



AMERICAN
STRUCTUREPOINT
INC.

November 17, 2015

Mayor David Gillock
City of North Ridgeville
7307 Avon Beldon Road
North Ridgeville, Ohio 44039

Re: Center Road (SR 83) and Mills Road Intersection Improvement Project

Dear Mayor Gillock:

We are pleased to present our proposal for the requested services at the intersection of Center Road (SR 83) and Mills Road. We have performed the necessary analysis and have recommended the construction of a single-lane roundabout as the preferred solution to the existing congestion issue at this intersection. American Structurepoint has assembled a project team, including local resources, to design, permit, and inspect the construction of this improvement. Below is our fee proposal and accompanying scope of services to perform the necessary tasks to advance this project.

Proposed Base Fee

Geotechnical Investigation and Report.....	\$8,950.00
Field Survey.....	\$18,900.00
Roundabout Design, Plans, and Permitting	\$97,450.00
Right-of-way Plan Preparation	\$14,900.00
Environmental Investigation and Engineering Services (No Federal Funding)	\$9,800.00
Total Lump Sum Fee	\$150,000.00

If-Authorized Tasks

Right-of-way Acquisition Services (per parcel)	\$6,100.00
Environmental Investigation and Engineering Services (Federal Funding Included)	\$21,500.00
Supplemental Environmental Engineering Services (Federal Funding Included).....	\$15,700.00
Inspection Services	\$79,500.00

If you have any questions or concerns regarding this proposal, please feel free to contact me or Bruce Fraser via telephone at 614-901-2235 or via email at SFleming@structurepoint.com or BFraser@structurepoint.com.

Very truly yours,
American Structurepoint, Inc.

Steven Fleming
Steven Fleming, PE
Vice President

cc: Mayor Bryan Jensen, City of Avon
Mike Farmer, City of Avon Service Director
Jeff Armbruster, City of North Ridgeville Service Director

Attachment

201500787

Scope of Services – Base Contract

Geotechnical Investigation and Report (S&ME)

1. The geotechnical exploration program for this project will include borings, laboratory testing, and preparation of an engineering report discussing the findings of the cores/borings, and presenting geotechnical recommendations addressing the roadway subgrade. The following exploration program is proposed:
 - a. 4 pavement borings extended to 6 feet each with continuous SPT sampling
 - b. Pavement core retrieval at the 3 boring locations within existing pavement
 - c. 1 moisture contents test, 1 liquid limits test, and 1 sieve/short hydrometer test from each pavement boring

Field Survey (Bramhall)

The scope of services to be provided by Bramhall Engineering and Surveying Company, Inc. (Bramhall) will include the following:

1. Topographic survey will be performed to provide contours at one-foot intervals. All survey features within the red-lined area, as shown in the attached appendix A, will be included. Sufficient ground shots will be taken to adequately represent grade breaks, topography, slopes, and other ground elevation features. Survey features will generally include buildings, manholes, fences/gates, utility poles, driveways, sidewalks, roadways, roadway curbs, storm outlets, curb boxes, utility vaults, concrete channels and chambers, headwalls, bushes, trees, significant vegetation features, and mailboxes. The survey will include trees with nominal trunk diameters greater than or equal to 6 inches. Trees will be identified as deciduous or coniferous.
2. Bramhall will contact the Ohio Utilities Protection Service (OUPS) and request staking of all utility-owned underground facilities. When staked or marked by OUPS, Bramhall will transfer this information to the basemapped drawing. The survey will include underground utilities based on markings and records obtained through OUPS.
3. Surveying services include data collection of approximately 0.15 mile on SR 83 and 0.17 mile on Mills Road. The width of the survey limits will encompass the red-lined area shown in Appendix A. Data collection will also include locating buildings on parcels that may require a permanent or temporary right-of-way take. Only the corners of the buildings will be located, and the lineal footage from the right-of-way limits to the buildings will be noted on the right-of-way plans. Topographic survey for the City of Avon parcel in the northeast corner will be limited to the area within the red-lined area in the attached exhibit. Acquisition from this parcel will be handled either with a dedication plat or with a deed and legal description.
4. The survey will be tied to, and closed upon, the Ohio State Plane Coordinate System, North Zone, North American Datum of 1983 (CORS96) (GRS80) Ellipsoid and North American Vertical Datum of 1988 (NAVD88). The survey will meet the required standards of accuracy as defined in the Ohio Administrative Code Chapter 4733-37.
5. Due to the amount of traffic in this area, a 3-person survey crew will be used during data collection of the roadway areas for safety. A 2-person survey crew will be used for all data collection outside the pavement area.
6. Clarifications and Exceptions
 - a. Property owner notification letters will be requested by Bramhall and sent by American Structurepoint in coordination with the City in order to allow access to areas outside the existing right-of-way limits.

