

Date: April 26, 2017

To: Board of Directors

From: Neil McFarlane *Neil McFarlane*

Subject: RESOLUTION 17-04-33 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH J. E. DUNN CONSTRUCTION COMPANY FOR CONSTRUCTION MANAGER/GENERAL CONTRACTOR SERVICES FOR THE POWELL BUS GARAGE REPLACEMENT 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 J. E. Dunn Construction Company (JE Dunn) for construction manager/general contractor (CM/GC) Services for the Powell Bus Garage Replacement Project (Project).

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other _____

3. Reason for Board Action

As is typical for CM/GC services, this contract will be structured with an initial personal services contract for pre-construction services only, which will be subsequently modified to include construction services. The amount of the initial pre-construction services contract will be \$110,040. Even though the pre-construction services contract amount is under the Board approval threshold, staff is bringing the contract to the Board at this time because the anticipated addition of construction services will exceed the Board approval threshold for goods and services contracts. Staff will return to the Board for authorization to modify the contract to include construction services.

4. Type of Action

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

5. Background

TriMet's Powell Garage, located at 9800 SE Powell Blvd., is an important bus facility for TriMet's service to east Portland. As TriMet's bus fleet expands and service increases in the coming years, the capacity of the Powell Garage must be increased and the facility must become more efficient. Furthermore, the likely addition of articulated buses to the TriMet fleet for the planned Division Transit Project will require TriMet to create a location to maintain and store these larger buses.

To accommodate these changes, renovations have been planned for the Powell Bus Garage facility. This Project would replace the existing maintenance and transportation facility, which was constructed in 1976. The new facility will expand the maintenance functions to current standards and provide the following improvements:

- create maintenance bays that will accommodate the 60-foot articulated buses;
- replace and expand the fuel and wash facility with updated technology to service the increased number of buses;
- update the transportation report areas to standards similar to the recently renovated Center St. report area; and
- increase the number of bus storage spaces by approximately 100.

At its December 14, 2016, meeting, the Board approved Resolution 16-12-73 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.

The RFP was issued on February 16, 2017, and TriMet received four proposals in response from Hoffman Construction Company, J.E. Dunn Construction Company, Mortenson Construction, and Skanska USA Building, Inc. An Evaluation Committee (EC) consisting of staff from TriMet Capital Projects and Construction division, the Operations Division, and the Diversity and Transit Equity department was appointed to review the proposals. Committee members were selected based on their expertise, experience, and knowledge related to the Project.

The EC evaluated the technical proposals based on the criteria set forth in the RFP, including Proposer Experience and Past Performance, Project Team, Project Approach/Work Plan, Contracting Plan and Disadvantaged Business Enterprise (DBE) Program, Project Management, and Price. After evaluating the technical proposals, the EC opened each proposer's price and completed the scoring of the proposals. At the conclusion of this process, JE Dunn, Mortenson and Skanska were determined to be in the competitive range, and interviews were held with these firms. At the conclusion of the interview process, revised proposals were received and final scores are as follows:

Criteria	Possible Points	Hoffman	JE Dunn	Mortenson	Skanska
Proposer Experience/Past Performance	25	19.25	20.75	21.75	19.25
Proposed Team	30	26.10	26.10	24.00	24.00
Project Approach, Work Plan, Schedule	45	36.00	37.35	39.15	37.35
Contracting Plan & DBE Program	20	17.40	16.60	15.40	16.60
Project Management	20	15.14	16.60	18.00	16.00
Subtotal	140	114	117	118	113
Pre-construction Services Price		\$278,929	\$110,040	\$243,000	\$130,900
Construction Services Fee		\$1,922,465	\$1,078,431	\$1,338,200	\$1,400,000
Total Price		\$2,201,394	\$1,188,471	\$1,581,200	\$1,530,900
Total Price Score	60	12	60	42	42
Total Score	200	126	177	160	155

Accordingly, the EC recommends awarding a contract to JE Dunn for preconstruction services in the amount of \$110,040. At the completion of pre-construction services, TriMet will negotiate a modification price for construction work on the Project. Assuming that the parties can come to agreement on an acceptable construction price, TriMet will seek Board authorization to modify the contract to add construction services, which may be added in phases.

6. Procurement Process

The contract was procured through a competitive RFP process, as described above.

7. Diversity

In its proposal, JE Dunn stated that it expects to obtain DBE participation of approximately 20 percent. TriMet will work with JE Dunn to seek to maximize DBE opportunities as the construction services contract is negotiated.

8. Financial/Budget Impact

The final construction contract amount will be negotiated. The Project is included in the Capital Projects FY 2016-17 and FY2017-18 budgets.

9. Impact if Not Approved

TriMet could re-procure the contract. However, TriMet received a good response through the RFP process, and advertising the contract a second time it is unlikely to lead to additional or more favorable proposals. Furthermore, JE Dunn is well qualified to perform this work.

RESOLUTION 17-04-33

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH J. E. DUNN CONSTRUCTION COMPANY FOR CONSTRUCTION MANAGER/GENERAL CONTRACTOR SERVICES FOR THE POWELL BUS GARAGE REPLACEMENT PROJECT

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract with J. E. Dunn Construction Company for construction manager/general contractor services for the Powell Bus Garage Replacement Project (Contract); and

WHEREAS, the total amount of the Contract when modified for construction services will exceed \$500,000; and

WHEREAS, the TriMet Board of Directors (Board), by Resolution dated November 25, 2009, adopted a Statement of Policies requiring the Board to approve goods and services contracts obligating TriMet to pay in excess of \$500,000;

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: April 26, 2017

Attest:

Presiding Officer

Recording Secretary

Approved as to Legal Sufficiency:

Legal Department