

A. OVERVIEW OF THE WORK

This basic scope of services is to provide Right of Way (ROW) plan development, ROW Survey, and ROW design services, which may require Title Research Services, ROW Survey Services, and prepare Right of Way Ownership, Appraisal, Negotiation, PS&E and Archived plans.

All Services will be completed in compliance with the Uniform Relocation Assistance and Real Property Acquisition Act (the Uniform Act), the NDOT Right-of-Way Manual, and the ROW Design Consultant Manual.

B. QUALIFICATIONS, KNOWLEDGE AND EXPERIENCE

All ROW Design tasks must be performed by or under the direct supervision of a Professional Civil Engineer or Registered Land Surveyor registered in Nebraska.

All Title research services must be completed by, or under the direct supervision of a registered abstractor who is qualified and in good standing to complete the Services in Nebraska.

All ROW Survey must be performed by a Registered Land Surveyor registered in Nebraska.

C. SOFTWARE AND EQUIPMENT REQUIREMENTS

The Consultant shall obtain the necessary software to translate to and from the specified format for all electronic files supplied by the State, and for all electronic files prepared by the Consultant and supplied to the State.

The State and the Consultant shall transfer all ROW Design CADD files in a 2D MICROSTATION V8i format.

All electronic files must be provided on compact disk (CD/DVD), e-mailed, or transferred through a file sharing site unless otherwise specified. Microstation CADD files should be transferred through NDOT's Bentley ProjectWise program.

D. EXPECTATIONS FOR THE DELIVERABLES**FOR TITLE RESEARCH**

Prepare a title research study area, search the County real estate records to identify the current owner(s) of each parcel of land identified in the study area, also identify all owners of record of the parcel within the preceding 5-years of the title effective date.

The consultant shall prepare a Certificate of Title Report for each separate parcel of land identified within the Study Area. The consultant shall use the State's Certificate of Title Report form, or a pre-approved Certificate of Title Report form supplied by the consultant, to report such information.

FOR OWNERSHIP PLANS

The Consultant shall place the ROW survey on the plans and label the various ROW survey elements. This includes, but is not limited to, section lines, 1/4 section lines, subdivisions, lot lines, lot and block identification, section-township-ranges, etc.

All existing ROW, controlled access, permanent easements, and property lines shown on the project ROW plans must be established by law, statute, or in accordance with the recorded instruments and shall be reviewed and approved by a registered land surveyor registered in the State of Nebraska.

FOR PRELIMINARY ROW PLANS

The consultant shall reference construction elements and roadway design information contained in the design files (alignment, feature, loc, etc.) to the ownership plans. The proposed design alignment shall be referenced to the ROW Appraisal plans instead of the preliminary project alignment. Construction elements to be referenced include items such as limits of construction (LOC's), pavement edges, sidewalks, sewers, drives, culverts, drainage structures, dikes, retaining walls, bridges, guardrail, wetland mitigation sites, construction staging areas, temporary roads, erosion control, traffic signals, streetlights, etc.

The Consultant shall design the new ROW and easements necessary to construct, operate, and maintain the transportation facility and in accordance with NDOT's General ROW Design Guidelines. All new acquisitions shall be shown on the ROW plans and patterned accordingly.

FOR APPRAISAL PLANS

After the ROW review meeting, the Consultant shall make all the necessary revisions, corrections, etc. from the Preliminary ROW Review meeting.

Each separate area to be acquired within a tract that is described with its own legal description shall be assigned an acquisition type and a sequential number. A tract can have multiple acquisition areas, which when assembled, encompass all the property rights that are being acquired from that tract. Areas where absolute ownership is being acquired (ROW) shall be assigned a ROW1. Each Permanent and Temporary Easement area to be acquired are to be assigned a PE1 or TE1 respectively. If more than one acquisition area per tract occurs a consecutive number will be assigned to the subsequent area (i.e., ROW2, PE2, TE2 etc.) The ROW areas do not need to be labeled on the plans, but each new easement must be labeled with its acquisition type and number along with their respective purposes.

Easements from railroad owned properties shall be patterned using the appropriate RR patterning. For easements from the railroad, a note and leader to each area shall be added to the ROW plans indicating the tract number, the acquisition type and its sequential number (PE1, TE1, etc.), the purpose of the easement (TE, PE for construction purposes, bridge, etc.), and the area of the easement.

FOR NEGOTIATION PLANS

Negotiations to acquire the additional property rights needed for the project will occur after the appraisal process is complete.

The State shall request Negotiation plans when negotiation activities are ready to commence. The Consultant shall submit to the ROW Design Section within five working days of their request one set of Negotiation Plans with each sheet dated in the lower right corner. Each sheet shall be labeled as "Negotiation Plans" and that they are "Preliminary Plans – Not Final Subject to Change".

FOR PS&E ROW PLANS

The Consultant shall submit to the ROW Design Section within seven working days of their request 2 sets of PS&E ROW plans in PDF format as specified below:

The PS&E plan set shall consist of all Negotiation Plan sheets except the title sheet, situation sheet, and summary of areas sheet (2 sheet); and shall have the following changes made:

- i. The Negotiation Plan stamp will be removed along with any "revised" stamps.
- ii. Any construction notes will be removed from the ROW plan sheets by shutting off the level(s) in which they are placed except for "Do Not Disturb" notes which are to remain on the PS&E ROW Plans.

FOR ARCHIVED ROW PLANS

The Consultant shall submit to the ROW Design Section no later than the scheduled date one set of Archived ROW Plans with each sheet dated in the lower right corner. Each sheet shall be labeled as "Archived ROW Plans".

FOR EARLY ACQUISITIONS

Early acquisitions are tracts that have been approved by the State to be acquired in advance of the normally scheduled ROW design, appraisal, and acquisitions activities. This task requires an accelerated timeline outside of the overall workflow design process.

FOR PRELIMINARY ROW AREA ESTIMATES

Preliminary ROW and easement area estimates may be needed for environmental and preliminary ROW cost estimating purposes.

FOR RIGHT OF WAY SURVEY

The Consultant shall locate the land monuments (section line, quarter section line, land corners, lot corners, monuments, etc.) and must include sufficient data necessary to determine existing property and right of way lines, and to compute and draft accurate metes and bounds descriptions of Right-of-Way and easement acquisitions for deeds and eminent domain proceedings.

The Consultant shall provide the complete Right-of-Way survey that must include the locating and/or establishing of all necessary land monuments, land corners, lot corners, etc., and to establish coincidence of these corners with the project coordinate control.