

REQUEST FOR QUALIFICATIONS
LAND USE LEGAL SERVICES

FOR

SEVEN COUNTY INFRASTRUCTURE COALITION
UINTA BASIN RAILWAY PROJECT

MAY 27, 2020

Introduction

The Seven County Infrastructure Coalition (the “Coalition”) is an independent political subdivision of the State of Utah. It is seeking to complete the planning process, include engineering, environmental, and right-of-way planning services, to make the Uinta Basin Railway (UBRY) ready to construct. The proposed standard-gauge, common-carrier railway will provide freight transportation services between the Uinta Basin near Roosevelt, Utah, and a connection with the national railway system at the most economically feasible and commercially practical point. The railway will move freight into and out of the Uinta Basin to any point served by the national rail network to achieve the associated benefits in low cost bulk-transportation, increased jobs, and environmentally beneficial transportation. Please see uintabasinrailway.com for more information about the project.

Request for Statements of Qualifications

The Coalition seeks Statements of Qualifications (SOQs) from law firms or attorneys with the expertise, capacity, and qualifications to advise in land use legal services to advance the planning of the UBRY project.

Capabilities and Expectations

The information presented in the SOQ is expected to clearly reflect qualifications that demonstrate the firm’s knowledge and experience in real estate and right-of-way acquisition for linear infrastructure projects, including railways. The SOQ should address each of the following specific items:

1. Attorney(s) should be licensed and well-versed in real estate and other land use issues in the State of Utah. Please provide a short bio for each attorney to be assigned to this project to verify proper education and experience.
2. Describe your firm’s specific experience in agricultural, ranch, recreational, state, federal and tribal land use, management, and acquisition.
3. Describe your firm’s recent knowledge and experience in condemnation and the eminent domain process, specifically in the state of Utah.
4. Describe your firm’s experience with real estate purchase, sale, and option agreements that conform with Utah-specific requirements.
5. Describe your firm’s familiarity with railroad real estate and ability to draft specific language for a railroad easement. The language should include an easement for railroad and railroad ancillary uses, including but not limited to subsurface fiber-optic uses, pipelines, utilities, other longitudinal occupancies.
6. Describe your firm’s experience in various forms of environmental mitigation and conservation easements.
7. Describe specific recommendations and proven strategies for navigating the real estate process and the risks associated with such a long, complex project.

Deadline & Delivery

The SOQs shall be received electronically **before 12:00pm MDT on Wednesday, June 10, 2020**. Please address electronic (pdf) SOQs to: Mike McKee, Executive Director, Seven County Infrastructure Coalition. Please submit electronic (pdf) SOQs to the Coalition’s legal counsel, Eric Johnson, at eric@bcjlaw.net.

SOQ Format

Provide enough information to demonstrate the firm’s capabilities and the resume information for key personnel.

Contact

To receive notifications regarding addendums and clarifications to this RFQ, please contact Eric Johnson at eric@bcjlaw.net or at 801-520-5333.

Selection Process

The SOQs will be evaluated by the Executive Director, civil attorney, program manager, and selected board members. SOQs received will be evaluated and scored by each selection committee member. Interviews, if required, would be held during the week of June 15.

	Evaluation Criteria	Maximum Points
1	Qualifications and Experience of the Firm	30
2	Key Personnel to be Assigned	30
3	Strategies to Acquire Real Estate	30
4	Cost	10
	TOTAL	100

Disclosure and Disposition

Once submitted, the SOQ becomes the property of the Coalition, are treated as public documents, and disposed of according to Coalition policies including the right to reject any or all SOQs. SOQs shall be open to public inspection according to Coalition policies. The Consultant may request in writing the non-disclosure of confidential information, if so identified.

Fee Negotiation

The fees for services will be negotiated following selection of the successful firm. The Coalition will consider proposals based on an hourly or monthly basis. The proposed fee structure should be included in the SOQ.

Agreement

An engagement agreement will be executed with the successful firm. The Coalition retains the right to reject all SOQs.