



Request for Qualifications
For
On-Call Right of Way Acquisition Services
RFQ No. 2018-01

City of Fulshear
30603 FM 1093
Fulshear, Texas 77441

Point of Contact:

Brant Gary
Assistant City Manager
(281) 346-1796
bgary@fulsheartexas.gov

STATEMENT OF QUALIFICATIONS DUE: Thursday, June 7, 10:00 AM, C.S.T.

REQUEST FOR QUALIFICATIONS (RFQ) ON-CALL RIGHT-OF-WAY ACQUISITION SERVICES

INTRODUCTION

The City of Fulshear is requesting statements of qualification for on-call professional right-of-way services. The work includes but is not limited to: appraisal, negotiation, escrow, title coordination, project management and administrative services. The City is requesting the services for a one (1) year period, primarily for the "Huggins and Katy/Fulshear Roads" project, with the option to extend for up to two (2) additional years for additional work.

SCOPE OF SERVICES

Consultant services may include, but not necessarily be limited to:

1. Appraisal Services - Consisting of property appraisals, preparation of appraisal reports. (However, the City reserves the right to contract directly with Appraisers independent of this contract and provide said appraisals and reports to the Right-of-Way Consultant.)
2. Negotiation Services - Consisting of negotiating with the property owners for the purchase of partial or full properties, right-of-way, easements, relocation and temporary construction easements (TCE's). Preparation of all letters and documents required including the offer letters, appraisal summary agreement for purchase, and other documents as required, including relocation. All negotiation services shall be in accordance with State of Texas statutes and other applicable requirements, including, but not limited to review and approval by the City. *Note: Plat, legal description and deeds will be prepared by others.*
3. Escrow and Title Coordination Services - Consisting of handling the escrow and title work.
4. Project Management and Administrative Services - Consisting of attendance at meetings, general consultation on right-of-way matters and all necessary tracking or clerical work associated with services provided.

BACKGROUND

The consultants will work under the direction of the Assistant City Manager or designee to handle right-of-way service tasks as they are required. The consultant will enter into an agreement which will specify the billing rates, personnel to be assigned, and other terms. No monthly retainer is anticipated.

The primary work task will consist of right-of-way acquisition and temporary construction easements related to the "Huggins and Katy Fulshear Road" project. Approximately fifteen (32) parcels +/- have been identified for this project.

Written proposals will be requested from the on-call consultant when additional right-of-way services tasks are required. Specific efforts the City has identified, which may result in the need for additional right-of way acquisition assistance include the following:

- Right-of-way acquisition and temporary construction easements associated with road reconstruction/expansion Capital Improvement Projects.
- Right-of-way acquisition and temporary construction easements associated with creating turn lanes at intersections.
- Easements associated with utility underground projects.
- Representation of City interests for an easement that would be granted to an outside agency wanting to construct a utility across City owned land.
- Coordination of appraisals by others for the City to grant an easement for a utility line that will need to be placed within City property.
- Necessary right-of-way, easements and TCE's associated with future Federal and State funded capital improvement projects or as requested by the City.

The written proposals will set forth the scope, personnel, and time of performance for the primary work task and will be approved through a task order under the agreement. Consultant selection will be based on qualifications as set forth in the Statement of Qualifications. Consultant selection will be at the sole discretion of the City. No consultant is guaranteed work.

SUBMITTAL GUIDELINES

Firms or individuals interested in submitting qualifications for on-call right-of-way acquisition services shall submit:

Five (5) copies of the completed Qualification Statement must be received by the Assistant City Manager no later than 10:00 a.m., Thursday, June 07, 2018. Four (4) copies

are to be bound and one copy to be free of binding along with an electronic pdf format i.e. CD, etc. The City of Fulshear is located at 30603 FM 1093, Fulshear, Texas 77441. Qualification Statements should be directed to the attention of Brant Gary, Assistant City Manager, and clearly marked, **“On-Call Professional Right-of-Way Services -RFQ No. 2018-01, “Do not open in mail room”**”.

