

**COLUMBIA COUNTY, FLORIDA
REAL ESTATE, PROPERTY NEGOTIATION AND ACQUISITION SERVICES
REQUEST FOR QUALIFICATIONS
RFQ-2018-R**

Columbia County Florida Board of County Commissioners is seeking Qualification Statements from interested and qualified professional individuals or firms to provide Real Estate, Property Negotiation and Acquisitions. Responses will be received until 2:00 p.m. on, December 27, 2018. Responses should be addressed to the Columbia County Board of County Commissioners, at 135 NE Hernando Avenue, Lake City, FL 32055. Responses received after the time and date specified will be returned unopened to the proposer. RFQ documents can be downloaded from the County's Web site at <http://www.columbiacountyfla.com/PurchasingBids.asp>

The owner reserves the right to waive any informality or to reject any or all proposals.

Columbia County Board of
County Commissioners

Ronald Williams, Chair

REAL ESTATE, PROPERTY NEGOTIATION AND

ACQUISITION SERVICES

(County Acquisition Agent)

RFQ 2018-R

The purpose of this Request for Qualifications (RFQ) is to solicit qualifications to hire an experienced firm or professional for the purpose of acting as the Board of County Commissioners' Acquisition Agent for the negotiation and acquisition of real property in conformity with the attached Property Acquisition Guidelines.

Objective

Specific acquisition projects are not identified at this time. The nature of this contract will be for "indefinite delivery, indefinite quantity" (IDIQ) professional services. The personnel that the bidder provides for completion of these services must be proficient in the assigned task. The bidder must be prepared to be responsive to the work requests as made and meet ambitious project schedules in keeping with the Property Acquisition Guidelines.

Scope of Work

The Board of County Commissioners desires to have in place and available a firm or professional with expertise in areas including, but not limited to, real estate acquisition services; management of acquisition related services; review and interpretation of surveying and title information; negotiation of acquisition terms with landowners based upon mutually agreed upon criteria; performance of due diligence closing tasks; and maintenance of all files and records. The preferred firm or professional will have expertise and experience in negotiating with landowners under the threat of eminent domain.

The firm or professional must demonstrate proficiency in the following areas:

- Acquisition of property rights to include, but not limited to, fee simple, easements (permanent and temporary), rights of entry, water rights, leasehold interests, releases/partial releases of easement, release of liens, and encroachment agreements.
- Acquire property rights utilizing good faith negotiations and in accordance with all applicable laws, rules and regulations, including without limitation, current Federal and State Laws, and Columbia County policies and procedures.
- Legal documents to include easements, deeds, leases, licenses, encroachment agreements and rights of entry. Legal documents may also include releases/partial releases, affidavits and subordination agreements to aid in curative matters.
- Manage and coordinate due diligence activities to include environmental site assessment, title, and surveying services.
- Develop and track budgets and schedules for real estate acquisition activities.
- Review third party invoices for accuracy and timely payment.
- Maintain negotiator's reports detailing dates, times and substance of communications.

ADDITIONAL REQUIREMENTS:

- Firms or professionals should be familiar with current condemnation/eminent domain procedures and be competent to testify in Eminent Domain proceedings, if necessary.

All responses must be delivered or mailed to:

Columbia County Board of County
Commissioners
135 NE Hernando Avenue
Lake City, FL 32055

ENVELOPES MUST BE IDENTIFIED AS RFQ-2018-R AND BE TIME STAMPED AS RECEIVED AT THE COUNTY ADMINISTRATION OFFICE NO LATER THAN 2:00 p.m., DECEMBER 27, 2018.

The documents included or incorporated in this RFQ constitute the complete set of instructions, scope of work, specification requirements and forms. It is the responsibility of the submitter to insure that all pages are included.

All submissions must be typed or written in ink, and must be signed in ink by an officer having authority to represent the candidate firm or professional. Signatures are required where indicated; unsigned submissions shall be rejected without consideration.

Changes and Interpretations

Changes to this RFQ will be made only by written addenda. A written addendum is the only official method whereby interpretation, clarification or additional information can or will be given. All addenda will be posted on the County's website: <http://www.columbiacountyfla.com/Purchasing.asp>. It is the sole responsibility of each firm or professional making its submission to check the website for posted addenda. The County does not mail or fax addenda.

