

**COVER SHEET
INVITATION TO QUALIFY (ITQ)
Commonwealth of Pennsylvania
Department of Transportation
CONTRACT #357I01
APPRAISAL SERVICES**

The Department of Transportation (PennDOT) is issuing this ITQ to prequalify appraisers interested in providing categories of appraisal services of property transactions for transportation purposes.

Question and Answer Period:

There will be a Question and Answer period for this ITQ to address areas in the ITQ that may require further clarification. Questions are due on or before 4:30 PM on April 30, 2008. Responses to questions will be sent to all recipients of the ITQ.

Contract Period/Renewal Option(s):

The contract period is from the date the Contract is approved by all required Commonwealth signatories through January 31, 2014 (or through January 31, 2019 if the Commonwealth chooses to renew this contract for an additional five [5] years). This Contract may be extended at the Department's discretion for an additional five (5) years which may be implemented incrementally or in one step.

Initial Enrollment Period:

ITQ responses for the *initial* enrollment period must be received at the address below by 4:30 PM, June 18, 2008. In order to qualify for the Initial Enrollment Period, applications must be complete and correct and contain all necessary information including Client Reference Surveys if you're applying for Category 2. **It is in the best interest of all appraisers to submit the required information by the initial submission date in order to qualify for the full contract period.**

Contract Enrollment Period:

Enrollment for the remainder of the contract period will remain open and ITQ responses will be accepted at the address below through September 30, 2013 (or through September 30, 2018 if the Commonwealth chooses to renew this contract for an additional five (5) years).

Response Mailing Address:

Bureau of Office Services (ITQ #357I01)
PA Department of Transportation
Attn: Ken Seifert
Commonwealth Keystone Building, 400 North Street—5th Floor Information Desk
Harrisburg, PA 17120-0041

Contracting Officer:

Ken Seifert (or his designee or successor), Bureau of Office Services
Telephone: (717) 787-7997 E-mail: kseifert@state.pa.us

WHEN MAILING YOUR RESPONSE, PLEASE ALLOW SUFFICIENT TIME FOR DELIVERY.

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EXHIBIT “A” TERMS AND CONDITIONS

The Department of Transportation (Department) invites you to respond to an Invitation to Qualify (ITQ) to supply appraisal services.

1. GENERAL

- (a) **Scope.** The purpose of this ITQ and resulting contracts with multiple vendors is to qualify appraisers that can provide the Department with appraisal services for the following purposes:
 - (1) The acquisition of property for transportation purposes;
 - (2) The sale of property no longer needed for transportation purposes; and,
 - (3) The lease of property not needed for the free movement of traffic.

- (b) **Use by other agencies.** The Department will require that local public agencies using Federal highway funds employ only appraisers that are qualified under this ITQ. Other state agencies may, but are not required to, limit their use of appraisers to those qualified under this ITQ.

- (c) **Prequalification.** The contracts awarded will be structured under the multiple-award contract approach and a prequalified list of appraisers will be developed from which the Department will solicit appraisal services. Appraisers must be on this prequalified list in order to perform appraisal services as described in this ITQ. Each responsible appraiser who meets all mandatory requirements and the qualification criteria of this ITQ will be qualified, unless the Department rejects all applications.

- (d) **Who shall be qualified?** If the Appraiser employs one or more qualified appraisers, **each** appraiser under the Appraiser’s employ shall be individually qualified.

- (e) **Work not guaranteed.** There is no guarantee that the Department will use the Appraiser’s services under the multiple-award contract approach.

- (f) **Appraisal Problem Analysis.** The Department will issue an Appraisal Problem Analysis (APA) to solicit assignments under this Contract. An APA:
 - (1) Establishes the scope of work and assists the Appraiser in understanding the assignment;
 - (2) Contains available factual information regarding the property, the claimants, and the effects the project will have on the property; and

- (3) Includes specific requirements of the appraisal assignment based on the study and understanding of the appraisal problem by the author of the APA.
- (g) **Appraisal assignment categories.** Appraisers must complete all required information in the Qualification Application attached as Exhibit “C,” including the specific category or categories of assignment for which the appraisers wish to be qualified, and the counties for which the appraisers are interested in receiving assignments. Qualification will fall into the following **two (2)** categories of appraisal assignments:
- (1) **Category 1:** All properties with an anticipated residential highest and best use except partial take, residential, where there is significant impact anticipated on the remaining property, requiring a before and after analysis. For example:
- (i) Total take, residential, four (4) units or less.
 - (ii) Total take, vacant unimproved land, with a residential highest and best use.
 - (iii) Partial take, residential, four (4) units or less, with no anticipated impact on the remaining property.
 - (iv) Partial take, residential, four (4) units or less, with only minor anticipated impact on the remaining property, requiring a before and after analysis.
 - (v) Partial take, vacant unimproved land, with a residential highest and best use.
- (2) **Category 2:** All properties with an anticipated non-residential highest and best use plus partial take, residential, where there is significant impact anticipated on the remaining property, requiring a before and after analysis. For example:
- (i) Total take non-residential.
 - (ii) Partial take, non-residential, where there may be a significant impact to the value of the remaining property.
 - (iii) Unique or special purpose properties where there is little or no market data readily available.

- (iv) Situations where the take severely impacts the remaining property and/or where complex cost to cure estimates may be appropriate to determine the impact of the taking.
 - (v) Properties in transition of highest and best use.
- (h) **Qualification.**
- (1) **Qualification deadline.** The Department will not accept applications for qualification after **September 30, 2013 (or after September 30, 2018 if the Commonwealth chooses to renew this contract for an additional five (5) years).**
 - (2) **Qualification update.** The Appraiser, through the use of the *Qualification Application Update Form* attached to this ITQ as Exhibit “E,” may request any of the following actions at any time after contract award through September 30, 2013 (or through September 30, 2018 if the Commonwealth chooses to renew this contract for an additional five (5) years).:
 - (i) Qualification into additional category(s) and/or additional county(s).
 - (ii) Addition of a new appraiser.
 - (iii) Transfer of an already-qualified appraiser from one awarded company to another awarded company.
 - (3) **Notification:**
 - (i) It is the responsibility of the Appraiser to report to the Department any changes including, but not limited to:
 - (A) Name change;
 - (B) Address change;
 - (C) E-mail address change;
 - (D) Telephone number change;
 - (E) FAX number change; and
 - (F) Any other changes as listed in Exhibit “E.”

- (ii) Exhibit “E” provides very clear instructions for filling out the Qualification Application Update Form. **Failure to notify the Department of any changes may result in:**
 - (A) The Department not being able to notify the Appraiser of Department appraisal assignments in a timely manner, if at all; and,
 - (B) Delayed payment of invoices submitted by the Appraiser.

2. CONTRACT PERIOD

- (a) **General.** The contract period is from the date the Contract is approved by all required Commonwealth signatories through January 31, 2014 (or through January 31, 2019 if the Commonwealth chooses to renew this contract for an additional five [5] years). However, no contract will be effective under ITQ #357I01 prior to February 1, 2009.
 - (1) **Claims in litigation.** Appraisers, however, will be obligated to supply services for claims in litigation after January 31, 2014 (or after January 31, 2019 if the Commonwealth chooses to renew this contract for an additional five [5] years), if required.
 - (2) **Existing contract purchase orders.** Contract purchase orders for appraisal services or litigation issued under ITQ #353A01 are addressed in Section 4 of this Exhibit “A.”
- (b) **Anticipated award date.** The Department will make every effort to award initial contracts beginning February 1, 2009.
 - (1) **Effective date. The Department, in writing, will notify the Appraiser of the effective date of the Contract.**
 - (2) **Subsequent contracts awarded under this ITQ.** The Department will make every effort to award contracts within three months of receipt of an ITQ application. Therefore, it is in the best interest of all appraisers to submit the required information as soon as possible so that they can be qualified to perform appraisals for the Department.
- (c) **Right to reject, re-advertise or cancel.** The Department, pursuant to 62 Pa. C.S. § 521, reserves the right to reject any or all responses, and to re-advertise or cancel the ITQ or any APA, purchase order (“PO”) or other purchasing document issued under the resulting contract.

- (d) **Other means of obtaining services.** The Department reserves the right to acquire these services separately from this ITQ when it is in the best interest of the Department or the Commonwealth to do so.

3. RENEWAL OPTION

The initial contract duration may be extended by the Department with options for renewals up to an additional five (5) years. The Department may choose to renew this contract incrementally or in one step. Renewal(s) shall be accomplished via a letter sent to all contractors qualified under the ITQ renewing the contract at the Department's option signed by the Department's Contracting Officer.

4. OPTION TO EXTEND

The Department reserves the right to extend this ITQ, or any purchasing document issued under this ITQ, up to 3 months. The Department may exercise this option to prevent a lapse in contract coverage and only for the time necessary, up to three (3) months, to issue a new contract.

5. EXISTING CONTRACTS

- (a) **General.** Notwithstanding the initiation and implementation of this ITQ process, all existing contracts for appraisal services with the Department shall remain effective, excluding ITQ #353A01 and any POs or other purchasing documents issued under ITQ #353A01, which expire on January 31, 2009.
 - ❖ **Exception.** POs for appraisal services or litigation services not yet completed under ITQ #353A01 as of January 15, 2009, may be completed under this ITQ if:
 - (i) The contractor is prequalified under ITQ #357I01 and a new PO is fully executed under this ITQ prior to January 31, 2009; and
 - (ii) The new PO references the old PO under ITQ #353A01.
- (b) **Litigation services.** If services for claims in litigation are required from an Appraiser under an existing contract, but these services were not included in the existing contract, the Department may obtain those services under this ITQ.

6. CHANGES TO THE CONTRACT

- (a) **Changes not related to scope.** The Contracting Officer will issue a change notice to all Appraisers with Contracts issued under this ITQ whenever there is a change to the Contracts not affecting the scope of work. Changes contemplated under this paragraph include:

- (1) Changes mandated by federal or state law or regulations.
 - (2) Procedural changes.
 - (3) All other changes not related to scope.
- (b) **Changes related to scope.** Changes that affect the scope of work of Contracts issued under this ITQ shall be effective only upon receipt of a fully executed amendment to the Contract by the Contractor and all Commonwealth signatories who approved the contract.

7. PROTEST PROCEDURE

Those appraisers and potential appraisers who do not qualify for a category of appraisal for which they have requested to be qualified may protest to the Secretary of Transportation in accordance with Section 1711.1 of the Commonwealth Procurement Code (62 Pa. C.S. § 1711.1), and any subsequent amendments thereto.

8. INTEGRATION CLAUSE

The Contract resulting from this ITQ, including its attachments and exhibits, constitute the entire agreement between the parties. No agent, representative, employee or officer of either the Department nor the Appraiser has authority to make, or has made, any statement, agreement or representation, oral or written, in connection with this contract, which in any way can be deemed to modify, add to, detract from, or otherwise change or alter its terms and conditions. No negotiations between the parties, nor any custom or usage, shall be permitted to modify or contradict any of the terms and conditions of this Contract. No modifications, alterations, changes or waivers to this Contract or any of its terms shall be valid or binding unless accomplished by a written amendment signed by both parties. All such amendments or modifications shall be made using the appropriate Department form.

9. CONTRACT CONTROVERSIES

- (a) **Filing of written claim.** In the event of a controversy or claim arising from the Contract, the Appraiser must, within six months after the cause of action accrues, file a written claim with the Contracting Officer for a determination. The claim shall state all grounds upon which the Appraiser asserts a controversy exists. If the Appraiser fails to file a claim or files an untimely claim, the Appraiser is deemed to have waived its right to assert a claim in any forum.
- (b) **Role of Contracting Officer.** The Contracting Officer, or his designee, shall review timely-filed claims and issue a final determination, in writing, regarding the claim. The final determination shall be issued within 120 days of the receipt of the claim, unless extended by consent of the Contracting Officer and the Appraiser. The Contracting Officer, or his designee, shall send his/her written

determination to the Appraiser. If the Contracting Officer fails to issue a final determination within the 120 days (unless extended by consent of the parties), the claim shall be deemed denied. The Contracting Officer's determination shall be the final order of the purchasing agency.

- (c) **Appeal of decision.** Within fifteen (15) days of the mailing date of the determination denying a claim or within 135 days of filing a claim, if no extension is agreed to by the parties, whichever occurs first, the Appraiser may file a statement of claim with the Commonwealth Board of Claims. Pending a final judicial resolution of a controversy or claim, the Appraiser shall proceed diligently with the performance of the Contract in a manner consistent with the determination of the Contracting Officer.

