

REQUEST FOR PROPOSAL RIGHT OF WAY ACQUISITION SERVICES Multi-Year Contract #T052520

Date: May 25, 2020
To: Appraisal and/or Right of Acquisition Firms
Subject: RFP On-Call Real Estate Appraisals and Right of Way Acquisition Consultant Services.

You are invited to submit a proposal to provide on-call real estate appraisal and right of way acquisition consultant services for the City of Avondale Estates, Georgia.

Inquiries regarding proposals should be made to Shannon Powell, Assistant City Manager of Avondale Estates, spowell@avondaleestates.org. A pre-proposal online conference to respond to all inquiries with regards to this project will be held. Potential proposers are strongly encouraged to attend.

Attached is the Request for Proposal instructions. The written requirements contained in this RFP shall not be changed or superseded except by written addendum from the City of Avondale, Department of Finance. Failure to comply with the written requirements for this proposal may result in the rejections of the proposal by the City of Avondale. One (1) digital copy of the proposal must be submitted to SPowell@avondaleestates.org by the deadline. Indicate on the email subject line RIGHT OF WAY ACQUISITION SERVICES and #T052520.

The anticipated schedule for the RFP and contract approval is as follows:

Advertise Request for Proposals	Thursday, May 28, 2020
Optional Pre-Bid Video Conference	2:00 p.m., Monday, June 8, 2020
Join Zoom Meeting on your Computer or Smart Phone	
https://us02web.zoom.us/j/85093546856	
Dial in by phone to +1 312 626 6799 US	
Meeting ID: 850 9354 6856	
Deadline to Request Additional Information	5:00 p.m., Monday, June 15, 2020
Last Date for Addenda	Friday, June 19, 2020
Digital Proposals Due	5:00 p.m., Monday, July 6, 2020
Evaluation of Proposals	Monday, July 20, 2020
Notify Proposers of Interviews (if necessary)	Wednesday, July 22, 2020
Proposer video conferencing Interviews	Wednesday, July 27, 2020
Negotiate Contract Amount	Monday, August 3, 2020
Commencement of Contract	Monday, August 31, 2020

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1.0 SUBMISSION INSTRUCTIONS

All proposals received will become a part of the official contract file and may be subject to disclosure
A complete signed proposal must include the documents listed below:

Proposal format: Proposers are expected to examine the specifications and instructions. The proposal must be signed by an officer of the company, who is legally authorized to enter into a contractual relationship in the name of the proposer.

Proposals should include the following and not exceed 20 pages:

1.1 Cover letter

Include a brief cover letter of introduction and interest.

1.2 Table of Contents

Include all sections and subsections

1.3 Business Information

State the full name and address of your organization and the branch office or subordinate element that will perform the services described in this proposal. Include a telephone number, the point of contact and official signature of an authorized company representative. Indicate whether you operate as a single proprietorship partnership or corporation. Include the states in which you are incorporated and/or licensed.

1.4 Qualifications and Experience

Include an organizational chart and summary resumes of key personnel proposed for this project, including designations of the team leader and the person responsible for all proposed communications with the owner and all proposed sub-consultants and a description of their roles.

- a. Current project assignments Identify the current project assignments and the currently identified completion dates for project being managed by the key individuals proposed for his project.
- b. Understanding of the Project: Statement of the firm's understanding of the project and proposed approach for providing the requested service.

1.5 References

Include a minimum of three references for contacts of a similar nature. Include the name, address, telephone number, point of contact, and description of the contact for each reference.

1.6 Forms and Documents:

Provide completed minatory forms and submissions found in section 8.0.

2.0 OVERVIEW AND PROCEDURES

2.1 Introduction

The City of Avondale Estates is a city in DeKalb County, Georgia. The population was 2,960 at the 2010 census and is approximately 1.1 square miles. The city is governed by a mayor and a board of commissioners that have hired a city manager to administer day to day city operations.

2.4 RFP Timetable

The anticipated schedule for the RFP and contract approval is as follows:

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Join Zoom Meeting on your Computer or Smart Phone

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2.5 Contact Person

Inquiries regarding proposals should be made to Shannon Powell, Assistant City Manager of Avondale Estates, spowell@avondaleestates.org. Questions about the meaning or interpretation of this RFP must be requested in writing.

2.6 Duration of Proposal

Proposal terms and conditions shall be firm for a period of at least ninety (90) days from the submittal due date. The successful proposal shall not be subject to change of terms if accepted during the 90-day period.

The City may reject any proposal not in compliance with all prescribed public procurement procedures and requirements and may reject for good cause any or all proposals upon a finding of the City that is in the public interest to do so.

2.7 Additional Information/Addenda

The City of Avondale Estates will issue responses to inquiries and any other corrections or amendments it deems necessary in written addenda issued prior to the proposal due date. Proposers should not rely on any representations, statements, or explanations other than those made in this RFP or in any addendum to this RFP.

Requests for additional information or clarifications must be made in writing no later than the date specified in the RFP timetable. The request must contain the proposer's name, address, phone number, and email address.

Proposers who obtain the RFP from the Georgia Procurement Registry or from the Avondale Estates website (www.avondaleestates.org) are advised to re-visit one of the above websites to obtain any addenda which may be issued priority to the proposal closing date. Each Proposer is responsible for obtaining all addenda prior to submitting a proposal. Receipt of each addendum shall be acknowledged in writing as part of the proposal.

2.8 Late Proposals, Withdrawals, Modifications, and Rejections

Proposals shall not be modified, withdrawn, or canceled by the proposer for a period of sixty (60) days following the time and date designated for the receipt of proposals, and each proposer so agrees in submitting his proposal. Proposals received after the proposal due date and time are late and will not be considered. Modifications received after the proposal due date are also late and will not be considered.

2.9 Proposal Closing

Proposals will not be opened or read aloud publicly. A list of names of firms providing proposals may be obtained via email request to spowell@avondaleestates.org after the proposal due date and time stated in this RFP. A tabulation of process may be obtained on award.

2.10 Non-Collusion Affidavit

By submitting a proposal, the proposer represents and warrants that such proposal is genuine and not sham or collusive or made in the interest or on the behalf of any person not named and that the proposer has not directly or indirectly induced or solicited any other proposers to put in a sham proposal.

2.11 Georgia Security and Immigration Compliance Act Affidavit

By submitting a proposal and executing the attached Affidavits, the proposing firm verifies its compliance with O.C.G.A. 13-10-91. The proposer further agrees to maintain records of such compliance and shall provide a copy of each such verification to the City of Avondale if a subcontract is retained to perform services.

2.12 Cost Incurred by Proposers

All expenses involved with the preparation and submission of proposals to the City of Avondale Estates and any work performed in connection shall be borne by the proposer. No payment will be made for any responses received or for any other effort required of or made by the proposers.

2.13 Hold Harmless and Indemnification

The proposers agrees, insofar as it is legally may, to indemnify and hold harmless the City of Avondale Estates, its officers, employees, and agents from and against all loss, costs, expenses including attorney's fees, claims, suits, and judgements.

2.14 Award of Contract

Award will be made to the responsible proposer whose proposal is responsive to the terms of the request for proposals and is most advantageous to the City of Avondale States, considering only qualifications and qualification-related factors.

2.15 Qualification of Proposers

The City of Avondale Estates will make reasonable investigations as deemed proper and necessary to determine the ability of the proposers to perform the work and the proposer shall furnish the City of Avondale Estates all such information and data for this purpose as requested.

2.16 Confidentiality

All information submitted by Proposers shall be public record and subject to disclosure pursuant to the Georgia Open Records Act, except such portions of the proposals for which Proposer requests exception from disclosure consistent with Georgia law. All requests shall be in writing, noting specifically which portion of the submittals the Proposer requests the exception. Proposer shall not mark the entire proposal document "Confidential".

