


Date: October 25, 2023

To: Board of Directors

From: Sam Desue, Jr. 

Subject: **RESOLUTION NO. 23-10-53 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT MODIFICATION WITH DAVID EVANS AND ASSOCIATES, INC. FOR DESIGN AND ENGINEERING SERVICES FOR THE HOLLYWOOD TRANSIT CENTER COMMUNITY AND TRANSIT INFRASTRUCTURE 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 modification (Modification) with David Evans and Associates, Inc. (DEA) for design and engineering services for the Hollywood Transit Center Community and Transit Infrastructure 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 for all contract modifications causing contract amounts to exceed amounts previously authorized by the Board.

5. Type of Action

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

6. Background

To promote transit oriented development and affordable housing, TriMet is redeveloping the Hollywood Transit Center, located on NE Halsey Street, as part of the Hollywood Transit Center Community and Transit Infrastructure Project (Project). The Project includes the redevelopment of 42nd Street as a public plaza, a new stair and ramp structure in which a site-built traction power substation (TPSS) will be integrated, and new bus facilities. The site

immediately adjacent and west of the Project will be developed into a 12-story apartment building and courtyard.

At its January 26, 2022 meeting, the Board approved Resolution No. 22-01-01, authorizing a contract with DEA for Project design and engineering services in the amount of \$3,100,000. As allowed by Resolution No. 22-05-35, the authorized amount of the contract was increased by the 10% contingency in June of 2023, in order to include necessary additional design scope related to requested structural changes, plus a Preliminary Hazard Analysis and a Technical Vulnerability Assessment that were unforeseen at the time of the original contract. As a result, the current contract amount is \$3,410,000.

This Resolution authorizes a Modification of the DEA contract to add \$950,000 for a revised contract total of \$4,360,000. The additional amount is needed because TriMet's requested structural design changes were not covered by the 10% contingency, including the change from a pre-cast stairway and ramp to a cast-in-place structure. The funds also are necessary to cover the costs of responding to the City's comments on changes to the Right of Way, the request for drawings for the Public Works permit, and preparation of a complete set of specifications and drawings reflecting the design changes that will be issued for construction. Most of the additional funds will be used to provide ongoing design services during construction of this complex Project.

7. Description of Procurement Process

This contract was procured via a qualifications-based Request for Proposal (RFP) process.

8. Diversity

DEA's total employee count is 971, and its workforce is 17.3% minority and 33.2% female. In its original proposal, DEA anticipated utilizing M/W/E/SDVBE certified firms for approximately 50% of the work in the areas of urban design, utilities engineering, electrical engineering, and other specialized fields. Currently, DEA has achieved 39% utilization and is on track to achieve between 40% and 45% M/W/E/SDVBE utilization by the end of the Project.

9. Financial/Budget Impact

TriMet has sufficient FY2024 funds budgeted for the Project's scope of work. If this Modification is approved, TriMet will return to the Board with a resolution recommending a budget transfer between divisions to address the full amount of the Modification.

10. Impact if Not Approved

Failure to approve this Resolution will impair TriMet's ability to advance the design of the Project on the schedule required to support TriMet's needs during construction. Given the advanced state of the design, completion by another firm is not feasible. Although TriMet could reprocur the services, doing so would not be likely to result in greater competition or a lower cost. Approval of this Modification is strongly recommended.

RESOLUTION NO. 23-10-53

**RESOLUTION NO. 23-10-53 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A
CONTRACT MODIFICATION WITH DAVID EVANS AND ASSOCIATES, INC.
FOR DESIGN AND ENGINEERING SERVICES FOR THE HOLLYWOOD
TRANSIT CENTER COMMUNITY AND TRANSIT INFRASTRUCTURE PROJECT**

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract modification with David Evans and Associates, Inc. (DEA) for design services for the Hollywood Transit Center Community and Transit Infrastructure Project (Modification); and

WHEREAS, by Resolution No. 22-05-35, dated May 25, 2022, the TriMet Board of Directors (Board) adopted a Statement of Policies requiring the Board to approve contracts obligating TriMet to pay in excess of \$1,000,000; and

WHEREAS, the total amount of this Modification exceeds the contract amount previously authorized by the Board;

NOW, THEREFORE, BE IT RESOLVED:

1. That the contract Modification shall conform with applicable law.
2. That the General Manager or his designee is authorized to execute a Modification to the contract with DEA increasing the current \$3,410,000 contract amount by \$950,000, for a new total amount of \$4,360,000, through the completion of the Project.

Dated: October 25, 2023

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department