



Agenda

COUNCIL MEETING

METROPOLITAN SERVICE DISTRICT 527 S.W. HALL ST., PORTLAND, OREGON 97201 503 221-1646
Providing Zoo, Transportation, Solid Waste and other Regional Services

Date: May 23, 1985

Day: Thursday

Time: 5:30 p.m.

Place: Council Chamber

Approx.
Time *

Presented By

5:30

CALL TO ORDER
ROLL CALL

1. Introductions
2. Councilor Communications
3. Executive Officer Communications
4. Written Communications to Council on Non-Agenda Items
5. Citizen Communications to Council on Non-Agenda Items

6:00

6. CONSENT AGENDA

6.1 Approval of the Minutes of the Meeting of April 25, 1985

6.2 Consideration of Resolution No. 85-566, for the Purpose of Authorizing Federal Funds for Eight 16(b)(2) Special Transportation Projects and Amending the Transportation Improvement Program Cotugno

6.3 Consideration of Resolution No. 85-567, for the Purpose of Amending the Transportation Improvement Program to Incorporate Urban Mass Transportation Administration Grant Applications for 20 Accessible Vans Cotugno

6.4 Consideration of Resolution No. 85-568, for the Purpose of Amending the Transportation Improvement Program to Include an I-5 Pavement Subsidence Geological Investigation Project Cotugno

* All times listed on this agenda are approximate; items may not be considered in the exact order indicated.

(continued)

Approx.
Time

Presented By

6. CONSENT AGENDA (continued)

6.5 Consideration of Resolution No. 85-570, for the Purpose of Amending the Transportation Improvement Program to Expand the Scope of the Multnomah County S.E. Stark Street Project Cotugno

Council Management Committee Recommendation:

6.6 Consideration of Resolution No. 85-573, for the Purpose of Amending the Pay & Classification Plans for the Metropolitan Service District (Personnel Officer, Data Processing Manager and Programmer) Sims

7. RESOLUTIONS

6:05 7.1 Consideration of Resolution No. 85-572, for the Purpose of Approving the Transfer of Franchise Permit No. 5 from Oregon Waste Management, Inc. and Genstar Conservation Systems, Inc. to Genstar Waste Transfer, Inc. Aman

6:20 7.2 Consideration of Resolution No. 85-574, for the Purpose of Granting an Exemption from the Public Contracting Procedure for the Purchase of Computer Equipment for Transportation Purposes Baxendale

6:40 EXECUTIVE SESSION held under the authority of ORS 192.660 (1) (d) Carlson

7:10 8. COMMITTEE REPORTS

7:15 ADJOURN

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3475C/313-6
05/16/85



Agenda

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METROPOLITAN SERVICE DISTRICT 527 S.W. HALL ST., PORTLAND, OREGON 97201 503 221-1646
Providing Zoo, Transportation, Solid Waste and other Regional Services

Date: May 23, 1985

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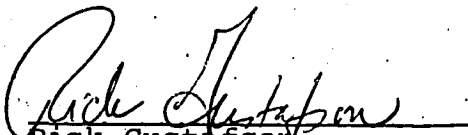
Time: 5:30 p.m.

Place: Council Chamber

CONSENT AGENDA

The following business items have been reviewed by the staff and an officer of the Council. In my opinion, these items meet with the Consent Agenda Criteria established by the Rules and Procedures of the Council. The Council is requested to approve the recommendations presented on these items.

- 6.1 Approval of the Minutes of the Meeting of April 25, 1985
- 6.2 Resolution No. 85-566, for the Purpose of Authorizing Federal Funds for Eight 16(b)(2) Special Transportation Projects and Amending the Transportation Improvement Program
- 6.3 Resolution No. 85-567, for the Purpose of Amending the Transportation Improvement Program to Incorporate Urban Mass Transportation Administration Grant Applications for 20 Accessible Vans
- 6.4 Resolution No. 85-568, for the Purpose of Amending the Transportation Improvement Program to Include an I-5 Pavement Subsidence Geological Investigation Project
- 6.5 Resolution No. 85-570, for the Purpose of Amending the Transportation Improvement Program to Expand the Scope of the Multnomah County S.E. Stark Street Project


Rick Gustafson
Executive Officer

RG:amn

Agenda Item No. 6.1

Meeting Date May 23, 1985

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

April 25, 1985

Councilors Present: Councilors DeJardin, Gardner, Hansen, Kelley, Myers, Oleson, Van Bergen, Waker and Bonner

Councilors Absent: Councilors Cooper, Kirkpatrick and Kafoury

Staff Present: Don Carlson, Eleanore Baxendale, Jennifer Sims, Sonnie Russill, Vickie Rocker, Leigh Zimmerman, Norm Wietting, Chuck Geyer, Ed Stuhr, Doug Drennen, Keith Lawton, Kay Rich, Bob Porter, Andy Cotugno, Ray Barker

Chairman Bonner called the meeting to order at 5:35 p.m.

1. INTRODUCTIONS

None.

2. COUNCILOR COMMUNICATIONS

The Presiding Officer reported he had received a letter from Councilor Cooper, who would not be able to attend this meeting, stating his opinions on matters relating to the FY 1985-86 Budget and Resolution No. 85-564. The Presiding Officer said Councilor Cooper's comments would be read when each of those items were considered later in the meeting.

3. EXECUTIVE OFFICER COMMUNICATIONS

Don Carlson explained the Executive Officer was out of town. He then reviewed highlights of the document entitled "1984-85 Program Progress Reports, Third Quarter, January-March 1985." He reported Zoo attendance for the first three quarters was 14,000 greater than projected. The volume of solid waste received at St. Johns Landfill was greater than projected due to Clark County and southern Oregon haulers using the facility. Regarding Affirmative Action, at March 31, 1985, the Metro work force was 48.3 percent female and 5.6 percent minority. Projections were 56.9 percent and 6.4 percent respectively. Two women were recently hired for professional and supervisory positions which would increase the percentage of female employment for the fourth quarter, he reported. Disadvantaged Business Enterprise (DBE) participation for the third quarter was 5.4 percent lower than projected, but the forthcoming Bear Grotto construction contract award would increase DBE participation to meet anticipated goals. Finally, Mr. Carlson summarized the progress of several priority projects as reported on the last page of the Third Quarter Report.

4. WRITTEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

5. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

Presiding Officer Bonner said representatives from Todd Building Company wished to address the Council about the recent contract award for the Zoo's West Bear Grotto Remodel to Bishop Contractors, Inc. Councilor Myers announced his law firm was general counsel to Todd Building Company and, as such, asked to be excused from participation in this matter. He then left the Council Chamber.

Arnold Gray of Stoel, Rives, Boley, Fraser & Wyse, Attorneys at Law, 900 S.W. 5th Avenue, Portland, Oregon, representing Todd Building Company, said he wished to present Todd's position regarding public bid procedures for the project and reviewed the series of events leading up to Todd Building Company's dispute with the recent bid award to Bishop Contractors. Mr. Gray said at a pre-bid meeting with the qualified contractors, staff and architects suggested cost savings proposals and value engineering would be an element to be submitted with the lump sum bid. A request for cost savings proposals was also included in the bid advertisement and published in a local newspaper. He said it was very clear, based on the bid advertisement and instructions received at the meeting, that cost savings proposals were to be submitted with the sealed, lump sum bids. The bid would then be awarded on the basis of original, acceptable cost savings ideas and the lump sum bid, he said. Metro could, however, reserve the right to use cost savings ideas submitted by higher bidders via deductive change orders once the contract had been awarded.

Mr. Gray explained after the initial, above-mentioned communications with the five finalists, the actual bid documents were distributed to the bidders and these documents contained no information or instructions about cost savings proposals or value engineering. The documents contained the standard public contracting provisions and explained the contract would be awarded to the lowest, responsible bidder and that Metro could reject bids if in the public interest.

Mr. Gray explained a key point he wanted to make was that the bid documents controlled the bid process even though all of the five bidders were told the Zoo had intended to pursue a different process, according to the terms of Resolution No. 85-513. Based on instructions in the bid documents, Todd Building Company speculated Metro had changed their original approach in soliciting cost savings proposals, he said. Mr. Gray presumed all the bidders reached the same conclusion because Metro received no lump sum bids with cost savings proposals. This, he said, was the flaw in the system.

Because Metro did want cost savings proposals submitted with the lump sum bids, Mr. Gray said staff asked the three companies submitting bids if they could provide those proposals after the lump sum bids were received. Mr. Gray said he learned at least one phone call was made to Todd's bid estimator from Metro requesting such participation. The estimator expressed concern about participating in that process but was apparently advised there would be a meeting to evaluate cost savings proposals and if Todd didn't show, they "didn't show." Todd, however, did acquiesce to the procedure and submitted cost savings proposals. Mr. Gray said Todd should have, at that point, objected to the change in procedure but proceeded in good faith. Based on evaluation of cost savings proposals, Bishop Contractors, the second lowest bidder based on lump sum bids, was ultimately found to be the low bidder, Mr. Gray explained.

Mr. Gray reported when Todd Building Company realized the outcome of the process, Doug Winn of Todd's Construction Management Division, communicated his concerns with the process in a letter to Mr. Rich dated April 8, 1985. Before the letter was prepared, Mr. Gray said he advised Mr. Winn the letter would constitute a bid protest. However, he explained, because the letter was of a politic and polite nature, it was not fully understood by staff the letter was a bid protest. Therefore, the Council awarded the construction bid to Bishop Contractors, Inc. and the Council was advised staff would meet with Todd to resolve their concerns. Mr. Gray said he assumed the letter would cause staff to postpone the bid award until Todd's concerns had been addressed.

Mr. Gray then explained the different nature of the cost savings proposals submitted by Bishop and Todd construction companies. Todd assumed, based on knowledge of Oregon public bid laws and common law relating to public bid laws, that cost savings proposals must conform to value engineering standards, i.e., specifications could not be altered.

In summary, Mr. Gray explained the legal basis of Todd's position was the bid instructions stated the contract would be awarded to the company submitting the lowest lump sum bid and this was not done. If the bid award was not made to Todd Building Company, Mr. Gray said he had been instructed to file proceedings to mandate the award be made to Todd as the lowest responsive bidder on bid opening day. Todd felt the bidding system was subject to either actual abuse or, more importantly, the potential for abuse. After the lump sum bids were known, Bishop Contractors, who submitted a higher lump sum bid than Todd, had the opportunity to find ways of saving value but also were given the opportunity to delete items from the project and forced a subcontractor to reevaluate its bid price, he reported. Mr. Gray said Metro should not allow the public bidding system to be

subject even to the appearance of impropriety. He asked the Council to reconsider the matter and to award the contract to Todd Building Company at the bid price submitted by Todd.

Councilor Van Bergen asked if Bishop Contractors had received a copy of staff's memo to the Council summarizing the Bear Grotto contract award problem dated April 25, 1985. Mr. Gray said Todd had received a copy of the memo.

Councilor Waker asked why the Council had not received copies of Todd's letter to Mr. Rich dated April 8, 1985. Ms. Baxendale explained the letter was addressed to staff. Councilor Waker recalled at the April 11 Council meeting he asked staff if anyone had protested the recommended award to Bishop and staff had responded no one had protested. Mr. Gray said although the letter did not contain the actual words "bid protest," the content of the letter stated Todd thought the bid laws had been violated and a meeting was requested to discuss the matter.

Councilor Hansen asked if Todd had received any written instructions for submitting cost savings proposals prior to submitting those proposals. Mr. Gray said no written instructions were received. However, the low three bidders were advised via telephone of the same submittal procedures. Letters from the architect confirming the phone calls were sent to the three bidders the day after calls were made. The letter, he said, requested cost savings proposals be submitted but it did not explain how the proposals would be evaluated. Had the phone calls been made and the letters sent prior to bid opening day, Todd would have no problem with the process, Mr. Gray said.

Ms. Baxendale recalled Mr. Gray had referred to Todd receiving a phone call advising them of a meeting on cost savings proposals after the bids had been opened and if Todd did not show up for the meeting, that would be "too bad" (loosely quoting Mr. Gray's previous statement). She asked who made the call and who received it.

Mr. J. R. Todd of Todd Building Company, 2155 West Military, Roseberg, Oregon, explained his project estimator, Mr. Dothy, had received a call after the project was bid from the architect about a meeting to explain cost savings proposals. Mr. Todd said Mr. Dothy initially rejected the idea of a meeting on the basis the bid should have been awarded to the lowest, responsive bidder. He said Mr. Dothy received another phone call advising Todd of the date cost savings proposals should be submitted. At that point, Todd decided to proceed with submitting proposals, he explained.

Paul Meyer of Cogan & Meyer, Attorneys at Law, 610 S.W. Alder, Portland, Oregon, representing Bishop Contractors, Inc., said he did not think there was anything improper in Metro's method and manner of contracting for the project. In the original bid proposal, Metro listed a number of alternates. He explained it was well within Metro's powers to accept the base bid plus certain alternates that would have made Bishop the low bidder. The original notice to bidders clearly indicated cost savings proposals would be evaluated after the contract award, he explained. At the worst, one could say there was possible ambiguity in the bid instructions, he said. However, none of the bidders included cost savings with their lump sum bids which led Bishop to conclude the bidders understood the cost savings proposals would be evaluated post-bid. A letter from Jones & Jones, project architect, dated March 7, 1985, was sent to each of the bidders confirming oral communications and describing the procedure to be used, he explained.

Mr. Meyer emphasized Todd participated in each step of the process Metro had established for determining a contract award. Todd's cost savings proposals, however, were extremely modest compared to those submitted by Bishop. Todd only decided to complain about the process after it was known Metro intended to award the bid to Bishop, he said. Mr. Meyer explained Todd's letter to staff dated April 8 did not criticize the concerns raised by Mr. Gray at this meeting. The letter actually criticized what Todd considered to be an inappropriate process for evaluating cost savings proposals and objected to acceptance of proposals that were not value engineering in nature, he said. Mr. Meyer stated this criticism was inappropriate since Todd also proposed cost savings ideas which were not value engineering.

Mr. Meyer, in summary, stated Todd and Bishop had bid the contract according to the same set of instructions, and on April 11 the Council awarded the contract to Bishop, the low bidder. He said the contract had been signed and returned along with a performance and payment bond, constituting a binding contract. Bishop had already entered into agreements with subcontractors and if Metro decided not to award the contract to Bishop, a suit could result, he said.

Councilor Waker asked Mr. Meyer if he agreed the intent of the language of the bid invitation was that cost savings proposals would be received with the lump sum bids and evaluated after the bid opening. Mr. Meyer responded he did not agree that was the intent because no forms for cost savings proposals were furnished at that time. In response to Councilor Waker's question, Mr. Meyer said it was clear there would be a post-bid negotiation of cost savings and no language in the bid invitation precluded submission of cost savings ideas at the post-bid stage. This was the procedure explained to the three eligible finalists, he said.

Councilor Van Bergen asked if Bishop Contractors had received a copy of staff's memo to the Council summarizing the Bear Grotto contract award problem dated April 25, 1985. Mr. Meyer said he had received a copy of the memo but had not seen any written materials submitted by Todd other than the April 8 letter to staff.

Presiding Officer Bonner then invited staff to address the Council. Ms. Baxendale explained she had learned on April 24 of Todd Builder's intent to address the Council. She asked Mr. Rich to explain his response upon receiving Todd's letter dated April 8. Mr. Rich said he received the letter on April 11. The letter reiterated matters previously discussed with the architects and himself. He said he interpreted the letter as concern over two cost savings items presented by Bishop. On the afternoon of April 11, Mr. Rich questioned the architect to determine if one of the items in question was a reasonable submission. Mr. Rich determined the item was reasonable. In summary, he thought these concerns were technical in nature and if the architect, staff and Todd could meet to discuss these items in question, Todd's concerns would be satisfactorily addressed. He said he was unaware he should have submitted Todd's letter to legal counsel or to the Council.

Ms. Baxendale summarized the issues before the Council, referring to the staff report. First, did Metro abandon the cost savings idea by not including the appropriate bid sheet in the bid document? In response to Presiding Officer Bonner's question, Ms. Baxendale reported the term "cost savings proposals" was not used in the bid document. However, the term did appear in the invitation to bid, in letters to potential bidders, and cost savings proposals were discussed in interviews with construction companies, she said.

The second issue before the Council was whether Metro could use cost savings ideas after the proposals had been opened and still be consistent with the established bid exemption process.

The third issue before the Council was the definition of cost savings. Todd claimed the definition of this term was so unclear and open to such divergent interpretations that the process would be unfair. Ms. Baxendale then asked the project architect, Keith Larson, to discuss his communications with the bidders as it related to this issue.

Mr. Larson reported he phoned Doug Winn of Todd Building Company on March 6, 1985, working from prepared notes and he was looking for any ideas on cost savings proposals. He also talked to Bishop Contractors and relayed the same information. Bishop requested additional clarification. He then called Todd back to make sure they received exactly the same information as Bishop. He said his notes because the basis for a letter, drafted immediately after the calls were placed, and mailed the following day.

Finally, Ms. Baxendale responded to a statement made by Mr. Meyer about the contract already being awarded to Bishop Contractors and the only option available to the Council was to sign the contract. She explained that although staff was recommending the Council proceed with awarding the contract to Bishop, all the required documents had not been received from Bishop to proceed with executing the contract. The most important issue, however, was the propriety of the process, she said.

In response to Councilor Waker's question, Ms. Baxendale explained the Council could reject all bids only if it were in the public interest to do so. In this case, it must be determined the public bidding process and the exemption from same had not be carried out as intended by the Council, she said.

In response to Presiding Officer Bonner's question, Ms. Baxendale said she believed only two options were available to the Council: rejecting all bids or upholding the decision to award the contract to Bishop. She did not think awarding the contract to Todd was an option because the low bid was clearly defined in several documents and in conversations with bidders as the lump sum bid minus cost savings proposals.

A discussion followed about the definitions of cost savings proposals and value engineering. Mr. Larson and Mr. Rich said it had been made very clear, both in written documents and in conversations with bidders, that Metro was soliciting cost savings proposals which might include value engineering. In no way could instructions to bidders be interpreted as limited to value engineering, they stated.

Motion: Councilor Waker moved the meeting adjourn into an Executive Session to discuss the matter further. Councilor Gardner seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors DeJardin, Gardner, Hansen, Kelley, Oleson, Van Bergen, Waker and Bonner

Abstain: Councilor Myers

Absent: Councilors Cooper, Kirkpatrick and Kafoury

At 6:40 p.m., the Presiding Officer called the meeting into executive session under the provisions of ORS 192.660(1)(h). The regular session of the Council reconvened at 7:10 p.m.

Motion: Councilor Hansen moved the Council affirm awarding the bid for the West Bear Grotto project to Bishop Contractors, Inc. Councilor Gardner seconded the motion.

Councilor Waker said he could not support the motion because he did not believe the bid process followed was the process established by the Council and he did not believe the contractors submitted bids responsive to the advertisement for bids.

Councilor DeJardin said he believed the bid process was fair but he did not think the process was consistent with the Council's direction. Therefore, he could not support the motion.

Councilor Gardner agreed with Councilor Waker's statement and added it was everyone's expectation that the cost savings proposals would be included with the lump sum bid. When this did not occur, deviation from the process occurred, he said, even though Todd and Bishop agreed to participate in the final portion of the bid process.

Councilor Kelley agreed with the positions stated by Councilor Waker, DeJardin and Gardner.

Presiding Officer Bonner thought the fundamental error in the process was that no clear instructions for submitting cost savings proposals were contained in the bid document. Because the process was in error, he said he would not support the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Gardner, Hansen and Oleson

Nays: Councilors DeJardin, Kelley, Van Bergen, Waker and Bonner

Abstain: Councilor Myers

Absent: Councilors Cooper, Kirkpatrick and Kafoury

The motion failed.

Motion: Councilor Waker moved to reject all bids on the basis they were not responsive to the call for bids which had instructed bidders to include cost savings proposals in the basic bid for further evaluation. Councilor Oleson seconded the motion.

Councilor Waker explained Resolution No. 85-513 clearly outlined the bid process the Council expected would be followed and that process was not followed. If his motion were sustained, he expected staff to revise bid documents accordingly.

Vote: A vote on the motion resulted in:

Ayes: Councilors DeJardin, Gardner, Kelley, Oleson,
Van Bergen, Waker and Bonner

Nay: Councilor Hansen

Abstain: Councilor Myers

Absent: Councilors Cooper, Kirkpatrick and Kafoury

The motion carried.

Presiding Officer Bonner proposed the Council consider adopting a resolution prepared by staff in the event the Council chose to reject all bids. The resolution would amend Resolution No. 85-513, give direction to staff and clarify the new bidding process. (Note: this resolution was later identified as Resolution No. 85-565 and will be referred to by that number in this record.) Ms. Baxendale requested the Council carefully examine the draft resolution to ensure it contained all provisions deemed necessary by the Council.

Motion: Councilor Waker moved adoption of Resolution No. 85-565 to include the following amendment under the first "BE IT RESOLVED" paragraph, the language: "That the bids received under the exemption granted in Resolution No. 85-513 be rejected because of the detriment to competition caused by the unintended method of obtaining cost savings proposals and because of failure of all bids to be response to the call for bids."

Motion: Councilor Hansen moved the third "WHEREAS" paragraph and the "BE IT FURTHER RESOLVED" paragraph of the Resolution be amended to restrict the bidding activity to the five bidders previously selected under the exemption process. Councilor Waker seconded the motion.

Vote: A vote on the motion to amend the Resolution resulted in:

Ayes: Councilors DeJardin, Gardner, Hansen, Kelley, Oleson, Van Bergen, Waker and Bonner

Abstain: Councilor Myers

Absent: Councilors Cooper, Kirkpatrick and Kafoury

The motion carried and the Resolution was amended.

Motion: Councilor Gardner moved to amend the last portion of the third "WHEREAS" paragraph of the Resolution to read: "...and award the bid to the low bidder on the basis of a lump sum bid to the lowest bidder on the basis of a lump sum bid less the amount of owner accepted, itemized cost savings proposals submitted at the time of the lump sum bid;". Councilor Hansen seconded the motion.

Mr. Gray commented the proposed amendment might not allow enough time for bidders to receive clear instructions about the process.

Vote: A vote on the motion resulted in:

Ayes: Councilors DeJardin, Gardner, Hansen, Kelley, Oleson and Van Bergen

Nays: Councilors Waker and Bonner

Abstain: Councilor Myers

Absent: Councilors Cooper, Kirkpatrick and Kafoury

The motion to amend the Resolution carried.

Motion: Councilor Gardner moved the Resolution be adopted as amended and Councilor Kelley seconded the motion.

The Presiding Officer invited Mr. Gray and Mr. Meyers to comment on the proposed Resolution as amended. Mr. Gray said he thought the criteria by which bids would be evaluated should be published in the bid document in order to eliminate the possibility of misunderstandings. Mr. Meyers had no comments.

Mr. Rich suggested, based on comments received from contractors, that lump sum bids be received but not opened for three days. The contractors would have three days to submit cost savings ideas. At the end of that period, all bids would be opened. He said this would allow contractors several additional days to compute cost savings ideas.

Mr. Meyers said Mr. Rich's suggestion could give prime contractors an opportunity to bid shop. He thought this would be destructive to the bidding process.

Vote: A vote on the motion to adopt the Resolution as amended resulted in:

Ayes: Councilors DeJardin, Gardner, Hansen, Kelley, Oleson, Van Bergen, Waker and Bonner

Abstain: Councilor Myers

Absent: Councilors Cooper, Kirkpatrick and Kafoury

A discussion followed regarding whether staff should provide the Council with an amended bid package for review at the May 9 Council meeting. Presiding Officer Bonner request staff provide the Council with relevant portions of the bid package on or before May 9, 1985. Councilors should contact staff if they had concerns with the material.

Councilor Myers entered the Council Chamber.

6. CONSENT AGENDA

Motion: Councilor Waker moved to approve the Consent Agenda and Councilor DeJardin seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors DeJardin, Gardner, Hansen, Kelley, Myers, Oleson, Van Bergen, Waker and Bonner

Absent: Councilors Cooper, Kirkpatrick and Kafoury

The motion carried and the following items on the Content Agenda were adopted or approved:

6.1 Minutes of the Meeting of March 28, 1985

6.2 Resolution No. 85-561, for the Purpose of Amending the Transportation Improvement Program to Include a Fremont Bridge Debris Control Fencing Project

7. RESOLUTIONS

7.1 Consideration of Resolution No. 85-564, for the Purpose of Requiring Mandatory Prequalification for the Contract for Operating the St. Johns Landfill

Mr. Wietting explained the current contract to operate the St. Johns Landfill expired on October 1, 1985. To prepare for rebidding the operations contract, staff considered three alternatives: 1) awarding the contract to the lowest, qualified bidder with qualifications to be reviewed post-bid; 2) requiring a prequalification process before issuing bid documents; and 3) Metro would operate the landfill. Staff recommended pursuing alternative 2 and concentrating efforts on developing a solid waste management system rather than becoming landfill operators.

Mr. Wietting explained the difference between alternatives 1 and 2 were whether bidders qualifications would be examined with or without knowledge of the amount bid for the contract. If alternative 2 was approved, staff would prequalify bidders according to state-adopted criteria and once bidders were approved, staff would recommend awarding the contract to the lowest bidder. Potential bidders deemed not qualified by staff could appeal their status before the Metro Council and appeals would be settled before receiving bids, Mr. Wietting explained. He emphasized staff would rely on a well written contract and good contract management to ensure operations proceed according to standards.

In response to Councilor Waker's question, Mr. Wietting said staff would not limit the number of contractors deemed qualified to bid the project. He further explained the prequalification criteria, based on state law, included experience of personnel and equipment available for performing the work. Once the contract was awarded, staff would assume the low bidder would be financially capable of performing the scope of work if the contractor were able to secure the appropriate bonds, Mr. Wietting said.

Mr. Wietting explained, in response to Councilor Kelley's question, that Metro's prequalification criteria would be published as part of the request for bids. These criteria would be stated in general terms and would read the same as current state law. The evaluation committee would use a more specialized set of criteria also based on the state law. Mr. Wietting explained although the evaluation committee had not been selected, he assumed it would be comprised of Metro staff, possibly one or two people from other agencies (such as the City of Portland), and a Metro Councilor.

Councilor Hansen was concerned the Council could be hearing appeals from contractors deemed unqualified without reviewing the selection committee's criteria. He requested the Council review the committee's criteria in writing before adopting Resolution No. 85-564.

Councilor Myers asked who would appoint the selection committee. Mr. Wietting said in the past the Solid Waste Manager had recommended committee members which were approved by the Executive Officer.