- b. Bramhall will attempt to obtain invert data required on structures and pipes as found and obtainable at the time of the survey. Bramhall will note on the plans if field conditions do not allow for information to be obtained (e.g., pipe flowing full, clogged pipes, broken pipes, catch basin debris, locked or bolted lids, inaccessible due to location, etc.). If these pipes are cleaned/debris cleared by others, Bramhall will return to the location to collect the information.
- c. This proposal does not include any mapping inside buildings or inside aboveground structures.
- d. Bramhall will use the OUPS locations and any record drawings provided by the client to show underground utilities and routing in the basemap drawing. Bramhall is not an underground utility locating service. Existing OUPS and reference drawings used as part of the basemapping will be noted as such; however, Bramhall and American Structurepoint do not assume responsibility for the accuracy/completeness thereof.
- e. This proposal does not include setting pins prior to right-of-way acquisition or for utility relocations, due to the undetermined nature of what would be needed at this time. Should these services be requested, they can be provided under separate proposal.
- f. This proposal does not include preparing any utility, channel, or drainage easements or anything other than the permanent and temporary right-of-way needed to construct the project.
- g. This proposal does not include time required to incorporate any revisions to the plans as a result of the right-of-way acquisition due to the unknown nature of what may be required. We can perform these services under separate proposal.
- h. All drawings to be developed and prepared in AutoCAD Civil 3D 2015.
- i. Centerline plat to be recorded by others.
- j. Submission of legal descriptions to the Lorain County Tax Map Office for review and "blue tickets" to be completed by American Structurepoint.

Roundabout Design, Plans, and Permitting (American Structurepoint)

American Structurepoint will perform the following design tasks to complete the plan preparation for the improvements to the intersection of Mills Road and SR 83:

- Design roundabout improvements including geometric layout, pavement design, signing, pavement markings, storm drainage, landscaping, and street lighting.
 - Prepare construction plans and specifications for public bidding.
 - Assist in the development of a community outreach plan and prepare material for the City to present to the public.
1. Project Management and Control
 - a. Prepare a detailed schedule and provide a monthly progress report including services accomplished in the current month and anticipated services to be completed the following month
 - b. Prepare a roadway and drainage design criteria document that summarizes all design criteria to be used for the project
 - c. Prepare an index of plan sheets
 - d. Prepare a project contact list that includes all utility company names, addresses, and telephone numbers, as well as all contacts for the project
 - e. Monitor the status of the services necessary to keep the project on schedule and within budget

- f. Coordinate locations of existing utilities and relocation needs with the utility companies based upon the proposed work. Provide the City with a copy of all correspondence.
- g. Perform quality control checking of all submittals with an independent team led by the project manager
- h. Determine criteria for roadway and drainage design, and submit to the City and ODOT for approval.

2. Traffic Analysis

American Structurepoint will gather existing traffic data and provide that data for certification. American Structurepoint will rely on the certified projected traffic (opening and design year), turning movements at the intersection, AM and PM peak hour, and percent trucks in the development of the roundabout design. American Structurepoint will coordinate with NOACA/ODOT as necessary to obtain certified traffic for this intersection.

3. Plan Development

The following tasks will be performed to complete the construction plans:

- a. QA/QC will be performed throughout the plan development.
- b. Pavement design
- c. Horizontal and vertical alignments
- d. Cross-sections with utilities shown
- e. Drainage and BMP design
 - i. Calculate peak flow runoff for drainage areas
 - ii. Prepare drainage area map
 - iii. Perform spread calculations
 - iv. Perform capacity and hydraulic grade line calculations
 - v. Prepare BMP calculations
 - vi. Prepare site plan
- f. Maintenance-of-traffic scheme – It is anticipated that traffic will be maintained throughout construction.
- g. Establish the proposed permanent and temporary right-of-way limits
- h. Compute estimated quantities and prepare opinion of probable construction cost
- i. Add additional notes, detail information, and quantity references to plan sheets
- j. Prepare general notes sheets
- k. Calculate lighting photometric and voltage drop
- l. Prepare lighting plans and notes
- m. Prepare landscape plans and notes – No irrigation system
- n. Utility relocations include:
 - i. Water line lowering, valve adjustments and hydrant relocations
 - ii. Storm sewer system adjustments to incorporate new roadway alignments and storm inlets
- o. Prepare signing and pavement marking plans

- p. Create the general summary
- q. No subsummaries will be provided in the plan set.
- r. Prepare schematic plan
- s. Prepare maintenance-of-traffic notes, sequence of operations, and traffic phasing plans
- t. Submit plans to the City, ODOT, and utility companies for review and approval

The final construction plans are anticipated to consist of:

<u>Description</u>	<u>No.</u>
Title Sheet	1
Schematic Plan	1
Typical Sections	3
General Notes	3
Maintenance-of-Traffic Notes	1
Maintenance-of-Traffic Sequence of Operations	1
Maintenance-of-Traffic Phasing Plans	8
General Summary	2
Calculations Sheet	1
Project Site Plan	1
Plan & Profile Sheets/reference line profiles	9
Cross-Sections	12
Drive Detail	1
Intersection Details/Splitter Island	4
Storm Sewer Profiles	2
Signing and Pavement Marking Plan	4
Landscaping Plan	1
Right-of-way Plans	9
Lighting Plan	3
Total	67

4. Bid Documents

American Structurepoint will compile City and ODOT specifications, quantities, and construction plans and provide to the City for public bidding. Contract language will be provided by the City. Items not included are: the cost of advertising and printing.

