

STATEMENT OF OBJECTIVES FOR REAL ESTATE ACQUISITION SERVICES

INTRODUCTION

The Department of Energy/National Nuclear Security Administration (DOE/NNSA) is requesting qualifications from firms which wish to enter into a contract with NNSA for real estate acquisition services. NNSA seeks to include firms specializing in:

- Acquisition Planning
- Title Insurance Policies/Abstracts of Title
- Land Surveys
- Site Environmental Evaluations
- Appraisal Reports
- Review Appraisals
- Negotiations
- Department of Justice (DOJ) Preliminary Purchase Assemblies
- DOJ Final Purchase Assemblies
- Closing Services
- Relocation Services/Relocation Advisory Services

The Contractor would be under the direction of the Contracting Officer's Representative (COR).

The Contractor will serve as a partner to NNSA to expand the capabilities of NNSA real estate staff in the Office of Infrastructure Planning & Analysis, NA-521. Specific work under this contract will be performed on a task order basis consisting of individually negotiated task orders. Each task order will provide a specific statement of work, budget, and schedule for the services required. The exact disciplines required and the amount of work for each discipline has not been determined.

The Contractor will be expected to respond to short notice requests for technical services to resolve urgent task orders. The Contractor should be capable of performing urgent task order assignments while working on several other task orders simultaneously.

These services may be modified, by written amendment, as necessary to fulfill the intent of the Contractor's role.

APPLICABLE LAWS AND REGULATIONS:

1. *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970* (42 United States Code (USC) 4601) (Uniform Act) as amended, and the implementing regulations at 49 Code of Federal Regulations (CFR) part 24
2. Restriction on Purchases of Land (41 USC 14)
3. Approval of Title Prior to Federal Land Purchases (40 USC 255)

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4. *Regulations of the Attorney General Governing the Review and Approval of Title for Federal Land Acquisitions* (2016) (Department of Justice (DOJ) Regulation)
5. *Uniform Appraisal Standards for Federal Land Acquisitions*, Interagency Land Acquisition Conference (2016) (UASFLA or “Yellow Book”)
6. *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*, ASTM E1527-13
7. *Standard Practice for Environmental Site Assessments: Phase II Environmental Site Assessment Process*, ASTM E1903-19
8. *Real Property Asset Management*, DOE Order 430.1C Chg 1 (2019)
9. *Real Property Asset Management*, NNSA Supplemental Directive (SD) 430.1 (2016)
10. Department of Energy Real Estate Desk Guide (2019)
11. Condemnation of Realty for Sites and Other Uses (40 USC 257, 258a, 258b)
12. *Comprehensive Environmental Response, Compensation, and Liability Act* (CERCLA), specifically 42 USC 9604(j)
13. Acquisition by Condemnation (40 USC 3113 – 3118)

GENERAL SCOPE

Contractor shall provide:

1. Complete all acquisition, negotiation, and relocation services per the Uniform Act and the DOJ Regulation; DOE Order 430.1C, NNSA SD 430.1, the DOE Real Estate Desk Guide, and any other applicable regulations.
2. Coordinate with NNSA to identify acquisition issues, and/or to discuss project status, procedural issues, budget, and schedules.
3. Attend project meetings, make public presentations to individuals and organizations and representing NNSA in presentations and public hearings on all matters pertaining to the project, as needed.
4. Prepare and submit, in a format acceptable to NNSA, monthly status reports. If appropriate, and requested by NNSA, the schedule and/or status report may require updating more frequently.
5. Prepare a cost estimate and firm budget for project real estate costs. The project costs shall include an appropriate contingency amount for unknowns and proposed changes. Any proposed changes to acquisition costs for project will be submitted to NNSA for review and approval and evaluation. Cost estimates for the acquisition and relocation will be updated as determined in the task order.
6. Maintain a Quality Assurance/Quality Control (QA/QC) plan throughout the term of the contract. The QA/QC plan is intended to ensure that the appraisals, maps, reports, plans, studies, estimates, agreements and other documents submitted under assigned Statement of Work are complete, accurate, checked, and proofread to meet professional standard practice requirements, and to monitor work for conformance with the appropriate standards and policies.

