



TOWN OF MOORESVILLE

REQUEST FOR QUALIFICATIONS

As-Needed On-Call Professional Property Acquisition Services

Issue Date: January 23, 2023

Submission Deadline: February 23, 2023 at 4:00 p.m.
Acceptance by Email (preferred), Mail, or Physical Delivery

Issuing Agency: Town of Mooresville
Engineering Department

Mailing Address:
PO Box 878
Mooresville, NC 28115

Physical Address:
2523 Charlotte Highway
Mooresville, NC 28117

Contact: Ashton Walker, PE
Senior Engineer
(704) 779-4093
awalker@mooresvillenc.gov

I. Purpose and Project Description

The Town of Mooresville (Town) is requesting a Statement of Qualifications (SOQ) from professional consulting firms to provide On-Call Property Acquisition Services on an as-needed basis for current and upcoming Town projects. Project type may include transportation, stormwater, potable water, and/or sanitary sewer capital improvements with varying scope and complexity that may require permanent easements, temporary construction easements, right-of-way, and/or fee simple property ownership to complete construction and accommodate proposed improvements. Representative project scopes may include but are not limited to:

- New watermains, sanitary sewer forcemains, or sanitary sewer gravity lines
- New sanitary sewer pump stations and other associated improvements
- Replacement of existing culverts and other drainage infrastructure improvements
- Curb and gutter, storm drainage, and sidewalk improvements to existing roadways
- New greenway or multi-use paths
- Expansion or modification of existing roadway facilities, including turn lane additions and traffic signals
- New roadways, sidewalks, and other linear improvements

Requested services may be funded by the Town (General Fund, Stormwater Fund, or Utility Fund), voter-approved General Obligation Bonds for Transportation-related improvements, or State and/or Federal funding sources.

The Town is seeking to pre-qualify firms whose combination of experience and personnel will provide timely, cost-effective, and quality appraisal and property acquisition services for full or partial acquisitions, easements, and/or temporary construction easements for developed/undeveloped, vacant and/or unimproved, residential and/or commercial properties in complete and strict compliance with the State and Federal right of way acquisition procedure. Pre-qualified firms will then be eligible to enter into project-specific agreements for services on an as-needed basis as determined by the Town.

The Town may select up to three (3) firms to provide on-call property acquisition services. Any contract that is awarded shall be for an initial period of up to five (5) years commencing with a Notice of Award. Utilization of any selected firm is at the discretion of the Town, and individual project assignments will be determined at the sole discretion of the Town on an as-needed basis. The initial amount of each task order shall not exceed a total of Two Hundred Thousand Dollars (\$200,000.00). In the event completion of a specific Work Task will exceed \$200,000, the total amount of the contract may be increased by mutual written agreement of the parties. Work under a contract shall be assigned on as-needed basis to be determined by the Town in its sole and absolute discretion. Selected firms will submit pricing proposals for specific projects when contacted.

The solicitation and selection of these services shall be conducted in accordance with all applicable State guidelines and requirements and the Town's terms and standards.

II. Minimum Qualifications

Any firm wishing to be considered must be properly registered with the Office of the Secretary of State and be properly authorized to conduct business in the state of North Carolina. The firm must hold an active North Carolina Firm Real Estate License and employee North Carolina Real Estate Broker's License for key staff. All agents must have specific right-of-way acquisition/relocation training and experience and be in good ethical and professional standing with the NC Real Estate Commission. The firm will be responsible for providing all personnel with the appropriate skills and qualifications to ensure contract compliance. It is preferred that the Firm's Principal hold Senior Right of Way Agent (SR/WA) Designation for the firm. The firm must employ or subcontract Certified Appraisers through the Appraisal Institute or similar governing organization. The appraisal reviewer shall be on North Carolina Department of Transportation (NCDOT) approved state certified reviewer appraiser list. The Contractor may request its state certified review appraiser to be added to the approved state certified reviewer appraiser list, subject to approval by the NCDOT State Appraiser. Any firm proposing to use corporate subsidiaries or subcontractors must include a statement that these companies are properly registered in the state of North Carolina, and it is the responsibility of the firm to verify the registration of any corporate subsidiary or subcontractor prior to submitting a project-specific proposal. It is the responsibility of each firm to adhere to all laws of the State of North Carolina.

The firm must have the financial ability to undertake the work and assume the liability. The selected firm will be required to furnish proof of Professional Liability Insurance coverage in the minimum amount of \$1,000,000. Additionally, the successful firm will be required to provide proof of Comprehensive General Liability Insurance providing minimum coverage in the amount of \$1,000,000 per occurrence, \$2,000,000 aggregate, which shall name the Town as additional insured; and Worker's Compensation Insurance in the amount required by the State of North Carolina General Statutes. The selected firm may be required to submit such financial information as reasonably requested by the Town to demonstrate the financial ability to perform the work. The firm must have an adequate accounting system to identify costs chargeable to the project.

