

Date: February 23, 2022

To: Board of Directors

From: Sam Desue Jr.

Subject: RESOLUTION NO. 22-02-07 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A MODIFICATION TO THE CONTRACT WITH NORTHWEST TESTING INC. FOR MATERIAL TESTING AND SPECIAL INSPECTION SERVICES FOR THE POWELL GARAGE REPLACEMENT 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 with Northwest Testing, Inc. (NTI) for Material Testing and Special Inspection Services (Modification) for the Powell Garage Replacement Project.

2. **Type of Agenda Item**

- Initial Contract
- Contract Modification
- Other _____

3. **Reason for Board Action**

Board approval is required when contract modifications exceed the contract amount originally authorized by the Board.

4. **Type of Action**

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

5. **Background**

The Powell Garage Replacement Project (Project) began in late 2016. When completed, the Project will provide a new and larger garage, articulated fleet facilities, bus electrification facilities, dramatically increased bus storage and maintenance capacity, new fuel and wash facilities, and improved operator accommodations and employee parking. To date, the existing garage structure has been demolished, and completion of the new Fuel and Wash and Phase 1 of the project is already in use.

Because the Project's new garage building will be comprised of structural steel framing, cast-in-place concrete, tilt-up concrete panels, shotcrete, reinforced concrete masonry unit (CMU), concrete slab on grade, concrete slab on deck, steel decking, metal stud framing, storefront windows and drop ceilings, the Project requires a qualified and knowledgeable

materials inspection firm. Inspections and testing are required nearly every day the Project is active.

The Project has been delayed by approximately one year and the Project's completion date extended to February of 2023. As a result, the number of days needed for materials testing and inspections also have been extended through the October 2022 date for completion of construction. In addition, costs associated with the required inspections of the structural steel work have increased due to pandemic-related materials production problems and resulting schedule delays. For these reasons, additional funds are needed to conduct the remaining materials inspections from January of 2022 through the October 2022 end of construction.

6. **Description of Procurement Process**

The contract was procured through a competitive Request for Proposals (RFP) process in September of 2018, and NTI was awarded the contract in November of 2018.

7. **Diversity**

NTI's current workforce consists of 5% female and 29% minority employees, who are self-performing all services under this contract.

8. **Financial/Budget Impact**

This Modification will increase the total contract amount from \$500,000 to \$800,000. The \$300,000 Modification amount is within the Project's construction budget. NTI only bills the Project for time and materials up to the authorized contract amount.

9. **Impact if Not Approved**

Reliance on special inspectors to perform materials inspections for building elements is a requirement of the building permit granted by the City of Portland. Failing to continue utilizing inspection services would jeopardize the building permit and create safety risks for the Project.

RESOLUTION NO. 22-02-07

**RESOLUTION NO. 22-02-07 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A
MODIFICATION TO THE CONTRACT WITH NORTHWEST TESTING INC.
FOR MATERIAL TESTING AND SPECIAL INSPECTION SERVICES FOR
THE POWELL GARAGE REPLACEMENT PROJECT**

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract modification (Modification) with Northwest Testing, Inc. for Material Testing and Special Inspection Services for the Powell Garage Replacement Project; and

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

WHEREAS, the total amount of the Modification exceeds the contract amount originally authorized by the Board;

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 a contract Modification increasing the total maximum contract amount from \$500,000 to \$800,000, through the contract's October 2022 expiration date.

Dated: February 23, 2022

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:

Gregory E. Skillman
Legal Department