

Date: February 23, 2022**To:** Board of Directors**From:** Sam Desue, Jr.**Subject:** **RESOLUTION NO. 22-02-09 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING MODIFICATION OF A CONTRACT WITH SHIELDS OBLETZ JOHNSON FOR CONSTRUCTION PROJECT MANAGEMENT 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 modification of a Construction Project Management services contract with Shields Oblatz Johnson (SOJ) (Modification) for TriMet's MAX Red Line Extension and Reliability Improvements Project (Project).

2. Type of Agenda Item

- Initial Contract
 Contract Modification
 Other _____

3. Reason for Board Action

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

4. Type of Action

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

5. Background

This 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 within 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: the single-track for the Red Line at Gateway Transit Center, and the single-track for the Red Line serving the Portland International Airport Station. By converting these sections to double-track, the Project will reduce delays by allowing MAX Light Rail Vehicles (LRVs) to come and go at the same time.

In its role as Construction Project Manager, SOJ provides TriMet with essential construction management personnel who perform key managerial services on the Project. These key managerial services include administering contract provisions and coordinating with TriMet departments as well as overseeing contractor communication, schedule, construction changes, payments, and closeout. Now that the Project has moved on past the design phase and is under construction, TriMet's need for additional construction management services has evolved and expanded. In order to meet FTA grant requirements and Project deadlines, it has become necessary to continue using additional outside construction management personnel from SOJ for the Project's construction phase.

6. Procurement Process

In accordance with a Qualifications-Based Selection, SOJ was chosen as the contractor, then the direct labor costs and overall contract value were negotiated. The cost of \$497,900 for initial construction management services through the design phase also was negotiated. As reflected below, this Resolution authorizes a modification of the SOJ contract in an amount not to exceed \$1,010,000.

Initial Contract Amount	\$ 497,900
Additional Construction Management Amount Requested	\$1,010,000
Total Proposed Authority Amount	\$1,507,900

Final completion of construction for the Project is expected in 2024. Because this contract modification includes Construction Management, the final contract closeout will not occur until construction is finished.

7. Diversity

SOJ's workforce of 20 employees includes eight women and three minorities. SOJ intends to self-perform all of its work under the Contract.

8. Financial/Budget Impact

Funds for Construction Management are included within TriMet's Engineering and Construction budget for FY 2022-FY24.

9. Impact if Not Approved

If this Resolution is not approved, TriMet's would need to shift its internal staff responsibilities to address vacancies in construction management, and back-fill open positions through other staffing or consulting solutions. TriMet would incur greater construction costs and delays as a result of the loss of Project management continuity.

RESOLUTION NO. 22-02-09

**RESOLUTION NO. 22-02-09 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING
MODIFICATION OF A CONTRACT WITH SHIELS OBLETZ JOHNSON FOR
CONSTRUCTION PROJECT MANAGEMENT SERVICES FOR THE MAX RED
LINE EXTENSION AND RELIABILITY IMPROVEMENTS PROJECT**

WHEREAS, TriMet has authority under ORS 267.200 to enter into a modification of the Construction Project Management services contract with Shiels Oblatz Johnson (SOJ) (Modification) for TriMet's MAX Red Line Extension and Reliability Improvements Project (Project); and

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

WHEREAS, the total amount of the Modification will exceed \$500,000;

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 Modification to provide a total contract amount of not to exceed \$1,507,900, over the approximately three years remaining of the Project.

Dated: February 23, 2021

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:

Gregory E. Skillman

Legal Department