

# MEMORANDUM

## **Missouri Department of Transportation**

**Design**

**Central Office**

**TO:** Professional Services Committee

**CC:** Transportation Planning Director–tp

 State Bridge Engineer-br

 State Design Engineer-de

**FROM:** Brenda Harris

 Assistant to State Design Engineer – Right of Way

**DATE:** December 8, 2022

**SUBJECT:** Design and Right of Way Division

 Route 59, U and 752 Intersection, Buchanan County

 Job No. NW0002

 PSC Approval to Solicit Right of Way Consultants

Project Description - This project will provide Right of Way and Relocation Services for intersection improvements at Mo 752, US 59 and Route U in Buchanan County. The consultant will be providing right of way services for this project which does not require the engineering certification for prequalification requirements.

Fiscal Year project to be awarded: 2024

Amount of estimated construction cost: $0,000,000

State or Federal Assistance PE Contract: Federal

Amount of PE approved in STIP (attach STIP or Amendment Page and SIMS project summary or project budgeting page): $000,000

Amount of RW in STIP for 2023 (land only): $1,000,000

Amount of PE in TIP (attach TIP Page for all MPO projects), Budget Cap: FY 2023 $000,000 FY 2024 $000,000

**Funding Request:**

MoDOT’s commitment for the consultant services costs only

Cost Share/Cost Participation Agreement: [ ]  yes [x]  no

 If yes: Entity(ies) and financial commitment:

 Name: $

 Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ $\_\_\_\_\_\_\_\_\_\_\_\_\_

Federal Earmark: [x]  yes [ ]  no

 If yes: Federal Earmark No. and amount: DEMO ID MO249 - $000,000 & FY2009 IMD - $000,000

Estimate of DBC commitment for each FY:

FY2023 $000,000 FY 2024 $000,000

Please check one funding source:

 [x]  DBC

 [ ]  Operating Budget

 [ ]  Special Funds

 [ ]  ITS

 [ ]  Other ( *Name Funding Source* )

Scope of Services - The consultant will provide professional, technical and other personnel, equipment, material, and all other things necessary for full-service land acquisition, including appraisals and relocation assistance. This work generally includes public involvement, negotiations, and condemnation services. The consultant will be chosen on qualifications of the firm to deliver these services in addition to low bid. This contract will include the following services (Check all that apply):

 [ ] Photogrammetry

 [ ] Surveying

[ ] Bridge Design

 [ ] Roadway Design

 [x] Right of Way Acquisition and Relocation Services

 [ ] Geotechnical

 [ ] Environmental

 [ ] Historic Preservation

 [ ] A large amount of public involvement by the consultant; presentation required

[ ] Interviews will be conducted with consultant for selection process; required for EA, EIS, MIS, projects

Scope of Services – The consultant will be professional, have experience in right of way related activities and acquiring real estate identified on engineering plans and as needed for STIP project delivery. The consultant shall deliver the following and more specifically outlined in the project Scope of Services provided with the Contract for Right of Way Services upon award:

* + - Ensure citizen privacy and security of personal information as a function of the services.
		- When necessary, actively attend and participate in project update meetings, and property owner meetings, as identified by the District Right of way Manager or Assistant to State Design Engineer- Right of way.
		- Coordinate with Title Company for closing of acquired parcels, including but not limited to obtaining updated title commitments and providing title company with documents related to closing.
		- Provide negotiating services in support of MoDOT project as identified on engineering plans.
		- Act as MoDOT representative during legal cases and hearings associated with assigned parcel and project.
		- Prepare property Management reports associated with projects.

DBE Requirements - This contract will have a DBE goal of 0%.

Period of Service - The consultant will complete the scope of services by the PS&E date of January 27, 2024, this includes the clearance of each parcel or submitting a condemnation worksheet if the parcel has not been cleared.

Cost - Total estimated cost for these services $000,000 (*estimated contract ceiling*).

Selection Process: [x] Standard Solicitation

 [ ] Modified Solicitation

 [ ] Interviews

 [ ] Presentations

Selection Schedule: Solicitation response date January 31, 2023

 Notification of shortlist date N/A

 Date of interviews or presentations N/A

 Date of selection February 15, 2023

 Execution of Contract by date March 15, 2023

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Staff involved in project review:

 Right of Way Liaison \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Right of Way Manager\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Assistant to state Design Engineer – Right of Way \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Division Approval (Design) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**Professional Services Committee Approval**

 **Agree Disagree Signature Date**

Transportation Planning Director

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State Bridge Engineer

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State Design Engineer \_\_\_ \_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_

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[ ]  Interviews are required for this project

APPROVED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Chair, Professional Services Committee

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**Missouri Department of Transportation**

*Patrick K. McKenna, Director*

1.888.ASK MODOT (275.6636)

December 2, 2022

Dear Consultant:

The Missouri Highways and Transportation Commission is requesting the services of a consulting firm to perform the described right of way services for MoDOT project NW0002, Route 752, Route 59 and Route U, Buchanan County.

