



**RESOLUTION NO. 2025-03-12-06**

**AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO ENTER INTO A CONTRACT AMENDMENT WITH PIVOT ARCHITECTURE FOR THE PURPOSE OF ARCHITECTURAL AND ENGINEERING SERVICES FOR THE OPERATIONS COMMAND CENTER (OCC) TRASH ENCLOSURE AND ACCESS DRIVE**

**WHEREAS**, Lane Transit District ("LTD") entered into contract with PIVOT Architecture P.C., pursuant to the requirements of the Oregon Public Contracting Code, Oregon Administrative Rules Ch. 137, Divisions 46-49, and LTD's Procurement Policy, as well as any Federal Transit Administration requirements, as applicable, on August 31, 2022, resulting in Contract #2022-01-OCC for Architectural & Engineering Services of the Operations Command Center (OCC).

**WHEREAS**, Resolution No. 2022-05-06-15-030 authorized the Chief Executive Officer to enter into a contract with PIVOT Architecture with a Not-to-Exceed ("NTE") amount of \$1,300,000.00 and with \$130,000.00 in amendment authority;

**WHEREAS**, the contract was executed at an NTE of \$1,367,035.41 following negotiation;

**WHEREAS**, Amendment One increased the NTE amount by \$51,321.17 to a total of \$1,418,356.58;

**WHEREAS**, OAR 137-049-0910 (4) provides that LTD may amend a contract without additional competition if the amendment is within the general scope of the original Procurement, the field of competition and contractor selection would not likely have been affected by the modification, and that the amendment is consistent with applicable legal requirements;

**WHEREAS**, the City of Springfield requires additional construction features for the District to qualify for certain permitting on this project;

**WHEREAS**, the field of competition and Contractor selection would not likely have been affected by this contract modification;

**WHEREAS**, the change contemplated by this Amendment falls within the scope of the original contract agreement;

**WHEREAS**, Amendment Two will increase the Contract value by \$46,956.00 for architecture and engineering services for a trash enclosure and an access driveway on the OCC project;

**WHEREAS**, the Finance Committee reviewed the Agenda Item Summary regarding the proposed contract amendment between LTD and PIVOT Architecture on March 12, 2025, and recommended Board adoption of the proposed resolution; and

**WHEREAS**, pursuant to LTD resolution No. 2024-08-21-023, the LTD Board of Directors is the LTD Contract Review Board and delegated to the Chief Executive Officer the authority and responsibility to approve and execute contract amendments and change orders that do not exceed \$250,000 or twenty percent (20%) of the initial contract, whichever is less.



**NOW, THEREFORE, BE IT RESOLVED** by the LTD Board of Directors, acting as the LTD Contract Review Board, that:

The Chief Executive Officer, or designee, is hereby authorized to: (a) negotiate and enter into a contract amendment with PIVOT Architecture for the purpose of A&E design services for Trash Enclosure and Access Driveway in an amount not to exceed \$ 46,956.00; (b) increase the contract Not To Exceed to \$1,476,956.00 and (c) as needed, execute further amendments to the contract not to exceed a cumulative total of \$9,391.20 (20% of this contract amendment).

**ADOPTED BY THE LANE TRANSIT DISTRICT BOARD OF DIRECTORS ON THIS 12 DAY OF March, 2025.**

*Gino Grimaldi*

Gino Grimaldi (Mar 12, 2025 18:22 PDT)

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Gino Grimaldi, Board President