

Date: December 13, 2023

To: Board of Directors

From: Sam Desue, Jr.

Subject: RESOLUTION NO. 23-12-58 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT MODIFICATION TO INCREASE FUNDS FOR A CONTRACT WITH EC ELECTRIC FOR ANTICIPATED ON-CALL GENERAL ELECTRICAL EQUIPMENT INSTALLATION 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 Modification to increase funds for a contract with EC Company, dba EC Electric (EC Electric) for anticipated on-call electrical equipment installation services (Modification).

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other _____

3. Reason for Board Action

Board authorization is required for any contract Modification that exceeds the contract amount initially authorized by the Board.

4. Type of Action

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

5. Background

TriMet operates an extensive data network that supports closed circuit television (CCTV) and communications throughout the transit District. In addition to connecting every part of our computing infrastructure, the network provides connectivity to cameras at light rail stations and other facilities. Modifications and repairs to both the CCTV and communications systems frequently require the services of low-voltage and power electricians. Repairs occur as necessary, and modifications are driven by upgrades or extensions to the CCTV system or by changes to facilities.

In August of 2019, via Resolution No. 19-08-61 and Resolution No. 19-08-68, the Board authorized a five-year contract with EC Electric in the amount of \$1,750,000, and a separate five-year contract with Team Electric in the amount of \$1,250,000, for on-call general electrical equipment installation services. Since 2019, TriMet has utilized both contracts extensively, and TriMet anticipates additional on-call electrical services work will be required from each contractor before the August 2024 expiration date of the contracts. Some work performed under these contracts may be of an urgent nature, especially repair work, and it is important for an on-call contractor to be available to perform the work on an expedited basis, if needed.

In addition, TriMet anticipates utilizing EC Electric for work on the One Main Place 2nd floor Cat-6 wiring (for the new Boardroom and rest of the floor), re-wiring the Nela facility, the Information Technology System Lab Cat-6 wiring, and various “Break/Fix” projects. However, due to TriMet’s regular use of these on-call services, the EC Electric contract has just \$57,221 remaining.

In early 2024, TriMet expects to begin procurement of additional on-call electrical services contracts. In the meantime, this Resolution requests the Board’s authorization of an additional \$500,000 for the EC Electric contract to allow for TriMet’s continued reliance on these on-call services through August of 2024.

6. **Procurement Process**

The two on-call electrical equipment installation services contracts were obtained through a competitive Invitation to Bid (ITB) process.

7. **Diversity**

EC Electric’s total workforce is approximately 1,700, of whom 10.4% are minority and 14.7% are female. In response to on-call assignments, EC Electric obtains additional workers through the International Brotherhood of Electrical Workers IBEW Union hiring hall. The on-call nature of the work does not support EC Electric’s use of subcontractors under this contract.

8. **Financial/Budget Impact**

These on-call services are primarily grant and STIF funded, and are included in the Information Technology division’s approved budget for FY2024. TriMet will continue to issue task orders to ensure that the work remaining under the contract stays within the additional authorized amount.

9. **Impact if Not Approved**

If this Resolution is not approved, TriMet would begin the procurement process for the EC Electric and Team Electric contracts as soon as possible in 2024. However, TriMet anticipates that the funding for both on-call electrical contracts will be exhausted by February of 2024, and any additional on-call electrical work would need to be deferred until a new procurement is completed. This option is not recommended because both contractors are well qualified, have been satisfactorily performing the work, and the loss of these on-call electrical equipment installation services will jeopardize schedules of current projects.

RESOLUTION NO. 23-12-58

**RESOLUTION NO. 23-12-58 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING
A CONTRACT MODIFICATION TO INCREASE FUNDS FOR A
CONTRACT WITH EC ELECTRIC FOR ANTICIPATED ON-CALL
GENERAL ELECTRICAL EQUIPMENT INSTALLATION SERVICES**

WHEREAS, TriMet has authority under ORS 267.200 to enter into a Modification of a contract with EC Company, dba EC Electric, to increase funds for on-call electrical equipment installation services (Modification); and

WHEREAS, pursuant to Resolution No. 19-08-68, the Board authorized a contract in the amount of \$1,750,000 to EC Electric for on-call electrical equipment installation services; and

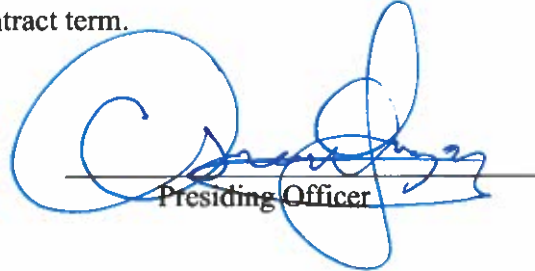
WHEREAS, by Resolution No. 22-05-35, dated May 25, 2022, the TriMet Board of Directors (Board) adopted a Statement of Policies requiring the Board to authorize all contracts obligating TriMet to pay in excess of \$1,000,000; and

WHEREAS, the amount of the EC Electric contract Modification exceeds the amount previously authorized by the Board;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Modification shall conform with applicable law.
2. That the General Manager or his designee is authorized to execute the EC Electric contract Modification in the amount of not more than \$500,000, over the remaining ten months of the contract term.

Dated: December 13, 2023



Presiding Officer

Attest:



Recording Secretary

Approved as to Legal Sufficiency:



Legal Department