

Transportation Committee

Meeting date: November 25, 2019

For the Metropolitan Council meeting of December 11, 2019

Subject: Southwest Light Rail Transit (Green Line Extension) Property Owner and Tenant Advisory Services Contract Amendments (14P265A, B, C and G)

District(s), Member(s): All

Policy/Legal Reference: Metropolitan Council 3-3

Staff Prepared/Presented: Wes Kooistra, General Manager, 612-349-7510
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Division/Department: Metro Transit/Green Line Extension Project Office

Proposed Action

That the Metropolitan Council approve sole source contract amendments for Property Owner and Tenant Advisory Services as follows:

- Wilson Development Services, LLC to add \$43,000
- WSB & Associates, Inc. to add \$35,000
- HDR Engineering, Inc. to add \$50,000
- Evergreen Land Services Company to add \$15,000

Background

In 2014, the Council issued a Request for Proposals for Property Owner and Tenant Advisory Services (POTAS) for the Southwest LRT (SWLRT) Project to assist eligible owners and tenants with the relocation process. At that time, it was estimated that there would be 100 displacees. Following a competitive procurement process in 2015, seven contracts were awarded for a total of \$800,000. In 2016, each consultant was assigned a list of displacees requiring relocations based on areas of expertise, previous experience and capacity. These assignments were made via work orders that also directed the consultants to make initial contact with the assigned displacees to assess the nature and extent of relocation and start drafting relocation plans.

In February 2018, the Council amended six of the seven POTAS contracts to increase the combined contract amounts by \$265,000 for a total amount for all contracts of \$1,065,000. The February 2018 amendment was required due to the increased number of displacees eligible for relocation support and reimbursement under the Uniform Relocation Act from an original estimate of 100 to over 170. Another reason for amending the contract was that relocation of several businesses were more complicated than originally anticipated and therefore required more time and effort. At that time, the Wilson contract was increased by \$100,000 to a total amount of \$300,000.

In July 2018, the contract with HDR (14P265B) was amended to increase the value by \$70,000 to a total amount of \$270,000, due to the additional complexity presented by one displacee which transitioned from a partial to full relocation.

In January 2019, the contract with WSB (14P265C) was amended by increasing the value by \$35,000 to a total amount of \$250,000 due to the additional work needed for the large number of displacees assigned.

In June 2019, the contract with Wilson Development Services (14P265A) was amended by increasing the value by \$50,000 to a total amount of \$350,000 due to the large number of claims from specific displacees and associated complexities, as well as the Council’s need for assistance with appeals filed by displacees who have received their final determination.

The previous amendments were to provide support to the displacees to compile the documentation and submit claims for reimbursement.

The Council has completed the claims process for 111 of the 177 identified displacees (63%) and is wrapping up the remaining claims.

There are three hearings scheduled for businesses that are appealing the Council’s decision on the amount of reimbursable expenses. If other businesses appeal the Council’s decision, we will need to have funds available for the relocation specialists to compile their records, prepare affidavits, testify at hearings and other tasks to support our legal counsel. Therefore, staff are requesting that these contracts be amended as follows:

Company	Previous Amended Contract	Nov. 2019 Amendment	Total New Amended Contract
Wilson Development Services, LLC	\$350,000	\$43,000	\$393,000
WSB & Associates, Inc.	\$250,000	\$35,000	\$285,000
HDR Engineering, Inc.	\$270,000	\$50,000	\$320,000
SRF Consulting Group, Inc.	\$125,000		\$125,000
Kadmas, Lee, & Jackson, Inc. (KLJ)	\$75,000		\$75,000
Evergreen Land Services Company	\$75,000	\$15,000	\$90,000
ProSource Technologies	\$75,000		\$75,000
TOTAL	\$1,220,000	\$143,000	\$1,363,000

The cumulative value of these amendments increases the overall contracts to \$1,363,000.

This amendment also extends the contracts from their current March 31, 2020 expiration date to December 31, 2023 to allow time to close out any appeals.

Rationale

The Southwest Project Office is requesting sole source authority to amend Wilson, HDR, WSB and Evergreen’s contract (14P265 A, B, C and G respectively) because these relocation consultants are most familiar with the displacees that are appealing or filing loss of going concern. Only the consultant who performed the work can testify to the history with the displacee and relocation activities.

Thrive Lens Analysis

Equity: These contracts were competitively procured in 2014. There was no DBE goal assigned at that time because there was no identified need or opportunities for subcontracting. None of the firms are listed in the MCUB Directory. However, four of the six active contracts are led by women and one of those is a woman of color.

Prosperity: The Green Line Extension reflects strategic investment in regional infrastructure that will promote economic competitiveness and create prosperity for the region.

Livability: The Green Line Extension (SWLRT) will increase the region's prosperity as it will provide access to 80,900 forecasted jobs and a new transportation option for 55,800 forecasted residents within ½ mile of the planned new stations in addition to the 145,300 forecasted jobs and 35,600 forecasted residents in downtown Minneapolis.

Funding

Funds for this contract amendment are eligible project costs and included in the Council's authorized capital budget.

Known Support / Opposition

There is no known opposition to this action.