

BEFORE THE METRO CONTRACT REVIEW BOARD

FOR THE PURPOSE OF AUTHORIZING) RESOLUTION NO. 00-2973
AMENDMENTS TO CERTAIN PERSONAL)
SERVICES CONTRACTS OF)
ENVIRONMENTAL AUDITORS AND)
SURVEYORS FOR THE METRO OPEN)
SPACES ACQUISITION DIVISION) Introduced by Mike Burton

WHEREAS, in July 1992, Metro completed the Metropolitan Greenspaces Master Plan which identified a desired system of natural areas interconnected with greenways and trails; and

WHEREAS, at the election held on May 16, 1995, the Metro area voters approved Ballot Measure 26-26, the Open Spaces, Parks and Streams Bond Measure ("Open Spaces Bond Measure"), which authorizes Metro to issue \$135.6 million in general obligation bonds to finance land acquisition and capital improvements pursuant to the Open Spaces Bond Measure; and

WHEREAS, on November 2, 1995, pursuant to Resolution No. 95-2228A, the Metro Council adopted certain acquisition parameters and due diligence standards as part of the Open Spaces Implementation Work Plan as amended by Resolution No. 96-2424, adopted January 9, 1997; and

WHEREAS, on October 12, 1995, the Metro Council adopted Resolution No. 95-2175, authorizing issuance of a Request for Qualifications/Proposals (1995 RFQ/P) and resulting multi-year contracts with selected contractors pursuant to the 1995 RFQ/P; and

WHEREAS, in December 1995, and January 1996, under Resolution No. 95-2175, Metro executed multi-year contracts effective through December 31, 1998, with various contractors in eight disciplines (appraisers, biologists, civil engineers, construction managers, environmental auditors, landscape architect/planners, negotiators, and surveyors) for professional acquisition personal services; and

WHEREAS, on May 1, 1997, the Metro Council adopted Resolution No. 97-2484, amending the amounts of certain contracts, including certain Environmental Auditor contracts and Surveyor contracts; and

WHEREAS, Metro Open Spaces has thus far utilized professional services from those executed contracts to perform due diligence and purchase over 6,200 acres pursuant to the Open Spaces Bond Measure throughout the region; and

WHEREAS, on August 13, 1998, Metro Council adopted Resolution No. 98-2687, amending the value of certain environmental auditor contracts and extending some contract dates; and

WHEREAS, the amount of certain Environmental Auditor contracts and Surveyor contracts will be immediately exhausted; and

WHEREAS, the ability to use professional acquisition services in a timely fashion is essential to cost-effective property acquisition in a competitive real estate market; and

WHEREAS, Metro staff has prepared amendments to certain Environmental Auditor and Surveyor contracts for property acquisition services for Open Spaces Bond Measure acquisitions, as set forth in Exhibit A; and

WHEREAS, the original scope of work that was described in the original RFQ/P will continue to govern the work to be done under the amended contracts; and

WHEREAS, the increase in contract amounts is necessary to enable staff to continue to acquire open spaces pursuant to the Open Spaces Implementation Work Plan; and

WHEREAS, an RFQ/P for environmental / surveyor services will be issued shortly, which will encourage competition in the procurement of these services; and

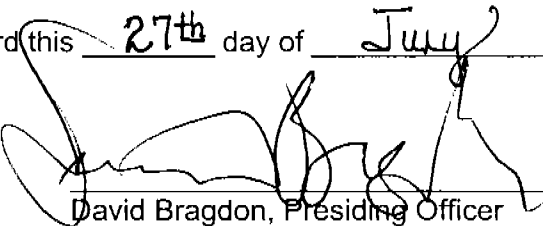
WHEREAS, the Metro Council has determined that it is appropriate to amend the contracts as set forth in Exhibit A after considering the immediate need for amendment so that the Open Spaces acquisitions can continue and given the policy that favors competitive procurement of personal services; and

WHEREAS, Metro Code section 2.04.046 requires Metro Contract Review Board approval prior to amendment of such contracts; now therefore,

BE IT RESOLVED,

That the Metro Contract Review Board authorizes amendments to certain Property Acquisition Personal Services Contracts of Environmental Auditors and Surveyors as set forth in Exhibit A.

