

**Date:** August 9, 2017

**To:** Board of Directors

**From:** Neil McFarlane



**Subject:** RESOLUTION 17-08-65 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH SOUTHWEST TRANSIT PARTNERS, LLC FOR TRANSIT DESIGN SERVICES AS PART OF THE PROJECT DEVELOPMENT PHASE OF DESIGN FOR THE SOUTHWEST CORRIDOR TRANSIT PROJECT

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**1. Purpose of Item**

The purpose of this item is to request that the TriMet Board of Directors (Board) authorize the General Manager to execute a contract with Southwest Transit Partners, LLC (STP), for Transit Design Services for Project Development of the Southwest Corridor Transit Project (Project).

**2. Type of Agenda Item**

- Initial Contract
- Contract Modification
- Other \_\_\_\_\_

**3. Reason for Board Action**

Board approval is required for personal services contracts obligating TriMet to pay in excess of \$150,000.

**4. Type of Action**

- Resolution
- Ordinance 1<sup>st</sup> Reading
- Ordinance 2<sup>nd</sup> Reading
- Other \_\_\_\_\_

**5. Background**

In 2009, Metro adopted the High Capacity Transit System Plan, which named the Southwest Corridor as the region's next High Capacity Rail Transit Corridor. The Southwest Corridor Plan includes investments in transit service, roadway improvements, and active transportation improvements between Portland and Tualatin, via Tigard and Durham. To date, Metro has led the planning effort for the Southwest Corridor, which has included staff and policy officials from Sherwood, Tualatin, King City, Tigard, Durham, Beaverton, Lake Oswego, Portland, Multnomah and Washington Counties, ODOT, TriMet, and Metro.

In July 2013, the Southwest Corridor Project Steering Committee recommended further study to advance project alignment options for high capacity transit, including both bus rapid transit and light rail transit. In May 2016, the committee selected light rail as the preferred transit mode and then further recommended a range of alternatives for environmental review as part of the formal Draft Environmental Impact Statement, which began in earnest in December 2016, led by Metro. The Project is targeting adoption of a Locally Preferred Alternative (LPA) in the spring of 2018.

Prior to selection of the LPA, this contract will assist Metro and the Steering Committee with decision-making efforts by developing mitigation designs to address impacts identified in the DEIS and further advance design. Upon selection of the LPA, design services shift fully to a TriMet led design effort with advancement of the Conceptual Design Report (CDR), the Final Environmental Impact Statement (FEIS) drawings, and up to a 30% level of design documents to prepare for entry into Project Development (previously termed Preliminary Engineering on past federally funded projects). Final CDR and 30% design drawings are anticipated to be complete by mid-2019.

## **6. Procurement Process**

This procurement was subject to the Brooks Act, also known as Qualifications-Based Selection. Qualifications-Based Selection is a procurement process which is utilized when selecting architects and engineers for design contracts. In a Qualifications-Based Selection procurement, the agency must select the most qualified firm, and then negotiate a fair and reasonable price for the required professional services. Price quotations are not permitted as a consideration in the selection process.

TriMet conducted a competitive Request for Proposals (RFP) process to select the firm to provide transit design services for the Project. The RFP sought firms with successful experience supporting projects of similar nature and scale to this Project as well as obtaining qualifications of the firm and key individual experience, and proposed approach to work plan, diversity plan, and costing/value engineering.

Prior to the issuance of the RFP and over several months, the Capital Projects and Construction Division Southwest Corridor team conducted extensive outreach related to the opportunity including over a dozen meetings with interested consultants along with numerous conversations over the phone. As a follow up to those meetings, an email with a roadmap and strategy for the principles, process, and products anticipated for the contracts was distributed on May 5, 2017, to over 50 firms.

The RFP was issued on May 24, 2017, and widely distributed via TriMet's Ebid system, which notified more than 400 firms including some plan centers. A pre-proposal meeting was held on June 1, 2017, and 43 firms attended. Proposals were due June 15, 2017, and TriMet received one proposal, from Southwest Transit Partners, LLC, a joint venture among AECOM Technical Services, David Evans and Associates, and Parametrix.

When only one proposal is received, TriMet may cancel the procurement if it determines that the proposer is not qualified or if it is in TriMet's best interest to cancel. In this case, the evaluation committee determined that STP was well qualified as indicated below, and it was in TriMet's best interest to recommend awarding the contract to STP.

An evaluation committee (EC), comprised of staff from TriMet, a City of Portland Bureau of Transportation representative, a City of Tigard representative and a Washington County representative, convened on June 20, 2017, to review the STP proposal in accordance with the procedures and criteria established in the RFP. Evaluation criteria included Corporate Experience; Personnel Experience; Work Plan; Diversity Plan; and Costing/Value Engineering. Given the important role the selected contractor would play on this Project, the EC also conducted an interview on June 22, and final scores were as follows:

Firm	Possible Points	STP
Corporate Experience	15	14
Core Management Team Experience	50	47
Work Plan	65	62
Costing and Value Engineering	45	41
Diversity Plan	25	19
<b>Total Score</b>	<b>200</b>	<b>183</b>

Accordingly, TriMet proposes to award a contract to STP. In accordance with Qualifications-Based Selection, the direct labor costs and overall contract value were negotiated after selection of the contractor. The attached Resolution authorizes the award of a contract in an amount not to exceed \$6,500,000 for the transit design work on the Project for FY2017-18. TriMet staff has determined that the price is fair and reasonable, and this amount is within the budget established for this work.

#### 7. Diversity

In its proposal, STP indicated that it expects to be able to achieve at least 20 percent Disadvantaged Business Enterprise participation on this contract by subcontracting certain scopes of design work.

#### 8. Financial/Budget Impact

Metro and TriMet have an Intergovernmental Agreement to provide funding for FY2017-18 through Metro's Regional Flexible Funds plus local match. TriMet's local match share is included in the FY 2017-18 budget.

Funding for FY2018-19 has not yet been allocated and is anticipated to come from an amended IGA with Metro with the same source of funding.

Upon such funding allocation, TriMet expects to seek Board authority for the additional work necessary to bring project design to 30 percent completion.

**9. Impact if Not Approved**

TriMet's alternative would be to hire additional staff to complete the design work. This option is not preferred because procurement of this contract requires highly specialized expertise and addresses a short term staffing need that will not exist after the Project is complete. In addition, in order to maintain schedule and advance to the next project phase, extensive design services are necessary during a short time frame that TriMet staff could not reasonably complete, which would significantly delay the Project.

**RESOLUTION 17-08-65**

**RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH SOUTHWEST TRANSIT PARTNERS, LLC FOR TRANSIT DESIGN SERVICES FOR THE PROJECT DEVELOPMENT DESIGN PHASE OF THE SOUTHWEST CORRIDOR TRANSIT PROJECT**

**WHEREAS**, TriMet has authority under ORS 267.200 to enter into a contract with Southwest Transit Partners, LLC for Transit Design Services for the Southwest Corridor Transit Project; and

**WHEREAS**, the total amount of the Contract shall exceed \$150,000; and

**WHEREAS**, the TriMet Board of Directors (Board), by Resolution dated November 25, 2009, adopted a Statement of Policies requiring the Board to approve personal services contracts obligating TriMet to pay in excess of \$150,000;

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Contract shall be in conformance with applicable laws.
2. That the General Manager or his designee is authorized to execute the Contract in an amount not to exceed \$6,500,000.

Dated: August 9, 2017

Attest:

\_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
Recording Secretary

Approved as to Legal Sufficiency:

  
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Legal Department