

**Date:** April 22, 2020  
**To:** Board of Directors  
**From:** Doug Kelsey



**Subject: RESOLUTION NO. 20-04-20 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) MODIFYING A CONTRACT FOR SOUTHWEST CORRIDOR TRANSIT DESIGN SERVICES**

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**1. Purpose of Item**

This Resolution requests that the TriMet Board of Directors (Board) authorize the General Manager or his designee to issue a contract modification (Modification) for Southwest Transit Partners (SWTP) for Project Development Design Services for the SW Corridor Project.

**2. Type of Agenda Item**

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

**3. Reason for Board Action**

The Modification will exceed the amount previously authorized by the Board.

**4. Type of Action**

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

**5. Background**

The Southwest Corridor Project is a 12-mile corridor light rail extension to Tigard and Tualatin currently in the planning phase, led by TriMet Engineering and Construction in partnership with Metro for completion of the environmental phase. The Project will construct a light rail line and associated roadway, bicycle and pedestrian improvements from downtown Portland to Bridgeport Transit Center, via Tigard and connecting to Tualatin. Under Metro’s High Capacity Transit System Plan, the Project is the region’s highest transit priority.

Procurement of Transit Design Services resulted in a Contract with the SWTP, a Joint Venture of David Evans and Associates, AECOM, and Parametrix, authorized by the TriMet Board at its August 2017 meeting. The Transit Design Services Contract scope of services includes DEIS mitigation design, Project Management, and Design services through Project Development phase, anticipated through 2021.

The SWTP contract has included multiple task orders, each negotiated with TriMet staff. The primary effort is Task No.10: Project Development Drawings. This interdisciplinary task involves multiple Project stakeholders engaged in an intensive process to explore, refine, and produce 30% design drawings that meet project funding constraints and include potential FEIS mitigations.

An Intergovernmental Agreement (IGA) was executed in December 2017 with Metro for the Project Development Phase for \$60,000,000, which funds were transferred to and are managed by TriMet. This SWTP contract is currently authorized by the TriMet Board for a total of \$42,500,000.

The \$2,000,000 Modification requested by this Resolution would use existing Project budgeted funds. The added contract authority will be used to complete Phase 1 ESA reports required by FTA prior to the publication of the FEIS. Although this work was initially planned to occur in a later phase, it must be done prior to the completion of the FEIS. These Phase 1 ESA reports will identify risks of hazardous materials or other known environmental risks of properties identified as impacts in the FEIS.

**6. Diversity**

The SWTP team includes 12 partners including 5 DBEs, 1 MBE, 1 ESB, and 5 non-certified firms. To date, the current overall DBE percentage is at 18%. However, the SWTP team continues its outreach to the consulting community and anticipates expanded DBE participation with task orders for 30% design. Recent invoices have included DBE percentages as high as 25%.

**7. Financial/Budget Impact**

The requested contract Modification is \$2,000,000, through FY2021. The Budget for this Modification is included in the Engineering and Construction FY2020 and FY2021 budgets.

A series of Project decisions and funding requests will occur during the course of this contract that may affect budget allocation in FY2021:

- Finance Plan for inclusion in the FEIS and funding partner IGAs – August 2020;
- Regional Funding Measure – November 2020

**8. Impact if Not Approved**

If not approved, the approval of the FEIS by the FTA will be delayed until the additional work can be completed. The delay of the FEIS would affect the Project advancement into the Engineering Phase. TriMet and Metro staff have insufficient staff available at the capacity required to develop the design details required by the FTA for project deliverables.

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TRANSPORTATION DISTRICT OF OREGON (TRIMET) MODIFYING A  
CONTRACT FOR SOUTHWEST CORRIDOR TRANSIT DESIGN SERVICES**

**WHEREAS**, TriMet has authority under ORS 267.200 to enter into an intergovernmental agreement modification (Modification) with Metro for Environmental Phase Work for the Southwest Corridor Project; and

**WHEREAS**, the total amount of the Modification exceeds the amount previously authorized by the Board; and

**WHEREAS**, by Resolution dated October 25, 2017, the TriMet Board of Directors (Board) adopted a Statement of Policies requiring the Board to approve contracts for goods and services 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 Modification in an amount of \$2,000,000, through the anticipated completion of the work in FY 2021.

Dated: April 22, 2020

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Presiding Officer

Attest:

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Recording Secretary

Approved as to Legal Sufficiency:

**Gregory E. Skillman**

Legal Department