ADOPTED by the Metro Contract Review Board this 27th day of July, 2000.


David Bragdon, Presiding Officer

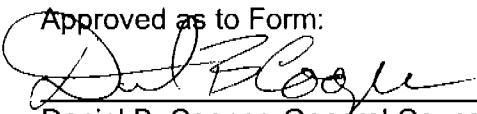
Approved as to Form:

Daniel B. Cooper, General Counsel

Exhibit A

Resolution No. 00-2973

Amendment of Certain Open Spaces Acquisition Personal Services Contracts
Of Environmental Auditors and Surveyors As of June 28, 2000

Contract No.	Contractor Name	Type of Acquisition Service	Current Contract Balance	Current Termination Date	Amount to Amend to Contracts
904672	AGI Technologies	Environmental Auditor	\$37,633	12/31/2000	\$15,000
904674	De Minimis, Inc.	Environmental Auditor	\$4,631	12/31/2000	\$25,000
904669	Hahn & Associates	Environmental Auditor	\$2,810	12/31/2000	\$25,000
904670	PBS Environmental	Environmental Auditor	\$12,570	12/31/2000	\$25,000
904782	Alpha Engineering	Surveyor	\$27,076	06/30/2001	\$25,000
904776	Compass Corporation	Surveyor	\$22,400	06/30/2001	\$25,000
904774	David Evans & Associates	Surveyor	\$11,489	06/30/2001	\$25,000
904777	Olson Engineering, Inc.	Surveyor	\$25,000	06/30/2001	\$25,000
904775	OTAK	Surveyor	\$6,621	06/30/2001	\$25,000
904773	Stuntzner Engineering & Forestry	Surveyor	-\$2,825	06/30/2001	\$25,000
904772	W & H Pacific	Surveyor	\$18,500	06/30/2001	\$25,000
904780	W.B. Wells	Surveyor	\$31,050	06/30/2001	\$15,000
904779	Westlake Consultants, Inc.	Surveyor	\$25,000	06/30/2001	\$15,000

OPERATIONS COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 00-2973, FOR THE PURPOSE OF AUTHORIZING AMENDMENTS TO CERTAIN PERSONAL SERVICES CONTRACTS OF ENVIRONMENTAL AUDITORS AND SURVEYORS FOR THE METRO OPEN SPACES ACQUISITION DIVISION

Date: July 27, 2000

Presented by: Councilor Atherton

Committee Recommendation: At its July 19, 2000, meeting, the Operations Committee voted 3-0 to recommend Council adoption of Resolution No. 00-2973. Voting in favor: Washington, Monroe, Atherton. Voting against: none. Absent: none.

Background: Charles Ciecko, Parks and Greenspaces Director, presented the staff report. He explained that, due to more environmental and surveyor work being required than was originally anticipated, amendments to certain contracts for environmental surveyors and auditors are needed in order for the Open Spaces Acquisitions Division to continue its due diligence work.

An RFP/Q is being issued for these services, and will come to Council for approval by resolution at a later date. This resolution amends existing contracts immediately so there will be no interruption in conducting pending land transactions.

Committee Issues/Discussion: There was no discussion.

Staff Report

IN CONSIDERATION OF RESOLUTION NO. 00-2973 FOR THE PURPOSE OF AUTHORIZING AMENDMENTS TO CERTAIN PERSONAL SERVICES CONTRACTS OF ENVIRONMENTAL AUDITORS AND SURVEYORS FOR THE METRO OPEN SPACES ACQUISITION DIVISION

Date: July 7, 2000

Presented By:

Jim Desmond
Alison Kean Campbell

PROPOSED ACTION

Resolution No. 00-2973 requests the authorization of amendments of certain Personal Services Contracts of Environmental Auditors and Surveyors for the Property Acquisition Services for the Metro Open Spaces Acquisition Division.

EXISTING LAW

Metro Code 2.04.046 requires Metro Council approval for amendments to contracts with an initial amount greater than \$25,000 where the amendment will increase the total amount payable to an amount more than \$25,000 greater than the initial contract.

