

MINUTES OF THE COUNCIL REGIONAL FACILITIES COMMITTEE
OF THE METROPOLITAN SERVICE DISTRICT

September 10, 1991
Council Chamber

Committee Members Present: David Knowles (Chair), Jim Gardner
(Vice Chair), Larry Bauer, Ruth
McFarland

Committee Members Absent: None

Chair Knowles called the regular meeting to order at 4:10 p.m.

1. Resolution No. 91-1504, For the Purpose of Authorizing Exemption to the Requirement of Competitive Bidding Pursuant to Metro Code Section 2.04.041(c) and Approving a Sole Source Agreement with PGE

Chair Knowles deferred this item to a future meeting date to allow General Counsel to review the Resolution and supporting documents.

2. Review of RFP #91R-42-Z0 for Musk Ox Exhibit Improvement Contract at Metro Washington Park Zoo

Casey Short, Council Analyst, informed the Committee this item was an information item. He said the Committee could request a formal hearing of the contract, but the Request for Proposal (RFP) was included as a capital improvement in the budget and did not require Council approval unless the Committee deemed it necessary.

Jim Moeller, Metro Washington Park Zoo Project Coordinator, presented the staff report. He said the proposed improvements were to the Musk Ox exhibit. He said improvements would include regrading, adding drainage and more exhibitor viewing areas to the exhibit. He said the improvements would enhance the line of site for visitors and the health of the animals. He reported the engineer estimates were \$85,000 - \$89,000, and were below the budgeted appropriation of \$125,000 for the improvements.

Councilor Gardner asked if the design was done by Metro or an outside engineer. Mr. Moeller said the design was done by Metro. Councilor Gardner noted this item should be a Request for Bid (RFB). Mr. Moeller and Mr. Short agreed and noted the correction.

The consensus of the Committee was to waive formal consideration of the improvements and proceed.

3. Review of Resolution No. 91-1495, Amending a Contract with KPMG Peat Marwick for the FY 1991-92 Performance Audit Services

Mr. Carlson reported the Governmental Affairs Committee had recommended Resolution No. 91-1495 to full Council for adoption.

He said the Resolution would approve a performance audit of the MERC operations by KPMG Peat Marwick. He said the Regional Facilities Committee would be responsible to oversee the audit and KPMG Peat Marwick would be reporting to the Committee on the results of the audit when completed.

Chair Knowles asked about the product of the audit. Mr. Carlson said the audit would examine various aspects of the MERC operation as outlined in the scope of work. He said the product would report on issues of concern and would be similar in nature to the performance audits of the Finance Administration and Solid Waste Departments. Councilor Knowles asked if there were specific issues to be examined. Mr. Carlson said the result of the report would be a broad understanding of the operations and a broad examination of issues. Councilor Knowles questioned if the report would duplicate the Centralization/Decentralization Study. Mr. Carlson said that study raised unanswered questions and the performance audit would attempt to make recommendations to address the unanswered questions. He said the audit would build on the study and would examine the agency to determine if recommendations had been implemented. He also said the performance audit would be more comprehensive.

4. Resolution No. 91-1505, For the Purpose of Authorizing the Issuance of Metro Headquarters Project Design/Build RFP

Neil Saling, Director of Regional Facilities, reviewed the Request for Qualifications (RFQ) and Request for Proposal (RFP) process for the Metro Headquarters Project (Sears Building). He said the RFQ resulted in nine applicants and six teams will be interviewed and three final teams will be selected to compete in the RFP process. He said the RFP would include preparing a new space program for the project under general requirements from Metro.

Barit Stevenson, Senior Management Analyst, distributed and summarized the table of contents of the RFP. She noted part of the RFP had been prepared by BOOR/A and the rest by staff. She said schedule for completion of the project would be December 11, 1992 and the teams agreed this schedule could be met. She outlined the instructions to bidders, description of existing conditions, general conditions, and elements of the program specific to the design/build process. She said the RFP asked for a price estimate for the base building, with the opportunity to suggest alternatives. She said proposals will be evaluated by a technical team and then by a jury, which will make a final recommendation to the Executive Officer and Council. She said the composition of the jury is not final, but it may include representatives of the Council, the Metro ER Commission, the Executive Officer and the Regional Facilities Department. She said following selection of

the winning team, the contract will be negotiated to determine final obligations, including cost.

