

Date: December 9, 2015
To: Board of Directors
From: Neil McFarlane *Neil McFarlane*

Subject: RESOLUTION 15-12-76 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING MODIFICATION OF CONTRACTS FOR ACCESSIBLE TRANSPORTATION PROGRAM SERVICES

1. Purpose of Item

The purpose of this item is to request that the TriMet Board of Directors (“Board”) adopt a resolution authorizing the General Manager to execute modifications to three contracts for TriMet Accessible Transportation Program (“LIFT”) services.

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other _____

3. Reason for Board Action

Board authorization is required because the proposed modifications increase the contract amounts beyond the amounts previously authorized by the Board.

4. Type of Action:

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

5. Background

On December 16, 2009, the Board approved Resolution 09-12-92, awarding contracts for TriMet Accessible Program (“LIFT”) Services, listed below. Each of these contracts was for a six-year term, from February 1, 2010, to January 31, 2016.

Procurement	Contractor	Amount
LIFT Transportation Regions 1, 2, & 3	First Transit, Inc.	\$128,832,278
LIFT Central Dispatch Services	First Transit, Inc.	\$ 12,294,673
LIFT Vehicle Maintenance Services	Penske Equipment Services	\$ 14,010,791

In preparation to re-procure each of these services, TriMet engaged in an internal effort to review the existing contracts against industry best practices, and to ensure that the successor contracts are structured appropriately to provide for performance accountability and cost transparency. In doing so, the schedule for release of the solicitations was delayed while additional requirements and provisions, resulting from the internal review effort, were incorporated. In addition, the five-month extensions will allow for the successor contracts to align with TriMet's fiscal year calendar, with a commencement date of July 1, 2016.

TriMet is currently in the process of re-procuring these services, which will result in successor six-year contracts. On November 24, 2015, three Requests for Proposals ("RFP") were issued for each of these services.

To continue the provision of LIFT services until the successor contracts are in place, it is necessary to extend the term of the current contracts, from the current end-date of January 31, 2016 to June 30, 2016.

6. Procurement Process

The current contracts for LIFT services, as approved by the Board December 16, 2009, were each procured by a competitive RFP process. The amounts of the five-month contract modifications reflect continuation of the level of service and pricing provisions of the current contracts. Increases in the contract authorized amounts, for the five-month extensions, are as follows:

Contract	Contractor	Current Authorized Amount	Amount Increase for 5-Month Term Extension	Revised Authorized Amount
LIFT Transportation	First Transit	\$128,832,278	\$10,157,711	\$138,989,989
LIFT Central Dispatch	First Transit	\$ 12,294,673	\$126,432	\$12,421,105
LIFT Vehicle Maintenance	Penske Equipment	\$ 14,010,791	\$1,087,800	\$15,098,591

7. Financial/Budget Impact

The proposed contract modifications continue LIFT services as currently budgeted in TriMet's FY2016 Adopted Budget with the exception of the LIFT Transportation Contract with First Transit. In response to the request for an extension, First Transit submitted a proposal that requested a total increase which is displayed above and which represents an increase of approximately 3.2% above the average monthly cost of year 6 of the current contract. This increase is predominantly due to increases reflected in First Transit's respective collective bargaining agreements for the vehicle operators, the magnitude of which were not known when the current contract was first executed.

8. Impact if Not Approved

The proposed contract modifications are necessary to continue LIFT services until successor contracts for LIFT services are in effect, which is planned for July 1, 2016.

RESOLUTION 15-12-76

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING MODIFICATION OF CONTRACTS FOR ACCESSIBLE TRANSPORTATION PROGRAM SERVICES

WHEREAS, TriMet has authority under ORS 267.200 to enter into the following contract modifications for Accessible Transportation Program services ("Modifications"):

- term end-date extension from January 31, 2016 to June 30, 2016 of a contract with First Transit, Inc., for LIFT Transportation Region 1, 2, and 3 Services
- term end-date extension from January 31, 2016 to June 30, 2016 of a contract with First Transit, Inc., for LIFT Central Dispatch Services
- term end-date extension from January 31, 2016 to June 30, 2016 of a contract with Penske Truck Leasing Co., LP, for LIFT Vehicle Maintenance Services; and

WHEREAS, the amount of each of the Modifications increases the respective amount originally authorized by the TriMet Board of Directors ("Board"); and

WHEREAS, the TriMet Board, by Resolution dated November 25, 2009, adopted a Statement of Policies requiring the Board to approve goods and services contracts obligating TriMet to pay in excess of \$500,000;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Modifications shall be in conformance with applicable laws.
2. That the General Manager is authorized to execute the Modifications.

Dated: December 9, 2015

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department