BACKGROUND AND ANALYSIS

The Open Spaces Implementation Work Plan, adopted by the Metro Council on November 1995, as amended in January, 1997, requires that certain specified due diligence activities be performed on all Open Spaces properties purchased pursuant to the Open Spaces, Parks & Streams Bond Measure 26-26. On October 12, 1995 the Metro Council approved Resolution No. 95-2175 authorizing issuance of a Request for Qualifications/Proposals (1995 RFQ/P) and entering into multi-year contracts with selected contractors pursuant to the 1995 RFQ/P.

In 1995, the Metro staff prepared a 1995 RFQ/P for property acquisition personal services to be utilized in conjunction with the purchase of open space sites. The 1995 RFQ/P was intended to identify qualified consultants in several different areas of expertise needed to accomplish the property acquisitions. The professionals which were the subject of that 1995 RFQ/P were appraisers, negotiators, biologists, surveyors, civil engineers, environmental auditors, planners/landscape architects and construction managers. Multi-year master contracts effective through December 31, 1998 were executed with each of the selected consultants. The original 1995 RFQ/P indicated that consultants are not guaranteed to receive any certain number of assignments. The original amounts of the contracts were estimates intended to provide sufficient dollars until a track record of contractor performance and program need was established. Due to an increased need for additional environmental auditor and surveyor work, on May 1, 1997 and August 13, 1998, Metro extended certain personal services agreements via Resolution Nos. 97-2484 and 98-2687, respectively.

Since the inception of the Open Spaces Acquisition Program, Metro Open Spaces staff has been using professional acquisition services from those master Open Spaces contracts to

1. Plan the lift and identify the path to be taken to be sure it is clear.
 - Employees may not lift an object that is beyond their physical ability. When unsure, use a lifting device (cart, hand truck, etc.) or get help.
2. Avoid unnecessary bending or reaching. Do not reach over or around items, blocking the object to be lifted. Do not reach above the shoulder; use a stool or ladder.
 - Place one foot ahead of the other, and bend at the knees to gain access to the package.
 - Place the lead hand (the hand on the side of the lead foot) to the front of the item. Placing the trailing hand to the rear, tilt the item forward and slide the trailing hand underneath.
 - Use your legs to do the lifting. Avoid twisting at the waist and then walking. Instead, use feet to turn first.
3. Keep the load to the front, and bring it close to the body's center of gravity (near the waist).
 - If possible, do not set an item on the ground if it must be picked up again.
4. Be sure the view is not blocked by the item, then carry the load to the desired location carefully.
 - Try to handle the item(s) at waist level.
 - When placing an item on a desk top, counter, or shelf, place the lead or forward edge (the edge away from the body) on the surface and push the item into position. Be sure there is room for the item, with nothing to interfere with its placement.
 - When placing an item on the ground, bend at the knees. Place the forward edge down first. Slide both hands to the rear and clear of the bottom, then set the rear end down.
5. When team lifting, establish a leader and follow his or her instructions and signals.
 - Make sure everyone understands the plan (where and how the object will be moved) and any signals to be used. Be sure all

EMERGENCY RESPONSE

What happens in an emergency?

Medical

Metro facilities have designed plans to ensure that rapid medical care is provided to an ill or injured employee. This plan outlines what medical services are available in the event of an emergency and where to access them. For an explanation of a site specific medical plan, see the supervisor responsible for the area.

Employees should be familiar with the location of first aid kits in their building, and know who the first aid providers are.

Evacuation

Evacuation of a Metro facility may be required for a variety of reasons, including fire, bomb threat or other facility-specific threat. Evacuation may also be required because of an emergency that affects more than the single Metro facility, such as earthquake damage, a spreading fire near the facility, etc.

Each employee is responsible for becoming familiar with his or her facility's evacuation plan. At a minimum you should know where your building exits are located and where to report in to your supervisor after evacuating the building.

HEARING PROTECTION

Are you working in a loud environment?

Metro has developed a hearing protection program to protect employees from exposure to excessive noise for extended periods of time. If you believe your work site has excessive noise, contact your supervisor. Supervisors have hearing protection equipment available that can reduce the noise exposure and make the job more comfortable to perform. If the hearing protection is not adequate, other options may be available through the supervisor or Risk Management.

HAZARD COMMUNICATION (RIGHT TO KNOW PROGRAM)

Does the job include working with chemicals?

All employees have a right to know the potential hazards of chemicals used in their workplace.

