

PROSPER PORTLAND

Portland, Oregon

**ACTING IN ITS CAPACITY AS THE
LOCAL CONTRACT REVIEW BOARD**

RESOLUTION NO. 7332

ADOPTING FINDINGS AND EXEMPTING THE DESIGN OF THE UNITED STATES POSTAL SERVICE INTERIM RETAIL RELOCATION PROJECT FROM A COMPETITIVE SOLICITATION PROCESS

WHEREAS, by adoption of Resolution No. 3550, the Prosper Portland Board of Commissioners (“Board”) was established as the agency’s Local Contract Review Board (“LCRB”) pursuant to state law;

WHEREAS, Oregon Revised Statutes (“ORS”) Chapter 279B and Prosper Portland’s LCRB Administrative Rules (“LCRB Rules”) generally require that all personal services contracts shall be awarded pursuant to a competitive process;

WHEREAS, ORS 279B.085 authorizes local contracting agencies to enter into contract-specific special procurement arrangements upon making certain findings;

WHEREAS, LCRB Rules Part 1(III)(C)(1) allow exemptions to the general requirement for a competitive solicitation upon LCRB approval of written findings, and LCRB Rules Part 3(II)(B) allows contract-specific exemptions from competitive solicitation requirements in the context of personal services contracts;

WHEREAS, Prosper Portland is engaged with the United States Postal Service (“USPS”) in discussions for the relocation of its retail operations at 715 NW Hoyt Street, Portland, Oregon in order to enable the demolition of the existing processing and distribution center on the Property;

WHEREAS, in exploring relocation options for USPS, Prosper Portland engaged GBD Architects Incorporated (“GBD”) and its subcontractor, Cornerstone Architectural Group, P.S., to prepare a preliminary space plan for relocation of the retail operations to space within the existing parking structure on the Property that is adjacent to USPS’s existing retail space (“Interim Facility”);

WHEREAS, USPS representatives have indicated agreement in principle regarding relocation of USPS’s retail operations on the Property to the Interim Facility;

WHEREAS, Prosper Portland wishes to obtain design and related professional services regarding the Interim Facility to enable the ultimate construction of the improvements needed to prepare it for USPS’s retail operations pursuant to a personal services contract with GBD in an amount of up to \$550,000 (“Contract”); and

WHEREAS, procurement staff duly provided public notice of findings relating to the Contract pursuant to ORS 279B.085(5), and LCRB Rules Part 1(IV)(C)(1).

NOW, THEREFORE, BE IT RESOLVED, the Prosper Portland Board acting as the LCRB, hereby adopts the findings set forth in Exhibit A (“Findings Report”) in support of exempting the Contract from a competitive solicitation process;

BE IT FURTHER RESOLVED, that based on approval of the Findings Report, the LCRB hereby authorizes the Executive Director to execute the Contract with GBD in an amount of up to \$550,000, together with any amendments thereto or modifications thereof that do not materially increase Prosper Portland’s financial obligations or materially alter Prosper Portland risks, as determined in consultation with the General Counsel; and

BE IT FURTHER RESOLVED, that this resolution shall become effective immediately upon its adoption.

Adopted by the Prosper Portland Commission on August 20, 2019



Pam Feigenbutz, Recording Secretary

Findings Report

DATE: August 14, 2019

TO: The Prosper Portland Board of Commissioners acting in its capacity as Portland Local Contract Review Board

FROM: Kimberly Branam, Executive Director

SUBJECT: Findings in Support of a Contract Specific Special Procurement with GBD Architects Inc. for design and related professional services in support of an Interim USPS Retail Post Office retail facility

Pursuant to Prosper Portland's *Local Contract Review Board Administrative Rules* ("LCRB Rules"), Part 1, Section IV(C)(1), this memorandum documents the findings to exempt a contract with GBD Architects Inc. ("GBD") from a competitive solicitation process for the design of a USPS Retail relocation facility. Under the contract, GBD will provide architectural services from design to complete construction documents and construction administration as necessary. The anticipated contract amount is approximately \$550,000.

BACKGROUND

The Broadway Corridor, and particularly the USPS Property (which Prosper Portland and the City of Portland Housing Bureau acquired in September 2016), has been identified as perhaps the most significant redevelopment opportunity within Portland's Central City through multiple Portland City Council (City Council) adopted land use and development plans. The Broadway Corridor is a key opportunity site for high-density employment, mixed-income housing, and signature city attractions and amenities. The USPS Property offers the potential to create nearly four million square feet of new economic, business, social and community development opportunities.

USPS finalized construction on its relocation site at NE Cornfoot Road in April 2018, completed relocation from the USPS Property of all but its retail functions by June 2018, and dismantled and relocated the equipment located in the former distribution center and office floors by January 2019. On February 1, 2019, USPS initiated the "retail only" option, confirming that only the retail and post office box counters remained in USPS use. While the retail component remains in the old processing and distribution center for now, the remainder of the property – except for the existing parking structure – will remain vacant until the buildings are demolished to support redevelopment activity. To adhere to the Purchase and Sale Agreement entered into with the USPS as part of acquisition and to accelerate the demolition of the main processing and distribution center building and progress toward Phase 1 of the redevelopment efforts, Prosper Portland must find a suitable interim location for the USPS retail operations.

