

Date: October 25, 2017

To: Board of Directors

From: Neil McFarlane *Neil McFarlane*

Subject: RESOLUTION 17-10-71 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A MODIFICATION TO THE CONTRACT WITH CONVERGENT PACIFIC, LLC FOR BUILDING AND INDUSTRIAL EQUIPMENT DESIGN SERVICES FOR THE RUBY JUNCTION SHOP MODIFICATIONS 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 Convergent Pacific, LLC (Convergent) for building and industrial equipment Design Services for TriMet’s Ruby Junction Shop Modifications 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

At its December 14, 2016 meeting, the Board approved Resolution 16-12-72, authorizing TriMet to execute a contract with Convergent in the amount of \$475,000 for design services for the Project. When the contract was executed, TriMet anticipated the duration to be under one year based on preliminary estimates of structural complexity and the timeline to procure the cranes and light rail vehicle (LRV) lift equipment, which was expected to be in the range of 4 to 6 months.

As the design has progressed and stakeholder input has been received, additional design work and coordination has become necessary to minimize impacts and disruptions to the Stores Department, which has a storeroom facility in the basement of Ruby Junction and provides repair and overhaul parts for Rail Equipment Maintenance. Staff also received more realistic information indicating that the procurement lead-times for the cranes and LRV lift equipment will be closer to one year.

Given the additional design services necessary to minimize the impact to Stores and the longer than anticipated lead-times for the equipment for the Project, staff hereby request that the Board authorize an increase in the contract amount from \$475,000 to \$600,000 as well as authorize an additional year to the term of the contract. Convergent has completed 95% of the design work thus far and has performed satisfactorily. The plan set has been submitted to the City of Gresham for review and permitting.

6. Procurement Process

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

7. Diversity

Convergent is a certified DBE firm. In its proposal, Convergent indicated that it expected to be able to achieve 62 percent DBE participation on the contract by self-performing work such as project management and scheduling, structural design, drafting, and quality control work. To date, it has achieved 70 percent participation and expects to maintain that level with the anticipated additional task order work.

8. Financial/Budget Impact

The additional design work for the Project is included in the FY2018 Capital Projects and Construction budget.

9. Impact if Not Approved

TriMet's alternative would be to hire additional staff to complete the design work. This option is not preferred because procurement of this contract requires highly specialized expertise and addresses a short term staffing need that will not exist after this work is complete. The completion of work would also be delayed.

RESOLUTION 17-10-71

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A MODIFICATION TO THE CONTRACT WITH CONVERGENT PACIFIC, LLC FOR BUILDING AND INDUSTRIAL EQUIPMENT DESIGN SERVICES FOR THE RUBY JUNCTION SHOP MODIFICATIONS PROJECT

WHEREAS, TriMet has authority under ORS 267.200 to enter into a modification of its contract with Convergent Pacific, LLC for Design Services for the Ruby Junction Shop Modifications Project (Contract Modification); and

WHEREAS, the total amount of the Contract 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 certain modifications to contracts obligating TriMet to pay in excess of the amount previously authorized by the Board;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Contract Modification shall be in conformance with applicable laws.
2. That the General Manager or his designee is authorized to execute the Contract Modification increasing the contract amount from \$475,000 to \$600,000 and adding an additional year to the contract term.

Dated: October 25, 2017

Attest:

Presiding Officer

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department