

**Date:** July 22, 2015

**To:** Board of Directors

**From:** Neil McFarlane *Neil McFarlane*

**Subject: RESOLUTION 15-07-47 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH ZIMMER GUNSUL FRASCA ARCHITECTS LLP FOR DESIGN SERVICES FOR THE WASHINGTON PARK STATION REHABILITATION PROJECT**

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**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 Washington Park Station Rehabilitation 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 1<sup>st</sup> Reading
- Ordinance 2<sup>nd</sup> Reading
- Other \_\_\_\_\_

**5. Background**

TriMet’s Washington Park Station has been in operation since the 1998 opening of the West Side Light Rail project. Since opening, it has been one of the busiest stations in TriMet’s system. After nearly 20 years of service, the station is in need of rehabilitation of several aspects. This contract is to provide design services for that Project.

TriMet has analyzed the existing condition of the station and compiled a list of station elements that are candidates for refurbishment or replacement. Noted areas include lighting, electrical, selected surface treatments, and signage.

The first task under the proposed contract will be for Preliminary Design, which will be a prioritization of which station elements are most in need of repair, along with a cost/benefit analysis for various improvement options. This will allow TriMet to make decisions about the final scope of the work. After that, TriMet will issue task orders for Final Design and Design Services during Construction.

## 6. Procurement Process

On May 13, 2015, TriMet issued a Request for Proposals (“RFP”) for these services. The RFP sought firms with light rail station design expertise, and 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. 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, Facilities Management, and office of Diversity and Transit Equity. EC members were selected based on their expertise, experience and knowledge related to the Project.

On June 9, 2015, TriMet received one proposal, from ZGF. ZGF is the firm that originally designed the Washington Park Station. The RFP was widely distributed via TriMet’s Ebid system to well over 300 firms, including some plan centers. Ten firms attended the pre-proposal meeting. TriMet believes that it received only a single proposal because ZGF was the original designer of the station area, and the market perceived ZGF as an exceptionally strong competitor for this contract.

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:

| <b>Criteria</b>              | <b>Possible Points</b> | <b>ZGF</b> |
|------------------------------|------------------------|------------|
| Corporate Experience         | 20                     | 15         |
| Staff Experience             | 30                     | 25         |
| Work Plan and Diversity Plan | 25                     | 22         |
| Availability in Portland     | 10                     | 9          |
| Cost Estimating and Controls | 10                     | 8          |
| <b>Total Score</b>           | <b>95</b>              | <b>79</b>  |

In accordance with Qualifications-Based Selection, the direct labor costs and overall contract value were negotiated by TriMet after selection of ZGF. The attached Resolution authorizes the award of a contract to ZGF in an amount not to exceed \$350,000 for all design work on the Project. TriMet staff has determined that the price is fair and reasonable, and this amount is within the budget established for this work.

**7. Diversity**

In the proposal, ZGF indicated that it expects to be able to achieve approximately 45 percent Minority/Women/Emerging Small Business (“M/W/ESB”) participation from subcontracting work such as electrical, lighting, and landscaping design, depending upon the scope of work actually agreed upon by the parties. The contractor will specify M/W/ESB subcontracting opportunities as each task order is negotiated, at which time the M/W/ESB utilization will become a fixed commitment.

**8. Financial/Budget Impact**

The Project, including construction, is part of the approved capital plan for FY 2015, 2016 and 2017. The estimated cost of the entire Project is \$2,350,000.

**9. Impact if Not Approved**

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

**RESOLUTION 15-07-47**

**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 WASHINGTON PARK STATION REHABILITATION PROJECT**

**WHEREAS**, TriMet has authority under ORS 267.200 to enter into a contract with Zimmer Gunsul Frasca Architects LLP ("ZGF") for Design Services for the Washington Park Station Rehabilitation 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

\_\_\_\_\_  
Presiding Officer

Attest:

\_\_\_\_\_  
Recording Secretary

Approved as to Legal Sufficiency:

  
\_\_\_\_\_  
Legal Department