

BEFORE THE METRO CONTRACT REVIEW BOARD

FOR THE PURPOSE OF AMENDING) RESOLUTION NO. 95-2115
CONTRACT NO. 902670 WITH STEVEN)
M. SIEGEL & ASSOCIATES TO ADD A) Introduced by Mike Burton,
SOUTH/NORTH TRANSIT CORRIDOR) Executive Officer
MAJOR INVESTMENT STUDY AND)
AUTHORIZING EXECUTION OF THE)
AMENDMENT SUBJECT TO CONDITIONS)

WHEREAS, The Regional Transportation Plan has designated the South/North Transit Corridor as the region's next priority for development following completion of Light Rail Transit in the Westside Corridor and Hillsboro Extension; and

WHEREAS, Tier I of the South/North Transit Corridor Study is concluding with identification of the light rail alignment and termini alternatives to be studied further in the Tier II Draft Environmental Impact Statement/Preliminary Engineering Phase; and

WHEREAS, The Federal Transit Administration has issued new regulations implementing the Intermodal Surface Transportation Efficiency Act of 1991 and requiring completion of a *Major Investment Study Final Report* before Federal Transit Administration will authorize the Corridor to advance into the Tier II Draft Environmental Impact Statement/Preliminary Engineering Phase of the Study; and

WHEREAS, Metro is seeking a grant of \$12.3 million from the FTA which cannot be awarded until this MIS Final Report is complete; and

WHEREAS, Steven M. Siegel & Associates is currently under contract with Metro to provide similar Tier I services for the South/North Study; and

WHEREAS, Consultant services are needed to provide specific technical expertise and to perform tasks required to meet federal requirements in a timely manner; and

WHEREAS, Metro Code Section 2.04.054(a) (3) requires that "any amendment or

extension to a Personal Services contract "...exceeding \$10,000 shall not be approved unless the Contract Review Board shall have specifically exempted the contract amendment from competitive procurement procedures of Section 2.04.53."; now, therefore

BE IT RESOLVED,

That the Metro Council acting as Contract Review Board hereby approves the issuance of Contract Amendment No. 4 attached hereto as Exhibit A, and authorizes the Executive Officer to execute a contract amendment to assist in the development of a *Major Investment Study Final Report* for the South/North Transit Corridor Study in an amount not to exceed \$17,600.00.

ADOPTED by the Metro Council this 30 day of Mar., 1995.



J. Ruth McFarland, Presiding Officer

ACC:lmk
95-2115.RES
3-13-95

EXHIBIT A
SCOPE OF WORK
MAJOR INVESTMENT STUDY FINAL REPORT/RTP UPDATE/TIP AMENDMENT
FOR THE SOUTH/NORTH CORRIDOR PROJECT

I. PURPOSE

A *Major Investment Study (MIS) Final Report* must be prepared as a precursor to the Draft Environmental Impact Statement (DEIS) and Preliminary Engineering (PE). The MIS Final Report must define the scope and design concept of the project which will be examined in the DEIS/PE stage. The *Major Investment Study Final Report* will comply with the:

- Criteria set forth in Section 3(i) of the Federal Transit Act
- Regulations for Metropolitan Planning set forth in the Federal Register dated October 28, 1993
- Guidance on Major Investment Studies set forth in the Question and Answer piece distributed by Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) dated August 19, 1994.

In addition to preparation of the MIS Final Report, Metro must prepare and adopt a Regional Transportation Plan (RTP) update and Transportation Improvement Program (TIP) amendment.

Within this context, the purpose of this Scope of Work is to:

- Prepare a Major Investment Study Final Report
- Prepare associated amendments to the RTP and any needed back-up material.
- Assist in developing the associated amendment to the TIP
- Assist in securing approvals from the Federal Transit Administration.

II. WORK TASKS

A. DETERMINE AN APPROPRIATE FORMAT FOR THE MAJOR INVESTMENT STUDY FINAL REPORT

- [a] Assess the criteria set forth in Section 3(i) of the Federal Transit Act regarding the Secretary's criteria for allowing projects to enter into Preliminary Engineering.
- [b] Review FTA regulations and guidances with regards to an MIS.
- [c] Review the MIS prepared for the Hillsboro Project.