10. APPRAISER PERFORMANCE

During the contract period, the Department may evaluate Appraisers on each work assignment. Appraisers who perform poor work, do not provide services on time or engage in other unacceptable conduct will be entered into the Commonwealth's Contractor Responsibility Program (CRP), which may affect the Appraiser's ability to contract with all Commonwealth agencies. Entries into CRP may be considered in determining whether to exclude an Appraiser from award of assignments under this ITQ and may lead to termination of an Appraiser's Contract.

11. LIQUIDATED DAMAGES

Time is of the essence in the provision of services under these procedures. The Appraiser, therefore, agrees to pay to the Department as liquidated damages a sum equal to one (1) percent of the amount contracted for under the PO for each working day beyond the designated submission date during which the services have not been satisfactorily completed and submitted. For the purposes of this section, a satisfactory submission is defined as an appraisal document that is acceptable to the Department. The Department will deduct the total amount of liquidated damages, if any, from the amount contracted for under the PO. The Department, upon receipt of the Appraiser's written request for extension because of factors beyond the control of the Appraiser, may extend, in writing, the date of completion and submission.

12. DEFAULT

- (a) The Department, subject to the provisions of Paragraph 13, Force Majeure, and in addition to its other rights under the Contract, may declare the Appraiser in default by written notice thereof to the Appraiser, and terminate (as provided in Paragraph 14, Termination Provisions) the whole or any part of this Contract for any of the following reasons:
 - (1) Failure to begin work within the time specified in the Contract or as otherwise specified;

- (2) Failure to perform the work with sufficient labor, equipment, or material to insure the completion of the specified work in accordance with the Contract terms;
 - (3) Unsatisfactory performance of the work;
 - (4) Discontinuance of work without approval;
 - (5) Failure to resume work, which has been discontinued, within a reasonable time after notice to do so;
 - (6) Insolvency or bankruptcy;
 - (7) Assignment made for the benefit of creditors;
 - (8) Failure or refusal within 10 days after written notice by the Contracting Officer to make payment or show cause why payment should not be made, of any amounts due for materials furnished, labor supplied or performed, for equipment rentals, or for utility services rendered;
 - (9) Failure to protect, to repair, or to make good any damage or injury to property; or
 - (10) Breach of any provision of this Contract.
- (b) In the event that the Department terminates this Contract in whole or in part as provided in Subparagraph a. above, the Department may procure, upon such terms and in such manner as it determines, services similar or identical to those so terminated, and the Appraiser shall be liable to the Department for any reasonable excess costs for such similar or identical services included within the terminated part of the Contract.
- (c) If the Contract is terminated as provided in Subparagraph a. above, the Department, in addition to any other rights provided in this paragraph, may require the Appraiser to transfer title and deliver immediately to the Department in the manner and to the extent directed by the Issuing Office, such partially completed work, including, where applicable, reports, working papers and other documentation, as the Appraiser has specifically produced or specifically acquired for the performance of such part of the Contract as has been terminated. Except as provided below, payment for completed work accepted by the Department shall be at the Contract price. Except as provided below, payment for partially completed work including, where applicable, reports and working papers, delivered to and accepted by the Department shall be in an amount agreed upon by the Appraiser and Contracting Officer. The Department may withhold from amounts otherwise due the Appraiser for such completed or

partially completed works, such sum as the Contracting Officer determines to be necessary to protect the Department against loss.

- (d) The rights and remedies of the Department provided in this paragraph shall not be exclusive and are in addition to any other rights and remedies provided by law or under this Contract.
- (e) The Department's failure to exercise any rights or remedies provided in this paragraph shall not be construed to be a waiver by the Department of its rights and remedies in regard to the event of default or any succeeding event of default.
- (f) Following exhaustion of the Appraiser's administrative remedies as set forth in Paragraph 9, the Appraiser's exclusive remedy shall be to seek damages in the Board of Claims.

13. FORCE MAJEURE

- (a) Neither party will incur any liability to the other if its performance of any obligation under this Contract is prevented or delayed by causes beyond its control and without the fault or negligence of either party. Causes beyond a party's control may include, but are not limited to, acts of God or war, changes in controlling law, regulations, orders or the requirements of any governmental entity, severe weather conditions, civil disorders, natural disasters, fire, epidemics and quarantines, general strikes throughout the trade, and freight embargoes.
- (b) The Appraiser shall notify the Department orally within five (5) days and in writing within ten (10) days of the date on which the Appraiser becomes aware, or should have reasonably become aware, that such cause would prevent or delay its performance. Such notification shall (i) describe fully such cause(s) and its effect on performance, (ii) state whether performance under the contract is prevented or delayed and (iii) if performance is delayed, state a reasonable estimate of the duration of the delay. The Appraiser shall have the burden of proving that such cause(s) delayed or prevented its performance despite its diligent efforts to perform and shall produce such supporting documentation as the Department may reasonably request. After receipt of such notification, the Department may elect either to cancel the Contract or to extend the time for performance as reasonably necessary to compensate for the Appraiser's delay.
- (c) In the event of a declared emergency by competent governmental authorities, the Department, by notice to the Appraiser, may suspend all or a portion of the Contract.

14. TERMINATION PROVISIONS

The Department has the right to terminate the Contract, or any PO or other purchasing document, either in whole or in part, for any of the following reasons:

- (a) **TERMINATION FOR CONVENIENCE:** The Department may terminate for convenience, either in whole or in part, the Contract or any PO or other purchasing document issued pursuant to the Contract if the Department determines termination to be in its best interest. The Appraiser shall be paid for work satisfactorily completed prior to the effective date of the termination, but in no event shall the Appraiser be entitled to recover loss of profits.
- (b) **NON APPROPRIATION:** The Department's obligations to make payments during any Commonwealth fiscal year succeeding the current fiscal year shall be subject to availability and appropriation of funds. When the funds (state and/or federal) are not appropriated or otherwise made available to support the continuation of performance in a subsequent fiscal year period, the Department shall have the right to terminate, either in whole or in part, the Contract or any PO or other purchasing document issued pursuant to the Contract. The Appraiser shall be paid for work satisfactorily completed prior to the effective date of the termination, but in no event shall the Appraiser be entitled to recover loss of profits. The reimbursement amount may be paid from any appropriations available for that purpose.
- (c) **TERMINATION FOR CAUSE:** The Department reserves the right to terminate for Appraiser Default under Paragraph 12, Default, either in whole or in part, the Contract, or any PO or other purchasing document issued pursuant to the Contract, upon written notice to the Appraiser. The Department shall also have the right, upon written notice to the Appraiser, to terminate, either in whole or in part, the Contract, or any PO or other purchasing document issued pursuant to the Contract, for other cause as specified in the Contract or by law. If it is later determined that the Department erred in terminating the Contract, or any PO or other purchasing document issued pursuant to the Contract, for cause, then, at the Department's discretion, the Contract, or PO or other purchasing document, shall be deemed to have been terminated for convenience under the Subparagraph 14a. The Appraiser shall be paid for work satisfactorily completed prior to the effective date of the termination, but in no event shall the Appraiser be entitled to recover loss of profits.

15. INSURANCE REQUIREMENTS:

The Department, at its option and as deemed necessary, **may** require the Appraiser to provide a Certificate of Insurance as outlined in Exhibit "B" for specific appraisal services. A Certificate of Insurance is **NOT** required with this ITQ submission.

16. DISADVANTAGED BUSINESS ENTERPRISE (DBE)

When the Department uses any federal funds for any requested appraisal services, the following Disadvantaged Business Enterprise (DBE) provisions apply:

The Commonwealth of Pennsylvania is committed to providing opportunities for Disadvantaged Business Enterprises and small business concerns to compete for work. Small business concerns are those entities seeking to participate in Commonwealth contracts that meet the definition of a small business concern set forth in Section 3 of the Small Business Act and Small Business regulations implementing it at 13 C.F.R. Part 21. Appraisers are encouraged to involve Disadvantaged Business Enterprises and small business concerns in the required work and to submit documentation of any such involvement in the proposal.

Upon completion of the project, submit a report addressing the following:

Documentation of all communication to obtain the services of DBEs on a project;

Number of DBE and non-DBE subcontractors, regular dealers, manufacturers, consultants, and service agencies, and the type of work or services performed on or materials incorporated in this project;

The amounts paid to DBEs.

17. CERTIFIED MINORITY BUSINESS ENTERPRISE AND WOMEN BUSINESS ENTERPRISE (MBE/WBE)

When the Department uses 100% state funds and the cost of the service is expected to exceed \$50,000 for any requested appraisal services, the following Minority Business Enterprise (MBE) and Women Business Enterprise (WBE) provisions apply:

The Bureau of Minority and Women Business Opportunity (BMWBO) has established minimum participation levels of 5% for MBE and 3% for WBE of the dollar amount of the quote. The Department will attach the **STD-168, MBE/WBE Subcontractor and Supplier Solicitation and Commitment Form, AND the Special Provisions for Invitations for Bids/Certified Minority and Women Business Utilization to the APA** (see Exhibit "D"). **Commonwealth policy requires that all appraisers who are submitting quotes/submissions to complete and submit an STD-168. Appraisers should contact the Bureau of Minority and Women Business Opportunity at 717-787-7380 for a listing of certified MBE/WBEs for any subcontracting opportunities which may be available. Failure to complete and submit this form as specified in the instructions which are attached to the STD-168, may result in the appraiser being found non-responsive. If an appraiser is found to be "non-responsive," the Department will not be able to contract with this appraiser.**

18. SPECIFICATIONS

- (a) **Conformance with Publication No. 378.** Appraisal reports submitted under this contract shall be in conformity with the Department's most current Publication No. 378, *Right-of-Way Manual*, and any subsequent revisions or supplements to the manual, which is incorporated into this contract by reference, with generally accepted appraisal practices and procedures, and in compliance with applicable federal, state and local laws and regulations.
- (b) **Information provided prior to Notice-to-Proceed.** Prior to giving the Appraiser a notice-to-proceed, the Department will supply the Appraiser with the deed reference to the property to be appraised, together with a print of the applicable highway plan sheet(s) and other available data, which will aid in defining the boundaries of the property and the extent and nature of the taking.
- (c) **Appraisal report.** The appraisal report will be the property of the Department. The appraisal and all work papers shall be confidential and shall not be revealed by the Appraiser without the written expressed consent of the Department; nor shall the Appraiser testify relative thereto in any court or other tribunal without such consent unless so ordered by the court or other tribunal.
- (d) **Litigation services.** If a claim for which the assignment is performed becomes subject to litigation, the Appraiser, if so directed by the Department or any of its authorized representatives, shall provide necessary services for litigation, including, but not limited to, updates, revisions, preparation, testimony, and other litigation support. The Department, for services other than updates and revisions, shall pay appraisers and witnesses in accordance with the Department's approved fee schedule in existence at the time of performance of the duties required.
- (e) **Appraising other properties on same project.** The Appraiser may appraise for and testify for parties other than the Department in other right-of-way damage claims on the same project as that involving the assignment; provided, however, that written notice, including the name of the client, shall be given to the appropriate Department right-of-way administrator no later than ten (10) days prior to such undertaking.
- (f) **Warranty.** The Appraiser warrants for each assignment that he or she has not employed or retained any company, firm or person, other than a bona fide employee working solely for the Appraiser, to solicit or secure the assignment; and that he or she has not paid or agreed to pay any company, firm or person, other than a bona fide employee working solely for the Appraiser, any fee, commission, percentage, brokerage fee, gift or any other consideration contingent upon or resulting from the award or making this contract. For breach or violation of this warranty, the Department shall have the right to annul this contract without liability.

- (g) **Indemnification.** The Appraiser shall indemnify and save the Department harmless, and (if requested) defend the Department and the Commonwealth of Pennsylvania from and against any and all losses, damages, expenses, claims, demands, suits and actions which may arise as a result of the activities of the Appraiser, or the Appraiser's officers, agents or employees, under this Contract (and any POs or other purchasing documents issued pursuant to this Contract), whether the same be due to neglect in safeguarding the work, or by or on account of any act, omission, neglect or misconduct of the Appraiser, or the Appraiser's officers, agents or employees during the performance of said work or thereafter, or to any other cause whatever, including, but not limited to, all claims for personal injuries, death and property damages.
- (h) **Subcontracting.** No part of assignments performed under this agreement shall be subcontracted without the prior written consent of the Department. This applies to, but is not limited to, subcontracting to associates working out of the successful Appraiser's office as an independent contractor. If the Department gives prior written consent, the subcontractor must also be qualified under this ITQ. Written consent for specialty reports necessary to complete an assignment will be given in the APA.

