



Municipality of Anchorage

Dave Bronson, Mayor
Purchasing Department

April 21, 2023

REQUEST FOR PROPOSAL

RFP 2023P022

ROW Acquisition Services Term Contracts

The Municipality of Anchorage is an equal opportunity employer.

Enclosed is pertinent information for use in preparing your proposal.

Pre-Proposal Conference: **N/A**

Site Visit: **N/A**

Questions Due: **12:00 P.M. Local Time, May 2, 2023**

Proposals Due: **5:00 P.M. Local Time, May 22, 2023**

ONE SIGNED ORIGINAL, single sided, unbound, plus five (5) complete copies of your proposal must be submitted. In addition to the copies, a flash-drive containing a PDF copy of the complete proposal, including attachments must also be provided.

If applicable, the call-in phone number for Pre-Bid Conferences is 907-343-6089. Conference lines are opened 5 minutes prior to the Pre-Bid Conference times. To attend meetings in person; you may do so at 632 W. 6th Avenue, Suite 520, Anchorage, AK 99501. FOR AUXILIARY AIDS, SERVICES, OR SPECIAL MODIFICATIONS TO PARTICIPATE PLEASE CONTACT THE PURCHASING DEPARTMENT TO REQUEST REASONABLE ACCOMMODATIONS AT 907-343-4590; OR wwpur@muni.org

For further information contact Purchasing at (907) 343-4590 or email wwpur@muni.org. All correspondence should include the **RFP** number and title.

The Municipality of Anchorage reserves the right to reject any and all proposals and to waive any informalities in procedures.

Sincerely,

A handwritten signature in cursive script that reads "Chris Hunter".

Chris Hunter
Deputy Purchasing Director

**PROJECT MANAGEMENT & ENGINEERING DEPARTMENT
REQUEST FOR PROPOSALS
2023 RIGHT OF WAY ACQUISITION SERVICES
2023P022**

- Section 1 - General Information
- Section 2 - Rules Governing Competition
- Section 3 - Scope of Work
- Section 4 - Proposal and Submission Requirements
- Section 5 - Evaluation Criteria and Process
- Section 6 - Selection Process
- Section 7 - Sample Contract
- Section 8 - Attachments

1.0 GENERAL INFORMATION

1.1 Purpose

The Municipality of Anchorage (MOA), Project Management & Engineering Department (PM&E) is soliciting proposals from qualified contractors to provide right of way acquisition services on an as needed basis. The intent of the Municipality is to award up to two (2) separate contracts with a performance period of two (2) years in the amount of \$500,000 for each contract. A copy of a typical sample contract between the two parties is included as Attachment # 1, which, in its entirety, is a part of this request for proposals.

1.2 Background

PM&E is responsible for acquisition of real property rights for capital improvement project needs from private property owners as well as government and institutional landowners. Typical types of improvements for which PM&E requires acquisition of rights-of-way are: construction, maintenance and expansion of roadways, drainage systems and facilities, bridges and abutments, retaining walls, pedestrian trails & walkways, transit facilities, traffic safety improvements and public utility services.

1.3 Questions

Any questions regarding this Request for Proposals are to be submitted in writing to:

Municipal of Anchorage
Purchasing Department
wwpur@muni.org

Purchasing Office hours of operation are: 8:00 a.m. to 5:00 p.m. local time Monday through Friday, excluding Municipal holidays. All questions must be received prior to the deadline indicated on the RFP cover letter.

1.4 Preparation Costs

The Municipality will not be responsible for proposal preparation costs, nor for costs including attorney fees associated with any (administrative, judicial or otherwise) challenge to the determination of the highest ranked Proposer and/or award of contract and/or rejection of proposal. By submitting a proposal, each Proposer agrees to be bound in this respect and waives all claims to such costs and fees.

2.0 RULES GOVERNING COMPETITION

2.1 Examination of Proposals

Proposers should carefully examine the entire RFP and any addenda thereto, and all related materials and data referenced in the RFP. The Proposer's should become fully aware of the nature of the work and the conditions likely to be encountered in performing the work.

2.2 Proposal Acceptance period

Award of this proposal is anticipated to be announced within 90 calendar days, although all offers must be complete and irrevocable for 120 days following the submission date.

