

Date: September 16, 2015
To: Board of Directors
From: Neil McFarlane *Neil McFarlane*

Subject: RESOLUTIONS 15-09-54 AND 15-09-55 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING CONTRACTS WITH WATERLEAF ARCHITECTURE LLP AND WENAHA GROUP, INC. FOR THE BUS HOISTS REPLACEMENT 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 contracts with Waterleaf Architecture LLP (“Waterleaf”) and Wenaha Group, Inc. (“Wenaha”) for support of the TriMet’s Bus Hoists Replacement Project (“Project”).

2. Type of Agenda Item

- Initial Contracts
- 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:

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

5. Background

TriMet owns three bus maintenance facilities (Center, Powell, and Merlo) and each of those facilities have maintenance bays with in-ground bus maintenance hoists. Four of these hoists, three at Merlo and one at Center, are approaching the end of their useful life and need to be replaced. TriMet’s Capital Committee selected the Project for funding through the Capital Improvement Plan for Fiscal Years 2016 and 2017. Work to be performed under these proposed contracts will assist TriMet in designing and managing the construction of the Project, which will be performed through a separate construction contract that will be procured once the design work is complete.

Both of these procurements were 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. Price quotations are not permitted as a consideration in the selection process.

Resolution 15-09-54 – Design Services

This contract is to provide design and permitting support services for the Project, which will enable TriMet to procure a construction contract for the hoist installation work. On July 14, 2015, TriMet advertised a Request for Proposals (“RFP”) for these services. The RFP sought 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. On August 4, 2015, TriMet received three responses to the RFP.

TriMet appointed an evaluation committee (“EC”) to review and evaluate the proposals, which was comprised of staff from TriMet’s Capital Projects division and office of Diversity and Transit Equity. EC members were selected based on their expertise, experience and knowledge related to the Project. The EC ranked the proposers in accordance with the procedures and criteria established in the RFP. After completing this review, the Evaluation Committee determined that Waterleaf was the highest ranked proposer. Full scores for the three proposers were as follows:

Criteria	Possible Points	Waterleaf	Shur Architects	Bradford Consulting Engineers
Corporate Experience	25	23	21	20
Individual Experience	30	28	25	22
Work Plan and Diversity Plan	25	24	18	18
Availability	10	9	9	8
Cost Estimating and Controls	10	7	9	8
Total	100	91	82	76

Accordingly, TriMet proposes to award a contract to Waterleaf. 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 for two years, plus up to two one-year option terms at TriMet’s discretion, in the event that more time is needed to complete the Project. This Resolution authorizes contract award in an amount not to exceed \$274,000 for the work on the Project. TriMet staff has determined that Waterleaf’s labor costs are fair and reasonable compared to the market, and this contract amount is within the budget established for this work.

Resolution 15-09-55 – Project Management, Design Management, and Construction Management Services

To ensure timely delivery of the Project, TriMet needs to supplement its staff resources by

contracting for management oversight of the design and construction of the Project. On July 14, 2015, TriMet advertised a Request for Proposals (“RFP”) for these services. The RFP sought 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. On August 4, 2015, TriMet received three responses to the RFP.

TriMet appointed an evaluation committee (“EC”) to review and evaluate the proposals, which was comprised of staff from TriMet’s Capital Projects division and office of Diversity and Transit Equity. EC members were selected based on their expertise, experience and knowledge related to the Project. The EC ranked the proposers in accordance with the procedures and criteria established in the RFP. After completing this review, the Evaluation Committee determined that Wenaha was the highest ranked proposer. Full scores for the three proposers were as follows:

Criteria	Possible Points	Wenaha	Arcadis	Shur Architects
Corporate Experience	15	15	15	12
Individual Experience	45	42	35	33
Work Plan and Diversity Plan	20	19	12	15
Availability	10	9	7	8
Cost Estimating and Controls	10	8	8	8
Total	100	93	77	76

Accordingly, TriMet proposes to award a contract to Wenaha. 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 for two years, plus up to two one-year option terms at TriMet’s discretion, in the event that more time is needed to complete the Project. This Resolution authorizes contract award in an amount not to exceed \$490,000 for the work on the Project. TriMet staff has determined that Wenaha’s labor costs are fair and reasonable compared to the market, and this contract amount is within the budget established for this work.

6. Procurement Process

These contracts were procured through a competitive RFP process, as described above.

7. Diversity

In its proposal, Waterleaf indicated that it expects to be able to achieve 26 percent Minority/Women/Emerging Small Business (“M/W/ESB”) participation from subcontracting work such as CAD drafting, civil, electrical, and structural 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.

Wenaha is a certified Disadvantaged Business Enterprise (“DBE”) firm, and expects to self-perform all work under its contract.

8. Financial/Budget Impact

The Project is budgeted as part of the approved capital plan for FY 2016 and 2017. The total budget for the Project, inclusive of all anticipated costs, is \$3,065,736.

9. Impact if Not Approved

TriMet’s alternative would be to hire additional staff to complete the work. This option is not preferred because work under these contracts addresses a short term staffing need that will not exist after this work is complete.

RESOLUTION 15-09-54

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH WATERLEAF ARCHITECTURE LLP FOR THE BUS HOISTS REPLACEMENT PROJECT

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract with Waterleaf Architecture LLP (“Waterleaf”) for Design Services for the Bus Hoists Replacement 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: September 16, 2015

Attest:

Presiding Officer

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department

RESOLUTION 15-09-55

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH WENAHA GROUP, INC. FOR THE BUS HOISTS REPLACEMENT PROJECT

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract with Wenaha Group, Inc. for Project Management, Design Management, and Construction Management services for the Bus Hoists Replacement Project (“Contract”); and

WHEREAS, the total amount of the Contract shall 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.
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Dated: September 16, 2015

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