

REQUEST FOR PROPOSALS

**31. Assignment of Appraisal Services Contract- RFP-4203-03/AJP:
Appraisal Services for Consumers/Lake Hayes Water Transmission
Main Project, to Retech, Inc. of Odessa, FL.**

RFP-4203-03/AJP provides for the appraisal and acquisition of eighteen (18) parcels for the construction of this water transmission main project. The original contract was awarded to HDR Acquisition Services, Inc. of Tampa, with Mr. Ron Tegenkamp, MAI, as the appraiser of record. Mr. Tegenkamp has left the employ of HDR, and is currently the owner and appraiser of record for Retech, Inc.

The original appraisals under this contract are required to be updated for Order of Take hearings and potential trial work, and only the original MAI appraiser may perform these updates. County staff desires that these updates and trial work remain with the original appraiser of record. Under this assignment, the terms and conditions are the same as the original agreement.

This is a budgeted project and funds are available in account number 40102-087879-560650, CIP# DF85607X. (Water and Sewer, Professional Services). The County Attorney's Office, Department of Environmental Services, and Fiscal Services/Purchasing and Contracts Division recommends that the Board approve the assignment of rights, responsibilities, and the right to payment under this contract to Retech, Inc., and authorize the Chairman to execute the Assignment Agreement as prepared by the County Attorney's Office.

ASSIGNMENT OF APPRAISAL SERVICES AGREEMENT (RFP-4203-03/AJP)
CONSUMERS/LAKE HAYES WATER TRANSMISSION MAIN PROJECT

THIS ASSIGNMENT is made and entered into this ____ day of _____, 20__, by and between **HDR ACQUISITION SERVICES, INC.**, a subsidiary of **HDR ENGINEERING, INC.**, whose address is 2202 N. Westshore Boulevard, Suite 250, Tampa, Florida 33607-5755, hereinafter called the "ASSIGNOR", **RETECH, INC.**, whose address is 6221 Iroquois Court, Odessa, Florida 33556, hereinafter called the "ASSIGNEE," and **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter called the "COUNTY".

W I T N E S S E T H:

WHEREAS, the COUNTY and the ASSIGNOR entered into that certain Appraisal Services Agreement (RFP-4203-03/AJP) on November 14, 2003 whereby the ASSIGNOR agreed to provide the COUNTY with appraisal services for the Consumers/Lake Hayes Water Transmission Main Project; and

WHEREAS, the Appraiser of Record for the Project left the employ of the ASSIGNOR as of August, 2005 in order to form the ASSIGNEE company; and

WHEREAS, in order to maintain the consistency of the appraisal updates on this Project, the ASSIGNOR desires assignment of this Agreement to the ASSIGNEE; and

WHEREAS, Section 12 of the November 14, 2003 Agreement entered into between the COUNTY and the ASSIGNOR requires that the Agreement not be assigned by the parties without prior written consent of the other party, and in such cases, only by a document of equal dignity therewith; and

WHEREAS, the COUNTY, the ASSIGNOR and the ASSIGNEE all feel that assignment of this Agreement to the ASSIGNEE will best serve the needs of all parties,

NOW, THEREFORE, in consideration of the mutual understandings and covenants set forth herein, the COUNTY, the ASSIGNOR and the ASSIGNEE agree as follows:

(1) The ASSIGNOR assigns all of its rights in that certain Appraisal Services Agreement (RFP-4203-03/AJP) with the COUNTY dated November 14, 2003 to the ASSIGNEE.

(2) The ASSIGNEE accepts the above assignment and agrees to be bound by all of the terms and conditions of that certain Appraisal Services Agreement (RFP-4203-03/AJP) dated November 14, 2003, to be performed on the part of the ASSIGNOR and agrees to indemnify the COUNTY against any and all liabilities under that Agreement.

(3) The COUNTY hereby consents to the foregoing assignments between the ASSIGNOR and the ASSIGNEE of those contracted rights and duties as set forth in that certain Appraisal Services Agreement (RFP-4203-03/AJP) dated November 14, 2003.

(4) This Assignment shall be effective as of August 1, 2005, notwithstanding the dates it is executed by the parties.

IN WITNESS WHEREOF, the parties hereto have made and executed this Assignment on the date below written.

ATTEST:

HDR ACQUISITION SERVICES, INC.
a subsidiary of HDR ENGINEERING, INC.

