



## Motion No. M2023-51

### Contracts for On-Call Right of Way Consulting Services

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee	06/08/2023	Recommend to Board	Brooke Belman, Chief Expansion Delivery Officer
Board	06/22/2023	Final action	Ron Lewis, Executive Director, DECM Michelle Reuss, Deputy Executive Director, DECM Business Services <b>Faith Roland, Director, Real Property</b>

### Proposed action

Authorizes the chief executive officer to execute individual contracts with Contract Land Staff, LLC, HDR Engineering, Inc., and Universal Field Services to provide on-call right-of-way consulting services for a five-year initial term with two one-year options to extend, with individual contract amounts that may exceed \$50,000,000 each provided that the aggregate total of all three contracts does not exceed \$155,000,000.

### Key features summary

- Under the proposed action, the consultants will provide on-call services to secure property interests in support of the capital expansion program. Services will include but are not limited to conducting negotiations, appraisal services, relocation services, document administration, property research and property management.
- Individual task orders will be issued for specific scopes of work, with costs negotiated for each task order and budgeted through individual system expansion project budgets.
- The three requested contracts will replace the capacity of the existing on-call contracts that will soon be exhausted and provide the flexibility for Sound Transit to turn to the other contracted firms should one consultant have a lack of available resources to perform the work or more expertise is needed for a particular service.
- The requested amount is sufficient to cover the five-year contract term and the two one-year options for all three individual contracts.
- Consistent with the Technical Advisory Group's recommendation to create more efficient and effective business practices, these consultant resources will provide necessary services to help accelerate and achieve delivery of real property needs.

### Background

In 2017, the Sound Transit Board authorized three contracts for on-call right of way services for a term of five years with two one-year options. On-call right-of-way services consultants are critical in providing a wide array of services to support Sound Transit staff in acquiring real property necessary to implement

the Sound Transit capital expansion program. Some of these services include assistance in property acquisition, relocation, property research, property management, survey and appraisal. The capacity of these existing on-call contracts will soon be exhausted.

In order to accommodate the amount and flow of work required to support real property acquisitions in the coming years for commuter rail, light rail, regional bus, and other projects, staff is requesting authorization to execute contracts with three firms that have the expertise in this area. The contracts provide flexibility for Sound Transit to turn to any of the three contracted firms should one consultant have a lack of available resources to perform the work or more expertise is needed for a particular service.

The demands of current and future projects to continue to deliver real property needed to build, operate, and maintain our growing transit system over the next 5-7 years will require right-of-way support services for more than double the number of properties and displacements from the previous contract period. Consistent with the Technical Advisory Group's recommendation to create more efficient and effective business practices, these consultant resources will provide necessary services to help accelerate and achieve delivery of real property needs. The three proposed contracts provide the added bench strength needed to deliver over 2000 property acquisitions and upwards of 1200 relocations necessary for future projects.

## **Procurement information**

Sound Transit advertised the Request for Proposals RTA/RP 0011-23 in March 2023 and held a public pre-proposal meeting to discuss detailed scope of work items. Four firms submitted proposals. These four firms were evaluated based on the advertised evaluation criteria, which included Capacity, Project Approach, and Project Organization; Price; Knowledge and Current Experience of Key Individuals; Firm(s) Experience and History; Commitment to DBEs and other Small Businesses; and Commitment to and Compliance with Equal Employment Opportunity Law. After an initial evaluation meeting, Sound Transit ranked the three firms that were within the competitive range to the requirements of the RFP. The fourth firm fell outside of the numerical and qualitative competitive ranking. The project manager and evaluation team elected to offer contracts to the three firms that fell within the competitive range. The justification for the inclusion of three firms is that the amount of right of way services work that will be required by upcoming projects in addition to the current work remaining for ST2 and ST3 projects is more than double the amount of work previously completed. Responsibility reviews were conducted for all three firms.

Disadvantaged and Small Business commitments met or exceeded the goal of 13%. There are 16 DBE and SBE firms represented across the three prime contracts.