19. CRITERIA FOR QUALIFICATION—Review and Evaluation of Qualification Applications

- (a) **General.** To be placed on the list of prequalified appraisers associated with this multiple-award contract, participating appraisers must meet all requirements of this ITQ. Appraisers must be qualified separately for each category to which different qualifications apply, i.e. Category 1 and 2. Appraisers who submit applications which include all information required, including all responses and documentation requested, and meet the mandatory requirements for the category of assignment requested will be qualified. Contracts will be awarded either to the company or partnership in which the qualified Appraiser is employed, the Appraiser if a sole-proprietor, the partnership of which the qualified Appraiser is a partner of, or the member or manager of a limited liability company.
- (b) **Condemnation appraisal assignments.** For purposes of this ITQ, condemnation appraisal assignments are those appraisals performed for an entity that has the right to exercise the power of eminent domain.

MANDATORY REQUIREMENTS BY CATEGORY OF APPRAISALS
CATEGORY 1:
Current Pennsylvania appraisal certification (residential or general).
Photocopy of current Pennsylvania certification.
An active e-mail address and capability to conduct e-business.
CATEGORY 2:
Current Pennsylvania appraisal certification (general).
Photocopy of current Pennsylvania certification.
An active e-mail address and capability to conduct e-business.
Minimum of five (5) years real estate appraisal experience as a certified appraiser.
*Have completed five (5) condemnation appraisal assignments in the last five (5) years that meet the requirements of Category 2.
*Provide three (3) client reference surveys relating to condemnation appraisal assignments completed in the last five (5) years (unless written justification is provided as outlined on the following page).
*Achieve an acceptable score, as determined by PennDOT for each of the three (3) client references regarding past performance.

**If you have held the title of Right of Way Administrator I, II, or III, Real Estate Appraisal Reviewer, Real Estate Appraiser Supervisor, or a similar position requiring the supervision of appraisers or review of appraisals, the Department may exempt you from these requirements. The exempted individual(s) must document an ability and understanding to perform this category of appraisals.*

- (c) **Appraisers will not be qualified for any category of work in which they fail to meet these requirements.**

20. CLIENT REFERENCE SURVEYS

- (a) **General.** As part of the response to this ITQ, appraisers requesting qualification for Category 2 assignments are required to submit three (3) client reference surveys. Appraisers must designate the name of the clients who will supply reference surveys on the application included in Exhibit “C,” and must forward to each such client a blank copy of the four- (4)-page client reference survey, **with instructions**, included in Exhibit “C.” The contents of client

reference surveys are considered public information and will not be kept confidential.

- (b) **Requirements.** The three (3) client reference surveys must comply with the following:
- (1) The surveys must be from three (3) separate condemnation appraisal assignments completed within the last five (5) years that meet the requirements of Category 2.
 - (2) Three (3) separate clients must complete the surveys unless written justification is supplied explaining why this cannot be done, e.g. the Appraiser did not complete assignments for more than one or two clients.
 - (3) If the Appraiser performed a condemnation appraisal assignment for the Department of Transportation within the last five (5) years that meets the requirements of Category 2, then a Department engineering district must be one of the clients designated to supply a reference survey.
 - (4) If the Appraiser performed a condemnation appraisal involving a partial taking within the last five (5) years that meets the requirements of Category 2, one of the assignments for which a client reference survey is supplied must have involved a partial taking.
 - (5) If the Appraiser performed a condemnation appraisal involving more than one approach to value within the past five (5) years meeting the requirements of Category 2, one of the assignments for which a client reference survey is supplied must have involved more than one approach to value.
- (c) **Same appraisal assignment.** Any or all of these criteria may be met by use of the same appraisal assignment e.g., an appraisal meeting the requirements of Category 2 for the Department involving a partial taking and more than one approach to value, or an assignment for another party involving a partial taking and more than one approach to value.
- (d) **Clients must complete surveys independently.** Clients must complete client reference surveys **independently** from the appraiser and return the completed surveys **DIRECTLY** to the Contracting Officer as listed on the survey form.
- (e) **Award contingent on receipt of surveys.** Client reference surveys **MUST BE RECEIVED** before the Department's awarding of a Contract. Appraisers will not be qualified until the Department receives the mandated client reference surveys. The due date for the initial enrollment period is 4:30 PM, June 18, 2008. Appraisers should encourage their clients to submit their reference surveys as quickly as possible. If the Department does not receive the Client

Reference Surveys by June 18, 2008, the Appraiser will be evaluated for qualification under the open enrollment process upon receipt of all required information.

21. PROCEDURES FOR ACQUIRING SERVICES FROM QUALIFIED APPRAISERS

(a) **ORDERING PROCEDURES (Appraisal Services anticipated to cost \$0 - \$5,000.00)**

For Appraisal Services anticipated to cost \$0—\$5,000.00, the Department will prepare an APA. The Department will contact any appraiser from the list of prequalified appraisers under this ITQ who is qualified for the category of appraisal assignment and has expressed an interest in the county where the property is located, or has check marked all counties. If there are no qualified appraisers in the county in which the property is located, the Department reserves the right to solicit interest from a qualified appraiser outside of that county. The Appraiser will submit a quote signed by an authorized representative. The Department will issue a PO or other purchasing document compatible with the Commonwealth's most current software system providing authorization for work as agreed upon.

(b) **ORDERING PROCEDURES (Appraisal Services anticipated to cost \$5,000.01—\$10,000.00)**

(1) **Low Quote Option:**

For Appraisal Services anticipated to cost \$5,000.01—\$10,000.00, the Department may choose to award the contract based upon low quote when the Department determines that it is in its best interest to do so. The Department will prepare an APA and solicit via telephone, FAX or e-mail a minimum of three (3) appraisers from the list of prequalified appraisers under this ITQ who are qualified for the category of appraisal assignment and have indicated an interest in providing appraisal services in the county where the property is located or has check marked all counties. If available, one of the three (3) appraisers shall be a DGS-certified MBE/WBE, if 100% state funded. In counties where there are less than three (3) qualified appraisers, other prequalified appraisers may be invited to submit a quote. The Department may hold a pre-quote meeting, if deemed appropriate. Prequalified appraisers who have been contacted by the Department may submit a quote signed by an authorized representative, within the specified time period. The Department will award to the lowest responsive and responsible appraiser.

OR

(2) **Best Value Option:**

For Appraisal Services anticipated to cost \$5,000.01—\$10,000.00, the Department may choose to award the contract based upon best value criteria when the Department determines that it is in its best interest to do so. The Department will prepare an APA that will include the best value criteria that will be applied and detail what information will be required in the quote. For the purposes of this paragraph (2), “best value” refers to the process of selecting the quote which provides the greatest values to the Department based on evaluating and comparing all pertinent criteria, which may include cost, so that the overall combination which best suits the Department’s needs is selected. Best value criteria may include, but is not limited to, such evaluation criteria as cost, ability to meet the requirements of the APA based upon prior experience with the subject matter of the appraisal, prior experience with the Department in meeting time requirements, prior performance in delivering quality products, and prior performance in litigation. The Department will solicit a minimum of three (3) appraisers from the list of prequalified appraisers under this ITQ who are qualified for the category of appraisal assignment and have indicated an interest in providing appraisal services in the county where the property is located or have check marked all counties. If available, one of the three (3) appraisers shall be a DGS-certified MBE/WBE, if 100% state funded. In counties where there are less than three (3) qualified appraisers, other prequalified appraisers may be invited to submit a quote. The Department may hold a pre-quote meeting, if deemed appropriate. Prequalified appraisers who have been contacted by the Department may submit a sealed quote, signed by an authorized representative, within the specified time period. The Department will award to the Appraiser whose quote best meets the Department’s evaluation criteria to provide the needed appraisal service.

(c) **ORDERING PROCEDURES (Appraisal Services anticipated to cost \$10,000.01 and above)**

(1) **Low Quote Option:**

For Appraisal Services anticipated to cost \$10,000.01 and above, the Department may choose to award the contract based upon low quote when the Department determines that it is in its best interest to do so. The Department will prepare an APA and contact all appraisers from the list of prequalified appraisers under this ITQ who are qualified for the category of appraisal assignment and have indicated an interest in providing appraisal services in the county where the property is located or have check marked all counties. In counties where there are less than five (5) qualified appraisers, other prequalified appraisers may be invited to submit a quote. This contact will be by facsimile transmission or e-mail to determine if appraisers are interested in submitting a quote on the particular assignment. Those appraisers responding to this solicitation of

interest indicating an interest in providing a quote on a particular assignment will be forwarded a request for quotes package indicating the specifics of the assignment. The Department may hold a pre-quote meeting, if deemed appropriate. Prequalified appraisers who have been forwarded a package by the Department may submit a sealed quote, signed by an authorized representative, within the specified time period. The Department will award to the lowest responsive and responsible appraiser.

- (i) If an appraiser fails to submit a quote for three (3) consecutive assignments for which the appraiser has requested a quote package in a particular engineering district, the Department will not notify the appraiser of future assignments in the engineering district. The Department will resume notifying the appraiser of future assignments in the engineering district when the appraiser satisfactorily justifies to the Department, in writing, the reason for seeking packages but not submitting quotes.
- (ii) If the project is 100% state funded and the cost of the service is anticipated to be \$50,000 or more, the Department will attach an STD-168, *MBE/WBE Subcontractor and Supplier Solicitation and Commitment Form* AND the *Special Provisions for Invitations for Bids/Certified Minority and Women Business Utilization* to the APA. See Exhibit "D."

OR

- (2) **Best Value Option:**
For Appraisal Services anticipated to cost \$10,000.01 and above, the Department may choose to award the contract based upon best value criteria when the Department determines that it is in its best interest to do so. The Department will prepare an APA that will include the best value criteria that will be applied and detail what information is required in the quote. For the purposes of this paragraph (2), "best value" refers to the process of selecting the quote which provides the greatest values to the Department based on evaluating and comparing all pertinent criteria, which may include cost, so that the overall combination which best suits the Department's needs is selected. Best value criteria may include, but is not limited to, such evaluation criteria as cost, ability to meet the requirements of the APA based upon prior experience with the subject matter of the appraisal, prior experience with the Department in meeting time requirements, prior performance in delivering quality products, and prior performance in litigation. The Department will contact all appraisers from the list of prequalified appraisers under this ITQ who are qualified for the category of appraisal assignment and have indicated an interest in providing appraisal services in the county where the property is located or have check marked all counties. In counties where there are less than five

(5) qualified appraisers, other prequalified appraisers may be invited to submit a quote. This contact will be by facsimile transmission or e-mail to determine if appraisers are interested in submitting a quote on the particular assignment. Those prequalified appraisers responding to this solicitation of interest indicating an interest in providing a quote on a particular assignment will be forwarded a request for quotes package indicating the specifics of the assignment. The Department may hold a pre-quote meeting, if deemed appropriate. Prequalified appraisers who have been forwarded a package by the Department may submit a sealed quote, signed by an authorized representative, within the time period specified. The Department will award to the appraiser whose quote best meets the Department's evaluation criteria to provide the needed appraisal service.

- (i) If an appraiser fails to submit a quote for three (3) consecutive assignments for which the appraiser has requested a quote package in a particular engineering district, the Department will not notify the appraiser of future assignments in the engineering district. The Department will resume notifying the appraiser of future assignments in the engineering district when the appraiser satisfactorily justifies to the Department, in writing, the reason for seeking packages but not submitting quotes.
- (ii) If the project is 100% state funded and the cost of the service is anticipated to be \$50,000 or more, the Department will attach an STD-168, MBE/WBE Subcontractor and Supplier Solicitation and Commitment Form, AND the Special Provisions for Invitations for Bids/Certified Minority and Women Business Utilization to the APA. See Exhibit "D."

22. REJECTION OF QUOTES/SUBMISSIONS

The Department reserves the right to reject any and all quotes and submissions received in response to a solicitation.

23. ALTERATION OF ORDERING PROCEDURES

The Department reserves the right to alter this procedure if it becomes too cumbersome and to replace it with another system which allows all approved appraisers an opportunity to submit quotes on assignments. If these procedures change, all qualified appraisers will be notified.