5. Public Outreach Plan

Coordinate with City staff and assist in the development of a community outreach plan. No direct involvement with the public by American Structurepoint is anticipated. American Structurepoint will provide exhibits and a rendering to the City as part of their coordination efforts with the property owners and stakeholders. If attendance at a public meeting or direct involvement with the public is deemed necessary to gain public support, the effort would be considered an additional service.

6. Services not included with this proposal

In addition to tasks previously mentioned that will not be performed, the following are also not included in this scope of services.

- a. Horizontal and vertical roadway improvements beyond those necessary to construct the roundabout
- b. Retaining wall justification study and plan preparation
- c. Channel relocation plans

- d. Noise wall plans
- e. Sanitary sewer relocation plans
- f. Fencing plans
- g. Irrigation plans
- h. Retention basin design for BMP treatment
- i. Utility relocation plans (water mains, gas, electric, phone, cable, etc.)
- j. Materials Testing during construction

Right-of-Way Plan Preparation (Bramhall)

Right-of-way plans and legal descriptions will be completed based on the final footprint developed for the construction of the proposed roundabout. Based on the preliminary work limits anticipated for this project, it is estimated that approximately 6 parcels may require permanent and/or temporary right-of-way. This fee proposal is based on completing right-of-way plans for 6 parcels, and writing 11 legal descriptions (5 permanent takes and 6 temporary takes). Right-of-way plan sheets will consist of a legend sheet, centerline plat, property map, summary of additional right-of-way sheets, right-of-way plan sheets, and right-of-way boundary sheets.

Environmental Investigation and Engineering Services (No Federal Funding)(American Structurepoint)

1. Wetlands and “waters of the US” delineation - Includes conducting an ecological survey including the identification of potentially jurisdictional wetlands and streams (i.e., “waters of the US”), potentially isolated waters (i.e., “waters of the State”), and other ecological resources within the site. The information and data compiled in this task will be used to supplement applications for Clean Water Act (CWA) permits as outlined in this proposal and will include the following:
 - a. Records Review
 - i. Review US Geological Survey topographic mapping to evaluate shape and elevation of the land, drainage patterns, and vegetation associated with the study area and surrounding area
 - ii. Review the National Wetland Inventory mapping maintained by the US Fish and Wildlife Service (USFWS) to evaluate any potential baseline wetland mapping already established for the study area
 - iii. Review available high-resolution orthophotography to evaluate land use of the site and surrounding area, and other features (such as waterways, drainage patterns, flooding, or dark coloration of surface soils) indicating hydric soils
 - iv. Review the Lorain County Soil Survey to determine soil classification and drainage features within the study area
 - v. Prepare a written summary of the records review, including narrative description of physical setting of the study area
 - b. Field Reconnaissance of the Project Site
 - i. Investigate and evaluate site in compliance with the Corps of Engineers Manual for Wetland Delineation
 - ii. Collect the appropriate number of data points to sufficiently document the presence or absence of wetlands and their boundaries based on an assessment of plants, soils, and hydrology observed on the site

- iii. Assess all delineated wetlands in the study area using the methodology described in the *Ohio Rapid Assessment Method for Wetlands* (Mack 2001).
 - iv. Identify any drainage channels, and assess their habitat using the methodology described in *Methods for Assessing Habitat in Flowing Waters: Using the Qualitative Habitat Evaluation Index (QHEI) Manual* (Rankin 1995 and 1989; and Platts et al, 1983) and/or Headwater Habitat Evaluation Index (HHEI) for headwater streams (qualitative assessment only), as applicable
 - v. Photodocument the project site including all data points, aquatic resources, and drainage features
 - vi. Wetland boundaries and ecological resource locations will be documented utilizing Global Positioning System (GPS) equipment with sub-meter accuracy
- c. Prepare Evaluation and Report
- i. Prepare a written report summarizing the results of the records review and field reconnaissance consistent with the *1987 US Army Corps of Engineers Wetland Delineation Manual*. The report will be acceptable to both the US Army Corps of Engineers and the Ohio Environmental Protection Agency.
 - ii. This will include the environmental professional's opinion of the jurisdictional analysis of the aquatic resources identified in the project site, and will contain descriptions of the sites; descriptions of all wetland, stream, and ecological resources identified within the site; representative photographs; mapping of the GPS data collected during fieldwork as GIS shapefiles; and additional mapping of the site showing topographic, soil survey, and NWI data. The report will evaluate the wetlands and streams identified within the project limits to allow a determination of whether these wetlands or streams qualify as Waters of the U.S. and will be suitable for submittal to the USACE for confirmation of our delineation
- d. Submit Wetland Delineation and Waters Report to Appropriate Regulatory Agencies
- i. At the direction of the client, submit the wetland delineation and waters report to the Corps of Engineers for review and concurrence. It is routinely stated in the Corps of Engineers concurrence letter the report is valid for a period of five (5) years from the date of the letter unless new information warrants revision of the delineation before expiration date. The entire study area must be reevaluated once the wetland delineation and waters report expires. At the direction of the City, submit the documentation to the Ohio Environmental Protection Agency for their review and concurrence, if applicable.
 - ii. Meet in the field, as necessary, with the regulatory agencies to review the delineation report and assist them in their evaluation of the information prepared
2. Section 404 Nationwide Permit - Based on the information available, it is assumed that the proposed project will meet the criteria to be processed under the Section 404 Nationwide Permit (NWP) program (less than 0.5 acre of impacts to wetlands and/or less than 300 linear feet of impacts to streams) and will include the following:
- a. Prepare, submit, and coordinate the appropriate documentation with the USACE under the Section 404 NWP program. Efforts to complete the Section 404 Nationwide permit shall include the following:
 - i. A copy of the wetlands and waters report
 - ii. Request written confirmation from the USACE as to the limits of jurisdiction and the regulatory status of all on-site "waters of the US." The final limits of jurisdiction will be provided to the client for inclusion in the project's site plans. The limits of jurisdiction are the basis for all calculations of impacts resulting from the plans.