## **Fiscal information**

This on-call contract would be used for consulting services for right-of-way activities in support of system expansion projects. The consulting services described in this proposed action will be assigned on an as-needed basis after available budget is verified. Since the proposed services will be assigned on an as-needed basis, the distribution of cost will be determined as project schedules and budgets require. This action does not have an impact on the affordability of the agency's Finance Plan as the program has already been incorporated into the plan.

## **Disadvantaged and small business participation**

### **Participation by small businesses and disadvantaged business enterprises (DBEs)**

Sound Transit promotes and encourages small business participation, which also includes disadvantaged business enterprises (DBEs). Consistent with Sound Transit Policies and federal regulations, Sound Transit has established small business/DBE goals for this contract. These goals are based upon an examination of subcontracting opportunities contained in the work of this contract and the number of small businesses/DBEs available to perform such subcontracting work.

For this specific contract, the following goals were set and the successful Bidder/Proposer has committed to the following small business/DBE participation:

<b>Contract Land Staff</b>	
<b>Small business and disadvantaged business enterprise (DBE) goals</b>	
<b>DBE Goal: 13%</b>	<b>DBE Commitment: 15.22%</b>
Small Business Goal: 0%	Small Business Commitment: 17.28%
<b>HDR Engineering</b>	
<b>Small business and disadvantaged business enterprise (DBE) goals</b>	
<b>DBE Goal: 13%</b>	<b>DBE Commitment: 22.13%</b>
Small Business Goal: 0%	Small Business Commitment: 31.68%
<b>Universal Field Services</b>	
<b>Small business and disadvantaged business enterprise (DBE) goals</b>	
<b>DBE Goal: 13%</b>	<b>DBE Commitment: 30%</b>
Small Business Goal: 0%	Small Business Commitment: 45%

**Public involvement**

Not applicable to this action.

**Time constraints**

A one-month delay could have a significant impact. Funding for the existing on-call right-of-way contracts will soon be exhausted, and any real property acquisitions could be delayed until the new contracts are approved and executed.

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**Environmental review – KH 5/23/23**

**Legal review – DLM 6/1/2023**



## **Motion No. M2023-51**

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute individual contracts with Contract Land Staff, LLC, HDR Engineering, Inc., and Universal Field Services to provide on-call right-of-way consulting services for a five-year initial term with two one-year options to extend, with individual contract amounts that may exceed \$50,000,000 each provided that the aggregate total of all three contracts does not exceed \$155,000,000.

### **Background**

In 2017, the Sound Transit Board authorized three contracts for on-call right of way services for a term of five years with two one-year options. On-call right-of-way services consultants are critical in providing a wide array of services to support Sound Transit staff in acquiring real property necessary to implement the Sound Transit capital expansion program. Some of these services include assistance in property acquisition, relocation, property research, property management, survey and appraisal. The capacity of these existing on-call contracts will soon be exhausted.

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The demands of current and future projects to continue to deliver real property needed to build, operate, and maintain our growing transit system over the next 5-7 years will require right-of-way support services for more than double the number of properties and displacements from the previous contract period. Consistent with the Technical Advisory Group's recommendation to create more efficient and effective business practices, these consultant resources will provide necessary services to help accelerate and achieve delivery of real property needs. The three proposed contracts provide the added bench strength needed to deliver over 2000 property acquisitions and upwards of 1200 relocations necessary for future projects.

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The requested amount is sufficient to cover the five-year contract term and the two one-year options for all three individual contracts.

Consistent with the Technical Advisory Group's recommendation to create more efficient and effective business practices, these consultant resources will provide necessary services to help accelerate and achieve delivery of real property needs.

**Motion**

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute individual contracts with Contract Land Staff, LLC, HDR Engineering, Inc., and Universal Field Services to provide on-call right-of-way consulting services for a five-year initial term with two one-year options to extend, with individual contract amounts that may exceed \$50,000,000 each provided that the aggregate total of all three contracts does not exceed \$155,000,000.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on June 22, 2023.

  
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Dow Constantine  
Board Chair

**Attest:**

  
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Kathryn Flores  
Board Administrator