The firm and all subconsultants must be prequalified by the state of North Carolina Department of Transportation (NCDOT). The NCDOT maintains on file the qualification and key personnel for each approved discipline, as well as any required samples of work. Each year on the anniversary date of the company, the firm shall renew their prequalified disciplines. Submission of an application to NCDOT for prequalification is required prior to submission of Statement of Qualifications to the Town.

The Town is committed to providing opportunity for small and disadvantaged businesses to perform on its contract. The Town welcomes and encourages Small Professional Service Firms (SPSF) and Historically Underutilized Businesses (HUB) to participate in this RFQ. The Firm and subconsultants shall not discriminate on the basis of race, religion, color, national origin, age, disability or sex in the performance of any contract entered into under this pre-qualification process.

III. Scope of Services

The firm must be able to deliver all possible services for acquiring all the property rights required for each project assignment, as required to construct the project in accordance with the construction documents. The acquisitions will include but are not necessarily limited to: Fee Whole parcels, Fee Partial parcels, Various Permanent Easements and Temporary Construction Easements. The firm must be qualified to perform the following services:

- Review of plans and plats for discussion with property owners.
- Performance of miscellaneous surveying services, including but not limited to field data collection, staking, and preparation of easement exhibits and/or plats.
- Preparation of claim reports and/or appraisals.
- Preparation of appraisal reviews in compliance with NCDOT's Uniform Appraisal Standards and General Legal Principles for Highway Right of Way Acquisitions.
- Negotiations with property owners.
- Knowledge of the requirements of the North Carolina condemnation processes.
- Tracking of affected properties and ability to provide the Town with monthly status reports.
- Providing title opinions.
- Preparation, execution, and recording of all necessary documents, including deeds, conveying title to acquired properties to the Town or NCDOT as appropriate for each task.
- Delivering all executed and recorded deeds and easements to the Town.
- Following and administering the Town's and/or NCDOT's policies and procedures.
- Completing all reports, surveys, studies, specifications, memoranda, estimates, and other documents relative to the completion of the task.

The consultant will be required to perform Right of Way Services based on an assigned task authorization, for the completion of the task or project in accordance with G.S. 136-28.1 of the General Statutes of North Carolina, as amended, and in accordance with the requirements set forth in the Uniform Appraisal Standards and General Legal Principles for Highway Right of Way, the North Carolina Department of Transportation's Right of Way Manual, the North Carolina Department of Transportation's Rules and Regulations for the Use of Right of Way Consultants, the Code of Federal Regulations, and Chapter 133 of the General Statutes of North Carolina from Section 133-5 through 133-18, hereby incorporated by reference, including the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

With respect to the payments, costs and fees associated with the acquisition of right of way in this contract or other services, the Town shall be responsible for direct payments to property owners for negotiated settlements, recording fees, any relocation benefits, and deposits and fees associated with the filing of condemnation. The Town shall assume responsibility for all costs associated with the litigation of condemned claims, including testimony by the appraiser(s).

IV. Submittal Requirements

Firms interested in performing the work as described are asked to submit a Qualifications Package in .pdf format no later than **4:00 PM, Thursday, February 23, 2023** to:

Town of Mooresville
Engineering Services Department
ATTN: Ashton Walker, PE
Email: awalker@moorevillenc.gov

Email is preferred method of submittal. For hard copy submissions, submit one (1) copy along with one digital version (USB) in .pdf format to:

Town of Mooresville Public Services
2523 Charlotte Highway
Mooresville, NC 28117
Attn: Ashton Walker, PE

All Qualifications Packages are limited to ten (10) pages inclusive of the cover sheet and shall be typed on 8 ½" x 11" sheets, single-sided. The package should consist of a single bound/combined document including a cover letter and the two tabbed sections described below. Due to demands on the time of Town Staff, submissions longer than ten pages will be removed from consideration. Sub-tabs or dividers are acceptable within the required tabs and do not count toward the page limit. The cover letter must identify a contact person for questions during the RFQ selection process and provide contact information including telephone number, email, and postal address. The following elements shall be included in the package:

1. Cover Letter

The introductory letter should be addressed to the Town of Mooresville, Engineering Department, Attn: Ashton Walker, and should contain the following information:

- Expression of firm's interest in the work
- Project understanding and unique approach to the work
- Statement regarding firm's possible conflict of interest for the work
- Statement indicating the firm's ability and willingness to negotiate in good faith a contract(s) for professional services with the Town
- Company information, including full legal name, Federal Employer Identification Number, primary office location, location of local office, years of experience, and a contact person.

2. Evaluation Factors

This section should contain information regarding the qualifications of the firm and project team.

- Identify personnel qualifications and experience related to the scope of work, including professional registrations and license numbers as well as certifications.

