

Date: September 16, 2015
To: Board of Directors
From: Neil McFarlane *Neil McFarlane*
Subject: **RESOLUTION 15-09-53 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A MODIFICATION TO THE CONTRACT WITH STACY AND WITBECK, INC. FOR THE EFARE INFRASTRUCTURE INSTALLATION 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 modification to the contract with Stacy and Witbeck, Inc. (“SWI”) for construction manager/general contractor (“CM/GC”) services for eFare Infrastructure Installation (“eFare Installation”).

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

TriMet is embarking on a multi-year program to implement an electronic fare payment (“eFare”) system that will significantly modernize TriMet’s fare collection system, leading to more efficient fare collection and increased convenience for customers (“eFare Program”). The Board has previously approved two resolutions for the field installation work in support of eFare: Resolution 14-08-44, authorizing an initial contract with SWI, and Resolution 15-02-11, authorizing a modification to the SWI contract for the full civil construction component, for a total amount of \$7,699,778.

Resolution 15-02-11 stated that staff would return for a further modification to SWI’s contract to install new communication switches once the design for these switches was complete. Communication switch design is now complete, and accordingly this Resolution is for the addition of the communication work.

The work includes the new switches as well as adding communications cabinets to most Blue Line stations to accommodate the switches. These new switches will also allow upgrades to the CCTV system as part of a future project designed to enhance and expand safety and security at the light rail platforms. This additional communications equipment was to be added at the time that CCTV upgrades were made, but since eFare will be implemented first, they will instead be installed as part of the eFare Program.

This Resolution would increase the contract amount by \$516,133. The new Contract total is \$8,215,911. In addition, this Resolution would add 10 percent of the Modification amount (\$51,600) to the existing change allowance for the project.

6. Procurement Process

This contract was originally procured through competitive Request for Proposals processes. The majority of the work for this modification is subcontracted and was competitively procured by SWI to ensure competition and market pricing, while the balance was negotiated. The proposed contract amount is 10 percent lower than TriMet's independent cost estimate, and staff has determined that the cost is fair and reasonable.

7. Diversity

In its initial proposal, SWI stated that it expected to obtain Minority/Women/Emerging Small Business ("M/W/ESB") participation of approximately 22 percent. At the time the construction phase was authorized, SWI stated that it expected to obtain 29 percent participation, through subcontractor services such as electrical work, trucking, train flagging, quality control, and roadway sweeping. Currently, SWI is on pace to achieve a participation rate of 27-29 percent.

8. Financial/Budget Impact

The modified amount of this contract is included in the eFare Program budget.

9. Impact if Not Approved

Additional communication system upgrades are required to support the new eFare validators and future CCTV cameras at all light rail stations. If this Resolution is not approved, TriMet would need to procure a new contract to perform these services, or it would otherwise be unable to fully design and implement the eFare Program.

RESOLUTION 15-09-53

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A MODIFICATION TO THE CONTRACT WITH STACY AND WITBECK, INC. FOR THE EFARE INFRASTRUCTURE INSTALLATION PROJECT

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract modification with Stacy and Witbeck, Inc. for the eFare Infrastructure Installation Project (“Modification”); and

WHEREAS, the total amount of the Modification shall exceed the contract 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 goods and services contracts obligating TriMet to pay in excess of \$500,000;

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.
3. That the General Manager or his designee is authorized to execute change orders in a total amount not to exceed \$51,600.

Dated: September 16, 2015

Attest:

Presiding Officer

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department