

Date: July 22, 2015

To: Board of Directors

From: Neil McFarlane *Neil McFarlane*

Subject: RESOLUTION 15-07-48 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH CH2MHILL, INC. FOR POWELL-DIVISION TRANSIT AND DEVELOPMENT PROJECT ADVANCED CONCEPTUAL TRAFFIC, ROADWAY AND TRANSIT DESIGN

1. Purpose of Item

The purpose of this item to request that the TriMet Board of Directors (“Board”) authorize the General Manager to execute a contract with CH2MHill, Inc. (“CH2MHill”) for Advanced Conceptual Traffic, Roadway and Transit Design for the Powell-Division Transit and Development 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

In 2009, Metro adopted the High Capacity Transit System Plan, which named the Powell-Division Corridor as one of the region’s highest transit priorities. The Project would include investments in transit service and roadway, active transportation, and safe connections to transit between Portland and Gresham. Over the last year, Metro has led the planning effort for the Powell-Division Corridor, which has included staff and policy officials from Gresham, Portland, Multnomah County, ODOT, TriMet and Metro. TriMet is leading design for the project with input from all the partners, the Steering Committee, and the public.

In September 2014, the Project Steering Committee recommended further study to advance Project alignment options that include bus rapid transit with a general alignment of inner Powell and outer Division. In December 2014, the Project kicked off conceptual design and service planning work in order to support conceptual cost estimating and identify potential impacts for a future environmental review process under the National Environmental Policy Act (“NEPA”). The conceptual phase of work concluded with a request to the Federal Transit Administration for entry into Project Development.

With the approval to enter Project Development expected in summer 2015, the Project is ready to begin the next phase of conceptual design, which will result in the selection of a Locally Preferred Alternative and entry into the NEPA process.

TriMet issued a Request for Proposals (“RFP”) to provide these advanced conceptual traffic, roadway and transit design services. The RFP sought firms with bus rapid transit, traffic and roadway design expertise. Proposals addressed 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. The Brooks Act is a federal statute enacted in 1972 which establishes the procurement process by which architects and engineers are selected for design contracts with federal agencies and federal grantees (like TriMet). In a Brooks Act 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 received one proposal in response to the RFP, from CH2MHill which had teamed with several other firms. TriMet appointed an evaluation committee to review and evaluate the proposals, which was comprised of staff from TriMet’s Planning and Policy department, as well as one representative each from Metro and the City of Portland. After evaluating the proposal, the scores were as follows:

Criteria	Possible Points	CH2M Hill
Corporate Experience	15	14
Personnel Experience	30	28
Work Plan/ Diversity Plan	35	30
Availability in Portland	10	9
Cost Estimating and Controls	10	9
Total Score	100	90

In accordance with the Brooks Act, the direct labor costs and overall contract value were negotiated by TriMet after selection of the highest-ranked firm. The attached Resolution authorizes the award of a contract to Ch2MHill with a budget of \$1,500,000. If the contract option year is exercised for additional design needed to match the NEPA requirements the corresponding additional budget is estimated not to exceed \$500,000. This amount is within TriMet's fair cost estimate and the budget established for this work. Of the total budget, \$1,500,000 is TriMet funding already included in the FY16 budget for the Project, another \$500,000 is funded through an intergovernmental agreement ("IGA") with Metro.

Work performed under the contract will be authorized as needed on a task order basis, allowing TriMet to tailor the scope of services to the specific needs of each individual task as well as to seek opportunities to bundle or otherwise structure efforts for maximum efficiency.

6. Procurement Process

The services were procured through a competitive RFP process, as described above.

7. Diversity

TriMet and CH2MHill will seek to maximize Disadvantaged Business Enterprise ("DBE") opportunities as each task order is negotiated. Overall the CH2MHill team has five DBE partners and two Emerging Small Business ("ESB") partners proposed for this contract. CH2MHill has not established expected levels of DBE participation for this Project, however they have met or exceeded estimated DBE levels of participation on multiple previous TriMet projects. On the previous Powell-Division conceptual design contract, CH2MHill achieved their estimated 10 percent DBE participation, and on Portland Milwaukie Light Rail Design Services for the West segment they achieved their estimated 22 percent DBE participation.

8. Financial/Budget Impact

TriMet will order work via the issuance of task orders. Of the overall budget for this work \$1,500,000 will come from general fund dollars that are set aside for the project and already included in the Adopted FY16 budget and \$500,000 is being paid for by Project partners per an IGA.

9. Impact if Not Approved

TriMet's alternative would be to hire additional engineering staff to complete the work. This option is not preferred because procurement of this contract addresses a short term staffing need that will not exist after this work is complete.

RESOLUTION 15-07-48

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH CH2MHILL, INC. FOR POWELL-DIVISION TRANSIT AND DEVELOPMENT PROJECT ADVANCED CONCEPTUAL TRAFFIC, ROADWAY AND TRANSIT DESIGN

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract with CH2MHill, Inc. for the provision of Advanced Conceptual Traffic, Roadway and Transit Design Services for the Powell-Division Transit and Development 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: July 22, 2015

Attest:

Presiding Officer

Recording Secretary

Approved as to Legal Sufficiency:


Legal Department