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September 6, 2007

City of Rochester Hills
 1000 Rochester Hills Dr.
 City of Rochester Hills, 48309-3033

Attention: Mr. Paul Davis P.E.
 City Engineer

Re: Hamlin Rd.
 Proposal for Right of Way Acquisition Services

HRC Job No. 20070594.86

Dear Mr. Davis:

As requested, we are pleased to offer our services to perform the acquisition of all required Rights-of-Way (ROW), Easements, Deeds and Temporary Easements for the above mentioned project. It is noted that Hubbell, Roth & Clark, Inc. (HRC) has been pre-approved to provide these services in accordance with our September 2005 proposal. Our scope of work is based on the preliminary list of ROW needs disclosed by the design engineer, Orchard Hiltz & McCliment, Inc, (OHM) and as shown in Table 1 attached and is summarized as follows:

SCOPE OF SERVICES

The 44 parcels anticipated to involve acquisition on this project are shown in Table 1. HRC will be provided all documents and sketches needed for the acquisition of Rights of Way, Deeds, Highway Easements, and Temporary Construction Easements. All revisions will be made by OHM with only name, amount of compensation and easement conditions added by HRC. The procedures for acquiring the necessary ROW/easements will comply with Michigan Department of Transportation rules and regulations and with Michigan Condemnation law. Title commitments will also be provided to HRC for all parcels. HRC will obtain independent Appraisals most parcels where a Highway easement is required. Appraisal reviews will also be ordered to comply with MDOT guidelines. HRC will attempt to acquire all other easements using a simple easement valuation form and will only order appraisals when it is anticipated that Condemnation is possible or required to be in compliance with MDOT regulations. Should condemnation be necessary to meet the project schedule, HRC will be responsible for acquiring all Rights-of-Way (ROW), Easements, Deeds and Temporary Easements up to the point where condemnation proceedings begin.

The tasks HRC will perform during Acquisition and Execution of ROW/Easements are as follows:

- Coordination of acquisition activities with OHM and City officials.

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- Recommending Right of Way documents and revisions.
- Defining appraisal problem and documenting contract.
- Ordering Appraisals as stated herein.
- Ordering Appraisal reviews per MDOT guidelines.
- Preparing Waiver of Appraisal and simple valuations as required.
- Negotiation of Acquisition.
- Landscape Appraisals when applicable.
- Maintain a file for each parcel which includes all Title Work, Instrument of Conveyance, Appraisals as required, Record of Negotiations, and conversations, per MDOT regulations.
- Attend public meetings, informational meetings, open houses, etc. and provide display materials as required.
- Submit copies of all records to City as requested.
- Keep the City informed of all negotiations and progress and shall copy the City on relevant correspondence.
- If any negotiations proceed in such a manner that it appears design changes are warranted, HRC shall notify the City and consult with the design Engineer, OHM, to minimize acquisition expense.
- Submit invoices to the City for payment of Right of Way compensation including W-9 form from owner and informal closing with owner as applicable.
- Record signed documents.
- Arrange for property owner payment through city procedure.

HRC will also provide limited assistance to City Legal Counsel, should Condemnation proceedings be necessary. This assistance would involve suggested revisions to documentation and design suggestions wherever possible, to minimize acquisition expense, providing additional copies of information previously provided in this scope of services, and providing limited support to City attorneys. All other services associated with Condemnation including matters such as legal proceedings, MDOT Right of Way audit, the sale or disposal of any fixtures acquired in takes of a property, or recording of executed conveyances are not included. Real Estate Appraisers will be available at a fixed hourly rate to assist the City and its Counsel in condemnation matters such as trial and pretrial assistance.

The property impacted along Hamlin Road is primarily zoned commercial with some residential. Unlike the John R Road Right of Way acquisition, this project requires additional time and more appraisals for commercial property. The attached Table 1 shows the estimated hours and fees associated with the various tasks. The rates and fees are in accordance with the approved September 2005 Cost Proposal for Right of Way Acquisition Services. As shown, the fee per parcel is \$2,839.68, which equates to a total cost of \$124,946.00. In addition, there are several services that are based on a lump sum per parcel fee. We have reviewed the proposed acquisitions with our Appraiser and have arrived at the following initial number of Appraisals required for acquisition. MDOT rules require an appraisal for all takes which could exceed \$10,000.00. When we get more involved into the project, more Appraisals may be required because of this limitation. For the purposes of this proposal it is assumed that six (6) appraisals will require establishing original comparables of the different zoning and lot size parcels involved at a cost of \$3,400 ea, and twenty (20) utilizing the same comparables at a cost of \$1,400 ea. For an initial total cost of \$48,400.00. Of these initial six (6) Real Estate Appraisals, 2 are anticipated to be before and after appraisals, and 4 are value of the part taken Appraisals. Twenty (26) Real Estate Appraisal reviews will be required, complying with MDOT rules at a cost of \$700 ea. for a total cost of reviews of \$18,200. We have also included some cost to obtain Landscape Appraisals in an effort to purchase the Landscaping

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removed and not have it replaced by your contractor. The total direct cost of Real Estate appraisals and reviews equates to \$66,600.00.

The effort to obtain these acquisitions is difficult to predict, as you know, property owners are unpredictable, additional Appraisals and reviews may be required. The number of Appraisals has been increased from past jobs to reflect MDOT rules and some proposed larger acquisitions. This cost will not be exceeded without prior authorization from the City. It is noted that the sub-consultant fees and County recording fees, will include a 10% mark-up.

