

## BACKGROUND

Implementing a high-speed train network in California is the sole and exclusive responsibility of the California High-Speed Rail Authority (Authority) established by Chapter 796 of the Statutes of 1996 (SB 1420/Kopp and Costa). The Authority is responsible for preparing a plan, conducting environmental studies, design, construction and operation of a high-speed passenger train network in California.

## PURPOSE

The purpose of the Request for Proposal (RFP) is to select a prime contractor and subcontractors to work as a team to provide right of way and real property services. The Authority is seeking expertise in the areas of:

1. Contract Administration/Project Management services
2. Surveying, Deed and Map Preparation;
3. Appraisals and Appraisal Review;
4. Land Rights and Real Property Acquisition;
5. Utility Relocation Services;
6. Relocation Assistance;
7. Other Real Property Services; and
8. Eminent Domain Legal Services.

The Authority desires that a team of companies bid on this contract. A single entity, and not a group of representatives from different companies, must bid as the Prime Contractor. The Prime Contractor will be responsible for contract administrative duties.

## SCOPE OF WORK

All members of the contractor team, including the Prime Contractor, are eligible to perform and may be assigned technical work, if qualified, in the program areas. There is no guarantee that work will be required in all areas, or that every subcontractor will receive work during the contract period.

The Contractor shall provide the California High-Speed Rail Authority (Authority) right of way services, including condemnation support and eminent domain legal services, for the High-Speed Train Project in the Central Valley, for up to 2,000 properties, full and partial acquisitions. The property rights required will include fee simple and easement (both permanent and temporary). Specific services will be requested by Task Order and may include, but not limited to all or a portion of the services identified under Item 3.

1. The services shall be performed in the Central Valley, primarily in the counties of Merced, Madera, Fresno, Kings and Kern.

Work performed will be in accordance with all applicable Federal, State, and local laws, rules, and regulations, including policies/procedures published by the Authority. Finalization of the Authority's Right of Way Manual is pending and shall be utilized by the Contractor upon its approval, hereafter referred to as Manual.

All persons working under this contract shall meet appropriate level of qualifications and experience for the work assigned; and hold required licenses (completed, approved, and in good standing) for the work assigned.

The Contractor shall implement the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (as amended) (Uniform Act) and its implementing regulations, Title 49 Code of Federal Regulations Part 24, as appropriate.

2. The Contractor shall provide the following services:
  - A. Project Management: Contractor shall provide project management services for all functions and tasks under this contract. The Project Manager plans, schedules, coordinates and manages the real property functions and tasks required under this contract at the direction of the Authority to meet the Authority's overall project schedules, and ensure completion of functions and tasks based on project timelines; ensures that work and work products satisfy all requirements of applicable laws, statutes, regulations, Authority policies, and Authority procedures; ensures that all persons working under this contract meet appropriate level of qualifications and experience for the work assigned; and ensure that persons have required licenses (completed, approved, and in good standing) for the work assigned. Contractor shall certify by signature that all documents, files, diaries and records are complete, accurate and in accordance with applicable standards, laws, and regulations as specified under Item 2. The Contractor is also responsible for creating accurate and timely electronic records. The Contractor also provides information, reporting, and assistance to Authority management on issues related to but not limited to complex negotiations, program scheduling and budgeting, condemnation and eminent domain proceedings; and plans, schedules, notices, advertises as necessary, prepares exhibits for, coordinates, and presents at meetings with private landowners, public agencies, and utilities. The Contractor shall meet at least weekly with the Authority Contract Manager or as requested by Authority's Contract Manager for progress update, resolution discussion, direction and planning purposes.

The Contractor shall be responsible for ensuring all requirements for the right of way project certification are met; and demonstrate specific knowledge, skills and abilities for successful delivery of right of way certifications for Design-Build

projects on time, within budget, and in accordance with all applicable Federal, State, and local laws, statutes, and regulations.

