

REQUEST FOR PROPOSALS
LEGISLATURE OF THE STATE OF IDAHO
COMMITTEE ON FEDERALISM

Subject:

Establish and Implement a Process for Federal Land Appraisal

Closing Date:

Background:

The United States holds 63.2% of the property within Idaho’s borders. As reflected in the attached map of Major Land Ownership produced by the Idaho Department of Lands, Federal real property is held by multiple Federal agencies and reflects the geographic diversity of Idaho. A copy of the map is also available at:

<https://www.idl.idaho.gov/wp-content/uploads/sites/2/maps-land-records/3-statewide-ownership-03-2016.pdf>

The Committee on Federalism is tasked with studying the impact of the congressionally approved Payments in Lieu of Taxes (PILT) program’s insufficient and inconsistent funding of education and other essential government services provided by Idaho government entities. The project is similar to the proposal before the United States Congress in the “Making Obligations Right by Enlarging Payments in Lieu of Taxes Act” or “MORE PILT Act” introduced as S. 1008, 117th Congress, 1st Session (March 25, 2021).

On October 15, 2021, the Committee released a Request for Information to better understand how other public entities approached similar projects and the technology and services available to conduct these projects. Based on the information received in the RFI, the Committee is seeking a vendor to establish a technology focused program to objectively appraise Federal real property within Idaho. The resulting appraisals must reflect current value of federal property and be capable of periodic updates as the Committee undertakes its work. Although the Committee’s objective is to implement a statewide program, the Committee’s funding is limited. The 2021 Legislature appropriated two hundred fifty thousand dollars (\$250,000) for the project.

Solicitation Process:

The Idaho Legislature is exempt from the State Procurement Act pursuant to Idaho Code section 67-9203(3). This Request for Proposals is governed by the process set forth below.

Proposal Submission

Interested parties must submit proposals to:

Co-chair Sen. Steve Vick and Co-chair Rep. Sage G. Dixon
c/o Katharine Gerrity, Legislative Services Staff
Idaho State Capitol, Room W 133
Boise, Idaho 83720.

Electronic submissions may be sent to the Committee through Ms. Gerrity at the following address:

kgerrity@lso.idaho.gov

All proposals must be received by the closing date above.

Questions

Questions must not be submitted to the Committee. Vendors with questions may submit questions in writing to the Committee's staff contact, Katharine Gerrity, at the addresses set forth above. The Committee's response to questions will be posted at:

<https://legislature.idaho.gov/sessioninfo/2021/interim/cof/#hcode-tab-style2answers-to-rfp-vendor-questions>

No information will be provided to interested vendors outside of written questions. Vendors are responsible for obtaining and reviewing any addenda, amendments and responses to questions prior to submitting a proposal.

Proposal Review and Negotiations

The Committee and its staff will review proposals and select one or more finalists. The Committee may require presentations from finalists. The Committee may investigate and confirm proposers' representations and contact references, both internal and external to the State of Idaho, and whether or not the proposer has identified the party as a reference.

The Committee may negotiate with one or more proposers. The successful proposer must sign a contract substantially similar to the attached template agreement. If a software license is proposed by a vendor, the license must be submitted with the proposal. Certain contract terms may be prohibited by Idaho law or contrary to Idaho policy. Such terms include:

- Terms waiving the sovereign immunity of the state of Idaho
- Terms subjecting the state of Idaho or its agencies to the jurisdiction of the courts of other states
- Terms limiting the time in which the state of Idaho may bring a legal claim to a period shorter than that provided in Idaho law
- Terms imposing payment obligations less favorable than the obligations set forth in Idaho Code section 67-2302

- Terms requiring the state of Idaho indemnify any party
- Terms limiting the Attorney General’s control of litigation, including the waiver of a jury trial, and the imposition of mandatory arbitration
- Terms limiting the vendor’s liability to the amount paid by the state under the agreement, and terms limiting the vendor’s liability for death or personal injury
- Terms inconsistent with the Idaho Public Records Act
- Terms subjecting state employees to personal liability
- Terms granting an ownership interest in the data of the Idaho

Vendors should submit questions concerning the terms in the attached template as a Question prior to submitting a proposal. The Committee will consider additional terms desired by the Vendor, however, the Committee may reject any such terms.

