

**Date:** December 9, 2015

**To:** Board of Directors

**From:** Neil McFarlane *Neil McFarlane*

**Subject:** RESOLUTION 15-12-74 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH LTK ENGINEERING SERVICES FOR SYSTEMS AND TRACKWORK DESIGN SERVICES FOR THE MAX RED LINE EXTENSION TO FAIR COMPLEX/HILLSBORO AIRPORT STATION 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 LTK Engineering Services (“LTK”) for Systems and Trackwork Design Services for TriMet’s MAX Red Line Extension to Fair Complex/Hillsboro Airport Project (“Project”).

**2. Type of Agenda Item**

- Initial Contract
- Contract Modification
- Other \_\_\_\_\_

**3. Reason for Board Action**

Board approval is required for personal services contracts obligating TriMet to pay in excess of \$150,000.

**4. Type of Action:**

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

**5. Background**

As part of the Westside Service Enhancement Plan, TriMet is planning to extend the MAX Red Line west to the Fair Complex/Hillsboro Airport Station. This would provide a new one-seat connection between Portland International Airport and areas in Hillsboro with high-tech employment. Growing employment around the Orenco and Willow Creek areas would also directly benefit from additional service through this corridor. Work to be performed under this contract will assist TriMet in designing the signals and track improvements necessary to complete the Project.

## 6. Procurement Process

On September 23, 2015, TriMet issued a Request for Proposals (“RFP”) for these services. The RFP sought firms with systems and trackwork expertise of similar nature and scale. The RFP sought qualifications of the firm and key individual experience, work plan, diversity plan, the availability of key personnel in Portland, and cost estimating and cost controls. On October 22, 2015, TriMet received two proposals in response to the RFP.

This procurement was subject to the Brooks Act, also known as Qualifications-Based Selection. Qualifications-Based Selection is a procurement process which is utilized when selecting architects and engineers for design contracts. In a Qualifications-Based Selection procurement, the agency must select the most qualified firm, and then negotiate a fair and reasonable price for the required professional services. Price quotations are not permitted as a consideration in the selection process.

TriMet appointed an evaluation committee (“EC”) to review and evaluate the proposals, which was comprised of staff from TriMet’s Capital Projects division and office of Diversity and Transit Equity. EC members were selected based on their expertise, experience and knowledge related to the Project. TriMet received two proposals in response to the RFP, from LTK and B&C Transit, Inc. The EC ranked the proposers in accordance with the procedures and criteria established in the RFP. After completing this review, the EC determined that LTK was the highest ranked proposer. Full scores for the proposers were as follows:

<b>Firm</b>	<b>Possible Points</b>	<b>LTK</b>	<b>B&amp;C</b>
Corporate Experience	20	19	16
Personnel Experience	35	34	29
Work Plan / Diversity Plan	30	28	25
Availability in Portland	5	5	3
Cost Estimating and Controls	10	8	7
<b>Total Score</b>	<b>100</b>	<b>94</b>	<b>80</b>

Accordingly, TriMet proposes to award a contract to LTK. In accordance with Qualifications-Based Selection, the direct labor costs and overall contract value were negotiated after selection of the contractor. The attached Resolution authorizes the award of a contract in an amount not to exceed \$500,000 for the systems and track design work on the Project. TriMet staff has determined that the price is fair and reasonable, and this amount is within the budget established for this work.

## **7. Diversity**

In order to maximize the potential participation of Minority/Women/Emerging Small Business (“M/W/ESB”) firms in the design portion of this Project, design has been separated into this contract and a separate contract for site and civil design work. This contract represents approximately 82 percent of the project design costs, while the site and civil work is approximately 19 percent of the total cost. TriMet is contracting with Akana for site and civil design work for the Project. However, the value of that contract is only \$120,000, and therefore does not require Board approval.

In its proposal, LTK indicated that it expects to be able to achieve 10 percent M/W/ESB participation from subcontracting work such as signage design, electrical, and survey work. LTK will specify M/W/ESB subcontracting opportunities as each task order is negotiated, at which time the M/W/ESB utilization will become a fixed commitment.

Under the site and civil design package, the expected participation of M/W/ESB firms is 92 percent. Therefore, the net participation for the design work on this Project totals approximately 28 percent of the work.

## **8. Financial/Budget Impact**

The Project is included in the FY 2016 General Fund budget.

## **9. Impact if Not Approved**

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

**RESOLUTION 15-12-74**

**RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH LTK ENGINEERING SERVICES FOR SIGNALS AND TRACKWORK DESIGN SERVICES FOR THE MAX RED LINE EXTENSION TO FAIR COMPLEX/HILLSBORO AIRPORT STATION PROJECT**

**WHEREAS**, TriMet has authority under ORS 267.200 to enter into a contract with LTK Engineering Services for Design Services for the MAX Red Line Extension to the Fair Complex/Hillsboro Airport Station Project (“Contract”); and

**WHEREAS**, the total amount of the Contract is expected to exceed \$150,000; and

**WHEREAS**, the TriMet Board of Directors (Board), by Resolution dated November 25, 2009, adopted a Statement of Policies requiring the Board to approve personal services contracts obligating TriMet to pay in excess of \$150,000;

**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: December 9, 2015

Attest:

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

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

Approved as to Legal Sufficiency:

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