

Date: April 27, 2016

To: Board of Directors

From: Neil McFarlane *Neil McFarlane*

Subject: RESOLUTION 16-04-22 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH EMERIO DESIGN, LLC FOR ARCHITECTURAL AND ENGINEERING DESIGN SERVICES FOR THE POWELL LIFT RELOCATION 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 Emerio Design, LLC (“Emerio”) for Architectural and Engineering Services for the Powell LIFT Relocation 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

Due to upcoming bus fleet expansion, TriMet must make changes to some of its existing bus maintenance facilities to expand its ability to store and maintain the growing fleet. To allow for expansion of the Powell Garage facility, TriMet is planning to relocate the Powell LIFT paratransit operation from the Powell Garage site to the nearby Powell Park & Ride site. The need for LIFT service is also growing, and in addition to facilitating reconfiguration of the Powell garage facility, the relocation of LIFT will allow for storage of more LIFT vehicles.

Utilization of the Powell Park & Ride site is approximately 10 percent. This capacity, along with the capacity of the nearby Holgate and Fuller Park & Ride sites, allows a portion of the Powell Park & Ride to be repurposed. Approximately 85 spaces of the existing Powell Park & Ride site will remain as park and ride parking and the remainder of the site, along with adjacent property, will be reconfigured for use as a LIFT facility. The new site will contain LIFT vehicle storage, employee parking and a new building. This contract would provide architectural and engineering design services for the Project.

Prior to deciding to relocate the LIFT facility to the Powell Park & Ride, TriMet performed a Title VI Equity Analysis to ensure that site selection was not determined on the basis of race, color, or national origin, and did not result in any disparate impacts. The analysis, which is included in the Board packet, found that the site selection was based on property size, geographic proximity to the service area, and transportation access, not race, color or national origin, and also that the selection of the site did not result in any disparate impacts.

6. Procurement Process

On February 10, 2016, TriMet issued a Request for Proposals (“RFP”) for these services. The RFP sought qualifications of each firm, including individual experience, work plan, diversity plan, and the availability of key personnel in Portland.

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 appointed an evaluation committee (“EC”) to review and evaluate the proposals, which was comprised of staff from TriMet’s Capital Projects division, LIFT Operations division and office of Diversity and Transit Equity. EC members were selected based on their expertise, experience and knowledge related to the Project. TriMet received four proposals in response to the RFP. The EC ranked the proposers in accordance with the procedures and criteria established in the RFP. After completing this review, the EC determined that Akana, Emerio, and Harper Houf Petersen Righellis Inc. (“HHPR”) were within the competitive range and elected to perform interviews with those firms. Following interviews the EC finalized the scores and determined that Emerio was the highest ranked proposer. Final scores for the competitive range of proposers were as follows:

Firm	Possible Points	Akana	Emerio	HHRP
Corporate Experience	15	13	12	12
Personnel Experience	35	27	30	28
Work Plan / Diversity Plan	30	27	27	28
Availability in Portland	10	9	9	9
Cost Estimating and Controls	10	7	8	7
Total Score	100	83	86	84

Accordingly, TriMet proposes to award a contract to Emerio.

7. Diversity

Emerio is a certified Disadvantaged Business Enterprise (“DBE”) and Minority Business Enterprise (“MBE”) in the State of Oregon. In its proposal, Emerio indicated that it expects to be able to achieve approximately 60 percent M/W/ESB participation from both its work and subcontracting work such as electrical, geotechnical, and landscape design.

8. Financial/Budget Impact

The Project is included in the FY 2016 and FY 2017 General Fund budget. 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 \$800,000 for the architectural and engineering work on the Project. TriMet staff has determined that the price is fair and reasonable in accordance with the local market for this type of work, and this amount is within the established budget for this portion of the Project.

9. Impact if Not Approved

TriMet could hire additional staff to complete the work. This option is not preferred because procurement of this contract requires specialized expertise and addresses a short term staffing need that will not exist after this work is complete.

RESOLUTION 16-04-22

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH EMERIO DESIGN, LLC FOR ARCHITECTURAL AND ENGINEERING DESIGN SERVICES FOR THE POWELL LIFT RELOCATION PROJECT

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract with Emerio Design, LLC for architectural and engineering design services for the Powell LIFT Relocation 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: April 27, 2016

Attest:

Presiding Officer

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department