24. REVISIONS, UPDATES, AND SERVICES FOR LITIGATION

- (a) **Award without requesting quotes.** The Department may award assignments for revisions, updates and services for litigation to the Appraiser who previously

prepared a fair market value report, without requesting quotes from multiple appraisers, due to the Appraiser's unique knowledge of the property based on preparing that report.

- (b) **Litigation appraisals and services for litigation.** The Department may award appraisals and services required for litigation purposes to a single appraiser, without a request for quotes from multiple appraisers, upon the recommendation of the Office of Chief Counsel.

25. PURCHASE ORDER OR OTHER PURCHASING DOCUMENT

- (a) **Issuance of PO.** When the Department has selected an appraiser to perform a specific assignment, the Department will issue a PO, or other purchasing document compatible with the Commonwealth's most current procurement system, against the Contract to obtain the services.
- (b) **Authority to provide services.** This PO or other purchasing document shall constitute authority to furnish the services set forth in the appropriate quote, and shall be used in combination with the appropriate quote when invoicing the Department for services provided.
- (c) **Terms of ITQ and APA incorporated.** Each PO or other purchasing document shall incorporate the terms and conditions set forth in the ITQ, the APA or other solicitation document.
- (d) **Time extensions.** Extensions to the time within which an assignment must be completed and submitted may be granted by written permission of the Department. A change order to the PO or other purchasing document must be entered in the system.
- (e) **Work cannot begin until PO fully executed.** An Appraiser may not begin work without a fully executed PO or other purchasing document in place, except as set forth under Section 26, "Emergency Situations." **The Department will not pay an Appraiser for any services performed without a fully executed PO or other purchasing document in place.**

26. EMERGENCY SITUATIONS

- (a) **Emergency process.** When an emergency situation occurs which requires the Department to obtain appraisal services immediately, the process shall be as follows:
 - (1) Appropriate Department personnel, via e-mail, will request quotes from at least three (3) Appraisers qualified to perform the assignment;

- (2) Appraisers, via e-mail, shall submit quotes to the appropriate Department personnel;
- (3) Appropriate Department personnel will provide the successful Appraiser a verbal notification to proceed to provide the required services; and
- (4) The Department, upon receipt and acceptance of the emergency services and receipt of a corresponding invoice, will prepare and process the appropriate document for payment.

(b) **An emergency exists when:**

- (1) There is a threat to public health, welfare or safety;
- (2) Circumstances outside the control of the agency creates an urgency of need which does not permit the delay involved in using more formal competitive methods; or
- (3) The Governor has declared a state of emergency.

27. INVOICING

In order to facilitate prompt processing and payment of invoices the Appraiser will do the following:

- 1) Appraiser will furnish a Confirmation of Service Form (Exhibit G) and submit to the office that issued the Purchase Order or other purchase document.
- 2) Appraiser will furnish an original invoice to the Comptrollers Office at the address listed on the Purchase Order.

The total cost on the invoice should match the total cost on the Confirmation of Services Form.

28. PAYMENT/RETAINAGE

(a) **Automated Clearing House (ACH) Network:**

- (1) The Commonwealth will make contract payments through ACH. Within 10 days of award of the contract or purchase order, the Contractor must submit or must have already submitted its ACH information within its user profile in the Commonwealth's procurement system (SRM)
- (2) The Contractor must submit a unique invoice number with each invoice submitted. The unique invoice number will be listed on the Commonwealth

of Pennsylvania's ACH remittance advice to enable the Contractor to properly apply the state agency's Payment to the invoice submitted.

- (3) It is the responsibility of the Contractor to ensure that the ACH information contained In SRM is accurate and complete. Failure to maintain accurate and complete information may result in delays in payment.
- (4) The Pennsylvania Electronic Payment Program (PEPP) Enrollment Form can be accessed at:
<http://www.oit.state.pa.us/bfm/cwp/view.asp?a=3&q=178874>).

(b) **Retainage**

The Department, at its option and if set forth in the solicitation of interest, may elect to retain (10%) percent of each billing of any appraisal assignment. The Department will make payment of retainage after receipt and acceptance of the final product.

29. INVITATION TO QUALIFY SUBMISSION/DUE DATE

- (a) **Initial deadline.** The initial submission deadline for this ITQ is 4:30 PM, June 18, 2008. It is in the best interest of all appraisers to submit the required information by the initial submission date in order to qualify for the full contract period.
- (b) **All other applications.** Additional qualification applications will be accepted after June 18, 2008, and the Department will make every effort to process additional qualification applications within 90 days after receipt.
- (c) **Response Delivery Location.** Responses MUST be delivered or mailed to the Bureau of Office Services, 5th Floor Information Desk at the Department's Commonwealth Keystone Building offices. **To be considered for work during the *initial* enrollment period, all required documentation must be received at the address below no later than 4:30 PM, June 18, 2008.** Responses being sent through the mail are to be addressed as follows:

Bureau of Office Services (ITQ #357I01)
PA Department of Transportation
Attn: Ken Seifert
Commonwealth Keystone Building, 400 North Street—5th Floor
Information Desk
Harrisburg, PA 17120-0041

- (d) **Enrollment period.** The invitation to qualify for appraisal services will remain open through 4:30 PM, September 30, 2013 (or through September 30, 2018 if the Commonwealth chooses to renew the contract for an additional five (5) years). The Department will reject all applications received

after that date, regardless of the reason for late arrival. If mailing your response, please allow sufficient mailing time.

30. INSTRUCTIONS FOR COMPLETION OF APPLICATION SUBMISSION:

Note: Completion of application submission may change in the future. The Department of General Services (DGS) is currently developing an ITQ website which will enable Applicants to submit future applications on line. Applicants will be notified when the website has been implemented and is ready to use. Until the website is implemented, Applicants are to follow the instructions for completion of application submission below.

- (a) **General.** Your submitted response must be completed on the documents provided and must include the completed ITQ Signature Page, and Exhibit "C" (Qualification Application, Category the Appraiser is applying for and Location of Service sheet). ALL Exhibits, except for Exhibit "D" and Exhibit "E," must also be returned. Use Exhibit "E" only to make changes once an Appraiser is awarded a contract. Make a copy of all documents for your records.
- (b) **Print or type information.** Except for signatures, please print legibly or type all required information.
- (c) **Errors.** The Appraiser's authorized signatory must initial and date any error made while completing information.
- (d) **Altering of forms or exhibits prohibited.** Do not alter the form or its exhibits. Adding anything other than information specifically required by the Department may be interpreted as an Appraiser "conditioning" the ITQ which may cause the ITQ to be rejected by the Department.

31. HOW TO COMPLETE THE ITQ SIGNATURE SHEET:

- (a) **Signature.** The Appraiser's signature shall be in ink. If any information is handwritten or changed in any manner, the Appraiser's authorized signatory must date and initial where indicated on the ITQ Signature Page.
- (b) **Full name and address.** Complete the Company Name and Address. If sole proprietorship doing business as (d/b/a) or trading as (t/a) another name, indicate such, for example:

John Q. Brown d/b/a or t/a
Brown's Appraisal Service

- (c) **Additional requirements.** Indicate whether or not you are a Disadvantaged Enterprise certified by PennDOT or a Minority Business Enterprise (MBE) or Women Business Enterprise (WBE) certified with the State of Pennsylvania.

Complete the Appraiser's Contact Person, Phone Number, FAX Number, Federal Identification Number or Social Security Number, Required E-Mail Address, Vendor Number, and the Appraiser's signature blocks.

- (1) An appraiser cannot provide both a Federal Identification number and a Social Security Number.
 - ❖ Use of a social security number or a federal identification number depends on which number is used to file income taxes.
 - (2) If applicable, provide information regarding disadvantaged business enterprise and/or MBE/WBE status.
- (d) **Appropriate signatures required.** The ITQ may be rejected if not signed by an individual(s) authorized to contractually bind the organization.
- (1) For Corporations: Chairman, President, Vice President, Senior Vice President, Executive Vice President, Assistant Vice President, CEO, or COO.
 - (2) For Partnerships: General Partner.
 - (i) If general partner is a corporation, then follow directions for corporations.
 - (ii) If general partner is a limited liability company, then follow the directions for Limited Liability Company.
 - (3) For Sole Proprietorships: Owner.
 - (4) Limited Liability Company: Member or a Manager.
- (e) **Delegation of signature authority.** If signature authority has been delegated by any of the above principals to another person, a copy of the delegation signed by the required principal delegating that signature authority to that specific individual must be provided prior to execution of the contract. For a corporation, the delegation document must be either a resolution of the board of directors or delegation provided by corporate by-laws.

32. INQUIRIES:

Appraisers are to direct all questions (technical and/or administrative) to the Contracting Officer listed on the Cover Page of this ITQ. **All written questions received by 4:30 PM, April 30, 2008, will be answered in writing and mailed to all Appraisers receiving an ITQ package. Appraisers are encouraged to review this entire package**

and forward questions prior to the time and date stated above to be qualified during the initial enrollment period. Please include your name, telephone number, fax number and company name (if applicable) in the event clarification on any question submitted is required. After April 30, 2008, questions are to be directed to the Contracting Officer, **or his designee or successor.** This person must be the **sole** point of contact for all questions. Directing questions or discussing this ITQ with any other Department employee may jeopardize the status of your qualification.

EXHIBIT “B”
LOBBYING CERTIFICATION FORM

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

(2) **If any** funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed under Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than **\$100,000** for such failure.

SIGNATURE: _____

TITLE: _____

DATE: _____

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitations for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Included prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503

**EXHIBIT “B”
INSURANCE REQUIREMENTS**

(6-96)

The Department, at its option and as deemed necessary, may require the Appraiser to provide a Certificate of Insurance as outlined below for specific appraisal services. When a Certificate of Insurance is requested it should be sent to the PennDOT office that issued the solicitation. A Certificate of Insurance is NOT required with this submission.

1. Workmen’s compensation insurance sufficient to cover all of the employees of the contractor working to perform this contract, as required by the laws of the Commonwealth.
2. Comprehensive general liability insurance, property damage insurance, and, where appropriate, automobile liability insurance. The minimum amounts of coverage shall be \$100,000 per person and \$300,000 per occurrence for bodily injury, including death, and \$100,000 per person and \$300,000 per occurrence for property damage.

These coverages shall be occurrence-based. The policy(ies) shall name the Commonwealth as an additional insured and shall contain a provision that the coverages afforded thereunder shall not be cancelled or changed unless at least thirty (30) days prior written notice has been given to the Commonwealth.

Prior to the commencement of work, the contractor shall provide PENNDOT with a current certificate(s) of insurance showing the required coverages and provisions.

3. Your attention is directed to the indemnification section of this ITQ, located at Page 13 of 25 of Exhibit “A,” Section 18(g).

EXHIBIT "C"

QUALIFICATION APPLICATION

Company Name: _____ FID. or SS. No.: _____
(As shown on ITQ Signature Page)

Vendor No.: _____

Appraiser must complete separate applications (this Exhibit C) for each appraiser for whom qualification status is being pursued. Make additional copies as needed for each appraiser seeking to be qualified under this contract.

-----FOR PennDOT USE ONLY-----

	Category 1				Category 2			
Appraiser's Name	Q	N	P	Did not apply	Q	N	P	Did not apply

Please check all categories for which qualification status is being pursued by this appraiser:

_____ **Category 1**, (Complete Category 1 Sheet)

_____ **Category 2**, (Complete Category 2 Sheet)

If applying for Category 2, list names of companies to whom Client Reference Surveys were sent from this appraiser:

Category 2:

Category 2:

Category 2:

I certify that the above statements and those on any attachment are true and complete and that I will not accept appraisal assignments from the Department concerning properties in which I have an undisclosed past, present or contemplated interest.

Appraiser's Signature

Date

EXHIBIT "C"
CATEGORY 1
COMPLETE THESE QUESTIONS IF APPLYING FOR CATEGORY 1

Company Name: _____ **FID or SS No.** _____
 (As shown on ITQ Signature Page) **Vendor No.:** _____

Appraiser's Name: _____

No.	Question	Circle One	
		YES	NO
1.	Do you have a current Pennsylvania Appraiser Certificate? <input type="checkbox"/> General <input type="checkbox"/> Residential Pennsylvania Certification No. _____ Expiration Date _____	YES	NO
2.	Did you attach a photocopy of your current Pennsylvania Appraiser Certificate?	YES	NO
3.	Do you have an active e-mail address and the capability to conduct e-business?	YES	NO

Applicant must respond, "YES" to all questions to be qualified for this Category.