Councilor Van Bergen said he did not think prequalification was necessary for this type of contract. He explained he had supported an exemption from regular procedures for the Zoo project because of unique and specialized construction requirements. He did not think operating a landfill was unique and specialized and thought the work could be performed by most general contractors. Mr. Wietting responded that landfill operation experience would be important in dealing with special and hazardous wastes and because the landfill was a full-time, year-around operation. Councilor Van Bergen thought good contract management would ensure a safe operation without prequalification. Mr. Wietting said good contract management was very important regardless of which contracting process the Council recommended.

Presiding Officer Bonner requested staff return to the Council on May 9, 1985, with written criteria by which potential bidders would be evaluated and a list of the proposed evaluation committee members. Resolution No. 85-564 would be considered by adoption at that time, he explained.

The Presiding Officer read a portion of a letter from Councilor Cooper, who could not attend the meeting, regarding the Resolution: "...because of the technical nature of operating a landfill (I know from firsthand experience), the only alternative that makes any sense at all is #2."

At the end of the meeting, Councilor Van Bergen requested that other jurisdictions, in addition to the City of Portland, be represented on the criteria evaluation committee.

7.2 Consideration of Resolution No. 85-560, for the Purpose of Approving the FY 1985 Highway Allocation Plan for the Interstate Transfer Program and Amending the Transportation Improvement Program Accordingly

In response to Councilor Hansen's question, Councilor Waker reported JPACT unanimously approved this action with all jurisdictions represented.

Motion: Councilor Van Bergen moved the Resolution be adopted and Councilor Hansen seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors DeJardin, Gardner, Hansen, Kelley, Myers, Oleson, Van Bergen, Waker and Bonner

Absent: Councilors Cooper, Kirkpatrick and Kafoury

The motion carried and the Resolution was adopted.

7.3 Consideration of Resolution No. 85-562, for the Purpose of Adopting the Annual Budget of the Metropolitan Service District for FY 1985-86, Making Appropriations from Funds of the District in Accordance with Said Annual Budget, Creating a St. Johns Methane Recovery Fund and a Building Management Fund, and Levying Ad Valorem Taxes

7.4 Consideration of Resolution No. 85-563, for the Purpose of Approving the FY 1985-86 Budget and Transmitting the Approved Budget to the Tax Supervising and Conservation Commission (TSCC)

Presiding Officer Bonner explained the above named Resolutions would be considered together. Resolution No. 85-563 would be considered for adoption on May 9. Resolution No. 85-562 would be considered for adoption on June 27, after the budget was returned by the TSCC, he said. He asked Mr. Carlson to review highlights of the budget after which Councilor Hansen would present recommendations made by the Metro Budget Committee.

Mr. Carlson said the official budget considered for adoption was the document marked "Budget Committee Recommendations." He requested the Council also refer to the "Budget Overview" and the notebook containing backup information for more detailed descriptions of the budget. He then explained the total FY 1985-86 budget was about \$.5 million less than last year's budget. Operating costs had increased by about 14.7 percent and referred the Council to a written explanation for this increase requested to be prepared for Councilors by the Budget Committee. Reasons for the increase included startup of the Washington Transfer & Recycling Center, higher projected solid waste flow to St. Johns Landfill and more interfund transfers. The transfers tended to inflate the operations' budget, he explained. He suggested Councilors refer to each department summary in the "Budget Overview" document for a good description of special budget issues.

Mr. Carlson reported the budget provided for a 2 percent salary increase for non-Zoo employees to make up part of the pay differential between Zoo and non-Zoo employees. Potential changes from the current recommended budget could include the possibility of

an cost of living salary adjustment for all employees. Salary recommendations would be reviewed by the Council on June 27, 1985, he said. Also, the IRC budget could be proposed to increase to allow for convention center planning. Funds to offset these expenses would be coming from outside sources, Mr. Carlson explained.

Councilor Hansen, Chairman of the Budget Committee, reviewed changes proposed by the Committee as outlined in a memorandum to the Councilor from Councilor Hansen and Jennifer Sims dated April 25, 1985.

Presiding Officer Bonner opened the public hearing on the FY 1985-86 budget. There being no public comment, he closed the public hearing. He announced there would be a second public hearing at the May 9, 1985, Council meeting and the Council should be prepared to adopt Resolution No. 85-563 at that meeting.

8. OTHER BUSINESS

8.1 Consideration of a Waiver of the Personnel Rules, Section 54(C)

There was no discussion on this Resolution.

Motion: Councilor Waker moved the variance of the Personnel Rules be ratified. Councilor Van Bergen seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors DeJardin, Gardner, Hansen, Kelley, Oleson, Van Bergen, Waker and Bonner

Absent: Councilors Cooper, Kirkpatrick, Kafoury and Myers

The motion carried.

8.2 Consideration of Resolution No. 85-569, for the Purpose of Amending the Transportation Improvement Program to Include a Project to Implement Immediate Emergency Repairs on the Hawthorne Bridge

Mr. Cotugno explained Metro customarily approved the use of federal funds for various transportation projects by adopting resolutions amending the Transportation Improvement Program. He had received notice earlier in the day that Multnomah County would be seeking funds to repair the Hawthorne Bridge. Although an application for the funds had not been received, he requested the Council approve this action due to the emergency nature of the bridge repairs, pending receipt of the application.

Metro Council
April 25, 1985
Page 16

In response to Presiding Officer Bonner's question, Mr. Cotugno said the repairs would probably cost under \$1 million and funding this project would not jeopardize other transportation projects. The proposal would be reviewed by JPACT and TPAC in the near future, he reported.

Motion: Councilor Waker moved the Resolution be adopted and Councilor Van Bergen seconded the motion.

Vote: A vote on the motion resulted in:

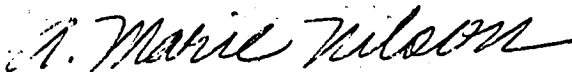
Ayes: Councilors DeJardin, Gardner, Hansen, Kelley, Oleson, Van Bergen, Waker and Bonner

Absent: Councilors Cooper, Kirkpatrick, Kafoury and Myers

The motion carried and the Resolution was adopted.

There being no further discussion, Presiding Officer Bonner adjourned the meeting at 8:25 p.m.

Respectfully submitted,



A. Marie Nelson
Clerk of the Council

amn
3483C/313-3
05/14/85

CONSIDERATION OF RESOLUTION NO. 85-566 FOR THE
PURPOSE OF AUTHORIZING FEDERAL FUNDS FOR EIGHT
16(b)(2) SPECIAL TRANSPORTATION PROJECTS AND
AMENDING THE TRANSPORTATION IMPROVEMENT PROGRAM

Date: April 12, 1985

Presented by: Andrew Cotugno

FACTUAL BACKGROUND AND ANALYSIS

Proposed Action

Recommend Council adoption of the attached Resolution which authorizes Federal 16(b)(2) funds to eight private, nonprofit social service agencies. These funds will be used for the purchase of passenger vehicles and related equipment to provide special transportation services in the Portland metropolitan area to specific client groups not served by Tri-Met. This Transportation Improvement Program (TIP) addition will allow the agency to apply for 16(b)(2) funding from ODOT. ODOT will award funds following consideration of applications from throughout the state.

TPAC and JPACT have reviewed these projects and recommend approval of Resolution No. 85-566.

Background

Section 16(b)(2) authorizes the Urban Mass Transportation Administration (UMTA) to make capital grants to private, nonprofit organizations to provide transportation services for elderly and handicapped persons. Capital investments include purchase of conventional and paratransit vehicles and other equipment associated with providing local and regional (non-intercity) transportation services to the elderly and handicapped. Apportioned 16(b)(2) funds are not available for operating expenses. Transportation Improvement Programs and their Annual Elements must be amended to include new 16(b)(2) projects.

Section 16(b)(2) funding is only available to private, nonprofit organizations and, in the Metro region, only for use to serve specific client groups that cannot be served effectively by Tri-Met. Tri-Met has reviewed the eight applications for 16(b)(2) funds and supports them all on the basis that Tri-Met is unable to perform more efficiently the function these vehicles would provide. Tri-Met has conditioned their support on the applicant's agreement to coordinate with the tri-county LIFT program in cases where that would provide more efficient service. (See attached sample letter of support from Tri-Met.)

The eight local providers submitting applications are:

<u>Name/Area</u>	<u>Equipment</u>	<u>Federal/ Applicant</u>
a. Fairlawn Town & Care Center	1 10-16 passenger bus 1 Wheelchair Lift	\$27,200/ \$7,450
b. Portland Action Committees Together, Inc.	1 10-16 passenger van 1 Wheelchair Lift	\$14,490/ \$3,622
c. Loaves and Fishes Center, Inc.	3 10-16 passenger buses 3 Wheelchair Lifts	\$80,190/ \$20,047
d. Tualatin Valley Mental Health Center	1 10-16 passenger bus 1 Wheelchair Lift	\$27,720/ \$6,930
e. Clackamas Challenge Center	2 10-16 passenger vans	\$21,840/ \$5,460
f. Robison Jewish Home	1 10-16 passenger van 1 Wheelchair Lift	\$14,490/ \$3,622
g. Friendly House	1 10-16 passenger van 1 Wheelchair Lift	\$14,490/ \$3,622
h. Homestreet, Inc.	1 10-16 passenger van	\$11,400/ \$2,850

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution
No. 85-566.

AC/RB/gl
3330C/411-4
05/10/85

SAMPLE LETTER SENT TO
EACH 16(B)(2) APPLICANT

RECEIVED APR 10 1985

TRI-COUNTY
METROPOLITAN
TRANSPORTATION
DISTRICT
OF OREGON



TRI-MET

4012 SE 17th AVENUE
PORTLAND, OREGON 97202

April 9, 1985

Bill Grossie
PACT
3588 SE Division
Portland, OR 97202

Dear Mr. Grossie:

Tri-Met has reviewed your 1985 16(b)(2) public notice and has determined that Tri-Met is unable to perform the functions the vehicle(s) would provide. We consequently support your application based on your agreement to coordinate with the LIFT program in cases where that would provide more efficient service.

Sincerely,

A handwritten signature in cursive script that reads "Park Woodworth". The signature is written in dark ink and is positioned above the typed name.

Park Woodworth, Manager
Special Needs Transportation

cc: Andy Cotugno
Joan Plank

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING	)	RESOLUTION NO. 85-566
FEDERAL FUNDS FOR EIGHT 16(b)(2))	
SPECIAL TRANSPORTATION PROJECTS	)	Introduced by the Joint
AND AMENDING THE TRANSPORTATION	)	Policy Advisory Committee
IMPROVEMENT PROGRAM (TIP)	)	on Transportation

WHEREAS, Section 16(b)(2) of the Urban Mass Transportation Act authorizes the Urban Mass Transportation Administration to make capital grants to private, nonprofit organizations to provide transportation services for elderly and handicapped persons; and

WHEREAS, 16(b)(2) funding will be made available only to nonprofit organizations serving specific client groups which cannot better be served by regular Tri-Met service to the elderly and handicapped community; and

WHEREAS, Tri-Met has determined that all the applicants listed below can serve their client-group more efficiently than could Tri-Met; and

WHEREAS, To comply with federal requirements the TIP must be amended to include projects recommended for UMTA 16(b)(2) funds; and

WHEREAS, The projects described below were reviewed and found consistent with federal requirements and regional policies and objectives; now, therefore,

BE IT RESOLVED,

1. That Federal 16(b)(2) funds be authorized for the purchase of special transportation vehicles for the following:

<u>Name/Area</u>	<u>Federal/ Applicant</u>
a. Fairlawn Town & Care Center	\$27,200/ \$7,450
b. Portland Action Committees Together, Inc.	\$14,490/ \$3,622
c. Loaves and Fishes Center, Inc.	\$80,190/ \$20,047
d. Tualatin Valley Mental Health Center	\$27,720/ \$6,930
e. Clackamas Challenge Center	\$21,840/ \$5,460
f. Robison Jewish Home	\$14,490/ \$3,622
g. Friendly House	\$14,490/ \$3,622
h. Homestreet, Inc.	\$11,400/ \$2,850

2. That the TIP and its Annual Element be amended to reflect this authorization.

3. That the Metro Council finds the project to be in accordance with the region's continuing, cooperative, comprehensive planning process and, thereby, gives affirmative Intergovernmental Project Review approval.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1985.

Presiding Officer

AC/RB/gl
3330C/411-4
05/10/85

STAFF REPORT

Agenda Item No. 6.3

Meeting Date May 23, 1985

CONSIDERATION OF RESOLUTION NO. 85-567 FOR THE
PURPOSE OF AMENDING THE TRANSPORTATION IMPROVEMENT
PROGRAM TO INCORPORATE URBAN MASS TRANSPORTATION
ADMINISTRATION GRANT APPLICATIONS FOR 20
ACCESSIBLE VANS

Date: March 14, 1985

Presented by: Andrew Cotugno

PROPOSED ACTION

Recommend adoption of the attached resolution amending the Transportation Improvement Program (TIP). This action requested by Tri-Met would utilize existing funds in two separate grants:

1. The amendment of OR-05-0007 will affect the TIP as follows:

Add New Project	
14 Accessible Vans w/Radios	\$291,200
Delete	
Powell Facility Engineering (Status Uncertain)	(\$96,000)
Reduce	
Fueling Equipment Project	(\$195,200)

2. The amendment of OR-03-0029 will affect the TIP as follows:

Revise Existing Projects	
Increase from 36 to 40 (12-18 passenger buses w/radios). The remaining 2 of 20 vans will be purchased as part of the 36 since only 34 have been purchased to date	\$84,412
Reduce City/Eastside TSM Project	(\$44,254)
Reduce Contingency	(\$40,158)

These actions would be mutually offsetting, thus keeping unchanged the total funds available in the grants covering these projects.

