

Date: February 22, 2017
To: Board of Directors
From: Neil McFarlane *Neil McFarlane*
Subject: **RESOLUTION 17-02-07 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A MODIFICATION TO THE CONTRACT WITH ZIMMER GUNSUL FRASCA ARCHITECTS LLP FOR DESIGN SERVICES FOR THE WESTSIDE BIKE AND RIDES BIKE PARKING PROJECT**

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 modification to the contract with Zimmer Gunsul Frasca Architects LLP (ZGF) for Design Services for the Westside Bike and Rides Bike Parking 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

On February 24, 2016, the Board approved Resolution 16-02-13, authorizing TriMet to execute a contract with ZGF in the amount of \$315,000 for design services for the Project. Under that contract, ZGF has been performing design work for “bike and ride” facilities at Westside MAX stations, with the primary goal being to improve the connection between commuters and the growing employment base in Washington County. TriMet received a Connect Oregon V grant called “Westside Bike & Rides: Access to Jobs” that will fund

\$1,490,000 of the \$1,900,000 Project. The remainder of the Project cost will be paid by TriMet (\$160,000) and Washington County (\$250,000).

ZGF has performed strong work through the 60 percent design phase and has worked very well with TriMet through design issues that have surfaced at the Goose Hollow Bike and Ride location. Installation of a bike and ride shelter at this site has been challenging due to TriMet's need to purchase property from the adjacent United Methodist Church of Portland and unexpected permitting issues resulting from that purchase. Because of these challenges, more time has been spent on design tasks than was originally expected, resulting in a need to increase the contract amount from \$315,000 to \$400,000.

6. Procurement Process

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

7. Diversity

ZGF indicated that it expected to achieve at least 20 percent Minority/Women/Emerging Small Business (M/W/ESB) participation on the Project. Thus far, ZGF is achieving 31 percent participation and expects to achieve at least 23 percent participation overall.

8. Financial/Budget Impact

The Project is included in the FY2016 Capital Program Budget, and approximately \$1,750,000 of the \$1,900,000 total Project cost will be paid by the Connect Oregon grant and Washington County. The increased contract amount is within TriMet's fair cost estimate for the work and also within TriMet's Project budget.

9. Impact if Not Approved

TriMet's alternative would be to hire additional staff or procure another design consultant to complete the work. Given the fact that ZGF has done good work so far and has progressed design to 60 percent completion, either alternative would delay TriMet's ability to finish the design and make it impossible to complete this grant project on schedule.

RESOLUTION 17-02-07

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A MODIFICATION TO THE CONTRACT WITH ZIMMER GUNSUL FRASCA ARCHITECTS LLP FOR DESIGN SERVICES FOR THE WESTSIDE BIKE AND RIDES BIKE PARKING PROJECT

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract modification with Zimmer Gunsul Frasca Architects LLP for Design Services for the Westside Bike and Rides Bike Parking Project (Modification); and

WHEREAS, the total amount of the Modification shall exceed the contract amount originally 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 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: February 22, 2017

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department