
ProSource Response to the Burnet County, TX - RFP for Right of Way Acquisition Services: #23-4090-05

1 message

Christian DiRusso < cdirusso@prosourcetech.com >

Fri, Sep 15, 2023 at 6:01 PM

To: " bids@burnetcountytexas.org " < bids@burnetcountytexas.org >

Cc: James Bell < jbell@prosourcetech.com >, Joe Devich < jdevich@prosourceland.com >, Jessie Brantley < jbrantley@prosourcetech.com >, Jim Pertinen < jpertinen@prosourcetech.com >

Dear Burnet County / Burnet County Auditor:

ProSource would like to thank you for the opportunity to respond to the Burnet County, TX - RFP for Right of Way Acquisition Services: Wirtz Dam Road Project - #23-4090-05.

As requested in the RFP, attached is a copy of our proposal response submission.

Please feel free to reach out to us if you have any additional questions or need further clarification.

As indicated on Page 2 of the RFP:

PROPOSAL REQUIREMENTS AND CLOSING DATE:

Submit a Proposal electronic file to:

bids@burnetcountytexas.org

Proposal electronic files will remain unopened until the due date and time – Wednesday September 20, 2023 by 2:00 PM (Local Time) – Per County Addendum #1

-

We request your receipt of this email.

-

Again, thank you very much for this opportunity we hope to hear from you in the near future.

Sincerely,

Response to Request for Proposal:

Right-of-Way Acquisition Services

Burnet County Texas, Burnet County Auditor

Solicitation No: RFP #: 23-4090-05

Due Date: **Wednesday, September 20, 2023 by 2:00 P.M. (Local Time)**



Burnet County, Texas

Submitted to:

Burnet County Auditor
Burnet County, Texas
133 E. Jackson Street
Burnet, TX 78611

Submitted by:

Jessie Brantley
ProSource - Vice President of Land Acquisition Services
5100 Westheimer Rd., Ste: 200
Houston, TX. 77056
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C: 409.218.8170

September 20, 2023

ProSource
RIGHT OF WAY | ENVIRONMENTAL | SURVEY

September 20, 2023

ProSource
9243 East River Road NW
Minneapolis, MN 55433
Phone 763.786.1445
Fax 763.786.1030

Burnet County Auditor

Burnet County Texas
133 E. Jackson Street
Burnet, TX 78611

RE: Burnet County Request for Proposal - Right-of-Way Acquisition Services #23-4090-05

Dear Burnet County / Burnet County Auditor:

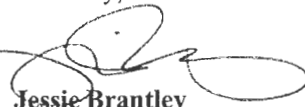
ProSource would like to thank you for the opportunity to submit our response to **Burnet County ("the County")** for **Right of Way Acquisition Services** to the **Wirtz Dam Road Project (RFP# 23-4090-05)**. We are confident in our team of Right of Way professionals to institute the right approach and manage the **Burnet County, Wirtz Dam Road Project** quickly and efficiently.

The ProSource Advantage:

- ProSource, in its over **25+-year** history, has performed well over **3,400 Right-of-Way Acquisition projects** in a variety of size and scope. We have performed these services for hundreds of state and local governments including Texas. **Our Texas Real Estate Broker License Number is: 9013771 - Expires: 07/31/2025 – Copy of Certificate in Appendix.**
- ProSource currently operates offices **nationwide** including offices in **Dallas, TX, Houston, TX, San Antonio, TX and Kingsville, TX**. Our Corporate Headquarters are located in Minneapolis, MN, with additional offices in Duluth, MN, Sioux Falls, SD, Cedar Rapids, IA, Oklahoma City, OK, Peoria, IL, and Cape Coral, FL,. As needed, **ProSource also** has the **capabilities** to set up **satellite offices** across the country including **Burnet County**.
- Our licensed and highly accomplished **ProSource Team** consists of **Project Principals, Field Service Managers, Right of Way Acquisition Specialists Geographic Information System (GIS), Title Specialists, Appraisers, and Environmental Scientists** who are uniquely qualified, and ready to support the real-time needs of the **Wirtz Dam Road** project.
- We are committed to providing **Burnet County** with **high-quality deliverables** while respecting project **budgetary and timeline constraints**. If you have any additional questions or would like to discuss our RFP response in greater detail, please feel free to contact me.

On behalf of the entire ProSource Team, thank you again for this opportunity.

Sincerely,



Jessie Brantley

ProSource - Vice President of Land Services
(Authorized Legally Binding Representative)

E: jbrantley@prosourcectech.com

C: 409.218.8170

Dallas, TX
Houston, TX
San Antonio, TX
Kingsville, TX
Peoria, IL
Minneapolis, MN
Duluth, MN
Sioux Falls, SD
Cedar Rapids, IA
Oklahoma City, OK
Cape Coral, FL

www.prosourcectech.com



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Appendix Section:

- ProSource Texas real Estate Broker License
- AWS – J. Brandon Hodge, MAI - TxDOT Certified Appraiser License
- Burnet County Questions and Answers Document – ProSource Acknowledgement



1. **Negotiation & Right of Way Acquisition Services Overview**

ProSource is a financially stable, professional Land Services Consulting Firm specializing in Right-of-Way Acquisition, Relocation, Title, Appraisal, Survey, and Environmental Services. Established in **1997**, ProSource, in its over **25+** year history, has completed over **3,400** Right-of-Way Acquisition projects. Our experience includes **small and large-scale private and public sector projects**. Our vast project experience and resources gives us the proficiency to understand the scope and the levels of complexity the project may take. Our seasoned professionals are dedicated to providing successful project implementation from beginning to end. Our qualifications include a **full range** of client **Right of Way Acquisition** Services with the **legal knowledge** and **expertise** on **property rights**. A snapshot of our Right-of-Way Acquisition Services is listed below.

