

PROPOSAL FOR MEDIATION SERVICES

County: _____

To: Missouri Highway and Transportation Commission:

It is my understanding the Missouri Highway and Transportation Commission is receiving sealed proposals for mediation services until 10:00 o'clock a.m., local time, on the _____ day of _____, 20_____, at which time the proposals will be opened and publicly announced to those in attendance.

The undersigned understands the Commission affirmatively assures that, in accordance with Title VI of the Civil Rights Acts of 1964, 78 State 252, 42 U.S.C. 2000 d to 2000 d-4 and Title 49, Code of Federal Regulations, United States Department of Transportation, Subtitle A, Office of the Secretary, Part 21, nondiscrimination in Federally assisted programs of the United States Department of Transportation, that it has afforded minority business enterprises full opportunity to submit proposals in response to this invitation and that recipients of any contract pursuant to this solicitation will not be discriminated against on the grounds of race, color, religion, creed, sex, age, ancestry, national origin, or handicap.

The undersigned is aware of and familiar with specifications, provisions, conditions and requirements as set forth within the mediation services contract which is made a part of this proposal by reference. My proposal is submitted without adding, deleting or amending any terms or conditions as set forth in data previously reviewed from your office.

Should my proposal be accepted, I shall subsequently and forthwith execute the mediation services contract and provide the necessary service on request by the district office.

I am aware that overall performance of my mediation services will be reviewed upon completion of each assignment and that payment of my invoice for services is not to be construed as an indication of a satisfactory rating.

A determination by department personnel that the service provided was inadequate can result in removing my name from the Roster of approved contract mediators.

This proposal is submitted for the purpose of providing mediation services to assist in the acquisition of right of way for highway purposes in _____ County and will cover a period of _____ months, commencing the _____ day of _____ 20_____, and extending to the end of the _____ month period or the conclusion of mediation services needed within _____ County.

A fee of _____ dollars (\$_____) per hour will be charged for conducting mediation sessions for each parcel that is referred to me by the Missouri Department of Transportation district office for mediation purposes. In addition to the hourly rate for conducting the mediation sessions as shown above, travel expenses may be incurred when mediation sessions are held in locations outside of the mediator's domicile. A fee of _____ cents per mile may be charged for mileage to and from the mediation location. A fee of _____ dollars (\$_____) per hour may be charged for driving time to and from the mediation location. A fee of _____ dollars (\$_____) per meal may be charged for meal expenses. A fee of _____ dollars (\$_____) per night may be charged for lodging expense. The Missouri Department of Transportation district office shall approve all mileage, meal and lodging charges before they are incurred. These charges will include all services to be performed in accordance with the contract, a copy of which is attached. No additional charges will be made against any other party involved in any mediation sessions.

If required by the Missouri Department of Transportation district office, the following items will be considered as part of the services to be provided after I have received a mediation referral.

- (1) A letter, Exhibit B attached to the contract, may be mailed to each property owner referred for mediation purposes confirming the owners desire for mediation. A copy of the letter acknowledging the owner's acceptance will be provided to MoDOT's district office for its file.
- (2) The property owners and MoDOT's district office may be provided with written notification, Exhibit C attached to the contract, confirming the time and location of a scheduled mediation session.
- (3) The property owners and MoDOT's district office may be provided with an Agreement to Mediate, Exhibit E of contract, and each party requested to execute. The district office will be provided with a copy of the agreement executed by the owners.
- (4) The property owner and MoDOT's representative may be provided with an Agreement of Settlement, Exhibit F of the contract, if mediation is successful and an agreement reached. Each party will execute the agreement and a copy provided to MoDOT's district office.
- (5) All mediation sessions will be conducted in a professional manner.

The undersigned acknowledges that this proposal, and such contract that might ensue therefrom, is for the personal services of _____, who shall provide the mediation services.

It is further understood that the Missouri Highway and Transportation Commission reserves the right to reject any or all proposals.

Mediator

Receipt of Proposal on Behalf of MHTC:

Title: _____

Date: _____

Date: _____