- iii. Coordinate with the Ohio Department of Natural Resources (ODNR) to request a natural heritage database search of the site to determine whether any known occurrences of federal or state protected species occur on the project site or in the immediate vicinity
- iv. Coordinate with the USFWS to gather information on federally listed endangered, threatened, and candidate species for the project site
- v. As part of the Nationwide Permit PCN, we will conduct a preliminary cultural resources literature review summarizing inventories maintained by the Ohio Historic Preservation Office (OHPO), which includes: the Ohio Archaeological Inventory (OAI) and the Ohio Historic Inventory (OHI), available county and township histories, atlases, gazetteers, and historic maps
- vi. Submit the Section 404 NWP Preconstruction Notification (PCN) application package to the USACE
- vii. If necessary, American Structurepoint will schedule a field visit with the USACE and/or the OEPA to confirm the onsite limits of jurisdiction for Waters of the U.S and the findings of the ecological survey, and conduct the permit pre-application meeting

Environmental Investigation and Engineering (Federal Funding Included)(American Structurepoint)

1. Develop Purpose and Need Statement - A Purpose and Need Statement will be written to meet Ohio Department of Transportation (ODOT)-Office of Environmental Services (OES) standards. The Purpose and Need Statement will be included in the final environmental document.
2. Section 106 Request for Review - The purpose of the Section 106 Request for Review is to provide information to allow the ODOT-OES to determine the appropriate scope and effort of Phase I cultural resources investigations for the project, should they prove necessary. The Request for Review will document the existing conditions within the study area as well as previously identified cultural resources in the vicinity. This data package is to provide information that will allow an accurate assessment of potential impacts to known cultural resources for ODOT-OES to determine whether the project is an exempt action or if additional documentation is needed.
3. Ecological Survey Report - Field surveys and impact assessments will be conducted in accordance with the most recent version of the ODOT Ecological Manual to verify and collect data on ecological resources within the project area and assess potential impacts to the ecological resources by the proposed action. This fee assumes that a Level 1 Ecological Survey Report will be required. If in coordination with ODOT it is determined that the Level 1 Ecological Survey Report needs to be elevated, efforts required to prepare an elevated report will be considered out of scope.
4. Environmental Site Assessment (ESA) Screening - The ESA Screening will be conducted to identify any sites within the feasible alternatives that may require a Phase I ESA. As part of the screening, regulatory databases will be reviewed along with present and historic land uses associated with properties in the project area. The results of the screening will be presented in an ESA Screening Report that will be prepared in accordance with ODOT's ESA Guidelines. If in coordination with ODOT-OES it is determined that hazardous materials concerns may exist on a parcel, a Phase I ESA may be deemed necessary.
5. Environmental Document -The proposed action will likely be processed as a D1 action Categorical Exclusion NEPA document. This document will be developed and submitted via ODOT's on-line CE system and will incorporate studies and other tasks performed as part of this proposed action.

If-Authorized Tasks – Scope of Services

Right-of-way Acquisition Services (OR Colan)

Standards – For the purposes of preparing this scope of services and cost proposal, OR Colan will follow accepted real estate acquisition standards that are in compliance with the Ohio Revised Code and Ohio Administrative Code.