TPAC and JPACT have reviewed this project and recommend approval of Resolution No. 85-567.

FACTUAL BACKGROUND AND ANALYSIS

The proposed 20 accessible vans with radios will be used to continue the LIFT program service, replacing the 15 Mercedes buses which have been retired.

These actions are consistent with the recommendations of Tri-Met's Special Needs Transportation Advisory Committee, which were adopted by the Tri-Met Board on July 30, 1984. They are also consistent with the draft Interim Special Needs Transportation element of the Regional Transportation Plan (Attachment A) which is now under review by Tri-Met's Special Needs Committee and will be considered for inclusion in the RTP at the next update.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 85-567.

BP/gl
3115C/411-7
05/10/85

ATTACHMENT "A"

INTERIM SPECIAL NEEDS TRANSPORTATION PLAN

Introduction

Since 1980, Tri-Met has assumed the responsibility for coordinating regional transportation for the disabled. Services include some fixed route accessibility, and for those unable to use Tri-Met buses, the Tri-County door-to-door LIFT program. Other services include the registration of clients, the distribution of Federal Section 18 funds, the purchase of equipment, and funding for sub-contracted special transportation services. The total FY 1985 Tri-Met operating budget for special needs transportation is approximately \$2.6 million, excluding the capital cost of lift devices.

Tri-Met's transportation efforts for the Transit Handicapped have been guided by its "Section 504 Transition Plan" which was adopted by the Tri-Met Board of Directors in 1980. The Transition Plan was required by the Federal Department of Transportation (DOT) from any transit agency receiving federal funds, but not yet 50 percent fixed-route accessible. Tri-Met's efforts are also directed by Section 267.240 of the Oregon Revised Statutes.

In 1981, DOT's Transportation Handicapped regulations and ORS 267.240 were revised to allow more flexibility in providing special transportation. The federal government now requires that "special efforts" be made to provide accessible transit service and has released new proposed regulations. The state of Oregon requires that transit districts provide a program of transportation for the disabled that is comparable to regular transit service. The decision as to the extent of the service provided, and the manner in which it is provided, is left to the discretion of the transit agency with significant input from the disabled community.

In addition to regulations governing service for the Transportation Handicapped, Tri-Met also operates under state and federal regulations requiring discounted fares for the elderly. State and federal regulations mandate a maximum half-fare for seniors during non-peak hours.

In 1984, the Tri-Met Board created a Special Needs Transportation Advisory Committee. The report and recommendations of this committee form the basis of the Interim Special Needs Transportation Plan.

Statement of Purpose

Transit handicapped people are citizens with the same needs as other transit riders and, therefore, certain costs must be incurred to meet those needs.

Thus, it is the intent of this plan to provide parity of transit service between transit handicapped and non-transit handicapped people within realistic costs and the intent of the federal guidelines.

System Requirements

A multi-modal system should be used to address the needs of the transit handicapped. It is estimated that there are 50,000 transit handicapped people in this region (Attachment II); 40,000 of them can use the regular transit system with varying degrees of difficulty. Of the remaining 10,000 transit handicapped people, 7,200 need door-to-door service for a variety of reasons.

The majority of transit handicapped people are over the age of 65, and this population, as well as other transit handicapped groups, will continue to grow. Recognizing this trend, paratransit services need to be an integral part of the special needs transportation program. However, there should be a consistent effort to provide the transit disabled sufficient opportunity to mainstream by operating some accessible fixed-route service and/or light rail service in each section of the metropolitan area.

Standards for the System

The following standards should be applied to the system to ensure quality service:

- Is regular consumer feedback built in to the system?
- Is the service reliable?
- Does the service meet minimum federal, state and local regulations?
- Does the service have accessible public information?

Criteria to be Considered when Developing Programs and Budgets

- Maximizes number of rides provided
- Optimizes cost-effectiveness of alternative service options
- Provides parity of service (waiting time, fares) with general population
- Mainstreams into general public to extent possible
- Considers impact on non-disabled rider
- Maximizes other Tri-Met funding and is, in fact, fundable
- Does not significantly hinder bus or rail schedules
- Program additions/deletions are properly prioritized and an appropriate timetable for phasing is developed
- Program additions/deletions contribute to a multi-modal system so that no subgroup is excluded

Goals

In April 1984, the Special Needs Transportation Advisory Committee recommended the following goals to the Tri-Met Board:

1. Establish a standing committee on special needs transportation.
2. Develop an independent, annual program and financial audit of all Tri-Met special needs transportation services.
3. Consolidate all Tri-Met special needs transportation staff and budget resources.
4. Examine the feasibility of using a paratransit corporation to broker all special needs transportation services.
5. Retain the optimum number of fixed-route accessible routes (up to 11 -- not less than four) using the more reliable ADB lift-equipped buses.
6. Establish a two-year experiment providing alternative demand/response service along the routes served by the articulated buses. When the experiment begins, eliminate lift use on the articulated buses.
7. Paratransit service:
 - a. Continue Tri-County LIFT program.
 - b. Evaluate the following experiments:
 - corridor service
 - rapid response, taxi-type service to supplement both the Tri-County LIFT program and corridor service
 - increased use of volunteers
 - c. Examine cutting the Tri-County LIFT program prior notice requirement to 24 hours or less.
 - d. Examine establishment of a computerized dispatch system for the Tri-County LIFT program.
8. To increase community accessibility, Tri-Met will work cooperatively with the cab companies to make accessible cabs (accessible without transferring) available at the same fare charged non-disabled users. Tri-Met will look into availability of federal grant money to assist in the purchase of accessible taxis.
9. Establish wayside lifts at all Banfield light rail stations. The standing committee should study the feasibility of high platform access for all future light rail stations.
10. Establish 16-hour daily special needs transportation non-recorded telephone service (to include a TTY system

for people who are hearing impaired) subcontracted for times other than regular Tri-Met business hours.

11. Seek additional and/or alternative funding specifically for special needs transportation programs (over and above the 3 percent proposed federal requirement):
 - a. Consider an increased fare for Honored Citizens not to exceed \$.10 which is within the federal guidelines.
 - b. Consider a standardized Tri-County LIFT fare of \$.50.
 - c. For the purposes of continuity and consistency, Tri-Met will explore the establishment of an ongoing, dedicated source of funding for the special needs transportation program.
12. In cooperation with people who use wheelchairs and other mobility aids, improve securement systems on all vehicles.

In July 1984, the Tri-Met Board adopted the foregoing as policies and also resolved that, until a dedicated source of special needs transportation funding is secured, Tri-Met's annual funding of all SNT services shall not exceed 3.5 percent of Tri-Met's total annual operating budget.

Current Service

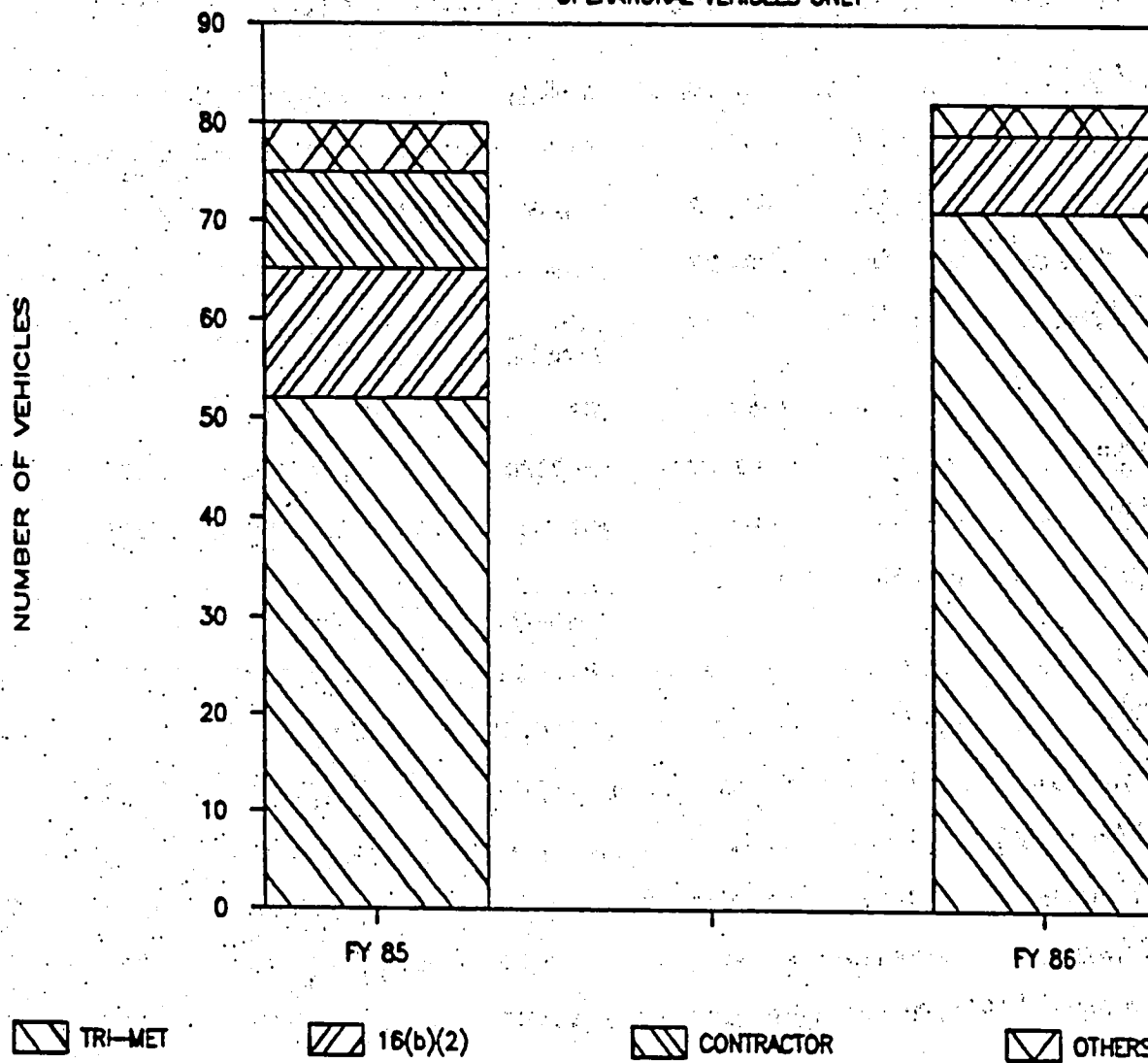
Fixed rate accessibility is presently provided by 121 lift-equipped buses operating on approximately 25 percent of the Tri-Met routes. LIFT Program (subcontracted door-to-door) service is provided by approximately 80 vehicles -- 54 of these vehicles are owned by Tri-Met with the remaining provided by contractors or agencies receiving rides. It is Tri-Met's goal to ultimately provide all vehicles to reduce the cost of service purchased through the subcontractors.

An ongoing Committee on Accessible Transportation (CAT) is meeting at least monthly to review service provided and consider policy changes to produce higher efficiency and/or quality.

RB/srs
3139C/411-2
03/21/85

OWNERSHIP OF LIFT PROGRAM VEHICLES

OPERATIONAL VEHICLES ONLY



TRI-MET LIFT FLEET FOR FY 84-85

No. Units	Make	Model	Year	Average Mileage	Ownership Status	Retirement Date	
1	Dodge	Van	75	NA	SMS	FY86	
2	Dodge	Van	75	NA	Loaves & Fishes	FY86	
1	Carpenter	Mini-bus	75	NA	SMS	FY87	
1	Carpenter	Mini-bus	75	NA	Hillsboro Center	FY87	
15	Mercedes	309D	76	100,000	Tri-Met	FY85	Retired
1	Dodge	Van	77	NA	16(B)(2)	FY85	Retired
1	Dodge	Van	77	NA	SMS	FY86	
1	Plymouth	Van	77	NA	16(B)(2)	FY86	
1	Plymouth	Van	77	NA	Loaves & Fishes	FY86	
2	Dodge	Van	78	NA	SMS		
1	Ford	Van	79	147,000	Tri-Met	FY86	
1	Wide One	Van	79	NA	Tri-Met	FY86	
1	Chev	Van	80	NA	Loaves & Fishes		
4	Plymouth	Van	80	80,000	16(B)(2)	FY86	
2	Ford	Van	80	80,000	16(B)(2)	FY86	
2	Wide One	Van	80	65,000	16(B)(2)	FY87	
1	Superior	Transliner	80	20,000	Tri-Met	FY88	
1	Wide One	Van	81	80,000	16(B)(2)	FY88	
1	Wide One	Van	82	80,000	SMS	FY88	
6	Thomas	Mighty Might	82	60,000	Tri-Met	FY88	
1	Ford	Van	82	NA	SMS	FY88	
16	Flxette	103MN	83	20,000	Tri-Met	FY88+89	
5	Flxette	103MN	83	20,000	Sect. 18	FY88+89	
4	Wide One	Van	83	8,000	16(B)(2)	FY89	
1	Wide One	Van	84	NA	SMS	FY86	
15	Flxette	103MN	84	15,000	Tri-Met	FY90	
8	Carpenter	Cadet	84	10,000	Tri-Met	FY90	

PRESENT TOTAL

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING THE) RESOLUTION NO. 85-567
TRANSPORTATION IMPROVEMENT)
PROGRAM TO INCORPORATE URBAN)
MASS TRANSPORTATION ADMINISTRATION) Introduced by the Joint
GRANT APPLICATIONS FOR 20) Policy Advisory Committee
ACCESSIBLE VANS) on Transportation

WHEREAS, Through Resolution No. 84-498, the Council of the Metropolitan Service District (Metro) adopted the Transportation Improvement Program (TIP) and its FY 1985 Annual Element; and

WHEREAS, The TIP must be revised to reflect changing project priorities and funding availability; and

WHEREAS, Tri-Met has requested that a new project be added to the TIP covering the purchase of 20 accessible vans; and

WHEREAS, This new project will be funded using mutually offsetting funds from other Section 3 and Section 5 projects and sources; now, therefore,

BE IT RESOLVED,

1. That the Council of the Metropolitan Service District (Metro) approves the amendment to:

- Add
Purchase of 20 accessible vans
with radios \$375,612
Section 3/Section 5
- Delete
Powell Facility Engineering Project (\$96,000)
- Reduce
City/Eastside TSM Construction (\$44,254)
Fueling Equipment (\$195,200)
Contingencies (\$40,158)

2. That the TIP be amended to reflect these project changes.

3. That the Metro Council finds these actions to be in accordance with the Regional Transportation Plan and gives Affirmative Intergovernmental Project Review approval.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1985.

