

**Date:** September 22, 2021

**To:** Board of Directors

**From:** Sam Desue, Jr.

**Subject:** **RESOLUTION NO. 21-09-43 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH EC ELECTRIC FOR BATTERY ELECTRIC BUS CHARGING STATIONS – POWELL GARAGE**

**1. Purpose of Item**

This Resolution requests that the TriMet Board of Directors (Board) authorize the General Manager or his designee to execute a goods and services contract with EC Electric for Battery Electric Bus Charging Stations (Contract).

**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)
- Request for Qualifications (RFQ)
- Other (inc. sole source) \_\_\_\_\_

**4. Reason for Board Action**

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

**5. Type of Action**

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

**6. Background**

In 2018, the Federal Transit Administration awarded TriMet a grant for acquisition of Low or No Emission Vehicles. Funds provided by this program provide financial assistance to states and eligible public agencies for the purchase or lease of low or no emission vehicles that use advanced technologies, or for related low or no emission vehicle equipment or facilities for transit revenue operations. This contract is for TriMet’s development of its battery electric bus charging stations.

Over the course of Spring and Summer 2021, TriMet received five Gillig all-electric 40’

transit buses which rely on 440 kWh batteries for power. Acquisition of additional battery electric buses are anticipated in the coming year.

To support and maintain these new all-electric transit buses, TriMet has initiated a major renovation project at TriMet's Powell Bus Garage Facility that incorporates the civil and electrical infrastructure necessary to support up to 24 independent plug-in charging stations for TriMet's anticipated fleet of battery electric buses.

This Resolution seeks authority for a contract to procure and install equipment and services needed to support battery electric buses. The contract includes charging dispensers, power converters, a system warranty, an integrated cloud subscription service, spare parts, testing and commissioning of the charging system, and service and maintenance plans. Under the contract, TriMet will initially obtain equipment and services for twelve charging stations, with the option to purchase twelve more.

The contract includes an initial term of five years with an option to extend for two additional five-year terms. The contract period includes the service and maintenance plan, cloud-based subscription service, as well as a two-year warranty plan.

## **7. Description of Procurement Process**

TriMet issued a Request for Proposals (RFP) on May 26, 2021, with the proposals due on July 6, 2021. A total of 561 vendors were notified of the RFP via the TriP\$ website, of which six vendors (Amplify Power, EC Electric, EvGateway, Heliox Technology, OEG and Proterra) submitted proposals.

A Source Evaluation Committee (SEC) comprised of staff from various TriMet departments reviewed and evaluated the proposals. Departments represented on the SEC were Maintenance and Operations, Business Planning and Asset Management, Engineering & Construction, Bus Maintenance, Maintenance of Way, and Strategic Planning. The evaluation criteria included: (1) qualifications of proposer, staff and diversity; (2) proposed product; (3) installation, testing, commissioning, and technical support plan; (4) training plan; (5) warranty and services plans; and (6) price.

After evaluating the proposals, three vendors were shortlisted to the competitive range, and the SEC opened their price proposals. The SEC then determined that all three finalists would be considered for award. Each firm was asked to attend an interview and then submit a Best and Final Offer (BAFO) to revise pricing. TriMet received final BAFOs on August 20, 2021. Overall scores of the firms after the interview and final BAFO submissions are summarized below:

	Possible Points	Amply	EC Electric	OEG
<b><u>EVALUATION CRITERIA</u></b>				
Qualifications of Proposer, Staff and Diversity	20	14.43	14.57	13.14
Proposed Product	30	24.43	23.29	20
Installation, Testing, Commissioning, and Technical Support Plan	20	13.29	16.00	12.71
Training Plan	5	2.71	4.43	2.29
Warranty and Service Plans	5	2.86	4.14	2.43
<b>Technical Proposal Totals . . .</b>	<b>80</b>	<b>57.71</b>	<b>62.43</b>	<b>50.57</b>
<b>Price Proposal . . .</b>	<b>20</b>	<b>20</b>	<b>18.38</b>	<b>19.91</b>
<b>Total Score . . .</b>	<b>100</b>	<b>77.71</b>	<b>80.81</b>	<b>70.48</b>
<b>BAFO Pricing . . .</b>		<b>\$1,989,176</b>	<b>\$2,164,614</b>	<b>\$1,998,449</b>

EC Electric was selected over the other two proposers because it had the highest overall Technical Proposal score of 62.43. While EC Electric’s price was not the lowest, the SEC believes that it will provide the highest quality of service to best satisfy TriMet’s needs.

EC Electric is a privately held electrical contractor, founded in the Pacific Northwest in 1946, with offices in Albany, Bay City, Eugene/Springfield, Portland, Redmond, and Seattle. It is a reputable and well-regarded electric company with ample capacity to support the installation of the powerful DC chargers that TriMet is acquiring from ChargePoint.

The \$2,164,614 total cost of the Contract compares favorably to TriMet’s independent cost estimate (ICE) of \$2,220,000 for this procurement.

**8. Diversity**

EC Electric’s total employee count is 1463, of whom 12.24% are minorities and 17.29% are female. While EC Electric will use its own workforce to perform the majority of the work under this contract, it has identified James G. Pierson, Inc., an Emerging Small Business (ESB) / Women Business Enterprise (WBE) firm, as a subcontractor for some of the work.

**9. Financial/Budget Impact**

The initial estimated annual amount for these Battery Electric Bus Charging Stations is included in the approved FY2022 Maintenance Operations operating budget. Estimated amounts for additional goods and services will be included in subsequent annual operating budgets.

**10. Impact if Not Approved**

If the Board decides not to approve this contract, TriMet could re-procure it. However, TriMet selected the best of three competitive proposals through the RFP process. Advertising for this contract a second time will cause delay and will not be likely to lead to additional or more favorable proposals. Furthermore, EC Electric is well qualified to perform this work.

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TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A  
CONTRACT WITH EC ELECTRIC FOR BATTERY ELECTRIC BUS  
CHARGING STATIONS – POWELL GARAGE**

**WHEREAS**, TriMet has authority under ORS 267.200 to enter into a goods and services contract with EC Electric for Battery Electric Bus Charging Stations (Goods and Services); and

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

**WHEREAS**, the total amount of the contract exceeds \$1,000,000;

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

1. That the Contract shall conform with applicable law.
2. That the General Manager or his designee is authorized to execute the Contract in the total amount of \$2,164,614, over the initial five-year Contract term.

Dated: September 22, 2021

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Presiding Officer

Attest:

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Recording Secretary

Approved as to Legal Sufficiency:

***Gregory E. Skillman***

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Legal Department