- B. **Surveying, Deed and Map Preparation:** Contractor shall complete all necessary and requested surveying, and shall prepare individual acquisition deeds, Appraisal Maps, and other requested maps or exhibits in conformance with all applicable laws, rules, regulations and standards as noted under Item 2. Contractor shall be responsible for all tools and equipment needed to perform tasks/deliverables provided by Contractor. All parcel and sub-parcel numbers for the acquisition shall use the Authority parcel numbering convention, which will be used in both deed and map preparation. All deed jackets will use Authority approved cover, rights, and signatory pages and will be specific to the type of rights being acquired in each deed.
- C. **Appraisals:** Contractor shall provide appraisal services in accordance with Manual, and appraisal requirements and specifications to be outlined in Task Order, see Item 2. These appraisal services could include, but are not limited to real property appraisal reports, specialty appraisal reports, e.g., Fixtures and Equipment, Loss of Goodwill, etc., appraisal revisions, and appraisal updates.
- D. **Appraisal Reviews:** Contractor shall provide appraisal review services. Appraisal reviews shall be subcontracted to a subcontractor that has no relationship to the contractor or subcontractor that prepared the appraisal report assigned for review, and personnel performing a review may not have been an appraiser who prepared any of the appraisals for the project.
- E. **Land Rights and Real Property Acquisition:** Contractor shall provide land rights and real property acquisition services in accordance with the Manual, including but not limited to coordinating all phases of the acquisition; assuring all phases of the acquisition process are coordinated to meet all project schedules; documenting the process and all work activities in a parcel diary; maintaining all records and documents, and preparing status reports throughout the acquisition process; ordering Preliminary Title Reports of title as needed, and coordinating all acquisition title requirements; developing, presenting, and negotiating all phases of the acquisition process using Authority standard documents; coordinating all phases of escrow; and preparing all documentation required to accomplish these tasks.

Contractor shall provide acquisition agent support and document preparation for all phases of condemnation as applicable and in accordance with the Manual.

- F. **Utility Relocation Services:** Contractor shall work with the Authority staff and other participating agencies to provide utility relocation services that may include, but not be limited to identifying public and private utilities within the right of way; researching and identifying prior rights of utilities; obtaining utility

- as-built plans or locations; coordinating between utility and Authority the planning of relocations (protect in place, temporary and/or permanent relocation); obtaining from utility the relocation plan, cost estimate, and signed utility relocation agreements; identifying and immediately notifying the Project Manager where right of way will need to be acquired for utility relocations; coordinating utility relocations to meet overall project schedules; confirming completion of relocation and all work under the relocation agreement; facilitate payment under relocation agreement; and obtaining Consent to Common Use Agreements and Joint Use Agreements as appropriate. Activities shall be in accordance with the Manual.
- G. Relocation Assistance: Contractor shall provide services under the Relocation Assistance Program (RAP) to ensure displaced persons are treated fairly, consistently, and equitably so that such persons will not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole, and ensure that Authority implements the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. sec. 4601 et seq.) (Uniform Act) and Implementing Regulations (49 C.F.R. Part 24). Contractor's assigned Project Manager shall plan, organize, and implement all activities required by the Uniform Act on a schedule dictated by and designed to meet all project construction and other schedules. Relocation Assistance tasks to be performed under this contract include, but are not limited to relocation assistance services which provide Relocation Advisors to implement the Relocation Program and provide affected occupants all information and assistance to replacement sites; housing valuation studies to keep the costs current; site searching services to provide continuing site availability to affected occupants, and provide residential relocation assistance services, including a Relocation Advisor for each household; and business relocation assistance services for each affected business occupant; additional work that may include court and/or appeals related services in connection with any service provided to a RAP client.
- H. Other Real Property Services: Services under this contract shall include all real property services that would reasonably be performed by Authority and may include real property services not specified above, based on the needs of the Authority. These real property services could include, but are not limited to obtaining agreements for road or railroad relocations; coordinating project site visits with regulatory agencies; negotiating borrow agreements; obtaining encroachment permits; issuing encroachment permits; negotiating ground lease agreements; completing real property acquisition estimates; providing escrow and title services; and providing property management services. Contractor shall make every effort to complete these real property services under timeframes to be identified in each specific Task Order.

- I. Eminent Domain Legal Services: Contractor shall provide all legal services necessary to secure the property rights required for the project including, but not limited to services required to obtain resolutions of necessity and final orders of possession, and trial preparation and pursuance.

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