PennDOT USE ONLY			
<input type="checkbox"/> - Qualified	<input type="checkbox"/> - Not Qualified	<input type="checkbox"/> - Pending	Reviewed by: _____ Date: _____

EXHIBIT "C"

CATEGORY 2

COMPLETE THESE QUESTIONS IF APPLYING FOR CATEGORY 2

Company Name: _____ FID or SS No.: _____
 (As shown on ITQ Signature Page) Vendor No.: _____

Appraiser's Name: _____

No.	Question	Circle One	
		YES	NO
1.	Do you have a current Pennsylvania Appraiser Certificate? <input type="checkbox"/> General <input type="checkbox"/> Residential Certification No. _____ Expiration Date _____	YES	NO
2.	Did you attach a photocopy of your current Pennsylvania Appraiser Certificate?	YES	NO
3.	Do you have an active e-mail address and the capability to conduct e-business?	YES	NO
4.	Do you have a minimum of five (5) years real estate appraisal experience as a certified appraiser?	YES	NO
5.	Have you completed five (5) condemnation appraisal assignments in the last five (5) years that meets the requirements of Category 2?	YES	NO
6.	Have you performed a condemnation appraisal assignment for the Department of Transportation within the last five (5) years?	YES	NO
7.	Have you performed a condemnation appraisal assignment involving a partial taking within the last five (5) years?	YES	NO
8.	Have you performed a condemnation appraisal assignment involving more than one approach to value within the past five (5) years?	YES	NO

Applicant must respond, "YES" to questions 1—5 to be qualified for this Category unless you have been exempted by the Department.

FOR PennDOT USE ONLY		YES	NO
Client Reference Surveys			
Were three (3) client reference surveys provided?			
Were all three (3) client reference surveys relating to condemnation appraisals?			
Were all condemnation appraisal assignments referenced in the surveys completed during the past five (5) years?			
Were all assignments referenced in the surveys different?			
Were surveys provided by three (3) separate clients or justification provided for less than 3?			
Were scores of all three (3) client reference surveys acceptable individually? SCORES: _____			
FOR PennDOT USE ONLY		N/A	
If #6 above was yes, is one of the surveys from PENNDOT?			
If #7 above was yes, is one of the assignments referenced in the surveys a partial taking?			
If #8 above was yes, did one of the assignments referenced in the surveys involve more than one approach to value?			
PENNDOT Reviewer: Any "No" checked above will result in disqualification of applicant.			
PennDOT USE ONLY			

- Qualified
 - Not Qualified
 - Pending
 Reviewed by: _____ Date: _____

EXHIBIT “C”

COMPLETE THESE QUESTIONS IF YOU HAVE HELD THE TITLE OF RIGHT OF WAY ADMINISTRATOR I, II, OR III, REAL ESTATE APPRAISAL REVIEWER, REAL ESTATE APPRAISER SUPERVISOR, OR A SIMILAR POSITION REQUIRING THE SUPERVISION OF APPRAISERS OR REVIEW OF APPRAISALS.

Name: _____ FID or SS No. _____
 (As shown on ITQ Signature Page) Vendor No.: _____

No.	Question	Circle One	
		YES	NO
1.	Do you have a current Pennsylvania Appraiser Certificate? <input type="checkbox"/> General <input type="checkbox"/> Residential Certification No. _____ Expiration Date _____	YES	NO
2.	Did you attach a photocopy of your current Pennsylvania Appraiser Certificate?	YES	NO
3.	Do you have an active e-mail address and the capability to conduct e-business?	YES	NO
4.	Do you have a minimum of two (2) years experience as a Right of Way Administrator I, II, or III, Real Estate Appraisal Reviewer, Real Estate Appraiser Supervisor, or a similar position requiring the supervision of appraisers or review of appraisals?	YES	NO
5.	Within the last two (2) years, have you written or reviewed appraisals or supervised appraisers who have written complex condemnation appraisal reports involving Before and After Valuations with indications of severance and/or depreciation, or an uneconomic remnant remainder?	YES	NO
6.	Have you submitted a resume that documents your education and experience?	YES	NO

**Applicant must respond, “YES” to questions 1—3 to be qualified to perform Category 1 appraisal services.
 Applicant must respond, “YES” to questions 1—6 to perform Category 2 appraisal services.**

FOR PennDOT USE ONLY		YES	N/A	NO			
Did the applicant answer, “YES” to questions 1—3 only? If so, applicant will be qualified to perform Category 1 appraisal services.							
Did the applicant answer, “YES” to questions 1—6? If so, and resume documents education and experience, applicant will be qualified to perform Category 2 appraisal services.							
PennDOT USE ONLY							
Category 1 Appraisal Services	<input type="checkbox"/>	- Qualified	<input type="checkbox"/>	- Not Qualified	<input type="checkbox"/>	- Pending	Reviewed by: _____ Date: _____
Category 2 Appraisal Services	<input type="checkbox"/>	- Qualified	<input type="checkbox"/>	- Not Qualified	<input type="checkbox"/>	- Pending	Reviewed by: _____ Date: _____

EXHIBIT "C"

LOCATION OF SERVICE

COMPANY NAME: _____ FID OR SS NO: _____
 (As shown on ITQ Signature Page) Vendor No.: _____

APPRAISER'S NAME: _____

Instructions: Appraisers must complete the following page by circling each and every category for which they are applying in each county of interest. For a description of the categories, see Page 2 of Exhibit A. A map of the Commonwealth of Pennsylvania and its 67 counties is found on the back of this page. Do not write in shaded areas.

Please circle the Category(s) for each county in which you are applying in the chart below:

COUNTY			CATEGORY			COUNTY			CATEGORY		
01	081	Adams	1		2	35	042	Lackawanna	1		2
02	111	Allegheny	1		2	36	087	Lancaster	1		2
03	101	Armstrong	1		2	37	114	Lawrence	1		2
04	112	Beaver	1		2	38	088	Lebanon	1		2
05	091	Bedford	1		2	39	053	Lehigh	1		2
06	051	Berks	1		2	40	043	Luzerne	1		2
07	092	Blair	1		2	41	032	Lycoming	1		2
08	039	Bradford	1		2	42	025	McKean	1		2
09	061	Bucks	1		2	43	014	Mercer	1		2
10	102	Butler	1		2	44	027	Mifflin	1		2
11	093	Cambria	1		2	45	054	Monroe	1		2
12	024	Cameron	1		2	46	064	Montgomery	1		2
13	052	Carbon	1		2	47	033	Montour	1		2
14	021	Centre	1		2	48	055	Northampton	1		2
15	062	Chester	1		2	49	034	Northumberland	1		2
16	103	Clarion	1		2	50	089	Perry	1		2
17	022	Clearfield	1		2	51	044	Pike	1		2
18	023	Clinton	1		2	52	026	Potter	1		2
19	031	Columbia	1		2	53	056	Schuylkill	1		2
20	011	Crawford	1		2	54	035	Snyder	1		2
21	082	Cumberland	1		2	55	097	Somerset	1		2
22	085	Dauphin	1		2	56	036	Sullivan	1		2
23	063	Delaware	1		2	57	045	Susquehanna	1		2
24	028	Elk	1		2	58	037	Tioga	1		2
25	012	Erie	1		2	59	038	Union	1		2
26	121	Fayette	1		2	60	015	Venango	1		2
27	013	Forest	1		2	61	016	Warren	1		2
28	083	Franklin	1		2	62	124	Washington	1		2
29	094	Fulton	1		2	63	046	Wayne	1		2
30	122	Greene	1		2	64	125	Westmoreland	1		2
31	095	Huntingdon	1		2	65	047	Wyoming	1		2
32	104	Indiana	1		2	66	084	York	1		2
33	105	Jefferson	1		2	67	065	Philadelphia	1		2
34	029	Juniata	1		2						

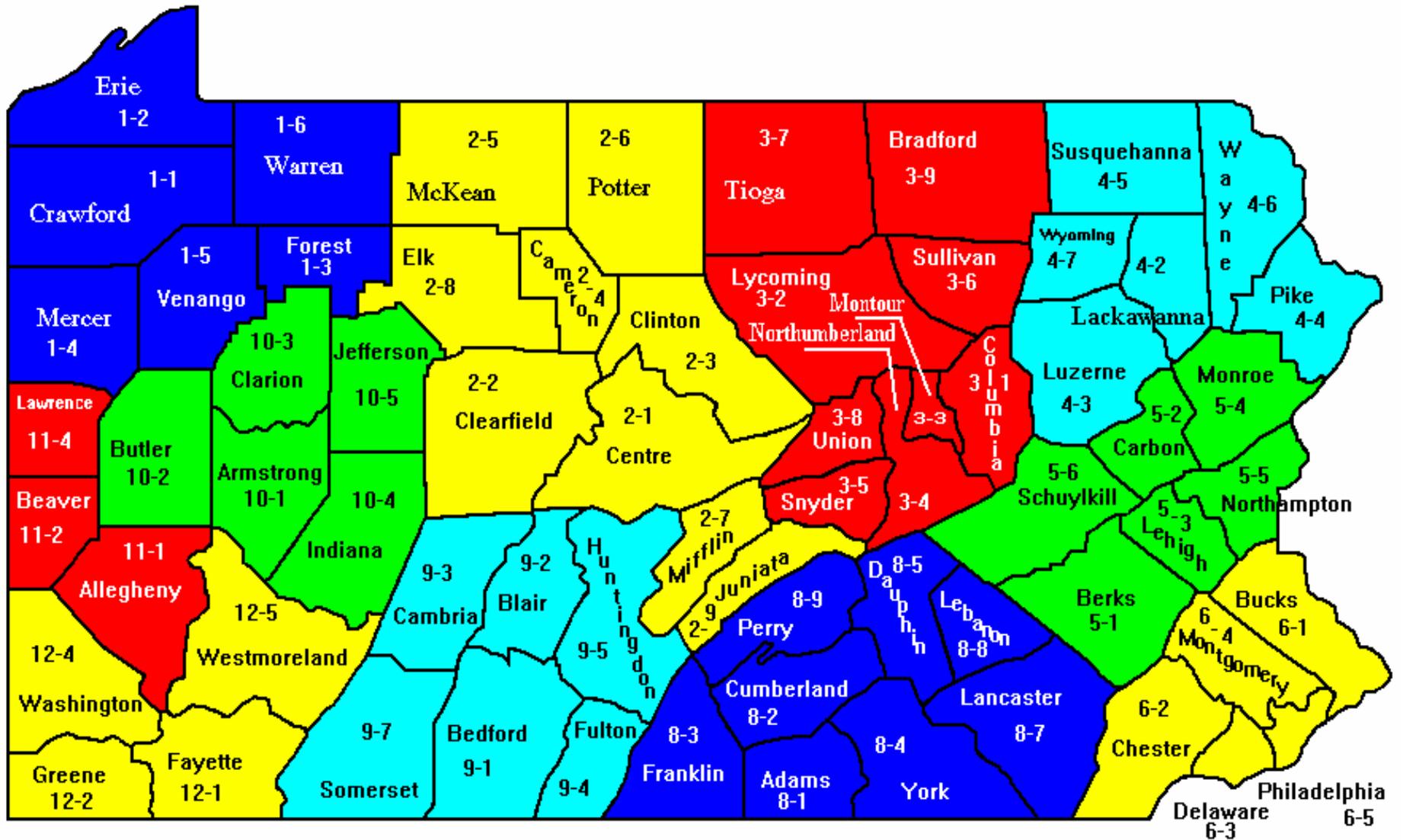


EXHIBIT C
PA DEPARTMENT OF TRANSPORTATION REAL ESTATE APPRAISAL SERVICES

CLIENT REFERENCE SURVEY

INSTRUCTIONS:

The Pennsylvania Department of Transportation is developing a statewide APPRAISAL SERVICES contract. Proposals have been received from appraisers, and you/your company was listed as a client reference. The Commonwealth will use your evaluations to help qualify the appraiser(s) who used you/your company as a client reference. The appraisers have been asked to provide each of their client reference individuals/companies with a four (4)-page blank copy of this survey form, with instructions, for you to complete and forward to the Department.

