

**Date:** December 11, 2019

**To:** Board of Directors

**From:** Doug Kelsey

**Subject:** RESOLUTION NO. 19-12-90 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH STACY AND WITBECK, INC. (SWI) FOR CONSTRUCTION MANAGER/GENERAL CONTRACTOR (CM/GC) SERVICES FOR THE MAX RED LINE EXTENSION AND RELIABILITY IMPROVEMENTS PROJECT

**1. Purpose of Item**

This Resolution requests that the TriMet Board of Directors (Board) authorize the General Manager or his designee to execute a contract (Contract) with Stacy and Witbeck, Inc. (SWI) for Construction Manager/General Contractor (CM/GC) Services for the MAX Red Line Extension and Reliability Improvements 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 (inc. sole source) \_\_\_\_\_

**4. Reason for Board Action**

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

**5. Type of Action:**

- Resolution
- Ordinance 1<sup>st</sup> Reading
- Ordinance 2<sup>nd</sup> Reading
- Other \_\_\_\_\_

**6. Background**

The MAX Red Line Extension and Reliability Improvements Project will extend service on the MAX Red Line beyond the Beaverton Transit Center to the Fair Complex Station and construct improvements at the Gateway Transit Center and the guideway to the Portland International Airport, thus improving service and reliable on-time performance along the entire MAX system.

By extending the Red Line further west from its current terminus at Beaverton Transit Center to a new terminus at the Fair Complex/Hillsboro Airport station, the Project will efficiently provide significant new light rail service to the communities of Beaverton and Hillsboro. The Project also will improve reliability and on-time performance of the entire MAX light rail system by removing two major sources of delay: 1) the single-track for the Red Line at Gateway Transit Center, and 2) the single-track for the Red Line at the Portland International Airport Station. These single tracks will be converted to double-track, thus allowing MAX Light Rail Vehicles (LRVs) to come and go at the same time. TriMet estimates that the Project will increase ridership by about 5,000 daily trips, with the estimated additional fare revenue covering 30% to 50% of the increased operating cost.

**7. Description of Procurement Process**

On August 14, 2019 the Board approved Resolution No. 19-08-62, which exempted this contract from competitive bidding requirements. The exemption stated that some Project areas, such as systems, track and civil work, and the operator break facility at Fair Complex/Hillsboro Airport station would be solicited separately. However, as the Project scope was refined it was determined those areas should be included in TriMet’s competitive Request for Proposals (RFP) process. The RFP was issued on September 3, 2019 and advertised on TriMet’s TriP\$ website and in the Daily Journal of Commerce. A pre-proposal meeting for interested firms took place on September 12, 2019, and was attended by fourteen (14) firms. TriMet received three (3) proposals: one from Kiewit Infrastructure West Co. (Kiewit), one from Raimore/Sundt, A Joint Venture (RSJV), and one from SWI.

An Evaluation Committee (EC) consisting of staff from TriMet’s Engineering & Construction Division and the Port of Portland was appointed to review, evaluate and score the proposals. The evaluation criteria in the RFP included Experience and Past Performance; Proposed Project Team Staff; Project Approach, Work Plan, and Schedule; Contracting Plan and DBE Program; Project Management; and Price. After evaluation of the technical proposals, the EC determined that all three firms were in the competitive range for Contract award, therefore pricing was opened for Kiewit, RSJV, and SWI. After pricing was factored in the scoring, only RSJV and SWI remained in the competitive range. Interviews with RSJV and SWI were held on November 13, 2019 and SWI was determined to have the highest score.

The following table summarizes the final scoring:

<b>Criteria (points)</b>	<b>Kiewit</b>	<b>RSJV</b>	<b>SWI</b>
<b>Proposer Experience and Past Performance (20)</b>	17.00	16.17	18.83
<b>Proposed CM/GC Project Team Staff (40)</b>	34.67	34.33	38.17
<b>Project Approach, Work Plan, and Schedule (45)</b>	39.00	37.67	42.83
<b>Contracting Plan and DBE Program (30)</b>	26.17	27.83	25.83
<b>Project Management (20)</b>	17.33	16.50	18.17
<b>Price (45)</b>	19.67	45.00	43.67
<b>Total</b>	<b>153.84</b>	<b>177.50</b>	<b>187.50</b>

Accordingly, TriMet seeks authority to award a contract to SWI in the amount of \$508,000 for pre-construction services.

At the completion of pre-construction services, TriMet will negotiate a TCP for all construction work on the Project. Assuming the parties can come to agreement, TriMet will seek Board authorization to modify the contract to add the TCP.

**8. Diversity**

SWI's workforce is 48% minority and 8% female. In its proposal, SWI indicated it would utilize certified contractors for approximately 20% of the work. TriMet will work with SWI to seek to maximize DBE opportunities as construction services are negotiated.

**9. Financial/Budget Impact**

The \$508,000 amount for pre-construction services is accounted for in the Engineering & Construction Division's budget for FY2020. Construction services will be included in subsequent Engineering & Construction Division budgets.

**10. Impact if Not Approved**

If the Board decides not to approve this contract, TriMet could re-procure the contract. However, TriMet received three responses through the RFP process, and SWI is well qualified to perform this work. Advertising the contract a second time is unlikely to lead to additional or more favorable proposals. In addition, the work needs to begin soon in order for the overall MAX Red Line Extension and Reliability Improvements Project to stay on schedule with both design and construction.



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TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A  
CONTRACT WITH STACY AND WITBECK, INC. (SWI) FOR  
CONSTRUCTION MANAGER/GENERAL CONTRACTOR (CM/GC)  
SERVICES FOR THE MAX RED LINE EXTENSION AND RELIABILITY  
IMPROVEMENTS PROJECT**

**WHEREAS**, TriMet has authority under ORS 267.200 to enter into a contract (Contract) with Stacy and Witbeck, Inc. (SWI) for Construction Manager/General Contractor (CM/GC) Services for the MAX Red Line Extension and Reliability Improvements Project (Project); and

**WHEREAS**, the total amount of the Contract exceeds \$500,000; and

**WHEREAS**, by Resolution dated October 25, 2017, the TriMet Board of Directors (Board) adopted a Statement of Policies requiring the Board to authorize personal services contracts obligating TriMet to pay in excess of \$500,000;

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Contract shall conform with applicable law.
2. That the General Manager or his designee is authorized to execute the initial Contract in the amount of not more than \$508,000, over the anticipated two and a half-year life of the Project.

Dated: December 11, 2019

Attest:

\_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
Recording Secretary

Approved as to Legal Sufficiency:

  
\_\_\_\_\_  
Legal Department

