


Date: April 22, 2026

To: Board of Directors

From: Sam Desue, Jr. 

Subject: **RESOLUTION NO. 26-04-15 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET), ACTING AS THE TRIMET CONTRACT REVIEW BOARD, AUTHORIZING AN EXEMPTION FROM LOW BID REQUIREMENTS TO PROCURE CONSTRUCTION SERVICES FOR THE TV HIGHWAY TRANSIT & SAFETY PROJECT**

1. Purpose of Item

This Resolution requests authorization to exempt from the low bid process the procurement of Construction Manager/General Contractor (CM/GC) services for the TV Highway Transit & Safety Project (Project) to allow a competitive best value, Request for Proposals (RFP) procurement process.

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other: Exemption of a Contract from Low Bid Requirements

3. Reason for Board Action

An exemption from the low-bid solicitation requirements must be approved by the TriMet Contract Review Board (TCRB) in accordance with state law and the TCRB Rules. This exemption of the low-bid requirement will allow for a competitive, best value, Request for Proposals (RFP) process to select the most highly qualified proposer.

4. Type of Action

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

5. Background

The Tualatin Valley Highway Corridor connects Forest Grove, Cornelius, Hillsboro, Aloha, and Beaverton. It has long been identified as a top regional priority for major transit investment. As a result, Metro, TriMet, the Oregon Department of Transportation (ODOT), and local jurisdictions developed the TV Highway Transit & Safety Project (Project). The Project generally follows TriMet’s current bus Line 57, on a 16.2 mile alignment along OR-8 from Beaverton to Forest Grove, with the portion west of Highway 47 in Forest Grove following the Pacific Avenue (westbound) and 19th Avenue (eastbound) couplet. The alignment also follows local roads in Hillsboro, in order to access the Hillsboro Central/ SE 3rd Transit Center.

The Project would establish a TriMet FX® – Frequent Express Bus Rapid Transit (FX) type line similar to FX2 Division and the 82nd Avenue Transit Project. As envisioned, it will carry passengers to and from stops between the Beaverton Transit Center at the eastern terminus and downtown Forest Grove at the western terminus on the Tualatin Valley Highway (TV Highway).

By introducing FX on TV Highway, the Project intends to greatly improve transportation along an essential Washington County transit corridor by making better connections using Transit Signal Priority and other transit priority treatments. The Project will enhance transit speed and reliability, construct station improvements, and provide safer and more accessible transit connections.

To date, regional partners, including TriMet, Metro, ODOT, Washington County, and the cities of Beaverton, Hillsboro, Cornelius, and Forest Grove, have collaborated on initial phases of the Project, developing transit elements to a 15% design level. As the Project moves into 30% design, we will post a RFP to hire a Construction Manager/General Contractor (CM/GC). The contractor will establish design constructability and greater cost certainty between 60% and the final Issue for Construction set (100% design), as well as provide construction services.

An exemption from low bidding is required to enable TriMet to select a contractor using an alternative procurement process. Under the traditional low bid procurement method, TriMet may consider only price in selecting a contractor. The alternative procurement process allows TriMet to select contractors upon consideration of many factors, including price.

This Project is complex in nature and will require the contractor to manage tight timelines within a strict budget. Consideration of factors other than price will allow TriMet to select a CM/GC contractor with the skill and experience to handle these complexities.

TriMet has successfully utilized the RFP process to select CM/GC contractors on multiple major construction projects, including the Division Transit Project, Powell Garage Replacement Project, Portland Milwaukie Light Rail Project, the Portland Mall and I-205 Light Rail projects, and the 82nd Avenue Transit Project.

TCRB Rule V(A) and ORS 279C.335(2) provide that the TriMet Board of Directors (Board), acting in its capacity as the TCRB, may exempt a contract from competitive sealed bidding requirements upon approval of written Findings made by TriMet to support the following:

- (a) The exemption is unlikely to encourage favoritism in awarding public improvement contracts or substantially diminish competition for public improvement contracts; and
- (b) Awarding a public improvement contract under the exemption will likely result in substantial cost savings and other substantial benefits to the contracting agency.

TriMet staff anticipate using the following criteria (or similar) to select the contractor:

- Proposer Experience/Past Performance (10 points);
- Proposed Project Team (35 points);
- Draft Project Approach, Work Plan & Schedule (50 points);

- Draft Contracting Plan, Certified Contractor Utilization and Workforce Hiring & Training (40 points);
- Project Management (25 points); and
- Price (40 points)

Pursuant to ORS 279C.335(5), TriMet is required to hold a public hearing to allow comment on draft Findings used to grant an exemption of a public improvement project. Notification of the public hearing on the draft Findings was published in the Daily Journal of Commerce, and the hearing was held on April 1, 2026. There were no attendees, and no comments were received. TriMet's written Findings in support of the exemption, which are required by ORS 279C.335, are attached as Exhibit A to this Resolution.

6. Description of Procurement Process

Upon approval of this exemption, a competitive RFP process will be used to select the contractor that presents the best value to TriMet based on the criteria included in the RFP.

7. Financial/Budget Impact

The cost of the CM/GC services that will be procured through this low-bid exemption is included in the proposed FY2027 Engineering and Construction Division budget and will be included in future year budgets. The services will not be procured until FY2027.

8. Impact if Not Approved

If this exemption is not approved, TriMet would have to procure CM/GC services for this project via the traditional design-bid-build procurement method. This is not the preferred option for the reasons outlined above and presented in the Findings attached as Exhibit A.

3. That TriMet is authorized to initiate a Request for Proposal process and negotiate a Contract for the specified construction project, subject to final Board approval of the contract award.

Dated: April 22, 2026

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department