

Date: September 28, 2022

To: Board of Directors

From: Sam Desue, Jr.

Subject: RESOLUTION NO. 22-09-53 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A MODIFICATION TO THE CONTRACT WITH AECOM TECHNICAL SERVICES, INC. FOR CONSTRUCTION MANAGEMENT, SAFETY SPECIALIST AND START-UP MANAGEMENT SERVICES FOR THE DIVISION TRANSIT PROJECT

1. Purpose of Item

This Resolution requests that the TriMet Board of Directors (Board) authorize the General Manager or his designee to execute a modification to the contract (Modification) with AECOM Technical Services, Inc. (AECOM) for Construction Management, Safety Specialist and Start-up/Turnover Management services for TriMet’s Division Transit Project (Project).

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other _____

3. Reason for Board Action

Board authorization is required because the proposed Modification increases the contract amount beyond the amount previously authorized by the Board.

4. Type of Action

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

5. Background

Beginning on the September 18, 2022 opening day of the FX-2 Division line, the Division Transit Project (Project) will provide high-capacity transit service along the 15-mile long Division Street corridor between downtown Portland and Gresham. Although transit service has begun on the FX-2 Division line, final tasks required to complete the Project are ongoing.

At its October 23, 2019 meeting, the Board approved Resolution No. 19-10-85, authorizing TriMet to execute a contract with AECOM in the amount of \$1,100,000 for Construction Management, Safety Specialist, and Start-up/Turnover Management services for the Project. At its June 23, 2021 meeting, the Board approved Resolution No. 21-06-30, authorizing a

Modification to the contract to add \$446,136 for additional Safety & Security support staffing. Pursuant to these Resolutions, TriMet’s project delivery team has relied on AECOM for essential supplementary Construction Management, Safety Specialist and Start-up/Turnover Management services in order to provide additional staff capacity and advance the Project.

Recently, a number of key TriMet staff have transitioned from the Project to begin work on development and delivery for other projects in the Engineering Construction & Planning Division. As the Project advances beyond opening day and into the final four months of construction and turnover, an extension of AECOM’s support services will be necessary to augment losses of essential staff and close out the Project.

As shown below, this Resolution will increase the Board-approved contract authority by \$227,050, to a new total contract authority of \$1,773,186 necessary to provide these ongoing supplemental staff services. TriMet considers AECOM’s costs for these services to be fair and reasonable, and they are within the current Project budget.

	Initial Contract Authority (Resolution No. 19-10-85)	\$1,100,000
	Contract Modification (Resolution No. 21-06-30)	\$446,136
	Proposed Additional Authority (Resolution No. 22-09-53)	\$227,050
	Total Revised Contract Authority	\$1,773,186

6. Procurement Process

The original contract was procured via a competitive Request for Proposals process.

7. Diversity

During the Project, AECOM has utilized Disadvantaged Business Enterprise (DBE) sub-contractors for 45% of its consultants, and both its Safety Specialist and Start-Up/Turnover Management firms are D/M/WBE firms. AECOM’s own staff consists of 40% women and 12% minorities.

8. Financial/Budget Impact

The costs of these additional support services for the Project will be covered by the Division Transit Project’s available grant-based contingency funds.

9. Impact if Not Approved

If this Resolution is not approved, TriMet would need to hire additional Construction and Safety staff to complete the work because TriMet does not currently have the available resources in-house. AECOM’s work under this contract satisfies TriMet’s requirements for highly specialized expertise and fulfills a short term staffing need that will not exist after the Project is complete. Moreover, AECOM has performed well on the Project to date.

RESOLUTION NO. 22-09-53

RESOLUTION NO. 22-09-53 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A MODIFICATION TO THE CONTRACT WITH AECOM TECHNICAL SERVICES, INC. FOR CONSTRUCTION MANAGEMENT, SAFETY SPECIALIST AND START-UP MANAGEMENT SERVICES FOR THE DIVISION TRANSIT PROJECT

WHEREAS, TriMet has authority under ORS 267.200 to enter into a modification of a contract (Modification) with AECOM Technical Services, Inc. for Construction Management, Safety Specialist, and Start-up/Turnover Management services for the Division Transit Project; and

WHEREAS, by Resolution No. 22-05-35, dated May 25, 2022, the TriMet Board of Directors (Board) adopted a Statement of Policies requiring it to approve contracts obligating TriMet to pay in excess of \$1,000,000; and

WHEREAS, under Resolution No. 19-03-20, the Board authorized a contract with AECOM for Construction, Safety and Security, and Start-up/Turnover services for the Division Transit Project (Project) in the amount of \$1,100,000; and

WHEREAS, under Resolution No. 21-06-30, the Board authorized a Modification of the contract in the amount of \$446,136; and

WHEREAS, the total amount of the Modification exceeds the total contract amount authorized by the Board and exceeds the amount allowed by Resolution No. 22-05-35;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Modification shall conform with applicable law.
2. That the General Manager or his designee is authorized to execute the contract Modification in the amount of \$227,050, through the anticipated February 28, 2023, termination date of the contract.

Dated: September 28, 2022

Attest:

Presiding Officer

Recording Secretary

Approved as to Legal Sufficiency:

Gregory E. Skillman
Legal Department