The City of Fulshear requests that you submit your statement of qualifications by **10:00 a.m., Thursday, June 07, 2018**, to:

**Brant Gary, Assistant City
Manager City of Fulshear
P.O. Box 279
30603 FM 1093
Fulshear, Texas 77441**

To obtain a copy of the Request for Qualifications, or if you should have any questions or require additional information, please contact Brant Gary, Assistant City Manager at (281) 346-1796 or email at bgary@fulsheartexas.gov. The Request for Qualifications is also available at the City of Fulshear website: www.fulsheartexas.gov.

Electronic, faxed or late proposals will not be considered.

The City reserves the right to reject and/or accept all submittals as it so deems is in its best interest. The City reserves the right to request additional information concerning any statement for purposes of clarification, to accept or negotiate any modifications to any statement following the deadline for receipt of all statements, and to waive any informalities or irregularities if such would serve the best interest of the City.

All inquiries regarding the Request for Qualifications should be directed to Brant Gary, Assistant City Manager at the above address, by telephone at (281) 346-1796 or preferably by email at bgary@fulsheartexas.gov.

Additional Submittal Information

The City assumes no responsibility for delays caused by delivery service. Postmarking by the due date will not substitute for actual receipt.

All costs incurred during proposal preparation or in any way associated with the Consultant's preparations, submission, presentation, or oral interview, if held, shall be the sole responsibility of the Consultant.

If awarded a contract, the consultant shall maintain insurance coverage, including errors and omissions and worker's compensation, reflecting the minimum amounts and conditions specified by the City. Consultants are liable for all errors or omissions contained in their proposals.

Requested Information

The information within the statement of qualifications can be arranged in whatever manner the consultant deems best. Overly elaborate, wordy or content that is promotional in nature are, however, discouraged. To be considered responsive, the proposal must provide specific and succinct answers to all the questions and requests for information listed below. Indirect, imprecise, or incomplete responses can serve only to the disadvantage of the applicant. Submission of individual resumes is optional, but encouraged, although alone will not be considered responsive to any specific question.

1. The proposal should be accompanied by a brief introductory letter stating your firm's interest in the project.
2. Qualifications. Please provide a brief summary of information regarding the Consultant's experience with similar contracts. The Consultant's qualifications should include the following information:
 - a) List contracts of similar complexity and magnitude in the past two (2) years and provide references and a phone number of each reference.
 - b) The consultant shall designate one (1) person to act as a contact with City staff for all projects. Provide a resume of the designated contact person. Resume should be a maximum of two (2) pages in length.
 - c) Provide resumes for personnel who would be assigned to perform the proposed tasks listed above. Each resume should be a maximum of one (1) page in length. The master agreement will name the personnel to be assigned.
 - d) For the listed reference projects, please state the involvement of the project members for which resumes have been submitted.
 - e) The Consultant may submit a brochure or narrative discussion, not to exceed two (2) pages that provide any further information describing the firms qualifications for this project.

3. Time of Performance. It is imperative that the successful Consultant respond to City requests in a timely manner. Please describe how you intend to respond to and track City requests.
4. The proposal should include a copy of the standard consultant services agreement or contract for review by the City of Fulshear, excluding project specific Compensation and Reimbursement rate schedules.
5. Current Clients/Conflicts of Interest
 - a) Please list all current or former clients residing in, having an interest in a business or owning an interest in property within the City of Fulshear in the past three (3) years.
 - b) Please list all cities (general law and charter) and other public clients for which you or your firm currently provides services under a fee for services basis or on a retainer basis. Please identify any foreseeable or potential conflicts of interest, which would result from such representation and the manner in which you would propose to resolve such conflicts.
6. Compensation and Reimbursement. The final negotiated agreement for the "Huggins and Katy Fulshear Road" project right-of-way acquisition services will specify the hourly rates for services and/or other terms of compensation, such as lump-sum per parcel. The Statement of Qualifications submittal should include said Compensation and Reimbursement rate schedules in a separate sealed envelope, clearly marked "Compensation and Reimbursement Rate Schedules." Compensation and Reimbursement rates and terms will be negotiated with the most qualified candidate prior to City Council approval of an agreement or contract.
7. Professional References. Please provide four (4) professional references. For each reference, please provide address and work telephone number.

