



Memo

Date: June 26, 2013

To: Board of Directors

From: Neil McFarlane

Subject: **RESOLUTION 13-06-41 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH URS CORPORATION FOR ENGINEERING DESIGN SERVICES FOR THE EXISTING LIGHT RAIL TRACK REHABILITATION PROJECT**

1. Issue or Purpose of the 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 URS Corporation (“URS”) for engineering design services for the Existing Light Rail Track Rehabilitation Project (“Project”).

2. Reason for Board Action.

Board authorization is required for personal services contracts obligating TriMet to pay in excess of \$150,000.

3. Background.

TriMet opened the original Banfield light rail alignment in 1986. There are currently several locations along the line where the trackway is in need of repair in order to continue to support the efficient long term operation of light rail on this alignment. The Project will replace special trackwork, road crossing panels, and curved rail at locations identified in TriMet’s Capital Asset Management and Investment Plan.

TriMet issued a Request for Proposals (“RFP”) for engineering design services for the Project on March 11, 2013. The RFP included selection criteria upon which the proposals were evaluated, including the firm’s qualifications and experience, the qualifications and experience of key personnel, work plan, and diversity. This procurement was subject to the Brooks Act, also known as Qualifications Based Selection. The Brooks Act is a federal statute enacted in 1972, which establishes the procurement process by which architects and engineers are selected for design contracts with federal agencies and agencies utilizing federal grant funds. In a Brooks Act 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 established an Evaluation Committee (“EC”) comprised of TriMet employees from Capital Projects, Maintenance of Way, and Operations to review the proposals. Two

proposals were received, from URS and Convergent Pacific LLC (“Convergent Pacific”). The EC ranked the proposers in accordance with the procedures and criteria established in the RFP. Scores were as follows:

Proposer	Firm Experience	Personnel Experience	Work Plan and Diversity	Availability in Portland	Cost Estimating and Controls	Total Points
	20 Points	35 Points	25 Points	10 Points	10 Points	100 Points
URS	19	32	23	10	9	93
Convergent Pacific	16	27	20	10	6	79

After reviewing the proposals in accordance with the procedures and criteria established in the RFP, the EC determined that URS was the highest ranked proposer.

URS Corporation has strong corporate experience in track design, including rehabilitation and replacement of existing trackwork, and offered a team with very good qualifications in the specific design expertise required, as well as experience developing designs while working with construction contractors. URS’s work plan was also excellent on both the specific aspects of their approach, and in diversity, including their proposed subcontracting and workforce plans. URS has demonstrated a solid record of DBE utilization, including 18 percent utilization as the designer for the Portland Mall Light Rail Project, 22 percent utilization as the designer of the Washington County Commuter Rail Project, and 14 percent utilization as the designer for the City of Portland’s Eastside Streetcar Loop Project. For the design work on this Project, URS will contract with a DBE sub-consultant for the drafting and survey work.

In accordance with the Brooks Act, price was not included as a selection criterion, but was negotiated by TriMet after selection of the highest-ranked firm. Work under the contract will be managed by individual task orders for discrete items of work, thereby affording TriMet management the best opportunity to monitor work progress and to control final costs. TriMet has concluded negotiations on the first task order in the amount of approximately \$55,000.

The attached Resolution authorizes award of a contract not to exceed \$400,000 to URS for final design work for the Project, which is slightly more than TriMet’s fair cost estimate of \$365,555, in order to permit some flexibility with design tasks. Funding will come from TriMet’s General Fund as described in TriMet’s Capital Asset Management and Investment Plan.

4. Options.

TriMet’s options are limited to re-procuring the work, as due to the highly specialized nature of this work, TriMet cannot perform the work without the assistance of an engineering firm. Re-procuring the work is not a desirable option because there was

adequate competition for the contract and TriMet has negotiated a contract price that it believes is fair and reasonable based upon the scope of work. A new procurement is not likely to result in a more favorable result. Therefore, approval of the Resolution is the only recommended option.

5. Recommendation.

The General Manager recommends approval of the Resolution.

RESOLUTION 13-06-41

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH URS CORPORATION FOR DESIGN SERVICES FOR THE EXISTING LIGHT RAIL TRACK REHABILITATION PROJECT

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract with URS Corporation for engineering design services for the Existing Light Rail Track 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, IT IS HEREBY 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: June 26, 2013

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:

Legal Department