


Date: July 26, 2023

To: Board of Directors

From: Sam Desue, Jr. 

Subject: **RESOLUTION NO. 23-07-38 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH DAVID EVANS AND ASSOCIATES, INC. (DEA) FOR DESIGN SERVICES FOR THE BEAVERTON AND OREGON CITY TRANSIT CENTERS REDESIGN PROJECT**

1. **Purpose of Item**

This Resolution requests that the TriMet Board of Directors (Board) authorize the General Manager or his designee to execute a contract (Contract) with David Evans and Associates, Inc. (DEA) for the Beaverton and Oregon City Transit Centers Redesign Project (Project).

2. **Type of Agenda Item**

- Initial Contract
 Contract Modification
 Other _____

3. **Type of Contract Procurement**

- Low Bid / Invitation to Bid (ITB)
 Request for Proposals (RFP) (inc. CM/GC)
 Request for Qualifications (RFQ) (Personal Services)
 Other (inc. sole source):

4. **Reason for Board Action**

Board authorization is required for contracts obligating TriMet to pay in excess of \$1,000,000.

5. **Type of Action**

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

6. **Background**

In 2022, TriMet was granted two federally funded awards for improvements and upgrades to the Beaverton and Oregon City Transit Centers. Using those awards, together with dollars from the Statewide Transportation Improvement Fund (STIF), TriMet seeks to redesign these two facilities in support of future bus service and operational needs. These two transit centers will be redesigned in order to provide enhanced service to accommodate future

ridership demand and necessary improvements to TriMet's bus operator layover facilities. The work will reconfigure bus infrastructure and related public amenities, improve the public right-of-way, and renovate and expand existing bus operator layover facilities at each project site.

The Oregon City Transit Center Redesign project will expand and retrofit the existing transit center to expand the bus operator layover facility and make alighting and stop improvements to benefit transit riders. These improvements are necessary to support expanded bus service in Clackamas County. The Oregon City project will make modifications to Main Street and McLoughlin Boulevard in Oregon City to support the expansion of the transit center and operator layover facility.

The Beaverton Transit Center Redesign project will update, reconfigure and increase the capacity of its bus operator layover facility. Project outcomes include: improved bus operator break and layover spaces; more efficient layover pull-in and pull out paths; service upgrades and expansion of space to accommodate 60 foot, articulated, zero emissions buses; and installation of fast-charging capacity for both 60 and 40 foot battery electric buses.

In addition, if funds become available, the redesign work could be expanded to include the proposed Gateway Transit Center Redesign project. The Gateway redesign work would increase the capacity of its current bus layover facilities, including a new bus operator layover facility and creation of several additional bus layover spaces for standard and articulated buses.

7. **Description of Procurement Process**

TriMet utilized a competitive Request for Qualifications (RFQ) process to select a design services contractor for the Beaverton and Oregon City Transit Center Redesign Project. A total of 691 vendors, including 13 prime contractors, were notified of the RFQ via TriMet's eProcurement System (TriP\$). The bidders were advised that if additional funding became available, the Project could be expanded to include redesign work at the Gateway Transit Center. The RFQ was issued on May 1, 2023, with a proposal due date of May 30, 2023. A pre-proposal conference was held on May 8, 2023, and a total of 14 firms attended. Of those, three were prime consulting firms and the rest were subconsultants.

The only proposal TriMet received was from DEA. Competition was limited due to the large and complex scope of the design services, which requires a team of multi-disciplinary firms. After receiving the DEA proposal, TriMet staff contacted other potential proposers to determine why they did not respond. Some firms stated they were devoting resources in pursuit of other regional projects and did not have the time to allocate toward a proposal, while others did not have the resources necessary to justify preparing a proposal.

TriMet is required by ORS 279C.110 and the Federal Brooks Act to utilize a Qualifications-Based Selection when selecting architects and engineers for design contracts. In a Qualifications-Based Selection procurement, the Agency must first select the most qualified firm, 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), consisting of staff from TriMet's Engineering, Construction and Planning; Inclusion, Diversity, Equity and Accessibility; and Maintenance Operations divisions, to review and evaluate the DEA proposal. The EC scored

the DEA proposal in accordance with the procedures and criteria established in the RFQ. The EC also met with DEA to clarify aspects of its proposal, primarily around Disadvantaged Business Enterprise (DBE) utilization.

After completing the initial review process, the EC determined that DEA was well-qualified to perform the work. The DEA scores are shown below:

Criteria (maximum points)	DEA
Corporate Experience (5)	4.42
Personnel Experience (25)	22
Subcontracting and Diversity (20)	17.50
Work Plan and Quality Control Plan (30)	25.50
Availability in Portland and Track Record (10)	8.67
Cost Estimating and Cost Controls (10)	8.17
Total	86.25

In accordance with a 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 five-year Contract to DEA, in an amount not to exceed \$3,000,000 for the Oregon City and Beaverton Transit Center Redesign Project. TriMet staff have determined that the negotiated rates are fair and reasonable in relation to the local market for this type of work and in comparison with rates of other firms for similar services. The negotiated contract amount is also within the budget established for this work.

If the Gateway Transit Center redesign work subsequently receives funding, staff will request Board approval for its inclusion in the scope of work being performed by DEA.

8. **Diversity**

DEA’s total employee count is 971, and its workforce is 17.3% minority and 33.2% female. DEA anticipates using DBE certified firms for thirty-two percent (32%) of the work in the areas of cost estimating, community engagement, geotechnical engineering, utility and storm water issues, surveying, final design, landscape architecture, permitting, and mechanical engineering, along with several other disciplines.

9. **Financial/Budget Impact**

The funds for the Beaverton and Oregon City Transit Center Redesign Project are included in the FY2024 operating budget for Engineering, Construction and Planning, including FY2024-25 STIF funds.

10. **Impact if Not Approved**

If the Board does not approve this Resolution, TriMet could attempt to re-procure the redesign services. However, TriMet used the RFQ process to select a contractor who could engage a diverse team of well-qualified firms to perform the design services, and negotiated a reasonable Contract price. Advertising the Contract a second time will not likely lead to additional or more favorable proposals.

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TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A
CONTRACT WITH DAVID EVANS AND ASSOCIATES, INC. (DEA) FOR
DESIGN SERVICES FOR THE BEAVERTON AND OREGON CITY TRANSIT
CENTERS REDESIGN PROJECT**

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract (Contract) with David Evans and Associates, Inc. (DEA) for design services for the Beaverton and Oregon City Transit Centers Redesign Project; and

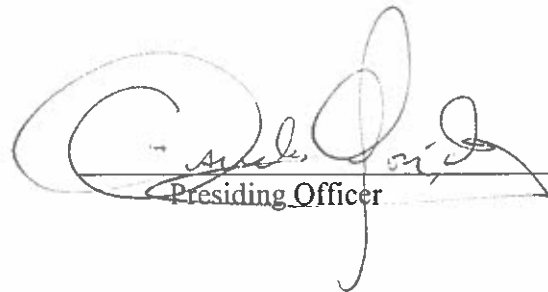
WHEREAS, by Resolution No. 22-05-35, dated May 25, 2022, the TriMet Board of Directors (Board) adopted a Statement of Policies requiring the Board to authorize all contracts obligating TriMet to pay in excess of \$1,000,000; and

WHEREAS, the total amount of the Contract exceeds \$1,000,000;

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 \$3,000,000, over the five-year Contract term.

Dated: July 26, 2023



Presiding Officer

Attest:



Recording Secretary

Approved as to Legal Sufficiency:



Legal Department