

Date: July 27, 2016

To: Board of Directors

From: Neil McFarlane *Neil McFarlane*

Subject: RESOLUTION 16-07-47 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (“TRIMET”) AUTHORIZING A MODIFICATION TO THE CONTRACT WITH DAVID EVANS AND ASSOCIATES, INC. FOR CONCEPTUAL AND TECHNICAL PLAN DEVELOPMENT SERVICES FOR THE SOUTHWEST CORRIDOR TRANSIT PROJECT

1. Purpose of the Item

The purpose of this item is to request that the TriMet Board of Directors (“Board”) approve a resolution authorizing the General Manager to execute a modification to the contract with David Evans and Associates, Inc. (“DEA”) for conceptual engineering services for the Southwest Corridor Transit Project (“Project”).

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other _____

3. Reason for Board Action

Board approval is required for personal services contracts obligating TriMet to pay in excess of \$150,000.

4. Type of Action

- Resolution
- Ordinance 1st Reading
- Ordinance 2nd Reading
- Other _____

5. Background

At its September 24, 2014 meeting, the Board approved Resolution 14-09-47, authorizing TriMet to execute a contract with DEA for \$1,685,000 for conceptual engineering services for the Project.

DEA’s work under this contract has been divided into two phases. The first phase of the work, which was the only phase authorized by Resolution 14-09-47, focused on the preparation of technical and planning documents (plan and profile drawings) for the various potential alignments and options including transit, roadway, and active transportation components. The

first phase of work concluded in May 2016, when the Project Steering Committee selected light rail as the preferred mode, and narrowed further alternatives, including the removal of tunnel options to Portland Community College.

As envisioned in the original Request for Proposals, this resolution would authorize TriMet to modify the contract with DEA to add work on the second phase, consisting of Draft Environmental Impact Statement support tasks such as cost estimating, travel time forecasting, and operations planning, in addition to refinement of plan and profile drawings in response to the environmental analysis work. While Metro will procure a consultant team to lead the analysis and documentation of the Draft Environmental Impact Statement, DEA will produce the design drawing package necessary for the Draft Environmental Impact Statement consultant team to perform its work.

This resolution authorizes TriMet to increase the contract amount by \$1,000,000, to \$2,685,000, to perform the work on the second phase. This amount is within TriMet's fair cost estimate and budget for the work. Under an agreement with Metro, Metro will reimburse half the cost of the work performed under this contract modification.

6. Procurement Process

TriMet procured the services through a competitive RFP process, and the phase two work was included within the scope of work set out in the RFP.

7. Diversity

Because the first phase of work had limited subcontracting opportunities available, DEA has utilized DBE firms for approximately five percent of the work to date. These tasks have involved Shared Investment Strategy, conceptual design, and public involvement work. The remaining contract scope has more subcontracting opportunities for DBE participation, including utility investigation, property acquisition tracking, conceptual design, and drawing production. DEA will specify DBE participation as each task order is negotiated, and expects to achieve approximately 18 percent DBE participation overall by the time the contract work is complete. The pending task order has four DBE team members identified, totaling more than 25 percent DBE participation.

8. Financial/Budget Impact

TriMet will continue to authorize and manage DEA's work via the issuance of task orders, which will include a detailed scope of services and a not-to-exceed budget. Metro will reimburse half of the additional cost of this work. The remaining half is included in the TriMet budget for TriMet's in-kind contribution for the Project.

9. Impact if Not Approved

TriMet's alternative would be to hire additional engineering staff to complete the work. This option is not preferred because procurement of this contract addresses a short term staffing need that will not exist after this work is complete, and because of inefficiencies that would arise given DEA's familiarity with the work.

RESOLUTION 16-07-47

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A MODIFICATION TO THE CONTRACT WITH DAVID EVANS AND ASSOCIATES, INC. FOR CONCEPTUAL AND TECHNICAL PLAN DEVELOPMENT SERVICES FOR THE SOUTHWEST CORRIDOR TRANSIT PROJECT

WHEREAS, TriMet has authority under ORS 267.200 to enter into a modification to the contract with David Evans and Associates, Inc. for Conceptual and Technical Plan Development Services for the Southwest Corridor Transit Project (“Modification”); and

WHEREAS, the total amount of the Modification shall exceed the amount previously authorized by the TriMet Board of Directors (“Board”); and

WHEREAS, the Board, by resolution dated November 25, 2009, adopted a Statement of Policies requiring the Board to approve personal services contracts obligating TriMet to pay an amount in excess of \$150,000;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Modification shall be in conformance with applicable laws.
2. That the General Manager or his designee is authorized to execute the Modification.

Dated: July 27, 2016

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department