any work under this Contract.

PART III

CRITERIA FOR SELECTION

III-1. Mandatory Responsiveness Requirements. To be eligible for selection, a proposal should be (a) timely received from a Proposer; (b) properly signed by the Proposer; and (c) formatted such that all cost data is kept separate from and not included in the Technical Submittal.

III-2. Proposals will be reviewed and evaluated by a committee of qualified personnel selected by the Commission. This committee will recommend for selection the proposal that most closely meets the requirements of the RFP and satisfies Commission needs. Award will only be made to a Proposer determined to be responsive and responsible in accordance with Commonwealth Procurement Code.

III-3. The following criteria will be used in evaluating each proposal:

a. Understanding the Problem. This refers to the Proposer's understanding of the Commission needs that generated the RFP, of the Commission's objectives in asking for the services and of the nature and scope of the work involved.

b. Proposer Qualifications. This refers to the ability of the Proposer to meet the terms of the RFP, especially the time constraint and the quality, relevancy, and recency of studies and projects completed by the Proposer. This also includes the Proposer's financial ability to undertake a project of this size.

c. Personnel Qualifications. This refers to the competence of professional personnel who would be assigned to the job by the Proposer. Qualifications of professional personnel will be measured by experience and education, with particular reference to experience on studies/services similar to that described in the RFP. Particular emphasis is placed on the qualifications of the project manager.

d. Soundness of Approach. Emphasis here is placed on the techniques for collecting and analyzing data, sequence and relationships of major steps, and methods for managing the service/project. Of equal importance is whether the technical approach is completely responsive to all written specifications and requirements contained in the RFP and if it appears to meet Commission objectives.

e. Cost. While this area may be weighted heavily, it will not normally be the deciding factor in the selection process. The Commission reserves the right to select a proposal based upon all the factors listed above, and will not necessarily choose the firm offering the best price. The Commission will select the firm with the proposal that best meets its needs, at the sole discretion of the Commission.

PART IV

WORK STATEMENT

IV-1. Objectives.

a. General. The Pennsylvania Turnpike Commission is undertaking the design and construction of the Southern Beltway U.S. 22 to I-79 project. Inherent in this project is the acquisition of necessary right-of-way. For this request, the Commission is limiting right-of-way acquisition to identified residential and commercial relocations; however, additional acquisitions may be added to or removed from the scope of work as the Commission deems necessary. The full scope and magnitude of the project is yet unknown. The following scope of work is advisory only. The work actually necessitated by the project may encompass more than is stated hereunder. Likewise, it may cover less work than currently contemplated. What follows is the current best estimate of the scope.

b. Specific. The Commission intends to acquire the real estate necessary for construction of the Southern Beltway U.S. 22 to I-79. For this request the properties identified as residential and commercial relocations will be acquired. The consequence of this action requires appraisals, title searches, negotiations, settlement and closing, relocation assistance, computation and payment of same, and condemnation assistance when requested. The Contractor will prepare acquisition plans and relocation plans, last resort housing plans and will provide the Commission other assistance as is necessary and/or directed. Additionally, the Commission expects the Contractor to complete the Last Resort Housing research and recommendations for the project.

IV-2. Nature and Scope of the Project.

The project area lies partially in Washington County and partially in Allegheny County. At this time the Commission intends to award a contract for the acquisition of the identified residential and business relocations for the project; however, the design is preliminary and all impacts have not been determined. Consequently, the Commission is utilizing the Environmental Impact Study and Preliminary Engineering as the basis for this RFP. There are approximately fifty (50) relocations identified in the Environmental Impact Study and Preliminary Engineering plans. The relocations include approximately thirty-nine (39) residential relocations, and eleven (11) commercial relocations. Proposers should utilize these figures in preparing Proposals. The Commission reserves the right to add or delete parcels from the proposed scope of work as it deems necessary. Acquisition of properties identified as total takes in the Environmental Impact Study is not within the scope of work of this solicitation. Acquisition of those properties is currently part of a separate contract that was previously advertised and awarded and, therefore, are outside the scope of this solicitation

It will be the Contractor's sole responsibility to ensure all right-of-way acquisition activities comply with all applicable Federal statute and regulations as well as all applicable Commonwealth statutes.

IV-3. Requirements.

All work performed by the Contractor shall be done by personnel experienced in performing their assigned function. Proposers must list all persons working on this project including support staff and shall include their qualifications to do the work assigned them and their hourly rate. List also all computer hardware, software and operators available to consultant; include the frequency and scope of the status reports to be presented. List anticipated unit costs for all direct cost items other than payroll (e.g., phone, mileage, lodging, etc.).