EVALUATION AND SELECTION PROCESS

Qualifications will be screened, and the top candidate will be reviewed by City Staff. The qualifications for the top candidate will be verified and references will be checked. In reviewing the proposals, the City will carefully weigh:

1. Consultant's understanding of the City's desires and general approach to the contract demonstrated in introduction and scope of work;
2. Consultant's experience with contracts similar in complexity and magnitude;
3. Qualifications of the Consultant's staff being assigned to this project;
4. Demonstrated ability of the Consultant to perform high quality work, to control costs and to meet time schedules;
5. Ability to work effectively with City staff; and
6. Other qualifications/criteria as deemed appropriate by the City.

The City Council will formally approve the contract. It is anticipated that this will occur as early as July 17, 2018. Services to the City shall begin soon thereafter, following contract execution.

Non-Obligation

The City retains sole discretion to evaluate proposals and may make an award to the consultant the City deems to have the most responsive proposal. Receipt of proposals in response to its RFQ does not obligate the City in any way to engage any consultant and the City reserves the right to reject any or all proposals, wholly or in part, at any time, without penalty. The City shall retain the right to abandon the proposal process at any time prior to the actual execution of a contract with a consultant, and the City shall bear no financial or other responsibility in the event of such abandonment. The City reserves the right to negotiate all final terms and conditions of any agreements entered into.

If the City is unable to successfully negotiate the terms and conditions of an agreement or contract, including terms of compensation and reimbursement, the City reserves the right to cease negotiations and enter into negotiations with the next Consultant deemed to be most qualified and responsive, as determined solely by the City.

Disclosure Requirements

Pursuant to Texas Government Code 2252.908, the successful respondent must be able to provide the City of Fulshear with a printed, executed, and notarized original of a completed Certificate of Interested Parties form (Form 1295) with the signed contract. Failure to do so will result in the City's inability to execute the contract. To complete the disclosure of interested parties form, or for further information, please visit the Texas Ethics Commission's website at <https://www.ethics.state.tx.us>. The City's Identification Number under Item No. 3 on Form 1295 for RFQ No. 2018-01 will be **TXE2017-39**.

Chapter 176 of the Texas Local Government Code mandates the public disclosure of certain information concerning persons doing business or seeking to do business with the City of Fulshear, including affiliations and business relationships such persons may have with City officers, including the governing body, administrators, directors, etc.

A complete text of the law may be found at the following link:

<http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>.

BY DOING BUSINESS OR SEEKING TO DO BUSINESS WITH THE CITY OF FULSHEAR, YOU ACKNOWLEDGE THAT YOU HAVE BEEN NOTIFIED OF THE REQUIREMENT OF CHAPTER 176 OF THE TEXAS LOCAL GOVERNMENT CODE AND THAT YOU ARE SOLELY RESPONSIBLE FOR COMPLYING WITH THEM.

ACKNOWLEDGEMENT:

Vendor Name

Signature

Printed Name

Title

Date

CERTIFICATION

Respondents are required to include the following signed certification with the statement of qualification.

Certification Form

The undersigned affirms that they are duly authorized to execute this contract, that this Statement of Qualification has not been prepared in collusion with any other firm, and that the contents of this document have not been communicated to any other firm prior to the official opening. Further the undersigned affirms that the firm agrees to all terms and conditions contained in the Request for Qualifications issued by the City of Fulshear, Texas on the _____ day of _____, 2018.

Firm: _____ TIN: _____

Signed By: _____ Date: _____

Printed Name: _____ Title: _____

Phone Number: _____ Fax Number: _____

Email: _____ Website: _____

Mailing Address: Address: _____

City/State/Zip _____

Delivery Address: Address: _____

City/State/Zip _____