

Date: October 26, 2016

To: Board of Directors

From: Neil McFarlane 

Subject: RESOLUTION 16-10-66 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH HOWARD S. WRIGHT FOR CONSTRUCTION MANAGER/GENERAL CONTRACTOR SERVICES FOR THE WASHINGTON PARK STATION IMPROVEMENTS 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 Balfour Beatty Construction, LLC dba Howard S. Wright (HSW) for construction manager/general contractor (CM/GC) services for the Washington Park Station Improvements 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. As is typical for CM/GC services, this contract will be structured with an initial contract for preconstruction services only, which will be subsequently modified to include construction services. The amount of the initial preconstruction services contract will be \$19,250. Even though the preconstruction services contract amount is under the Board approval threshold, the contract is being presented to the Board at this time because this resolution will award a contract to HSW to provide the preconstruction services that TriMet anticipates will be modified later to add construction services in excess of the Board approval threshold. The estimated construction cost for the entire Project is expected to be approximately \$1,300,000. The Board will be asked for authorization to modify the contract to include construction services.

4. Type of Action:

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

5. Background

The Washington Park Station is TriMet’s only enclosed, underground station and was completed in 1998 as part of the Westside MAX line. After nearly 20 years of service, this station is slated for upgrades and rehabilitation to bring it into a state of good repair. Repairs include upgrades to lighting, walls, ceiling, and information displays. Improvement work will occur at the TriMet platforms adjacent to the operating TriMet light rail system. Work may also require adjacent architectural changes, code upgrades, technological improvements, and consideration for alternative site services during construction.

At its August 2016 meeting, the Board approved Resolution 16-08-54, authorizing an exemption from the low bid procurement requirement for the Project. This exemption allowed TriMet to utilize a competitive Request for Proposal (RFP) process to select the most qualified contractor to provide CM/GC services for the Project.

6. Procurement Process

On August 15, 2016, TriMet issued an RFP for these services. TriMet received three proposals in response to this RFP, from Howard S. Wright, Turner Construction, and Emerick Construction. An Evaluation Committee (EC) consisting of staff from TriMet Capital Projects and Construction division and Diversity and Transit Equity department was appointed to review the proposals. 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, Project Approach/Work Plan, Contracting Plan and Minority/Women/Emerging Small Business/Service Disabled Veteran Business Enterprise (M/W/ESB/SDVBE) Program, Project Management, and Price. After evaluating the technical proposals, the EC opened each proposer’s price and completed the scoring of the proposals. At the conclusion of this process, scores were as follows:

Criteria	Possible Points	Howard S. Wright	Turner	Emerick
Proposer Experience/Past Performance	30	26	21	26
Proposed Team	30	24	21	26
Project Approach, Work Plan, Schedule	35	32	26	26
Contracting Plan + DBE Program	20	16	16	15
Project Management	20	18	17	16
Subtotal	135	116	101	109
Pre-construction Services Price		\$19,250	\$12,028	\$83,050
Construction Services Fee		\$61,905	\$62,972	\$42,250
Total Price		\$81,155	\$75,000	\$125,300
Total Price Score	65	60	65	21
Total Score	200	176	166	130

Accordingly, the EC recommends awarding a contract to HSW for preconstruction services in the amount of \$19,250. At the completion of design, TriMet will negotiate a construction price, inclusive of the construction fee submitted in response to the RFP. Assuming that the parties can come to agreement on an acceptable construction price, at that time TriMet will seek Board authorization to modify the contract to add construction services. HSW's proposed construction fee is based on an assumption that the final amount of the construction services will total approximately \$1,300,000.

7. Diversity

In its proposal, HSW stated that it expects to obtain M/W/ESB/SDBVE participation of approximately 15 percent. Although work within a tunnel adjacent to an operating light rail line is unusual and may reduce the number of subcontracting opportunities, opportunities are expected to be available to M/W/ESB/SDBVE firms in areas such as electrical, lighting, finishes, painting, and site work. To ensure it is able to achieve as much participation as possible, HSW has proposed an "Inclusion Assessment" session at the beginning of the preconstruction services phase, which will involve all stakeholders and attempt to identify potential work available for M/W/ESB/SDBVE firms. TriMet will work with HSW to seek to maximize M/W/ESB/SDBVE participation as the construction contract is negotiated.

8. Financial/Budget Impact

The final construction contract amount will be negotiated. The Project is included in the Capital Projects FY 2016/17 and FY2017/18 budgets.

9. Impact if Not Approved

TriMet could re-procure the contract. However, TriMet received a good response through the RFP process and advertising the contract a second time is unlikely to lead to additional or more favorable proposals. Furthermore, HSW is well qualified to perform this work.

RESOLUTION 16-10-66

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH HOWARD S. WRIGHT FOR CONSTRUCTION MANAGER/GENERAL CONTRACTOR SERVICES FOR THE WASHINGTON PARK STATION IMPROVEMENTS PROJECT

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract with Balfour Beatty Construction, LLC dba Howard S. Wright for construction manager/general contractor services for the Washington Park Station Improvements Project (Contract); and

WHEREAS, the total amount of the Contract when modified for construction services 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.

Dated: October 26, 2016

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department