Ernie Bonner, Presiding Officer

BP/gl
3115C/411-6
05/10/85

CONSIDERATION OF RESOLUTION NO. 85-568 FOR THE
PURPOSE OF AMENDING THE TRANSPORTATION IMPROVEMENT
PROGRAM TO INCLUDE AN I-5 PAVEMENT SUBSIDENCE
GEOLOGICAL INVESTIGATION PROJECT

Date: April 17, 1985

Presented by: Andrew Cotugno

FACTUAL BACKGROUND AND ANALYSIS

Proposed Action

This action will amend the Transportation Improvement Program (TIP) to include a new project to conduct geological investigation of I-5 pavement subsidence:

I-5 Pavement Subsidence Geological Investigation - 4R

Federal-Aid Interstate 4R Funds

Geological Investigation	\$18,400
Match	<u>1,600</u>
	<u>\$20,000</u>

TPAC and JPACT have reviewed this project and recommend approval of Resolution No. 85-568.

Background and Analysis

Geologic subsidence has occurred between the northbound and southbound freeway roads. The PCC pavement crowns have tilted to slope toward the median whereby the inside edges of pavement are about one-half foot lower than the outside edges. There have been four wet-pavement accidents between 1979-1983. Region Geology has identified that up to 40 feet of unstable wet foundation lies beneath the affected area.

Expanded geological foundation work is needed to define the boundary of the foundation problem and to propose a plan to stabilize the pavement. Necessary field surveys to establish control lines to monitor subsidence and to gather data to support the development of a solution will be performed.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 85-568.

STAFF REPORT

Agenda Item No. 7/8.1

Meeting Date May 23, 1985

CONSIDERATION OF RESOLUTION NO. 85-572 APPROVING
THE TRANSFER OF FRANCHISE PERMIT NO. 5 FROM
OREGON WASTE MANAGEMENT, INC. AND GENSTAR
CONSERVATION SYSTEMS, INC. TO GENSTAR WASTE
TRANSFER INC.

Date: April 23, 1985

Presented by: Mary Jane Aman

FACTUAL BACKGROUND AND ANALYSIS

The Council of the Metropolitan Service District adopted Resolution No. 84-522 in December 1984 granting a Processing Facility Franchise to Oregon Waste Management, Inc. and Genstar Conservation Systems, Inc. This franchise was for the operation of the Oregon Processing and Recovery Center. Effective February 4, 1985, this facility was purchased by Genstar Waste Transfer, Inc.

In order to transfer the franchise, a transfer application must be filed and a new resolution adopted as set out in the Metro Code Section 5.01.090, Transfer of Franchise. That section requires the submission of a formal application which satisfies the conditions of Metro Code Section 5.01.060, Application for Franchise. Those conditions are set out in Exhibit "A" to this Staff Report. The transferee has met all of the conditions by providing a completed application along with (1) proof of ability to obtain required insurance and bonding; (2) letter of intent to transfer; (3) information on ownership of new entity; (4) proof of DEQ site permit application; and (5) signed consent of the property owner.

Therefore, the staff proposes the adoption of Resolution No. 85-572 to transfer Franchise Permit No. 5 from Oregon Waste Management, Inc. and Genstar Conservation, Inc. to Genstar Waste Transfer, Inc.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 85-572.

5.01.060 Applications:

(a) Applications for a franchise or for transfer of any interest in, modification, expansion, or renewal of an existing franchise shall be filed on forms provided by the Executive Officer.

(b) In addition to the information required on the forms, applicants must submit the following to the Executive Officer:

(1) Proof that the applicant can obtain and will be covered during the term of the franchise by a corporate surety bond guaranteeing full and faithful performance by the applicant of the duties and obligations of the franchise agreement. In determining the amount of bond to be required, the Executive Officer may consider the size of the site, facility or station, the population to be served, adjacent or nearby land uses, the potential danger of failure of service, and any other factor material to the operation of the franchise.

(2) In the case of an application for a franchise transfer, a letter of proposed transfer from the existing franchisee.

(3) Proof that the applicant can obtain public liability insurance, including automotive coverage, in the amounts of not less than \$300,000 for any number of claims arising out of a single accident or occurrence, \$50,000 to any claimant for any number of claims for damage to or destruction of property and, \$100,000 to any claimant for all other claims arising out of a single accident or occurrence or such other amounts as may be required by State law for public contracts.

(4) If the applicant is not an individual, a list of stockholders holding more than five (5%) percent of a corporation or similar entity, or of the partners of a partnership. Any subsequent changes in excess of five (5%) percent of ownership thereof must be reported within ten (10) days of such changes of ownership to the Executive Officer.

(5) A duplicate copy of the DEQ disposal site permit application and any other information required by or submitted to DEQ pursuant to ORS ch. 459.

(6) Signed consent by the owner(s) of the property to the proposed use of the property. The consent shall disclose the property interest held by the franchisee, the duration of that interest and shall include a statement that the property owner(s) have read and agree to be bound by the provisions of Section 5.01.190(e) of this chapter if the franchise is revoked or franchise renewal is refused.

(7) Proof that the applicant has received proper land use approval.

(8) Such other information as the Executive Officer deems necessary to determine an applicant's qualifications.

(c) Disposal sites, transfer stations, and processing facilities which are operating on the effective date of this chapter under a District Certificate or Agreement may continue service under the conditions of their District Certificate or Agreement until their franchise application is granted or denied provided, however, an abbreviated application form provided by the Executive Officer has been submitted to the District within thirty (30) days after receipt of such application. Applications filed pursuant to this section shall not be unreasonably denied.

(d) An incomplete or insufficient application shall not be accepted for filing. (Ordinance No. 81-111, Sec. 7; amended by Ordinance No. 82-136, Sec. 2)

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF APPROVING THE) RESOLUTION NO. 85- 572
TRANSFER OF FRANCHISE PERMIT #5,)
OREGON WASTE MANAGEMENT, INC. AND) Introduced by the
GENSTAR CONSERVATION SYSTEMS, INC.) Executive Officer
TO GENSTAR WASTE TRANSFER, INC.)

WHEREAS, Section 5.01.090 of the Metropolitan Service District (Metro) Code requires that a franchisee may not transfer its franchise unless an application has been filed in accordance with Section 5.01.060 of the Metro Code and has been granted the transfer approval by the Council; and

WHEREAS, Oregon Waste Management, Inc. and Genstar Conservation Systems, Inc. (OWM/GCS) were jointly granted Franchise Permit No. 5 to operate a solid waste processing facility at 701 N. Hunt, Portland, Oregon; and

WHEREAS, OWM/GCS has transferred ownership and operation of this facility to Genstar Waste Transfer, Inc. and has requested that Permit No. 5 be transferred to Genstar Waste Transfer, Inc.; and

WHEREAS, Genstar Waste Transfer, Inc. has filed the appropriate application and has met the requirements of Sections 5.01.090 and 5.01.060 of the Code as set out in the Staff Report; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District authorizes the transfer of Franchise Permit No. 5 from Oregon Waste Management, Inc. and Genstar Conservation Systems, Inc. to Genstar Waste Transfer, Inc.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1985.

Ernie Bonner, Presiding Officer

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING THE	)	RESOLUTION NO. 85-568
TRANSPORTATION IMPROVEMENT)	
PROGRAM TO INCLUDE AN I-5	)	Introduced by the Joint
PAVEMENT SUBSIDENCE GEOLOGICAL	)	Policy Advisory Committee
INVESTIGATION PROJECT	)	on Transportation

WHEREAS, Through Resolution No. 84-498, the Council of the Metropolitan Service District (Metro) adopted the Transportation Improvement Program (TIP) and its FY 1985 Annual Element; and

WHEREAS, The Oregon Department of Transportation has requested that a new project utilizing Federal-Aid Interstate 4R funds be added to the TIP; and

WHEREAS, This project will provide for geological foundation investigations on I-5 leading to a proposed plan to stabilize the pavement; and

WHEREAS, It is necessary that projects utilizing the noted funds be included in the TIP in order to receive federal funds; now, therefore,

BE IT RESOLVED,

1. That Federal-Aid Interstate 4R funds be authorized for I-5 pavement subsidence geological investigation.

Federal	\$18,400
Match	<u>1,600</u>
	\$20,000

2. That the TIP and its Annual Element be amended to reflect this authorization.

3. That the Metro Council finds the project in accordance

with the Regional Transportation Plan and gives Affirmative Inter-governmental Project Review approval.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1985.

Ernie Bonner, Presiding Officer

AC/BP/gl
3378C/411-4
05/10/85

STAFF REPORT

Agenda Item No. 6.5

Meeting Date May 23, 1985

CONSIDERATION OF RESOLUTION NO. 85-570 FOR THE
PURPOSE OF AMENDING THE TRANSPORTATION IMPROVEMENT
PROGRAM TO EXPAND THE SCOPE OF THE MULTNOMAH
COUNTY S.E. STARK STREET PROJECT

Date: April 30, 1985

Presented by: Andrew Cotugno

FACTUAL BACKGROUND AND ANALYSIS

Proposed Action

This action will amend the Transportation Improvement Program (TIP) to authorize Preliminary Engineering only for an expansion of the Stark Street project by addition of the segment:

S.E. Stark Street - 221st Avenue to 242nd Avenue	
Federal-Aid Interstate Transfer Funds	
Preliminary Engineering	\$120,000
Match	21,176
	<u>\$141,176</u>

TPAC and JPACT have reviewed this project and recommend approval of Resolution No. 85-570.

Background and Analysis

In March 1983, the East Multnomah County Transportation Committee approved funding a S.E. Stark Street improvement from 221st Avenue to 257th Avenue. The termini were later revised to 242nd Avenue to 257th Avenue to accommodate funding limitations.

In April 1985, the Committee recommended allocation of \$120,000 for Preliminary Engineering on the segment from 221st Avenue to 242nd Avenue utilizing available Reserve funds from the 242nd Avenue TSM project (Attachment A). Upon completion of Preliminary Engineering, new funds will either be sought from available Interstate Transfer Reserves or be built with local funds. The project will be identified separately in the TIP in order to provide accountability by segment.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 85-570.

AC/BP/gl
3468C/411-3
05/10/85

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING THE)
TRANSPORTATION IMPROVEMENT PROGRAM)
TO EXPAND THE SCOPE OF THE MULT-)
NOMAH COUNTY S.E. STARK STREET)
PROJECT)

RESOLUTION NO. 85-570

Introduced by the Joint
Policy Advisory Committee
on Transportation

WHEREAS, Through Resolution No. 84-498 the Council of the Metropolitan Service District (Metro) adopted the Transportation Improvement Program (TIP) and its FY 1985 Annual Element; and

WHEREAS, The TIP must be revised to reflect changing project priorities and funding availability; and

WHEREAS, Multnomah County has requested that Interstate Transfer funds be allocated for Preliminary Engineering for an additional segment of the S.E. Stark Street project to be funded from a Reserve on the 242nd Avenue project; and

WHEREAS, The new segment from 221st Avenue to 242nd Avenue is a logical extension of that currently approved and underway from 242nd Avenue to 257th Avenue; and

WHEREAS, It is necessary that projects utilizing the noted funds be included in the TIP as a requisite to receiving federal funds; now, therefore,

BE IT RESOLVED,

1. That Federal-Aid Interstate Transfer funds be authorized for Preliminary Engineering on S.E. Stark Street - 221st Avenue to 242nd Avenue in accordance with Attachment A:

Federal \$120,000

2. That the TIP and its Annual Element be amended to reflect this authorization.

3. That the Metro Council finds the project in accordance with the Regional Transportation Plan and gives Affirmative Inter-governmental Project Review approval.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1985.

Ernie Bonner, Presiding Officer

AC/BP/gl
3468C/411-3
05/10/85

**MULTNOMAH COUNTY OREGON**

ENGINEERING SERVICES
2115 S.E. MORRISON STREET
PORTLAND, OREGON 97214
(503) 248-3591

DENNIS BUCHANAN
COUNTY EXECUTIVE

April 26, 1985

Andy Cotugno, Chairman
Transportation Policy Alternative Committee
Metropolitan Service District
527 S.W. Hall St.
Portland, OR 97201-5287

RE: Request for authorization of Multnomah County Interstate Transfer Reserve to fund Preliminary Engineering for Stark Street (221st to 242nd).