- Provide project-specific references for your team. Include only contracts performed in the past (8) years by the firm for services that were similar in size or type to the representative projects, specially identifying work done for any North Carolina (NC) municipality, Metropolitan Planning Organization (MPO), Public Private Partnership or quasi government entity. Provide a brief description of the project scope as a whole as well as a description of the firm's involvement in the project. List the date services were performed, name, address and phone number of the individual representative possessing knowledge of the firm's work, and total time period involved.

3. Supporting Information

- Provide an organizational chart identifying members of all key team members including sub-consultants who would likely be assigned to a project. The chart should clearly define the roles and responsibilities of the various team members, including the Project Manager who will be authorized to make decisions for and act on behalf of the team.
- Indicate the number of professional staff available and qualified to perform services. Include detailed background information for each key member of the team including job classification, roles and responsibilities, location, and role in past projects.
- Describe the professional services to be provided to meet the RFQ objectives and Scope of Services for the representative projects. This section should include the firm's understanding of their responsibility with regard to contract administration, project delivery, as well as their role in helping to ensure full federal reimbursement for locally administered projects, if applicable. The work plan should be outlined and typical schedule provided, and any unique work approaches, additional scope items and/or deliverables, and exclusions shall be described in this section.
- Provide documentation of NCDOT pre-qualification and include all prequalified NCDOT Work Codes.

While specific DBE/MBE/WBE/SPSF goals are not required for these projects, the NCDOT and the Town are committed to providing opportunity for small and disadvantaged businesses to perform on its contracts.

V. Evaluation Criteria

Qualifications Packages will be evaluated on the firm's ability to meet the requirements of this Request for Qualifications (RFQ). All firms who submit a responsive SOQ in accordance with the requirements will be considered through a Qualified Base Selection (QBS) process. The work will be awarded to the best qualified firm(s), submitting a responsive proposal, on the basis of demonstrated competence and qualification for the type of professional services to be rendered. The following criteria and their respective weights will be considered in the evaluation of prospective firms:

- 35% - Firm's capabilities, experience, knowledge, familiarity and past performance with similar projects and services that show the ability to meet the minimum qualifications listed and accomplish the services described in this RFQ;
- 35% - Representative project team members' experience, knowledge, familiarity and past performance with similar projects and services in their identified discipline and/or task.

- 20% - Ideology, methodology and unique approach to work, as well as ability to perform the work in a reasonably proposed timeframe.
- 10% - Project-related experience with federally funded projects, including projects funded through programs such as Congestion Mitigation and Air Quality (CMAQ)

The Town reserves the right to obtain clarification of any point in a firm’s proposal or to obtain additional information. All information submitted in response to this Request for Qualifications will be considered a public record and subject to release. Any request containing information that is marked as being proprietary in nature, as being confidential, or has similar language indicating an intent to keep information from being made available to the public will result in rejection of your submission.

VI. Schedule

Anticipated timeline for selection of the on-call list of firms is:

January 23, 2023	Release RFQ
February 17, 2023	Last Day to Submit Questions
February 23, 2023	4:00 pm Qualifications Package Due
March 2, 2023	Selection Notification

VII. Pre-Qualified Firms

The Town expects to pre-qualify multiple firms. If more than one firm is pre-qualified, the Town reserves the right to select firms for specific projects based on any criteria the Town deems appropriate.

The Town reserves the right to reject any or all responses to the RFQ, to advertise for new RFQ responses, or to accept any RFQ response deemed to be in the best interest of the Town.

For the purposes of selecting pre-qualified firms for NCDOT or CMAQ projects, the selection process shall be based solely on the basis of qualifications in coordination with the Mini Brooks Act (G.S. 143-64.31). At the state level, the following regulations apply: NCGS 136.28.1(f) and NCGS 143.64.31-33

Upon successful negotiation of a project-specific contract, such contract must be approved by the Town Board of Commissioners in order to be binding.

A response to this RFQ should not be construed as a contract, nor indicate a commitment of any kind. The RFQ does not commit the Town to pay for costs incurred in the submission of a response to this RFQ or for any cost incurred prior to the execution of a final contract. No recommendations or conclusions from this RFQ process concerning a firm shall constitute a right (property or otherwise) under the Constitution of the United States or under the Constitution, case law or statutory law of North Carolina. No binding contract, obligation to negotiate, or any other obligation shall be created on the part of the Town unless the Town and a firm execute a contract.

VIII. General Terms and Conditions

Selected firms may be invited to execute an agreement with the Town of Mooresville. The agreement shall not guarantee for project work and shall not represent a paid retainer for services. If the Town and the firm cannot come to agreement regarding scope and/or fee for any project, either party may, at their discretion, terminate further discussions on that project and the Town will contact another on-call firm. Please refer to the [Local Government Rider](#) and the [Standard Vendor Agreement](#) on the Town's website for the Town's standard terms and conditions.