Employees who use chemicals as a regular part of the job must read, understand and be trained on Metro's Hazardous Communications Booklet. Training can be provided by the supervisor or Risk Management.

Metro employees who use chemicals as a regular part of the job must adhere to the following rules:

1. Talk to your supervisor before using any chemicals.
2. Read the label to learn how to appropriately use the chemical and what hazards there may be.
3. Know where the material safety data sheets (MSDS) are located for the chemicals. (MSDS's provide detailed information about health and physical hazards, chemical ingredients, exposure limits, personal protective equipment, emergency procedures and spill response.)
4. If you move a chemical from its original container into a new, unlabeled one, you must mark the new container with the information from the original container label.
5. Do not use chemicals in unmarked containers. Report all unmarked containers to the supervisor.
6. Always wear eye protection and gloves when using hazardous chemicals. Your supervisor may require additional personal protective equipment. The MSDS will help to determine which chemicals are hazardous and describe proper personal protective equipment.
7. If you are injured by a chemical, seek immediate medical attention, and call 9-1-1 if necessary.

HIT BY OBJECTS

Is it possible for you to be hit by an object?

Occasionally, while in the process of completing our job duties, we may be hit by or struck by another object. Below are some steps that may prevent an injury resulting from these situations.

1. If you are working in an area with dust or other fine particulate, wear goggles or a face mask to protect your eyes.
2. Protect your feet from carts, hand trucks or other items that might roll over your feet in the process of moving equipment. Protective foot

wear is advisable.

3. Review proper procedures for hand tool usage. Avoid repetitive twisting of hands and wrists. To avoid overuse problems, take breaks and rotate job tasks.
4. Ensure materials are properly stored to reduce the likelihood of the next person being injured by a falling tool, box or other potentially dangerous item.

LOCKOUT/TAGOUT

Do you work around equipment that is being repaired?

Never use equipment which has a tag near the off/on switch.

Occasionally equipment needs to be repaired. In order to protect workers and the person repairing the equipment, a lockout/tagout system has been developed. If you see a piece of equipment with a lock or a tag on it, **do not** turn on the equipment. The lock or tag will clearly identify:

- The equipment which is being repaired.
- The person repairing the equipment.
- The date repairs began.
- The person in charge of repairing the equipment.

Locks or tags can only be removed by the person in charge of the repair.

Employees who are authorized to make repairs on equipment must receive training on proper lockout/tagout procedures. See the area supervisor for more details.

LIFTING

Is there a problem with the way I lift objects?

It depends on:

- What is being lifted.
- Where it is being carried.
- How it is being lifted.
- How often it must be moved.
- How much it weighs.

purchase over 6,200 acres. Staff has utilized many consultants within each discipline, appropriate to meet the requirements of each particular job. Consultants provide quotes based on a specific scope of work and completion date. Many acquisitions are pending and many more will be negotiated over the remaining life of the Open Spaces acquisition program.

Using consultants from the Open Spaces master contract list enables staff to utilize acquisition services in a cost-effective manner. Often, quick completion of a scope of work is essential to remain competitive in the fast-paced real estate market. Use of acquisition services from a list of master contracts is considered essential to acquiring property pursuant to the Open Spaces bond measure.

More environmental and surveyor work has been required than originally contemplated. Due to immediate workload required by pending and near future transactions, the amendment of current personal services agreements for environmental auditors and surveyors is required. The Metro Open Spaces Acquisitions Division is also simultaneously issuing an RFQ/P for these environmental and surveyor services. The RFQ/P is currently subject to a 10-day letter, which at Council's option will go before Council by resolution. The RFQ/P process is anticipated to be finalized in the early fall 2000. The resolution at issue here will amend the contracts immediately so that pending and immediate-future land acquisitions can go forward in a timely fashion.

BUDGET IMPACT

Resolution No. 00-2973 amends the Personal Services Contracts for: (a) certain Environmental Auditors, by increasing the contract amounts as set forth in Exhibit A, and (b) certain Surveyors, by increasing the contract amounts as set forth in Exhibit A. These increased amounts will be paid for out of Open Spaces Bond Measure funds.

Executive Officer's Recommendation

The Executive Officer recommends passage of Resolution No. 00-2973.