2.17 Cancellation

The City reserves the right to cancel contract award for the contract at any time before execution of the contract by both parties if cancellation is deemed to be in the City's best interest. In no event shall the City have any liability for the cancellation of contract award.

3.0 SCOPE OF WORK

3.1 Background and Purpose

The City of Avondale Estates (hereafter known as City) is responsible for implementing various roadway and intersection improvement projects. City wishes to select a firm/team (consultant) to provide right of way acquisition and relocation services for transportation projects.

It is the intent of the City to enter into an Agreement with a selected consultant to provide Right of Way Project Management/Acquisition services on an “as needed basis”. The contract will be awarded to a qualified firm, and costs. The costs for appraisals will be determined when the RW Plans are approved and on a per-project basis.

3.2 Scope of Services

The consultant will provide all right of way acquisition services required to assist the City with acquiring property and easements for each identified project.

There is an immediate need for acquisition services to execute a complete streetscape improvement project on North Avondale/College Avenue between Ashton Place and Sams Crossing, referred to as GDOT PI 001507. Preliminary plans show approximately 30 parcels requiring some type of easement.

Acquisition services are defined as those tasks necessary to supply City of Avondale Estates with a recorded warranty deed or other appropriate legal interest, or full condemnation package for the identified parcels.

These tasks may include but are not limited to the GDOT right of way detailed cost estimate, title search, property appraisal, cost to cure specialty appraisal, data book preparation, negotiation, negotiation records, deed preparation, deed recording, condemnation filing package, relocation assistance, property management, and final disposition of property either by closing or condemnation for project certification. Cost will be considered and responders must complete Attachment B.

Federal funds, State funds and Local funds may be used for right of way and easement acquisitions. If Federal funds or State funds are used, the consultant is required to adhere to all GDOT and Federal guidelines. Federal and State funds will be used for GDOT PI 001507.

In addition, the consultant shall meet the completion deadline for the individual projects/tasks to qualify for the federal funds.

All right of way/easement acquisitions and documentation must be completed within the mutually agreed upon time frame for the individual task/purchase order. The consultant is required to provide the City with all information required for the City to proceed with any condemnations as required meeting the project schedule.

Neither the City nor its Consultant are authorized to ask for an easement or negotiate with property owners until GDOT authorizes right of way plans for the project, which is expected in 2021. All right of way shall be secured prior to construction bidding scheduled for FY 2022.

3.3 Term of Contract

A. The initial term of the contract will be for three (3) years, with the option to renew for three (3) additional twelve-month periods. Contract renewal shall be contingent upon the mutual agreement of the City and the Consultant.

Notice of intent to renew will be given to the Consultant in writing by the Assistant City Manager of Finance, normally sixty (60) days before the expiration date of the current contract period.

This notice shall not be deemed to commit the City to a Contract renewal. It should be noted that multi-year contracts may be continued each fiscal year only after funding appropriations and program approvals have been granted by the Board of Mayor & Commissioners of the City of Avondale Estates, Georgia. If funding is not approved, then the affected multi-year contract becomes null and void, effective January 1st of the fiscal year for which such approval has been denied.

B. Termination for Convenience: For the protection of both parties, either party giving 30 days prior notice, in writing, to the other party, may cancel this contract.

3.4. Administration/Project Management and Right of Way Services

The professional services included within this Scope of Services shall be grouped into the following categories:

- a. Administration/Project Management
- b. Right of Way Acquisition Services

Administration

The consultant will prepare for and attend a kick-off meeting with the City's Project Manager and Project team. At this meeting, the City will set the final parameters for the project.

The consultant will provide a project schedule identifying the timetable for completion of all major acquisition tasks included in the scope of any assigned project. This schedule will identify major tasks, duration of each, and task relationship. The schedule will track both projected and actual completion dates for acquisition milestone tasks. The schedule will identify milestones and identify completion of the overall project. The initial schedule will be presented to the City's Project Manager and monthly updates to the schedule shall be submitted for the duration of the project.

