

**Date:** December 9, 2020

**To:** Board of Directors



**From:** Doug Kelsey

**Subject: RESOLUTION NO. 20-12-46 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH COCHRAN, INC. (COCHRAN) FOR ON-CALL ELECTRICAL 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 new five-year contract with Cochran, Inc. (Cochran) for on-call electrical services (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) (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 1<sup>st</sup> Reading
- Ordinance 2<sup>nd</sup> Reading
- Other \_\_\_\_\_

6. **Background**

Within TriMet's 533 square mile service area there are numerous facilities, including buildings, structures, and various assets, that require the services of licensed electricians to complete new installations and perform scheduled maintenance and repairs. TriMet's Facilities Management department relies on an on-call facilities electrical services contractor to provide various electrical services that are beyond the experience, licensing and certification levels of TriMet's plant maintenance mechanic staff.

There are three bus maintenance yards with more than one building at each yard: two rail maintenance yards with several buildings, three ATP yards with buildings, three shops, one administrative building, 33 Park & Ride lots, 16 Transit Centers, approximately 50 bus shelters with electrical power, 63 substations, 102 rail platforms including operator layovers, garages with lighting, and several employee parking lots associated with shops and maintenance yards.

Under the Scope of Work of this Contract, the Contractor will provide on-call electrical services, including low voltage and preventative maintenance and new installations at various TriMet facilities. Work will consist of repairing existing electrical systems, repairing electrical systems that may require new installations (e.g. circuits, transformer updates, general construction/wiring/conduit, etc.), preventive maintenance on equipment and/or systems, and infrared thermal scanning of existing equipment.

In September 2016, TriMet issued a Request for Proposals to obtain a new contractor for these on-call services. The parameters of this procurement effort were based upon historical levels of service. At that time, the Board authorized a contract with Cochran in an amount not to exceed \$1,215,423 over a five (5) year period ending in 2021.

At its May 2019 meeting, the Board approved Resolution 19-05-35, which authorized an increase of \$464,031 in the amount of the Cochran contract, for a total authorized amount of \$1,679,454. This modification was necessary because Facilities Management had recently recruited TriMet's first-ever Electrical Supervisor, who carries an Oregon Supervising Electrician's license. Facilities Management's access to this new Supervisor's level of expertise resulted in the identification of needs to optimize and enhance the safety of TriMet's electrical infrastructure.

Due to the age of most of TriMet's electrical infrastructure, failure rates are increasing, requiring a commensurate increase in the volume of electrical repair work greater than anticipated at time of initial contracting with Cochran. In addition, changes in local jurisdictional personnel (new City or State inspectors) have resulted in more audits and electrical inspections, requiring significant increases in electrical work that primarily must be addressed via this contract.

After being advised of the condition of TriMet's electrical infrastructure during its August 2020 meeting, the Board approved Resolution No. 20-08-35, which authorized an increase of \$455,095 for the Cochran contract for a total authorized amount of \$2,134,549.

In September of 2020, almost immediately following the Board's approval of Resolution No. 20-08-35, TriMet was presented with an opportunity to replace inefficient, unsafe lighting at TriMet's garages and yards through an Energy Trust of Oregon (ETO) incentive program to install LED lighting. The ETO program would fund 70-100% of the cost of the lighting fixtures and controls. In order to take advantage of the ETO incentive program, TriMet has been utilizing funds from the newly augmented Cochran on-call electrical services agreement to pay for the initial installation costs.

As a result of this initial LED installation work, the value remaining in the Cochran agreement has been depleted, requiring TriMet to implement a new procurement for on-call electrical services. This procurement will result in a new 5-year on-call electrical services agreement for 2021-2026, with a contract value of approximately \$2.6 million, based upon recent experience.

7. **Description of Procurement Process**

On October 21, 2020, TriMet issued an Invitation to Bid (ITB) for on-call electrical services, with bids due on November 12, 2020. This Low Bid / ITB was publicly advertised on TriMet's eProcurement System (TriP\$). TriMet received two bids in response to the solicited Low Bid ITB.

A summary of bids is below:

<b>Contractor</b>	<b>Stated Bid Price</b>
Cochran, Inc.	\$2,541,530.30
Team Electric	\$3,202,125.00

TriMet determined that Cochran was the lowest responsive and responsible bidder, and its bid was found to be fair and reasonable based on competition and comparison with TriMet's Independent Cost Estimate (ICE). Cochran's bid is 7% lower than TriMet's ICE of \$2,725,400 for the five-year Contract term for this procurement. The ICE was based on pricing paid by TriMet for the same types of services for the last five years. Accordingly, staff recommends award of the contract to Cochran.

The proposed Contract with Cochran will be for a five-year term, with TriMet retaining the unilateral option to terminate for convenience if the Contract needs to be terminated for any reason during the five-year term. Price adjustments will be permitted on an annual basis, which will be capped at the Consumer Price Index for Urban Workers (CPI-W). It will be a task order based, requirements contract, so actual payments will be based on the amount of work authorized by TriMet and performed by Cochran.

8. **Diversity**

Cochran's local workforce is 15.6% minority and 28.3% female, with a total local employee count of 244, although Cochran is not a DBE Certified firm. Subcontractors may be used to perform a small percentage of the work under the scope of Cochran's Contract, and TriMet will work with Cochran to select DBE certified subcontractors.

9. **Financial/Budget Impact**

The on-call electrical services are included in the Maintenance Operations Division's FY2021 operating budget.

10. **Impact if Not Approved**

The services can be re-procured if the Board does not approve the Resolution, but this option is not recommended. The Contract was obtained via a competitive process and its re-solicitation is not likely to obtain better results in quality, price, or DBE participation. Failure to approve the Resolution could jeopardize the significant benefits of the ETO incentive program and delay addressing the safety and State of Good Repair electrical needs that have been identified throughout the last year. Moreover, the electrical work is necessary in order to support transportation and maintenance operations. Finally, Cochran is highly qualified, its prices are fair and reasonable, and it has an excellent safety record.

**RESOLUTION NO. 20-12-46**

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TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A  
CONTRACT WITH COCHRAN, INC. (COCHRAN) FOR ON-CALL  
ELECTRICAL SERVICES**

**WHEREAS**, TriMet has authority under ORS 267.200 to enter into a contract with Cochran, Inc. for the procurement of on-call electrical services (Contract); and

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

**WHEREAS**, by Resolution dated October 25, 2017, the TriMet Board of Directors (Board) adopted a Statement of Policies requiring the Board to authorize goods and services contracts obligating TriMet to pay in excess of \$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 amount of not more than \$2,541,530 through the December 9, 2025, Contract term.

Dated: December 9, 2020

\_\_\_\_\_  
Presiding Officer

Attest:

\_\_\_\_\_  
Recording Secretary

Approved as to Legal Sufficiency

**Gregory E. Skillman**  
Legal Department