1. Title Research - All title research activities will be the responsibility of OR Colan. Title activities include the following:
 - a. One parcel will be charged for each Auditor Parcel impacted by the project. The Auditor parcel count may differ from Project parcel count.
 - b. Preparation of Report on ODOT Form LPA RE 46 (Title Report) and LPA RE 46-1 (Chain of Title). A title report will be completed for each common ownership which may contain multiple Auditor Parcel Numbers (APN's).
 - c. OR Colan will be responsible for a 42-year minimum title search back to a warranty deed for all parcel numbers, except railroad parcels. The root of Title for a Railroad is the deed of conveyance providing evidence of when a private owner conveyed the tract of real estate to the railroad for the area impacted by the project.
 - i. If during the title search OR Colan determines that auditor parcels have more than five (5) fractional interests, or more than ten (10) active liens associated with the parcel, or more than ten (10) easements per title report; OR Colan reserves the right to request additional funds through a contract modification for the additional research required beyond a typical report.
 - d. The following will be completed as part of the standard title research:
 - i. Complete copy of the current deed of record and additional deeds vesting fee simple title in the current owner and the root deed of title
 - ii. Copy of Auditor's card showing land and improvement values
 - iii. Tax mailing address
 - iv. Copy of taxes for each auditor's parcel number and payment status
 - v. Copies of mortgages, mortgage assignments, tax liens, judgment liens, workers compensation liens, unemployment liens and other liens that encumber each auditor's parcel number that is subject of the title report;
 - vi. Copies of leases (in the case of oil and gas leases, no search will be performed on the assignment of various lease interest)
 - vii. Copies of easements and rights-of-way found within the time frame searched, or referenced on current documents found
 - viii. Copies of subdivision plats, annexation plats, splits and combines of property (provided only if they indicate easements or restrictions on the subject parcel)
 - ix. Docket entries for pending suits
 - x. Corporate documents (if available on the Secretary of State's website)
 - xi. Auditor's tax maps (if available)
 - xii. One original written title report to include the title report, the title chain, and all pertinent attachments. The paper copy shall have the original signature of the title agent in the verification block.

- xiii. One hard copy of the original title report with all the attachments will be provided along with all Word documents and PDFs of all the title reports.
- e. The following research is not part of the title report and will not be provided:
 - i. Copies of all the deeds in the chain of title for the time period searched, other than the current deed of record and root deed as identified under Title Research
 - ii. Subdivision plats, annexation plats, split plats, and combine plats not showing easements or restrictions
 - iii. Search chain of oil & gas lease assignments or mineral rights, reserved or conveyed out

2. Appraisals

- a. Right of Accompaniment – Owners of property where value finding and summary appraisals are being conducted will be given the right of accompaniment. Only one meeting/accompaniment per property is included in the scope of services. Contact will be made by telephone or certified letter form depending upon the project timeline. If no response is made by the owner before the indicated deadline to do so, then it is implied that the owners have declined their right of accompaniment and no subsequent trip to provide accompaniment will be granted unless other arrangements have been made or additional compensation is agreed upon between Engineer and LPA.
- b. Appraisal Process – The appraisal function will be consistent with The Uniform Standards of Professional Appraisal Practice (USPAP) and the appropriate agency appraisal guidelines and requirements of the LPA such as: State DOT Policy & Procedures, FAA, FEMA, The Uniform Appraisal Standards for Federal Land Acquisitions “Yellow Book” and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 “Uniform Act”. The appraisal formats and associated fees are subject to change once final plans are provided and the scoping of the project is completed with the appraisal reviewer.
- c. Appraisal/Appraisal Updates – OR Colan will be responsible for all appraisal activities. All valuation activities will be done in accordance with USPAP appraisal standards and the appropriate DOT Policy and Procedures Manual, unless otherwise directed by the LPA. Appraisal and appraisal updates will be the responsibility of OR Colan. Any appraisal update will require prior approval from the LPA at a pre-negotiated fee.
- d. Appraisal Reviews – The Appraisal Review process is required if either: (1) directed by the LPA or (2) state or federal funds are used on any phase of this project.
 - i. The appraisal review process is considered necessary and a required element when State or Federal funding is provided.
- e. Continued Appraisal Support – A certain level of continued appraisal support is included during the negotiation process in order to explain a complicated appraisal process or to answer a simple question. This is implied in the scope as an effort to aid the negotiating team. However, should a significant block of time be required to be set aside to answer issues or prepare additional documentation not otherwise requested in the appraisal review process, the appraiser retains the right to submit a contract modification for additional time and expenses accrued outside the limits of the original appraisal scope.
- f. Sign Value Estimates – When acquiring right-of-way, especially within a commercial corridor, it becomes necessary to provide a sign valuation estimate. This task is generally provided by someone experienced in the field of sign valuation and comes at an additional cost. The cost of the sign valuation will be incurred by the LPA unless otherwise specifically stated in the proposal.

