

V.I.C.

BERNARDIN, LOCHMUELLER & ASSOCIATES, INC.

3 Oak Drive • Maryville, Illinois 62062 • www.blainc.com
Phone: 618.288.4665 • Fax: 618.288.4666

ONE SOURCE FOR A WORLD OF SOLUTIONS

November 19, 2013

Mr. Dennis L. Sullivan, P.E.
Director of Public Works
City of O'Fallon
255 South Lincoln
O'Fallon, IL 62269

RE: Land Acquisition Services
Milburn School Road Widening and Reconstruction Phase 2
O'Fallon, Illinois

Dear Mr. Sullivan:

Bernardin, Lochmueller & Associates, Inc. (BLA) is pleased to provide this proposal for Land Acquisition Services for the acquisition of the right-of-way for the proposed improvements to Milburn School Road in O'Fallon, Illinois. The purpose of our land acquisition services will be to provide the Value Finding Appraisals, Non-Complex Appraisals, Value Finding and Non-Complex Appraisal Reviews, negotiations services for the acquisition of parcels of right of way, permanent easements and temporary easements, and obtain the certification of the Land Acquisition process from the Illinois Department of Transportation (IDOT).

PROJECT DESCRIPTION

The City of O'Fallon (City) proposes to widen and reconstruct approximately one mile of Milburn School Road from just west of Merriam Parkway to just east of Old Collinsville Road. This project will require the acquisition of right of way, and/or permanent easements and/or temporary easements for approximately 12 parcels. The parcel counts referred to in the "Scope of Services" are estimated, and upon receipt of the final plat of highways the actual parcel count and total fees shall be determined.

SCOPE OF SERVICES

Value Finding Appraisals, Non-Complex Appraisals, and Value Finding and Non-Complex Appraisal Reviews

Most of the acquisitions associated with this project are uncomplicated and will result in minor impacts to the private properties. These types of acquisition would normally be valued using the minimum payment waiver of appraisal method which does not require a review of the appraisal by an approved Review Appraiser. The State of Illinois recently enacted a law that allows only Illinois Department of Transportation (IDOT) or County employees to prepare the minimum payment waivers of appraisal. IDOT policy now requires that Value Finding appraisals be prepared on city projects for all uncomplicated acquisitions and that the Value Finding appraisals be reviewed by an IDOT-approved Review Appraiser.

BLA's licensed real estate appraisers will provide the Value Finding Appraisals for approximately 10 parcels at the fee for Value Finding Appraisals as shown below in the Fee and Schedule section. BLA will provide the services of an IDOT-approved Review Appraiser and will have the Value Finding Appraisal Reviews prepared at the fee for Review of Value Finding Appraisals as shown in the Fee and Schedule section.

It is estimated that of the 12 parcels to be acquired, approximately two will involve acquisitions that result in compensation greater than \$50,000 or damages in excess of \$5,000, and will require the preparation of Non-Complex Appraisals. BLA's appraisers will provide the Non-Complex Appraisals at the fee for Non-Complex Appraisals as shown below in the Fee and Schedule section.

In accordance with IDOT policies, the non-complex appraisals must be reviewed by an IDOT-approved Review Appraiser. BLA will provide the review of the non-complex appraisals for those two parcels at the fee for Review of Non-Complex Appraisals as shown below in the Fee and Schedule section.

Upon completion of the Value Finding Appraisals, Non-Complex Appraisals and Appraisal Reviews, BLA will submit the appraisal documents to the City for review and approval.

Negotiations for Right-of-way, Permanent Easements and Temporary Easements

BLA will furnish negotiation services for the acquisition of the 12 parcels that consist of fee simple title and/or permanent easements and /or temporary easements. The fee for these services will be at the per parcel rate for Negotiations as shown in the Fee and Schedule section. BLA will obtain all **deeds, permanent easements, temporary easements, trust documents and disclosures, partial releases of mortgage, articles of organization for limited liability companies and partnership agreements as required by the Illinois Department of Transportation for certification of the land acquisition process** and as necessary to obtain the required property interest. BLA will deliver the signed conveyance documents and P-Tax forms to the City for payment to the owner, and if required, will deliver the documents to the St. Clair County Recorder of Deeds for recording. The fee for the recording of documents will be the actual cost for recording the documents as charged by St. Clair County.

BLA will make every reasonable effort to acquire the right of way and easements from the owners for the approved appraisal amounts. In the event that BLA, after making every reasonable effort (a minimum of three personal contacts and a maximum of six personal contacts) to negotiate with a property owner, is unable to obtain a settlement with the owner for the approved amount, BLA shall prepare a written summary of the progress of negotiations for the City. The City will then provide instruction to BLA as to the next step to be taken to either acquire the property through eminent domain or continue negotiations with the owner in an attempt to reach a settlement. If the City chooses to have BLA continue to negotiate with the owner, BLA will be compensated for the negotiation services completed for that parcel at the parcel rate for Negotiations and any further negotiations with the owner will be compensated at the hourly rate of \$100 per hour. The City shall provide a Not to Exceed limit and upon reaching that limit, BLA will cease negotiations and consult the City for direction on how to proceed with the acquisition of that parcel.