Services shall be requested by the Commission by issuance of work orders in accordance with the contract. Services ordered by the Commission shall be in accordance with the specific tasks as outlined in Section IV-4, Tasks. Some or all of the tasks may be ordered by the Commission for the entire project or on a parcel-by-parcel basis as outlined in the work order. Services may be subcontracted only if allowable under the specific task as outlined in Section IV-4, Tasks.

The Contractor shall coordinate all work through the Commission's designated representative. All work shall be performed in accordance with the applicable provisions of the Federal Highway Administration's (FHWA) uniform code and corresponding regulations; and the Pennsylvania Department of Transportation's (Penn DOT) most current Right-of-Way Manual. Deviation from standards must be approved in writing by the Commission. Questions regarding the interpretation of applicable Right-of-Way rules, regulations and/or policies and procedures shall be resolved through coordination with the Commission's designated representative.

The Contractor shall conduct any negotiations with Railroads in accordance with normal procedures. The Commission shall conduct any Public Utility Commission actions related to railroad property. The Contractor shall acquire any right-of-way required from a Public Utility. The Contractor shall negotiate for any parcels required for substitute right-of-way for utilities as requested in writing by the Commission.

Correspondence with affected property owners, tenants, etc., of a routine nature may be signed by the Contractor. Any correspondence that commits the Commission to expend funds, such as offer letters and/or relocation payment offers, shall be signed by a Commission representative.

Contractor will be required to provide an office proximate to the project area. The type and location proposed, together with proposed hours of operation must be indicated. E-mail access is required.

IV-4. Tasks. Proposals shall include a breakdown by task together with the number of hours Proposer expects to devote to each task.

Task 1: Appraisal Planning/Problem Identification

Review the project site and identify the valuation problems, determine the number and type of appraisal reports needed, identify specific or unusual data needs and appraisal approaches, time schedules and any other data pertinent to the valuation problems. Develop a market data book incorporating all comparable sales and any other relevant data available for use in performing and reviewing appraisals. Contractor shall request bids for fixed fee appraisals. This task is to be completed as a first priority.

Task 2: Relocation Assistance Plan/Problem Identification

Prepare a Pre-Acquisition Survey and Plan in accordance with the procedures set forth in the most recent Penn DOT Right-of-Way Manual. This task is to be completed as a first priority.

Task 3: Appraisals

All appraisals must be completed by a qualified, Pennsylvania certified appraiser. Payment for appraisals shall only be per parcel on a fixed fee arrangement. Appraisals are to be done on Commission forms as provided by the Commission. Appraisal waivers may be used when and where appropriate, subject to written approval by a Commission representative.

Selection of the appraisers by the Contractor must be on a competitive basis. The Contractor may solicit proposals from appraisers and select therefrom. Appraisal fee shall include all related work (e.g., clerical, copying, posting, etc.). Review of appraisals will be done by Commission or its agents and will not be performed by Contractor. Receipt of appraisals should be scheduled to assure continuity of acquisition.

Task 4: Title Services

Title Services may be subcontracted on a fixed fee per parcel basis to Title Companies or local attorneys.

Obtain Title Reports prior to settlement or condemnation. All titles shall be certified for a period of 60 years prior to closing unless otherwise agreed to by the Commission in writing.

Selection of the sub-contractor by contractor must be on a competitive basis. Contractor may solicit proposals from entities that do said work and select therefrom. In the event the Contractor desires to do all or part of the title services itself, it may do so provided the fees for same are consistent with the fees as proposed by the sub-contractors. Fees for this service shall include all related work (e.g., clerical, copying, posting, etc.).

Task 5: Negotiation

Negotiate each assigned parcel in accordance with Penn DOT's most recent Right-of-Way Manual. When appropriate, make written recommendation of administrative settlement to the Commission's representative. Such recommendation must include justification to support the settlement.

When negotiations result in an amicable or administrative settlement, prepare the papers necessary to process a payment to the property owner, including but not limited to the agreement of sale.

Provide written recommendation, when applicable, that condemnation proceedings be instituted in cases where a settlement cannot reasonably be expected.

In condemnation cases, provide pre-condemnation and post condemnation follow-up negotiations as requested by the Commission's representative on a case-by-case basis, including the preparation of necessary forms, letters and notices to condemnees. Appear at hearings when requested by Condemnation Counsel.

Prepare the papers necessary to process a claim for payment of Attorney, Appraiser or Engineering Fees.

Task 6: Settlement and Closing

Settlement and closing services may be subcontracted to Title Companies or local attorneys on a fixed fee per parcel basis. Arrange for and conduct settlement and closing. Assure satisfaction or release of all liens and other title encumbrances to the extent required by the Commission.