Ms. Stevenson and Mr. Saling stressed the time and money savings of a design/build project. Councilor McFarland said while time was an important factor in completion of the project, she did not want other considerations, such as cost, to be sacrificed for the sake of saving time.

Councilor Gardner asked how final the building program was and if it allowed for future modifications. Ms. Stevenson said there will be a two to three month period following the contract award for Metro to work with the team to develop a final building program. Councilor Gardner said there were a couple of details in the building program he would like the Council to have the opportunity to work on, specifically dealing with Council's space.

Councilor Knowles asked if the RFP included removal of the building facade, and if it included the addition of windows. Ms. Stevenson said it did include windows, but the disposition of the facade would be up to the proposers. She commented a seismic upgrade would be included. She also noted employee suggestions were being considered.

Motion: Councilor Buchanan moved to recommend full Council adopt Resolution 91-1505B.

Mr. Short asked whether the resolution would need to include the entire RFP. Mr. Cooper said that technical addenda could be included after Council's approval. Chair Knowles said he would interpret the motion to recommend approval of the resolution to include the fact that Council had the complete RFP document.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

5. Resolution No. 91-1507, For the Purpose of Exempting the Headquarters RFQ/RFP Process from Competitive Bidding Process Pursuant to Metro Code 2.04.041

Mr. Cooper summarized the purpose of Resolution No. 91-1507. He said State law and the Metro Code provide that all public contracts be let through competitive bidding unless the Contract Review Board makes findings that an exemption to this process does not encourage favoritism or diminish competition, and that a substantial savings in cost will result. He said those findings were contained in Exhibit B to the resolution. He explained that the findings were originally included in Resolution No. 91-1494, but he recommended the exemption be separated from the authorization to execute the sale agreement, and Resolution No. 91-1507 will be considered by

the Contract Review Board. He said Resolution No. 91-1494 would need to be amended to reflect this change also.

Mr. Saling addressed the advantages of the design/build process proposed for the Sears project. He said building renovation would generally require a 25% - 35% contingency. He said design/build alleviates the problem, allowing the architect and the contractor to work the contingency issues out themselves. He said changes requiring change orders would be matters of scope rather than technical changes. He said design/build would fast track the project because the contractor works with the architect from inception of the project. He said the project would include a maximum price guarantee. He said there will be competition at the subcontractor level and consideration of DBE participation will also occur.

Councilor Buchanan asked for time and money saving specifics. Mr. Saling estimated a 4-6 month time savings, but was unable to quantify the dollar savings. Councilor Buchanan asked when the project would be completed. Mr. Saling said the project would be completed by December 1992, with actual construction beginning in the spring of 1992. He said a bid process would require another 4-6 months because the competitive bid process requires issuance of an RFP for design, followed by preparation of the design, then issuance of an RFP for a contractor and mobilization of the contractor to the site. He said the design/build process would combine the two bid phases into one; demolition and construction can begin before the design is 100% complete.

Councilor Gardner said while cost savings were important, the importance of the competition/favoritism issue should not be discounted. He said he was comfortable with the design/build process, stating it was similar to the process used to build the Metro Central Transfer Station.

Motion: Councilor Buchanan moved to recommend full Council adopt Resolution No. 91-1507.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

Mr. Short presented an amended "B" version of 91-1494 to remove the exemption of the RFQ/RFP competitive bid process from the Resolution.

Motion: Councilor McFarland moved to recommend full Council adopt Resolution No. 91-1494B.

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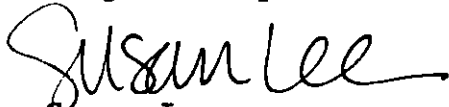
Councilor Gardner advised the Committee he would be voting nay, consistent with his vote at the last consideration of Resolution No. 91-1494.

Vote: Councilors McFarland, Knowles, Bauer and Buchanan voted aye. Councilor Gardner voted nay. The vote was 4/1 and the motion passed.

Councilor Bauer requested consideration of changing the meeting time of the Regional Facilities Committee. Chair Knowles said he would take the request under advisement.

Chair Knowles adjourned the meeting at 5:20 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Susan Lee". The signature is written in black ink and is positioned above the printed name and title.

Susan Lee
Committee Clerk