

Date: February 24, 2016

To: Board of Directors

From: Neil McFarlane *Neil McFarlane*

Subject: RESOLUTION 16-02-13 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH ZIMMER GUNSUL FRASCA ARCHITECTS LLP FOR DESIGN SERVICES FOR THE WESTSIDE BIKE AND RIDES BIKE PARKING PROJECT

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 Zimmer Gunsul Frasca Architects LLP (“ZGF”) for Design Services for the Westside Bike and Rides Bike Parking 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 1st Reading
- Ordinance 2nd Reading
- Other _____

5. Background

TriMet is committed to linking active transportation to transit. For bicyclists, bicycle storage is a critical part of that linkage. In order to improve bicycle storage at TriMet facilities, TriMet is embarking on a program to improve “bike and ride” facilities at Westside MAX stations, with the primary goal being to improve the connection between commuters and the growing employment base in Washington County. To that end, TriMet submitted a grant application to the State of Oregon for a Connect Oregon V grant called “Westside Bike & Rides: Access to Jobs,” and that grant was awarded to TriMet in late 2014. The overall Project that will be funded by the grant includes planning, designing, and constructing secure

and covered bicycle parking at the Goose Hollow MAX station, and a new trail crossing at the Beaverton Creek MAX station near the Nike campus, which also includes secure bike parking. The estimated total cost of the Project is \$1,900,000, of which TriMet is providing \$160,000 and Washington County is providing \$250,000, as required match for the grant.

Under this contract, ZGF would perform final design to create the required construction documents, and also provide design services during construction. In addition, ZGF's work scope will include reviewing existing bike and ride facilities on TriMet's system and developing minimum requirements and standards to be applied to other facilities that might be added in the future.

6. Procurement Process

On December 7, 2015, TriMet issued a Request for Proposals ("RFP") for these services. The RFP sought firms with architectural design expertise as well as firms with experience in active transit, urban design, structural engineering and electrical engineering. The RFP sought qualifications of the firm and key individual experience, work plan, diversity plan, the availability of key personnel in Portland, and cost estimating and cost controls.

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, engineers, and other professional services. 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 appointed an evaluation committee ("EC") to review and evaluate the proposals, which was comprised of staff from TriMet's Capital Projects division and office of Diversity and Transit Equity. EC members were selected based on their expertise, experience and knowledge related to the Project.

On January 5, 2016, TriMet received one proposal, from ZGF. The RFP was widely distributed via TriMet's Ebid system, which notified more than 400 firms, including some plan centers. The pre-proposal meeting was attended by seven firms, including ZGF and three other firms that were potential prime contractors. After the selection process was finished, TriMet asked the other potential consultants why they did not propose. Generally, the response was that in this market, firms are so busy that diverting resources to submit a proposal, particularly for a smaller project, was not cost effective when those resources could otherwise be working on billable projects. Another concern was that they might not have enough staff on hand to work on the contract in a timely fashion if it were awarded.

When only one proposal is received, TriMet may cancel the procurement if it determines that the proposer is not qualified. In this instance, the EC determined that ZGF was well qualified. After evaluating the proposal, ZGF's scores were as follows:

Firm	Possible Points	ZGF
Corporate Experience	15	13
Personnel Experience	35	34
Work Plan / Diversity Plan	30	28
Availability in Portland	10	10
Cost Estimating and Controls	10	7
Total Score	100	92

Accordingly, TriMet proposes to award a contract to ZGF.

7. Diversity

ZGF has indicated that it expects to achieve at least 20 percent Minority/Women/Emerging Small Business (“M/W/ESB”) participation. This includes significant utilization and mentoring of five M/W/ESB firms that will be utilized for technical services including electrical engineering, landscape architecture, transit and bicycle planning, and cost estimating.

8. Financial/Budget Impact

The Project is included in the FY2016 Capital Program Budget, and approximately \$1,750,000 of the \$1,900,000 total Project cost will be paid by the Connect Oregon grant and Washington County. In accordance with Qualifications-Based Selection, the direct labor costs and overall contract value were negotiated after selection of the contractor. TriMet staff has determined that the negotiated labor rates are fair and reasonable, in relation to the local market for this type of work. The attached Resolution authorizes the award of a contract in an amount not to exceed \$315,000 for the design work on the Project.

9. Impact if Not Approved

TriMet’s alternative would be to hire additional staff to complete the work. This option is not preferred because this contract work requires highly specialized expertise and addresses a short term staffing need that will not exist after this work is complete.

RESOLUTION 16-02-13

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH ZIMMER GUNSUL FRASCA ARCHITECTS LLP FOR DESIGN SERVICES FOR THE WESTSIDE BIKE AND RIDES BIKE PARKING PROJECT

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract with Zimmer Gunsul Frasca Architects LLP for Design Services for the Westside Bike and Rides Bike Parking Project (“Contract”); and

WHEREAS, the total amount of the Contract is expected to 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.

Dated: February 24, 2016

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department