

# Olivehurst Public Utility District



## Agenda Item Staff Report

Meeting Date: November 19, 2020

### Item description/summary:

**Property Acquisition Services for Industrial, Sports & Entertainment Zones.** This is part of the process in gaining real property we need for infrastructure placement in this project. Bender Rosenthal, BRI, will provide services to gain rights of entries for geotechnical and environmental work and subsequently acquisition services to negotiate purchase of the properties. We will also require appraisal services from BRI once we start the acquisition process. This is a critical path issue.

### Fiscal Analysis:

Per BRI's attached quote, each right of entry and acquisition (minus the appraisal) should cost roughly \$8200. We have secured funding from YWA for this work as part of our overall design budget of \$4M grant and loan previously attained.

### Employee Feedback

None

### Sample Motion:

Move to approve the attached proposal and fee schedule for Bender Rosenthal.

Prepared by:

John Tillotson, P.E., General Manager

November 10, 2020

Mr. John Tillotson  
General Manager  
Olivehurst Public Utility District  
1970 9th Avenue  
Olivehurst, CA 95961

**ORIGINAL BY EMAIL:**  
jtillotson@opud.org

**RE: Right of Way Services for Pump and Lift Station Sites**

Dear Mr. Tillotson,

We appreciate the opportunity to provide you with a scope and budget for the Right of Way Services necessary for the Pump and Lift Station project. Bender Rosenthal Inc.'s (BRI) scope includes obtaining Rights of Entry for up to 15 parcels that are being considered for appraisal and acquisition. We understand that environmental and geotechnical studies are in process and that additional right of way services for appraisal and acquisition may be needed in the future.

#### **SCOPE OF WORK**

#### **PROJECT MANAGEMENT**

During the course of the Project, Brenda Schimpf will serve as the Right of Way Project Manager. Brenda will discuss the details and expectations with the Agency to define a common understanding about project details, critical issues and processes, and roles and responsibilities associated with right of way support activities. Brenda will oversee performance of the tasks involved in the delivery of the right of way. Typical tasks include providing status updates, attending meetings, and making recommendations on right of way issues.

#### **Deliverables:**

- Bi-weekly updates
- Attend six (6) teleconferences

#### **RIGHT OF ENTRY (ROE) AGREEMENTS**

BRI will negotiate and acquire Right of Entry Agreements (ROE) for any environmental investigations, geotechnical investigations, surveying, or studies that may be needed to advance the project. To expedite this process, BRI will prepare the ROEs with exhibits: Assessor's Parcel Map with locations outlined as well as a letter to each property owner. BRI will mail out the letters (one copy of ROE and AP Map attached to letter) and two copies of ROE and AP Map for owner to sign and return in the self-addressed, stamped envelope. All signed documentation will be submitted to the Agency and one (1) copy of the fully executed ROE will be provided to the property owner upon approval by the Agency.

#### **ADDITIONAL SERVICES**

Additional services requested by the Agency and/or resulting from a change in the Scope of Services such as preparation of appraisals, negotiations, consultations, presentations/briefings, or changes in scope, will be addressed in a future change order or new task order if needed.

**FEE SCHEDULE**

BRI proposes to deliver the ROEs will be delivered within three (3) months from receipt of all pertinent information to complete the agreements.

RIGHT OF WAY TASK		RATE	HOURS	SUBTOTALS
1	Right of Way Project Management	\$220	5	\$1,100
2	Right of Entry Agreement	\$1,500	Per ROE	TBD
3	Administrative Support III	\$90	5	\$450
Direct Costs (Mailings/Travel)				\$500
<b>TOTAL BUDGET</b>				<b>TBD</b>

OPTIONAL RIGHT OF WAY TASKS		LUMP SUM	UNITS	SUBTOTALS
4	Obtain Preliminary Title Reports (PTRs)	\$750	Per PTR	TBD
5	Prepare Appraisal Reports	TBD	Per Appraisal	TBD
6	Acquisition/Negotiations	\$4,000	Per Parcel	TBD
7	Escrow/Title Support	\$1,200	Per Parcel	TBD

The following are the assumptions behind the budget:

1. Full documentation to Federal and State standards for all tasks;
2. No Coordination with State or Federal right of way departments, other than listed in scope;
3. This proposal assumes no relocation activities will be needed. If relocation becomes necessary, a separate cost and scope document will be prepared and approved before services are provided;
4. Any external audit support will be billed on a time and material basis, as well as the following:
  - Addition of a parcel;
  - Addition of easements, or other property rights; and
  - Any additional professional expertise.

We look forward working with you on this project. Should you have any questions, please don't hesitate to contact me, or Project Manager Brenda Schimpf.

Respectfully,

**BENDER ROSENTHAL INC.**



Renee Baur, PMP  
Executive Vice President

**2020 BILLING RATES**

Principal Project Manager	\$250/hr.
Senior Project Manager	\$220/hr.
Project Manager	\$195/hr.
Senior Quality Control Auditor	\$175/hr.
Senior Project Controller	\$160/hr.
Quality Control Auditor	\$125/hr.
Project Controller	\$110/hr.
Sr. Designated Member (MAI/SRA/AI-GRS/ARA)	\$225/hr.*
Designated Member (MAI/SRA/AI-GRS/ARA)	\$180/hr.*
Appraiser III	\$165/hr.
Appraiser II	\$140/hr.
Appraiser I	\$110/hr.
Senior Right of Way Specialist	\$170/hr.
Senior Acquisition Agent	\$165/hr.
Acquisition Agent	\$125/hr.
Senior Relocation Agent	\$160/hr.
Relocation Agent	\$145/hr.
Senior Project Coordinator	\$135/hr.
Project Coordinator	\$105/hr.
Expert Land Consultant	\$170/hr.
Managing Land Agent	\$160/hr.
Principal Land Agent	\$140/hr.
Senior Land Agent	\$120/hr.
Land Agent II	\$105/hr.
Land Agent I	\$90/hr.
Administrative Support III	\$ 90/hr.
Researchers	\$ 85/hr.
Administrative Support II	\$ 75/hr.
Administrative Support I	\$ 60/hr.

\*NOTE: For court or briefing preparation, depositions, any pre-trial conferences, court appearances, and related activities, the hourly rate is \$450.