Please note this RFQ (Request for Qualifications) solicitation is based on qualifications only. Each submittal will be reviewed and rated according to the firm’s qualifications as outlined in this document. No bid for cost of services should be included with this RFQ.

Once consultants are rated and considered as “qualified”, a detailed scope of services and set of plans will be provided to the qualified firms to prepare a cost of services. A firm will be selected to enter into a Memorandum of Understanding with the Missouri Department of Transportation for the specified services based on their qualification rating and cost.

If your firm would like to be considered for these consulting services, you may express your interest by responding to the appropriate office, which is indicated on the attachments. Limit your letter of interest to no more than three pages. This letter should include a statement to indicate your firm’s understanding of the project. It should also include any other information which might help us in the selection process, including key personnel you would assign to the project and the backgrounds of those individuals, and any sub-consultants you would propose to use, and an indication of your firm’s approach to promoting and developing a diverse workforce. MoDOT is committed to reflecting the diversity of the communities we serve and we expect our partners to do the same. We will utilize the consultant information already on file so we will not need a lengthy submittal of other general company information. In addition, please attach one page with detailed information on similar projects that your key personnel have worked on. Indicate the role your key personnel played in the projects and include reference contact information.

MoDOT will evaluate firms based on: Project Understanding & Innovation, Past Performance, Qualifications of Personnel Assigned, General Experience of Firm, Familiarity/Capability, Accessibility of Firm & Staff and cost associated with defined services outline in the Scope of Services. Firm’s not providing a response on approach to workforce diversity will be considered non-responsive to this solicitation.

We request all letters be received by 3:00 pm, January 31, 2023, at the appropriate office. All participants will be notified by letter of the results of the RFQ before February 15, 2023.

Sincerely,

Travis Koestner, P.E.

State Design Engineer

***Our mission is to provide a world-class transportation experience that delights our customers and promotes a prosperous Missouri.***

# DISTRICT OFFICE

Northwest District

Martin Liles, P.E., District Engineer Missouri Department of Transportation 3602 North Belt Highway

St. Joseph, MO 64507

Contact

Megan Atha

Right of Way Manager

816-387-2497

Megan.Atha@MoDOT.mo.gov Email responses are encouraged

# Northwest District

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| **Northwest District, Route 59/U/759 Intersection Buchanan County** |
| **Job No:** | NW0002 |
| **Location:** | Route 59, Route U, and Route 752 intersection in St. Joseph, MO. |
| **Proposed Improvement:** | This project will provide for Right of Way (ROW) and Relocation Services outlined more specifically in the Scope of Services. The successful Offeror agrees to provide to MHTC ROW and Relocation services for Project NW0002, which is for intersection improvements at Mo 752, US 59 and Route U in Buchanan County.The project has a ROW acquisition estimate of$0,000,000.00. It is anticipated that project acquisitions will begin in February 2023 and will include 40 parcels. ROW clearance in January 2024 and project letting in March 2024. Construction of the project is anticipated to begin in the spring of 2024 and run through the fall of 2025. The ROW consulting firm will supplement MoDOT’s staff and provide the necessary services to continue the Missouri Department of Transportation’s ROW needs for this ongoing project when staff is unavailable. Task orders will be at the discretion of MoDOT’s ROW Manager. The specific services required for this project will cover the range of those typically provided by a full-service land acquisition and relocation assistance consultant including appraisals. Some tasks listed herein may be unnecessary, and, if necessary, others of a more specialized nature may be added.The Offerors agree to perform specific services within the above stated scope of work to include, but not be limited to the following:1. Public Involvement. The selected consultant, with the assistance and guidance of MoDOT, may be required to provide all necessary handouts/graphics and attend informationalpresentations regarding ROW procedures provided |

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|  | by MoDOT, at formal public hearings, or at one (or more) separate public meetings.2. Appraisals* The Consultant will secure the necessary appraisals and appraisal reviews by qualified appraisers from the MoDOT approved list.

3. Negotiations* The Consultant will secure the necessary right of way and easements by negotiation or condemnation, if necessary, for construction of this project.
* The consultant shall negotiate all

acquisitions in accordance with MoDOT’s Engineering Policy Guide (EPG), the laws of the State of Missouri, and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended and the implementing regulations (49 CFR Part 24). This may include but is not limited to the following: Describing the acquisition, referencing plans or plats, explaining right of way and construction plans, project schedule and other project details. Clearly explain details related to the appraisal or value determination and how the offer was developed, as well as answering other necessary valuation questions.* The consultant shall prepare all necessary documents for review and signature by the ROW Manager. The only offer allowed to be made is that which has been approved by MoDOT. The consultant may not present any counteroffer or agree to any engineering plans revisions or changes without express permission by MoDOT. The consultant is to relay all concerns, counter offers, or issues to the ROW Manager or designee for review and consideration.
* When negotiations result in an agreement for approved just compensation or a MoDOT approved administrative settlement, the consultant

shall prepare the necessary documents and secure notarized signatures from the owner or their |