2.3 Confidentiality

The content of all proposals will be kept confidential until the selection of the Contractor(s) is publicly announced. At that time the selected proposal(s) is open for review. After the award of the Contract(s), all proposals will then become public information.

2.4 Proposal Format

Proposals are to be prepared in such a way as to provide a straightforward, concise delineation of the Proposer's capabilities to satisfy the requirements of this RFP. Emphasis should be concentrated on:

- 1) conformance to the RFP instructions;
- 2) responsiveness to the RFP requirements;
- 3) completeness and clarity of content.

2.5 Signature Requirements

All proposals must be signed. Proposals must be signed: by an officer or other agent of a corporate vendor, if authorized to sign contracts on its behalf; a member of a partnership; the owner of a privately-owned vendor; or other agent if properly authorized by a power of attorney or equivalent document. Signature on the "Letter of Transmittal" (See Para 4.3) will meet this requirement.

Failure to sign the Proposal is grounds for rejection. The name and title of the individual(s) signing the proposal must be clearly shown immediately below the signature.

2.6 Proposal Submission Requirements

2.6.1 **ONE ORIGINAL, single sided unbound, plus five (5) complete copies** of the proposal must be received by the Municipality prior to the date and time specified in the cover letter. Copies may be bound or enclosed in folders/binders.

2.6.2 IN ADDITION to the copies required by paragraph 2.6.1 above, provide a flash drive containing a PDF copy of the complete proposal, including attachments.

2.6.3 All copies of the proposals shall be submitted in a single sealed cover which shall be plainly marked as a Request for Proposal Response with the Number and Title prominently displayed on the outside of the package.

2.6.4 Proposals must be delivered or mailed to:

Physical Address
Municipality of Anchorage
Purchasing Department
632 W. Sixth Avenue, Suite 520
Anchorage, AK 99501

2.7 News Releases

News releases by or on the behalf of any Proposer pertaining to the award resulting from the RFP shall not be made without prior written approval of the Municipal Purchasing Officer.

2.8 Disposition of Proposal

All materials submitted in response to this RFP will become the property of the Municipality of Anchorage. One copy of the submitted material shall be retained for the official files of the Purchasing Department and will become public record after award of the Contract(s).

2.9 Oral Change/Interpretation

No oral change or interpretation of any provision contained in this RFP is valid whether issued at a pre-proposal conference or otherwise. Written addenda will be issued when changes, clarifications, or amendments to proposal documents are deemed necessary by the Municipality.

2.10 Modification/Withdrawal of Proposal

A Proposer may withdraw a proposal at any time prior to the final submission date by sending written notification of its withdrawal, signed by an agent authorized to represent the agency. The Proposer may thereafter submit a new proposal prior to the final submission date; or submit written modification or addition to a proposal prior to the final submission date. Modifications offered in any other manner, oral or written will not be considered. A final proposal cannot be changed or withdrawn after the submission date, except for modifications requested by the Municipality after the date of receipt and following oral presentations.

2.11 Late Submissions

PROPOSALS NOT RECEIVED BY THE DATE AND TIME AND AT THE LOCATION SPECIFIED IN THE RFP COVER LETTER WILL NOT BE CONSIDERED AND WILL BE RETURNED UNOPENED.

2.12 Rejection of Proposals

The Municipality of Anchorage reserves the right to reject any or all proposals if determined to be in the best interest of the Municipality.

2.13 Equal Employment Opportunity Reporting Requirements

2.13.1 Every municipal contract shall include language substantially the same as the following: "The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, national origin, ancestry, age, sex, sexual orientation, gender identity, marital status, or physical or mental disability. The contractor will comply with all laws concerning the prohibition of discrimination including, but not limited to, Title 5 and Title 7 of the Anchorage Municipal Code."

2.13.2 Every municipal contract shall state, in all solicitations or advertisements for employees to work under the contract, that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, ancestry, age, sex, sexual orientation, gender identity, marital status, or physical or mental disability.

