

T Transportation Committee

Meeting date: November 26, 2007

For the Metropolitan Council Meeting December 12, 2007

ADVISORY INFORMATION

Date:	November 20, 2007
Subject:	Joint Powers Agreement with the Minnesota Department of Transportation for the Northstar Corridor Passenger Car Procurement
District(s), Member(s)	All
Policy/Legal Reference:	MN Statutes, Section 471.59
Staff Prepared/Presented	Brian Lamb, General Manager, 612-349-7510 Mark W. Fuhrmann, Deputy General Manager, 651-602-1942 Richard M. Rovang, Asst. General Manager – TDS, 651-602-1941
Division/Department:	Metro Transit

Proposed Action/Motion

That the Metropolitan Council authorize the Regional Administrator to execute a Joint Powers Agreement with Minnesota Department of Transportation (MnDOT) for Met Council procurement of Northstar passenger cars utilizing Best Value selection criteria.

Issue(s)

The Met Council, not being a state agency, can not use the Best Value procurement value method provided unless it does so under a Joint Powers Agreement provided for in MN Statutes 471.59, subdivision 2.

Overview and Funding:

- The Met Council has agreed to act as a lead agency to procure passenger cars on behalf of the Northstar Corridor project.
- The party to the Joint Powers Agreement wishes to select the proposal for the vehicle procurement that presents the best value.
- The primary purpose of the Agreement is to enable the Met Council, as the procuring agency, to use the Best Value procurement method available to Minnesota State Agencies, including MnDOT, to procure the vehicles.
- The Met Council intends to consider proposals for passenger cars under the terms of the Agreement.
- Vehicles to be procured pursuant to the Agreement shall be procured in the name of the Met Council in anticipation of its role as the Commuter Rail Operator.
- No final award of a Contract for vehicles under this Agreement shall be made until:
 1. The negotiation and execution of a separate definitive funding agreement between Met Council and MnDOT providing funding for such procurements; and
 2. Approval and authorization by the Met Council for an award pursuant to the RFP.
- Following execution of the Full Funding Grant Agreement on December 11, 2007, Northstar Project federal and NCDA local funding will become available to reimburse the Met Council for any and all payments made for the vehicle procurement after they are incurred.

Summary and Recommendation:

Execution of the Joint Powers Agreement will facilitate the best value procurement of Northstar Corridor vehicles and the proposed action is recommended.