Proposal should designate the proportions of work to be completed by Contractor's staff and the work to be subcontracted.

Selection of the subcontractor by Contractor must be on a competitive basis. Contractor may solicit proposals from entities that do such work and select therefrom. In the event the Contractor desires to do all or part of the settlement and closing itself, it may do so provided the fees for the same are consistent with the fees as proposed by the subcontractors. Fees for this service shall include all related work (e.g., clerical, copying, posting, etc.).

Task 7: Condemnation

Prepare papers necessary to process a request for a declaration of taking and other related condemnation documents, including but not limited to a request to petition for writ of eviction, etc. Cooperate with designated persons in preparation of cases for legal proceedings with testimony where necessary.

Prepare papers necessary for Commission to process the payment of estimated just compensation. Litigation is not a part of this contract.

Task 8: Relocation Assistance and Payments

Provide relocation assistance and payment services in accordance with Penn DOT's most recent Right-of-Way Manual. On a case-by-case basis, evaluate entitlement for all types of relocation assistance payments to residential and business relocatees.

This includes but is not limited to the preparation of replacement housing and/or rent supplement offer evaluations, last resort housing plans, and obtaining nonresidential moving cost estimates. Moving cost estimates may be subcontracted to firms normally engaged in this activity, when such movers are licensed by the Pennsylvania Public Utility Commission.

Provide relocation advisory assistance services as appropriate. Review relocation payments claims and appeals of relocation payment claims and prepare the papers necessary for the payment of claims, which claims shall be reviewed and approved by the Commission's Relocation Officer. Perform decent, safe and sanitary inspection of replacement properties.

All relocation services shall be in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act and the Pennsylvania Eminent Domain Code (Relocation Provisions).

Task 9: Other Services

Provide other right-of-way services as determined necessary by the Commission, including monthly acquisition and relocation status reports, and attendance at regular status meetings as required.

IV-5. Reports and Project Control.

- a. **Status Report.** A periodic written progress report shall be required. Updates shall be submitted to the Commission monthly, although updates may be less frequent near the beginning and end of the project. The report shall show all acquisitions by right-of-way number and shall include at a minimum the following information: parcel number, owner's name, type of property (residential, commercial, vacant), type of acquisition (total or partial), title report (date assigned, date received), appraisal (date assigned, date received), appraisal review (date sent, date received), date offer made, agent, date sales agreement signed, relocation status, date closed, date property is vacated, date assigned for Declaration of Taking, possession date, current status, and any other information contractor deems necessary. Contractor may segregate condemnation acquisition from relocation status. A list of complete acquisition should also be attached.
- b. **Progress Meetings.** Meetings will be held periodically at various locations including the central office, the Commission's Western Regional Office, and the Contractor's field office. Contractor can deliver the above report at such meeting and shall be called upon to specifically update verbally the status of acquisition by construction section and occasionally by specific parcel.
- c. **Final Report.** Contractor shall prepare a final report to include the following information: total number of affected parcels; number of total takes, partial takes and relocations (residential and commercial); expenditures per parcel (right-of-way number followed by Fair Market Value; relocation costs; §710 fees, etc.); average acquisition cost per parcel. Included should be a conclusion and recommendation section outlining what procedures worked, what did not, and suggestions for what can be done to improve the right-of-way acquisition process.

Addendum No. 1
RFP 09-10190-1840
Turnkey Right-of-Way Acquisition Services
For The Southern Beltway U.S. Route 22 to I-79

Prospective Proposers: You are hereby notified of the following information in regard to the referenced RFP:

Part IV: Work Statement, Subpart IV-4. Tasks, Task 3: Appraisals, Should be deleted and replaced with the following language:

Task 3: Appraisals

All appraisals must be completed by a qualified, Pennsylvania certified appraiser. Appraisals are to be done on Commission forms as provided by the Commission. Appraisal waivers may be used when and where appropriate, subject to written approval by a Commission representative.

The Contractor may solicit proposals from appraisers. A Commission representative will approve the final selection of all appraisers base on the Contractor's recommendation. Appraisal fees shall include all related work (e.g., clerical, copying, posting, etc.) and shall be per parcel on a fixed fee arrangement. The Contractor will be responsible for verifying the accuracy of all appraisal bills received and will be responsible for forwarding the same to the Commission for direct payment. Accordingly, direct appraisal fees should **not** be included as a component of the Contractor's Cost Estimate for this RFP. Review of appraisals will be done by the Commission or its agents and will not be performed by Contractor. Receipt of appraisals should be scheduled to assure continuity of acquisition.

All other terms, conditions and requirements of the original RFP dated February 5, 2009 remain unchanged unless modified by this Addendum.