Dear Andy:

On April 15, 1985, the East County Transportation Committee passed a resolution recommending allocation of \$120,000 of Multnomah County Interstate Transfer fund reserve to preliminary engineering for Stark Street (221st-242nd). This project was originally in the concept plan and is a logical extension of the Stark Street project (242nd - 257th) currently under preliminary engineering. The extension of the Stark Project has ranked the highest on our capital improvement program and will receive priority for completion.

Thank you for consideration in this matter.

Very truly yours,

LARRY F. NICHOLAS, P.E.
County Engineer


Susie Lalsene
Program Staff Assistant

SL:rj



Memo

Agenda Item No. 6.6

Meeting Date May 23, 1985

METROPOLITAN SERVICE DISTRICT 527 S.W. HALL ST., PORTLAND, OREGON 97201 503 221-1646
Providing Zoo, Transportation, Solid Waste and other Regional Services

Date: May 16, 1985

To: Metro Council

From: Donald E. Carlson, Deputy Executive Officer

Regarding: Consideration of Resolution No. 85-573 for the purpose of amending Resolution No. 81-116 to create three new classifications

The proposed resolution would create three new classifications and set the salary range for these positions. The proposed classifications are Personnel Officer, Data Processing Manager, and Programmer. These staff changes were presented in the proposed FY 1985-86 Budget. The need and documentation are described in the attached staff report which will be considered by the Council Management Committee on May 16, 1985.

This matter is proposed for action at this time in order to begin recruitment for the new fiscal year as soon as possible. Class specifications will be presented at the meeting or available on request after May 20.

JS/gl
3581C/D3-2

STAFF REPORT

CONSIDERATION OF A PROPOSAL TO IMPROVE THE
SERVICES OF THE DEPARTMENT OF FINANCE AND
ADMINISTRATION, PARTICULARLY PERSONNEL AND
DATA PROCESSING

Date: February 12, 1985

Presented by: Donald E. Carlson

FACTUAL BACKGROUND AND ANALYSIS

The purpose of this report is to discuss needed changes to strengthen the personnel and data processing capabilities in the Department of Finance and Administration. In 1982, Metro experienced serious financial problems resulting in a reorganization and creation of the Department of Finance and Administration. Three distinct divisions were established within the Department: Accounting, Budget and Administrative Services (including budget, personnel, grants, contract management, word processing, printing and office support functions) and Data Processing. During that time, financial resources were maintained for the Accounting Division (because of the problems with the accounting system) but reductions were made in the personnel area, particularly through the downgrading of the Personnel Manager position from salary range 12.5 to Personnel Assistant at range 8.0. That position was upgraded slightly to Personnel Analyst (8.5) under an agency-wide classification study implemented in July 1984. The Data Processing Division was formally organized in 1982 with a slight addition of resources to fund .3 FTE of the Technical Manager (.7 FTE remained under Transportation) to act as the Data Processing Division Manager.

Since 1982, good progress has been made in the area of accounting. Regular monthly reports are being provided which greatly assist Department Managers in their fiscal management responsibilities; accounts receivable and payable functions are running smoothly as is the payroll function; investment policies have been adopted by the Council and are implemented by the Accounting Division; and the annual audits for the past two years have been completed in a greatly reduced time and cost over the prior years. In summary, the time and resources applied to the accounting function during the past two years have resulted in a much improved accounting operation. It is time to focus greater effort on the personnel and data processing functions.

Analysis of the Personnel Function.

The responsibility for management of Metro's personnel function is with the Division of Budget and Administrative Services. While the departments take an active role in Personnel matters, many services are provided centrally. These are listed and briefly described in Exhibit A. Four staff members at 2.75 FTE are now directly involved in the listed activities. These are as follows:

1. Division Manager (.25 FTE) works one-quarter time planning and supervising personnel activities. Contact person with Council and Executive Officer on policy matters.
2. Administrative Assistant (1.0 FTE) will work full-time on benefits administration, payroll interface, orientation and selected policy issues once the Support Services Supervisor position is filled.
3. Secretary (.5 FTE) works half-time on recruitment support, assisting applicants and recordkeeping.
4. Personnel Analyst (1.0 FTE) works full-time on the daily administration and processing of all other matters listed in Exhibit A. Serves as Metro's Affirmative Action Officer, participates in collective bargaining, coordinates all recruitments and more.

Problem Statement

Needs of the personnel function have been under review for over a year. Based on recent meetings with the personnel directors from the cities of Beaverton, Gresham and Lake Oswego, and comments from Metro managers and employees, there are five basic problems/needs which must be addressed:

1. The level of expertise and experience of the persons involved in day-to-day personnel matters must be increased. This is important for credibility in dealing with managers and efficiency in tackling the myriad of policy and technical issues that regularly face personnel staff.
2. The personnel function needs to be more visible and focused in the organization.
3. The division of authority and responsibilities between departments and central personnel staff needs to be clarified. The current arrangements are a product of understaffing in central services rather than logical assignment based on needs, expertise, etc.
4. A concentrated technical review of all Personnel Rules, procedures and practices is needed. The Rules are cumber-

some. Procedures and practices may be inconsistent and unclear.

5. Adequate staffing is needed for both technical and clerical work. Adequate technical staff are needed to respond to department and Council needs and to provide those services which should be centralized. Adequate clerical support is needed for accurate and timely recordkeeping, paper processing and applicant assistance.
6. Due to the inadequate level and expertise of current staff plus the workload caused by daily and routine tasks, three major projects will be delayed or not completed this fiscal year. First, limited progress has been made in revising the Personnel Rules. Second, additional work is needed on the Classification Plan including a study of all management level positions for the establishment of a management class series. Third, a special study of Intergovernmental Resource Center (IRC) management needs was promised for consideration with the FY 1985-86 Budget. It has been delayed.

Proposal and Recommendation

1. Establish a Personnel Office by physically arranging staff to give the function identity.
2. Upgrade the Personnel Analyst to a Personnel Officer.
3. Assign a full-time Administrative Assistant to Personnel under the Personnel Officer. The other half-time duties of this position would be transferred to the Support Services Supervisor, a new position.
4. Assign the equivalent of a full-time Secretary to Personnel.

As displayed in the chart below, there are discrepancies between the budget, actual use and needs.

	Budget (FTE)	Actual Use	Actual Need
Budget & Admin. Services	.5	.8	1.25
Data Processing	.25	.2	.25
Accounting	.25	0	0
Total	1.0	1.0	1.5

To meet the other clerical needs of the division and those of data processing, it is proposed that one Word Processing Operator be utilized as a Secretary on a half-time basis. This could be accomplished with existing staff.

5. Change the division name from Budget and Administrative Services to Management Services. The division title over emphasizes the budget function and contributes to the confusion over where the responsibility for personnel lies.
6. Immediately focus on a work program with the following priorities:
 - a. Review and revise all Personnel Rules, procedures and practices.
 - b. Work with departments to clarify central and department responsibilities.
 - c. Automate or systematize personnel recordkeeping.
 - d. Develop and recommend an organizational training program

The existing and proposed organizational structure and staffing for the personnel function is displayed in Figures 1 and 2 attached.

Timing

The problems and needs identified in this report are immediate and ongoing. It would be beneficial to make these changes as soon as possible. We recommend that implementation be accomplished in two steps. First, the position of Personnel Officer be established by the Council during the current fiscal year (effective April 1, 1985) and the remaining changes take place during the 1985-86 fiscal year (effective July 1, 1985). The first step to making improvements to the Personnel function should be the recruitment and hiring of a Personnel Officer. Once that person is on board, a more specific improvement program can be developed and implemented. Table 1 attached shows the fiscal implications for improvements in the Personnel Services category of the Budget and Administration Services Division budget.

If the Management Committee agrees with this recommendation, the necessary ordinance for establishing the Personnel Officer position and Pay Plan change will be forwarded to the Council for consideration.

ANALYSIS OF THE DATA PROCESSING FUNCTION

The Data Processing Division was created in 1982-83 on a recommendation from the Council's Financial Task Force. It was formed during a period of severe budget constraints to assist in the development and utilization of existing computer hardware and software. The history of Metro's use of computers is as follows:

Prior to 1979

The Transportation Planning Department was the only unit that was utilizing a computer. At that time CRAG used a large mainframe computer operated by Multnomah County. All of the Data Processing staff worked in the Transportation Planning Department.

1979-1982

During this period Metro purchased its first computer -- a DEC PDP 11-34 (mini-computer). It initially was used by the Transportation Department. A financial software package from Manus was added in 1981. Responsibility for implementing the financial package was given to Accounting. Computer operation was handled by the Transportation Department - essentially by default as this was the only internal source of computer skills. Unfortunately, there was no coordination or linkage between the computer operation group and the Accounting Department implementing the financial package which became the major application. The computer was maintained and kept operational but there were many problems implementing the financial package - mostly due to lack of internal understanding of how it worked. This situation was a major factor which led to Metro's financial problems in 1982.

1982-1983

The Data Processing Division was established. Two staff members from the Transportation Department were moved to the division and the Technical Service Manager was made part-time manager of the division (.3 FTE). Most of the existing computer problems were overcome and the finance package was gradually implemented. However, the machine operation was slow due to insufficient computer resources. At this stage, two computers were in use - one in-house (PDD 11-34) used primarily for finance and secondarily for transportation planning and Multnomah County's large mainframe (for transportation planning and data services).

1984-85

During the current fiscal year a new computer has been added to replace the use of Multnomah County's large mainframe. The IRC purchased a Pixel 100/AD and a software package for transportation modeling. Additional disks have been purchased for the PDP 11-34 and a disk management software was added to improve the PDP 11-34 operation. Implementation of the finance package has been continually upgraded during this period. At this state, the PDP 11-34 operates at a reasonable level for accounting purposes. Any other use or significant improvement to the finance package will result in the need for more computing power.

The new Pixel 11/AD has received so much use that it is now at capacity and demand continues to grow. There is need for additional computing power for the transportation planning and data services functions.

Metro's current word processing system functions well but is an old, centralized system which inhibits distributed word processing and mailing list management. There are other applications for computer use in the agency including records management, budgeting, and graphics. Recent development of micro computers has led to understandable requests for the application of these systems. This trend will continue.

Problem

Metro's use of computers for accounting and transportation planning has been a success. Unfortunately, we have no comprehensive data processing plan to guide us in obtaining and applying new computer technology. Such a plan can lead to productivity improvements as has occurred in other government agencies and the private sector. The increasing demands for programming assistance and the increased load in computer operations assistance have led to a lack of staff resources to complete a data processing plan. Programming help to Metro departments has also suffered.

Recommendation

1. **Staff Changes:** Establish a full-time position of Data Processing Manager to plan and organize the activities of the division. Replace the System Analyst position with an entry level programmer. The Data Processing staff would then include a Data Processing Manager, Operations Analyst, Programmer and part-time Secretary.
2. **Data Processing Plan:** There is a need to comprehensively and systematically analyze existing information processing capabilities and needs and prepare a strategy for cost effective computer improvements.
3. **Establish a micro computer policy** that allows for purchase of micro computers. This policy is needed regardless of the availability of larger computers and should not wait on the existence of a data processing plan. Resource budgeting for personal computers should be based in user departments. Executive Order No. 23, the microcomputer acquisition policy, is attached as Exhibit B.

The existing and proposed organizational structure and staffing for the Data Processing function is displayed in Figures 1 and 2 attached.

Timing

We recommend that implementation be accomplished in two steps. First, the position of full-time Data Processing Manager be established by the Council during the current fiscal year (effective April 1, 1985) and the remaining changes take place during FY 1985-86 (effective July 1, 1985). Obtaining the services of a

full-time manager now will enable us to initiate work on the data processing plan. This will include preparing an RFP and selection process to hire a consultant to assist in the development of the data processing plan. With an early start, any budget implications for new system acquisitions will be addressed by July 1986. Table 2 shows the fiscal implications for improvements in the personal services category of the data processing budget. If the Management Committee agrees with this recommendation, the necessary ordinance for establishing the Data Processing Manager position and Pay Plan changes will be forwarded to the Council for consideration.

DEC/amn
2940C/405-3
02/14/85

EXHIBIT A

CENTRAL PERSONNEL SERVICES

1. Affirmative Action
 - Administer and update the program.
 - Provide regular status reports.
 - Conduct outreach efforts.
2. Personnel Rules
 - Administer and update.
3. Recruitment and Selection
 - Plan and oversee process.
 - Respond to applicant inquiries.
 - Provide employee orientation.
4. Compensation
 - Administer and update the Pay Plan.
 - Process and record all pay changes.
5. Classification
 - Administer and update the Classification Plan.
 - Conduct reclassification study.
6. Safety
 - Ensure compliance with laws.
 - Administer the Workers' Compensation program.
 - Implement first aid program and training.
7. Labor Relations and Negotiations
 - Participate in collective bargaining.
 - Maintain liaison with union representatives.
8. Benefits
 - Administer all benefits programs from enrollment to termination, including medical/dental insurance, disability program, retirement, life insurance, Social Security and unemployment compensation.
9. Counseling
 - Provide information and assistance to supervisors on personnel matters.
 - Provide counseling and advice to all employees on personal problems.
10. Processing and Recordkeeping
 - Review and process all paperwork regarding employment from appointment to separation.
 - Maintain files and records of all information regarding an employee's employment.
 - Generate various reports for internal and external use based on records.

EXECUTIVE ORDER: NO. 23

EFFECTIVE DATE: MARCH 14, 1985

SUBJECT: MICROCOMPUTER ACQUISITION

This document describes the policy for acquiring microcomputers and related software to achieve the following goals: to encourage improved work quality and productivity by the cost-effective application of microcomputers; to allow end users the opportunity to acquire hardware and software; to enhance the exchange of information and experience concerning the purchase and use of microcomputer hardware and software.

