



**BRIEFING: SEPTEMBER 16, 2014, BOARD MEETING AGENDA ITEM #10**

**TO: Chairman Richard and Board Members**

**FROM: Jeff Morales, Chief Executive Officer  
Don Grebe, Director of Real Property**

**DATE: September 16, 2014**

**RE: Consider Awarding Contracts for Right of Way Support Services**

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**Background**

Pursuant to Board Resolution #HSRA14-16, approved on June 3, 2014, the Authority issued a Request for Proposals (RFP) to obtain proposals from qualified entities to provide Right-of-Way Services in the total amount of \$35,000,000 for multiple four year contracts.

After receipt of those submittals and a thorough evaluation process, Authority staff is prepared to submit its recommendations for awarding the contracts to the Board. This item seeks the Board's approval to award six contracts for Right-of-Way Services under RFP HSR# 14-14.

These Right-of-Way Services will be provided for the California High-Speed Rail System's first construction segment in the Central Valley, which extends approximately 130 miles through the counties of Madera, Fresno, Tulare, Kings and Kern as well as an extension north that will include the alignment to Merced from Construction Package 1 and through the "Wye" configuration as the rail alignment heads west to the Bay Area.

Delivery of this Central Valley segment will require the acquisition of well-over 1,000 parcels of real property. To ensure the Authority is able to effectively acquire right-of-way, it is necessary to obtain the personnel and expertise of right-of-way consultants. Multiple contracts will be required to carry out this critical work.

**Discussion**

*RFP Process*

The Right-of-Way Services RFP process has been managed directly by Authority staff consistent with the State's competitive procurement process. Eight proposers submitted a proposal on or before August 29, 2014 as follows: (1) Universal Field Services, Inc.; (2) Epic Land Solutions, Inc.; (3) Steele Land Services, LLC; (4) Bender Rosenthal, Inc.; (5) Associated Right of Way Services, Inc.; (6) Briggs Field Services, Inc.; (7) Hamner, Jewell & Associates, a division of Beacon Integrated Professional Resources, Inc.; and, (8) Continental Field Service Corp.

*Evaluation Process*

The RFP proposals were reviewed and evaluated by Authority staff in accordance with the Authority’s administrative regulations, policies, and procedures. The Evaluation Selection Committee scored the eight proposals pursuant to the criteria from the RFP shown here:

<b>Attachment E: Criteria for Awarding Points for the Proposal</b>		<b>Maximum Score</b>
1.	<p><b>PAST PERFORMANCE AND EXPERIENCE</b></p> <p>Has the Proposer successfully delivered on past projects?</p> <p>Has the Proposer demonstrated how sufficient experience on past projects performing the tasks that may be required under the Scope of Work?</p> <p>Does the Proposer have recent experience (within the past 12 months) with ARRA funds and requirements?</p> <p>Has the Proposer demonstrated applicable cost saving and schedule improvement methodologies utilized on past projects?</p> <p>Has the Proposer demonstrated a successful and repeatable past approach to delivering high quality products?</p>	250
2.	<p><b>UNDERSTANDING OF PROJECT REQUIREMENTS</b></p> <p><b>Project Criteria: (150 maximum points)</b></p> <ul style="list-style-type: none"> <li>• Has the Proposer demonstrated a thorough knowledge and understanding of what is required to perform the right-of-way services?</li> <li>• Has the Proposer presented sufficient concepts as to how the right-of-way services should be structured, including incorporating any uniquely effective resources available to the Proposer?</li> <li>• Does the Proposer have sufficient skills and experience to set it apart from other teams and allow it to “close deals” in greater quantities and faster than other teams?</li> <li>• Does the Proposer have any unique or special techniques, methods, or approaches that will be used in the various functions to make the Proposer more likely to successfully and timely complete the tasks required by the Scope of Work?</li> <li>• Has the Proposer demonstrated that its approach to delivering high quality products will be successful and repeatable?</li> <li>• Is the Proposer’s approach to managing the approval interface with the Authority sufficient?</li> <li>• Has the Proposer demonstrated that its management of tracking systems can be adapted to the Authority’s ROW database as described in Task 1.6.</li> </ul>	150
	<p><b>Organization and Management Plan: (100 maximum points)</b></p> <ul style="list-style-type: none"> <li>• Has the Proposer described how the ROW team adds value and will work toward to goal of achieving optimal efficiency for delivering land to the Authority?</li> <li>• Has the Proposer described the composition of the Proposer’s team and required experience level and provided an organizational chart of the entire team that would work on this contract?</li> <li>• Does the Proposer’s team have any history of working together in</li> </ul>	100

	<p>the past, and have such past working arrangements been successful?</p> <ul style="list-style-type: none"> <li>Has the Proposer included a letter of commitment from each identified Subcontractor, including any relevant licenses, positions, and hours that the Subcontractor will work to meet the contract performance requirements?</li> </ul>	
	<p><b>Key Personnel: (100 maximum points)</b></p> <ul style="list-style-type: none"> <li>Are the personal qualifications and professional skills of the Key Personnel nominees appropriate for the roles assigned?</li> <li>Does the Project Manager have sufficient authority within his organization to effectively lead and manage the project?</li> </ul>	100
3.	<p><b>SMALL BUSINESS PARTICIPATION</b> Does the approach to Small Business utilization demonstrate the Proposer's responsiveness in meeting the Authority's Small Business goal objectives?</p>	100
	<p><b>Total</b></p>	<b>700</b>

Based upon these criteria, six of the eight proposer teams were invited to interviews/discussions held on September 8, 2014 to further the evaluation process and serve as the basis for ranking the proposers. The teams participating in the interviews/discussions were as follows: (1) Universal Field Services, Inc.; (2) Epic Land Solutions, Inc.; (3) Continental Field Service Corp.; (4) Bender Rosenthal, Inc.; (5) Associated Right of Way Services, Inc.; and, (6) Hamner, Jewell & Associates, a division of Beacon Integrated Professional Resources, Inc.

