

**REQUEST FOR PROPOSALS FOR RIGHT OF WAY ACQUISITION SERVICES (2026-2028)
QUESTIONS AND CLARIFICATIONS**

Question:

The solicitation allocates 10 points for “Responsiveness to DBE Opportunities.” In light of Executive Order 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity*, and related DOJ statements, could ARDOT clarify how this factor will be evaluated?

Response:

For professional services contracts, ARDOT does not establish DBE goals or reporting requirements under 49 CFR Part 26. The evaluation factor acts as an incentive to recognize firms that demonstrate meaningful inclusion of certified DBE firms. Proposals that clearly identify DBE firms and their proposed roles may receive higher scores. Proposals with minimal or no DBE participation are still considered responsive and remain eligible for selection. FHWA has not issued any changes to the DBE program, and ARDOT continues operating the program as usual.

Revised Response:

Following an Interim Final Rule (IFR) by the U.S. Department of Transportation (DOT), the Disadvantaged Business Enterprise (DBE) program has undergone significant and immediate changes as of October 3, 2025. The changes eliminate race- and gender-based presumptions of social and economic disadvantage, requiring all applicants to provide individualized proof of eligibility. In accordance with the DOT's new guidance, the previous scoring element for Disadvantaged Business Enterprise (DBE) participation has been suspended. Therefore, the section pertaining to DBE participation has been removed from the evaluation criteria. The revised total score is 90 points. All other aspects of the RFP remain unchanged and in full effect.

Question:

In previous years, the Cost Proposal Form included *minimum* and *maximum* ranges for costs. The current form has only one unit price per tract. Would you consider amending the Cost Proposal to again allow for a *minimum / maximum* range?

Response:

Yes. The Cost Proposal has been revised to include a minimum / maximum range to provide flexibility in covering a range of scenarios and unknowns.

Question:

For purposes of updating title, will ARDOT notify the consultant when updates are required, will this be the consultant's responsibility to monitor the title and order updates accordingly, or will updates only be requested when communication with the landowner indicates the need for the update?

Response:

Title updates should be performed as follows:

- For the entire project upon receipt of 80% right of way plans
- For every unpurchased tract, every 6 months following the initiation of right of way activities
- Upon request of the Right of Way Division

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Question:

Does the per parcel fee include unlimited updates, or is there a fee per update?

Response:

Each update is a separate pay item, and the fee is paid for each update.

Question:

Is there a standard release for encumbrances, will ARDOT draft such, or is the Consultant responsible for creating the release for approval by ARDOT?

Response:

Either ARDOT, the seller, or both will be responsible for drafting the documents. The consultant will not be responsible for drafting documents. It should be noted that ARDOT relies on the consultant for subject matter expertise and the consultant should provide non-legal advice to ARDOT related to these matters.

Question:

Where do we enter the fee for the sales brochure?

Response:

There is not a specific fee for the sales brochure. Development of the sales brochure should be incorporated into the appraisal cost.

Question:

Where do we enter the fee for preparation of the cost estimate?

Response:

There is not a specific fee for the cost estimate. Development of the cost estimate should be incorporated into the appraisal cost.

Question:

Proposed Work Plan section 3.1.16 – is this only as it pertains to contaminated sites identified in 3.1.15, or does it also include review of Phase I site assessments and/or visual inspection of the property?

Response:

This includes any discovery of potential environmental concerns associated with the acquisition that could require environmental remediation including visual inspections of the property. Generally, there will be no additional Phase I assessment beyond the environmental phase of the project development process. However, it may be possible on very rare occasions that a Phase I assessment may be obtained.

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Question:

Can both the appraisal and appraisal review firms be subcontracted by the same Prime consultant?

Response:

Yes.

Question:

Will closing costs such as escrow fees, recording fees, title insurance, fees required to clear encumbrances and prepare encumbrance release documents be a pass-through cost or paid directly by ARDOT to the Title company?

Response:

These costs will be pass-through costs.

Question:

Is Attachment B-Cost Proposal an example of the fee sheet that will be used for task orders or should it be completed and included in the submittal for this RFP?

Response:

Attachment B-Cost Proposal should be completed and included in the submittal for this RFP.

Question:

Are there limitations on e-recording in Arkansas? Who is allowed to and not?

Response:

There are no known limitations on e-recording in Arkansas, however, some counties may not be set up for e-recording. The consultant will need to contact the county where a new project is located to determine if they are set up for e-recording and open an account.

Question:

For Appraisal Review Services, will ArDOT have their own in-house appraisal reviewer or will we be expected to have our own appraisal reviewer on staff in the proposal and organization chart?

Response:

For Appraisal Review services, the consultant or subconsultant will be required to have a Review Appraiser perform the Review. Please note that the Appraisal and Review appraisal cannot be completed by the same Appraisal firm.

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