Title Commitments

In accordance with IDOT policies, all right of way parcels acquired in fee simple title are required to have title searches performed by a title company. Approximately seven of the parcels on the project will require title commitments. BLA will engage the services of a local title company to provide title commitments for the seven parcels to assure that clear title to the new right of way is acquired. The title company will be reimbursed directly by the City for these services at a per parcel rate for Title Commitments of \$250.00 plus copying costs.

Certification of Land Acquisition Process by the Illinois Department of Transportation

BLA will ensure that the appraisal and negotiation procedures utilized in the acquisition of right-of-way and easements for this project are in accordance with IDOT's Land Acquisition Policies and Procedures Manual. BLA will meet with IDOT representatives as needed to assure that proper procedures are being followed. Upon completion of acquisition activities, BLA will prepare Parcel Compliance Checklists for each parcel and the Project Compliance Checklist, and will obtain certification of the Land Acquisition process from IDOT. The fee for these services will be included in the lump sum fee for Certification of Land Acquisition Process as shown in the Fee and Schedule section.

FEE AND SCHEDULE

BLA will furnish Value Finding Appraisals for approximately 10 parcels for \$1,250.00 per parcel, Reviews of Value Finding Appraisals for approximately 10 parcels for \$650.00 per parcel, Non-Complex Appraisals for approximately two parcels for \$2,900.00 per parcel, and Reviews of Non-Complex Appraisals for approximately two parcels for \$1,600.00 per parcel. BLA will furnish Negotiations on 12 parcels for \$1,400.00 per parcel. Certification of the Land Acquisition Process will be invoiced on lump sum fee basis in the amount of \$3,000.00. We recommend establishing a budget of \$49,550.00 based on the rates for Value Finding Appraisals, Review of Value Finding Appraisals, Non-complex Appraisals, Review of Non-complex Appraisals, Negotiations, Title Commitments and Certification of Land Acquisition Process for the acquisition of right of way and easements as shown below in Table 1.

If during the course of this project, BLA has reason to believe the actual fee for services could exceed the estimated cost, BLA will contact the City for authorization to continue.

Table 1 - Estimated Fees

Task	Fees Per Parcel	Fee (Estimated)
Value Finding Appraisal	\$1,250.00	\$12,500.00
Review of Value Finding Appraisal	\$650.00	\$6,500.00
Non-Complex Appraisal	\$2,900.00	\$5,800.00
Review of Non-Complex Appraisal	\$1,600.00	\$3,200.00
Negotiations	\$1,400.00	\$16,800.00
Recording of Documents	Actual Cost	Actual Cost
Title Commitments	\$250.00 plus copies	\$1,750.00
Certification of Land Acquisition Process	Lump Sum	\$3,000.00

The City will provide survey plats that depict the right of way and easements to be acquired, legal descriptions and property ownership information prior to BLA beginning work on an individual parcel. We will begin work on preliminary acquisition activities within three days of receiving the signed *Acceptance of Proposal for Professional Services*. These activities include the review of ownership information and compiling property sales for the Value Finding Appraisals and Non-Complex Appraisals. Upon receipt of the authorization from the City, within forty-five months BLA will complete the Value Finding Appraisals, Reviews of Value Finding Appraisals, Non-Complex Appraisals and Reviews of Non-Complex Appraisals and submit them to the City for review and approval. Negotiations with property owners for the acquisition of right of way will begin after the City has approved the Value Finding Appraisals and Non-Complex Appraisals, and all owners will be contacted and offers presented within two months of completion of the appraisals.

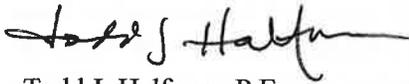
ACCEPTANCE

If the work order outlined herein is acceptable, please provide formal authorization to proceed by signing below and returning a copy for our records. This sheet provides important information regarding report distribution and invoicing. Formal authorization is necessary prior to initiation of the activities outlined herein. BLA services will be performed for the signatory of the enclosed form, and their lender (if applicable). Written consent must be provided by BLA should anyone other than the client (signatory) wish to excerpt, or rely on, the results of our activities.

If you have any questions or wish to revise the scope of this proposal, please call.

Respectfully,

Bernardin, Lochmueller & Associates, Inc.



Todd J. Halfman, P.E.
Senior Engineer

TJH

PLEASE SIGN BELOW TO INDICATE ACCEPTANCE OF THIS PROPOSAL.

Name

Title

Billing Address:

