

Date: June 26, 2024

To: Board of Directors

From: Sam Desue, Jr. 

Subject: **RESOLUTION NO. 24-06-35 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH KPFF, INC. (KPFF) FOR DESIGN SERVICES FOR THE 82ND AVENUE TRANSIT 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 KPFF, Inc. (KPFF) for the 82nd Avenue Transit 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**

The 82nd Avenue corridor is a major north-south connection for Portland residents and serves some of the most culturally-rich and diverse communities anywhere in the State of Oregon. The corridor serves a mix of low-income and limited-English communities, a majority of whom are entirely dependent on transit to get to their destinations.

Today, the TriMet's Line 72 Killingsworth serves the 82nd Avenue corridor and has the highest ridership of any TriMet bus route. Line 72 is a frequent service route that connects

riders to major destinations, MAX light rail lines and over 20 bus routes within the corridor. It is a workhorse for the community with high ridership during the weekdays and weekends.

Despite the demand, Line 72 also ranks number one for highest cumulative passenger delay, with travel times and reliability anticipated to worsen over time. If tolling were implemented on nearby I-205, it could add even more traffic to 82nd Avenue, especially during the corridor's busiest times.

The corridor also is one of the region's most dangerous. Included in Portland's Vision Zero Network, 82nd Avenue has six of the highest crash intersections in the City. In an effort to address safety concerns, the Portland Bureau of Transportation is working on two phases of a major maintenance project to improve safety along the corridor. The second phase of this safety work is anticipated to be done in coordination with TriMet's 82nd Avenue Transit Project.

The 82nd Avenue Transit Project will be TriMet's second FX (Frequent Express) line, after the opening of the FX2-Division line, which opened in September of 2022.

Through use of various transit priority tools, the 82nd Avenue Transit Project will redesign 82nd Avenue to improve travel times and reliability, while also building long-term transit resiliency in the face of increasing population and traffic congestion. The Project will incorporate a combination of next generation transit signal priority, in-lane stops, stop consolidation, station platforms, dedicated lanes, queue jumps and high-capacity, zero-emissions articulated buses (along with other strategies) in order to deliver significantly improved transit to a part of the region in need of better, more reliable service.

The 82nd Avenue Transit Project will connect Clackamas Town Center, a major transit and retail hub, to one of two northern terminus locations (a preferred Cully Neighborhood location, and an alternative Parkrose Transit Center site). The northern terminus location will provide bus layover space in addition to pick-up/drop-off sites and a passenger station. The northern terminus will need to integrate community needs and priorities. This is especially the case in the preferred Cully location, where terminus operations will need to be woven thoughtfully into the neighborhood.

Articulated, zero-emissions, hydrogen fuel cell buses are anticipated to be used for the 82nd Avenue Transit Project. Procurement of buses, along with the design and implementation of required bus infrastructure (refueling stations, garage, maintenance bays, etc.) will be part of a separate contract.

7. **Description of Procurement Process**

TriMet utilized a competitive Request for Qualifications (RFQ) process to select a design services contractor for the 82nd Avenue Transit Project. A total of 878 vendors were notified of the RFQ via TriMet's eProcurement System (TriP\$). The RFQ was issued on April 1, 2024, with a proposal due date of April 25, 2024. A pre-proposal conference was held on April 10, 2024, and a total of 24 firms attended.

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 received three (3) proposals that were determined to be responsive to the RFP. TriMet appointed an evaluation committee (EC), consisting of staff from TriMet’s Engineering and Construction and Diversity, Equity and Accessibility divisions, as well as the City of Portland, ODOT, and Metro. The EC scored the proposals in accordance with the procedures and criteria established in the RFQ.

Initial scores are summarized below:

Criteria	Kimley-Horn	KPFF	WSP
Corporate Experience (10 Points)	7.71	9.43	8.43
Personnel Experience (30 Points)	20.57	27.29	24.00
Subcontractor and Diversity Plan (15 Points)	13.29	12.43	12.71
Work Plan and Quality Control Plan (25 Points)	18.29	23.14	20.29
Availability and Track Record (5 Points)	3.14	4.43	3.57
Cost Estimating, Cost Controls and Value Engineering (10 Points)	6.43	8.00	7.71
Total Scores . . .	69.43	84.72	76.71
COBID Certification Points (5 Points)	0.00	0.00	0.00
TOTAL OVERALL SCORES . . .	69.43	84.72	76.71

After completing the initial review process, the EC determined that KPFF and WSP should be brought in for interviews. The interviews were held on May 13, 2024. Following interviews, the firms were invited to submit revised proposals documenting any changes made pursuant to the interviews. Revised proposals were received on May 20, 2024. The EC reconvened following receipt of the revised proposals and rescored the proposers. The EC reached a consensus that KPFF was the most qualified firm.

