

Date: December 13, 2017

To: Board of Directors

From: Neil McFarlane *Neil McFarlane*

Subject: RESOLUTION 17-12-89 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH METRO FOR ENVIROMENTAL PHASE AND PROJECT COORDINATION SERVICES FOR THE SOUTHWEST CORRIDOR TRANSIT 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 an intergovernmental agreement (IGA) with Metro for environmental design and project coordination services related to the Southwest Corridor Transit Project (Project).

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other Intergovernmental Agreement

3. Reason for Board Action

Board approval is required for intergovernmental agreements obligating TriMet to pay in excess of \$1,000,000.

4. Type of Action

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

5. Background

In 2009, Metro adopted the High Capacity Transit System Plan, which named the Southwest Corridor as the region's highest transit priority. If implemented, the Project would construct a light rail line from downtown Portland to Tigard and Bridgeport Village in Tualatin, along with other transportation improvements, including roadway, bicycle and pedestrian projects. Metro has led the planning effort for the Project thus far, which has included staff and policy officials from Sherwood, Tualatin, King City, Tigard, Durham, Beaverton, Lake Oswego, Portland, Multnomah and Washington Counties, ODOT, TriMet and Metro.

TriMet and Metro previously entered into an IGA to facilitate work on the Alternatives Analysis and Draft Environmental Impact Statement (DEIS) for the Project. The DEIS is

currently in progress and will be published in 2018. The parties anticipate that a Locally Preferred Alternative (LPA) will be adopted in 2018.

Metro is the lead agency for the Project through the planning phase and the DEIS phase, but upon the adoption of the LPA, Metro will effectively hand off Project leadership to TriMet. Prerequisites for entry into Project Development include the ability to fund design and environmental review tasks which will conclude within two years of entry into that phase. TriMet expects to submit its request to enter Project Development to FTA in late 2018. As the Project shifts to the Project Development phase and TriMet takes on the leadership role, Metro will still perform work on the Project.

This IGA would define each party's roles and responsibilities during Project Development and Engineering. The IGA will allow Metro to develop the Final Environmental Impact Statement (FEIS) that is necessary to advance the Project toward a Full Funding Grant Agreement, and also allow Metro to complete important travel demand forecasting work needed for the Project.

In summary, the IGA will:

- Identify Metro's responsibilities regarding the completion of the DEIS and process toward a LPA;
- Identify Metro's responsibilities regarding the development of the FEIS and associated mitigation reports, and travel demand forecasting analysis for the Project;
- Identify TriMet's responsibilities regarding design inputs for the FEIS;
- Continue the successful structure for dealing with Project related policy and management issues through a Steering Committee, Project Management Group, Project Team Leaders, and Technical Advisory Committees;
- Allow TriMet to reimburse Metro for staff time spent on this work; and
- Establish a cost and overall contract term for services.

6. Financial/Budget Impact

The budget for this work is \$5,000,000, and this resolution authorizes payment to Metro up to that amount. Funding for this agreement will come from the MTIP allocation to the Project, approved by Metro Council and executed by TriMet in November 2017. These funds are projected to fund the Project through the Project Development phase.

Upon entry into Project Development, costs attributed to this IGA can be counted as local match for the Project toward a future Full Funding Grant Agreement with the Federal Transit Administration.

7. Impact if Not Approved

The option to this IGA would be for TriMet to hire the necessary project staff (either through direct hire or consultant contracts) to provide the needed environmental, traffic analysis and travel demand forecasting management services. Third party consultants would ultimately look to Metro to generate the travel demand forecast models, resulting in an extra layer of charges to the Project. While environmental and traffic analysis work could be performed by others, engaging a new consultant at this time could risk continuity with the work previously performed by Metro through the DEIS, and would not likely result in any cost savings to the Project. Therefore, staff recommends entering into an IGA with Metro for this work.

RESOLUTION 17-12-89

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH METRO FOR ENVIRONMENTAL PHASE AND PROJECT COORDINATION SERVICES FOR THE SOUTHWEST CORRIDOR TRANSIT PROJECT

WHEREAS, TriMet has authority under ORS 267.200 to enter into an Intergovernmental Agreement with Metro for environmental design and project coordination services for the Southwest Corridor Transit Project (IGA); and

WHEREAS, the total amount of the IGA is expected to exceed \$1,000,000; and

WHEREAS, the TriMet Board of Directors (Board), by Resolution dated October 25, 2017, adopted a Statement of Policies requiring the Board to approve intergovernmental agreements obligating TriMet to pay in excess of \$1,000,000;

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 Agreement in an amount not to exceed \$5,000,000.

Dated: December 13, 2017

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department