

**Date:** June 28, 2023

**To:** Board of Directors

**From:** Sam Desue, Jr.

**Subject:** **RESOLUTION NO. 23-06-21 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT MODIFICATION WITH HMI OREGON DEALERSHIP, INC., DBA PACIFICWRO**

**1. Purpose of Item**

This Resolution requests that the TriMet Board of Directors (Board) authorize the General Manager or his designee to execute a contract modification (Modification) with HMI Oregon Dealership, Inc., dba PacificWRO (PacificWRO) for Systems Furniture and Ancillary Furniture Support Services.

**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): Piggyback agreement

**4. Reason for Board Action**

Board approval is required for modifications to contracts that exceed the amount previously approved by the Board.

**5. Type of Action**

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

**6. Background**

In 2013, TriMet secured a contract to meet its agency-wide furniture purchasing needs on an on-going basis pursuant to a cooperative procurement sponsored by U.S. Communities (now known as Omnia Partners), a national cooperative public sector purchasing organization of which TriMet is a member. Omnia/U.S. Communities selected Herman Miller as a furniture vendor after a competitive, public procurement process. Because a nationwide competitive process was conducted and the scope of the procurement likely guaranteed the best possible pricing, TriMet determined that a piggyback contract with Herman Miller (now known as

PacificWRO) based on the Omnia/U.S. Communities competitive procurement was prudent, and would best meet the needs of the agency for the foreseeable future.

In 2019, TriMet staff again utilized a similar piggyback contract for Herman Miller brand furniture and associated services through Omnia Partners. Furniture purchased through this contract includes items such as desks, cubicle walls, storage furniture, and chairs, as well as ancillary installation and storage services.

TriMet's contract for these goods and services is with PacificWRO, the authorized area dealer for Herman Miller brand furniture in Oregon. In 2019, TriMet entered into a contract with PacificWRO for \$950,000, which included furniture for Phase I of the Powell Garage Replacement, the Transit Police Office, and the Columbia Bus Base stores building.

On July 27, 2022, the Board approved Resolution No. 22-07-44, modifying the PacificWRO contract to increase the total contract amount from \$950,000 to \$4,570,000. This \$3,620,000 increase was calculated based primarily on the projected costs of the move from Harrison Square to One Main Place, and the Powell Garage Replacement Project. These two major projects are now mostly completed and the funds authorized by the July 2022 Board Resolution have been almost fully utilized.

TriMet would like to continue to use this contract for future needs. Based on the Agency's anticipated office furniture and facility requirements for the upcoming year, staff estimates that the amount of the PacificWRO contract will need to be increased by \$2,052,000 in order to accommodate the approximate costs of the following projects:

- Workplace reconfiguration to improve the Center Street, Elmonica and Ruby Junction facilities and accommodate additional personnel (\$500,000),
- Anticipated adjustments and post-occupation changes at One Main Place (\$450,000),
- Engineering, Construction & Planning projects (\$500,000),
- Facilities Management projects (\$200,000),
- Space Planning daily operations, including Harrison Square surplus furniture distribution and storage (\$402,000).

This Resolution seeks a Modification of the PacificWRO contract, increasing the current amount by \$2,052,000, and bringing the total contract amount to \$6,622,000. The funds estimated above will be spent only as needed for the described projects.

**7. Description of Procurement Process**

Since 2013, TriMet has utilized the piggyback contract procurement process for purchase and installation of its office furniture. Because the Omnia/U.S. Communities procurement was based on a higher volume than TriMet's alone, it resulted in more favorable pricing. If TriMet had conducted an independent procurement, a less advantageous contract likely would have been secured.

**8. Diversity**

PacificWRO's 52-person workforce is 73% female and 7.7% minority. It will self-perform the work under the contract Modification.

**9. Financial/Budget Impact**

Funding for this Modification is included in TriMet's approved operating budget, as well as the budgets of the particular projects and departments that are purchasing furniture.

**10. Impact if Not Approved**

Should the Board not approve the Resolution, these goods and services may be re-procured, but doing so would delay obtaining currently needed and soon-anticipated furniture, equipment and related services. Because the original contract was obtained via a competitive public procurement process, conducting a new procurement is not likely to result in better pricing or a more qualified vendor. Staff is satisfied with PacificWRO's work under its contract to date, and strongly recommends approval of this Modification.

**RESOLUTION NO. 23-06-21**

**RESOLUTION NO. 23-06-21 OF THE TRI-COUNTY METROPOLITAN  
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A  
CONTRACT MODIFICATION WITH HMI OREGON DEALERSHIP, INC., DBA  
PACIFICWRO**

**WHEREAS**, TriMet has authority under ORS 267.200 to enter into a contract modification (Modification) with HMI Oregon Dealership, Inc., dba PacificWRO (PacificWRO) for Systems Furniture and Ancillary Furniture Support 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 contracts obligating TriMet to pay in excess of \$1,000,000; and

**WHEREAS**, the total amount of the Modification exceeds \$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 not more than \$2,052,000, increasing the total authorized contract amount from \$4,570,000 to \$6,622,000, through the contract's December 31, 2025 termination date.

Dated: June 28, 2023

Attest:

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Presiding Officer

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Recording Secretary

Approved as to Legal Sufficiency:



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Legal Department

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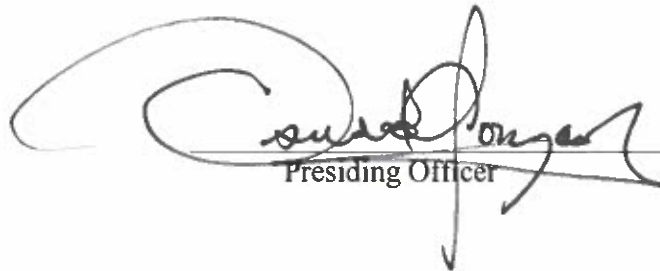
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