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- [d] In conjunction with Metro staff, consult with FTA officials regarding MIS requirements.
- [e] Meet with Metro staff to finalize a detailed format and scope for the MIS report.

B. PREPARE TECHNICAL ANALYSES REQUIRED FOR AN MIS FINAL REPORT

- [a] Determine an appropriate method for and assist Metro in preparing a cost-effectiveness assessment for the MIS Report.
- [b] Review and summarize appropriate components of the:
 - MIS Consultation Report (12/14/94, Metro)
 - Scoping Report
 - Tier I Final Report
 - Tier I final action by Metro Council
- [c] Provide a project justification (purpose and need).
- [d] Document the "cooperative and collaborative process" that was followed in "establishing the range of alternatives considered" and demonstrate that the range of alternatives was reasonable using the provisions of National Environmental Protection Agency, as reflected by 40 CFR Parts 1500-1508 and 23 CFR Part 771, and best professional practices.
- [e] Identify the likely impacts and consequences of the alternatives considered for the corridor including an evaluation of the effectiveness and cost-effectiveness of alternative investments in attaining local, state and national goals and objectives.
- [f] Document the "proactive public involvement process" that was followed in narrowing the alternatives and demonstrate the compliance of the process with the above mentioned regulations.
- [g] Provide information to assist in making the appropriate conformity determinations.
- [h] Address Executive Order 12898: Federal Actions to Address Environmental Injustice in Minority and Low-Income Populations
- [i] Address Executive Order 12893: Principles of Federal Infrastructure Investments
- [j] Address the New Start Criteria set forth in Intermodal Surface Transportation Efficiency Act which includes:

- a comprehensive review of mobility, improvements, environmental benefits, cost effectiveness and operating efficiencies which, at a minimum must account for congestion relief, improved mobility, air pollution, noise pollution, congestion, energy consumption and all ancillary and mitigation costs necessary to implement each alternative considered.
- an account of the degree of financial commitment including the availability of contingency funds, and evidence of stable and dependable funding to construct, operate and maintain the system. The stability assessment must include existing and future anticipate grant commitments, the degree to which funding sources are dedicated to the proposed project and any debt obligations which are proposed.
- an account of transit supportive existing land use policies and future patterns.
- consideration of the mobility of transit-dependent populations
- consideration of economic development factors

[k] Examine freight movement and delivery.

[l] Define the scope and design concept of the project which will be examined in the DEIS/PE stage.

C. PREPARE A DRAFT MIS FINAL REPORT

[a] Prepare a draft MIS Final Report which compiles the analyses prepared in Task B.

D. IMPLEMENT A REVIEW AND COMMENT PROCESS ON THE MIS REPORT

[a] Review draft MIS Final Report with Metro staff and revise accordingly.

[b] As requested by Metro, review draft Final MIS Report with staff from affected jurisdictions and revise accordingly.

[c] Participate in Project Management Group meetings regarding the MIS Final Report, as requested by Metro.

[d] Provide advice to Metro on Federal Transit Administration issues.

E. PREPARE A FINAL REPORT AND TRANSMITTAL SUMMARY

[a] Based on the comments received from Metro, affected governments and FTA, prepare a Final Draft of the MIS Final Report.

- [b] Continue with further reviews until the adoption draft of the MIS Final Report is accepted by Metro staff.
- [c] Prepare a transmittal letter for the MIS Final Report which includes a detailed summary of the results of the MIS Final Report.

F. ASSIST IN PREPARING RTP AMENDMENT AND TIP AMENDMENT

- [a] Prepare, or assistance in the preparation of, language to include the Tier I decision regarding Phase I and Phase II of the South/North Corridor Project in the RTP update.
- [b] Determine an appropriate financing plan for the South/North Corridor Project to be incorporated in or to be background to the financially constrained RTP.
- [c] Assist in determining an appropriate method for incorporating the South/North Corridor Project in the Transportation Improvement Program by consulting with FTA and Oregon Department of Transportation staff.

III. TIME ALLOCATION

| TASK | HOURS |
|---|--------------|
| A. Determine an Appropriate MIS Report Format | 10 |
| B. Prepare Technical Analyses | 120 |
| C. Prepare Draft MIS Report | 20 |
| D. Implement MIS Report Review/Comment Process | 25 |
| E. Prepare Final Report and Transmittal Summary | 15 |
| F. Assist PREPARATION OF RTP & TIP Amendment | 30 |
| TOTAL | 220 |

IV. BUDGET

The Scope of Work described above requires a \$17,600 increase (220 hours x \$80.00 per hour) to the maximum compensation allowed under the contract.

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 95-2115 FOR THE PURPOSE OF AMENDING CONTRACT NO. 902670 WITH STEVEN M. SIEGEL & ASSOCIATES TO ADD A SOUTH/NORTH TRANSIT CORRIDOR MAJOR INVESTMENT STUDY AND AUTHORIZING EXECUTION OF THE AMENDMENT SUBJECT TO CONDITIONS

Date: March 6, 1995

Presented By: Leon Skiles

PROPOSED ACTION

Authorization to amend the existing contract between Metro and Steven M. Siegel & Associates to assist the Metro staff in preparing the Major Investment Study (MIS) Final Report for the South/North Transit Corridor Study for an amount not to exceed \$17,600.00.

FACTUAL BACKGROUND

Metro is seeking a grant of \$12.3 million from the Federal Transit Administration to complete the AA/EIS/PE effort for the South/North LRT. In order to receive this grant and not potentially lose the currently available federal dollars, Metro must complete several new federal requirements including the production of an MIS Final Report. Existing staff resources are not available to complete these requirements in a timely manner.

Section 2.04.054(a)(3) of the Metro Code requires that, "For Personal Services contracts, any contract amendment or extension exceeding \$10,000 shall not be approved unless the Contract Review Board shall have specifically exempted the contract amendment from the competitive procurement procedures of Section 2.04.53."

The Planning Department is administering this Personal Services contract associated with the South/North Transit Corridor Study. This resolution would extend the contract between Metro and Steven M. Siegel & Associates beyond the dollar limitation cited above.

The Scope of Work (attached) for this consultant's contract amendment will include:

1. Determination of an appropriate format for the MIS report;
2. Preparation of technical analyses;
3. Preparation of draft MIS report;
4. Implementation of a review and comment process on the MIS report;
5. Preparation of a final report and transmittal summary; and
6. Assistance in preparing a Regional Transportation Plan amendment and Transportation Improvement Program amendment (both amendments are essential to the South/North programming of funds).

The rationale for this extension is:

- This consultant was selected through a competitive process to perform essential and specific work on this project;
- The original competitive selection anticipated that the services would be performed through the project phases and would lead to the selection of study alternatives within a Draft Environmental Impact Statement, termed as Tier I funding;
- The *Major Investment Study Final Report* is a new Federal Transit Administration requirement that needs to be in place prior to initiating work on the Tier II Draft Environmental Impact Statement/Preliminary Engineering Phase;
- The consultant's qualifications and work on the previous tasks within Tier I makes them uniquely qualified for and would contribute to the efficient accomplishment of the *Major Investment Study Final Report*.
- Funding for the South/North Transit Corridor Study has been secured through a variety of sources, for consultant services contracts, including this contract extension, through executed grants from local, state and federal sources;

Therefore, the Metro Council, acting as Contract Review Board, is hereby requested to specifically exempt this amendment from competitive procurement procedures of Section 2.04.053 and authorize the Executive Officer to execute a contract amendment for the attached Scope of Work for an additional amount not to exceed \$17,600.00 and raising the authorized contract total to \$139,490.

STAFF RECOMMENDATION

Staff recommends the issuance of this Contract Amendment to Steven M. Siegel & Associates.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 95-2115.