



**Request for Bids:
Conservation Easement Project Management Services**

Date Issued: 9/10/2021
Proposals Due: 10/11/2021

1. Statement of Need

The Minnesota Land Trust (the “Land Trust”) is seeking one or more private contractors (Contractor(s)) to provide real estate project management services in order to assist the Land Trust in completing conservation easement projects in a variety of regions throughout the state.

2. Background

The Land Trust is a private, non-profit corporation that protects and restores Minnesota’s most vital natural lands in order to provide wildlife habitat, clean water, outdoor experiences and scenic beauty for generations to come. The conservation easements held by the Land Trust are perpetual interests in real property that impose restrictions on the use and development of the property to protect wildlife habitat, water resources and/or scenic heritage.

The Land Trust currently holds 631 conservation easements, which protect more than 70,500 acres and over 400 miles of shoreline habitat. The Land Trust conducts land protection work within 11 conservation program areas across Minnesota and completes conservation projects in these areas using funding in large part awarded through the State of Minnesota’s Outdoor Heritage Fund and Environmental and Natural Resources Trust Fund. The Land Trust is seeking individuals or businesses with experience developing, negotiating and completing conservation easements to advance these initiatives and meet grant deliverables.

3. Scope of Services

The selected Contractor(s) will assist the Land Trust in completing conservation easement projects across Minnesota. These projects may occur in a number of geographies in Minnesota, including:

- Southeast Minnesota Blufflands
- Twin Cities Metro Area
- Sauk River Watershed
- Avon Hills (Stearns County)
- West-Central Minnesota’s Prairie Pothole Region
- Anoka Sand Plain Ecoregion
- Southwest Minnesota
- Northwest Minnesota’s Agassiz Beach Ridges and Tallgrass Aspen Parklands
- Mississippi Headwaters Region
- St. Croix River Watershed
- Northeast Minnesota
- And potentially other areas

Land Trust staff has identified through this RFP several projects available for Contractors; these are listed in Exhibit A.

The duration of this contract will be one year from signing. The Land Trust expects that most projects initiated at the onset of this contract will be completed during that timeframe; however, the Land Trust also recognizes that some projects will not progress to closing and that timelines for some projects will be longer.

Should a Contractor exhibit quality work during this initial contract, the Land Trust may be interested in entering multi-year contracts for a continuing body of work in this area.

The Contractor(s) will be expected to execute any or all of the components of a Minnesota Land Trust conservation easement transaction at the Land Trust's direction, as generally described below and summarized in Exhibit B, and as further described in mandatory training sessions conducted by the Land Trust, including but not limited to the following:

- Conduct an initial site visit and follow-up site visits as necessary to identify and document the property's conservation values.
- Under the direction of Land Trust staff, draft and negotiate conservation easement terms that will protect the identified conservation values of the land.
- Work with Land Trust legal staff to order title work and to request the delivery of original abstracts and copies of deeds by the landowner to the designated title company.
- Review the title commitment, title review memo, and have a general understanding of any significant title issues or requirements.
- Work in conjunction with Land Trust's legal staff to engage landowner in any necessary title requirements or corrective matters.
- Work with the Land Trust's GIS contractor to develop accurate property maps; ground truth and correct the maps as needed.
- Present the project for Due Diligence Review to the Director of Land Protection, Director of Stewardship, and Senior Staff Attorney.
- Draft the Conservation Easement using the Land Trust's standard template and preferences document, with review and approval by designated Land Trust staff.
- Using Land Trust standard templates, prepare RFPs (as necessary per state subcontracting guidelines) for appraisals, Phase 1s and ALTA surveys of the property. Working with designated Land Trust staff, prepare an RFP for the writing of a habitat management plan for the property.
- In coordination with appropriate Land Trust staff, obtain executed contracts for appraisals, surveys, Phase 1 environmental assessments, habitat management plans and other work for which outside vendors are required, in line with State of Minnesota subcontracting guidelines.

- Obtain and review appraisals, surveys, Phase 1 environmental assessments, and habitat management plans; obtain a review by designated Land Trust staff of each appraisal produced during the course of the contract.
- If minerals are severed, conduct a minerals assessment of the property, using Land Trust's procedures and templates.
- Coordinate with designated Land Trust staff for the preparation and writing of a Baseline Documentation Report for the property; review the Baseline Documentation Report for accuracy.
- Draft the Preliminary Project Summary and Proposed Board Resolution documents using Land Trust's templates for review and approval by the Land Trust Board of Directors.
- Submit a funding request letter and package of required project documents to the DNR for review at least 30 business days (~6 weeks) prior to closing.
- Assist in the preparation for the closing of the Conservation Easement project in coordination with Land Trust staff and landowners. Contractors may be required to attend the closing of the project if a face-to-face closing is scheduled.
- Work with Land Trust staff to assemble and maintain all files according to Land Trust record keeping protocols.
- Prepare required post-closing documents related to stewardship of the property.
- Document all contract activities in accordance with Land Trust procedures and ensure a complete and accurate record of a landowner's contact information.

