

Date: August 14, 2019

To: Board of Directors

From: Doug Kelsey



Subject: RESOLUTION NO. 19-08-65 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A MODIFICATION TO THE CONTRACT WITH WSP USA, INC. FOR DESIGN 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 WSP USA, Inc. (WSP) for Design 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 previously authorized amount.

4. Type of Action

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

5. Background

This Project will provide high-capacity transit service along the 15-mile SE Division corridor between downtown Portland and Gresham, using 60 foot long articulated buses. The Project will consist of more than 40 stations and 80 platforms, with upgraded rider amenities. The articulated buses operating within the Project will utilize transit signal priority at signalized intersections to create more reliable and faster service than currently possible on the existing SE Division bus lines. TriMet anticipates that consolidated stops, along with three-door boarding and fare payment, will significantly reduce dwell times, speeding up the entire ride. The Project also includes roadway upgrades, active transportation improvements, and safe connections to transit.

The Project was initiated in 2013 when Metro and TriMet began evaluating alignment and mode alternatives. The Project entered Project Development, in October 2015. In December 2016 the Board approved Resolution 16-12-70, adopting the Locally Preferred Alternative, which has also been endorsed by the City of Portland, City of Gresham, and Multnomah County.

At its May 24, 2017 meeting, the Board approved Resolution 17-05-47, authorizing TriMet to execute a contract with WSP in the amount of \$8,200,000 for final design services for the Project.

The team will conclude the 100% design milestone in late Fall 2019 and, pending Federal Transit Administration (FTA) approval, will transition to construction late this year. In order to complete the 100% design milestone and provide Design Services During Construction (DSDCs), additional contract authority is required.

This Resolution would increase the contract amount by \$2,070,000, to a new contract authority of \$10,270,000. TriMet staff consider these additional design costs to be fair and reasonable.

	Initial Contract Authority (Resolution 17-05-47)	\$8,200,000
	Additional 100% Design, DSDC, plus TriMet Design Risk	\$2,070,000
	Total Revised Contract Authority	\$10,270,000.

6. Procurement Process

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

7. Diversity

In its proposal, WSP indicated that it expected to be able to achieve approximately 20 percent (20%) DBE participation on the contract by subcontracting certain aspects of its design work. This includes DBE coordination, landscape architecture, electrical engineering, survey, field investigation, utilities engineering, civil engineering and CAD support. To date, WSP has achieved 26.5% DBE participation and expects to maintain that level with the anticipated additional work.

8. Financial/Budget Impact

The additional design work for the Project is included in Engineering and Construction's approved FY 2020 budget.

9. Impact if Not Approved

If this Resolution is not approved, TriMet would need to hire additional engineering and technical staff to complete the design work, because TriMet does not have the technical resources in-house. Hiring additional design staff is not a preferred option and would cause significant delay in the completion of the work. WSP's work under this contract satisfies the need for highly specialized expertise, and fulfills a short term staffing need that will not exist after this work is complete. Moreover, WSP has performed well on the project to date.

RESOLUTION NO. 19-08-65

**RESOLUTION NO. 19-08-65 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A
MODIFICATION TO THE CONTRACT WITH WSP USA, INC. FOR DESIGN
SERVICES FOR THE DIVISION TRANSIT PROJECT**

WHEREAS, TriMet has authority under ORS 267.200 to enter into a modification of a contract (Modification) with WSP USA, Inc. for Design Services for the Division Transit Project; and

WHEREAS, the total amount of the Modification exceeds the contract amount originally authorized by the TriMet Board of Directors (Board); and

WHEREAS, by Resolution dated October 25, 2017, the Board adopted a Statement of Policies requiring it to approve personal services contracts obligating TriMet to pay in excess of \$500,000;

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 \$2,070,000, through the September 30, 2021, anticipated termination date of the contract.

Dated: August 14, 2019

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department

10/1/2011