

## **ATTACHMENT A: SCOPE OF WORK**

The Transportation Agency may require the appraisal and acquisition of the following properties for the Monterey County Rail Extension project:

Location	Parcel	Appraisal & Acquisition
Salinas	002-021-014	Full / Fee / Permanent
Gilroy	841-16-123	Full / Fee / Permanent
Gilroy	841-13-023	Full / Fee / Permanent
Gilroy	841-14-072	Full / Fee / Permanent
Gilroy	841-14-058	Full / Fee / Permanent

### **Acquisition:**

The real estate acquisition consultant team shall provide right-of-way negotiation services for up to five parcels or portions thereof. The consultant team shall provide the acquisition agent services necessary to negotiate an equitable right-of-way agreement and complete the property purchases with Union Pacific Railroad. For those parcels where agreement is reached, the consultant shall secure title reports (as part of Agency's escrow costs), prepare grant deeds, prepare escrow instructions, and coordinate with the Agency to assure close of escrow and payment to owner. The consultant team shall maintain diaries for all the parcels. Other parties under separate contract with the Agency will conduct engineering services (including hazardous materials investigations).

### **Appraisal / Review Appraisal:**

The consultant team shall also provide right-of-way appraisal services. The consultant team shall provide complete appraisals and the appraisals shall conform to the standards prescribed by the Federal and State Uniform Relocation Assistance and Real Property Acquisition Policies Acts, the Federal Transit Administration or Federal Highway Administration procedures, and Caltrans procedures. The consultant team shall also provide review appraisal services as a separate sub-consultant that is not affiliated with any of the other firms on the consultant team. The consultant team appraisers shall coordinate with the review appraiser and consultant team's legal advisors to incorporate comments into appraisals, as necessary.

### **Legal Services:**

The consultant team shall also provide legal administrative services necessary to acquire properties in coordination with the real estate acquisition consultant, appraisers, and review appraisers. The real estate consultant team shall provide oversight to include continuous review and evaluation of the process to ensure compliance with statutory and regulatory requirements including the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended (Uniform Act), 49 CFR Part 24 (the Regulations by which all Federal projects must follow), applicable Federal Transit Administration Circulars, State of California Department of Transportation Right of Way Manual, and all other State and federal standards for right-of-way acquisition for transportation, transit, and/or rail projects using federal funds. Although this contract is funded via state-only funds, the project may in the future be eligible for federal

funding, and the right-of-way acquisition process must adhere to all federal regulations, in addition to the applicable state regulations.

**Tasks:**

Work on each task, or portion of a task on a parcel-by-parcel or group of parcels basis, will be initiated by the Transportation Agency for Monterey County when it issues a separate deliverable-related written Notice to Proceed to the consultant.

Costs and work hours are estimated for each task, but the contract allows the Transportation Agency Project Manager to shift hours or funds between tasks and deliverables as needed.

1. Once given a notice to proceed, the consultant shall review all documents and materials provided by TAMC related to the existing and on-going property negotiations.
  2. Once given a notice to proceed, within 30 days, consultant shall coordinate with the Agency's acquisition agent to prepare an acquisition plan and schedule for conducting the property purchases in sufficient detail to show the individual steps.
  3. The consultant team shall identify all interests, including any subordinate interests, which may be adverse to the Agency's proposed use of the properties for the Salinas Rail Extension project. Interests to be acquired or cleared include, but may not be limited to, the fee, lease interests exceeding thirty (30) days, occupants, advertising structures, easements inconsistent with the Agency's use and subordinate interests; e.g., deeds of trust, bonds, etc.
  4. The consultant team shall prepare Purchase Agreements, Grant and Easement Deeds, and Certification of Tenants and other pertinent documents for each property to be acquired. If non-residential lessees or tenants are in occupancy, the consultant is to prepare Offset Statements. If owner occupied, the consultant is to prepare a certification of occupancy. All documents will be approved by the Agency.
  5. The consultant team shall perform all acquisition duties up to and including close of escrow and receipt of policy of title insurance.
  6. The consultant team shall conduct appraisals in accordance with Caltrans standards, the Uniform Relocation Assistance and Real Property Acquisition Policies Act, and appropriate Uniform Standards of Professional Appraisal Practice (USPAP) guidelines. The work shall begin upon notice to proceed and be completed within 30 days of receipt of the preliminary title report and hazardous materials assessment provided by TAMC.
  7. Per Federal and State regulations (Uniform Act), qualified reviewing appraisers shall examine all appraisals to assure that they meet applicable appraisal requirements and the consultant shall make all necessary corrections or revisions. The consultant shall ensure the appraisals meet all Federal and State regulations.
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8. Consultant team shall provide written monthly reports on the status of parcels identified for acquisition, as well as verbal updates as necessary, to Transportation Agency staff.
  9. The consultant shall attend "Project Team Meetings", which may be held via phone, videoconference, or in-person for site inspections, when necessary and as requested by TAMC.
  10. Work conducted by consultant team legal advisors shall be performed in coordination with the right of way Acquisition consultant to ensure compliance with all relevant federal and state rules and regulations.
  11. The consultant team legal advisors shall review all appraisals for legal compliance and notify TAMC of potential issues.
  12. The consultant team legal advisors shall coordinate with the right of way consultants on all aspects of the project, when necessary, including, but not limited to, review of a Real Estate Acquisition Management Plan and schedule for conducting the property purchases.
  13. The consultant team shall coordinate with the hazardous materials and other relevant project team consultants, when necessary, to identify and notify TAMC of parcels with environmental damage and assist the relevant project team consultants in the development of strategies for remediation, to ensure compliance with federal and state rules and regulations.
  14. The consultant team legal advisors shall coordinate with the acquisition consultants in the preparation of Rights of Entry and all necessary related documentation.
  15. The consultant team legal advisors shall coordinate with the acquisition consultants in the preparation of offer letters.
  16. The consultant team shall attend hearings and Board of Directors closed sessions, as needed.
  17. Consultant team shall furnish, at its own expense, all materials and equipment necessary to carry out the terms of this Agreement, except as otherwise provided herein. Consultant shall not use TAMC premises, property (including equipment, instruments, or supplies) or personnel for any purpose other than in the performance of its obligations hereunder.
  18. Consultant team represents that Consultant and its agents, subcontractors and employees performing work hereunder are specially trained, experienced, competent, and appropriately licensed to perform the work and deliver the services required by this Agreement.
  19. Consultant team, its agents, subcontractors, and employees, shall perform all work in a safe, skillful, and professional manner and in compliance with all applicable laws and
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regulations. All work performed under this Agreement that is required by law to be performed or supervised by licensed personnel shall be performed in accordance with such licensing requirements.