2.14 Confidential/Proprietary Information

The content of proposals will be kept confidential until the selection of the Contractor is announced. At that time, the selected proposal is open for review to the competing proposers only (except for information properly identified as being proprietary). After the award of the contract, all submitted proposals shall become public information except for properly identified proprietary information. If a proposer wishes individual pages, which contain actual business, proprietary information to be held confidential, each page must be marked and an explanation furnished of its proprietary nature. In addition to marking individual pages, the Proposal's Cover must also be annotated with the words "THIS PROPOSAL CONTAINS PROPRIETARY INFORMATION". "Confidential and Proprietary" information is not meant to include any

information which, at the time of disclosure, is generally known by the public and/or competitors. MOA's ability to treat information submitted as confidential is limited by Anchorage Municipal Code. Proposers concerned with the confidentiality of information submitted should familiarize themselves with the following Anchorage Municipal Code provisions:

- AMC 3.90 Access to Public Records
- AMC 3.90.010 Policy
- AMC 3.90.020 Definitions
- AMC 3.90.030 Information Available to the Public
- AMC 3.90.040 Exemptions for Particular Records

2.15 Disadvantaged Business Enterprise (DBE) Goals

DBE participation goals have been established for this project. Instructions and DBE specification requirements are contained in the appendices of this RFP and made a part hereof. FAILURE TO SUBMIT THE REQUIRED DBE FORMS MAY RENDER THE PROPOSAL NON-RESPONSIVE. A list of currently approved DBE Contractors may be obtained by contacting:

Alaska DOT Civil Rights Office
2200 E. 42nd Avenue
PO Box 196900
Anchorage AK 99519-6900
907-269-0851
907-269-0847 Fax
<http://www.dot.state.ak.us/cvlrts/aucp.shtml>

3.0 SCOPE OF WORK

3.1 Required Professional Services

The Contractor(s) will be requested to negotiate on behalf of the Municipality for the purchase of land rights, prepare acquisition documents, establish and maintain appropriate owner contact records and project files for acquisition documents, i.e., land parcels, temporary construction permits, right of entries, and relocation/displacement services. Provide acquisition support services for file set-up, document preparation and file maintenance when PM&E deems it necessary.

3.2 Period of Performance

The contract period of performance to complete all work associated with this request will be two (2) years from the date of acceptance of the contract by the Municipality. With satisfactory performance MOA may extend the contract an additional two years under the same terms and conditions. As presently scheduled, contractors will be selected, agreements negotiated and a Notice To Proceed is anticipated to be issued by July 2023.

4.0 PROPOSAL AND SUBMISSION REQUIREMENTS

To achieve a uniform review process and obtain the maximum degree of comparability, it is required that the proposal be organized in the manner specified below. The proposal shall not exceed seven (7) pages in length (excluding letter of transmittal, resumes, title page(s), index/table of contents, required attachments, or dividers). One page shall be interpreted as one side of a single-spaced, letter size sheet (8-1/2" X 11"). Excess pages will be removed prior to evaluation, which could result in incomplete responses and lower scores.

4.1 Title Page

Show the RFP number and subject, the name of your firm, address, telephone number(s), name of contact person, and date.

4.2 Table of Contents

List the proposal's sections with page numbers. Include the RFP Evaluation Criteria.

4.3 Letter of Transmittal (Limited to One Page).

4.3.1 Briefly state your firm's understanding of the services to be performed and make a positive commitment to provide the services as specified.

4.3.2 List your company's contact for this RFP along with their phone number and email address.

4.3.3 Give the name(s) of the person(s) who are authorized to make representations for your firm, their titles, address, and telephone numbers.

4.3.4 **The letter of transmittal must be signed by a corporate officer or other individual who has the authority to bind the firm.**

4.4 Evaluation Criteria

4.4.1 Qualifications

To be considered for selection a Contractor shall demonstrate proven acquisition management and task identification experience pertaining to right of way acquisition in accordance with Municipality of Anchorage Ordinances, laws of the State of Alaska and the Federal Uniform Act Guidelines. A Contractor shall be experienced in negotiation, appraisal review, escrow and title insurance evaluation, review of title reports, interpreting legal descriptions, condemnation procedure, relocation/displacement procedures, engineering drawings, property management principles, compensation payments, court testimony, purchase agreements and other documents associated with right of way acquisitions. The Contractor shall discuss their knowledge of Municipal and State DOT/PF procedures and ordinances.

4.4.1.1 Detail your company's experience in the same or similar areas of expertise requested by this RFP and discuss your ability to provide the required services.

4.4.1.2 Provide at least three (3) recent references for which your company has provided the same or similar services. Include a point of contact and a current telephone number for the contact.