The Committee may reject any or all submittals received as a result of this Request for Proposals. The Committee may also negotiate separately with any source for the desired services outside of this Request for Proposals. Award of one or more contracts will be made in the sole discretion of the Committee.

Public Access to Proposals

Pursuant to the Idaho Public Records Act, Idaho Code section 74-101 et seq., records, including documents in all forms, received from vendors may be open to public inspection and copying unless exempt from disclosure. Vendors submitting records to the Committee or its staff shall clearly designate individual portions of records as “exempt” on each page of the record containing exempt portions and shall indicate the basis in the Idaho Public Records Act for such exemption. The Committee will not accept the marking of an entire record as exempt. In addition, the Committee will not accept a legend or statement on one (1) page that all, or substantially all, of the record is exempt from disclosure. Vendors submitting records shall indemnify and defend the State of Idaho against all liability, claims, damages, losses, expenses, actions, attorney fees and suits whatsoever for honoring the vendors’ designation of exemption or for the vendor’s failure to designate a record as exempt. A vendor’s failure to designate as exempt any record or portion of a record that is released by the Committee shall constitute a complete waiver of any and all claims for damages caused by any such release. If the Committee honors a claim of exemption by a vendor, the vendor shall provide the legal defense for such claim.

Proposal Contents:

1. Experience. Describe your experience relevant to the scope of work. Include:
 - a. A description of at least five projects, with brief descriptions, including the entity for which the proposer performed the services, which show the ability of the proposer to complete projects of similar scope.
 - b. A list of individuals expected to be involved in the project and a description of their expected involvement and qualifications.

c. At least three and no more than five references of firms or clients who can provide specific information regarding your experience, effectiveness and expertise related to the Committee's project.

2. Scope of Work. Propose a scope of work related to the appraisal of Federal real property within Idaho. The Committee desires a detailed statement of the proposer's approach to the project. Include at least the following:

- a. Whether appraisals will be conducted by region or property type.
- b. The deliverables for each appraisal.
- c. A proposed delivery schedule.

If the funding available to the Committee is insufficient to implement a statewide project, identify the scope of work for a pilot project within the Committee's budget. In addition to the above items, include the following concerning a pilot project:

d. The proposed pilot area(s) of the state and a discussion of how the proposed areas provide a representative sample of federal property in Idaho.

3. Technology. Describe the technology you will use to conduct an efficient, objective appraisal of Federal real property within Idaho. As a part of the description, discuss the following:

- a. The methodology for testing the accuracy of appraisals.
- b. The methodology for updating appraisals.
- c. Whether and how the technology addresses variety in local government taxes throughout Idaho.
- d. Whether and how the technology allows the vendor or the state of Idaho to modify factors used to produce appraisals based on conditions of the property or other matters.

4. Cost. Propose a cost methodology related to the scope of work described in the proposal.

Idaho Department of Lands

MAJOR LAND OWNERSHIP

<ul style="list-style-type: none"> Interstate Highways US & State Highways Counties IDL Endowment Ownership Other State Lands 	<ul style="list-style-type: none"> Private Bureau of Land Management U.S. Forest Service Other Federal Ownership/Control Tribal Lands
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* For federal and tribal categories, this reflects surface management responsibility
 Projection: Idaho Transverse Mercator, NAD 83
 State endowment land ownership current as of map creation date. Federal surface management information obtained from Inside Idaho 3/19/2015.
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Disclaimer:
 This map has been compiled using the best information available to the Idaho Department of Lands at the time and may be updated and/or revised without notice. In situations where known accuracy and completeness is required, the user has the responsibility to verify the accuracy of the map and the underlying data sources.

March 2015

