

Date: July 23, 2014

To: Board of Directors

From: Neil McFarlane

Subject: RESOLUTION 14-07-39 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH STACY AND WITBECK, INC. FOR CONSTRUCTION MANAGER/GENERAL CONTRACTOR SERVICES FOR THE BLUE LINE STATION REHABILITATION 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 contract with Stacy and Witbeck, Inc. (“SWI”) for construction manager/general contractor (“CM/GC”) services for the Blue Line Station Rehabilitation Project (“Project”).

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other _____

3. Reason for Board Action

Board approval is required for goods and services contracts obligating TriMet to pay in excess of \$500,000.

4. Type of Action:

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

5. Background

At its February 2014 meeting, the Board approved Resolution 14-02-10, authorizing an exemption from a low bid procurement for the Project. Thereafter, TriMet utilized a competitive Request for Proposal (“RFP”) process to select the highest ranked contractor to provide CM/GC Services for the Project.

The Project is a five-year program of renovations to passenger facilities at fourteen MAX stations between the Hollywood/NE 42nd Avenue Transit Center and the Cleveland station. The newly remodeled Rockwood and Gresham Civic stations are excluded from this effort.

These fourteen stations will receive:

- Updates and renovations to their passenger shelters, lighting, security features
- Infrastructure for future eFare validators
- Improved access control measures
- Enhanced delineation of the fare zone with pavers, barriers, and informational signage
- Repositioning of amenities on the platforms for better sight lines
- Reconfiguration of CCTV
- Repainting of existing metal elements and amenities
- Replacement of broken tactile pavers
- Cleaning of existing brick and masonry walls and surfaces

The Project is included in TriMet’s Capital Asset Management and Investment Plan.

TriMet received three proposals in response to its RFP, from SWI, Brown Contracting (Brown), and Emerick Construction (Emerick). TriMet appointed an Evaluation Committee (“EC”) to review the proposals. The EC consisted of TriMet Operations Support, Safety, Diversity, Facilities Management and Operating Projects staff. Committee members were selected based on their expertise, experience and knowledge related to the Project. The EC evaluated the technical proposals based on the criteria set forth in the RFP, including Experience and Past Performance, Project Team, Work Plan, Contracting Plan and Minority/Women/Emerging Small Business (M/W/ESB) Plan, and Project Management. After evaluating the technical proposals, the EC opened each proposer’s price and completed the scoring of the proposal.

At the conclusion of this process, scores were as follows:

Criteria	Possible Points	SWI	Brown	Emerick
Proposer Experience/ Past Performance	20	18.75	12.5	10
Proposed Team	20	15	12.5	12.5
Work Plan/Project Approach	25	12.5	6.25	10
Contracting Plan M/W/ESB Plan	20	12.5	10	10
Project Management	15	9	6	7.5
Subtotal	100	67.75	50	47.25
Preconstruction Services Price		\$190,700	\$184,380	\$426,454
Construction Services Fee		\$378,000	\$420,000	\$273,000
Total Price	50	\$568,700 (50 pts)	\$604,380 (46.85 pts)	\$699,454 (38.85 pts)
Total Score	150	117.75	94.10	88.85

The EC concluded that SWI's proposed team was very strong in key roles, and both the proposed staff and the firm itself had excellent prior experience with light rail projects.

TriMet staff performed a cost analysis of SWI's proposed preconstruction price and construction fee and determined that the costs are fair and reasonable. Work will be ordered by task orders, which will be negotiated on an individual basis. Competitive pricing of construction tasks will be ensured through open bidding on subcontractor work, open book pricing, and independent cost estimates, in accordance with TriMet's CM/GC practices. TriMet will also reserve the right to put any individual construction task out to bid, should it not be satisfied with the proposed pricing. This Resolution provides TriMet with the authority to contract with SWI for work on the Project up to \$11,162,442 for the five year program.

6. Procurement Process

The contract was procured through a competitive Request for Proposal process, as described above.

7. Diversity

SWI expects to achieve approximately 17 percent M/W/ESB usage on this contract, depending on final design and tasks ordered. As this is a CM/GC contract, TriMet and SWI will seek to maximize DBE opportunities during design and will finalize specific subcontractor utilization as each task order is negotiated.

8. Financial/Budget Impact

The amount of the contract for the entire Project over the five year term of the Station Rehabilitation Project will be up to \$11,162,442. The budget for the Project for Fiscal Year 2014-15 is \$1,850,000. TriMet will manage the issuance of task orders to ensure that work for each of the five years stays within the assigned budget for each fiscal year.

9. Impact if Not Approved

TriMet could re-procure the contract. However, this option is not recommended because SWI is well qualified to perform this work, and it is unlikely that TriMet would receive additional proposals through a re-procurement. Furthermore, TriMet will retain the option to bid any task order separately, if a suitable price cannot be negotiated.

RESOLUTION 14-07-39

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH STACY AND WITBECK, INC. FOR CONSTRUCTION MANAGER/GENERAL CONTRACTOR SERVICES FOR THE BLUE LINE STATION REHABILITATION PROJECT

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract modification with Stacy and Witbeck, Inc. for construction manager/general contractor services for the MAX Blue Line Station Rehabilitation Project (“Contract”); and

WHEREAS, the total amount of the Contract shall exceed \$500,000; and

WHEREAS, the TriMet Board of Directors (“Board”), by Resolution dated November 25, 2009, adopted a Statement of Policies requiring the Board to approve goods and services contracts obligating TriMet to pay in excess of \$500,000;

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 Contract and task orders thereunder in an amount not to exceed \$11,162,442.

Dated: July 23, 2014

Attest:

Presiding Officer

Recording Secretary

Approved as to Legal Sufficiency:

Legal Department