Founded in Portland in 1974, KPFF, Inc. Consulting Engineers is one of the region's largest civil and structural engineering firms. KPFF has worked on a number of TriMet projects, including structural engineering for the Steel Bridge, the Ruby Junction Shop Modifications, the Southwest Corridor Design Team, and as a consultant to WSP on the Division Transit Project. In addition, KPFF provided design services for C-Tran's Mill Plain Bus Rapid Transit project and is currently engaged with the City of Portland on its 82nd Avenue Safety Corridor improvements. To ensure that the Project has the capacity and capability needed to strategically move through the design process, KPFF has included Parametrix, Nelson\Nygaard, DKS and HDR on its team as key subconsultants.

Final scores are summarized below:

Criteria	KPFF	WSP
Corporate Experience (10 Points)	9.43	8.43
Personnel Experience (30 Points)	27.29	23.29
Subcontractor and Diversity Plan (15 Points)	12.43	12.57
Work Plan and Quality Control Plan (25 Points)	23.57	20.14
Availability and Track Record (5 Points)	4.43	3.57
Cost Estimating, Cost Controls and Value Engineering (10 Points)	8.00	7.71
Total Scores . . .	85.15	75.71
COBID Certification Points (5 Points)	0.00	0.00
TOTAL OVERALL SCORES . . .	85.15	75.71

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 six-year Contract to KPFF, in an amount not to exceed \$17,500,000 for the 82nd Avenue Transit Project. Notwithstanding the Independent Cost Estimate (ICE) of approximately \$15,000,000, TriMet staff determined that the negotiated not to exceed amount is a fair and reasonable contract price in relation to the local market for this type of work and in comparison with rates of other firms for similar services. Because it is a “not to exceed” amount, the final amount paid to KPFF could be less than \$17,500,000. The negotiated contract amount is also within the budget established for this Project.

8. **Diversity**

KPFF’s total employee count is 1263, and its workforce is 33.3% minority and 34.3% female. KPFF anticipates using DBE certified firms for twenty-five percent (25%) of the work in the areas of storm water management, traffic engineering, and civil engineering along with several other disciplines.

9. **Financial/Budget Impact**

The initial funds for Project Development are committed in the operating budget for Engineering and Construction for FY2025, and will continue to be included in future proposed budgets.

10. **Impact if Not Approved**

If the Board does not approve this Resolution, TriMet could attempt to re-procure the design 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.

RESOLUTION NO. 24-06-35

**RESOLUTION NO. 24-06-35 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A
CONTRACT WITH KPFF, INC. (KPFF) FOR DESIGN SERVICES FOR THE
82ND AVENUE TRANSIT PROJECT**

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract (Contract) with KPFF, Inc. (KPFF) for the 82nd Avenue Transit Project (Project); and

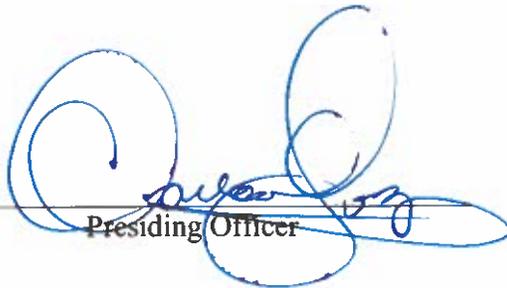
WHEREAS, by Resolution No. 22-05-35, dated May 25, 2022, the TriMet Board of Directors (Board) adopted a Statement of Policies requiring the Board to authorize all contracts obligating TriMet to pay in excess of \$1,000,000; and

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 \$17,500,000, over the six-year Contract term.

Dated: June 26, 2024


Presiding Officer

Attest:


Recording Secretary

Approved as to Legal Sufficiency:



Legal Department