The consultant will coordinate and attend monthly progress meetings at a location mutually agreed to by the City or alternatively participate in monthly conference calls. The purpose of the meeting is to maintain open dialog and channels of communication for the duration of the purchase order. The consultant will prepare agendas and minutes for each meeting and distribute to attendees within five business days.

The consultant will provide the City with complete approved right of way documents and services that meet the requirements set out in the Federal Highway Administration's (FHWA) publication "Real Estate Acquisition Guide for Local Public Agencies", as well as, those included in the GDOT "Acquisition Guide for Local Public Agencies and Sponsors", unless otherwise directed by the City.

These documents may include, but not be limited to, those such as DOT Property Management Forms, i.e. PM-1, PM-10A & PM-15.

All costs incurred for administration of the contract shall be included in the overall costs of the bid items included in this contract. There will be no separate pay for administration.

Right of Way Acquisition Services

GDOT Right of Way Cost Estimate - Projects with Federal and State funding shall follow the procedures required by both GDOT and Federal Highway Administration Real Estate Division. More information and resources can be found in the "Acquisition Guide for Local Public Agencies and Sponsors" published by GDOT. A right of way cost estimate will be required as pre-negotiation activities for many projects.

The services provided under this section shall meet the current requirements of GDOT including but not limited to: providing the required documents, coordination with the review appraiser assigned by GDOT, coordination with the District Local Government Coordinator, property management activities, scheduling and conducting the Right of Way Property Owner's Meeting(s) if required. Due to the varied types of properties and numbers of parcels, the fee for services accomplished under this section will be negotiated at the time a purchase order is issued.

Property Appraisals – All appraisals shall be accomplished by the consultant and approved by the City's project manager prior to incurring any costs thereof or prior to making any contact with the individual property owners.

Title Research - A Title Search Report, Certificate and/or Opinion of the Property shall be developed and reported on each parcel for the construction project as appropriate. This documentation shall be acquired prior to contacting the property owner(s). This report shall be maintained in the individual parcel file. The Title Report shall include all utility easements across, within, or upon the parcel. A statement of applicability of claims for prior rights shall be included in this report provided an easement is found.

Right of Way and Easement Negotiations - For purchase orders involving projects that are fully or partially funded utilizing state and/or federal funds, the consultant will furnish to City complete and fully documented negotiation services that are in conformance with current GDOT requirements.

Prior to commencing any negotiation activities, the consultant shall provide to the Project Manager for review and approval the names and current resumes of individuals identified to provide service as the Acquisition Project Management (APM).

The consultant shall be responsible for the creation of all required documents and maintain individual parcel files containing any and all required information and documentation, including but not limited to the following:

- Original Title Search Report and Updated Title Search (as required) – [Outsourced]
- Right of Way Deeds – [Out-sourced]
- Original and Copy of Appraisal Report – [Out-sourced]
- GDOT Review Appraiser's 532 Report (if applicable)
- Offering Price Letter, dated, signed, and stamped "File Copy".

- Statement of Estimated Values
- Availability of Incidental Payments
- Right of Way Option with attached R/W Plat, DW Profiles, Cross Sections, etc.
- Estimate of Appraisal/Calculation or Donation Form (if applicable)
- Receipt for Brochure, "What Happens When Your Property is Needed For A Transportation Facility"
- Negotiation Record
- Approved Administrative Adjustment Analysis (if applicable)
- Closing/Settlement Statement and all supporting closing documents
- Condemnation Package as submitted (if applicable). City's Attorney is responsible for the actual preparation of the Declaration of Taking and the filing.
- Parcel Check List for Parcel Close-Out
- Documentation is required by GDOT for reimbursement of ROW costs.

Acquisition Project Management (APM) is considered part of the negotiations. This APM also includes the completion of any required GDOT Property Management Forms, i.e. PM-1, PM-10A & PM-15.

