

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING ) RESOLUTION NO. 97-2484  
THE AMENDMENT OF CONTRACTS )  
FOR PROPERTY ACQUISITION ) Introduced by:  
SERVICES FOR METRO OPEN SPACES ) Charles Ciecko  
ACQUISITION DIVISION ) Nancy Chase

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

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

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

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

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

WHEREAS, Metro Open Spaces has utilized professional services from those executed contracts to perform due diligence and purchase over 2,000 acres pursuant to Ballot Measure 26-26 and its stated goal of acquiring up to 6,000 acres of open space property throughout the region; and

WHEREAS, the amount of some of those contracts has been exhausted completely and the balance remaining on others will not last through the effective date of the contracts; and

WHEREAS, pursuant to the Open Spaces Implementation Work Plan, Metro Open Spaces has a stated goal of acquiring nearly 4000 acres in the next two years; and

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

WHEREAS, Metro staff has prepared the amendments of certain contracts for Property Acquisition Services for Open Spaces, which is attached as Exhibit A; and

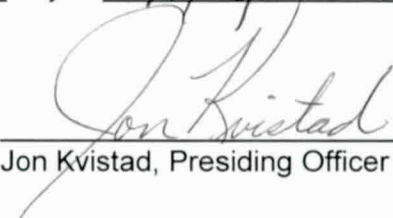
WHEREAS, the increase in contract amounts is necessary to enable staff to continue to acquire open spaces pursuant to the Open Spaces Implementation Work Plan; and

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

BE IT RESOLVED,

That the Metro Council authorize the amendment of Property Acquisition Personal Services Contract amounts as identified in Exhibit A.

ADOPTED by the Metro Council this 1st day of May, 1997.

  
\_\_\_\_\_  
Jon Kvistad, Presiding Officer

Approved as to Form:

  
\_\_\_\_\_  
Daniel B. Cooper, General Counsel

**Exhibit A  
Resolution No. 97-2484**

**Open Spaces Acquisition Personal Services Contracts to be Amended**

<b>Contract Number</b>	<b>Contractor Name</b>	<b>Type of Acquisition Service</b>	<b>Current Contract Amount</b>	<b>Amount to Amend to Contracts</b>	<b>New Contract Total</b>
904639	Arvidson & Associates	Appraiser	\$30,000	\$30,000	\$60,000
904638	Day Appraisal Co., Inc.	Appraiser	\$30,000	\$30,000	\$60,000
904636	Forest Resource Management, Inc.	Appraiser	\$20,000	\$40,000	\$60,000
904635	Kris Hartley	Appraiser	\$30,000	\$30,000	\$60,000
904629	Moscato, Ofner & Henningsen, Inc.	Appraiser	\$70,000	\$80,000	\$150,000
904626	RD Anderson & Associates	Appraiser	\$30,000	\$30,000	\$60,000
904634	Real Property Consultants, Inc.	Appraiser	\$45,000	\$50,000	\$95,000
904625	The Healy Company	Appraiser	\$30,000	\$30,000	\$60,000
904630	Zell & Associates	Appraiser	\$70,000	\$200,000	\$270,000
904652	Maurita Smyth	Biologist	\$25,000	\$25,000	\$50,000
904768	Compass Corporation	Civil Engineers	\$10,000	\$20,000	\$30,000
904766	David Evans & Associates, Inc.	Civil Engineers	\$10,000	\$20,000	\$30,000
904765	Otak, Incorporated	Civil Engineers	\$10,000	\$20,000	\$30,000
904767	Symonds Consulting Engineers, Inc.	Civil Engineers	\$10,000	\$20,000	\$30,000
904764	W&H Pacific	Civil Engineers	\$20,000	\$20,000	\$40,000
904672	AGI Technologies	Environmental Auditor	\$15,000	\$15,000	\$30,000
904673	Dames & Moore	Environmental Auditor	\$30,000	\$35,000	\$65,000
904674	De Minimis, Inc.	Environmental Auditor	\$30,000	\$75,000	\$105,000
904669	Hahn & Associates	Environmental Auditor	\$30,000	\$75,000	\$105,000
904763	Adolfson Associates, Inc.	Landscape Architect/Planners	\$10,000	\$30,000	\$40,000
904774	David Evans & Associates	Surveyor	\$25,000	\$25,000	\$50,000
904775	OTAK	Surveyor	\$25,000	\$25,000	\$50,000
904773	Stuntzner Engineering & Forestry	Surveyor	\$25,000	\$25,000	\$50,000
904780	W.B. Wells	Surveyor	\$25,000	\$25,000	\$50,000
904969	David Evans & Associates, Inc.	Peninsula Crossing Trail Design	\$133,339.60	\$90,000	\$223,339.60
	<b>Total</b>		<b>\$788,339.60</b>	<b>\$1,065,000</b>	<b>\$1,853,339.60</b>

