



February 22, 2006

Gail Brooks
U.S. Institute for Environmental Conflict Resolution
130 South Scott Avenue
Tucson, AZ 85701

RE: Florence-Eugene Highway Project SOQ

Dear Gail Brooks:

I have received a copy of the attached Statement of Qualifications (SOQ) and find myself confused. The SOQ, as written, could lead to the selection of the wrong candidate. I believe there are issues and concerns that need to be answered prior to moving forward. They are:

1. The date of SOQ notice is February 21, 2006; however, the deadline per the last page is February 13, 2006. Does this mean the candidates were pre-selected from some other list or method?
2. Referenced SOQ assessment of the West Eugene Parkway project is called a controversy. Who defined it as a controversy when 62 percent of the voters directed the community to not look at any other alternatives? Is this new process design to give the vocal objecting minority a greater voice in hope of preventing the West Eugene Parkway's construction?
3. To what degree are the BLM and the US Corps of Engineers involved in the process? What does the term "... have agreed, ... to support an assessment ..." mean? Are they really stakeholders, or are they agencies like the City and LCOG who provide background information about local transportation goals and planning policy, wetlands, habitat, etc. Should not City and LCOG staff fall within the same category of providing background information?
4. The SOQ enumerates two tasks (however, three are stated).
 - Background research and stakeholder interviews
 - Facilitate one meeting (maybe)
 - Write an assessment report (draft and final?)

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- a. Are there standards and methods of evaluation (MOEs) of such conflict assessments? What are they?
 - b. How is or who determines if a “. . . maybe be useful” meeting is held? Who comes to and who participates in this meeting? Just the stakeholders? With or without a meeting, how is the SOQ outline process of interviews a “collaborative process”?
5. The desired qualifications in Item #4 are not realistic. The term “no familiarity with . . . , including stakeholders . . .” does not seem possible nor desirable.
- If the candidates are to have the right experience, shouldn't they be familiar with Federal Highway Administration, Oregon Department of Transportation, Bureau of Land Management, the U.S. Corps of Engineers policies, procedures, etc.
 - The desired qualifications are written in a manner that gives greater weight to environmental issues than transportation needs.
 - Sounds like the successful SOQ candidate is more like a judge.

The process was described as a collaborative process. Collaboration is defined as a working together; action of working together with one or more people (assume stakeholders) in order to achieve something; action of aiding or cooperating toward the same goal. The chosen candidate will provide another type of review process, but collaboration it is not! Further, it is not clear to me how this process is better or that much different than the regular scheduled public hearing, except it is weighted toward environmental issues.

I believe these SOQ errors should be addressed prior to any contract.

Yours truly,



Larry E. Reed
Principal, Land Use Planner

Attachment: Copy of SOQ with referenced notes

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cc: Metro Policy Committee (MPC)
c/o Lane Council of Governments
99 East Broadway, Suite 400
Eugene, OR 97401

Jeff Scheick, P.E.
Region Manager, Northwest Region
Oregon Department of Transportation
455 Airport Road SE, Building B
Salem, OR 97301-5395

Jane Lee
Area Manager, Lane County Region 2
Oregon Department of Transportation
644 "A" Street
Springfield, OR 97477

130 South Scott Avenue, Tucson, Arizona 85701
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February 21, 2006 **NOTE#1**

Re: Interest in Assessing the *West 11th Street – Garfield Street, Florence-Eugene Highway Project* **Controversy** **?? NOTE#2**

Dear Candidate:

The U.S. Institute for Environmental Conflict Resolution is requesting expressions of interest and statements of qualifications from members of the Transportation Roster in Western States to conduct a conflict assessment of a transportation controversy in Eugene, Oregon.

Project Background and Description

The *West 11th Street – Garfield Street, Florence-Eugene Highway Project* is intended to improve connectivity, relieve congestion, improve safety, support land use and environmental goals, and in other ways enhance the transportation system in West Eugene, Oregon. The project has been under consideration for over two decades, and is now in the final stages of NEPA review. Several community groups have opposed the preferred alternative, known as the West Eugene Parkway, based on environmental and other grounds, arguing that other, less environmentally damaging alternatives could possibly satisfy the project's purpose and need. Other stakeholders are frustrated with the slow pace of project development and review. Recently, the Mayor and City Manager of Eugene requested that stakeholders be given another opportunity to discuss the proposed project before the NEPA process is completed. FHWA and the Oregon Department of Transportation **have agreed** together with the City of Eugene, **to support an assessment** of the situation/conflict. The Bureau of Land Management/U.S. Department of the Interior and the U.S. Army Corps of Engineers are cooperating agencies in the preparation of the Environmental Impact Statement and are also participating in planning the assessment.

NOTE#3

Tasks and Schedule

Once an assessor/facilitator is selected, the anticipated schedule of tasks is as shown below:

Task	DATES
① Conduct a focused conflict assessment (background research and stakeholder interviews) to determine the nature of the controversy, what actions stakeholders would like to see taken to address it. ② Prepare and deliver an assessment report.	March 1 – April 7, 2006
③ As may be useful, facilitate one meeting to discuss the assessment report	Mid April 2006

NOTE#4
 ? ONLY 2 TASKS LISTED

FINAL REPORT **??**

Level of Effort

A total level of effort of 80-100 professional staff hours is anticipated.

SEEMS HIGH FOR LENGTH OF TIME AND TASKS ?

Desired Qualifications

The desired facilitator/mediator will have:

- 1) experience conducting situation/conflict assessments (especially where the issues are highly complex) and designing stakeholder processes;
- 2) substantial experience and expertise as a neutral with complex, multi-party conflicts involving transportation projects and diverse environmental issues, including wetlands and endangered species;
- 3) familiarity with urban/rural connectivity and limited access transportation issues;
- 4) no familiarity with the subject conflict, including stakeholders and conflict-specific issues. #5

Interested candidates should provide the following information and demonstration of qualifications. **Please limit your responses to no more than 5 pages using a font size of 12.**

Information Required in Response to Letter of Interest
Customize your response to the desired qualifications listed above

- Descriptions of your three most relevant cases. Include the:
 - number and types of parties
 - number of hours spent on the project
 - specific issues addressed
 - your specific involvement
 - the use and importance of the situation/conflict assessment
 - the resulting outcomes
- Contact information for a reference for each of the above described cases.
- A description of any specific skills, expertise, qualifications or experiences that will enhance your work on this project.
- A statement regarding your availability for this project between March and June 2006.
- A description of any limitations of which the U.S. Institute should be aware.

Submit Information to:

Gail Brooks
U.S. Institute for Environmental Conflict Resolution
130 South Scott Ave.
Tucson, AZ 85701
Phone: (520) 670-5299, ext. 47
Fax: (520) 670-5530
Email: Brooks@ecr.gov

Submittals by mail, fax, or email are permissible. Note: e-mail response are encouraged; include in the subject heading of your email message: "W. Eugene Parkway Response".

The deadline for receipt of responses is: 5 pm MST, Monday February 13, 2006

Sincerely,

Dale Keyes, Senior Program Manager