It is requested that **your organization's manager or the individual responsible for the referenced appraisal services provided** complete the form, without consultation with the appraiser who provided the service(s). Then the same person who fills out the form must sign and date the completed form. For all appraisers that qualify for APPRAISAL SERVICES, the contents of the client reference surveys will be considered public information and cannot be kept confidential.

Appraisal services being evaluated must be condemnation appraisal assignments and must have been completed within the last 5 years. Condemnation appraisal assignments as used herein refer to those appraisals performed for an entity that has the right to exercise the power of eminent domain.

The survey form has appraisal service header information and 9 questions. Appraisal service header items include project name/title, type of appraisal, brief description of appraisal assignment, and the start/end dates. Following the header information, each of the nine questions has a sliding scale for you to rate the appraiser and an area for specific comments. The number on the scale that corresponds to the performance you experienced is to be circled, and comments appropriate to each question may be added. **Comments are MANDATORY for questions 1—8 with a rating below a "7."** The following definitions are to be used for the rating values on the sliding scale:

SCORE	DESCRIPTION
10	Consistently exceeds customer expectations (more than 90% of the time)
9	Frequently exceeds customer expectations (between 50% and 90% of the time)
8	Occasionally exceeds customer expectations (between 10% and 50% of the time)
7	Meets customer expectations
6	Occasionally fails to meet customer expectations (between 10% and 25% of the time)
5/4/3	Frequently fails to meet customer expectations (between 25% and 75% of the time)
2/1/0	Consistently fails to meet customer expectations (more than 75% of the time)

For question 9, add 10 points to the score chart above to determine the appropriate score. **Comments are MANDATORY for a rating below a "14."**

To qualify, appraisers must receive a score acceptable to the Commonwealth from each client reference survey form.

Individuals/companies must complete client reference surveys **independently** from the appraisers and then return the completed surveys **DIRECTLY** to the Contracting Officer via FAX at 717-783-7971 OR to the **address below** no later than 4:30 PM, June 18, 2008 to qualify under the initial enrollment period:

PA Department of Transportation
Bureau of Office Services
Attn.: Ken Seifert (or his designee or successor)
400 North Street (5th Floor)
Harrisburg, PA 17120-0041

Failure to return the completed client reference survey by the date and time noted above will result in the evaluation of the appraiser's application being delayed.

Name of Appraiser for whom this Client Reference Survey was completed: _____

4. How would you rate the appraiser's performance concerning communications? This factor measures the appraiser's effectiveness in exchanging relevant information in a clear, concise and articulate manner on a timely basis.

*****Note: Comments are MANDATORY for a rating below "7." See Page 1 of the Client Reference Survey.**

0 1 2 3 4 5 6 7 8 9 10
Fails to meet customer expectations Meets customer expectations

Comments: _____

5. How would you rate the appraiser's response to questions and appraisal review memos or critiques?

*****Note: Comments are MANDATORY for a rating below "7." See Page 1 of the Client Reference Survey.**

0 1 2 3 4 5 6 7 8 9 10
Fails to meet customer expectations Meets customer expectations

Comments: _____

6. How would you rate the appraiser's compliance with established policies, Uniform Standards of Professional Appraisal Practices (USPAP) and other rules and regulations relating to the assignment?

*****Note: Comments are MANDATORY for a rating below "7." See Page 1 of the Client Reference Survey.**

0 1 2 3 4 5 6 7 8 9 10
Fails to meet customer expectations Meets customer expectations

Comments: _____

7. How would you rate the appraiser's performance in serving as an expert witness? This factor measures the appraiser's pre-trial preparation, exhibits and supportive information, communication/interaction with attorneys, and/or actual legal testimony.

*****Note: Comments are MANDATORY for a rating below "7." See Page 1 of the Client Reference Survey.**

0 1 2 3 4 5 6 7 8 9 10
Fails to meet customer expectations Meets customer expectations

Comments: _____

EXHIBIT “D”

**MBE/WBE SUBCONTRACTOR AND SUPPLIER SOLICITATION &
COMMITMENT FORM
STD-168 Rev. 08/14/2007**

&

**Special Provisions for Invitation for Bids
Certified Minority and Women Business
Utilization**

***These forms have been attached “For Example Only.”
Do NOT Submit**

MBE/WBE SUBCONTRACTOR AND SUPPLIER SOLICITATION & COMMITMENT FORM

Bureau of Minority and Women Business Opportunities

IMPORTANT NOTE: The purpose of this Form is to document the bidder's compliance with the Commonwealth's anti-discrimination program and to determine whether the bidder has discriminated in the selection of subcontractors and suppliers. Failure to complete this Form and submit it with the bid will be sufficient cause for rejection of the bid as NOT RESPONSIVE. Bidders must solicit BOTH MBE and WBE supplier participation for any work the bidders intend to subcontract or for any materials required to perform the contract.

Your Company Information:		Company Name:		Contact Person:	
Address:		Address:		E-Mail:	
Tel #:		Tel #:		Fax #:	
SAP Vendor #:		SAP Vendor #:		Bid Opening Date:	
Contract/Solicitation Information:		Contract/Solicitation Number:		Bid Amount (Bid Base #1):	

ALL FIRMS SOLICITED OR WHICH HAVE PROVIDED UNSOLICITED QUOTES MUST BE INCLUDED ON THIS FORM

(1) Subcontractor/Supplier Company Information • Company Name, Address, Zip Code • Tel. No. with Area Code • Contact Person's Name	(2) MBE, WBE or MWBE	(3) Type of Work to be Performed and/or Material to be Supplied	(4) Total Dollar Amount of Quote Received	(5) Total Commitment Dollar Amount
	Select One			

NOTE: Minimum Participation Levels (MPLs): MBE – 5%; WBE – 3%
A presumption of responsibility may be made if the dollar commitments to MBEs / WBEs reflect these minimum participation levels.

(1)	Enter the official subcontractor or supplier's company name exactly as it appears on the Dept. of General Services (DGS) website list of certified MBEs/WBEs. Do not use D/B/A (Doing Business As) name.
(2)	Indicate whether the firm is DGS certified MBE or WBE. If the firm is both, the bidder will receive credit for the firm as either an MBE or a WBE.
(3)	Briefly describe the specific type of work to be performed and/or materials to be supplied by the listed DGS certified MBE or WBE. In order to count towards reaching the MPLs, bidders must solicit DGS certified MBEs/WBEs in the areas in which they are certified. For example, if an MBE/WBE is certified for electrical supplies and the bidder lists plumbing supplies, the bidder will not receive credit. Geographical location may not be used as a reason for limiting solicitation.
(4)	Enter the total dollar (\$) amount of the quote received, if the quote was received in the form of unit prices or hourly rates, a total dollar amount must still be provided. If the subcontractor did not respond to the bidder, the bidder must indicate "No Response." Copies of all MBE/WBE quotes must be submitted with the bid.
(5)	Enter the total dollar (\$) amount of the contractual commitment made to the listed MBE/WBE. If the bidder does not use the total quote from a MBE/WBE because a lower priced quote was received, the bidder must submit a copy of the lower priced quote with its bid. On partial commitments, the bidder must explain why only a partial commitment was made and must submit a copy of the lower priced quote.

Department Of General Services

MBE/WBE SUBCONTRACTOR AND SUPPLIER SOLICITATION & COMMITMENT FORM

Bureau of Minority and Women Business Opportunities

CONFIRMATION CHECKLIST FOR SUBMISSION OF FORM STD-168 AND OTHER DOCUMENTATION

<input type="checkbox"/>	The Bidder must complete and submit Form STD-168 with its bid. If the supplier is providing their response through SRM, this completed form may be electronically attached and submitted with the bid.
<input type="checkbox"/>	Along with the Form STD-168, the Bidder must include all solicited and unsolicited quotes received by the Bidder from MBEs and WBEs as long as the quotes are within the scope of work.
<input type="checkbox"/>	The Bidder's contact with MBE/WBE subcontractors and suppliers should be a minimum of (10) days prior to bid opening date. This will ensure that MBEs/WBEs have sufficient time to prepare a quote. Ten days is a guide; however, adequate time must be provided to all subcontractors and suppliers to respond.

If the minimum participation levels (MPLs) for this project are not achieved, you must provide a written explanation explaining the failure to achieve the MPLs for MBEs and/or WBEs. Failure to do so will result in rejection of the bid.

If there are any questions/comments concerning this form, please contact the issuing agency contracting officer. If additional forms are needed, you are permitted to photocopy form. If the supplier is providing their response through SRM, this completed form may be electronically attached and submitted with the bid.

OFFICIAL USE ONLY	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Comments:	
Reviewer:	Date:

**SPECIAL PROVISIONS FOR INVITATION FOR BIDS
CERTIFIED MINORITY AND WOMEN BUSINESS UTILIZATION**

A. Participation Level

1. The Bureau of Minority and Women Business Opportunities (BMWBO) has established Minority Business Enterprise (MBE) and Women Business Enterprise (WBE) minimum participation levels (MPLs) of five percent for MBE and three percent for WBE of the dollar amount of the bid for this contract.

2. These MPLs serve exclusively as a threshold in determining bidder responsibility. A bidder will not be rejected as not responsible solely because it fails to reach the MPLs. To determine the participation level, which has been reached, a bidder may divide the total dollar amount of the commitments by the total dollar amount of the bidder's bid.

3. A firm which is both an MBE and a WBE will only receive credit toward the MPLs as either an MBE or WBE, but not both. Bidders must indicate on Form STD-168, MBE/WBE Contract/Solicitation and Commitment Statement whether the firm is being listed as either an MBE or WBE.

4. An MBE/WBE firm who is the prime bidder on a project will receive no MPL credit for its own work effort for services provided. MBE/WBE bidding as prime proposer must solicit other certified MBEs/WBEs participation for material and/or supplies.

5. MBE/WBE subcontractors must perform at least 75 percent of the cost of the subcontract, not including cost of materials, with its own employees.

B. Responsiveness

1. Bidders must complete and submit Form STD-168 with the bid. Failure to submit this form with the bid will result in the bid being rejected as non-responsive.

2. A bidder should only solicit MBE/WBE subcontractors, vendors, manufacturers, or suppliers are within the scope of work and which the bidder reasonably believes it will choose to subcontract with or purchase from.

3. Bidders failing to meet the minimum levels of participation must submit concurrently with the bid, an explanation of why the MPLs have not been met. This explanation must demonstrate that the bidders have not engaged in discriminatory practices in solicitation and utilization of BMWBO-certified MBEs/WBEs to perform as subcontractors or suppliers of goods and services related to the performance of the contract. The evidence submitted by the bidder must demonstrate the following:

a. Indicate whether MBEs/WBEs were solicited for each type of work the bidder expects to subcontract for and for all materials which the bidder expects to procure and, if not, the reason(s) why no such solicitation was made;

b. Indicate the reason why an MBE/WBE has not been committed to for a type of subcontract work or materials in any area where a quote was received from an MBE/WBE; and

c. In any case where no quotations are received nor commitments made to MBE or WBE firms, indicate on Form STD-168 that no quotes were received, and if there is another reason for no commitments being made, the reason for the lack of commitments.

4. If the bidder fails to submit such evidence, the bid submission shall be considered nonresponsive and the bid will be rejected.

5. Information related to the above may be submitted on Form STD-168 or on additional paper.

C. Responsibility

1. The submittals of each bidder are subject to review to determine whether the bidder has discriminated in the selection of manufacturers, subcontractors, and suppliers. If a bidder has met the prescribed MPLs for MBE/WBE participation, the bidder will be presumed not to have discriminated in their selections. Where the MPLs are not met, BMWBO procuring agency will determine whether discrimination has occurred. If, after investigation including a review of Form STD-168, it is found that discrimination has occurred, the reviewed bidder shall thereby be deemed to be not responsible and the bid will be rejected.

2. Documentation submitted by the bidder should meet the following standards for review:

a. The bidder whose actions resulted in a limited or no commitment to MBEs/WBEs was not motivated by consideration of race or gender.

b. MBEs and WBEs were not treated less favorably than other businesses in the contract solicitation and commitment process; and

c. Solicitation and commitment decisions were not based upon policies, which disparately affect MBEs and WBEs.

3. Commitments to MBE and WBE firms made at the time of bidding must be maintained throughout the term of the contract, unless a change in commitment to these firms is preapproved by BMWBO or the agency performing the evaluation of the Invitation for Bid.

