

**Date:** June 23, 2021

**To:** Board of Directors

**From:** Sam Desue, Jr.

**Subject: RESOLUTION NO. 21-06-30 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A MODIFICATION TO THE CONTRACT WITH AECOM TECHNICAL SERVICES INC. FOR CONSTRUCTION MANAGEMENT AND SAFETY/SECURITY SERVICES FOR THE DIVISION TRANSIT PROJECT**

**1. Purpose of Item**

This Resolution requests that the TriMet Board of Directors (Board) authorize the Interim General Manager or his designee to execute a modification to the contract (Modification) with AECOM Technical Services, Inc. (AECOM) for Construction Management and Safety/Security services for TriMet’s Division Transit Project (Project).

**2. Type of Agenda Item**

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

**3. Reason for Board Action**

Board authorization is required because the proposed Modification increases the contract amount beyond the previously authorized amount.

**4. Type of Action**

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

**5. Background**

The Division Transit Project will provide high-capacity transit service to the 15-mile Division Street corridor between downtown Portland and Gresham. The Project is anticipated to cost approximately \$175 million, about one-half of which has been provided by the Federal Transit Administration (FTA). Early construction work began in January 2020, in accordance with previous Board authority and FTA regulations concerning pre-award authority. On February 23, 2020, TriMet received \$87,413,950 of the Project funding from the FTA through a Single Year Grant Agreement (SYGA).

At its October 23, 2019 meeting, the Board approved Resolution 19-10-85, authorizing TriMet to execute a contract with AECOM in the amount of \$1,100,000 for Construction Management, Safety Specialist, and Start Up Management services for the Project.

The Project has relied on supplementary Construction Management services from AECOM, which have been essential for increasing the capacity of TriMet’s project delivery team. Given the Project’s on-going staffing demands, this continued support remains necessary. With just over a year remaining in construction, extending this support service to the end of the Project will provide the resources needed for TriMet to finish construction, system testing, and turn-over.

AECOM also provides Safety/Security support to assist TriMet staff in the oversight of safety certifications and risk/hazard analysis needed to safely deliver this new transit project to the region. To ensure that TriMet is providing the most thorough Safety/Security vetting of operational requirements and procedures, the Project is requesting additional contract authority for this necessary work.

As shown below, this Resolution 21-06-30 would increase the contract authority by \$446,136, to a new authorized amount of \$1,546,136. The costs for these additional AECOM services are considered fair and reasonable, and are within the current Project budget.

	Initial Contract Authority (Res. No. 19-10-85)	\$1,100,000
	Proposed Additional Contract Authority	\$371,780
	Contingency (20%)	\$74,356
	Total Additional Contract Authority (Res. No. 21-06-30)	\$446,136
	<b>Total Contract Authority</b>	<b>\$1,546,136</b>

**6. Procurement Process**

The contract was procured via a competitive Request for Proposals process.

**7. Diversity**

AECOM’s staff is comprised of 40% women and 12% minorities. In its proposal, AECOM indicated it would utilize Disadvantaged Business Enterprise (DBE) sub-contractors for 45% of its proposed consultants. Both the proposed Safety Specialist and the proposed Start-Up Manager are D/M/WBE firms.

**8. Financial/Budget Impact**

These additional support services for the Project are within the Division Transit Project’s available grant-based contingency budget.

**9. Impact if Not Approved**

If this Resolution is not approved, TriMet would need to hire additional Construction Management and Safety/Security staff to complete the Project, because TriMet does not have the available resources in-house. Hiring additional staff is not a preferred option and would cause significant delay in the completion of the Project. AECOM’S work under this contract satisfies the need for highly specialized expertise, and fulfills a short term staffing need that will not exist after this work is complete. Moreover, AECOM has performed well on the project to date.

**RESOLUTION NO. 21-06-30**

**RESOLUTION NO. 21-06-30 OF THE TRI-COUNTY METROPOLITAN  
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A  
MODIFICATION TO THE CONTRACT WITH AECOM TECHNICAL  
SERVICES INC. FOR CONSTRUCTION MANAGEMENT AND  
SAFETY/SECURITY SERVICES FOR THE DIVISION TRANSIT PROJECT**

**WHEREAS**, TriMet has authority under ORS 267.200 to enter into a modification of a contract (Modification) with AECOM for Construction and Safety Services for the Division Transit Project; and

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

**WHEREAS**, the total amount of the Modification exceeds the contract amount originally authorized by the Board;

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Modification shall conform with applicable law.
2. That the Interim General Manager or his designee is authorized to execute the contract Modification in the amount of \$446,136, through the December 31, 2022, anticipated termination date of the contract.

Dated: June 23, 2021

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

Attest:

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

Approved as to Legal Sufficiency:

*Gregory E. Skillman*  
Legal Department