Consultant Process-ROW
Kentucky Transportation Cabinet (KYTC)
Division of Right of Way & Utilities
Dean M. Loy
Assistant Division Director Right of Way & Utilities
GOVERNMENT

If you think the problems we create are bad, just wait until you see our solutions.
ROW Consultant Type & Qualifications

- **Project Manager**- min. 6 yrs. Experience in Right of Way acquisition under the laws of eminent domain, with demonstrated management skills.

- **Level III Agent**- min. 3 yrs experience of recent experience in buying under the laws of eminent domain and capable of handling multiple complex acquisition issues.
ROW Consultant Type & Qualifications

- **Level II Agent** - min. 2 yrs. of recent experience in buying under the laws of eminent domain and capable of handling complex acquisition issues.

- **Level I Agent** - min. 1 yr. of experience in buying under the laws of eminent domain and capable of handling minor acquisitions and non-complex issues.
**Buyer Trainee** - Is a person who meets the minimum qualifications but has no experience in acquiring right of way under the laws of eminent domain. Graduated College or University. Experience in writing real estate appraisals, right of way negotiations, or relocation assistance. Must work directly under a Project Manager and/or Level III Buyer for a period of one year.
• **Level II Relocation Assistant Agent** - a person with a min. of 2 yrs. of recent experience in Relocation Assistance under the Uniform Act and capable of handling complex relocations.

• **Level I Relocation Assistant Agent** - min. 1 yr. of experience in buying under the laws of eminent domain and capable of handling minor relocation files & non-complex issues.
• Relocation Trainee-Is a person who meets the minimum qualifications of an Agent II, but has no experience in relocation under the laws of eminent domain. Graduated College or University. Experience in right of way acquisitions, all of which must have been under the laws of eminent domain. Must work directly under a Project Manager and/or Level II Relocation Agent for a period of two years.
ROW Consultant Requirements

• Firms
• Independent Fee Persons
• Prequalified (All)
Consultant Firm Requirements KYTC

- Project Manager-
  - On staff or Committed to working exclusively for that firm
  - Minimum six (6) years of experience in Right of Way Acquisition under the laws of eminent domain
  - Demonstrated Management Skills.
• **Buying Agents-**
  – At least two (2) buyers who are on staff or committed to working exclusively for the firm.
  – One buyer must meet the minimum requirements of a Level III Agent
  – Second buyer may be a Level I Agent or Trainee.
• Relocation Assistance Agent-
  – A firm shall have a Level II Relocation Agent on staff committed to working exclusively for that firm.

• Insurance-
  – Required Professional Liability Insurance
Independent Fee Persons

- Must be prequalified
- Meet minimum requirements
- Available for Consultant Firms
- Cannot be selected as an individual
ROW Consultant Selection Process

- Statewide RFP-projects which require work greater than a regional contract. Generally this RFP will entail a cost greater than $175,000

- Regional RFP-projects which are generally small in nature, yet too big for the Districts to complete with Staff. Not to exceed $175,000
ROW Consultant Selection Process

- **Statewide RFP**
  - Professional Services
  - Selection Committee five (5) persons. 2 from the User Division, 2 from the Secretary’s Pool, and 1 from the Governor’s Pool.
  - Two (2) Committee Meetings- First meeting consultant proposals & project discussed. Second meeting further project discussion & selection of consultant. (Based on points criteria)
ROW Consultant Selection Process

• Regional RFP
  – 2 Year Contract (Rotation)
  – 2 Regions (Divided into 6 Districts)
  – Maximum Limit $175,000 per project
  – Chosen by Selection Committee as in Statewide
  – Max. Number of Firms per region six (6)
• Project Report—detailed parcel information about project i.e. appraising, acquisition, relocation. (10 Days)

• Scoping Meeting—required for all projects (Statewide & Regional), Project Overview, Plans, Appraising, Acquisition, Relocation, Administrative, Property Management, Public Meeting, Project Management, & Completion of Project.
• Consultant Fee Proposal-submits fee cost based on a lump sum number with individual parcel breakdown (After Scoping Meeting)
• KYTC fee proposal-submits fee cost based on per parcel basis with lump sum final cost
• Contract Negotiations
• Notice To Proceed
Future Consultant Services for KYTC

- Change in Selection Process-Lump Sum to Hybrid (Hourly)
- Prioritizing Projects-Lack of Staff, Consultant Firms, KYTC Project Load
Questions and Hopefully Answers

CONSULTING
If you’re not a part of the solution, there’s good money to be made in prolonging the problem.