The interviews were not separately scored pursuant to the RFP, but rather utilized to clarify the technical proposals. After this process was completed, the final consensus score of the six teams was as follows: (1) Continental Field Service Corp. – 625 points/89.3%; (2) Bender Rosenthal, Inc. – 590 points/84.3%; (3) Associated Right of Way Services, Inc. – 579 points/82.7%; (4) Universal Field Services, Inc. – 572 points/81.7%; (5) Epic Land Solutions, Inc. – 552 points/78.9%; and, (6) Hamner, Jewell & Associates, a division of Beacon Integrated Professional Resources, Inc. – 528.8 points/75.5%.

As outlined in the RFP best value process, the cost proposals were then scored (300 points possible), which was then added to the technical proposal score (700 points possible). The resulting ranking out of 1000 total possible points is as follows: (1) Continental Field Service Corp. - No. 1/925 points; (2) Bender Rosenthal, Inc. – No. 2/889.7 points; (3) Associated Right of Way Services, Inc.- No. 3/768.7 points; (4) Epic Land Solutions, Inc. – No. 4/757.8 points; (5) Hamner, Jewell & Associates, a division of Beacon Integrated Professional Resources, Inc. – No. 5/738 points; and (6) Universal Field Services, Inc. – No. 6/721.7 points.

*Contract Award and Teams*

Authority staff now seeks approval for the award of contracts for Right-of-Way Services. The total value of the services required is not-to-exceed \$35,000,000 with contract terms of four years.

The contracts issued for Right-of-Way Services will include the Board-adopted 30 percent participation goal under the Revised Small and Disadvantaged Business Enterprise Plan for Professional Service Contracts, including Disadvantaged Business Enterprise (DBE) of 10% and Disabled Veteran Business Enterprise (DVBE) of 3%. Staff is pleased to report that five of the six companies are small businesses. Additionally, all teams have experience performing the services required in the RFP.

Continental Field Service Corp. (CFS) is one of the nation's longest-standing right-of-way firms with experience working on multibillion dollar projects throughout the country. Their staff includes experienced real estate professionals with extensive experience in property acquisition, negotiation, appraisals, title abstracts, and real estate law. CFS is a certified woman-owned business enterprise and certified microbusiness.

Bender Rosenthal, Inc. (BRI) is an industry leader based in Sacramento with offices throughout the state that provides experienced real estate appraisal and right-of-way services throughout California. BRI has provided ROW services for public and private clients for projects involving all types of land uses and all sizes and levels of complexity. BRI is a certified small business and certified DBE.

Associated Right of Way Services, Inc. (ARWS) provides project consulting for public agencies contemplating the acquisition of real property using State and Federal guidelines. ARWS provides a full spectrum of right-of-way services on large and small projects, Federal, State, City and locally funded projects. ARWS is a certified small business and their headquarters are located in Pleasant Hill.

Epic Land Solutions, Inc. (ELS) is a multi-faceted real property and right-of-way consulting firm with design-build experience geared towards innovative delivery and parcel impacts mitigation strategies. ELS is a certified small business and certified DBE. Their headquarters are located in Torrance with satellite offices throughout the state.

Hamner, Jewell & Associates, a division of Beacon Integrated Professional Resources, Inc. (HJA) is a specialized real estate consulting firm that provides services to local public agencies, assisting in the purchasing of property rights for public improvement projects, including public works, redevelopment, housing and capital improvement projects. HJA is a certified micro-small business with offices in Ventura and Pismo Beach.

Universal Field Services, Inc. (UFS) provides professional right-of-way acquisition services nation-wide, striving to deliver the best land and right-of-way services in the industry. They specialize in the pipeline, electrical, and other utilities industries and have provided their services to public projects nationwide. Their headquarters are in Tulsa, OK with a satellite office in Sacramento.

Authority staff is now submitting its recommendation of best value proposers to the Board for approval. If approved by the Board, the CEO, on behalf of the Authority, would then negotiate and enter into contracts with the following consultants to provide Right-of-Way Services:

- (1) Continental Field Service Corp.
- (2) Bender Rosenthal, Inc.
- (3) Associated Right of Way Services, Inc.
- (4) Epic Land Solutions, Inc.
- (5) Hamner, Jewell & Associates, a division of Beacon Integrated Professional Resources, Inc.
- (6) Universal Field Services, Inc.

### **Recommendation**

Staff recommends Board approval to enter into multiple contracts with the six teams identified above for a total amount not-to-exceed \$35 million for a term of four years. The contract amounts awarded to each team are not required to be equal, but will instead reflect the abilities of each team and the needs of the Authority as outlined in the RFP.

### **Attachments**

– Draft Resolution #HSRA 14-28