D. Access to Information.

The BMWBO and the Office of the Inspector General may obtain documents and information from any bidder, contractor, subcontractor, supplier, or manufacturer that may be required in order to ascertain bidder or contractor responsibility. Failure to provide requested information may result in the contractor being declared not responsible.

E. MBE/WBE Certification.

1. Bidders will only be given credit for utilizing MBEs/WBEs certified by BMWBO or certified by the PA Unified Certification Program.

2. Commonwealth certification of an entity as an MBE/WBE means only that the applicant for certification has submitted information, which qualified it as an MBE/WBE in terms of its ownership and control. Commonwealth certification does not address the ability of the MBE/WBE to perform the required services.

3. Under the Act of December 21, 1984, No. 230, P.L. 1210, 19 PA. C.S.A. § 4107.2, a person commits a felony of the third degree if, in the course of business, he/she engages in deception relating to MBE/WBE certification.

F. Bid as Part of the Contract.

The bid of the successful bidder, including the completed MBE/WBE Form STD-168 and accompanying documents regarding solicitation and commitments to MBE and WBE firms, become part of the contract.

G. Resources.

1. BMWBO is available for technical assistance to all bidders/contractors submitting bids to the Commonwealth. A listing of Certified MBEs/WBEs is maintained by BMWBO and made available to bidders upon request.

2. Contact the BMWBO at (717) 787-7380.

Address correspondence to:

Department of General Services
Bureau of Minority and Women Business Opportunities
Room 611 North Office Building
Harrisburg, PA 17125
FAX: (717) 787-7052

EXHIBIT "E"
ITQ APPRAISAL SERVICES
CONTRACT #357I01

Qualification Application Update Form (The Appraiser Does NOT have to complete this form and submit it with his/her application. Use Exhibit E Only to Make Changes Once an Appraiser Is Awarded a Contract.)

Appraiser (Company) Name and Address: (as shown on the original contract)	
FID or S.S. No./Vendor No.	Name of Appraiser
FID/S.S. _____ Vendor No. _____	

Instructions: Indicate what changes are being requested by checking each appropriate block below and following the specific instructions for each. **It is the responsibility of the Appraiser to report any changes to the Department.** An authorized Appraiser signatory **must** sign and return this page and any other modified pages. All other terms and conditions not changed by this amendment remain in full force and effect.

To Add a Category:

- If applying for Category 1: Complete Pages 1, 2, and 5 attached hereto.
- If applying for Category 2: Refer to page 6. Complete Pages 1, 3, 5 and submit Client Reference Surveys attached hereto.
- If applying for Category 1 and/or Category 2 and you have held the title of Right of Way Administrator I, II, or III, Real Estate Appraisal Reviewer, Real Estate Appraiser Supervisor or a similar position requiring the supervision of appraisers or review of appraisals: Complete Pages 1, 4, and 5 attached hereto.

Other Options:

- To Delete a Category:** Complete Pages 1 and 5 attached hereto. Indicate which categories (for which you are currently qualified) that you would like to delete by placing a "D" over the category in the county.
- To Add a County** (under current approved category): Complete Pages 1 and 5 attached hereto. Indicate only the new county(s). Find the county(s) you are interested in adding; then (on the same line) circle the Category for which you are currently qualified.
- To Delete a County:** Complete Pages 1 and 5 attached hereto. Place a "D" over the name of the county in which you are no longer interested in performing work.
- To Add a New Appraiser:** Refer to Page 6. Submit Client Reference Surveys. Complete pages 1, 2, 3, 4 and 5 attached hereto, as applicable.
- To Delete an Appraiser:** Indicate name as shown on approved contract: _____
- To Change an E-Mail Address:** Indicate new e-mail address: _____
- Any Other Changes:** Contact Ken Seifert (or his designee or successor) at the Bureau of Office Services at (717) 787-7997

I certify that the above statements and those on the attachments are true and complete and that I will not accept appraisal assignments from the Department concerning properties in which I have an undisclosed past, present or contemplated interest.

Signature: _____ Appraiser's Authorized Signatory

_____ Title

_____ Date

CATEGORY 1
COMPLETE THESE QUESTIONS IF APPLYING FOR CATEGORY 1

Company Name: _____ FID or SS No.: _____
 (As shown on ITQ Signature Page) Vendor No.: _____

Appraiser's Name: _____

No.	Question	Circle One	
		YES	NO
1.	Do you have a current Pennsylvania Appraiser Certificate? <input type="checkbox"/> General <input type="checkbox"/> Residential Pennsylvania Certification No. _____ Expiration Date _____		
2.	Did you attach a photocopy of your current Pennsylvania Appraiser Certificate?		
3.	Do you have an active e-mail address and the capability to conduct e-business?		

Applicant must respond, "YES" to all questions to be qualified for this Category.

PennDOT USE ONLY			
<input type="checkbox"/>	- Qualified	<input type="checkbox"/>	- Not Qualified
<input type="checkbox"/>	- Pending	Reviewed by: _____ Date: _____	

CATEGORY 2

COMPLETE THESE QUESTIONS IF APPLYING FOR CATEGORY 2

Company Name: _____ FID or SS No.: _____
 (As shown on ITQ Signature Page) Vendor No.: _____

Appraiser's Name: _____

No.	Question	Circle One	
		YES	NO
1.	Do you have a current Pennsylvania Appraiser Certificate? <input type="checkbox"/> General <input type="checkbox"/> Residential Certification No. _____ Expiration Date _____	YES	NO
2.	Did you attach a photocopy of your current Pennsylvania Appraiser Certificate?	YES	NO
3.	Do you have an active e-mail address and the capability to conduct e-business?	YES	NO
4.	Do you have a minimum of five (5) years real estate appraisal experience as a certified appraiser?	YES	NO
5.	Have you completed five (5) condemnation appraisal assignments in the last five (5) years that meets the requirements of Category 2?	YES	NO
6.	Have you performed a condemnation appraisal assignment for the Department of Transportation within the last five (5) years?	YES	NO
7.	Have you performed a condemnation appraisal assignment involving a partial taking within the last five (5) years?	YES	NO
8.	Have you performed a condemnation appraisal assignment involving more than one approach to value within the past five (5) years?	YES	NO

Applicant must respond, "YES" to questions 1—5 to be qualified for this Category unless applicant has been exempted by the Department.

List names of companies to whom Client Reference Surveys were sent for this appraiser:
1. _____
2. _____
3. _____

FOR PennDOT USE ONLY Client Reference Surveys	YES	NO
Were three (3) client reference surveys provided?		
Were all three (3) client reference surveys relating to condemnation appraisals?		
Were all condemnation appraisal assignments referenced in the surveys completed during the past five (5) years?		
Were all assignments referenced in the surveys different?		
Were surveys provided by three (3) separate clients or justification provided for less than three (3)?		
Were scores of all three (3) client reference surveys acceptable individually? SCORES: _____		
FOR PennDOT USE ONLY	YES	N/A
If #6 above was yes, is one of the surveys from PENNDOT?		
If #7 above was yes, is one of the assignments referenced in the surveys a partial taking?		
If #8 above was yes, did one of the assignments referenced in the surveys involve more than one approach to value?		
PENNDOT Reviewer: Any "No" checked above will result in disqualification of applicant.		
PENNDOT USE ONLY		
<input type="checkbox"/> - Qualified	<input type="checkbox"/> - Not Qualified	<input type="checkbox"/> - Pending
Reviewed by: _____		Date: _____

**COMPLETE THESE QUESTIONS IF YOU HAVE HELD THE TITLE OF
RIGHT OF WAY ADMINISTRATOR I, II OR III, REAL ESTATE
APPRAISAL REVIEWER, REAL ESTATE APPRAISER SUPERVISOR,
OR A SIMILAR POSITION REQUIRING THE SUPERVISION OF
APPRAISERS OR REVIEW OF APPRAISALS.**

Name: _____ FID or SS No. _____
(As shown on ITQ Signature Page) Vendor No.: _____

No.	Question	Circle One	
		YES	NO
1.	Do you have a current Pennsylvania Appraiser Certificate? <input type="checkbox"/> General <input type="checkbox"/> Residential Certification No. _____ Expiration Date _____	YES	NO
2.	Did you attach a photocopy of your current Pennsylvania Appraiser Certificate?	YES	NO
3.	Do you have an active e-mail address and the capability to conduct e-business?	YES	NO
4.	Do you have a minimum of two (2) years experience as a Right of Way Administrator I, II, or III, Real Estate Appraisal Reviewer, Real Estate Appraiser Supervisor, or a similar position requiring the supervision of appraisers or review of appraisals?	YES	NO
5.	Within the last two (2) years, have you written or reviewed appraisals or supervised appraisers who have written complex condemnation appraisal reports involving Before and After Valuations with indications of severance and/or depreciation, or an uneconomic remnant remainder?	YES	NO
6.	Have you submitted a resume that documents your education and experience?	YES	NO

**Applicant must respond, "YES" to questions 1—3 to be qualified to perform Category 1 appraisal services.
Applicant must respond, "YES" to questions 1—6 to perform Category 2 appraisal services.**

FOR PennDOT USE ONLY			YES	N/A	NO		
Did the applicant answer, "YES" to questions 1—3 only? If so, applicant will be qualified to perform Category 1 appraisal services.							
Did the applicant answer, "YES" to questions 1—6? If so, and resume documents education and experience, applicant will be qualified to perform Category 2 appraisal services.							
PENNDOT USE ONLY							
Category 1 Appraisal Services	<input type="checkbox"/>	- Qualified	<input type="checkbox"/>	- Not Qualified	<input type="checkbox"/>	- Pending	Reviewed by: _____ Date: _____
Category 2 Appraisal Services	<input type="checkbox"/>	- Qualified	<input type="checkbox"/>	- Not Qualified	<input type="checkbox"/>	- Pending	Reviewed by: _____ Date: _____

LOCATION OF SERVICE

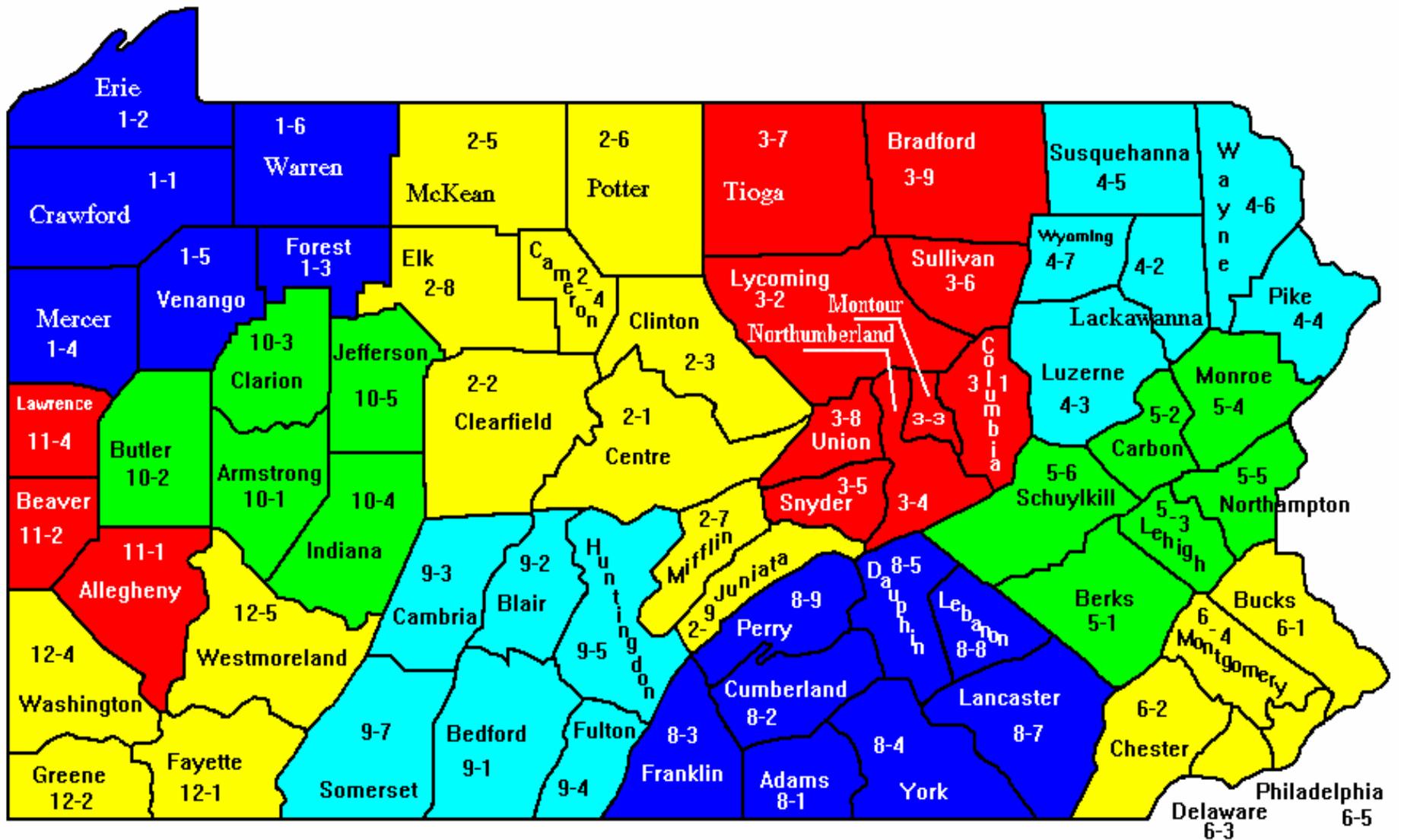
COMPANY NAME: _____ FID OR SS NO: _____
 (As shown on ITQ Signature Page) Vendor No.: _____

APPRAISER'S NAME: _____

Instructions: Appraisers must complete the following page by circling each and every category for which they are applying in each county of interest. For a description of the categories, see Page 2 of Exhibit A. A map of the Commonwealth of Pennsylvania and its 67 counties is found on the back of this page. Do not write in shaded areas.