Any questions regarding this RFQ should be submitted in writing via mail or e-mail and must be received no later than ten (10) calendar days prior to the due date for submissions:

Ray Hill, Purchasing Director
Columbia County Board of Commissioners
P.O. Box 1529
Lake City, FL 32056
Ray.Hill@columbiacountyfla.com

Questions will be answered via addenda only. If a question is not answered, the submitting firm should assume all relevant information is contained within this RFQ. The County will strive to issue all addenda at least three (3) business days before the proposal due date; however, the County reserves the right to issue any addenda at any time.

Property of the County

All materials submitted in response to this RFQ become the property of the County. The County has the right to use any or all ideas presented in any response to this RFQ, whether amended or not, and selection or rejection of a proposal(s) does not affect this right. No variances to this provision shall be accepted.

RFQ Timetable

The **anticipated** schedule for this RFQ and contract approval is as follows:

- Qualifications Due: December 27 2018
- Ranking of firms by Committee: January 8, 2019
- Respondent Approved by County Board of Commissioners: January 17, 2019

The County reserves the right to amend the anticipated schedule as it deems necessary.

Ethics Requirement

This RFQ is subject to the State of Florida Code of Ethics and Columbia County's ethics rules and policies. Accordingly, there are prohibitions and limitations on the employment of certain officials and employees and contractual relationships providing a benefit to the same. Respondents are highly encouraged to review both the Florida Code of Ethics and Columbia County's ethics rules and policies in order to insure compliance with the same.

Disclosure and Disclaimer

The information contained herein is provided solely for the convenience of firms and professionals making submission in response to this request. It is the responsibility of a respondent to assure itself that information is accurate and complete. Neither the County, nor its staff or advisors provide any assurances as to the accuracy of any information in this RFQ. Any reliance on the contents of this RFQ, or on any communications with County representatives, staff or advisors, shall be at each party's own risk. Firms or professionals making submission should rely exclusively on their own investigations, interpretations and analyses in connection with this matter. The RFQ is being provided by the County without any warranty or representation, express or implied, as to its content, accuracy, or completeness. No respondent or other party shall have recourse to the County if any information herein contained shall be inaccurate or incomplete. No warranty or representation is made by the County that any response conforming to these requirements will be selected for consideration, negotiation, or approval.

In its sole discretion, the County may withdraw this RFQ either before or after receiving qualifications, may accept or reject qualifications, and may accept qualifications which deviate from the non-material provisions of this RFQ. In its sole discretion, the County may determine the qualifications and acceptability of any firm or professional submitting qualifications in response to this RFQ. Following submission of a response, the respondent agrees to promptly deliver such further details, information and assurances, including, but not limited to, financial and disclosure data, relating to the response or the respondent, including the respondent's affiliates, officers, directors, shareholders, partners and employees, as requested by the County. Any action taken by the County in response to submittals made pursuant to this RFQ or in making any award or failure or refusal to make any award pursuant to such responses, or in any cancellation of award, or in any withdrawal or cancellation of this RFQ, either before or after issuance of an award, shall be without any liability or obligation on the part of the County, or its advisors.

Any recipient of this RFQ, who responds hereto, fully acknowledges all the provisions of this Discloser and Disclaimer and agrees to be bound by the terms hereof. Any response submitted pursuant to this RFQ is at the sole risk and responsibility of the party submitting such response.

Contract Agreement

The terms and conditions of the resulting contract for the services to be rendered will be negotiated with the successful respondent. If the County and the successful respondent cannot agree on the terms and conditions of the resulting contract, the County reserves the right to terminate negotiations with the successful respondent and move to the next ranked respondent to commence negotiations. Negotiations may continue in this process until the County is able to enter into a contract with a respondent that best meets the needs of the County.

Insurance Requirements

Prior to execution of the resulting contract derived from this RFQ, the awarded firm shall obtain and maintain in force at all times during the term of the resulting contract insurance coverage as required herein. All insurance policies shall be issued by companies authorized to do business under the laws of the State of Florida. The Certificates shall clearly indicate that the firm has obtained insurance of the type, amount, and classification as required for strict compliance with this provision and that no material change or cancellation of the insurance shall be effective without thirty (30) days prior written notice to the County. Compliance with the foregoing requirements shall not relieve the firm of its liability and obligations under the resulting contract.