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|  | representatives as well as any tenants to submit for payment.* At a minimum, the consultant’s agent(s) must take the following acquisition actions on each ROW parcel being acquired on the project: Deliver each owner’s notice of intended acquisition letter (60-day notice letter), acquisition brochures, copy of appraisal, plans, offer letters, and unsigned documents and agreements by means of personal contact or certified mail. Maintain a detailed written negotiator’s log of contacts with each property owner to document negotiations, efforts to achieve amicable settlements, responsiveness to owners’ counter proposals, and suggestions for changes in plans.
* Utilize the MoDOT approved forms, letters and agreements.
* MoDOT forms in negotiation packets shall include but not limited to the following documents: o Notice of Intended Acquisition Letter
* Offer letter
* Appraisal or waiver valuation
* Pathways for Progress brochure
* Conveyance documents (Deed or Easement Documents)
* Escrow Agreement, if applicable
* Pro Rata Real Estate Tax Claim form
* Plan sheet, portion of plan sheet or plat illustrating the acquisition and the remainder
* When applicable and appropriate, provide Request for Allocation of Gross Proceeds, (Form 7- 7.3).
* MoDOT Public Participation Survey (Title VI Survey).
* Complete negotiations on all parcels on the project to settlement stage or condemnation prior to the scheduled project ROW clearance date, as determined by the ROW Manager and Project Manager.
* Consultant will complete all documents necessary to facilitate the payment of settlements to

property owners. Some payments may be handled through a local title company. This will be |

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|  | determined during the initial pre-acquisition meeting.* MoDOT forms utilized in the payrolling process shall include but are not limited to:
* Negotiator Report and Notes
* A419 form
* Vendor Input form
* MoDOT will be responsible to pay for fees associated with the final processing of payments to property owners and title insurance.
* When negotiations result in condemnation, the consultant shall submit all necessary completed files and documents to the ROW Manager. Condemnation forms to be completed are as follows:

o Condemnation Information Worksheet* See additional documents to be completed in Section 7. Condemnation / Legal Processing.

4. Relocation Services•The consultant will provide relocation assistance to eligible displaced individuals and businesses. All relocation services must be performed in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended and the implementing regulations (49 CFR Part 24). State laws and regulations shall also be adhered to when delivering the Relocation Assistance program.•Conduct personal interviews with all occupants to be relocated and prepare a Relocation Plan in accordance with the EPG. Identify specific relocation needs and suggest solutions.•Evaluate and make eligibility determination for relocation claims, including replacement housing supplemental payments, down payment and/or supplemental rent payments, moving payments, last resort housing plans, business relocation benefits, business reestablishment evaluations, and loss of tangible personal property evaluations. Prepare the necessary documents and secure signatures for processing of all payments of relocation claims.Submit claimants’ requests for appeal of a determination of ineligibility for all or a portion of |

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|  | relocation assistance payment to the ROW Manager.•Inspect replacement housing and assure that it meets applicable decent, safe and sanitary standards. Minimize hardship to the displaced occupants by providing counseling, information as to other sources of assistance, methods of claiming relocation benefits, and such other help as may be appropriate. Coordinate the settlement on replacement dwellings, as necessary, with claimants and their attorney or representative.•Issue Notice to Vacate to displaced according to the needs of the project. The initial 90 day notice should be given at the time the offer of the State’s determination of just compensation has been made to the owner and the displaced has received a written statement of benefits, or offer of replacement housing.•Current and detailed contact reports shall be maintained in each relocation file, documenting all actions relating to the relocation including dates, places, and names. Contact reports will be typed when package is submitted for payment.•Secure moving cost estimates from reputable Missouri licensed moving companies. This includes the payment, by the consultant, of any estimating fees that may be required by moving companies (reimbursed by MoDOT).5. Mediation* The consultant shall cooperate and assist in offering Mediation to property owners when necessary with the District Right of Way Manager and Regional Counsels Office of MoDOT to assist in the processing of all parcel files not yet acquired. The consultant will make available staff and information as may be required by MoDOT representatives.
* Consultant will coordinate with a local mediation firm to facilitate mediation with property owners. Mediation may be held via video conference or in person depending on the local regulations and comfort level of the participants at the time.

6. Legal Processing |

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|  | The consultant shall cooperate and assist when necessary, with the legal representatives of MoDOT to assist in the processing of all cases for legal action. Act as MoDOT representative during legal cases and hearings associated with assigned parcel and project.The consultant will make available staff and information as may be required by MoDOT legal representatives. |
| **Length:** | 0.455 miles |
| **Approximate Construction Cost:** | $0,000,000 |
| **DBE Goal (if applicable)** | Zero |
| **Consultant Services Required:** |  |
| **Other Comments:** | Interviews or presentation will not be required for the consultant selection.Tentative Date of Consultant Selection – February 2023 |

**Rating Criteria w/Weighted Values**

Project Understanding & Innovation 25 Points Max

Past Performance 15 Points Max

Qualifications of Personnel Assigned 25 Points Max

General Experience of Firm 10 Points Max

Familiarity/Capability 15 Points Max

Accessibility of Firm & Staff 10 Points Max

100 Points Max Total

Low bid for cost of Services Pass/Fail