Please circle the Category(s) for each county in which you are applying in the chart below:

COUNTY			CATEGORY			COUNTY			CATEGORY		
01	081	Adams	1		2	35	042	Lackawanna	1		2
02	111	Allegheny	1		2	36	087	Lancaster	1		2
03	101	Armstrong	1		2	37	114	Lawrence	1		2
04	112	Beaver	1		2	38	088	Lebanon	1		2
05	091	Bedford	1		2	39	053	Lehigh	1		2
06	051	Berks	1		2	40	043	Luzerne	1		2
07	092	Blair	1		2	41	032	Lycoming	1		2
08	039	Bradford	1		2	42	025	McKean	1		2
09	061	Bucks	1		2	43	014	Mercer	1		2
10	102	Butler	1		2	44	027	Mifflin	1		2
11	093	Cambria	1		2	45	054	Monroe	1		2
12	024	Cameron	1		2	46	064	Montgomery	1		2
13	052	Carbon	1		2	47	033	Montour	1		2
14	021	Centre	1		2	48	055	Northampton	1		2
15	062	Chester	1		2	49	034	Northumberland	1		2
16	103	Clarion	1		2	50	089	Perry	1		2
17	022	Clearfield	1		2	51	044	Pike	1		2
18	023	Clinton	1		2	52	026	Potter	1		2
19	031	Columbia	1		2	53	056	Schuylkill	1		2
20	011	Crawford	1		2	54	035	Snyder	1		2
21	082	Cumberland	1		2	55	097	Somerset	1		2
22	085	Dauphin	1		2	56	036	Sullivan	1		2
23	063	Delaware	1		2	57	045	Susquehanna	1		2
24	028	Elk	1		2	58	037	Tioga	1		2
25	012	Erie	1		2	59	038	Union	1		2
26	121	Fayette	1		2	60	015	Venango	1		2
27	013	Forest	1		2	61	016	Warren	1		2
28	083	Franklin	1		2	62	124	Washington	1		2
29	094	Fulton	1		2	63	046	Wayne	1		2
30	122	Greene	1		2	64	125	Westmoreland	1		2
31	095	Huntingdon	1		2	65	047	Wyoming	1		2
32	104	Indiana	1		2	66	084	York	1		2
33	105	Jefferson	1		2	67	065	Philadelphia	1		2
34	029	Juniata	1		2						



MANDATORY CLIENT REFERENCE SURVEY REQUIREMENTS

As part of the response to this ITQ, appraisers requesting certification for Category 2 assignments are required to submit three (3) client reference surveys. **If you have held the title of Right of Way Administrator I, II, or III, Real Estate Appraisal Reviewer, Real Estate Appraiser Supervisor or a similar position requiring the supervision of appraisers or review of appraisals, you do NOT have to submit client reference surveys, but you are required to submit a resume that documents your education and experience.**

CATEGORY 2 REQUIREMENTS:
Provide three (3) client reference surveys relating to condemnation appraisal assignments completed in the last five (5) years unless written justification is provided as outlined below.
Achieve an acceptable score, as determined by PennDOT, for each of the three (3) client references regarding past performance.
Achieve an acceptable average score, as determined by PennDOT, considering all three (3) client references regarding past performances.

Appraisers must provide the name of clients who will supply references where designated on the Qualification Application Update Form and must forward to each client a blank copy of the four- (4)-page client reference survey with the instructions, included in this packet. The contents of client reference surveys are considered public information and will not be kept confidential.

The three (3) client reference surveys must be as follows:

- From three (3) separate condemnation appraisal assignments that were completed within the last five (5) years.
- Completed by three (3) separate clients unless a written justification is supplied explaining why this cannot be done, e.g. the appraiser did not complete assignments for more than one or two clients.
- If the appraiser performed a condemnation appraisal assignment for the Department of Transportation within the last five (5) years, one of the clients designated to supply a reference survey must be an engineering district of the Department.
- If the appraiser performed a condemnation appraisal involving the partial taking within the last five (5) years, one of the assignments for which a client reference survey is supplied must have involved a partial taking.
- If the appraiser performed a condemnation appraisal involving more than one approach to value within the past five (5) years, one of the assignments for which a client reference survey is supplied must have involved more than one approach to value.

Any or all of these criteria may be met by use of the same appraisal assignment, i.e. an appraisal assignment for the Department involving a partial taking and more than one approach to value, or an assignment for another party involving a partial taking and more than one approach to value.

Clients must complete client reference surveys independently from the appraiser and return the completed surveys DIRECTLY to the Contracting Officer as listed on the survey form. Client reference surveys MUST BE RECEIVED prior to the Department's awarding of a contract.

Appraisers will not be qualified until such time as the Department receives the mandatory client reference surveys. Appraisers should encourage their clients to submit their reference surveys as quickly as possible.

PA DEPARTMENT OF TRANSPORTATION REAL ESTATE APPRAISAL SERVICES

CLIENT REFERENCE SURVEY

INSTRUCTIONS:

The Pennsylvania Department of Transportation is developing a statewide APPRAISAL SERVICES contract. Proposals have been received from appraisers, and you/your company was listed as a client reference. The Commonwealth will use your evaluations to help qualify the appraiser(s) who used you/your company as a client reference. The appraisers have been asked to provide each of their client reference individuals/companies with a four (4)-page blank copy of this survey form, with instructions, for you to complete and forward to the Department.

It is requested that **your organization's manager or the individual responsible for the referenced appraisal services provided** complete the form, without consultation with the appraiser who provided the service(s). Then the same person who fills out the form must sign and date the completed form. For all appraisers that qualify for APPRAISAL SERVICES, the contents of the client reference surveys will be considered public information and cannot be kept confidential.

Appraisal services being evaluated must be condemnation appraisal assignments and must have been completed within the last 5 years. Condemnation appraisal assignments as used herein refer to those appraisals performed for an entity that has the right to exercise the power of eminent domain.

The survey form has appraisal service header information and 9 questions. Appraisal service header items include project name/title, type of appraisal, brief description of appraisal assignment, and the start/end dates. Following the header information, each of the nine questions has a sliding scale for you to rate the appraiser and an area for specific comments. The number on the scale that corresponds to the performance you experienced is to be circled, and comments appropriate to each question may be added. **Comments are MANDATORY for questions 1—8 with a rating below a “7.”** The following definitions are to be used for the rating values on the sliding scale:

SCORE	DESCRIPTION
10	Consistently exceeds customer expectations (more than 90% of the time)
9	Frequently exceeds customer expectations (between 50% and 90% of the time)
8	Occasionally exceeds customer expectations (between 10% and 50% of the time)
7	Meets customer expectations
6	Occasionally fails to meet customer expectations (between 10% and 25% of the time)
5/4/3	Frequently fails to meet customer expectations (between 25% and 75% of the time)
2/1/0	Consistently fails to meet customer expectations (more than 75% of the time)

For question 9, add 10 points to the score chart above to determine the appropriate score. **Comments are MANDATORY for a rating below a “14.”**

To qualify, appraisers must receive a score acceptable to the Commonwealth from each client reference survey form.

Individuals/companies must complete client reference surveys **independently** from the appraisers and then return the completed surveys **DIRECTLY** to the Contracting Officer via FAX at 717-783-7971 OR to the **address below** no later than 4:30 PM, June 18, 2008, to qualify under the initial enrollment period:

PA Department of Transportation
Bureau of Office Services
Attn.: Ken Seifert (or his designee or successor)
400 North Street (5th Floor)
Harrisburg, PA 17120-0041

Failure to return the completed client reference survey by the date and time noted above will result in the evaluation of the appraiser's application being delayed.

Name of Appraiser for whom this Client Reference Survey was completed: _____

4. How would you rate the appraiser's performance concerning communications? This factor measures the appraiser's effectiveness in exchanging relevant information in a clear, concise and articulate manner on a timely basis.

*****Note: Comments are MANDATORY for a rating below "7." See Page 1 of the Client Reference Survey.**

0 1 2 3 4 5 6 7 8 9 10
Fails to meet customer expectations Meets customer expectations

Comments: _____

5. How would you rate the appraiser's response to questions and appraisal review memos or critiques?

*****Note: Comments are MANDATORY for a rating below "7." See Page 1 of the Client Reference Survey.**

0 1 2 3 4 5 6 7 8 9 10
Fails to meet customer expectations Meets customer expectations

Comments: _____

6. How would you rate the appraiser's compliance with established policies, Uniform Standards of Professional Appraisal Practices (USPAP) and other rules and regulations relating to the assignment?

*****Note: Comments are MANDATORY for a rating below "7." See Page 1 of the Client Reference Survey.**

0 1 2 3 4 5 6 7 8 9 10
Fails to meet customer expectations Meets customer expectations

Comments: _____

7. How would you rate the appraiser's performance in serving as an expert witness? This factor measures the appraiser's pre-trial preparation, exhibits and supportive information, communication/interaction with attorneys, and/or actual legal testimony.

*****Note: Comments are MANDATORY for a rating below "7." See Page 1 of the Client Reference Survey.**

0 1 2 3 4 5 6 7 8 9 10
Fails to meet customer expectations Meets customer expectations

Comments: _____

EXHIBIT “F”

DISTRICT RIGHT-OF-WAY ADMINISTRATORS/CONTACTS

Access to telephone numbers, FAX numbers, e-mails and other information regarding District Right-of-Way Administrators/Contacts may be obtained by going to PennDOT’s website at <http://www.dot.state.pa.us>.

Once there, click on the following:

PennDOT Organizations/Engineering Districts & County Maintenance Offices. This will bring up a “PennDOT Regional Map” which lists all the Districts. Click on the specific district that you need to contact and follow the directions in the table below.

DISTRICT:	AFTER YOU HAVE CLICKED ON THE SPECIFIC DISTRICT THAT YOU NEED TO CONTACT, CLICK ON THE FOLLOWING:
1	District Information/District Contacts/District 1-0 Staff Directory/Right-of-Way Administrator 2
2	District Information/District Contacts/District Office/Right-of-Way Administrator
3	District Information/District Contacts/Engineering District Office Personnel/District Office/Right-of-Way Administrator
4	Other Links/Right-of-Way
5	District Information/District Contacts/District Office/Right-of-Way Administrator
6	District Information/District Contacts/Staff Directory
8	District Information/District Contacts/District Office/Right-of-Way Issues/Road Widths
9	District Services/Scroll down to Right-of-Way
10	District Information/District Contacts/District Office/Right-of-Way Administrator
11	Other Links/Right-of-Way/Right-of-Way FAQ (pdf) (Scroll to the bottom of the document and the Right-of-Way Unit for PennDOT Engineering District 11-0 is listed.)
12	District Information/District Contacts/Staff Directory

EXHIBIT “G”

Confirmation of Service Form

FOR EXAMPLE ONLY

