

Date: January 24, 2018

To: Board of Directors

From: Neil McFarlane



Subject: RESOLUTION 18-01-12 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A MODIFICATION TO THE CONTRACT WITH STACY AND WITBECK, INC. FOR CONSTRUCTION MANAGER/GENERAL CONTRACTOR SERVICES FOR THE BLUE LINE STATION REHABILITATION PROJECT

1. Purpose of Item

The purpose of this item is to request that the TriMet Board of Directors (Board) authorize a modification for additional funding for a contract with Stacy and Witbeck, Inc. (SWI) for construction manager/general contractor (CM/GC) services for the Blue Line Station Rehabilitation Project (Project).

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other _____

3. Reason for Board Action

Board authorization is required to add additional funds to the Project beyond the amount previously authorized by the Board.

4. Type of Action

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

5. Background

At its July 2014 meeting, the Board authorized a Contract with SWI for the Project via Resolution 14-07-39 in an amount not-to-exceed \$11,162,442 for the five year term of the Contract. The Project was initially established as a five-year program of renovations to passenger facilities at 14 Blue Line MAX stations between Hollywood/NE 42nd Avenue Transit Center and the Cleveland station with the exception of the Rockwood and Gresham Civic stations. The schedule assumption at that time was to construct 3-4 stations per year in the third, fourth, and fifth years of the program.

The work includes the following at each station:

- Upgrades and renovations to the passenger shelters, lighting and security features
- Infrastructure for future Hop Fastpass validators
- Improved access control measures
- Enhanced delineation of the fare zone with pavers, barriers and informational signage
- Repositioning of amenities on the platforms for better sight lines
- Reconfiguration of CCTV cameras and infrastructure
- Repainting of existing metal elements and amenities
- Replacement of broken tactile pavers
- Cleaning of existing brick and masonry walls and surfaces

At the time of Contract award, staff anticipated working closely with the design firm for the Project, CH2M Hill, Inc., and SWI on project development and construction approach for the work at the 14 stations. During the initial pre-construction effort, the team looked at various ways to successfully perform the work while minimizing the disruption to customers and TriMet Operations, and established cost estimates for the scope of work. Updated cost estimates based on pre-construction efforts and budgetary constraints required the Project to be packaged differently than planned at the time of initial contract award to SWI and changed to focus on the design and construction more gradually. This decision caused the overall timeline and cost of the Project to increase due to escalation.

The initial package of work constructed under this Contract installed infrastructure for the Hop Fastpass fare system and access control improvements at all 14 stations. The Project then switched to a geographic approach and completed upgrades at Gresham City Hall MAX station in FY17. Improvements at E 122nd Ave MAX station are currently under construction and will be completed this fiscal year. If the attached Resolution is approved, SWI will also rehabilitate E 162nd Ave MAX station in FY19 and E 148th Ave MAX station in FY20. The remaining 10 stations (Hollywood Transit Center, NE 60th, NE 82nd, Gateway Transit Center, E 102nd, E 172nd, E 181st, Ruby Junction, Gresham Central Transit Center, and Cleveland) would be completed under a future construction contract.

SWI has performed well under the Contract so far, completing work on time and within the agreed to budget for the scope of work. There have been no major safety incidents or disputes over the work. The attached resolution requests that the Board authorize additional authority in the amount of \$3,698,734 for this Contract to allow completion of both pre-construction and construction work at two more stations, which allows for full completion of work at four stations and ensures greater consistency and increased efficiency. The attached Resolution also requests approval to extend the term of SWI's contract from July 31, 2019, to March 31, 2020, to allow for completion of the work described above.

6. Procurement Process

The contract was procured through a competitive Request for Proposals (RFP) process.

7. Diversity

In its original proposal, SWI stated that it expected to obtain M/W/ESB/SDBVE participation of approximately 17 percent. SWI has met and exceeded all of the Project's diversity and workforce participation goals for work completed to date. SWI has achieved 18% M/W/ESB/SDBVE participation, has subcontracted with 8 certified firms, has 25% overall apprentice participation, and 20% overall project workforce diversity.

8. Financial/Budget Impact

The additional funding being requested by the attached Resolution is included in TriMet's five year budget forecast.

9. Impact if Not Approved

Under the terms of the CM/GC contract, TriMet could terminate the CM/GC arrangement before completion of these two additional stations. However, SWI has performed well on the Project thus far, the Contract was procured competitively, pricing has been fair and reasonable, and staff believe that there are significant benefits of adding additional funding to the Contract with SWI to complete the two stations. Benefits include increased efficiency, pricing certainty, and continuity of operations. Staff do intend to competitively solicit another CM/GC RFP in the future for the remainder of the stations identified under the Project that will not be completed under this Contract.

RESOLUTION 18-01-12

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A MODIFICATION TO THE CONTRACT WITH STACY AND WITBECK, INC. FOR CONSTRUCTION MANAGER/GENERAL CONTRACTOR SERVICES FOR THE BLUE LINE STATION REHABILITATION PROJECT

WHEREAS, on July 23, 2014, the TriMet Board of Directors (Board) approved Resolution 14-07-39, which authorized a contract with Stacey and Witbeck, Inc. for construction manager/general contractor services for the Blue Line Station Rehabilitation Project; and

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract modification with Stacy and Witbeck, Inc. for construction manager/general contractor services for the Blue Line Station Rehabilitation Project (Modification); and

WHEREAS, the total amount of additional funds being requested in the Modification shall exceed the contract amount previously authorized by the Board; and

WHEREAS, the Board, by Resolution dated October 25, 2017, adopted a Statement of Policies requiring the Board to approve modifications to contracts that exceed the amount previously authorized by the Board;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Modification shall be in conformance with applicable laws.
2. That the General Manager or the General Manager's designee is authorized to execute a Modification to the contract in an amount not-to-exceed \$3,698,734.

Dated: January 24, 2018

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department