

Date: February 27, 2019**To:** Board of Directors**From:** Doug Kelsey **Subject:** **RESOLUTION 19-02-15 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) INC. AUTHORIZING A CONTRACT WITH STACY AND WITBECK, INC., FOR BLUE LINE STATION REHABILITATION PROGRAM CONSTRUCTION MANAGER/ GENERAL CONTRACTOR SERVICES****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 Stacy and Witbeck, Inc. (SWI), for the Blue Line Station Rehabilitation Program Construction Manager/General Contractor (CM/GC) Services (Project).

2. Type of Agenda Item

- Initial Contract
 Contract Modification
 Other _____

3. Reason for Board Action

Board approval is required for goods and services contracts obligating TriMet to pay in excess of \$1,000,000.

4. Type of Action

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

5. Background

The eastside Blue Line MAX stations were built in 1986, and have now been in service for over 30 years. Existing station facilities are in need of upgrades and rehabilitation to bring them up to a state of good repair in which they meet current TriMet safety, security, and aesthetic standards.

Under this contract, TriMet seeks a contractor to provide CM/GC services for (6) stations. The stations within the scope of this contract are E 102nd Avenue, E 172nd Avenue, E 181st Avenue, Ruby Junction/E 197th Avenue, Gresham Central Transit Center and Cleveland Avenue. TriMet anticipates that one (1) to two (2) stations will be completed each fiscal year, depending on funding availability.

At its November 14, 2018, meeting, the Board approved Resolution 18-11-75 authorizing an exemption from the low bid procurement requirement for the Project. This exemption allowed TriMet to utilize a competitive Request for Proposal (RFP) process to select the most qualified contractor to provide CM/GC services for the Project.

6. Procurement Process

The RFP was issued on December 7, 2018, and proposals were due on January 14, 2019. A total of 282 vendors were notified of the RFP. Additional outreach was done through a pre-proposal meeting held on December 14, 2018, which was attended by seven firms.

TriMet appointed an evaluation committee (EC) to review and evaluate the proposals, which was comprised of staff from TriMet’s Engineering and Construction and Maintenance Operations Divisions. EC members were selected based on their expertise, experience and knowledge related to the Project. TriMet received a total of four proposals from Stacy Whitbeck, Inc. (SWI), Brown Contracting (Brown), Howard S. Wright (HSW), and Mortenson Construction (Mortenson). The EC ranked the technical proposals in accordance with the procedures and criteria established in the RFP.

After completing the initial review process, the EC determined that three firms (SWI, HSW, and Brown) were in the competitive range for interviews, which were conducted on January 24, 2019. Following interviews, the three firms were allowed to submit revised proposals. Brown and SWI submitted revised pricing. HSW did not revise any portion of its proposal. Based on the interview and revised proposals, the firms were rescored, and SWI was ranked the highest by the EC.

Final full scores for the proposers are as follows:

Criterion (points)	Firm			
	Brown	HSW	Mortenson	SWI
Experience and Past Performance (25)	17.67	22.67	17.67	23.67
Proposed Project Team (45)	29.00	42.00	35.33	40.00
Draft Project Approach/Work Plan (45)	28.33	41.33	23.67	42.67
Contracting Plan (15)	8.33	14.67	11.67	11.33
Project Management (25)	17.00	23.00	22.00	22.33
Price (45)	45.00	23.00	14.00	30.50
Total	145.33	166.67	124.33	170.50

TriMet staff performed a cost analysis of Stacy and Witbeck's proposed pre-construction price and construction fee, and determined that its costs are fair and reasonable. Competitive pricing of construction will be ensured through open book price negotiations, with TriMet able to require competitive bidding of interim scopes of work, as appropriate, in accordance with TriMet's CM/GC practices. This Resolution provides TriMet with the authority to

contract with Stacy and Witbeck for work on the Project up to \$17,500,000, which includes \$158,104 for pre-construction services and a \$700,000 construction fee.

7. **Diversity**

In its proposal, SWI indicated it would utilize certified contractors for approximately fifteen percent of the work in the areas of concrete sawcutting, concrete work, demolition, flagging/traffic control, masonry, metal fabrication, painting, platform electrical, plumbing, and pressure washing. TriMet will work with SWI to seek to maximize M/W/E/SDVBE opportunities as the construction services contract is negotiated.

8. **Financial/Budget Impact**

The amount for pre-construction services is included in the FY 2019-20 Capital Program budget. Construction services will be included in subsequent Capital Program budgets.

9. **Impact if Not Approved**

If the Board decides not to approve this contract, TriMet could re-procure the contract. However, TriMet received four responses through the RFP process, and advertising the contract a second time is unlikely to lead to additional or more favorable proposals. Furthermore, SWI is well qualified to perform this work.

RESOLUTION 19-02-15

**RESOLUTION 19-02-15 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) INC. AUTHORIZING
A CONTRACT WITH STACY AND WITBECK, INC. FOR BLUE LINE STATION
REHABILITATION PROGRAM CONSTRUCTION MANAGER/ GENERAL
CONTRACTOR SERVICES**

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract with Stacy and Witbeck, Inc., (SWI) for the Blue Line Station Rehabilitation Program Construction Manager/General Contractor (CM/GC) Services (Contract); and

WHEREAS, the total amount of the Contract will exceed \$1,000,000; and

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

NOW, THEREFORE, BE IT RESOLVED:

1. That the Contract shall conform to applicable laws.
2. That the General Manager or his designee is authorized to execute the Contract in an amount not to exceed \$17,500,000, for a term not to exceed five years.

Dated: February 27, 2019

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department