



## Memorandum

June 26, 2024

To: Board of Trustees  
From: Michael Stoddard, Executive Director  
Greg Leclair, Director of Finance & Administration  
Re: Request for Authorization for Sole Source Procurement for Configuring Portland Office Space

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### Proposed Motion

Move to authorize the Executive Director to spend \$32,525 on costs to configure office space, at 701 Forest Avenue in Portland, to meet the Trust's specifications through a sole source agreement with the landlord.

### Background

In October 2023, the Board authorized the Staff to seek a new office space in the greater Portland area. The current office space in Westbrook is approaching the end of its lease and is proving less desirable, over time, to suit the needs of the organization.

After reviewing listings for several months and visiting multiple spaces, Staff identified a space at 701 Forest Avenue in Portland. The space was determined to be the best option for an office based on several criteria, including but not limited to:

1. The building is in a convenient location for visitors and staff. It is on the periphery of the commercial center of Portland, making it near enough to be convenient to reach from downtown, public transit, and the highway, without encountering downtown traffic and parking restrictions. A number of current staff would be able to walk or bike to the office; many commute times would be cut in half.
2. The space at 701 Forest Ave. is currently empty and can be configured to meet the Trust's desired mix of permanent individual office spaces, flexible workspaces, small meeting rooms, and a conference room. No other office spaces that Staff reviewed in recent months was found that could suit our needs as well and within our budget as the space at 701 Forest Ave.
3. The space could accommodate future reconfiguration to meet evolving needs of the organization.
4. The space will provide a more professional and convenient meeting location for outside guests and stakeholder meetings.
5. It provides ample, no-cost parking for visitors and staff.

At the time it approved Staff's request to pursue new office space, the Board authorized Staff to pay up to \$25 per square foot for up to 7,000 square feet of space. The office at 701 Forest Avenue is within

those parameters. However, the estimated costs for configuring the space to our purposes would exceed our budget for this office by approximately \$32,525. Moreover, the payments to the landlord of for that \$32,525 would be considered a purchase made without a competitive procurement. In this case, performance of configuring the office space to meet the Trust's specifications is being managed and procured by the landlord, and the Trust will be responsible for reimbursing the landlord a share of the cost.

According to the Trust's internal policy on competitive procurements:

The requirement for competitive procurement may be waived where the Trust seeks covered goods or services for a particular use that are not conducive to competitive bidding whether due to unique features such as location, timing, or experience or other reasons. Examples of covered goods or services that are presumptively not conducive to competitive bidding include but are not limited to: office space or conference space for a specific location, advertising for a particular media outlet, ...

EMT Procurement Policy, Section 4(b), (emphasis added).

Because the Trust does not own the property, Staff is not in a position to conduct a competitive solicitation on these services. For these reasons, the services to configure the office space to the Trust's specifications present an appropriate situation for waiving the standard competitive procurement process. And since the amount of the estimated cost exceeds \$10,000, the Trust's policy requires Board approval. EMT Procurement Policy, Section 4(d)(3). The Staff has conferred with commercial property owners and contractors in the Portland area and has found that the estimated project costs are within the range of costs typical for such services.

For the above reasons, Staff recommends approval of the proposed motion.