


Date: March 26, 2025

To: Board of Directors

From: Sam Desue, Jr. 

Subject: **RESOLUTION NO. 25-03-08 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING THE MODIFICATION OF A CONTRACT WITH JN MAINTENANCE, LLC FOR LANDSCAPE AND BIOSWALE MAINTENANCE AND ON-CALL SERVICES**

1. Purpose of Item

This Resolution requests that the TriMet Board of Directors (Board) authorize the General Manager or his designee to authorize modification of a contract (Modification) with JN Maintenance, LLC (JN Maintenance) for ongoing Landscape, Bioswale Maintenance and On-Call Services at TriMet facilities in Facilities Management Zone #4.

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 (including sole source)

4. Reason for Board Action

Board approval is required when a Modification will obligate TriMet to expend an amount in excess of \$1,000,000.

5. Type of Action

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

6. Background

TriMet has a five-year contract in the amount of \$962,735 with JN Maintenance to provide clean, safe, environmentally friendly, and welcoming facilities for its customers and employees. The contract was executed in November of 2021 and will expire in October of 2026. However, a significant portion of the contract funds were expended for the contractor’s work on maintaining landscaping and bioswales at areas of the District outside

of Zone #4, as well as at facilities like the Powell Garage and Columbia Operations Facility. As a result, just \$29,000 of the contract's funds remain available today.

Under the contract, JN Maintenance provides landscape and bioswale maintenance in Facilities Management Zone #4. This Zone includes the MAX Blue Line from NE 96th Avenue and Burnside Street through the Cleveland Station, and the MAX Green Line from the Main Street Station to the Clackamas Town Center Station. Zone #4 includes parts of Portland and Gresham, and portions of east Multnomah and Clackamas counties.

In addition to regular year-round maintenance work, JN Maintenance provides on-call services. On-call services may include responding to requests for emergency repairs to landscaping and bioswales damaged by vandalism, vehicle accidents and illegal encampments; tree and shrub replacements; and restoration of landscaping and bioswale necessary to meet city code requirements. JN Maintenance has assisted with District-wide storm clean-up and erosion control and has provided timely on-call assistance to teams from Facilities Management, Engineering and Construction, and Safety and Security who have requested landscape and bioswale services.

From November of 2017 to October of 2021, JN Maintenance had a contract for similar services in Zone #4, but lost it to a lower bidder, Vaughn Landscape. Unfortunately, staffing issues at Vaughn Landscape resulted in its inability to provide service in Zone #4. After 30 days of Vaughn's failure to perform, TriMet terminated that contract and engaged JN Maintenance -- the 2nd lowest qualified bidder -- to do the work. JN Maintenance was able to catch up with the unfinished work in less than 30 days, and has performed well under the contract since acquiring it in late 2021.

In addition, JN Maintenance has assisted TriMet with on-call landscape and bioswale work in Zones #1 through #3 when other vendors have not been available. Significantly, JN Maintenance's on-call rates are as much as 25% less than other TriMet vendors performing similar services.

This Resolution would authorize a Modification to increase the amount of the JN Maintenance contract by \$478,835 through the contract's termination date of October 31, 2026. This would allow JN Maintenance to continue servicing landscapes and bioswales in Zone #4 for another 19 months.

7. Description of Procurement Process

This is a Modification of a Low Bid contract originally awarded to Vaughn Landscape. The contract subsequently was awarded to the second lowest qualified bidder, JN Maintenance, as the result of Vaughn Landscape's failure to perform.

8. Diversity

JN Maintenance has 14 employees, of whom 29% are women and 100% are minorities.

9. Financial/Budget Impact

The contract amount is included in the Maintenance Division's budget for FY2025 and FY2026.

10. Impact if Not Approved

If landscape and bioswales are not maintained in Zone #4, environmental, aesthetic and safety conditions in areas served by TriMet in east Portland, Gresham, and Clackamas County would decline. The failure to adequately maintain landscaping and bioswales could negatively affect customers and employees and the safety and well-being of the communities that we serve.

RESOLUTION NO. 25-02-08

**RESOLUTION NO. 25-02-08 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING
THE MODIFICATION OF A CONTRACT WITH JN MAINTENANCE, LLC
FOR LANDSCAPE AND BIOSWALE MAINTENANCE AND ON-CALL
SERVICES**

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract modification (Modification) with JN Maintenance, LLC to allow for the continuation of Landscape and Bioswale Maintenance and On-Call Services in Zone #4 of the TriMet District; and

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

WHEREAS, the Modification will cause the total amount of the contract to exceed \$1,000,000;

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 Modification in the amount of \$478,835, increasing the total contract amount to not more than \$1,441,570 through the Modification's termination date of October 31, 2026.

Dated: March 26, 2025



Presiding Officer

Attest:



Recording Secretary

Approved as to Legal Sufficiency:



Legal Department