The total project cost is estimated at \$199,856.00. In accordance with the existing contract, the work would be invoiced monthly on a time basis with a multiplier of 2.9 times direct payroll and will not be exceeded without prior authorization.

Attached as Figure 1 is a timeline detailing the acquisition process. As shown, it is estimated that these services will require approximately nine (9) months following authorization to proceed. It is noted that in order to maintain the existing project schedule for the Hamlin Road Improvement Project, it is anticipated that all ROW/easements will have been obtained by the construction bid date. In addition, we would propose to utilize the same procedures previously used for paying property owners and recording these documents once the easements have been executed.

We hope this Proposal meets with your approval. If desired, we are available to meet and discuss any aspect of this proposal with the City. If you have any questions or comments, please do not hesitate to contact our office.

Very truly yours,

HUBBELL, ROTH & CLARK, INC.



Walter H. Alix, P.E., P.S.
Vice President

Jl/ji
Enclosure; timeline
Pc: HRC; J. Isaacs, J. Aiello, File

ROCHESTER HILLS - HAMLIN ROAD
ROW ACQUISITION AND RELATED SERVICES

TABLE NO. 1
ESTIMATED HOURS AND FEES

September 6, 2007

HRC Job No. 20070594.00

| TASK DESCRIPTION | Project Manager/ Associate | Senior ROW Agent | Classification/Rate/Hours | | | TOTAL HOURS | ESTIMATED UNIT PRICE | NUMBER OF PARCELS | ESTIMATED FEES |
|--|----------------------------|------------------|---------------------------|-------------|---------------|-------------|----------------------|-------------------|-------------------|
| | | | ROW Agent | Survey Crew | Survey Office | | | | |
| <i>Hourly Services per Parcel</i> | | | | | | | | | |
| Preliminary Interview | 0.5 | 0.5 | 0.5 | | | 1.5 | \$ 162 | 44 | \$ 7,128 |
| Real Estate Services Assignment | - | 1.0 | 1.0 | | | 2.0 | \$ 200 | 44 | \$ 8,800 |
| Acquisition | 2.5 | 10.0 | 4.5 | | | 17.0 | \$ 1,865 | 44 | \$ 82,038 |
| Informal Closing | | 1.0 | | | | 1.0 | \$ 119 | 44 | \$ 5,236 |
| Condemnation Support | 0.5 | - | | | | 0.5 | \$ 62 | 44 | \$ 2,728 |
| File Recording | | | 0.5 | | | 0.5 | \$ 41 | 44 | \$ 1,782 |
| Meetings | | | 0.5 | | | 0.5 | \$ 60 | 44 | \$ 2,618 |
| Invoicing owner payment and bi-weekly report | | | 0.5 | | | 0.5 | \$ 60 | 44 | \$ 2,618 |
| Simple Valuations for Parcels Not Appraised | | 1.0 | | | | 1.0 | \$ 119 | 18 | \$ 2,142 |
| MDOT File Maintenance | 0.5 | | | | | 1.0 | \$ 103 | 44 | \$ 4,510 |
| Coordination With City and OHM | 0.5 | 0.5 | | | | 1.0 | \$ 122 | 44 | \$ 5,346 |
| SUB-TOTALS | 4.5 | 15.0 | 7.0 | | | 26.5 | | 44 | \$ 124,946 |
| Price per Parcel | | | | | | | | 44 | \$ 2,840 |
| <i>Lump Sum Services per Parcel - as required - +10%</i> | | | | | | | | | |
| Initial Appraisal- new comparables | | | | | | | \$ 3,400 | 6 | \$ 22,440 |
| Comparable Appraisal | | | | | | | \$ 1,400 | 20 | \$ 30,800 |
| Landscape Appraisal | | | | | | | \$ 150 | 10 | \$ 1,650 |
| Review Appraisal | | | | | | | \$ 700 | 26 | \$ 20,020 |
| PROJECT TOTAL | | | | | | | | | \$ 199,856 |

Notes: These fees include the 10% increase fee.

Rochester Hills - Hamlin Road Improvements ROW Acquisition

HRC Job No. 20070594

Figure 1 - Schedule

| TASK NAME/DESCRIPTION | Month 1 | Month 2 | Month 3 | Month 4 | Month 5 | Month 6 | Month 7 | Month 8 | Month 9 |
|--|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| <i>Authorization to Begin Work</i> | | | | | | | | | |
| TITLE WORK AND DOCUMENTS BY OTHERS | | | | | | | | | |
| REVIEW | | | | | | | | | |
| Title Work | | | | | | | | | |
| Easements, Documents and Drawings | | | | | | | | | |
| APPRAISALS | | | | | | | | | |
| Order Appraisals for ROW Parcels | | | | | | | | | |
| Order Appraisals for Additional Parcels | | | | | | | | | |
| NEGOTIATION OF ACQUISITION | | | | | | | | | |
| Preliminary Interview Non Appraised Parcels | | | | | | | | | |
| Preliminary Interview of Appraised Parcels | | | | | | | | | |
| Negotiation | | | | | | | | | |
| ADDITIONAL APPRAISAL WORK | | | | | | | | | |
| Landscape Appraisals as Required | | | | | | | | | |
| CONDEMNATION | | | | | | | | | |
| Unsigned Easements to Roch. Hills - Council Resolution | | | | | | | | | |
| Condemnation Assistance | | | | | | | | | |
| RECORDING | | | | | | | | | |
| Record Signed Easements as Applicable | | | | | | | | | |