3. Acquisition:

- a. Preparation of Individual Parcel Files – OR Colan shall be responsible for the assemblage and maintenance of all acquisition and relocation files. All files will be maintained in accordance with the ODOT Real Estate Policy and Procedures Manual and as directed by the LPA.
- b. Negotiations – OR Colan will be responsible for all negotiation activities. All negotiation activities will be done in accordance with the ODOT Real Estate Policy and Procedures Manual Section 5000 et seq., unless otherwise directed by the LPA. OR Colan is responsible for the preparation and distribution of the Notification Letters and Brochures and for the preparation and distribution of Offer Letters. During negotiations, OR Colan shall supply the fee owner with a copy of the applicable Appraisal or Value Analysis. OR Colan will prepare and supply an LPA approved Brochure or ODOT Brochure, as directed by the LPA. OR Colan will complete a maximum of ten contacts (face to face meetings, phone calls, faxes, mail, and/or e-mails) per acquisition parcel within a 60-day period from the date of the Initial Offer, in order to secure the parcel. All contacts will be logged in the Acquisition Agent's notes, as part of the parcel file records. Should the LPA wish to extend negotiations beyond 10 contacts or beyond a 60-day period, a contract modification for additional Negotiation labor fee(s) with the affected property owner(s) may be required.
- c. Property Inventory Classification – One of the early items of work will be the preparation of a Property Inventory Classification (typically using ODOT Form RE-95), if needed for specific parcels on this project. This will identify signs, fences, light poles, etc., being removed as part of the project, which are located in the Warranty Deed (WD), Permanent Easement and Temporary Easement areas. This form will establish ownership of these items and identify which improvements are real property and which are personal property. These forms will be provided to the appraiser(s) so that the owners/tenants are accurately compensated for their site improvements. It is estimated one RE-95 will be needed on the project. If additional RE-95's are required, an additional fee will be charged to perform this work.
- d. Bill of Sale – Bill of sale parcels are encountered when a third party (or more) owns the improvement(s) in the take area. As such, a Bill of Sale parcel is treated as a separate negotiation with the owner(s) of the improvement(s) and a separate negotiating fee is provided for in the cost proposal for each owner of an improvement. Bill of Sale parcels require the completion of ODOT Forms RE 56, RE 68, and RE 69 per ODOT Policy and Procedures. One bill of sale parcel is assumed on this project. If additional bill of sale parcels are required, an additional fee will be charged to perform this work.
- e. Legal Descriptions – Legal Descriptions will be approved by the applicable County(s).
- f. Legal (Conveyance) Instruments – Legal (Conveyance) Instruments will be provided by the LPA. In the absence of the LPA providing its own instruments, OR Colan will use ODOT's LPA instruments with the understanding that they will be reviewed and approved by the LPA's legal counsel prior to use on this project.

4. Closing & Title Update:

- a. Closings – All closing activities are to be the responsibility of OR Colan. Closing activities include the following:
 - i. Title Update
 - ii. Preparation of ODOT Form RE-57 and submission of the completed form to the County Auditor's Office for determination of pro-rated taxes and unpaid assessments
 - iii. Preparation of mortgage and lien releases

- iv. Securing of said releases on encumbered property from the property owners or the mortgage/lien holders
 - v. Conducting of closings and the disbursement and collecting of monies as required
 - vi. Assisting the property owner in the execution of required instruments and forms, including but not limited to the Closing & Settlement Statement (RE-44/44-1) and Affidavit by Seller (RE-45)
 - vii. Securing the necessary approvals from required local agencies to permit the transfer of ownership of property rights in the County Auditor's Office
 - viii. Recording the instruments and releases with the County Recorder's Office
 - ix. Depositing the pro-rated taxes with the required County office and obtaining a receipt
 - x. Monitoring the property owner for compliance with performance withholding requirements on non-structure parcels involving retention of signs, etc.; Paying owner(s) and securing receipt upon property owners' compliance with requirements
- b. The LPA will be responsible for the following:
- i. Completing and submitting to the specific County offices the tax exemptions (DTE 23 Forms)
 - ii. The LPA will be responsible for payment of any taxes from the date of deed transfer to obtaining tax exemption status
- c. Title Updates – OR Colan will be responsible to provide one title update per parcel prior to closing a parcel. If additional title updates are required by the LPA, an additional title update fee will be charged to complete this work.
- d. Mortgage Releases – OR Colan will be responsible to secure mortgage releases for parcels with compensation in excess of \$25,000; which includes contacting, providing documents, and continued coordination with the Lending Institution(s) or Lien Holder(s). One mortgage and/or lien release is anticipated on the project. If additional releases are required beyond the estimated number of releases provided for in this proposal, an additional fee will be charged to perform this work, with approval of the LPA. Mortgage release fees charged by the lending institution will be invoiced as actual costs to the project, as pre-approved by the LPA.
5. Project Administration
- a. Project Mobilization Meeting – A project mobilization meeting is held to introduce each other and to clarify any questions relating to project scope. The project mobilization meeting will outline contact persons and communication protocol. At this meeting, all issues related to the specific job and its division of responsibilities will be resolved.
 - b. Project Timeline – A project timeline will be submitted by OR Colan. It will indicate the critical path of the project as it relates to overall project development.
 - c. Administrative Reviews – The LPA shall be the primary contact for settlement authority requested by OR Colan for administrative reviews. All requests for administrative reviews shall be in writing and shall contain all appropriate documentation to support a request. A recommendation will be provided by OR Colan. OR Colan shall have the authority to approve administrative reviews up to \$1,000.00 over the original offer (the established fair market value estimate) per ODOT Policies and Procedures Manual. Inter-agency coordination, if required, for this task will be performed by OR Colan to secure all approvals and signatures on Administrative Settlements.
 - d. Appropriation Coordination – The LPA's legal counsel or other official as designated by the LPA shall be the primary contact for all appropriation coordination activities. Upon receipt of the

appropriation billing package from OR Colan, the LPA will be responsible for filing in the appropriate court of law. The LPA will file the DTE 23 upon receipt of a final court entry.