, Secretary

By: _____
, President

(CORPORATE SEAL)

Date: _____

ATTEST:

RETECH, INC.

_____, Secretary

By: _____
_____, President

(CORPORATE SEAL)

Date: _____

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

By: _____
CARLTON HENLEY, Chairman

Date: _____

For the use and reliance
of Seminole County only.

Approved as to form and
legal sufficiency.

As authorized for execution
by the Board of County Commissioners
at their _____, 20____
regular meeting.

County Attorney
AC/lpk
10/13/05
rfp-4203 assign



COUNTY ATTORNEY'S OFFICE
MEMORANDUM

To: Board of County Commissioners

Through: Stephen P. Lee, Deputy County Attorney *[Signature]*

From: Henry M. Brown, Assistant County Attorney *HMB*
Ext. 5736

Concur: Bob Briggs, Administrative Manager, Environmental Services *RB*
Jeff Thompson, P.E., Environmental Services *JTW*

Date: October 3, 2005 *10/4/05*

Subject: Appraisal Services Assignment Approval
Appraisal Services Agreement (RFP-4203-03-AJP)
Consumer/Lake Hayes Water Transmission Main Project

*int 5/05
HDR (cont'd)
Retech
11/2/05
CFL*

This memorandum requests that the Board of County Commissioners (BCC) authorize the assignment of rights, responsibilities, and payment for services from the original appraisal firm, HDR Acquisition Services, Inc. ("HDR"), to Retech, Inc ("Retech").

I REASON FOR ASSIGNMENT

The original appraisal contract was awarded to HDR with Mr. Ron Tegenkamp, MAI, as the appraiser of record. The original appraisals were performed and paid for under the contract. Since the completion of the original appraisals, Mr. Tegenkamp has left the employ of HDR. Mr. Tegenkamp is currently the owner and appraiser of record at his own firm, Retech.

Currently, it is necessary to update the original appraisals for Order of Take hearings, and potentially trial work. Only the original MAI appraiser may perform the updates. County staff desires that the updates and trial work remain with the original appraiser of record.

By letter (attached as Exhibit A) HDR has requested the assignment to Retech.

II RECOMMENDATION

County staff recommends that the BCC approve the assignment of rights, responsibilities, and the right to payment under the contract.

HMB/dre

Attachment

Exhibit A - Letter requesting assignment

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ONE COMPANY | *Many Solutions*

August 19, 2005

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HB ✓
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2005 AUG 29 AM 10:25
FILED
COUNTY ATTORNEY'S OFFICE

County Attorney's Office
1101 E. First Street
Sanford, FL 32771

Re: Appraisal Service Agreement (RFP - 4203 - 03 / AJP) for Consumers / Lake Hayes Water Transmission Main Project.

Dear Mr. Brown:

As you are aware, the above referenced Appraisal Service Agreement was initiated with HDR Acquisition Services on November 14, 2003. At that time, Ron Tegenkamp, MAI, was employed with HDR and was the Appraiser of Record for the real estate appraisals completed under the contract. Since the completion of those appraisals, Mr. Tegenkamp has left the employ of HDR. Mr. Tegenkamp is now operating his own independent fee appraisal firm, known as Retech, Inc.

HDR recently received your request for Mr. Tegenkamp to provide updated appraisal reports for various parcels covered by the referenced contract. As Mr. Tegenkamp is no longer employed by HDR it would be our desire that you assign this contract to Retech, Inc., and Mr. Tegenkamp; per Section 12 - Assignment of the referenced contract.

It is my understanding that the following is the information you require to complete the contract assignment:

FROM:

HDR Acquisition Services, Inc.
2202 N. West Shore Blvd., Suite 250
Tampa, FL 33607-5755
Federal Tax I.D. # 47-0839537

TO:

Retech, Inc.
6221 Iroquois Court
Odessa, FL 33556
Federal Tax I.D. # 59-2678196

Time is of the essence as the updated reports are required for an upcoming Order of Taking. An expeditious assignment of this contract would be appreciated. If you require any further information do not hesitate to contact us. Mr. Tegenkamp can be contacted at (813) 920-2345.

Sincerely,

HDR Engineering, Inc.

Marilyn Jackson
Vice President/Right of Way Manager

HDR Engineering, Inc.

EXHIBIT A

2202 N West Shore Blvd
Suite 250
Tampa, FL 33607-5755

Phone: (813) 282-2300
Fax: (813) 282-2449
www.hdrinc.com