

## Transportation Committee

Meeting date: April 26, 2021

For the Metropolitan Council meeting of May 12, 2021

**Subject:** Gold Line Contract #20P073 Property Acquisition Legal Services

**District(s), Member(s):** District 12 (Gonzalez), District 11 (Vento), District 13 (Lee)

**Policy/Legal Reference:** Council Expenditures Policy Procedure 3-3 – Procurement of Goods and Services over \$500,000.

**Staff Prepared/Presented:** Wes Kooistra, General Manager, (612) 349-7510  
Chris Beckwith, Asst. Director – BRT Projects, (651) 602-1994  
Joe Klein, Planner – Gold Line Project Office, (651)-602-1995

**Division/Department:** Metro Transit – BRT Projects (Gold Line Project Office)

### Proposed Action

That the Metropolitan Council authorize the Regional Administrator to negotiate and execute two contracts for Legal Services for the METRO Gold Line Bus Rapid Transit Project (Gold Line), in a total amount not to exceed \$971,556.30 and allocated as follows:

- Levander, Gillen and Miller – not to exceed \$685,222.45
- J. Selmer Law – not to exceed \$286,333.85

### Background

The Council requested proposals for qualified law firms to provide legal services related to property acquisition, condemnation, and relocation claims for the Gold Line Project. Work to be completed under this procurement is anticipated to include negotiations with property owners, preparation of legal documents, filing of condemnations, attendance at hearings, and response to appeals.

The Gold Line Project has identified 163 privately-owned parcels that will require acquisition prior to construction of the Gold Line, currently anticipated to begin in 2022. The majority of these acquisitions would be for temporary construction easements. Two of these acquisitions would require commercial and personal property relocation, while no residential relocations have been identified as part of the project. Pending execution of these contracts, property acquisition is anticipated to begin later in 2021.

The Office of Equal Opportunity (OEO) determined that both recommended proposers met or surpassed a 1% Disadvantaged Business Enterprise (DBE) participation goal assigned to this procurement.

### Rationale

On November 12, 2021, the Council issued a Request for Proposals (RFP) to perform legal services related to property acquisition activities for the Gold Line BRT Project. The RFP packaged all targeted parcels into six groups based on similar property type, tenant makeup, and geography, and allowed proposers to bid on any or all of the six groups.

The pre-proposal meeting was held on November 19, 2020. The Council received six proposals on December 17, 2020. An evaluation panel convened to review these proposals and recommended awarding contracts to two firms: J. Selmer Law; and Levander, Gillen, and Miller.

### **Thrive Lens Analysis**

The Gold Line Project supports Thrive outcomes including Livability, Prosperity, and Equity with its investment in high-quality transportation that will make the region more economically competitive by supporting major job creators and increasing workers' access to employment hubs. The Gold Line will distribute transit resources throughout the region, benefitting regional residents and increasing the quality of transit service available.

### **Funding**

Local funding is fully provided through an executed Capital Grant Agreement with the Gold Line Joint Powers Board and incorporated into the Council's Authorized Capital Budget under Project #61402.

### **Known Support / Opposition**

There is no known opposition.