- e. This scope of service and cost proposal provides for the preparation of the appropriation package only. Follow-up meetings during or after the filing process (after the parcel has been submitted for appropriation and the LPA directs OR Colan to re-enter into negotiations); mediation hearings, court deposition and testimony, or assisting legal counsel is not included with this scope and fee. However, these services can be provided by OR Colan if a scope and fee can be mutually agreed upon with the LPA.
 - f. Billing – Complete billing packages (signed parcels or appropriations) shall be submitted to the LPA for processing. Billing package contents will be consistent with the particular section of the ODOT Policies and Procedures Manual being utilized. All forms/negotiator and relocation notes must be typed or computer generated. Specific items of information to be included in the billing package will be defined during the project mobilization meeting. All billing requests will be reviewed and warrants processed by appropriate LPA personnel. Deficient packages returned to OR Colan for correction shall be completed and returned to the LPA within ten business days. In the case of signed parcels, the warrant shall be prepared by the LPA and then forwarded to OR Colan for payment to the owner(s). In the case of appropriations, the warrant will be forwarded to the LPA's legal counsel to be placed on deposit with the Court. In all cases, the LPA will prepare the 1099-S forms in conjunction with the processing of the warrants to pay each property owner.
 - g. Project Meetings – OR Colan will provide phone conference meetings with the LPA personnel once per month after the Project Mobilization Meeting to discuss project status.
 - h. Final File Disposition – Upon receipt of recorded instruments for signed parcels or the filing of an appropriation case, OR Colan shall submit the individual parcel file(s) to the LPA, either individually or at the end of the project during the project closeout.
6. Responsibility of the Right-of-Way Acquisition Consultant (OR Colan)
- The Consultant shall be responsible for the following acquisition services under the Scope of Services for this project:
- a. Property Inventory Classifications (ODOT Form RE-95)
 - b. Project Schedule
 - c. Title Research
 - d. Preparation of Individual Parcel Files
 - e. Value Analyses/Appraisals/Updates
 - f. All Phases of Acquisition (Negotiations) including all necessary written correspondence to owners (Notification Letters, Offer Letters, etc.)
 - g. Preparation of Billing Packages
 - h. Closings/Title Updates
 - i. Project Administration
 - j. Project Status Reports – Monthly Submittals
 - k. Project Certification to the LPA
 - l. Final File Disposition
7. Responsibility of the LPA (City or ODOT)

The LPA shall be responsible for the following acquisition activities under the Scope of Services for this project:

- a. Project Authorization
 - b. Encumbrances
 - c. Administrative Reviews
 - d. Appropriation Coordination
 - e. Billings for Owner Settlement Checks or Checks for Deposit in Court
 - f. The LPA will file the DTE 23 upon receipt of a final recorded document or final court entry
 - g. Payment of taxes, if any, after deed transfer and proration of taxes
 - h. Completion of IRS Form 1099-S
8. Reference Documents – Applicable provisions of the following documents shall be incorporated by reference into this Scope of Service:
- a. The Ohio Revised Code (including but not limited to Chapter 163)
 - b. The Ohio Administrative Code
 - c. USPAP

Supplemental Environmental Engineering Services (American Structurepoint)

1. Phase I ESA: If authorized, a Phase I ESA will be conducted on one parcel within the project area as determined based on the results of the ESA Screening and through coordination with ODOT-OES. The Phase I ESA is a more detailed investigation based on the review of parcel-specific information. This includes investigation of the historic ownership of the property, current and former land uses, physical characteristics of the surrounding area, a regulatory records review, interviews, and a photographic log to document the present conditions of the parcel. The results of the Phase I ESA will be presented in a Phase I ESA Report that will be prepared in accordance with the most recent version of the ODOT ESA Guidelines Manual. If the Phase I ESA indicates there is a reasonable likelihood that contamination is present on a specific parcel, then a Phase II will be required. The services to prepare a Phase II ESA will be considered out of scope.
2. Waterway Permit: If authorized, prepare and submit the appropriate permit applications for the project, including a Section 404 Nationwide Permit to the United States Army Corps of Engineers (USACE). If jurisdictional waters are impacted, it is anticipated the USACE will allow the project to be permitted under a Nationwide 14 permit for linear transportation projects, as described in the March 19, 2012, USACE Authorization of the Nationwide Permits for the State of Ohio. Furthermore, if jurisdictional waters are impacted, it is anticipated that the project will impact less than 300 linear feet of stream and less than 0.1 acre of wetland. If in coordination with USACE it is determined that an individual permit and/or mitigation for losses to aquatic resources is required or that isolated wetlands will be impacted, the services to prepare the applications and mitigation plans will be considered out of scope.
3. Phase I History/Architecture Survey: If authorized, the Phase I History/Architecture Survey will involve the identification of the history and architecture within the Area of Potential Effect so the effects of the project on historic properties [i.e., those listed in or eligible for listing in the National Register of Historic Places (NRHP)] can be considered.
4. Phase I Archaeology Survey: If authorized, the Phase I Archaeology Survey will involve the identification of the archaeological resources (archaeological remains or historic structure remnants) within the study area, so the effects of the project on archaeological resources (i.e., those listed in or eligible for listing in the NRHP) can be considered. The cost for this task is based on the need to hand test the entire project