I. Acquisition of Microcomputer Hardware and Software

- A. Prior to the acquisition of microcomputer hardware or software users shall and identify:
1. tasks suitable for computerization;
 2. appropriate hardware and software systems; and
 3. purchase and maintenance providers, with the aid, if requested, of the data processing division.
- B. In considering all purchases users are encouraged but not required to:
1. consider hardware and software being used successfully at Metro;
 2. have data processing evaluate hardware and software not currently in use at Metro; and
 3. for software, select end user packages to avoid programming.
- C. The following procedures shall be used for all purchases of software costing more than \$500 and of all hardware:
1. The user shall prepare and submit to the data processing division a request considering the following requirements:
 - a. is the purchase proposed adequate to service the needs identified; and
 - b. are the benefits derived commensurate with the cost of the purchase.
 2. The data processing division shall determine whether the purchase meets the requirements under 1 above and shall also determine whether the purchase is compatible with and has a positive effect on Metro's existing data processing and information systems. When it is appropriate to use and maintain data exclusively on the proposed purchase, the compatibility requirement may be waived by the Deputy Executive Officer. The

data processing division shall make a recommendation on the purchase to the Director of Finance & Administration.

3. The Deputy Executive Officer must approve all purchases.

II. Information Exchange

- A. The data processing division will maintain for use by Metro employees a list of microcomputer hardware and software currently in use at Metro.
- B. Users will inform the data processing division of all acquisitions of microcomputer hardware and software.
- C. The data processing division shall maintain a list of recommended hardware and software for common office applications.

III. User Responsibilities

Users shall have the following responsibilities:

- A. Users are responsible for administering the purchase and maintenance of the systems they use.
- B. Users are responsible for the programs and applications they develop and for all programming problems, errors and maintenance thereof.
- C. Users shall obey the letter and spirit of the laws of copyright and trademark.
- D. Users shall not use microcomputers for unauthorized access or modification of data on other machines.
- E. Users shall clearly label as derivative any report which is based on data copied from the central repository for that data.
- F. Users shall ensure the security of their hardware, software and data.

RG/ESB/srs
3104C/410-2
03/14/85


EXECUTIVE OFFICER

NOTE: This Executive Order replaces the draft microcomputer acquisition policy originally included as Exhibit B to this staff report.

Table 1
 BUDGET & ADMINISTRATIVE SERVICES DIVISION
 PERSONAL SERVICES BUDGET
 CURRENT 1984-85 & PROPOSED 1985-86

PERSONAL SERVICES	CURRENT BUDGET 1984-85 ¹				CURRENT BUDGET-PHASE I PROPOSAL (4/1/85)				PROPOSED 1985-86 BUDGET ²			
	DIVISION		PERSONNEL		DIVISION		PERSONNEL		DIVISION		PERSONNEL	
	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE
Deputy Exec. Off.	7,646	.17			7,646	.17			8,121	.17		
Manager, B&AS	39,410	1.00	9,853	.25	39,410	1.00	9,853	.25	40,607	1.00	8,121	.20
Analyst 3	23,954	1.00			23,954	1.00			24,065	1.00		
Personnel Analyst	21,302	1.00	21,302	1.00	15,977		15,977					
Personnel Officer					7,540	1.00	7,540	1.00	31,387	1.00	31,387	1.00
Support Svc. Supr.	7,945	1.00			7,945	1.00			20,259	1.00		
Print Operator	18,126	1.00			18,126	1.00			18,480	1.00		
Lead Word Proc. Opr.	18,403	1.00			18,403	1.00			19,344	1.00		
Word Proc. Oper.	15,714	1.00			15,714	1.00			8,089	.50		
Admin. Asst.	19,915	1.00	11,623	1.00	19,915	1.00	11,623	1.00	20,509	1.00	20,509	1.00
Secretary	6,986	.50	6,986	.50	6,986	.50	6,986	.50	18,633	1.25	14,384	1.00
Maintenance Aide	6,432	.50			6,432	.50			6,510	.50		
Temporary	2,633				2,633							
Overtime	200				200				200			
Merit	112				112				8,640		2,976	
Fringe	56,373		15,096		58,162		16,077		69,702		23,987	
Total	245,151	9.17	64,860	2.75	249,155	9.17	68,056	2.75	294,506	9.42	101,364	3.20

¹ As proposed in mid-year budget adjustments

² Includes 2% Pay Plan catch up and 1% increase in fringe costs

Table 2
 DATA PROCESSING DIVISION
 PERSONAL SERVICES BUDGET
 CURRENT 1984-85 & PROPOSED 1984-86

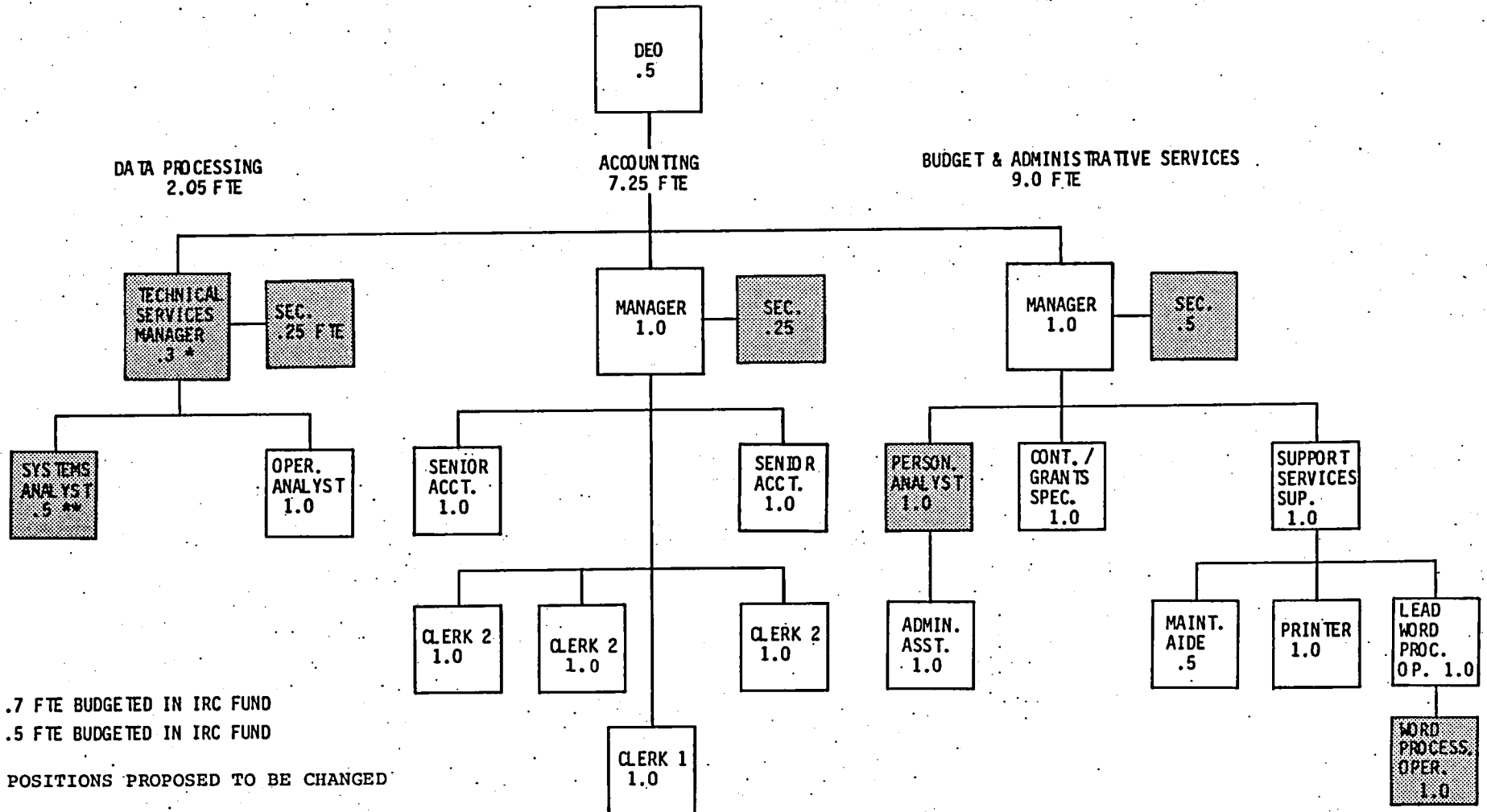
PERSONAL SERVICES	CURRENT BUDGET ¹ 1984-85		CURRENT BUDGET (PHASE I (4/1/85))		PROPOSED BUDGET ² 1985-86	
	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE
Deputy Exec. Officer	7,197	.16	7,197	.16	7,634	.16
Tech. Services Mgr.	12,504	.30	9,378			
Manager - Data Proc.			8,252	1.00	33,000	1.00
Systems Analyst	14,338	.50	14,338	.50		
Operations Analyst	28,740	1.00	28,740	1.00	30,783	1.00
Programmer					10,400	.50
Secretary	3,493	.25	3,493	.25	3,760	.25
Merit	2,752		2,752		3,423	
Fringe	20,675		22,213		27,590	
Total	89,699	2.21	96,363	2.91	116,590	2.91

¹ As proposed in mid-year budget adjustments

² Includes 2% Pay Plan catch up and 1% increase in fringe costs

Figure 1

**DEPARTMENT OF FINANCE & ADMINISTRATION
CURRENT STRUCTURE & STAFF
18.8 FTE**



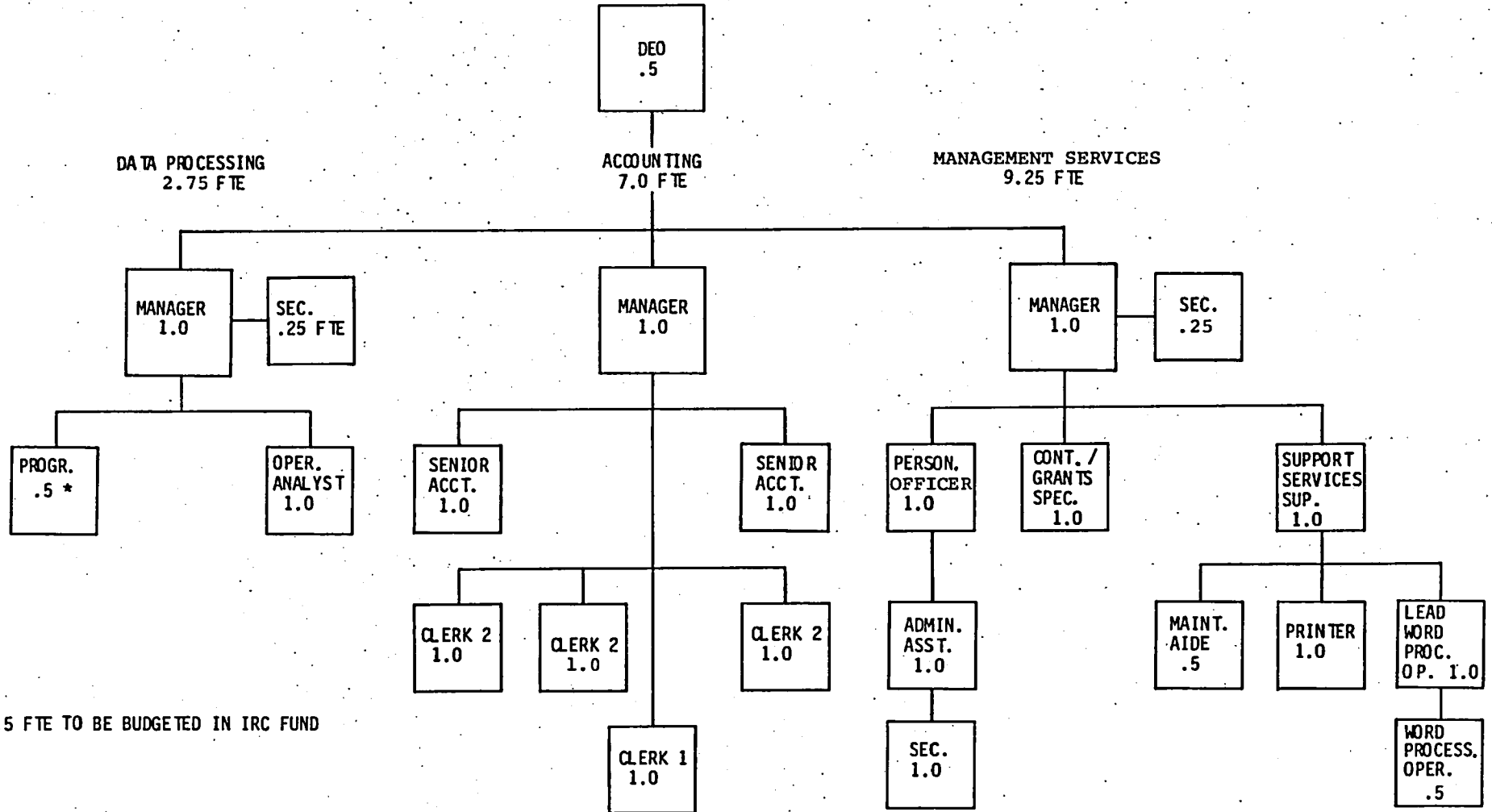
* .7 FTE BUDGETED IN IRC FUND

** .5 FTE BUDGETED IN IRC FUND

█ POSITIONS PROPOSED TO BE CHANGED

Figure 2

DEPARTMENT OF FINANCE & ADMINISTRATION PROPOSED STRUCTURE & STAFF 19.5 FTE



* .5 FTE TO BE BUDGETED IN IRC FUND

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING THE) RESOLUTION NO. 85-573
CLASSIFICATION AND PAY PLANS FOR)
THE METROPOLITAN SERVICE DISTRICT) Introduced by the
) Executive Officer

WHEREAS, Ordinance No. 81-116 adopted Personnel Rules of the Metropolitan Service District (Metro) which requires the establishment and maintenance of a Classification Plan and Pay Plan; and

WHEREAS, The need has been established for the new classification and positions of Personnel Officer, Data Processing Manager, and Programmer; now, therefore,

BE IT RESOLVED,

1. That pursuant to Sections 24 & 26 of the Personnel Rules, the Classification Plan is amended effective June 1, 1985, to include the classification specifications attached hereto as Attachment "B."

