

**Date:** October 24, 2018

**To:** Board of Directors

**From:** Doug Kelsey

**Subject:** RESOLUTION 18-10-73 OF THE TRI-COUNTY METROPOLITAN  
TRANSPORTATION DISTRICT OF OREGON (TRIMET)  
AUTHORIZING A CONTRACT WITH ZGF-VIA-MAYER/REED JOINT  
VENTURE FOR URBAN DESIGN SERVICES FOR THE SOUTHWEST  
CORRIDOR TRANSIT 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 ZGF-VIA-Mayer/Reed Joint Venture (ZGF) for urban design services for the Southwest Corridor Transit 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 \$500,000.

**4. Type of Action**

- Resolution  
 Ordinance 1<sup>st</sup> Reading  
 Ordinance 2<sup>nd</sup> Reading  
 Other \_\_\_\_\_

**5. Background**

The primary goal of the Project is to design fast, reliable, and affordable light rail transit service in the Southwest Corridor that has regional support, accommodates growth in the corridor, and supports adopted visions that will ultimately pass a regional funding measure, currently anticipated for the fall of 2020.

TriMet is a partner in the region's Southwest Corridor Plan and Shared Investment Strategy. Partner agencies include Beaverton, Durham, King City, Portland, Metro, Sherwood, Tigard, Tualatin, the Oregon Department of Transportation, and Washington County. The partners have developed the plan to align local, regional, and state policies and investments in the

corridor to identify light rail transit as the preferred high capacity investment in the corridor. Over time, the Project has been refined to outline a package of potential alignment options with associated potential roadway, bicycle, and pedestrian improvements as the base drawings for review under the National Environmental Policy Act (NEPA). The Draft Environmental Impact Statement (DEIS) is currently being led by Metro, and prepared by Metro, TriMet, and staff of the Federal Transit Administration. Project partners published the DEIS in May 2018, which will be followed by adoption of a Locally Preferred Alternative (LPA). TriMet will assume the lead role on the Project after formal adoption of the LPA by the Metro Council. Following LPA adoption, the Project will request entry into the Project Development phase of the federal New Starts program. TriMet has split the project development into two contracts: the transit design contract awarded last summer and the urban design contract addressed herein. These two contracts promote competition and increase design opportunities within the business community.

In meeting the requirements of this scope of work, the urban design team and transit design Team shall work collaboratively with each other, TriMet, Metro, and all project stakeholders to complete the Project's Conceptual Design Report and the Final Environmental Impact Statement drawings, and to advance design from 5% to 30% of completion.

## **6. Procurement Process**

A competitive Request for Proposals (RFP) process was used to select the contractor for the Project. The RFP was issued on August 7, 2018, and proposals were due on September 6, 2018. A total of 349 vendors were notified of the RFP and 126 vendors viewed the solicitation.

Prior to the RFP being issued, vendor outreach was performed through notification sent to Contractor Plan Center, Salem Contractors Exchange, Seattle Daily Journal of Commerce, and Spokane Regional Plan Center; and through a pre-proposal meeting attended by 18 firms held on August 13, 2018.

This RFP was subject to the Brooks Act, also known as a Qualifications-Based Selection. Qualifications-Based Selection is a procurement process 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 and Construction Division, the City of Portland, and the City of Tigard. EC members were selected based on their expertise, experience, and knowledge related to the Project. TriMet received a total of two proposals, from ZGF and Perkins+Will (P+W). The EC ranked the proposals in accordance with the procedures and criteria established in the RFP. After completing the initial review process, the EC determined that both firms were in the competitive range for interviews. After interviews, the EC determined that ZGF was the highest ranked proposer. Final full scores for the proposers are as follows:

<b>Evaluation Criteria</b>	<b>Possible Points</b>	<b>ZGF</b>	<b>P+W</b>
Corporate Experience	10	8.6	8.2
Personnel Experience	30	25.0	22.8
Work Plan	30	24.2	23.6
Subcontractor and Diversity Plan	10	9.2	7.0
Availability and Track Record	10	8.2	6.4
Cost Estimating, Cost Controls, and Value Engineering	10	8.0	7.2
<b>Total Score</b>	<b>100</b>	<b>83.2</b>	<b>75.2</b>

Accordingly, TriMet proposes to award a contract to ZGF.

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 contract in an amount not to exceed \$12,000,000 for the Project. TriMet staff has determined that the negotiated rates are fair and reasonable in relation to the local market for this type of work and comparison with other rates for similar services. The negotiated contract amount is also within the budget established for this work.

**7. Diversity**

In its proposal, ZGF indicated it would utilize Disadvantaged Business Enterprise (DBE) contractors for approximately 19.5 percent of the work on this Project in the areas of facilities architecture, transit-oriented design concepts, public art, affordable housing and historical preservation architecture, landscape architecture, and DBE coordination compliance.

**8. Financial/Budget Impact**

Metro and TriMet have an intergovernmental agreement to provide funding through Metro's Regional Flexible Funds plus local match. The Project is included in the FY 2019-20 Capital Program budget.

**9. Impact if Not Approved**

If the Board decides not to approve this contract, TriMet's alternative would be to re-procure or hire additional staff to complete the design work, both resulting in significant delays to the Project. In addition, the Project requires highly specialized expertise and the need for the additional staff would not exist after the work is completed.

**RESOLUTION 18-10-73**

**RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH ZGF-VIA-MAYER/REED JOINT VENTURE FOR URBAN DESIGN SERVICES FOR THE SOUTHWEST CORRIDOR TRANSIT PROJECT**

**WHEREAS**, TriMet has authority under ORS 267.200 to enter into a contract with ZGF-VIA-Mayer/Reed Joint Venture for urban design services for the Southwest Corridor Transit Project (Contract); and

**WHEREAS**, the total amount of the Contract is expected to exceed \$500,000; and

**WHEREAS**, the TriMet Board of Directors (Board), by Resolution dated October 25, 2017, 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 be in conformance with applicable laws.
2. That the General Manager or his designee is authorized to execute the Contract in an amount not to exceed \$12,000,000.

Dated: October 24, 2018

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

Attest:

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

Approved as to Legal Sufficiency:

  
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Legal Department