

Date: February 22, 2023

To: Board of Directors

From: Sam Desue, Jr.

Subject: **RESOLUTION NO. 23-02-05 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT MODIFICATION WITH RAIMORE CONSTRUCTION, LLC (RAIMORE) FOR CONSTRUCTION MANAGER/GENERAL CONTRACTOR (CM/GC) SERVICES FOR THE HOLLYWOOD TRANSIT CENTER INFRASTRUCTURE PROJECT**

1. Purpose of Item

This Resolution requests that the TriMet Board of Directors (Board) authorize the General Manager to execute a modification (Modification) of the contract with Raimore Construction, LLC (Raimore) for Construction Manager/General Contractor (CM/GC) services for the Hollywood Transit Center Infrastructure Project (Project).

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other _____

3. Type of Contract Procurement

- Low Bid / Invitation to Bid (ITB)
- Request for Proposals (RFP) (inc. CM/GC)
- Request for Qualifications (RFQ) (Personal Services)
- Other: Sole Source

4. Reason for Board Action

Board authorization is required for all contract modifications that exceed the amount previously authorized by the Board.

5. Type of Action

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

6. Background

To promote transit oriented development and affordable housing, TriMet is redeveloping the Hollywood Transit Center (HTC), located on NE Halsey Street. The scope of the Hollywood Transit Center Infrastructure Project (Project) includes the redevelopment of 42nd Street as a public plaza, a new stair and ramp structure in which a site-built traction power substation (TPSS) will be integrated, and new bus facilities. The site immediately adjacent and west of

the Project will be developed into a 12-story apartment building and courtyard. The total cost of the Project will be approximately \$8,000,000.

At its December 14, 2022 meeting, the Board approved Resolution No. 22-12-68, which authorized a CM/GC Contract with Raimore, and authorized initial pre-construction services in the amount of \$136,520. This Resolution authorizes a Modification of the Raimore CM/GC contract to add \$3,877,800 for early construction work needed to build a temporary stair structure, and procure and install the new traction power substation (TPSS).

Early procurement, delivery and timely installation of the TPSS is critical to the success of the overall project, in order to prevent disruptions and delays of the rest of the construction work. TriMet is seeking authorization of this TPSS work prior to the rest of the construction work because the TPSS has long lead-time items associated with it. In addition to the TPSS, the temporary stair structure is a critical element that must be in place prior to demolition of the existing structure, in order to direct pedestrians around the work site. The temporary stair structure will be procured by Raimore from a supplier of a code-compliant ramp system, because this structure will require a City of Portland issued permit.

Staff anticipates presenting another Resolution to the Board in the Fall of 2023 to further modify the CM\GC contract to add the balance of the construction work, assuming TriMet and Raimore can mutually agree on a price.

TriMet’s and Raimore’s agreed-upon costs to construct the temporary stair structure and procure and install the TPSS are shown below:

Initial Pre-Construction Services Awarded - Resolution No. 22-12-68		\$136,520
Amount Requested for Temporary Stair Structure	\$350,000	
Amount Requested to Procure and Install TPSS	\$3,022,000	
Amount Requested for Change Order Allowance (15%)	\$505,800	
Amount Requested by this Resolution No. 23-02-05 (subtotal)	\$3,877,800	\$3,877,800
Total Amount of Revised CM/GC Contract (\$136,520 + \$3,877,800)		\$4,014,320

7. Description of Procurement Process

The original CM\GC contract was procured through a competitive Request for Proposals (RFP) process.

8. Diversity

Raimores’s total employee count is 64, and its workforce is 81% minority and 17% female. In its proposal, Raimore indicated it would utilize Oregon certified small business contractors for approximately 73% of the work. This percentage would include work self-performed by Raimore, a certified DBE and MBE, as well as subcontracting work. Siemens is the TPSS manufacturer, and Raimore will use Liberty Electric to install the TPSS. Liberty Electric is certified by the State of Washington as a Service-Disabled Veteran-owned Business.

9. Financial/Budget Impact

The Modification amount is included in the Engineering, Construction, and Planning division's FY2023 Budget.

10. Impact if Not Approved

Under the terms of the CM/GC contract, TriMet could terminate the CM/GC arrangement upon the completion of the pre-construction services work authorized by Resolution No. 22-12-68, and then obtain bids for the temporary stair and TPSS construction work. However, Raimore has performed well on the Project so far, and the completion of the TPSS work will ensure that the Project stays on schedule until the Board grants authorization for subsequent construction services. In addition, the temporary stair is a critical path item that is required to start field work for the Project.

RESOLUTION NO. 23-02-05

**RESOLUTION NO. 23-02-05 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A
CONTRACT MODIFICATION WITH RAIMORE CONSTRUCTION, LLC
(RAIMORE) FOR CONSTRUCTION MANAGER/GENERAL CONTRACTOR
(CM/GC) SERVICES FOR THE HOLLYWOOD TRANSIT CENTER
INFRASTRUCTURE PROJECT**

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract modification (Modification) with Raimore Construction (Raimore) for Construction Manager/General Contractor (CM/GC) services for the Hollywood Transit Center Infrastructure Project (Project); and

WHEREAS, by Resolution No. 22-05-35, dated May 25, 2022, the TriMet Board of Directors (Board) adopted a Statement of Policies requiring the Board to approve all contracts obligating TriMet to pay in excess of \$1,000,000; and

WHEREAS, the total amount of this Modification exceeds \$1,000,000 and exceeds the contract amount previously 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 the Modification in the amount of \$3,372,000, allowing Raimore to proceed with the temporary stair and TPSS construction work.
3. That the General Manager or his designee is further authorized to execute Change Orders to the modified CM/GC contract in an amount not to exceed \$505,800 (15% of the Modification amount), through the contract's expected termination date of June 2025.

Dated: February 22, 2023

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:

Gregory E. Skillman
Legal Department