

## ACQUISITION CONSULTANT SPECIFICATIONS

### (A) INTRODUCTION

The Nebraska Department of Roads will receive proposals for negotiation services for Project: \_\_\_\_\_, CN: \_\_\_\_\_, Location: \_\_\_\_\_.

The work required for this project is to negotiate for the acquisition of property needed by the State to construct this project. This includes meeting with the State, plan review, verifying title information, negotiating for the property with all the parties with an interest, preparing status reports and submitting the necessary documents to the State for each R.O.W. tract.

We are requesting that you submit your responses to this Request for Proposal in the manner and format listed below, identifying each response by its respective tab numeral. All proposals submitted for consideration shall consist of the original and four copies.

- | Tab | Item   |
|-----|--|
| 1   | <i>Proposal.</i> Describe, in detail, how the service will be provided. Include statements specifically addressing how the tasks outlined in these specifications will be completed. The consultant shall propose a time line for the project. Time is of the essence; therefore, proposed time lines will be considered during evaluation.  |
| 2   | <i>Firm's capacity.</i> The consultant shall state the size of the firm, the size of the firm's acquisition staff, the location of the office from which this service is to be performed and the number and nature of the professional staff to be employed in the performance of this service on a full-time basis and the number and nature of the staff to be so employed on a part-time basis. |
| 3   | <i>Personnel.</i> Attach resumes of all those who will be involved in the delivery of the service, from principals to field technicians, that include their experience in this area of service delivery. Indicate the level of involvement by principals of the firm in the day-to-day operation of the contract.  |
| 4   | <i>Present workload with the Department.</i> Indicate the Project Number(s) and the number of tracts not yet completed that are under contract with the Department at the time the proposal is submitted.  |
| 5   | <i>Cost.</i> Indicate the cost per tract for providing the service as noted in these specifications for each ownership, with a total for project.  |
| 6   | <i>References.</i> Give at least three references for contracts of similar size and scope, including at least two references for current contracts or those awarded during the past three years. Include the name of the organization, the length of the contract, a brief summary of the work, and the name and telephone number of a responsible contact person.                                 |

The selection committee will have only the response to this solicitation to review for selection of finalists. Our award could be made on the basis of the initial proposal, without discussion. It is therefore important that respondents emphasize specific information pertinent to the work. However, in the event of insufficient details or of very similar proposals, the selection committee will identify the firms that will be invited to submit more detailed proposals, make oral presentations, or both.

(B) State to

1. Do the title searches.
2. Provide the construction plans and cross-sections.
3. Provide the R.O.W. plans.
4. Provide a copy of the Nebraska Department of Roads' Right of Way Manual, which is located at [www.dor.state.ne.us/roway/](http://www.dor.state.ne.us/roway/).
5. Provide Appraisal Project Report forms.
6. Provide Individual Tract Appraisal forms.
7. Provide R.O.W. Contract forms.
8. Provide Deed forms.
9. Provide Permanent Easement Instrument forms.
10. Provide Rights Letter.
11. Provide Information Brochures.
12. Provide Certificate of Negotiator.
13. Provide Owners Voucher forms.
14. Provide Lessee's Voucher forms.
15. Provide Lessee's Contract forms.
16. Provide 1099 Forms.
17. Provide Basic Information Sheets

### (C) APPLICABLE PUBLICATIONS

The consultant shall follow the criteria of the current applicable publications listed here:

1. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations 49 CFR Part 24.
2. Nebraska Department of Roads Right of Way Manual.

### (D) INITIAL MEETING AND PLAN REVIEW

The State will be available to meet with the consultant to review the plans before beginning R.O.W. negotiations.

### (E) TITLE RESEARCH

1. The consultant shall verify that the title information is correct and current at the appropriate county offices.
2. On total acquisition tracts, the consultant will check for unpaid taxes, special assessments, etc.
3. The consultant will check with the owner about the status of the encumbrances shown and tactfully ascertain otherwise undisclosed liens, encumbrances, or other interests.
4. The Consultant shall provide to the State mortgage release information and copies of Deeds of Trust.

### (F) ACQUISITION

1. The Consultant shall make every effort to understand the project's objective, the appraisal and the project's impact on each property before meeting with individual property owners.
2. The consultant shall acquire the necessary property rights through amicable negotiations, which is defined as the process by which property is acquired through written or personal contact with the owner with the aim of reaching agreement on the terms of a voluntary transfer of such property.
3. If the consultant's negotiations don't succeed in obtaining the necessary property rights and condemnation is required, the Consultant shall deliver the tract files along with the updated title information, call reports, Basic Information Sheet and Completed Certificate of Negotiator to the State.

### (G) REPORTS

The consultant shall submit a status report every two weeks explaining the status of each tract and including any remarks, which may need to be addressed. The Consultant shall mail these reports to the State.

### (H) NEGOTIATIONS

1. For this agreement, the Consultant shall assume that            tracts will need to be acquired. Our proposed time frame for these acquisitions anticipates a start date of            and a completion date of            . Note, the actual start and end dates will be determined by the Acquisition Consultant's Proposal.
2. All tracts will be acquired by the consultant, including those tracts with owners living out of the State of Nebraska.
3. Tracts with identical ownerships are considered one tract for negotiation and payment purposes.
4. The consultant is required to obtain all necessary signatures to complete the transaction, including tenant releases. All tenants may not have been identified at the start of the assignment. The consultant is required to identify any additional tenants and to obtain their releases without further compensation.
5. Each advertising sign is considered as a separate tract for negotiation purposes.

### (I) DELIVERABLES

1. The Consultant submits the proper R.O.W. documents for each tract upon completion of negotiation and acquisition of each tract. These documents are:
  - a. Properly executed right of way and easement contracts.
  - b. Deeds.
  - c. Call reports.
  - d. 1099 Forms.
  - e. Completed Certificate of Negotiator
  - f. Completed owner and lessee vouchers.
  - g. Buyer's copy of the appraisal.
  - h. Basic Information Sheet

### (J) COMPLETION

The consultant's work under this agreement will be considered done upon the submittal of the last tract documents that the Consultant is responsible for and, that the State agrees that all tracts and documents for the project are done or accounted for and that the Consultant's work is satisfactory.