Right of Way and Land Acquisition Services

- Fee land
- Construction Support
- Landowner and Community Relations
- Construction Workspace, Ingress, Egress, and Contractors' Temporary Yards for Equipment/Materials
- Appraisals of Fee Land and Easements
- Preparation and Negotiating of Documents (e.g., Survey Permission, Landowner Interview Checklist, Easements, Deeds, Tenant Consents, etc.) for Completing Acquisition
- Right-of-Way
- Condemnation Support
- Route and Site Feasibility Studies
- Database of Relevant Information, Comments, Agreements, Documents, and Expenditures
- Project Management
- Environmental and Regulatory Permitting

Ancillary Right-of-Way Services

- Computer-Aided Design and Drafting (CADD) and GIS
- Database Design and Management
- Funding (subject to Reimbursement) of Acquisition Costs and Damage Settlements
- Community Relations

Environmental Services

- Environmental Permitting and Reporting
- Environmental Inspection
- Environmental and Right-of-Way Construction Support
- Environmental Training
- Environmental Avoidance Plans
- Database Design and Management
- Regulatory Permitting and Reporting
- Environmental Site Assessments/Investigations
- CADD and GIS
- Conduct Status Meetings with Clients and Regulatory Agencies

Title Abstracting and Examination

- Abstracting by way of County and other Sources
- Title Curative Research and Related Documents
- Title Updates
- Easement Searches
- Uniform Commercial Code (UCC)/Personal Lien Searches
- Title Updates
- Title Certificates per State's Marketable Title Act
- Basic Owners and Encumbrances (O&E) Reports
- Environmental Lien Searches
- Foreclosure Research
- Probate Court Research and Estate Searches
- Easement Searches



Route and Site Feasibility Studies

- Determination of and the performance of needed environmental studies and related approvals
- Determination of applicable regulatory permits
- Costs estimates for land and easements
- Route and site research and field studies
- Assembly of parcels
- Site and route due diligence
- Project scheduling and budgeting
- Analysis of alternative routes and sites

Project Leadership & Sub-Contractors

Our **Project Principals** will act as **Project Managers** for the **Wirtz Dam Road Project**. Our team has a wealth of experience, resources, and capabilities in land services support. Our seasoned **Project Principals** will provide the **County** with project supervision, direction, reporting and support to personnel in the field. The **County** can be assured that; our core **Project Principals** stand ready to provide you with all aspects of project support. Our **Project Principals** are professional in their approach and highly skilled in their areas of expertise. In addition, ProSource can access a nationwide network of sub-consultants that can provide a wide range of project support. Our network of sub-consultants (more than 1,200) are uniquely qualified, and geographically local to meet the real-time demands of the **Wirtz Dam Road Project**. The following ProSource Leadership and Sub-Contractors will support the project:

Jessie Brantley - Vice President of Land Services – *Principal in Charge/Project Principal*

- 20+ years of Right of Way Project Management experience in a leadership role / 10+ years of contract negotiations and community relations. International Right of Way Association Chapter 8; Member – 2015 - Present

Mike Garner – *Project Director/Manager*

- 20 + years of experience in the Right of Way industry experience in project management and team leadership
- Texas Real Estate License and International Right of Way Association Chapter 8; Member – 2015 – Present

Dena Patterson – *Title Manager*

- 34+ years of experience working in the Title Industry

Trey McNeil – *Senior Right of Way Agent*

- 10+ years of Right of Way Experience including Condemnation

ProSource – *Real Estate Broker*

- 25+ years of Right of Way Experience – Copy of Real Estate Broker in Appendix.

J. Brandon Hodge, MAI – *AWS Appraiser (Sub-Contractor)*

- 22+ years of Real Estate Appraisal Experience – Listed on TxDOT Approved Vendor List-Texas Certificate No. TX-1336611-G

Lance Jack – *Relocation Agent / Senior Right of Way Agent*

- 23+ years of Relocation Experience and Right of Way Acquisition

Jerrod Tahedl – *GIS Manager – Project Tracking and Reporting Services*

- 27+ years of professional project GIS and Mapping Experience

***Please Note:** The availability of the personnel listed above may depend on the project scope and timeframe. If not available for a specific assignment, ProSource would provide an alternate candidate with similar title, skills, experience, and qualifications.

