

CITY OF EL PASO, TEXAS
DEPARTMENT HEAD'S SUMMARY REQUEST FOR COUNCIL ACTION (RCA)

DEPARTMENT: Engineering

AGENDA DATE: October 2, 2007

CONTACT PERSON/PHONE: R. Alan Shubert, City Engineer (X4423)
Terrence Freiburg, Purchasing Manager (X4313)

DISTRICT(S) AFFECTED: Citywide

SUBJECT:

Approve the award of Right-of-Way Property Acquisition Consultant to Jeffery S. Ward & Associates, Inc., for one year with one-year extension.

BACKGROUND / DISCUSSION:

City capital projects often need to purchase additional right-of-way/property in order to properly construct those projects. Property acquisitions can be difficult for a variety of reasons, such as, difficulty in contacting owners who are not local residents, clarification of property ownership due to no clear heir of the property, misunderstanding of the City acquisition process, etc. Additionally, the City currently has only one person responsible for completing property transactions for capital projects and this responsibility is in addition to other work requirements. Contracting with a Right-of-Way Consultant will ensure that someone can work on property transactions on a full-time, as needed basis. This, in turn, will help keep capital projects moving forward as desired by all concerned. The Right-of-Way Consultant will be managed by the Engineering Department in coordination with the City Attorney's Office as required. The estimated cost of this service on a cost per parcel basis is between \$1,500.00 and \$5,600.00. The lower fee is for the purchase of part of a single property. The higher figure is the estimated amount for the purchase of an entire property which would also require relocation of a household or business. The estimated annual amount for this service is \$100,000.

PRIOR COUNCIL ACTION:

None.

AMOUNT AND SOURCE OF FUNDING:

Funds Available: Each capital project has a land acquisition budget when property acquisition is anticipated. Therefore, each project will fund the cost of its own acquisitions to include the cost of the Right-of-Way Consultant.

BOARD / COMMISSION ACTION:

N/A

***** REQUIRED AUTHORIZATION *****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____
(Example: if RCA is initiated by Engineering, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

PROJECT FORM

DATE: SEPTEMBER 24, 2007

PROJECT: RIGHT-OF-WAY PROPERTY ACQUISITION CONSULTANT
BID NO: 2007-245 DEPARTMENT: ENGINEERING DEPARTMENT
BUDGET#: VARIOUS
FUNDING SOURCE: VARIOUS
RESPRESENTATIVE DISTRICT(S): ALL

VENDOR: JEFFREY S. WARD & ASSOCIATES
PURCELLVILLE, VA
ITEMS All
AMOUNT: \$100,000. EST/YR
CONTRACT PERIOD: 1 YEAR
OPTION: ONE (1) YEAR

Financial Services and Engineering Department recommend award as indicated. Review Committee based on evaluation factors established for this procurement, recommend award to Jeffrey S. Ward & Associates, Inc.

Overland, Pacific & Cutter, Inc. were considered non-responsive, revisions regarding the Indemnity clauses are unacceptable to the City.

BIDS SOLICITED 03 BIDS LOCALS 00
BIDS RECEIVED 03
BIDS SVCS 06
"NO BIDS" RECEIVED 00
CURRENT TAXES PAID —
OUT-OF-TOWN —

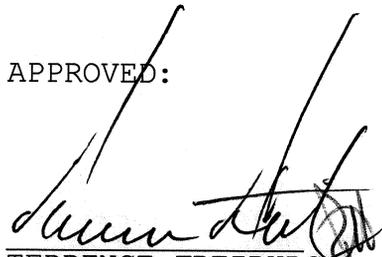
TOTAL AWARD ESIMATED: \$100,000.00

FUNDS: AVAILABLE NOT AVAILABLE COMPTROLLER

COUNCIL: APPROVED REJECTED CITY CLERK

APPROVED:

COUNCIL MEETING OF OCTOBER 2, 2007


TERRENCE FREIBURG
PURCHASING MANAGER

Property Acquisition Evaluations

Criteria	Overland/ Pacific Rater 1	Overland/ Pacific Rater 2	Overland/ Pacific Rater 3	Overland/ Pacific Rater 4	O/P Average	Ward Average	Tierra Average
# and Competence of Staff. Ability to deliver project.					0	34.25	37.5
Reputation	Non-responsive. Proposal added contract provisions regarding indemnity clauses that are unacceptable to City.				0	19.5	18
Cost					0	23.75	11.25
Experience					0	15	15
Total	0	0	0	0	0	92.5	81.75

Ranking

1

2

Rater 1
Rater 2
Rater 3
Rater 4

Irene Ramirez
Robert Ramirez
Rick Talamo
Terry Quezada

Handwritten signatures for Rater 1 (Irene Ramirez), Rater 2 (Robert Ramirez), Rater 3 (Rick Talamo), and Rater 4 (Terry Quezada).

CITY OF EL PASO BID TABULATION

BID ITEM: RIGHT-OF-WAY/PROPERTY ACQUISITION CONSULTANT						BID # 2007-245	
BID DATE: SEPTEMBER 5, 2007						DEPARTMENT: ENGINEERING	
			JEFFREY S. WARD & ASSOCIATES, INC. PURCELLVILLE, VA	OVERLAND, PACIFIC & CUTLER, INC. GEORGETOWN, TX	TIERRA RIGHT OF WAY SERVICES, LTD TUCSON, AZ		
ITEM NO.	DESCRIPTION	FEE PER PARCEL	EXPERT WITNESS HOURLY FEE	PARCEL	EXPERT WITNESS HOURLY FEE	FEE PER PARCEL	EXPERT WITNESS HOURLY FEE
1.	CONSULTANT COST	PROPERTY OWNERS: THE ACTUAL AMOUNT OF ASSISTANCE WILL VARY, BUT WILL NOT EXCEED THE AMOUNT PRESCRIBED BY LAW (\$22,500.00) <hr/> DISPLACED TENANTS: THE ACTUAL AMOUNT OF ASSISTANCE WILL VARY, BUT WILL NOT EXCEED THE AMOUNT PRESCRIBED BY LAW (\$5,250.00)	\$150.00	\$3,000.00	\$220.00	\$6,500.00	\$175.00
PAYMENT TERMS:		NET - 30 DAYS		NET - 30 DAYS		NET - 30 DAYS	
BIDS SOLICITED: 3			BIDS RECEIVED: 3		BIDS LOCAL: 0		NO BIDS: 0

NOTE: THIS IS A BEST VALUE PROCUREMENT. OTHER FACTORS BESIDES PRICE WILL BE CONSIDERED.

APPROVED BY: Isf

DATE: 9/6/07

**JEFFERY S WARD & ASSOCIATES
MITIGATION & BUYOUT CONSULTANT
14401 BOOKCLIFF CT
PURCELLVILLE VA 20132**

**ALEJANDRO VIDALES
TBE GROUP
657 HORIZON BLVD SUITE E
SOCORRO TX 79927**

**MAURICE WALLS
WEST TEXAS LAND SERVICES INC
P O BOX 5
RUIDOSO NM 88355**