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7. Prepare and deliver maps identifying each property to be acquired and the owner of each property. Include legal descriptions and tract maps, showing the location of each property (revision of existing documents is acceptable). Perform boundary surveys and establish markers as necessary for acquisition. Additional surveys may be required, including, but not limited to: Global Positioning System (GPS) surveys, Aerial surveys, Preliminary surveys, Right-of-Way Surveys, preliminary ownership maps, ALTA/ACSM Surveys, etc.
8. Prepare and deliver a Phase I Environmental Site Assessment (ESA), and potentially a Phase II ESA, performed in accordance with ASTM standards for environmental site assessments for commercial real estate transactions.
9. Provide title and escrow services necessary for the acquisition of real property, which include, but are not limited to, obtaining preliminary title reports, litigation guarantees, policies of title, title searches, document searches, document preparation, estimates of closing costs, escrow instructions, and other documents.
10. Order Preliminary Title Reports/Litigation Guaranties, determine title deficiencies, develop a plan to resolve and cure title deficiencies and clear liens and encumbrances.
11. Prepare and submit Preliminary Purchase Assemblies and Final Purchase Assemblies to the Assistant Attorney General of the Environment and Natural Resources Division (ENRD) per the DOJ Regulation. NNSA shall approve the document submittal.
12. Prepare and deliver appraisal reports and review appraisals for each property identified for acquisition per the Yellow Book. All appraisals and review appraisals shall be performed by a certified appraiser. NNSA shall provide jurisdictional exceptions and hypothetical conditions as necessary.
13. Prepare acquisition packages, including recommendation of amount of just compensation and negotiate with property owners. Just compensation must be based on the appraisal amount and the negotiator's additional recommendations. NNSA shall approve the final determination of just compensation.
14. Maintain a Record of Negotiations documenting that all elements of the acquisition process and transactions were performed in accordance with applicable Federal, State, and local laws and regulations. A file shall be established and maintained for each property owner or property interest acquired and maintain a file checklist pursuant to NNSA's policies and procedures.
15. Develop and maintain an escrow schedule; deliver documents and checks to escrow companies; review all documents for submission and delivery to escrow companies; review title and escrow documents; ensure that NNSA is acquiring good title and/or the property rights needed for the completion of the project, free and clear of any and all encumbrances that may affect or hinder the development of future consideration; coordinate escrow closings and file all applicable forms and documents with the appropriate county office.
16. As necessary and/or instructed, complete eminent domain services in response to a release, or substantial threat of such release, of hazardous substances into the environment per 42 USC 9604(j) and 40 USC 3113 – 3118.

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17. Assist NNSA in Eminent Domain Support if needed. If requested, provide expert testimony in any court or administrative proceedings, and assist as required in legal matters as directed by NNSA legal staff, especially in the litigation of cases for or against NNSA, including but not limited to gathering of documents and information.
18. Provide relocation services and relocation advisory services to displaced households, businesses, nonprofit organizations, and farms; and complete the necessary reporting requirements for relocations pursuant to the Uniform Act.
19. Perform other normal procedures and processes to implement the acquisition assignment and shall provide any other supporting information and/or correspondence required by NNSA, as needed.
20. Upon completion of the acquisition process for each property or property interest, or at project completion, provide NNSA with the original acquisition file as well as an electronic copy for each property or property interest acquired.
21. Provide bilingual acquisition agents as needed.

NNSA shall provide:

1. Any preliminary cost estimates
2. NNSA standard document templates in electronic format
3. Copy of Preliminary Real Estate Plans
4. Copy of the Relocation Plan
5. Exhibits, Maps, etc. as necessary
6. Description of file organization requirements
7. Payments to property owners and/or escrow as necessary to close all transactions
8. Payment of all approved relocation payments to complete each transaction
9. Relevant information previously obtained by NNSA during community meetings, correspondence with owners, and diary information, etc.
10. Parcel information for all property rights to be acquired
11. Overall project schedule

This Statement of Objectives has been carefully reviewed by NNSA and reflects a plan of approach based on the known goals. One factor determining the selection of a Contractor is the ability of that Contractor to analyze the project goals, evaluate the work elements, and formulate a work plan. This process may produce new approaches or modification to the project work elements. Because of that, all Contractors should be aware that the statement of work for a project and task order will be produced with the input of the selected Contractor.