- A. The firm shall maintain during the term of the contract, standard Professional Liability Insurance in the minimum amount of \$1,000,000.00 per occurrence.
- B. The firm shall maintain, during the life of the contract, commercial general liability, including public and contractual liability insurance in the amount of \$1,000,000.00 per occurrence (\$2,000,000.00 aggregate) to protect the firm from claims for damages for bodily and personal injury, including wrongful death, as well as from claims of property damages which may arise from any operations under the contract, whether such operations be by the firm or by anyone directly or indirectly employed by or contracting with the firm.
- C. The firm shall carry Workers' Compensation Insurance and Employer's Liability Insurance for all employees as required by Florida Statutes.

All insurance, other than Professional Liability and Workers' Compensation, to be maintained by the firm shall specifically include the County as an "Additional Insured".

Evaluation and Award

The COUNTY will assemble an Evaluation Committee to evaluate the qualifications from respondents. The Evaluation Committee will convene for a public meeting to evaluate and rank the most advantageous responses and make a recommendation for contract award to the County Board. County Staff will notify all submitting Respondents and advertise the Evaluation Committee meeting in the appropriate media as directed by law. The County Board is not bound by the recommendation of the Evaluation Committee and the County Board may deviate from the recommendation in determining the best overall response which is most advantageous and in the best interest of the County District.

Each Response will be evaluated individually and in the context of all other responses. Submittals must be fully responsive to the requirements described in this RFQ and to any subsequent requests for clarification or additional information made by the City through written addenda to this RFQ. Submittals failing to comply with the submission requirements, or those unresponsive to any part of this RFQ, may be disqualified. The County reserves the right to award the contract to the Respondent submitting the best overall responsive submittal which is most advantageous and in the best interest of the County. The County shall be the sole judge of the submissions and the resulting contract that is in its best interest and its decision shall be final.

While the County allows Responders to specify any desired variances to the RFQ terms, conditions, and specifications, the number and extent of variances taken will be considered in determining the Respondent who is most advantageous to the County. **Evaluation Scoring Criteria has been incorporated into the RFQ document.**

Representations by Submittal of Respondent

By submitting a response, the respondent warrants, represents and declares that:

- A. Person(s) designated as principal(s) of the respondent are named and that no other person(s) other than those therein mentioned has (have) any interest in the submittal or in the anticipated contract.
- B. The submittal is made without connection, coordination or cooperation with any other persons, company, firm or party submitting another qualifications, and that the respondent submitted is, in all respects, fair and in good faith without collusion or fraud.

C. The respondent understands and agrees to all elements of the submission unless otherwise indicated or negotiated, and that the response may become part of any contract entered into between the County and the respondent.

D. By signing and submitting a response, respondent certifies that respondent and any parent corporations, affiliates, subsidiaries, members, shareholders, partners, officers, directors or executives thereof are not presently debarred, proposed for debarment or declared ineligible to bid or participate in any federal, state or local government agency projects.

E. Pursuant to 287.133, Florida Statutes, a person or affiliate who has been placed on the convicted firm list maintained by the State of Florida may not submit a submittal to the Columbia County for 36 months following the date of being placed on the convicted firm list. Respondent certifies that submittal of its proposal does not violate this statute.

F. Respondent recognizes and agrees that the County will not be responsible or liable in any way for any losses that the respondent may suffer from the disclosure or submittal of response information to third parties.

Compliance

All proposals received in accordance with this RFQ shall be subject to applicable Florida Statutes governing public records including without limitation Chapter 119, Florida Statutes.

END OF GENERAL INFORMATION

SUBMITTAL REQUIREMENTS:

Submittals must contain the following documents, each fully completed and signed as required.

Letter of Transmittal

Each submittal must include a letter of transmittal containing the respondent's interest in providing services and the signature of the representative authorized to enter into signed contracts for the prime contractor. This letter should not exceed three pages in length. The following items shall be provided in the order specified. Each firm is asked to submit one unbound original and four bound copies plus one copy of the submittal on a portable drive or CD.