## Staff Report

### **CONSIDERATION OF RESOLUTION NO. 97-2484 AUTHORIZING THE AMENDMENT OF CONTRACTS FOR PROPERTY ACQUISITION SERVICE FOR METRO OPEN SPACES ACQUISITION DIVISION.**

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Date: April 10, 1997

Presented By: Charles Ciecko  
Nancy Chase

#### **PROPOSED ACTION**

**Resolution No. 97-2484 requests that the Metro Council authorize amendment of selected Open Spaces property acquisition personal services contracts.**

#### **BACKGROUND AND ANALYSIS**

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

In 1995, the Metro staff prepared a Request for Qualifications/Proposals for property acquisition personal services to be utilized in conjunction with the Open Spaces Acquisition Division. The RFQ/P was intended to identify qualified consultants in several different areas of expertise needed to accomplish the property acquisitions. The professionals which are the subject of this RFQ/P are appraisers, negotiators, biologists, surveyors, civil engineers, environmental auditors, planners/landscape architects and construction managers.

Multiple consultants in each of the above listed disciplines were selected. Multi-year master contracts effective through December 31, 1998 were executed with each of the selected consultants which established the general requirements. During the term of the master contract, one or more of the selected consultants are asked to respond to individual assignments to perform certain services related to their field of expertise. The assignments are specific to an individual property transaction, target area or trail. Consultants are asked to indicate their availability to perform the work within the stated time requirements and their cost based on the amount of time anticipated to complete the work. In addition, consultants are asked to fully disclose any conflicts of interest they may have in regards to the specific property.

The RFQ/P indicated that consultants are not guaranteed to receive any certain number of assignments. However, Metro staff estimated at that time that, on average, 75 individual property transactions per year would be completed and that transactions would require from one to four of the specified contracted services. The original amounts of the contracts were estimates intended to provide sufficient dollars until a track record of contractor performance and program need was established.

Over the last year and a quarter Metro Open Spaces staff has been using professional acquisition services from those master Open Spaces contracts to purchase over 2000 acres of open spaces, pursuant to Ballot Measure 26-26 and its stated goal of acquiring up to 6,000 acres of open space property throughout the region. Staff has utilized as many consultants within each discipline as possible. Consultants provide quotes based on a specific scope of work and completion date. Different consultants within each discipline have different experience and qualifications to provide

certain services, and not all consultants in each discipline are qualified to do all types of work within that discipline. For example, certain appraisers specialize in appraising land platted for residential development and others specialize in evaluating agricultural land.

Using consultants from the Open Spaces master contract list enables staff to utilize acquisition services in a cost-effective manner. Often quick completion of a scope of work is essential to remain competitive in the fast-paced real estate market. Use of acquisition services from a list of master contracts is considered essential to acquiring the stated 6,000-acre goal.

Since the contracts were executed in December 1995 and January 1996, some contract amounts have been exhausted completely; on others the balance remaining will not last through the contract effective date of December 31, 1998. To enable staff to continue to use acquisition services from these master contracts, staff has prepared a list of the contracts needing amendment, as listed in Attachment 1. New contract totals are expected to be sufficient through December, 1998.

### **BUDGET IMPACT**

Resolution No. 97-2484 increases the Open Spaces Acquisition Services contracts by \$1,040,000. The overall Open Spaces budget has allocated \$2.5 million for miscellaneous professional services for the duration of the program. Careful fiscal management will ensure that adequate funds are available throughout the program for these contracted services. The Open Spaces fiscal year 1997-98 budget includes adequate funds in miscellaneous professional services to cover acquisition services contracts.

### **Executive Officer's Recommendation**

The Executive Officer recommends passage of Resolution No. 97-2484.

**Attachment 1  
Resolution No. 97-2484**

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