The consultant shall assume responsibility for the final disposition of all aspects of the acquisitions up to and including conducting the closing. The consultant is responsible for returning all recorded deeds to the City.

If condemnation is required, the consultant's attorney must coordinate with the City in a timely manner. Preparation of a complete condemnation package for submittal to the City Attorney shall be the deliverable for this pay item. The package shall include but not be limited to:

- Copy of Plat
- Copy of information for Legal Description
- Updated Title Report, Appraisal Report
- Copy of 10-day Letter and any other relevant documents
- All individual parcel files.

4.0 CITY RESPONSIBILITIES

The City shall provide the following:

- Project Manager who will provide administrative and technical coordination for the City.
- Approved right of way plans and preliminary construction plans.
- Files containing the parcel descriptions. It will be up to the consultant to use the parcel descriptions to prepare deeds.

All condemnations will be handled by the City Attorney or his designee. If additional services are requested of the consultant or the consultant's attorney in relationship to condemnation filing, litigation, and/or testimony a supplemental Agreement/ Change Order will be needed. Any modification to the Agreement or any Change Order must be submitted in writing, and consultant must have approval in writing before any modification or change to the task/purchase order is performed.

5.0 QUALIFICATIONS AND SPECIFICATIONS

The Proposer shall demonstrate an understanding of the City's goals and objectives for the following specifications in its response:

5.1 Consulting Personnel:

The consultant must be listed as an Approved Firm by Georgia Department of Transportation (GDOT).

The right of way agents, appraisers and attorneys included in the proposal shall hold appropriate licenses and/or certifications.

The property appraiser(s) used for this contract must be approved by GDOT.

The consultant's work is to be performed by the key personnel at the office location identified in the technical/fee proposal submitted by the consultant.

The City reserves the right to approve any changes in the proposed staffing of the consultant's office-in-charge of the work, as identified in the consultant's proposal, prior to the implementation of such change.

5.2 Project Related Correspondence

The consultant will keep and file copies of all correspondence, telephone memorandums, faxes, maps, exhibits, etc. between the consultant and any party regarding this project.

Copies of this information shall be forwarded to the Project Manager upon completion and final acceptance of all work related to this contract. Invoices will be submitted to the Project Manager.

Consultant shall deliver to City all documentation pertaining to the items identified as part of the project. This documentation should be bound in an orderly format such as mentioned above for the individual parcel files. A separate project file should be included containing copies of the required GDOT documentation for reimbursement. All documents, correspondence, emails, etc. generated, as a part of the purchase orders are City's property.

The consultant is responsible for recording and distributing the minutes of all meetings, presentations, etc. pertaining to this project. Upon completion of the project, the consultant shall deliver to the Project Manager, in an organized manner, all project files, maps, sketches, worksheets, and other materials used or generated during the acquisition or relocation process.

The consultant is responsible for: furnishing and paying for all skill, labor, equipment, materials, permits, licenses, supplies and services necessary to perform all of its responsibilities under this RFP; supplying all records and information required; securing, maintaining and upgrading all permits, licenses, certifications and approvals as required by all Regulatory Agencies with jurisdiction, including any regulatory agencies of the County; and complying with all local, state, and federal laws and regulations applicable to its responsibilities under this bid solicitation.

6.0 SELECTION PROCESS AND EVALUATION CRITERIA

6.1 Submittal of Proposals

Each proposal will be judged on its completeness and quality of content. The City reserves the right to reject any proposals and is not liable for any costs the Proposer incurs while preparing or presenting the proposal. All proposals will become part of the public file, without obligation to the City. Upon the completion of the evaluations, the City intends to negotiate a contract with the Proposer whose proposal is deemed to be most advantageous to the City.

6.2 Selection Review Committee

The Selection Review Committee may be comprised of up to five members. The role of the Selection Review Committee is to evaluate the proposals submitted and make a recommendation of award. The City may also seek additional expert advice to help review proposals.