Written submittals should be concise and clearly outlined and include:

- The respondent's ability to conduct the scope of work
- The respondent must show the qualifications of the team members, with specific expertise in real estate, land acquisition, and appraisal services

- A description of previous projects that your firm has conducted for organizations of similar size and complexity. Provide names and information of references from these organizations
- The respondent's proposed management and staffing and the name of the designated contact or point person for the firm to the County.
- A brief description of the firm's related experience and individuals experience in property negotiation and acquisition
- All related licenses and/or certifications
- Confirmation of a Drug-Free Workplace

Process for Consideration of Proposals

Selection Criteria and Points

Background/ Experience – 25 points

Skill – Respondent's understanding of the project, capacity and skill – 25 points

References – Respondent's references evidencing record of performance and ability to successfully complete projects on time and within budget – 25 points

respondent - Strength of firm qualifications, experience and understanding of Columbia County– 15 points

Location – 10 points

Total – 100 points

County Staff will be responsible for ensuring all submittals responded to the RFQ accordingly and have provided all the necessary information to be considered "responsive." This includes handing qualifications in by the time and date specified earlier in this request. The County will establish an evaluation committee to review the submittals and rank them according to the point system explained above. The evaluation committee will then make a formal recommendation to the County Board for approval.

SUBMITTING FIRM'S INFORMATION PAGE

Company Name: _____

Authorized
Signature: _____
Signature Print Name

Title: _____

Physical
Address: _____
Street
City State Zip Code

Telephone: _____ Fax: _____

Email Address: _____

Web Site: _____

Federal Identification Number: _____

This is a requirement of every respondent who submits qualifications.

CONFIRMATION OF DRUG-FREE WORKPLACE **

In accordance with Section 287.087, Florida Statutes, whenever two or more proposals are equal with respect to price, quality, and service which are received by any political subdivision for the procurement of commodities or contractual services, a proposal received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. In order to have a drug-free workplace program, a business shall:

(1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.

(2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.

(3) Give each employee engaged in providing the commodities or contractual services that are under proposal a copy of the statement specified in subsection (1).

(4) In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under proposal, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than 5 days after such conviction.

(5) Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community by, any employee who is so convicted.

(6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign this statement on behalf of _____, I certify that _____ complies fully with the above requirements.

Authorized Representative's Signature

Date

Name

Position

**** If this form is not returned, the County will assume the responding respondent has not implemented a drug- free workplace program.**

PROPERTY ACQUISITION GUIDELINES

I. In order to ensure that right-of-way purchases in Columbia County are fair and equitable for all citizens and that the right-of-way acquisition process is completed in the most cost effective and timely manner possible, the following property acquisition guidelines are recommended:

1. Other than projects approved through an established capital improvements plan, before any Property Acquisition Project may be presented to the Board, the County Manager, Assistant County Manager, County Engineer, County Attorney, and the County Commissioner(s) of the district(s) in which the property is proposed to be acquired will meet to discuss the project. The committee shall consider all relevant factors affecting the project on a case-by-case basis, including but not limited to:
 - a. Estimated costs of the project and economic feasibility
 - b. Community support for improvement the approved capital improvement
 - c. Known or anticipated barriers to acquisition of necessary land through donation or voluntary sale of lands to the County
 - d. Projected legal expenditures to resolve acquisition through takings or settlement of such suits.
 - e. Any other factor uniquely impacting positively or negatively on the timely and efficient completion of acquisition for the project within one year.

If the project is approved for commencement, then the committee shall reconvene from time-to-time as set forth below to facilitate timely completion of the project.

2. The above information will be submitted to the Board of County Commissioners for review and approval by majority vote for commencement of the capital improvement project. The date of resolution approving the project shall be the effective commencement date.

II. Day 1 through Day 180

1. The County Engineer shall prepare a conceptual layout for the identification of the proposed right-of-way limits, and the establishment of a centerline, if any.
2. Upon completion of the conceptual layout, the Operations Manager, County Manager, Assistant County Manager, County Engineer, the County Commissioner in which the property is being acquired will meet. The purpose of this meeting is to make any final changes to the limits of the right-of-way to be acquired.
3. As soon as practicable following the meeting required under section 3 hereof, the County Engineer will cause notice of the proposed work to be mailed to each affected property owner shown on the conceptual layout.

4. The County Engineer will authorize the County Surveyor to complete the right-of-way survey complete with property boundaries and legal descriptions. The legal descriptions shall include the acreage amount, the gross right-of-way (currently maintained and owned by the County plus additional right-of-way to be acquired) and acreage for additional right-of-way acquired.

5. The County Engineer shall contact entities providing utility services in existing properties or additional properties and coordinate with affected utilities to determine what, if any, utility easements need to be acquired by the County at the time of property acquisition.

6. Upon completion of the final survey, including property boundaries and legal descriptions, the Operations Manager, County Engineer and County Attorney shall decide which parcels will require a title search. The County Attorney will order all needed and necessary title searches.

NOTE: Upon receipt of the completed title searches, the County Attorney shall determine whether full or partial releases of any mortgage or other lien encumbering the property shall be required. The County Attorney and the County's designated closing agent shall adhere to the procedure set forth in Exhibit "C" attached hereto.

III. Day 181 through Day 240

1. The County Manager, Assistant County Manager, County Engineer and shall meet with the County Acquisition Agent and review parcels to be acquired.

2. The County Acquisition Agent shall perform, or cause to be performed, a market analysis for the various properties to be acquired. The County Acquisition Agent will utilize the following formula to tender offers to the parcels owners, utilizing the Real Property Acquisition Calculation Sheet attached as Exhibit "A":

- a. Property will be valued at 115% of the market analysis.
- b. Fencing and landscaping shall be valued in accordance with the guidelines attached hereto as Exhibit "B".
- c. If, in the opinion of County Engineer, any appurtenances are likely to be affected by the acquisition, then the County Manager, Assistant County Manager, County Engineer, and County Acquisition Agent shall meet and determine the value of any loss to the property owner.
- d. For road improvement projects, for Each parcel of land adjoining the Project, regardless of whether any portion thereof is taken by the County in connection with the Project, shall have one driveway constructed as part of the Project at no cost to the parcel owner. The driveway shall be constructed to the County's standards in accordance with the parcel's then-current use. If there is no evidence of any driveway present when the survey of the Project is

completed, then the County Engineer or his designee shall contact the parcel owner and advise the owner that a driveway may be installed in connection with the project. Upon being contacted by the County, the owner shall either identify a suitable location for the driveway or execute a waiver indicating that the owner declines installation of a driveway under this part. In the event contact with the owner cannot be made after mailing a notice to the property owner at the then-current address showing on the Columbia County Property Appraiser's website, , then the County shall

presume the owner waives any entitlement to a driveway under this part and the Project shall proceed accordingly. If there is evidence of any additional driveways present when the survey of the Project is completed, then the County's surveyor shall locate such additional driveways on the survey of the Project and said additional driveways shall also be constructed as part of the roadway project. This section shall not obligate the County to replace or construct driveways that, if so completed, would pose a threat to public safety under regulations promulgated by the Department of Transportation.

3. If the value of a parcel or portion of a parcel to be acquired exceeds \$20,000, one appraisal by a fee appraiser shall be ordered.
4. If the value of a parcel or portion of a parcel to be acquired exceeds \$500,000, two appraisals by a fee appraiser shall be ordered
5. At the next scheduled meeting of the Board of County Commissioners following Day 240 the County Acquisition Agent and County Engineer shall brief the Board on their progress during the first 240 days of the project. Members of the committee may provide supplemental briefing as appropriate. Following that briefing, the Board shall determine whether and how the project shall proceed.

IV. Day 241 through Day 270

1. County Engineer shall order appraisals for parcels where section III settlement negotiations have not resulted in an Agreement of Intent on or before the 240th day.
2. Upon completion of the appraisals ordered, the County Manager, County Engineer, and the individual(s) who completed the appraisal shall meet with the County Acquisition Agent and review each appraisal. The County Acquisition Agent shall contact the property owner to review the appraisal and may offer a settlement agreement based on the original calculation formula or appraisal, whichever is higher.
3. The County Acquisition Agent shall report to the County Engineer and County Manager on the status of acquisitions. Agreements between the County Acquisition Agent and the property owners shall be memorialized with an "Agreement to of Intenet" prepared by the County Attorney.

4. Upon review and execution by the property owner of the “Agreement of Intent ” , the agreement shall be forwarded to the Board Chair for signature, then to the designated closing agent for closing of the purchase.
5. Parcels the County Acquisition Agent is unable to reach agreement on shall be remanded to the County Attorney for further action.

V. Day 271 through Day 365

1. If the County Attorney is unable to secure settlement by Day 270, then the County Attorney shall commence eminent domain proceedings by requesting the Board approve a resolution authorizing the County Attorney to proceed against all unresolved parcels.
2. Although litigation of the valuation of the properties may continue beyond Day 365, the County Attorney shall make every effort to secure a hearing to obtain an order of taking before Day 365 as to each parcel such that the County may proceed with bidding the project.
3. All final judgments which constitute a valid lien against the property will be released or included in the eminent domain proceedings.