

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING ) RESOLUTION NO. 98-2687  
THE AMENDMENT OF ENVIRONMENTAL )  
AUDITOR CONTRACTS FOR PROPERTY ) Introduced by:  
ACQUISITION SERVICES FOR METRO ) Charles Ciecko  
OPEN SPACES 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 3,400 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 Metro Council amended the amounts of some of those contracts, including four environmental auditor contracts, in May 1997 via Resolution 97-2484; and

WHEREAS, the amount of the environmental auditor 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 bond measure and Open Spaces Implementation Work Plan, Metro Open Spaces has a stated goal of acquiring an additional 2,600 acres; 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 the environmental auditor contracts for Property Acquisition Services for Open Spaces, which is attached as Exhibit A; and

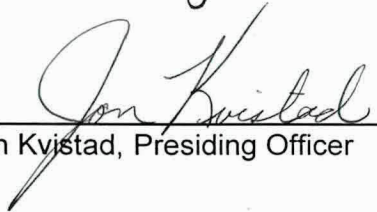
WHEREAS, the increase in contract amounts is necessary to enable staff to continue to acquire open spaces pursuant to the Open Spaces Implementation Work Plan; and

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 Environmental Auditor Personal Services Contract amounts as identified in Exhibit A, and extends the termination date of those same contracts to December 31, 2000.

ADOPTED by the Metro Council this 13<sup>th</sup> day of August, 1998.

  
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Jon Kvistad, Presiding Officer

Approved as to Form:

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

**Exhibit A**  
**Resolution No. 98-2688**

**Open Spaces Acquisition Environmental Auditor  
Personal Services Contracts to be Amended  
August 1998**

<b>Contract Number</b>	<b>Environmental Auditor Contractor Name</b>	<b>Current Contract Amount</b>	<b>Amount to Amend to Contracts</b>	<b>New Contract Total</b>
904672	AGI Technologies	\$30,000	\$25,000	\$55,000
904673	Dames & Moore	\$65,000	\$100,000	\$165,000
904674	DeMinimis, Inc.	\$105,000	\$50,000	\$155,000
904671	EMCON	\$15,000	\$100,000	\$115,000
904669	Hahn & Associates	\$105,000	\$100,000	\$205,000
904670	PBS Environmental	\$30,000	\$25,000	\$55,000
	<b>Total</b>	<b>\$350,000</b>	<b>\$400,000</b>	<b>\$750,000</b>

**REGIONAL FACILITIES COMMITTEE REPORT**

**CONSIDERATION OF RESOLUTION NO. 98-2687 FOR THE PURPOSE OF AUTHORIZING THE AMENDMENT OF ENVIRONMENTAL AUDITOR CONTRACTS FOR PROPERTY ACQUISITION SERVICES FOR METRO OPEN SPACES ACQUISITION DIVISION.**

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Date: August 11, 1998

Presented by: Councilor McFarland

**Committee Action:** At its August 5, 1998 meeting, the Regional Facilities Committee voted 2-0 to recommend Council adoption of Resolution No. 98-2687. Voting in favor: Councilors McCaig and McFarland.

**Council Issues/Discussion:** Jim Desmond, Open Spaces Manager made the staff presentation. This resolution applies to the Open Spaces property purchase effort. Originally, several types of professional services were contemplated to assist with Open Spaces purchases; appraisers, surveyors, environmental consultants and real estate specialists. Multi-year contracts were written with firms and individuals, based on a Request for Qualifications approach. Some of these contracts have been extended, via Council resolution. However, since Open Space acquisitions are still being made, the need exists to extend the contracts of other environmental auditors.

Six contracts are involved. Resolution 98-2687 increases these contracts by \$400,000, to a new total of \$750,000. The extension of the date carries these contracts to December 31, 2000.

Staff Report

**CONSIDERATION OF RESOLUTION NO. 98-2687 AUTHORIZING THE AMENDMENT OF ENVIRONMENTAL AUDITOR CONTRACTS FOR PROPERTY ACQUISITION SERVICE FOR METRO OPEN SPACES ACQUISITION DIVISION.**

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Date: July 22, 1998

Presented By: Charles Ciecko  
Nancy Chase

**PROPOSED ACTION**

**Resolution No. 98-2687 requests that the Metro Council authorize amendment of the Open Spaces property acquisition environmental auditor 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 were the subject of this RFQ/P are appraisers, negotiators, biologists, surveyors, civil engineers, environmental auditors, planners/landscape architects and construction managers. Multi-year master contracts effective through December 31, 1998 were executed with each of the selected consultants which established the general requirements.

The RFQ/P indicated that consultants are not guaranteed to receive any certain number of assignments. The original amounts of the contracts were estimates intended to provide sufficient dollars until a track record of contractor performance and program need was established.

Over the last two years Metro Open Spaces staff has been using professional acquisition services from those master Open Spaces contracts to purchase over 3,400 acres of open spaces, pursuant to the Open Spaces, Parks and Streams 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.

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, the Metro Council amended some of the contracts in May 1997 via Resolution 97-2484, increasing the amount of the contracts. Four of the six environmental auditor contracts were amended at that time, but since that time, 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 environmental auditor contracts needing amendment based on anticipated need, as listed below:

Contract Number	Environmental Auditor Contractor Name	Current Contract Amount	Amount to Amend to Contracts	New Contract Total
904672	AGI Technologies	\$30,000	\$25,000	\$55,000
904673	Dames & Moore	\$65,000	\$100,000	\$165,000
904674	DeMinimis, Inc.	\$105,000	\$50,000	\$155,000
904671	EMCON	\$15,000	\$100,000	\$115,000
904669	Hahn & Associates	\$105,000	\$100,000	\$205,000
904670	PBS Environmental	\$30,000	\$25,000	\$55,000
	<b>Total</b>	<b>\$350,000</b>	<b>\$400,000</b>	<b>\$750,000</b>

These contracts are currently set to expire on December 31, 1998. The Open Spaces acquisition effort is expected to continue at its current pace for another two to three years. This resolution would therefore also amend the above environmental auditor contracts by extending the termination dates to December 31, 2000.

#### **BUDGET IMPACT**

Resolution No. 98-2687 increases the Open Spaces Acquisition Services contracts by \$400,000 and extends them to December 31, 2000. This amount was appropriated in the fiscal year 1998-99 Open Spaces budget (environmental consultants) and the anticipated contract amendments included in the approved budget contracts list. Careful fiscal management will ensure that adequate funds are available throughout the program for these contracted services.

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

The Executive Officer recommends passage of Resolution No. 98-2687.