The Land Trust will familiarize the Contractor(s) with its conservation easement process and will provide all forms and materials necessary to complete the transactions. In addition to providing mandatory training sessions regarding project management responsibilities and procedures, the Land Trust will assign a staff member to review and approve work completed by Contractor to ensure that the transaction is consistent with its standards and practices. The Land Trust will provide information clearly defining accountability and responsibility for each task required in completing a conservation easement.

Minimum qualifications of a Contractor must include:

- Direct and demonstrated experience successfully managing projects, especially land conservation, real estate, or conservation easements projects.
- Knowledge and understanding of Minnesota's natural resources and geology, including state conservation plans and goals.
- Experience with utilizing public funding for real estate transactions.
- Reliable transportation and a valid driver's license (MLT will reimburse for mileage at the federal rate).
- General liability insurance.
- Internet connection, computer and proficiency with MS Word, MS Excel, and Adobe Acrobat. Minnesota Land Trust staff use these programs on PC-based

computing platforms and contractors must use the same platforms in order to avoid formatting inconsistencies.

Additional requirements include:

- Experience utilizing public funding for real estate transactions.
- Strong communication, teamwork and writing skills.

4. Time & Effort

This contract will be a reimbursable time and materials contract. The Land Trust expects to select a Contractor(s) by October 1, 2021 and all Contractors will be notified at that time. The final contract scope, award amount and duration will be based on grant funding available, and the number of conservation easement projects agreed upon between Contractor and the Land Trust. The duration will be for one year from contract signing. Any extension will be subject to the approval of the Land Trust, will require an amendment to the contract, and will depend on necessity, availability of grant funding and quality of work exhibited by the Contractor. Invoices will be accepted quarterly.

5. Submission of Proposals

Contractors interested in providing these services should submit a proposal via email to:

Minnesota Land Trust

Attn: Wayne Ostlie, Director of Land Protection

wostlie@mnland.org

Bids must be delivered no later than 5:00 pm on October 11, 2021.

Bids should include sufficient information regarding the Contractor's ability to perform the services sought and enable MLT to make a judgment about the Contractor's ability to perform the work identified in the Scope of Service. Bids must include the following:

- 1) Cost: Provide an hourly cost of services rate.
- 2) Qualifications: Provide a statement describing relevant experience and include a resume or curricula vitae. Include education or experience related to conservation easements, management of real estate transactions, managing projects using state or other public funds, familiarity with IRC 170(h), and natural resource evaluations.
- 3) Capacity: Provide an estimate of the number of projects you are willing to take on during coming year.
- 4) Location/Travel: Provide a statement on your preferred location of projects (or specific ones listed in Exhibit A) and any travel restrictions you may have (i.e., duration, distance, etc.).
- 5) License and Insurance: Provide a copy of a valid driver's license and proof of general or professional liability insurance coverage.

6) References: Include three relevant professional references.

6. Evaluation Criteria

Proposals will be reviewed by Minnesota Land Trust land protection staff. The Land Trust will consider all information provided in the bid when making its decision and may consider relevant information from other sources. Specifically, the Land Trust will evaluate:

- 1) Relevant experience and qualifications
- 2) Hourly cost of services rate
- 3) Information provided by professional references
- 4) Experience with public funding or government grants and related requirements and procedures
- 5) Capacity and locational limitations

The Land Trust, at its sole discretion, will select Contractors whose qualifications, bids and proposals are most advantageous to the organization in fulfilling its mission of permanent land protection in Minnesota and in the effective and efficient use of dedicated funding provided for this purpose by the State of Minnesota, as well as other sources.

The Land Trust reserves the right to reject any or all proposals, the right to waive immaterial project requirements, and the right to issue subsequent Request for Proposals, and reserves the right to cancel the entire Request for Bids process. The Land Trust also reserves the right to contact any respondent for clarification after responses are opened and/or to negotiate further with any respondent; however, it intends to evaluate bids and award the contract(s) without discussion with Contractors. As such, a respondent's initial bid should contain the respondent's best terms. Minnesota Land Trust reserves the right to negotiate with any, all, or none of the respondents.

Exhibit A: Easement Projects Available for Contractor

Site Name	Project Name	County	Grant	Acres	PM
Lake Lizzie	Green	Becker	Wetlands 5	200	Bev Rinke
Battle Creek	Wallevand	Otter Tail	Wetlands 5	90	Bev Rinke
East Red River	Sanderson	Otter Tail	Wetlands 5	80	Bev Rinke
Tamarack Lake	Rose Clan	Otter Tail	Wetlands 5	200	Bev Rinke
Rose City	Gustafson	Todd	Wetlands 5	255	Bev Rinke
Bad Medicine	High Pines	Becker	Wetlands 5	155	Bev Rinke
Stanchfield Creek	Wendberg	Isanti	ASP 6	40	Kristina Geiger
Scandia	Hacker	Washington	MBR 9	30	Kristina Geiger
Crow River	Ludescher	Wright	MBR 11	40	Kristina Geiger
TBD	Hanks	Benton	ASP 6	26	Kat Prince
Byer Lake	Zwack	Stearns	Sauk River 2	61	Kat Prince

PM = MLT affiliated Program Manager

MBR = Metro Big Rivers

ASP = Anoka Sand Plain