

Date: January 25, 2017

To: Board of Directors

From: Neil McFarlane *Neil McFarlane*

Subject: RESOLUTION 17-01-05 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH R & R GENERAL CONTRACTORS, INC. FOR RAIL PEDESTRIAN SAFETY ENHANCEMENTS – PACKAGE 1

1. Purpose of Item

The purpose of this item is to request that the TriMet Board of Directors (Board) authorize the General Manager to execute a contract with R & R General Contractors, Inc. (R & R) for Rail Pedestrian Safety Enhancements – Package 1.

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other _____

3. Reason for Board Action

Board approval is required for goods and services contracts obligating TriMet to pay in excess of \$500,000.

4. Type of Action:

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

5. Background

The TriMet Capital Projects and Construction Division includes a Stations and Guideways Department that manages the development, design, and implementation of projects related to the construction and refurbishing of existing and new TriMet passenger station areas, track way, and public highway-rail crossings. As part of its work, the department is implementing the Rail Pedestrian Safety Enhancements Project (Project) to improve pedestrian facilities at locations throughout the TriMet system. The Project will be completed in phases, and this contract is the first of several planned solicitations for such safety enhancement work (Package 1). The work included in this portion of the Project includes safety enhancements to TriMet pedestrian facilities at the following five MAX Blue Line locations:

- SE 10th Avenue/SE Washington Street Crossing, Hillsboro
- SW 185th Avenue Crossing, Hillsboro
- SW 170th Avenue Crossing, Beaverton
- NW Division Street Crossing, Gresham
- NE Hood Avenue Crossing, Gresham

The safety enhancement work in this package includes the removal of existing hardscape, surfacing, and site features; construction of asphaltic and concrete surfacing and walks; installation of railing and gates; installation of concrete crossing panels, signage, striping, and markings; and signal and lighting modifications and installations.

6. Procurement Process

TriMet conducted an Invitation to Bid (ITB) process to select the contractor for the first phase of the Project. Prior to release of the ITB, outreach was conducted to over 30 potential construction firms, many of whom were certified Disadvantaged/Minority/Women/Emerging Small Businesses (D/M/W/ESB). Potential prime contractors as well as subcontractors were contacted as a part of this outreach.

On November 15, 2016, TriMet advertised the ITB on its eBid exchange vendor registration system and over 1,000 firms were notified of the opportunity. Additionally, an advertisement was placed in the Portland Business Tribune on November 18, 2016.

Six bids were submitted, as follows:

<u>Bid Price</u>	<u>Firm</u>
\$805,000.00	R & R General Contractors, Inc.
\$822,834.00	Raimore Construction
\$912,399.00	Stacy & Witbeck, Inc.
\$947,000.00	Emery & Sons Construction Group
\$959,500.00	MJ Hughes Construction
\$959,500.00	Brown Contracting, Inc.

Staff has determined that R & R is the lowest responsive and responsible bidder and therefore recommends award of the contract to R & R. R & R's bid price was approximately 20 percent less than TriMet's independent cost estimate and, based on this and the adequate competition, is determined to be fair and reasonable.

Unforeseen circumstances may occur and require changes to the scope of work for this contract, so the attached Resolution includes authority for potential, future change orders up to \$120,750, which is 15 percent of the contract amount. The total contract amount plus change order allowance of \$925,750 is within the contract budget.

7. Diversity

R & R is a certified Disadvantaged Business Enterprise (DBE). As the prime contractor, R & R will self-perform a large portion of the work, but has identified two subcontractors that it intends to use for electrical and signal work as well as metal fabrication and channelization. The identified subcontractor for the metal fabrication and channelization work is also a certified DBE. Overall, R & R expects to be able to achieve about 62 percent DBE participation on this contract.

8. Financial/Budget Impact

Package 1 of the Project is included within TriMet's Capital Budget for Fiscal Year 2017-18.

9. Impact if Not Approved

TriMet could re-procure the contract. However, TriMet received an excellent response to the ITB, and R & R's bid has been determined to be fair and reasonable. Advertising the contract a second time is unlikely to lead to a more favorable outcome.

RESOLUTION 17-01-05

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH R & R GENERAL CONTRACTORS, INC. FOR RAIL PEDESTRIAN SAFETY ENHANCEMENTS - PACKAGE 1

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract with R & R General Contractors, Inc. for Construction Services for Rail Pedestrian Safety Enhancements - Package 1 (Contract); and

WHEREAS, the total amount of the Contract shall exceed \$500,000; and

WHEREAS, the TriMet Board of Directors (Board), by Resolution dated November 25, 2009, adopted a Statement of Policies requiring the Board to approve goods and services contracts obligating TriMet to pay in excess of \$500,000;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Contract shall be in conformance with applicable laws.
2. That the General Manager or his designee is authorized to execute the Contract.
3. That the General Manager or his designee is authorized to execute change orders to the Contract in a total cumulative amount not to exceed \$120,750.

Dated: January 25, 2017

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department