

Date: July 23, 2014

To: Board of Directors

From: Neil McFarlane

Subject: **RESOLUTION 14-07-36 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A MODIFICATION TO THE CONTRACT WITH WENAHA GROUP, INC. FOR PROJECT MANAGEMENT AND SELECTED DESIGN SERVICES**

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 Wenaha Group, Inc. (“Wenaha”) for Project Management and Selected Design Services in support of TriMet’s Facilities Management department for projects in fiscal year 2014-15.

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 September 11, 2013 meeting, the Board approved Resolution 13-09-51, which authorized award of a contract to Wenaha for \$435,000 for work on Facilities Management projects budgeted within TriMet’s Capital Asset Management and Investment Program (“CAMIP”) for FY 2013-14. At that time, in keeping with TriMet’s annual budgeting process, the amount authorized by the Board was sufficient to enable Wenaha to perform work in FY 2013-14 only.

Now, with FY 2014-15 beginning and the budget approved, TriMet requires additional project management and design services from Wenaha on a relatively long list of Facilities Management projects included in the CAMIP for the current fiscal year. These projects, along with Wenaha’s projected role on each, are set out below:

- Center Maintenance Infrared Heater Replacement— Project Manager (“PM”) and Resident Engineer (“RE”)
- Beaverton TC HVAC Improvement Assessment- PM and RE
- Merlo Maintenance Garage (Selected) Window Work—PM, Designer and RE
- Center Maintenance Roof Repair Assessment- PM, Designer and RE
- Maintenance Garages HVAC Compressor Upgrade Assessment-PM
- Center Maintenance NRV Roof Replacement- PM, Designer, and RE
- Operator Layover Facility (Selected) Refurbishment- PM and RE
- Center Maintenance Garage Bus Hoists (Bays 27 and 28)- RE
- Center Maintenance Garage Battery Room Vent Improvement- PM and RE

The attached Resolution authorizes a modification to the Wenaha contract in the amount of \$532,600, which is within the budget established for these projects.

TriMet has elected to have these services performed by an outside consultant because the individual projects on this list, while important, are small and relatively low-risk. In addition, these projects are generally building-related projects that require specific skills. Existing TriMet staff with the applicable skill sets are currently fully committed to other projects, so additional capacity is needed. Wenaha’s performance under this contract so far has been excellent.

6. Procurement Process

This contract was procured through a competitive Request for Proposal process.

7. DBE

Disadvantaged Business Enterprise (DBE) participation to date has been 100 percent, because Wenaha is a DBE firm, as is its sole subcontractor, Cooper Zietz.

8. Financial/Budget Impact

The amount of the modification will be up to \$532,600, which is included within the budget for FY 2014-15.

9. Impact if Not Approved

If this Resolution is not approved, TriMet would need to re-procure the contract, reprioritize the Facilities Management projects to allow them to be performed by existing staff, or hire additional staff. The first option is not desirable because there was adequate competition for the contract initially and a new procurement is not likely to result in a more favorable result. The second option is not desirable as it would not advance work identified in the CAMIP and annual budget, and the third option is not desirable because an external resource is more appropriate to meet short term workload peaks, and the work performed by Wenaha to date has been excellent.

RESOLUTION 14-07-36

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A MODIFICATION TO THE CONTRACT WITH WENAHA GROUP, INC. FOR PROJECT MANAGEMENT AND SELECTED DESIGN SERVICES

WHEREAS, TriMet has authority under ORS 267.200 to enter into a modification to the contract with Wenaha Group, Inc. for Project Management and Selected Design Services (“Modification”); and

WHEREAS, the total amount of the Modification shall exceed the amount originally authorized by the Board; and

WHEREAS, the TriMet Board of Directors (“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 in an amount not to exceed \$532,600.

Dated: July 23, 2014

Attest:

Presiding Officer

Recording Secretary

Approved as to Legal Sufficiency:

Legal Department