2. That Table A. of the Pay Plan is amended to include the classifications of Personnel Officer at salary range 12.5; Data Processing Manager at salary range 13.5; and Programmer at salary range 9.0.

3. That positions in these classifications shall be exempt for purposes of overtime compensation pursuant to ORS 279.340 and 279.342.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1985.

Ernie Bonner, Presiding Officer

STAFF REPORT

Agenda Item No. 7
8.2

Meeting Date May 23, 1985

CONSIDERATION OF RESOLUTION NO. 85-574, FOR THE
PURPOSE OF GRANTING AN EXEMPTION TO THE PUBLIC
CONTRACTING PROCEDURE FOR THE PURCHASE OF
COMPUTER EQUIPMENT FOR TRANSPORTATION PURPOSES

Date: May 14, 1985

Presented by: Eleanore Baxendale

FACTUAL BACKGROUND AND ANALYSIS

It is customary for purchasing manuals to contain a standing exemption from the low bid award process for "information systems contracts" such as data and word processing equipment, telephone equipment, telephone services and copiers. See Oregon Administrative Rules 125 - 320 - 010 through 030. The standard process used in lieu of straight competitive bid is the "alternative competitive procurement method" of a Request for Proposal (RFP) process. Therefore, when staff proposed an RFP for certain computer hardware for transportation uses, the proposed RFP was approved and is now being used. However, Metro's purchasing rules do not contain the blanket exemption for such contracts; therefore, a special Council resolution is necessary. Staff did not realize this until after the RFP was initiated (but before the financial commitment has been made).

The RFP is contained in Exhibit "A," which describes in technical terms the equipment (and related maintenance) desired and the criteria for selection. Exhibit "B" explains why the equipment is needed and what it will do.

As explained in Exhibit "B," an RFP is an appropriate process because of the changing technology available to meet the identified need. The only alternative is to analyze all of the possible computer and software combinations before soliciting bids and then requesting bids on the best combination. Because of the nature of the computer market, this would be a sole source contract, which also requires an exemption. This is why the state has authorized a blanket exemption for such purposes, focusing on the RFP process.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends the Council adopt Resolution No. 85-574.

amn
3567C/411-2
05/15/85

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF GRANTING AN	)	RESOLUTION NO. 85-574
EXEMPTION TO THE PUBLIC)	
CONTRACTING PROCEDURE FOR THE)	
PURCHASE OF COMPUTER EQUIPMENT	)	Introduced by the
FOR TRANSPORTATION PURPOSES	)	)Executive Officer

WHEREAS, Metro Code Section 2.04.011(c) provides that specific contracts may be exempted from the lowest bid competitive bidding process by Board resolution, subject to the requirements of ORS 279.015(2) and ORS 279.015(5); and

WHEREAS, Pursuant to ORS 279.015(2)(a) this exemption is unlikely to encourage favoritism or substantially diminish competition for public contracts because all potential vendors will receive copies of the Request for Proposal attached as Exhibit "A" which clearly states the contractual requirements and evaluation criteria which will be used by a competent committee as described in Exhibit "B" in selecting a vendor; and

WHEREAS, Pursuant to ORS 279.015(2)(b) the awarding of a contract using the request for proposal process will result in substantial cost savings because Metro will be able to select the most effective and flexible proposal, as described in Exhibit "B"; and

WHEREAS, Pursuant to ORS 279.015(5) the request for proposal process described in Exhibit "B" will reflect marketing realities consistent with encouraging the competitive process; now, therefore,

BE IT RESOLVED,

That the contract for purchase of computer equipment described in Exhibit "A" is exempted from the low bid public contracting process because the Metro Council acting as the Contract Review Board finds the process described in Exhibits "A" and "B" to be in compliance with Metro Code Section 2.04.011(c).

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1985.

Ernie Bonner, Presiding Officer

amn
3567C/411-1
05/14/85

REQUEST FOR PROPOSAL TO PURCHASE
A SUPER-MICROCOMPUTER AND PERIPHERALS
FOR TRANSPORTATION PLANNING

PRIMARY USE

The hardware and operating system will be used to run EMME 2, a proprietary transportation planning software package currently in use at Metro. The existing computer base is too small to cope with the demand and a second system, with the ability to link to the existing application via a LAN (preferably Ethernet), is required.

REQUIREMENTS

1. Micro processor -- a true 16 or 32 bit architecture with 24 bit direct addressing capability (examples, M68000, M68010, M68020, NS32032...etc.). Full 32-bit is preferred.
2. Memory -- 2 Mbyte minimum
3. Operating System -- UNIX or look-alike, adherence to true Berkeley 4.2 or AT&T System V will be preferred.
4. Fortran Compiler -- Should support standard FORTRAN 77 as well as FORTRAN IV extensions (or vice versa). The compiler should be able to accept:

```

Integer I,J
Character*4 C
Equivalence (I,C)
Data J/'abcd'/
.
.
.
Write (lu,10)J
10 Format (a4)
.
.
.

```

(It may be necessary to set particular compiler options in order to compile the above sequence, e.g.\$CHAREQU for SVS Fortran). Furthermore, the compiler must allow the calling of C-routines, possibly using 'wrapper' - routines in assembly code.

5. Floating Point Processor -- A Floating Point Processor (FPP) is required. It should handle all floating point operations using traps to allow the use of the same object code as that used without the FPP.
6. Disk -- Proposal should include 120 (required) and 160 (preferred) Mbyte of hard disk storage. If available, a high speed, high capacity winchester drive (such as the Fujitsu Eagle - 470 Mbyte) should be priced as an option.

7. Tape -- A tape backup facility must be included in the RFP. Prices for both cartridge and standard 1/2-inch, 9-track 1600 bpi tapes should be quoted.
8. Local Area Network (LAN) -- The possibility of interconnecting several computers through an Ethernet (TCP/IP) Local Area Network, though not required for the operation of EMME 2, will be beneficial in view of later expansion of the system. It would allow the addition of CPUs without the need to duplicate databases and peripheral resources. The ability to install and operate Ethernet at some time is required.
9. Ports -- The proposal should include eight ports (RS-232-c). The maximum number and cost of additional ports should be stated.
10. Maintenance -- Maintenance must be provided for two years and maintenance costs for two years for each piece of suggested equipment and software should be specified.
11. Availability -- The availability and lead time between order and delivery should be addressed.

OPTIONS

1. Terminals -- Initially four terminals will be purchased. They should have both graphics (Tektronix 4100/4010 compatible) and regular display ability (VT100 compatible) with at least a 640 x 480 Pixel resolution. These terminals may be treated as a separate, later bid. Prices for both color and monochrome are requested. The ability to use a "mouse" to control the cursor is desirable.
2. Printer -- Availability and prices of both dot matrix (180 cps) and ink-jet color printers should be included. Graphics capability is needed.
3. General Purpose Software -- The availability of supported general purpose software should be described, and where possible priced. The following are of interest:

- Statistics
- Document Processing
- Graphics Editor
- Project Manager
- Spreadsheet
- Database Manager

CHOICE OF EQUIPMENT

The selection of the vendor will not necessarily be based on the lowest price, but on the most cost-effective and flexible proposal submitted. Speed and flexibility will be balanced against price and the available budget for this acquisition. The ability to expand the system with increasing demand (both CPU and storage) should be addressed.

1. The proposal must meet at least the 11 requirements listed.
2. Preference points will be added for the following areas:
 - Minority or women-owned business participation.
 - Availability of local (Portland area) maintenance service.
 - Expandability of system.
 - Availability of larger disk storage units and associated file-servers.
 - Availability of general purpose software.
 - Reputation of supplier (primarily to be determined through a survey of current users). This to cover both initial delivery and set up, and maintenance. Please include a list of references.
 - CPU processing speed and disk access times. This is a soft area to evaluate but information on these elements is requested, together with any standard benchmark tests available. Information on the processors (CPU, IOP and FPP) should be included.
3. Where possible a visual inspection of an operating system will be made. Preferably at an existing customer site. Only existing and in-use hardware/software should be included in this proposal.

CONTRACT

The final purchase of equipment and maintenance service will be through a negotiated contract. A typical Material Contract document is attached.

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Memo

EXHIBIT "B"

METROPOLITAN SERVICE DISTRICT 527 S.W. HALL ST., PORTLAND, OREGON 97201 503 221-1646
Providing Zoo, Transportation, Solid Waste and other Regional Services

Date: May 15, 1985
To: Metro Council
From: T. Keith Lawton, Technical Manager *(I.K.)*
Regarding: Request for Proposal (RFP) for Purchase of an
Additional Computer for Travel Forecasting
(Transportation Department)

PROPOSED ACQUISITION OF ADDED COMPUTER CAPACITY FOR TRAVEL FORECASTING

1. PURPOSE

Proposal -

To purchase additional computer equipment to meet growing demands from ODOT, Tri-Met and local jurisdictions for travel forecasts. Estimated cost: \$60,000; 50% Tri-Met Sec. 9/50% Metro - Highway Planning funds (UMTA/FHWA).

Background -

In July 1983 Metro acquired new computer equipment and software to convert travel forecasting from an UMTA-UTPS system at Multnomah County Data Processing Authority to an in-house system. This change was designed to reduce costs and improve the usability of travel forecasts for Metro's regional transportation planning activity. Funding was provided from FHWA Planning funds. Since then, Metro staff has been concurrently involved in converting and upgrading the travel-forecasting models to the new system, developing forecasts for various regional transportation studies and attempting to meet increased demands of Tri-Met, ODOT and local jurisdictions for travel data.

Current Problem -

The capacity of the current system appears adequate for Metro's regional transportation planning requirements. However, it is clearly insufficient to meet the growing demand by ODOT, Tri-Met and local jurisdictions for travel

forecasts. During the past year, as more of the system has been converted from UTPS to EMME 2 and more outside staff became familiar with the operation, demands for information have grown dramatically. Within the limitations of staff availability and machine capacity, efforts have been made to continue the conversion process to EMME 2, to develop new 2005 forecasts, to meet the needs of various Metro studies, and to fill requests for travel forecasts. Because of the excess demand, all projects have suffered delays.

In addition to the current constraint, it is clear outside use will continue to grow:

- The year 2005 regional forecasts are nearly complete, a variety of analyses for the various jurisdictions are scheduled and many more are anticipated.
- The requests received to date have been precipitated by the availability of a partial data set since the conversion was not complete (1980 and 2000 highway assignments for the Eastside only). As trip generation/ distribution/mode split/transit assignment is added to the system together with forecasts for the Westside, many more requests are expected.
- To date, staff from ODOT, Portland and Tri-Met have been trained to use the system; additional staff from the cities and counties are scheduled to be trained in the near future. As more travel-forecasting operations are shifted to non-Metro staff, particularly via remote terminals at ODOT and Tri-Met, demand for computer capacity will grow.
- It is clear that the demand for use of the travel-forecasting package will be widespread and sustained. Prospective uses include:
 - preparing future traffic data for highway project development and EISS;
 - analyzing the immediate traffic impacts due to construction;

- updating traffic data for comprehensive plans;
- providing traffic impact data for proposed major developments;
- developing traffic management programs;
- evaluating alternative transit routes, headways, fares, etc.; and
- updating the Five-Year Transit Development Program.

2. NEED FOR RFP PROCESS

The availability of computer technology is constantly changing. At any given time there are computers with relatively small cost separations that are significantly different in processing power. The RFP process is a means of surveying the latest available offerings and carrying out an analysis of performance versus cost, thus ensuring that at decision time an agency can get the best value for the money.

There are three basic criteria for a wise decision:

- Minimum requirement to run specified software must be met.
- Buy as much processing power as can be afforded.
- Buy a system which has significant capacity for expansion.

It should be emphasized that an RFP process is an extremely competitive process with the aim of obtaining the most cost-effective solution.

3. SELECTION PROCESS

The proposals are analyzed and cost-checked to ensure that similar options are being considered and that hidden costs are exposed.

The choice will be recommended by a committee composed of seven people:

ODOT:	Information Systems Representative Planning Section Representative
TRI-MET:	Planning Section Representative
METRO:	Transportation Planning Director Senior Planner, Transportation Systems Technical Manager Data Processing Systems Analyst

- Criteria:
- Intrinsic CPU computing power (16 vs 32 bit, cycle rate, architecture)
 - Expansion capability of main memory
 - Specific capacity of the Fortran compiler
 - Existence of a floating point processor
 - Availability of expansion in disk storage
 - Availability of TC/PIP local area network (Ethernet)
 - Expansion capability, number of users
 - Maintenance - local is strongly preferred
 - Availability - a short delivery date is preferred
 - MBE or WBE
 - Speed as determined by benchmark tests
 - Response of references contacted
 - Reputation/size of manufacturers

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