



Memo

Date: June 26, 2019
To: Board of Directors
From: Doug Kelsey
Subject: **RESOLUTION NO. 19-06-44 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH EPIC LAND SOLUTIONS, INC. FOR RIGHT OF WAY AND RELOCATION SERVICES**

1. Purpose of Item

This Resolution requests that the TriMet Board of Directors (Board) authorize the General Manager to execute a contract with Epic Land Solutions, Inc. (ELS) for right of way acquisition and relocation services.

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 \$500,000.

4. Type of Action

- Resolution
- Ordinance 1st Reading
- Ordinance 2nd Reading
- Other _____

5. Background

Acquisition and relocation services are needed for properties in the right of way for the Division Transit Project and future planning for these services is needed for the Southwest Corridor Project.

The Division Transit Project will improve transportation in the Powell-Division corridor by bringing bus rapid transit to Division Street along with increased transit service, roadway upgrades, active transportation improvements, and safe connections to transit. As the Division Transit Project progresses, TriMet requires a contractor to negotiate acquisitions with property

owners in the Division Transit Project's right of way and to assist in the relocation of those property owners, when required.

The Southwest Corridor Project will provide fast, reliable, and affordable light rail to locations southwest of TriMet's current service area. Planning for these services on the Southwest Corridor Project is also needed in order to begin the process of identifying the number and types of relocations that will be needed in the future.

6. Procurement Process

A competitive Request for Proposals (RFP) process was used to select the contractor for the Services. The RFP was issued on April 8, 2019, and proposals were due on May 6, 2019. A total of 175 vendors were notified of the RFP and 35 vendors viewed the solicitation. TriMet appointed an evaluation committee (EC) to review and evaluate the proposals, which was comprised of staff from TriMet's Legal Services and Engineering & Construction Divisions. EC members were selected based on their expertise, experience and knowledge related to the Services.

TriMet received a total of four proposals, from ELS, Norris & Stevens, Inc. (N&S), Overland, Pacific & Cutler, LLC (OP&C), and Universal Field Services, Inc. (UFS). The EC ranked the proposals in accordance with the procedures and criteria established in the RFP. After evaluation of the technical proposals, the EC determined that ELS, OP&C, and UFS were in the competitive range. Pricing was opened for the three proposals in the competitive range, and the SEC determined that ELS was the highest ranked proposer. Final full scores for the proposers are as follows:

Evaluation Criteria	Possible Points	ELS	UFS	OP&C	N&S*
Qualifications and Diversity	40	37	33	29	18
Work Plan	40	37	32	32	13
Price	20	14	20	15	-
Total Score	100	88	85	76	-

*not in the competitive range

The attached Resolution authorizes TriMet to contract with ELS for five (5) years in the amount of \$685,586.

7. Diversity

ELS' workforce is approximately 26% minority and 53% female. ELS will self-perform the majority of the services provided under the contract, but will seek contracts with DBE firms in

several areas, including appraisal services, title and escrow services, survey and right of way engineering, and environmental site assessments.

8. Financial/Budget Impact

The services are included in the FY 2019-20 Legal Services Division budget.

9. Impact if Not Approved

TriMet could reprocure the contract; however, this option is not recommended because ELS is a well-qualified firm and has offered fair and reasonable pricing. Proceeding with another procurement would result in an unnecessary delay in providing the services, which are critical in keeping the Division Transit Project on schedule.

RESOLUTION NO. 19-06-44

**RESOLUTION NO. 19-06-44 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A
CONTRACT WITH EPIC LAND SOLUTIONS, INC. FOR RIGHT OF WAY AND
RELOCATION SERVICES**

WHEREAS, TriMet as authority under ORS 267.200 to enter into a personal services contract with Epic Land Solutions, Inc. for right of way and relocation services (Contract); and

WHEREAS, the total amount of the Contract exceeds \$500,000; and

WHEREAS, by Resolution dated October 25, 2017, the TriMet Board of Directors (Board) adopted a Statement of Policies requiring the Board to approve personal services contracts obligating TriMet to pay in excess of \$500,000;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Contract shall conform with applicable law.
2. That the General Manager or his designee is authorized to execute the Contract in an amount not to exceed \$685,586, over the five-year life of the Contract.

Dated: June 26, 2019

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department

