

**Date:** February 26, 2020  
**To:** Board of Directors  
**From:** Doug Kelsey

**Subject:** **RESOLUTION NO. 20-02-09 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A MODIFICATION TO THE CONTRACT WITH STANTEC ARCHITECTURE, INC. FOR DESIGN SERVICES FOR THE POWELL BUS GARAGE REPLACEMENT 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 modification to the contract with Stantec Architecture, Inc. (Stantec) for design services for TriMet’s Powell Bus Garage Replacement 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 authorization is required because the proposed Modification increases the contract amount beyond the amount previously authorized by the Board.

**5. Type of Action**

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

**6. Background**

At its January 25, 2017 meeting, the Board approved Resolution 17-01-04, authorizing award of a contract to RNL Design, Inc. (RNL) in the amount of \$5,000,000 for design services for the Project. That amount did not include any funding for future design services during construction because the amount necessary for that work could not be determined at that time. Staff advised the Board that it would return for approval prior to modifying the contract for the additional work. RNL subsequently was purchased by Stantec, and the contract was transferred to Stantec. At its August 8, 2018 meeting the Board approved Resolution 18-08-63, authorizing a modification with Stantec for design services during construction in the

amount of \$4,208,301.

At its June 26, 2019 meeting the Board approved Resolution 19-06-42, for a construction contract modification that included additional scope, as a result of commitment to an electrified bus fleet and related infrastructure, permit modifications, and a 10-month extension to the construction schedule. This Resolution modifies the design services contract to accommodate the expanded scope of the construction contract. This modification authorizes additional authority of \$3,900,000 for Stantec design services. The services will be authorized through negotiated task orders.

**7. Procurement Process**

The original contract was procured via a competitive Request for Proposals process.

**8. Diversity**

In its proposal, RNL expected to achieve 27% DBE participation by subcontracting out such areas of work as traffic engineering, survey services, permitting, landscape architecture, electrical engineering, geotechnical engineering, and a portion of architectural design. Currently, Stantec is achieving approximately 26% DBE participation. The work included in design services during construction anticipates above 35% participation. Stantec's workforce is 18% minority and 34% women.

**9. Financial/Budget Impact**

The increased contract amount is included in TriMet's FY2021 capital program budget.

**10. Impact if Not Approved**

TriMet's alternative would be to hire additional staff to complete the design work. This option is not preferred because this contract requires highly specialized professional expertise and addresses a short-term staffing need that will not exist after this work is complete.

**RESOLUTION NO. 20-02-09**

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TRANSPORTATION DISTRICT OF OREGON (TRIMET)  
AUTHORIZING A MODIFICATION TO THE CONTRACT WITH  
STANTEC ARCHITECTURE, INC. FOR DESIGN SERVICES FOR THE  
POWELL BUS GARAGE REPLACEMENT PROJECT**

**WHEREAS**, TriMet has authority under ORS 267.200 to enter into a contract modification (Modification) with Stantec Architecture, Inc. (Stantec) for Design Services for TriMet's Powell Bus Garage Replacement Project (Project); and

**WHEREAS**, the total amount of the Modification exceeds the contract amount originally authorized by the TriMet Board of Directors (Board); and

**WHEREAS**, by Resolution dated October 25, 2017, the Board adopted a Statement of Policies requiring it to approve goods and services contracts obligating TriMet to pay in excess of \$1,000,000;

**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 Contract Modification in the amount not to exceed \$3,900,000, through the Modification's June 30, 2023 termination date.

Dated: February 26, 2020

Attest:

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

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

Approved as to Legal Sufficiency:

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