Jessie Brantley – Vice President of Land Services – *Project Principal*

Mr. Brantley has 20+ years Project Management experience including linear energy projects and residential construction. In addition to 10+ years of experience negotiating contracts, extensive real estate negotiations, property valuation, damage assessments, negotiating for resolution of damage compensation, relocation assistance as well as 10+ years writing, analyzing, and negotiating contractor estimates. Mr. Brantley has extensive experience in community relations, public interaction, public speaking, and development of interpersonal relationships to attain goals and achieve positive outcomes while managing dynamic teams. Mr. Brantley attended the University of North Carolina at Greensboro majoring in Political Science. Mr. Brantley is a Member of the International Right of Way Association Chapter 8 and is a member of the Counsel on Litigation Management association.

Project Snapshot:

- Navigator Ventures – Heartland Greenway System Project
- ToHo Water Authority – Multiple Right of Way Projects
- Wolf Carbon Solutions – Midwest US CCS Project
- LCRA – Lower Colorado River Authority - Right of Way Projects



Mike Garner – Project Manager – Project Director/Manager

Mr. Garner holds 20 + years' experience in the Right of Way industry, with an extensive emphasis on project management and team leadership. Some of the experience represented includes but is not limited to; title research and review, calculating, and proving all ownership percentages for multiple landowners. Mr. Garner has an excellent ability to act as liaison between landowners, survey crews, construction contractors and the client. Proven aptitude for assisting surveyors in the field; civil, archeologist, seismic, and biologist. Ability to train new agents in Right of Way and corporate processes and procedures. Strong computer skills present in the following programs: MSWord, Excel, PowerPoint, Quicken and Outlook. Active Registrations/ Certifications: International Right of Way Association Chapter 8; Member: 2008- Present, National Association of Realtors.

Project Snapshot:

- Navigator Ventures – Heartland Greenway System Project • Wolf Carbon Solutions – Midwest US CCS Project
 - Summit Carbon Solutions – Nebraska ROW Project • TC Energy – Keystone XL Pipeline Project
-

Dena Patterson – Title Manager

Ms. Patterson has 34+ years working in the Title industry. Title experience includes working on pipeline, transmission/utilities, solar, wind, railroad, oil & gas/minerals, tax sales, commercial and residential projects. In addition, Ms. Patterson has developed a title program which includes an extensive title manual that includes processes, forms, and training material, as well as cost saving measures for clients.

Trey McNeil – Senior Right of Way Agent

Mr. McNeil has roughly 10+ years of Right of Way Experience. He is a graduate of Louisiana Tech University, Ruston, LA. He has a high level of problem-solving skills and landowner negotiations experience. His experience includes Right of Way Project Management, Condemnation, Survey and Title support.

Brandon Hodge, MAI - Allen, Williford & Seale, Inc.(AWS) Real Estate Appraisal (Sub-Contractor)

Brandon Hodge, MAI, is a principal associated with Allen, Williford & Seale, Inc. AWS is a real estate appraisal firm with a national right of way valuation and litigation support practice. AWS maintains corporate offices in Houston, Texas, and project offices throughout the country. He is a Certified General Real Estate Appraiser in multiple states and has performed appraisals and appraisal reviews of virtually all types of real estate including agricultural, recreational, residential, commercial, and industrial. Mr. Hodge oversees appraisals, appraisal reviews, and market studies on a variety of right of way projects to include oil & gas pipelines, electric transmission lines, highways, light rail, and corridor projects. Mr. Hodge has extensive litigation experience, being relied upon as an expert valuation witness in multiple court proceedings, including special commissioner hearings and trial court. Mr. Hodge has a B. S., in Economics from Texas A&M University.

His qualifications include membership of the International Right of Way Association (IRWA) and to the Appraisal Institute – MAI Member. In addition, Mr. Hodge is a state certified appraiser in 16 states including Texas – TxDOT Approved Appraiser Vendor List -Texas Certificate No. TX-1336611-G – Copy of Certificate in Appendix.

Project Snapshot:

- Enterprise Products – Midland to Echo 3 Pipeline – Burnet County, TX • RM 620 Project – Travis County, TX
 - Interstate Highway 35 Central Project – Travis County, TX • Interstate Highway 35 North Project – Travis County, TX
 - Interstate Highway 35 and Austin Avenue Project – Williamson County, TX
-

Lance Jack - Relocation Agent / Senior Right of Way Agent

Mr. Jack has 23+ years of experience as a Senior Right of Way Agent, Project Manager and Relocations Agent. A graduate of ITT Tech and Austin Community College. Registrations and Certifications include: IRWA - SR/WA, TREC- R.E. Sales.

Project Snapshot:

- Dickerson Economic Development Corporation • Exxon Mobile • Pacific Gas & Electric Company



Jerrod Tahedi – GIS Manager – Project Tracking and Reporting Services

Jerrod has 27+ years of professional GIS experience. He is involved in almost every project at ProSource, fulfilling project GIS and mapping needs. Jerrod assists with layout and design of residential and commercial developments, creating topography, boundary surveys, and mapping for utility and transportation projects. In addition, he is skilled at analyzing parcel maps, creating CAD documentation for planned developments, and providing data used in land surveying. Jerrod has completed GIS data projects for more than 500 counties across the United States.

Project Tacking with Project IQ

ProSource utilizes a proprietary project management tool called **Project IQ** for our clients' **Right of Way Land Acquisition projects**. The **ProSource Project IQ management software system** tracks and manages all land service processes.

This multidisciplinary, **real-time, project tracking** software allows us to provide a tailored/customized approach to our clients' Land Services project needs. All project information is tracked so that our clients can see the **status** and **progress** of their **project** as well as allowing **visibility** of project staff and their assigned duties. **Project IQ** provides **detailed reports** and **dashboards** for consistent oversight and management of project tasks.

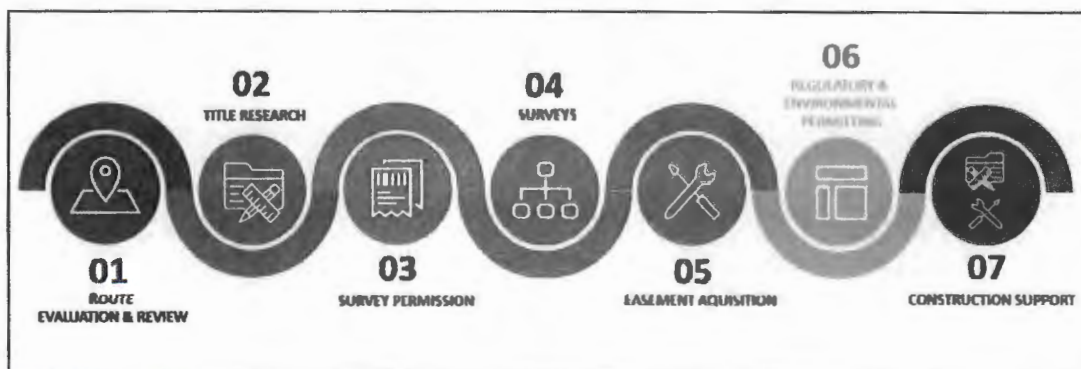
Project IQ not only gives the **transparency to manage, track and report** on all **project data**, it also gives client **accessibility to change and/or update project details**, so that we can **adhere to the changes** and still provide **on-time delivery**.

From a Technical Perspective **ProSource's Project IQ** software provides project value with:

- **100 % Real-Time** client transparency/visibility to your project **(24/7/365)**
- Software designed to give our **clients' visibility** of their project from **beginning to end**
- A single source for all project data allowing the client to not only evaluate the **progress** but also provide additional **customization/guidelines** (as needed)
- **Detailed tracking** and **visibility** of **project scope, milestones, phases, tasks, progress, and staff**
- Assigning **security** and **access policies** to specific areas of your project as well as approved personnel
- Project oversight & management through the use of **customized reports** and easy to use **dashboards**
- **Direct Communication** with project personnel including project managers for direction and implementation
- **Visibility** to potential project delays, bottlenecks, and inconsistencies

ProSource Project Management Overview

ProSource understands that all land acquisition projects have unique characteristics, resources, timelines, and approach. ProSource has provided a **7-Step Project Management Process** (below) that will give the **County** transparency to the phases and strategy of the **Wirtz Dam Road Project**.



Our Land Acquisition approach encompasses all aspects of the Right-of-Way process. It begins with a detailed evaluation of the route by ProSource's Right-of-Way Management Team. ProSource's Right of Way Management Team will consult directly with the **County's Project Implementation staff** to conduct extensive route review and pre-FEED analysis in order to create awareness with the **County's** team of any Right-of-Way or Land Service challenges or efficiencies that can be identified during the early stages of project development.



By seamlessly weaving together all phases of each Project's Acquisition Program, ProSource will work with the **County** to determine the necessary gates the project must pass through in order to move forward with implementation and construction. Once released for construction, ProSource will leverage a positive relationship approach built with landowners and stakeholders to support the **County** construction activities and damage settlement phases of the project.

Project Planning, Status Meetings and Status Reports

We anticipate on utilizing several key components to help manage the **Wirtz Dam Road Project**:

- Timeline
- Project IQ
- Communication Plan

We begin with a detailed Timeline for the project. This timeline is created with input from all stakeholders of the project to ensure communication between all teams. Our Project Managers or Leads will be responsible for maintaining this timeline and providing the appropriate communication to the team. Project IQ is a Proprietary application designed to track all project activity. ProSource can also utilize any application desired by the **County** or activity tracking. ProSource will create and populate all the relevant data required to track and manage progress throughout the project. This includes:

- Tracts
- Parcels
- Grantors
- Tennant
- Title
- Survey Permissions
- Construction Stipulations
- Landowner Communications

ProSource will create a Communication Plan. This is critical to ensuring all parties receive information at regular intervals. It also provides the necessary foundation to oversee all aspects of the project (Work Quality, Cost Control & Work Competition). We will tailor the Communication Plan to the **County** requirements. ProSource will coordinate closely with all members of the project team and provide updates through regular status reports. ProSource will meet with the **County Project Managers** to discuss the Acquisition approach and develop all applicable project documents. ProSource's approach ensures that a consistent message will be relayed to the property owners in all our meetings. A checklist will be followed to ensure all requisite documents are also relayed. Each property owner will be treated consistently and professionally.

Beginning with Project Kick Off through the completion of construction and post damage settlements, ProSource will facilitate weekly status meetings with the **County's** Project Management Team and desired stakeholders. We will discuss cash flow forecast, acquisition forecast, landowner issues, market analysis and survey exhibit coordination, staffing, and any other items of importance to the project team. ProSource will create, manage, and update real estate cost estimates and cash flow forecasts, update real estate schedule and present at these meetings or at any other time as might be requested by the **County**.

Initial Line List and Title Research

ProSource will begin the project based on an initial line list developed through each county's appraisal office. ProSource will perform title research to determine current ownership and run the records forward to include any subsequent deeds in the chain of title, as defined in Scope of Work. For new easements, ProSource will provide a 30-year Marketable Title search, with any liens and encumbrances since that date. For the necessary temporary and supplemental easements, we will provide Owner and Encumbrance Vesting Title. Regardless, any title anomalies affecting 100% ownership and requiring corrective or curative measures will be immediately brought to the **County** along with a plan for remedy. Each Title File assembled by ProSource Abstractors or Title Agents will complete our 2-part review system and a Limited Title Certificate and Chain of Title will be produced. All title files will be signed by both the agent completing the research and the team leader completing the review.

Land Access and Survey Permission

As directed by the **County**, ROW Agents will be assigned to tracts to support the various survey disciplines including Civil Survey, Environmental Walk-Through Surveys, Cultural and Natural Resource Surveys, Engineering/Design Surveys, Geotechnical Surveys, and all other field surveys. ProSource Field Agents are trained to understand that the first step to a successful Acquisition Program is the initial introduction of the project and relationship building that takes place during the survey permission and survey support phases. Survey Permit Forms will be used for any ground-disturbing surveys and verbal permission is recommended for non-invasive surveys. Each Agent will enter notes for all landowner contacts and all survey restrictions or provisions will be captured in Project IQ. Contact reports will be entered no later than 9am the morning following contact and all landowners will be notified at least 24 hours prior to entering their property.



ROW Agents will be present during survey activities, however, should a survey crew encounter a landowner who has questions, the survey crew will have immediate availability to the ROW Agent to act as a liaison on behalf of the **County**.

Survey Permission status (Survey Permission Pending, Granted, or Denied) will be logged and will be reported to the **County** project team on a weekly basis. ProSource's Project Manager or Field Leads will provide daily updates to the **County's** Survey Teams as to survey permission status, restrictions, or provisions and they will work with Survey Crew Chiefs to develop weekly look-ahead to maintain consistent notifications to landowners for survey entry. All notifications, requirements, restrictions, and provisions will be captured in a Survey Line List and provided to the project team as daily or weekly deliverables based on project schedule and demands.

Acquisition Program

ProSource recommends a letter be sent prior to commencing Acquisition to alert property owners. Field Agents will then work to secure meetings with the landowner for a face-to-face visit, present the offer and will document the offer and landowner's response. The Field Agent will present the initial offer during the first Landowner visit. If it is deemed appropriate by the Project Manager, the Field Agent may make the initial offer letter by mail. Negotiations begin with the receipt of the offer by the Landowner. If the offer letter is made by mail, it will be sent by certified mail, return receipt requested via overnight delivery to verify receipt. If the landowner is not local, the initial offer package will be mailed by trackable package for documentation of receipt. The agent will attempt to notify the landowner before the package is mailed and will follow up with a call to discuss the offer within three days of the mailing.

Once agreement is reached, the Field Agent will obtain landowner signatures, coordinate payment, and deliver all signed documents to the project office for quality control, scanning and filing. Following quality control, ProSource will send the recordable documents for recording.

ProSource prides itself on empathy to landowner concerns and our standard is the act as follows:

- a) Consider landowner negotiations as the beginning of a long-term relationship on behalf of our clients,***
- b) Treat landowners the way they would like to be treated, and***
- c) Never threaten landowners with condemnation.***

All ProSource ROW Agents will be trained on project specifics, will operate in Good Faith, and will adhere to the following Principles:

- Make an excellent first impression and establish good relationships with Landowners.
- Maintain the highest level of professionalism.
- Conduct all affairs lawfully and with integrity.
- Obtain the necessary agreements in a timely manner at a reasonable and appropriate price.
- Be timely, thorough, and accurate in the preparation and maintenance of all other project records, reports, and files.

Agents shall report each activity on an Activity Note. Activities shall be interpreted as any of the following:

- Direct face-to-face meetings with landowners, tenants or other persons associated with a specific ROW tract,
- Telephone discussions with landowners, tenants or other persons associated with a specific tract,
- E-mail communication with landowners, tenants or other persons associated with a specific tract (note that copies of all such electronic communication will be documented by a scanned copy attached to the activity note),
- Any attempted contact with persons associated with any tract such as by unanswered telephone call or when leaving a voice mail,
- Any event or activity witnessed by the Agent when near or on the subject tract, whether in the presence of the landowner, etc. or not – i.e., noting that timber cutting was ongoing when accompanying a surveyor on tract entry, etc.
- Incoming telephone contacts from off-line or non-centerline landowners / stakeholders, made to a specific Agent or to the project offices through the published project phone number, or
- Any other tract-specific information learned or witnessed by the Agent, Supervisor, or other employee (not to include title information, which would be addressed in the appropriate section of these Project Procedures).



2. Condemnation Support Services

ProSource can assist in the preparation of condemnation filing and provide testimony in condemnation proceedings. ProSource will update the title report as necessary and determine all parties of interest to be named in the Eminent Domain action. We will prepare parcel descriptions and respondent list for inclusion in the petition. At the request of the **County**, We will update the appraisal. ProSource will provide testimonies as needed by the agent, appraiser, or other expert witness as used by us. ProSource will attend meetings as necessary with the **County** to prepare for the Commissioner's hearings. We (or assigned representatives) will represent the **County** in negotiations with, or in condemnation proceedings against any property owner who is a relative, partner, or client of that person. We will notify the **County** immediately upon discovery of any such conflict of interest.

Preliminary Condemnation Support Services

ProSource can provide all preliminary condemnation support services as indicated in the **County's** RFP.

- ProSource will prepare final offer letters and mail documents of conveyance by CMRRR.
- ProSource will upon receipt of a copy of the final offer letters, request an updated Title Commitment for eminent domain from the title company.
- If applicable, ProSource will prepare Bisection, Drainage Easement, Access Easement, and Temporary Construction Easement clauses for the original set of Legal Descriptions that were supplied by the **County**.
- ProSource will use the information from the Title Commitment and other sources to join all interested parties on the request for eminent domain proceedings. Including the spouses of owners who must also be joined.
- Upon completion of the request for eminent domain proceedings by ProSource, we will prepare a packet containing all documents listed in the TxDOT eminent domain package submission checklist. ProSource will then submit the packet to the **Burnet County Project Manager**.

Required Condemnation Support Services

ProSource can also provide all condemnation support services as also indicated in the **County's** RFP.

- ProSource will coordinate with the **Burnet County Attorney** after the (**County's**) filing of the petition and related documents to then be responsible for filing the lis pendens within the legal timeline.
- ProSource will record the lis pendens upon receipt of the cause number with the **Burnet County Clerk's Office** will send a copy of the filed lis pendens and the petition (via CMRRR) to all of the named parties within three (3) days of the filing of the lis pendens.
- ProSource will send a copy of the condemnation petition to the title company and request an updated Title Commitment. The title company must confirm the appropriate parties that were named in the petition and that no changes in title have occurred.
- Following appointment of Special Commissioners (Commissioners) by the judge, ProSource will send (via CMRRR) the document appointing the Commissioners to the named defendants or their attorneys (if represented). In addition, ProSource will secure the following documents:
 - Oath of Commissioners signed by the Commissioners; Order Setting Hearing; and
 - Two (2) copies of the Notice of Hearing signed by the Commissioners.

ProSource acknowledges that: Notification to the **Burnet County Attorney** and the **Burnet County Project Manager** may be sent via CMRRR or email. In addition, ProSource acknowledges that: If e-filing is not required: File all originals with the court and send copies marked "copy" to the **Burnet County Project Manager** and the **Burnet County Attorney** within three days after filing.

- ProSource will coordinate the date and time for the Special Commissioners Hearing. If there is an increase in value to the appraisal, ProSource will send a copy of the updated appraisal along with the post-petition letter to the appropriate parties by CMRRR. In addition, ProSource will coordinate with the **Burnet County Project Manager** to reserve a location for Hearings.

ProSource will also coordinate the Hearing date with the **Burnet County Attorney**, Appraiser, Engineer, appropriate **Burnet County** witnesses, three **Commissioners**, and a **court reporter**. ProSource understands that a reasonable effort must be made to accommodate the property owner and their representatives.



- ProSource will coordinate a pre-hearing conference prior to the Hearing (the day before or earlier) to discuss facts of the case with the **Burnet County Attorney, Appraiser, the Burnet County Project Manager, Engineer,** and appropriate **Burnet County** witnesses. After a Hearing is set, ProSource will serve Notices of Hearing to the indicated parties in accordance with the methods and time frames set out in Chapter 21 of the Texas Property Code, but in no instance less than twenty (20) days prior to the Hearing. ProSource acknowledges that if it is necessary to join a federal agency, that they have an additional sixty (60) days after service of the Hearing to prepare. The scheduling of the Hearing must allow for any additional time frame required by law. ProSource acknowledges that, for the service of Notices of the Hearing, written approval through **Burnet County** by the **Burnet County Project Manager** is required for any exception to be reimbursed as a pass-through cost.
- ProSource understands that, once the notices have been served, and if e-filing is not required, file the original notices with the court and send copies marked "copy" to the **Burnet County Project Manager** and **Burnet County Attorney**. If e-filing is required, ProSource will send served notices to the **Burnet County Attorney** for e-filing.
- ProSource will send a reminder, (via CMRRR or email), two to three (2 to 3) weeks in advance to the **Burnet County Attorney, Appraiser, three Commissioners, court reporter,** and the **Burnet County Project Manager** concerning Hearing dates. We will prepare the Special Commissioners Hearing data sheet and Commissioners' time sheets and submit them to the **Burnet County Project Manager** within two (2) business days of the award being signed. As required, ProSource will file timesheets with the award. Acknowledgement that the Judge determines the amount paid to the Commissioners.
- ProSource will complete the Application for Texas Identification Number for all Commissioners and Court Reporters. If e-filing is not required, ProSource will obtain the signatures of Commissioners on four (4) duplicate originals of the Award of Commissioners and file one with the court for the judge's signature within 48 hours of the Hearing. In addition, ProSource will have the court clerk file-mark the four duplicate originals and retain three.
- ProSource will obtain and distribute three signed and file-marked copies of the Award as follows:
 - One file-marked copy to the title company with a request for a commitment. One file-marked copy to the **Burnet County Attorney**.
 - One file-marked copy (or certified copy) to the **Burnet County Project Manager** with the previously obtained Commitment to request submission for each Commissioner's fee.
- ProSource will send the Commitment and the file-marked award to the **Burnet County Project Manager** which will then prepare the payment submission for each Commissioner's fee. ProSource will then deposit a warrant in the registry of the court. File a Notice of Deposit with the court and send certified copies to each defendant notifying them of the date of the deposit. ProSource Acknowledges that: The Date of Deposit is the Date of Possession.
- If objections are filed, ProSource will facilitate the acquisition of title to real property and if there are, serve charges for collection and coordination of precepts, ProSource will be reimbursed for serve charges as pass-through costs.
- ProSource will take photographs of the interest to be acquired on the day of deposit (or the day of a PUAIC closing) for relocation verification and date of take appraisal purposes. If a date of take Appraiser has been selected by the **Burnet County Attorney**, then ProSource will then notify the Appraiser of the date the deposit is going to be made so that the Appraiser may take date of take photographs as well.
- ProSource will send written notices of the date of deposit to the **Burnet County Project Manager** and all interested parties.
- ProSource understands that "We"(ProSource) and any sub-providers must appear as Expert Witness when requested.

3. Appraisal & Real Estate Services

All Appraisal Services will be sub-contracted and supported by AWS - Allen, Williford & Seale, Inc. **J. Brandon Hodge, MAI**. Mr. Hodge has **22+** years of Real Estate Appraisal Experience and is listed on **TxDOT Approved Appraiser Vendor List -Texas Certificate No. TX-1336611-G** – Copy of Certificate in Appendix.

Real Estate Preliminary Appraisal Services (Market Studies)

AWS specializes in the preparation of Market Data Studies for linear right of way projects. We have extensive experience having provided research and market analysis across the nation. Market Studies analyze sales data in order to provide price ranges for the various affected properties, thus enabling the client to rely on market evidence when establishing budgets



An initial analysis of the project is performed to determine the property types along the project. Then research is conducted to gather and confirm comparable sales that would be relevant in the valuation of those properties. A market study is then compiled to report the typical sales prices observed in the marketplace and the factors that influence pricing. Typically, the study includes a sales map, list of the sales, and a detailed write-up of each sale.

Real Estate Appraisal Services

All appraisal reports will adhere and conform to the Uniform Standards of Professional Appraisal Practice (USPAP) of the Appraisal Foundation and the reporting requirements of the Appraisal Institute. Additionally, all appraisal and appraisal updates will be performed using Texas Departments of Transportation's (TxDOT) procedures and standard appraisal forms. Upon request for an appraisal, the first step is to contact the property owner to offer the opportunity to accompany the appraiser (and relocation agent) on the inspection of the subject property. Typically, a certified letter is mailed to the property for proper documentation. In the event the property owner does not respond to the letter, we will attempt to contact the property owner by telephone or email.

The Appraiser must secure permission from the owner to enter the property for the inspection. If after diligent effort the Appraiser is unable to secure the necessary permission from the property owner, a written waiver must be obtained from **Burnet County** through the **Burnet County Project Manager**. This permission or written waiver must be incorporated into the appraisal reports. In this scenario, the property inspection will be performed from the existing public right of way.

The Appraisers will provide advance notice of the date and time of their appraisal inspections of the subject property to the Acquisition Provider's Project Manager and the **Burnet County Project Manager** in order to coordinate the Appraiser's inspection with (if applicable and practical) the initial interview with the displacee by the Relocation Assistance Agent. After the inspection the appraisal report can be performed. There are several steps and procedures followed during the appraisal process.

First, a scope of work must be developed to determine the appraisal problem, purpose of the appraisal, the assignment conditions, and use of any extraordinary assumptions or hypothetical conditions. Then, research is performed to determine the market area characteristics and relevant subject neighborhood. Next, subject research is conducted to determine its physical characteristics, sales history, tax information, and other relevant information. Analysis is then performed to determine the Highest and Best Use of the property.

Once the highest and best use is determined, the property is valued using the applicable approaches to value which include the sales comparison, cost, and income approaches. Finally, the approaches to value are reconciled to determine the value of the whole property.

In instances where the acquisitions are for only partial takings, the before and after methodology is applied. The involves the valuation of the whole property before the taking, the pro-rata valuation of the part acquired, the valuation of the remainder property after the taking considering the diminution or enhancement of the remainder value. Additionally, in the event there are improvements within the partial acquisition that require replacement, they will be handled as cost to cure items. Upon completion of the appraisal report it is submitted to the Review Appraiser. The Review Appraiser has 3 business days to complete the review and provide feedback for corrections or revisions. In return, the appraisal will make the necessary corrections and return the revised appraisal to the reviewer within 3 business days. As part of project management weekly status reports will be provided to the client. The report will include but is not limited to the parcel number, owner name, appraisal status, appraisal ordered and submitted date, appraisal review date and submittal.

Real Estate Appraisal Review Services

All appraisal review reports will adhere and conform to the Uniform Standards of Professional Appraisal Practice (USPAP) of the Appraisal Foundation and the reporting requirements of the Appraisal Institute. Additionally, all appraisal review and appraisal review updates will be performed using Texas Departments of Transportation's (TxDOT) standard appraisal forms and will be based upon their appraisal procedures. As part of the project, the Review Appraiser must review all appraisal reports for each parcel to determine consistency of values, supporting documentation related to the conclusion reached, compliance with **Burnet County** and/or **TxDOT** policies and procedures and the USPAP.

Real Estate Appraisal Preparation and Testimony Services

The AWS staff is qualified and has extensive experience in providing a full range of litigation support services to include expert witness testimony. Members of our staff have been qualified as real estate valuation experts in many legal venues such as state and federal courts as well as city, county, state, and federal regulatory agencies.



AWS personnel, qualified as expert witnesses, are experienced in proceedings ranging from commissioner hearings to full condemnation jury trials.

4. Real Estate Broker Services

As the Acquisition/Negotiation provider, ProSource Technologies (ProSource) operates as an LLC. ProSource Technologies LLC holds an active Real Estate Broker license. Our **Texas Real Estate Broker License Number** is: **9013771** - **Expires: 07/31/2025**. A copy of our **Real Estate Broker Certificate** is in the **Appendix below**.

5. Disposal of Property Services

ProSource will submit current photos of improvements, a list of actual retained improvements, bi-sections for improvements, exhibits or maps by parcel showing the location of all improvements that require demolition, and utility meter number(s) as a complete demolition preparation package deemed acceptable to the **Burnet County Project Manager**.

In addition, ProSource will mark improvements and other items in the field for demolition and provide photos as proof of completion as a complete demolition verification package deemed acceptable to the **Burnet County Project Manager**.

6. Relocation Services

ProSource has more than 25+ years of Relocation assistance and support experience. Our Relocation Staff are well versed in the Uniform Relocation Act and are supported by licensed attorneys. In addition, we have the most current Relocation training provided by the International Right of Way Association (IRWA). We provide creative and customized solutions for sensitive Relocation scenarios. ProSource works with landowners throughout the Relocation process, helping to ensure a successful project completion for our clients'.

Appendix Section

Please see the following licenses/documents for the County's review.

- ProSource Texas real Estate Broker License
- AWS – J. Brandon Hodge, MAI - TxDOT Certified Appraiser License
- Burnet County Questions and Answers Document – ProSource Acknowledgement

PROSOURCE TECHNOLOGIES, LLC
9243 E RIVER RD NW
COON RAPIDS, IA 55433



Real Estate Broker License

ProSource Technologies, LLC
9243 E River Rd NW
COON RAPIDS, IA 55433

Broker License #: **9013771**
License Expires: **07/31/2025**

Having provided satisfactory evidence of the qualifications required by the Texas Real Estate License Act, Occupations Code, Chapter 1101, authorization is granted to use this title: Real Estate Broker

For additional information or to file a complaint please contact TREC at www.trec.texas.gov.


Chelsea Buchholtz
Executive Director

JAMES BRANDON HODGE
11999 KATY FREEWAY STE 400
HOUSTON, TX 77079



Certified General Real Estate Appraiser

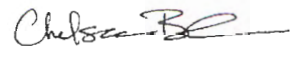
Appraiser: **James Brandon Hodge**

License #: **TX 1336611 G**

License Expires: **12/31/2024**

Having provided satisfactory evidence of the qualifications required by the Texas Appraiser Licensing and Certification Act, Occupations Code, Chapter 1103, authorization is granted to use this title:
Certified General Real Estate Appraiser

For additional information or to file a complaint please contact TALCB at www.talcb.texas.gov.


Chelsea Buchholtz
Commissioner

Questions/answers

23-4090-05 ROW Acquisition Services

- The due date listed in the RFP lists the due date as September 13th but your website says Wednesday, September 20th. Can you clarify the due date for this submittal? ****September 20th is the correct due date.**
- I noticed that two submittal methods are listed. Are we permitted to submit just an electronic copy via email, or do we also need to submit hard copies? ****2 hard copies by mail or hand delivery, OR an electronic submittal is required. We do not need it both ways.**
- Will a list of submittal requirements or Evaluation Criteria be provided (such as a request for an approach, key personnel, key projects)? ****We will not list requirements or evaluation criteria. Feel free to email questions. We will post questions and answers on our website.**
- Is there a kmz or schematic showing the proposed acquisitions for the parcels listed on pages 13 of 14. ****We don't have a KMZ or schematic with the parcels identified. We have a preliminary schematic, but without parcels. The surveyor is working on the parcels.**

ProSource Acknowledges

9/5/2023



Jessie Brantley

Vice President of Land Services

Principal in Charge/Project Principal

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C: 409.218.8170