

Date: February 24, 2021

To: Board of Directors

From: Doug Kelsey



Subject: RESOLUTION NO. 21-02-08 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT MODIFICATION WITH DAVID EVANS AND ASSOCIATES, INC. FOR SPECIALIZED STAFF AUGMENTATION SERVICES

1. Purpose of Item

This Resolution requests that the TriMet Board of Directors (Board) authorize the General Manager or his designee to execute a contract modification (Modification) with David Evans and Associates, Inc. (DEA) for Specialized Staff Augmentation Services.

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other _____

3. Type of Contract Procurement

- Low Bid / Invitation to Bid (ITB)
- Request for Proposals (RFP) (inc. CM/GC)
- Request for Qualifications (RFQ) (Personal Services)
- Other (inc. sole source) _____

4. Reason for Board Action

Board authorization is required for all goods and services contracts obligating TriMet to pay in excess of \$1,000,000.

5. Type of Action

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

6. Background

TriMet's Engineering and Construction Division utilizes temporary staffing firms to augment staffing levels. Temporary staff are used for project management, construction management, and executive assistance, among other positions.

In April 2019, TriMet issued Requests For Proposals to obtain several contractors to provide these services. The parameters of this procurement effort were based upon historical levels and projected future use of temporary staff. Based upon the review of the eight (8) responsive proposals received, a selection committee composed of TriMet staff determined that six (6) proposers should receive contracts, including DEA. These contracts were not to exceed \$1 million over the five (5) year term of the contract.

DEA has been utilized for more work than was previously anticipated, and is therefore in need of additional funding. This Resolution seeks additional funding authority retain the DEA Specialized Staff Augmentation Contract through June of 2022, and would authorize a Modification of the DEA contract to increase the total from \$1,000,000 to \$1,762,840.

Approximately 30% of the requested additional funding will support two DEA staff who have been providing Assistant Construction Manager and Office Engineer/Project Controls services on the Powell Garage Project. Both individuals are vital members of the Powell Project team, and the additional funding authority provided by this Resolution would allow them to remain in their positions through the end of June 2022. Approximately 70% of the remaining additional funding authorized by this Resolution will be needed for DEA staff work on upcoming rail improvements and other projects. This includes routine and any unscheduled safety-related infrastructure upgrades, repairs and track replacement work.

7. Procurement Process

The contract was procured via an RFP process.

8. Diversity

DEA's workforce consists of 33% Women and 16.8% Minorities, but it is not a certified D/M/W/ESB firm. DEA will continue to self-perform a majority of the work, and has met its subcontracting goal of utilizing certified D/M/W/ESB firms for 10% of the work.

9. Financial/Budget Impact

The services are included in the Engineering and Construction division's FY2021 operating budget.

10. Impact if Not Approved

Staff is very satisfied with DEA's work under its contract to date and recommends approval of this Resolution. Although the services can be re-procured if the Board does not approve the Resolution, this option is not recommended because it will cause a delay in ongoing projects. Additionally, the original contract was obtained via a competitive process, and re-procuring will not likely result in better pricing or a more qualified vendor.

RESOLUTION NO. 21-02-08

**RESOLUTION NO. 21-02-08 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A
CONTRACT MODIFICATION WITH DAVID EVANS AND ASSOCIATES, INC.
FOR SPECIALIZED STAFF AUGMENTATION SERVICES**

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract modification with David Evans and Associates, Inc. for Specialized Staff Augmentation Services; and

WHEREAS, the total amount of the Modification exceeds the contract amount originally authorized by the TriMet Board of Directors (Board); and

WHEREAS, by Resolution dated October 25, 2017, the Board adopted a Statement of Policies requiring it to approve goods and services contracts obligating TriMet to pay in excess of \$1,000,000.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Modification of the contract shall conform with applicable law.
2. That the General Manager or his designee is authorized to execute the Modification to increase the total contract amount by not more than \$762,840 through the original June, 2022 contract termination date.

Dated: February 24, 2021

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency

Gregory E. Skillman

Legal Department