corridor should poor surface visibility conditions prevent the ability for a surface collection survey. The cost of this task can be reduced if surface visibility is conducive to allow 50% hand testing and 50% surface collection survey. If in coordination with agencies it is determined additional surveys are required, the services to prepare the surveys and reports will be considered out of scope.

Inspection Services (American Structurepoint)

For the fulfillment of all services outlined below, the Engineer will provide one resident project representative for a period of time necessary to complete the construction project and final construction report. This duration is assumed to be 18 weeks. If this duration is delayed or extended, additional compensation will be required.

The resident project representative will take directions from and report to the LPA on all matters concerning contract compliance and administration.

1. **Construction Schedule:** Review the construction schedule prepared by the contractor for compliance with the contract and give to the LPA detailed documentation concerning its acceptability
2. **Conferences:** Attend preconstruction conferences as directed by the LPA, arrange a schedule of progress meetings and such other job conferences as are required for the timely and acceptable conduct of the job. Record for the LPA, as directed, minutes of such meetings. The Engineer shall be available for conferences as requested by the LPA to review working details of the project.
3. **Liaison:** Serve as the LPA's liaison with the Contractor, working principally through the Contractor's field superintendent or such other person in authority as designated by the Contractor. Acting in liaison capacity, the resident project representative shall be thoroughly familiar with the plans and specifications applicable to the project to monitor the Contractor for compliance with provisions therein. Any deviation observed shall be promptly reported to the contractor and LPA by the resident project representative.
4. **Shop Drawings**
 - a. Receive shop drawings. Check for completeness and then forward to design personnel for approval.
 - b. Review approved shop drawings, specifications, and other submissions. Record receipt of this data, maintain a file of all drawings and submissions, and check construction for compliance in accordance with the contract documents.
 - c. Alert the contractor's field superintendent when it is observed materials or equipment are being or about to be used or installed before approval of shop drawings or samples, where such are required, and advise the LPA when Engineer believes it is necessary to disapprove work as failing to conform to the contract documents.
5. **Review of Work, Inspection, and verification of testing**
 - a. Conduct on-site inspections for the LPA of the work in progress as a basis for determining whether the project is proceeding in accordance with the Contract Documents.
 - b. Accompany visiting inspectors representing local, state, or federal agencies having jurisdiction over the project, and report details of such inspection to the LPA
 - c. Verify that the required testing has been accomplished
6. **Records**
 - a. Prepare and maintain at the job site orderly files of correspondence, reports of job conferences, shop drawings and other submissions, reproductions of original contract documents, including all addenda, change orders, and additional drawings subsequent to the award of the contract, progress reports, and other project-related documents

- b. Keep a diary or logbook recording hours on the job site, weather conditions, a list of visiting officials, decisions, general observations, and specific observations with regard to test procedures. Upon request, furnish copies of such a diary or logbook to the LPA.
 - c. Maintain for the LPA a record of names, addresses, and telephone numbers of all subcontractors and major material suppliers.
 - d. Maintain a set of drawings on which authorized changes are noted and deliver to the LPA upon request, but in any event at the completion of the project.
 - e. Prepare the Final Construction Record and Final Estimate as required by the LPA. Provide a copy of the Final Construction Record to the LPA.
7. Reports: Furnish to the LPA at periodic intervals, as required, progress reports of the project, including the Contractor's compliance with the approved construction schedule.
 8. Project Responsibility: The resident project representative will be responsible for the documentation of pay quantities and estimates and the maintenance of appropriate records related to the construction of this project.
 9. Work Schedule and Suspension: The Engineer's crew will be required to regulate their work week to conform to the Contractor's hours in accordance with the directions of the LPA. If work on the construction project is suspended and all matters concerning contract compliance and administration are complete, the services of the Engineer may also be suspended without cost to the project.
 10. Engineer shall not at any time supervise, direct, or have control over Contractor's work, nor shall Engineer have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by Contractor, for security or safety at the Site, for safety precautions and programs incident to the Contractor's work in progress, nor for any failure of Contractor to comply with laws and regulations applicable to Contractor's furnishing and performing the work.

