

AGENDA BILL

Beaverton City Council
Beaverton, Oregon

SUBJECT: Award of Qualifications-Based Price Agreements for As-Needed Professional Architectural Services for Projects Estimated to Exceed \$100,000

FOR AGENDA OF: 03-19-13 **BILL NO:** 13074

Mayor's Approval: *[Signature]*

DEPARTMENT OF ORIGIN: Mayor's

DATE SUBMITTED: 03-12-13

CLEARANCES: City Attorney *[Signature]*
CAO *[Signature]*
Purchasing *[Signature]*
Finance *[Signature]*
Planning *[Signature]*

PROCEEDING: ACTION ITEM
(CONTRACT REVIEW BOARD)

EXHIBITS: 1: Selected Consultants
2: List of Proposers

BUDGET IMPACT

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED \$0	BUDGETED \$0	REQUIRED \$0

RECOMMENDED ACTION:

City Council, acting as the Contract Review Board, awards price agreements for an initial one-year term, in a form approved by the City Attorney, to the consultants listed on Exhibit 1, and authorizes City staff to extend the price agreements for up to four additional renewal terms of one year each through FY 2017-18.

HISTORICAL PERSPECTIVE:

The City traditionally has solicited proposals for architectural services on an individual project basis. This adds time to a project delivery schedule since a request for proposals needs to be prepared and advertised and prospective proposers given time to respond to the solicitation before their responses are evaluated and a contract award is recommended to Council for consideration at a future council meeting. The selection process can routinely add four to eight weeks to a project delivery schedule.

Oregon law recognizes that project-by-project selection of professionals for construction projects can be an inefficient use of public resources. That is one of the reasons why a contracting agency has authority to streamline the selection process for construction-related professionals by using retainer agreements (sometimes also referred to as "price agreements"). The process is typically used when a contracting agency cannot determine the precise quantities of services the agency will require over a specified period of time, but foresees the possible need for such services.

Historically, the City has exercised its authority to enter into retainer agreements by establishing a list of prequalified consultants available to perform engineering, surveying and other construction-related professional services. To date, however, the list of prequalified construction-related consultants on retainer to the City has not included architects, notwithstanding that Oregon law allows for architects to be placed on retainer with contracting agencies. (See generally OAR 137-048-0270, providing that a contracting agency may establish price agreements for architectural services.)

The City incurs no direct cost when it places a firm on retainer, and there is no obligation to assign work to any firm on retainer to the City. When a firm is placed on retainer, the price agreement contains the general contract terms and conditions applicable to any future project contract the City may award the firm, but no work is authorized to be performed under the price agreement until a specific project contract is awarded to the firm. The project contract (sometimes also referred to as a "work order" or "task order") specifies the scope of work, performance schedule and the payment methodology for a particular project. Together, the project contract and price agreement constitute the full contract for a specific project. Under the City's current purchasing policy, the City Council is required to authorize award of a project contract whenever the contract amount exceeds \$50,000.

Over the coming years, staff can foresee the City possibly needing architectural services related to the relocation of general services to a new office building and the construction of a public safety facility, health care facility, public library, and/or performing arts center. The list of potential projects is not meant to be exclusive of any other projects and is not intended as a commitment to pursue any of the projects. The list is simply an assessment regarding possible uses of architectural services by the City in the coming years.

All price agreements awarded are expected to commence on or about April 1, 2013, and end on or before March 31, 2014, with the option to renew up to four additional renewal terms of one year each through FY 2017-18. The total term of the price agreements may not exceed five years. Every contract awarded pursuant to the RFP that has a term of more than one year will include a non-appropriation clause. Continuation or extension of a contract after the end of the fiscal period in which the contract takes effect shall be contingent upon a new appropriation for each succeeding fiscal period. If sufficient funds are not provided in future budgets to permit the City to continue the contract, the City may terminate the contract without further liability.

INFORMATION FOR CONSIDERATION:

The RFP was advertised on February 22, 2013, in the Portland Daily Journal of Commerce. Proposals were received by 2:00 p.m. on March 8, 2013. A total of 14 proposals were received and are listed in Exhibit 2.

The City made a selection based on the evaluation of the written proposals using a qualifications-based selection process, as required under Oregon law.

Written proposals were evaluated based on the following criteria, totaling a maximum of 90 points:

1. Knowledge, Experience & Qualifications – 30 points
2. Project Approach and Schedule – 20 points
3. Relevant Experience and References – 40 points

A selection committee evaluated each submitted written proposal to determine the responsible proposers whose proposals are the most advantageous to the City based on the qualifications-based evaluation process and evaluation criteria outlined in the RFP.

Staff recommends that Council award price agreements to the top eight architectural firms listed in Exhibit 2.

EXHIBIT 1

SELECTED CONSULTANTS FOR ARCHITECTURAL SERVICES

Firm	Ranking
Hennebery Eddy Architects	81.3
Scott Edwards Architecture LLP	79.3
Group MacKenzie	77.2
FFA Architecture & Interiors	74.3
Otak	72.0
Opsis Architecture	70.7
Yost Grube Hall Architecture	70.2
BBL Architects	69.2

EXHIBIT 2

LIST OF PROPOSERS FOR ARCHITECTURAL SERVICES

Arbuckle Costic Architects
BBL Architects
Carleton Hart Architecture
DJ Architecture
FFA Architecture & Interiors
Group MacKenzie
Hennebery Eddy Architects
MBA Merryman Barnes Architects
Opsis Architecture
Otak
RSS Architecture
Scott Edwards Architecture LLP
William Kaven Architecture
Yost Grube Hall Architecture