



City of Tualatin

## CITY OF TUALATIN Staff Report

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Kelsey Lewis, Deputy Program Manager  
Mike McCarthy, Principal Transportation Engineer  
Jeff Fuchs, Public Works Director  
Sean Brady, City Attorney

**DATE:** 7/27/2020

---

### **SUBJECT:**

Consideration of **Resolution No. 5508-20** Adopting Findings in Support of a Special Procurement and Authorizing the City Manager to Enter into a Direct Negotiation Contract with Wallis Engineering for Construction Engineering & Inspection Services for the Garden Corner Curves Project

### **RECOMMENDATION:**

Staff recommends Council adopt the attached resolution.

### **EXECUTIVE SUMMARY:**

The attached resolution authorizes the City Manager to enter into a Professional Services Agreement with Wallis Engineering, PLLC to provide construction engineering and inspection services for the Garden Corner Curves project.

This contract-specific special procurement is allowed by both state law and the Tualatin Municipal Code (ORS 279B.085 and TMC 1-21-090) when certain circumstances are met, such as when substantial cost savings would occur and when it is not likely to encourage favoritism nor substantially diminish competition. Both circumstances will be met for this project and are the basis for requesting this authorization.

Wallis Engineering, PLLC was selected for the Garden Corner Curves project in fall 2018 through a Request for Proposals (RFP) process to design the project. The RFP process is a qualifications based competitive selection process that was open to all qualified firms.

Authorizing this contracting exemption allows the City to continue with the best consultant based upon the skills and experience needed to complete this project efficiently and effectively. This continuity will provide substantial cost savings and public benefits to the City by reducing schedule delays that would result from a new competitive process.

Wallis has already worked with the City on the Garden Corner Curves concept study, design of the project and all the public involvement efforts as part of those processes. A new RFP process would take approximately two months, which would result in delays to construction of the project. A new consultant would need to become familiar with the project, the permitting agencies, and the community in order to perform similar work. Continuing with Wallis' knowledge and

experience will result in cost and time savings to the City, and allow the City to move forward with construction and inspection of this signature project in a timely manner for the voters.

Granting the special procurement process will be unlikely to encourage favoritism because this is a single special procurement that already went through a qualifications based selection process.

The terms and conditions of this contract will be reviewed and approved by the Public Works Director, the City Attorney, and the City Manager. The selected consultant will be required to comply with all City requirements and public contracting code requirements. These requirements are the same as if the project was competitively procured, and thus, the City will not be engaging in favoritism in the execution of the contract documents.

**FINANCIAL IMPLICATIONS:**

Funding is available in the Transportation Project Fund (the Tualatin Moving Forward bond fund) and Transportation Development Tax Fund for the contract.

---

**ATTACHMENTS:**

-Resolution 5508-20