



RESOLUTION NO. 2025-12-17-38

AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO ENTER INTO A CONTRACT AMENDMENT WITH FORTIS CONSTRUCTION, INC. FOR THE PURPOSE OF CONSTRUCTION OF THE OPERATION COMMAND CENTER ADDITION/RENOVATION AND THE GLENWOOD ADMINISTRATION ROOF REPLACEMENT.

WHEREAS, Lane Transit District (LTD) entered into contract with Fortis Construction 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 October 12, 2023 resulting in Contract #2022-25-OCC Fortis Construction for the Construction of the Operations Command Center (OCC) and Glenwood Roof Replacement.

WHEREAS, Resolution No. 2024-08-21-025 authorized the Chief Executive Officer (CEO) to enter into a contract with Fortis Construction with a Guaranteed Maximum Price (GMP) amount of \$10,749,265.00 and with \$249,999 in amendment authority;

WHEREAS, the contract was executed at an GMP of \$10,548,299 following negotiation;

WHEREAS, Amendment One increased the GMP amount by \$65,477 to a total of \$10,613,776.00;

WHEREAS, Amendment Two increased the GMP amount by \$130,137 to a total of \$10,743,913.00;

WHEREAS, Amendment Three increased the GMP amount by \$258,198 to a total of \$11,002,111.00;

WHEREAS, Amendment Four increased the GMP amount by \$500,000 to a total of \$11,502,112.00, with \$100,000.00 in amendment authority;

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 project requires unforeseen additional construction features for LTD to complete the construction 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 Request for Proposals;

WHEREAS, Amendment Five will increase the Contract value by \$200,000.00 to cover the final construction and close-out of the project utilizing the project contingency funds. Additional scopes of work identified for incorporation at this time to ensure safe and continuous operations of technology



with an uninterrupted power supply (UPS) backup system and additional infrastructure to support the building, added fire protection required by Fire Marshal, and an additional month of trailer rental due to permit delay;

WHEREAS, pursuant to LTD Resolution No. 2024-08-21-023 LTD's Board of Directors is the LTD Contract Review Board and delegated to the CEO the authority and responsibility to approve and execute contract amendments and change orders that do not exceed \$250,000.00 or 20% of the initial contract, whichever is less.

NOW, THEREFORE, BE IT RESOLVED by LTD's 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 Fortis Construction for the purpose of construction for UPS infrastructure and equipment, reestablish technology connections to existing building, and asset protection measures of the building interior and exterior in an amount not to exceed \$ 200,000.00; (b) increase the contract GMP to \$11,787,818.00 and (c) as needed, execute further amendments to the contract not to exceed a cumulative total of \$40,000.00.

ADOPTED BY THE LANE TRANSIT DISTRICT BOARD OF DIRECTORS ON THIS 17TH DAY OF DECEMBER, 2025.

A handwritten signature in blue ink, appearing to read 'Susan Cox', is written over a horizontal line. Below the signature, there is a small, faint blue stamp that reads 'Susan Cox, 12/18/2025 10:24:04 PST'.

Susan Cox, Board President