

Contract Review Permanent Legislative Oversight Committee
Alabama State House
Montgomery, Alabama 36130

CONTRACT REVIEW REPORT

(Separate review report required for each contract)

Name of State Agency: Alabama Department of Transportation

Name of Contractor: _____

Contractor's Physical Street Address (No P.O. Box) _____ City _____ ST _____

*Is Contractor organized as an Alabama Entity in Alabama? YES ___ NO ___

*If not, has it qualified with the Alabama Secretary of State to do business in Alabama? YES ___ NO ___

Is Act 2001-955 Disclosure Form Included with this Contract? YES ___ NO ___

Does Contractor have current member of Legislature or family member of Legislature employed? YES ___ NO ___

Was a lobbyist/consultant used to secure this contract OR affiliated with this contractor? YES ___ NO ___

If Yes, Give Name: _____

Contract Number: _____

Contract/Amendment Total: \$ _____ (estimate if necessary)

% State Funds: 20 % Federal Funds: 80 % Other Funds: _____ **

** Please Specify Source of Other Funds (Fees, Grants, etc.) _____

Date Contract Effective: Upon Governor's Signature Date Contract Ends: Two (2) Years From Date Of Governor's Signature

Type Contract: NEW: RENEWAL: _____ AMENDMENT: _____

If Renewal, was it originally bid? YES ___ NO ___

If AMENDMENT, complete A through C:

[A] Original contract total \$ _____

[B] Amended total prior to this amendment \$ _____

[C] Amended total after this amendment \$ _____

Was Contract Secured through Bid Process? YES ___ NO Was lowest Bid accepted? Yes ___ No ___

Was Contract Secured through RFP Process? YES NO ___ Date RFP was awarded: _____

Summary of Contract Services to be Provided: To make real property appraisals on highway right-of-way projects on an as needed basis (statewide in scope).

Why Contract Necessary **And** why this service cannot be performed by merit employee: To comply with Federal and State Laws regarding establishment of "Just Compensation" to owners of private property taken for public use (P.L. 91-646, the Uniform Act); Alabama Eminent Domain Code (18-1A-21); & regulations (49 CFR 24). Agency guidelines require fee appraisers to be State Certified for quality control; merit (staff) employees have no such requirement.

I certify that the above information is correct.

Signature of Agency Head

JOHN R. COOPER

Printed Name

Signature of Contractor

Printed Name

Agency Contact G.M. Harper

Phone: (334) 242-6319

GOVERNOR'S ADDITIONAL CONTRACT QUESTIONS FORM

- (1) If this contract was not competitively **Bid**, explain why not:
Section 41-16-21 (a), Code of Alabama , exempts competitive bid requirements for contracts
for the securing of services of certain highly skilled professionals including appraisers.
- (2) If this contract was not competitively **Bid** because the contractor is a sole source provider, please explain who made the sole source determination and on what basis:
(N/A)
- (3) If contract was awarded by **RFP**, what process was used, was it competitive, how many vendors were contacted, and how many proposals were received?
49 CFR Part 24 (Section 24.103(d) (2) requires contract (fee) appraisers to be State Certified in accordance with Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA) (12 U.S.C. 3331 et seq.). The D.O.T. maintains a Statewide open list of Pre-Qualified Real Property Appraisers. This Appraiser was selected due to his/her qualifications, geographic location, and availability.
- (4) If contract was awarded by **RFP**, was it awarded to the person or company with the lowest monetary proposal? If not, explain why not.
No. Qualification based procedures were used Per 49 CFR 18.36[a] [b] [d] (3) (v) [t] Regulations & FHWA Policy. The best qualified & available contractor was selected from a list of pre-qualified contractors.
- (5) If contract was awarded by **RFP**, how and by whom were the proposals evaluated?
D.O.T. Field (Division) Personnel, in consultation with the Chief Appraiser and Assistant Right of Way Engineer in D.O.T. Central Office Right of Way Bureau, select the most appropriate appraiser(s) from pre-qualified list. Each Contract must be approved by the State Right of Way Engineer and the D.O.T. Director.
- (6) If this contract was not awarded through either **Bid** or **RFP** process, explain why not:
(N/A)
- (7) If this contract was not awarded through either **Bid** or **RFP** process, how was it awarded?
(N/A)
- (8) Did agency attempt to hire a **State Employee**? If so who from the State Personnel Department did you talk to?
No
- (9) How many additional contracts does contractor have with the State of Alabama and which agencies are they with?

Signature of Agency/Department Head

JOHN R. COOPER