The USPS has detailed specifications and parameters for all of its facilities. These specifications and program parameters vary depending on the site location, configuration, and the anticipated usage of the facility. Given the unique program and specialized configuration of retail post office outlets – and even more so in a dense urban environment such as Portland's Downtown Core, it is important, from a timing and productivity perspective, to have a design firm that is very familiar with all of USPS' design and program specifications. Through discussions with USPS, Prosper Portland understands that USPS has three architectural firms contracted to provide architectural design services to the USPS in the Pacific

Northwest region under its Indefinite Delivery/Indefinite Quantity (IDIQ) contracting mechanisms. The three firms are: Humphries Poli Architects, located in Denver, CO; BRW Architects, located in Dallas, TX; and Cornerstone Architectural Group, located in Kenmore, WA. While the design contract is proposed to be held by Prosper Portland, there is the possibility the contract becomes assigned to the USPS to manage directly should the USPS request so.

Prosper Portland contracted with GBD (subcontracting to Cornerstone) through Prosper Portland flexible services contract #215017 (PO #001829) to create a conceptual “test fit” plan set for the USPS retail operations within the first floor of the existing parking garage on the USPS site. The garage, originally designed for USPS employees and customers, contains over 400 stalls and was recently authorized for use as a public parking facility. Prosper Portland selected GBD and Cornerstone for this test fit because Cornerstone was one of the three firms on the USPS’s list of approved design firms to work in the Pacific Northwest, and the team of GBD and Cornerstone designed the most recent downtown core retail post office space in Portland, Oregon, in which Cornerstone provided services under its IDIQ contract with the USPS. Cornerstone has continuously provided architectural design services for USPS since 1993. Therefore, due to the firms’ experience working together on a downtown Portland USPS retail location and the firms’ specialized knowledge about USPS retail needs, Prosper Portland would like to enter into this special procurement for the entire design process. Their familiarity with both the market and the local permitting processes, will allow them to successfully and efficiently complete the work so that Prosper can proceed with the redevelopment of this key property.

SCOPE OF SERVICES

Key services GBD (subcontracting to Cornerstone) would provide Prosper Portland include:

1. Schematic Design (“SD”)
2. Design Development (“DD”) and City Design Review
3. Construction Documentation (“CD”)
4. Permitting
5. Technical Assistance During Bidding Process
6. Construction Administration (“CA”) Phase
7. Substantial Completion and Closeout Documents

Specific tasks, activities, and deliverables will be stipulated in the Contract.

EXEMPTION FINDINGS

Finding of No Favoritism *(The proposed contract is unlikely to encourage favoritism in the awarding of contracts by Prosper Portland and the proposed contract will not substantially diminish competition for other public contracts.)*

GBD is under a flexible services contract with Prosper Portland (contract #215017, award through competitive Request for Qualifications #15-03). In March 2019, Prosper Portland executed work order #001829 for the production of the “test fit” plan set for the future interim USPS retail space in the existing parking garage on the premises. The work contemplated under a contract awarded from this Special Procurement request is continuation of the work initiated under Prosper Portland’s flexible services contract with GBD, though at a far larger scale.

The reason for the exemption is due to the specialized knowledge and inherent efficiencies that GBD and Cornerstone hold for this unique project. Conversations with the USPS suggest that Cornerstone is the only architect that has performed work for the USPS recently in the Portland region.

Finding of Substantial Cost Savings. *(Selection of the proposed contractor is reasonably expected to result in substantial cost savings to Prosper Portland or the public.)*

The Contract is estimated in the amount of \$550,000 for the completion of all services.

In addition to retaining project familiarity and talent that has already been engaged, Prosper Portland will mitigate additional costs related to our ability to repay the financing issued to us by the City of Portland. In addition, we are eliminating costs associated with the delay in relocating the USPS retail facility which, in turn, would delay the demolition of the former USPS main building, and subsequently, the redevelopment process for the entire USPS site.

Finding of Promotion of Public Interest. *(Selection of the proposed contractor substantially promotes the public interest in a manner that could not practicably be realized by conducting a competitive solicitation process.)*

Exempting this contract from a competitive process allows Prosper Portland to continue working with firms who have specialized knowledge of USPS retail facility requirements, have established a working relationship with USPS (and in the case of Cornerstone, a continuous twenty-six year working relationship with the USPS), and will be able to deliver the design for the interim retail site in an efficient and cost-effective manner, thereby saving taxpayer funds and delivering on the vision for the redevelopment of the Broadway Corridor site.



**PROSPER
PORTLAND**
Building an Equitable Economy

RESOLUTION NO. 7332

RESOLUTION TITLE:

ADOPTING FINDINGS AND EXEMPTING THE DESIGN OF THE UNITED STATES POSTAL SERVICE INTERIM RETAIL RELOCATION PROJECT FROM A COMPETITIVE SOLICITATION PROCESS


Adopted by the Prosper Portland Commission on August 14, 2019

PRESENT FOR VOTE	COMMISSIONERS	VOTE		
		Yea	Nay	Abstain
<input checked="" type="checkbox"/>	Chair Gustavo J. Cruz, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Commissioner Alisha Moreland-Capuia MD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Commissioner Francesca Gambetti	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Peter Platt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner William Myers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Consent Agenda		<input checked="" type="checkbox"/> Regular Agenda		

CERTIFICATION

The undersigned hereby certifies that:

The attached resolution is a true and correct copy of the resolution as finally adopted at a Board Meeting of the Prosper Portland Commission and as duly recorded in the official minutes of the meeting.

	<p>Date:</p> <p>August 20, 2019</p>
<p>Pam Feigenbutz, Recording Secretary</p>	