4.4.1.3 Identify your company's recent performance on similar projects especially noting work specific to the Municipality of Anchorage; all work should have an identified point of contact within the Municipality of Anchorage (or other) as appropriate.

4.4.2 Key Project Staff

Identify key project staff including your project manager and sub consultants, along with their availability, and what services they are expected to provide on behalf of your company. Resumes should be included for each staff member and sub consultant and their staff. Performance on projects, especially within the Municipality of Anchorage, should be noted.

4.4.3 Acquisition Methodology

Discuss your company's methods and procedures utilized in performing acquisition services identified in the scope of work in Section 3 of this RFP.

4.4.4 Available Resources

Describe the resources available to your company to establish that your company has the ability to provide the services necessary to perform the work, in the time available, and within the required standards. Describe how your company will insure that established time schedules are met for the completion of projects.

4.4.5 Fee Schedule

In a separate envelope, submit TWO (2) copies of your proposed fee schedule for all services, which may be required in performance of this work. The fee schedule shall be all inclusive of overhead, G&A, fringe benefits, profit, insurance, etc. Only the two firms selected for negotiations will have their fee schedules opened for contract negotiation purposes. The categories are:

1. Project Manager – hourly rate;
2. Acquisition Agent – hourly rate;
3. Right of Way Assistant – hourly rate;
4. Secretarial Service – hourly rate;
5. Courier Service – Cost per delivery;

SECTION 5 - EVALUATION CRITERIA AND PROCESS

5.1 Criteria

The criteria considered for evaluation of the proposal and the associated point values are as follows:

<u>Category</u>	<u>Points</u>
A. Qualifications	40
B. Key Project Staff	30
C. Acquisition Methodology	15
D. Available Resources	15
	Total Possible Score
	100

5.2 Qualitative Rating Factor

Proposals will be ranked using the following qualitative rating factors for each criterion:

- 1.0 Outstanding
- .8 Excellent
- .6 Good
- .4 Fair
- .2 Poor
- 0- Unsatisfactory

The rating factor for each criteria category will be multiplied against the points available to determine the total points for that category

5.3 Evaluation Process

A committee of individuals representing the Municipality of Anchorage will perform an evaluation of the proposal(s). The committee will rank the proposal(s) as submitted. The Municipality of Anchorage reserves the right to award a contract solely on the written proposal.

The Municipality also reserves the right to request oral interviews with the highest ranked firms (short list). The purpose of the interviews with the highest ranked firms is to allow expansion upon the written responses. If interviews are conducted, a maximum of four (4) firms will be short-listed. A second score sheet will be used to score those firms interviewed. The final selection will be based on the total of all evaluators' scores achieved on the second rating. The same categories and point ranges will be used during the second evaluation as for the first. The highest ranked Proposer after the second scoring, if performed, may be invited to enter into final negotiations with the Municipality for the purposes of contract award.

6.0 SELECTION PROCESS

6.1 Procedure

The two Proposers receiving the highest total evaluation points may be invited to enter into contract negotiations with the Municipality of Anchorage. If an agreement cannot be reached with any Proposer, the third highest scoring Proposer may be called. This process may be continued until successful contract negotiations are achieved. However, the Municipality reserves the right to terminate negotiations with any Proposer should it be in the Municipality's best interest. The Municipality of Anchorage reserves the right to reject any and all proposals submitted.

7.0 SAMPLE CONTRACT

All Proposers must carefully read and review the attached Sample Contract (ATTACHMENT #1). The final Contract with the Municipality of Anchorage will be substantially similar to it.

If a Proposer wishes to make changes to the Sample Contract, the proposed changes must be submitted with the proposal. All desired changes must be submitted in a separate document, and must be clear, legible, and conspicuous. The Proposer must also provide the rationale for all proposed changes. No changes will be considered until after the highest scored proposal(s) has been determined.

IF NO CHANGES ARE SUBMITTED WITH THE PROPOSAL, IT IS UNDERSTOOD THAT THE TERMS AND CONDITIONS OF THE SAMPLE CONTRACT HAS BEEN ACCEPTED.

8.0 LIST OF ATTACHMENTS

ATTACHMENT # 1 - SAMPLE PROFESSIONAL SERVICES CONTRACT

ATTACHMENT # 2 – DBE Form 10-028

ATTACHMENT # 3 – DBE Form 10-032