Scoring will be completed covering all areas listed in Section 6.4 in the Evaluation Criteria. Scores for each proposal shall be added together to arrive at a final score for each proposer. Proposals will be ranked in descending order by the total Proposal score. If additional information is deemed necessary as part of the evaluation, such information will be solicited to allow the committee to complete the evaluation process.

6.3 Interviews

Proposers selected for final evaluation (if necessary) may be required to make an oral presentation of their proposal to the Selection Review Committee. Such presentation shall provide an opportunity for Proposers to clarify their proposal to ensure thorough mutual understanding. The Selection Review Committee may interview the Proposers and ask additional questions related to the proposal and scope of work. The City will schedule the time and locations of interviews, if required, on the dates indicated in Section 2.4. Interviews will take place at a location to be determined by the City. Firms invited to the interview will be responsible for making and paying their own travel arrangements.

6.4 Scoring and Evaluation Criteria

The Selection Review Committee will evaluate the proposals and make a recommendation of award. The criteria listed below will be used to determine the finalists and apparent successful Proposer. Each proposal shall be limited in length and judged as a demonstration of the Consultant's capabilities and understanding of the project. Evaluation criteria, maximum points will be as follows:

Criteria	Scoring
Cover Letter	3
Qualifications	15
Relevant Experience	20
Project Manager Experience	20
References	15
Costs	20
Forms	5
Proposal Format	2

6.5 Ranking of Proposals

Proposals may be ranked by the Selection Review Committee based on evaluation of responses and interviews (if any), with the first-ranked proposal being the firm which is deemed to be the most appropriate and fully able to perform the services, and the second ranked proposal being the next appropriate firm, all in the sole judgment of the Selection Review Committee.

Proposal scores will be totaled and ranked. Any Proposer in response to the RFP shall be considered to have given de facto permission to the City to disclose the results, when completed, to selected reviewers at the sole discretion of the City.

The Selection Review Committee will make a recommendation to the Board of Mayor and Commissioners, which will then approve the contract award to the proposal that is the most advantageous to the City.

6.6 Contract Negotiation

The City will negotiate the contract amount.

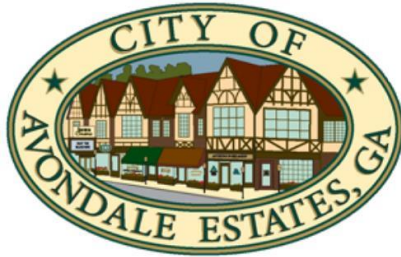
7.0 DOCUMENT CHECK LIST

Maximum allowable pages per proposal is 20. Below are recommended page allocations.

- Cover Letter (1 page)
- Table of Contents (1 page)
- Business Information (2 pages)
- Qualifications and Experience (6 pages)
- References/Reference Projects (2 pages)
- Other Relevant Information (2 pages)
- Exhibit A (1 page)
- Exhibit B (3 pages)
- Georgia Security & Immigration Act Affidavit (1 page)
- Addenda acknowledgement (1 page)

8.0 MANDATORY PROPOSAL FORMS

Exhibit A – General Proposal Form



ATTACHMENT A – Proposal Form

Proposing Firm:

Lead Contact:

Contact Telephone number(s):

Contact email(s):

Proposal Summary:

This proposal is valid for _____ days.

Authorized Signature: _____ Date: _____

Printed Name: _____

Title: _____

R/W Project Manager and Negotiation/Acquisition Services

R/W project Manager name: -

Business

Address: _____

Service Provider	RE License No	Pre-Acq agent	Agent

Amount of bid per parcel: _____ -

Right of Way Pre-Acquisition Services (including PM's time)

Business Name

Amount of Bid per Project:

Real Estate Services to Acquire Right of Way including Project Management services.

Broker

Broker's License No.

Service Provider	RE License No	R/W AM	Agent

Amount of bid per parcel: _____ -