

Date: June 28, 2023

To: Board of Directors

From: Sam Desue, Jr.

Subject: RESOLUTION NO. 23-06-30 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH VALLEYSAPES, INC. (VALLEYSAPES) FOR ON-CALL LANDSCAPE AND BIOSWALE MAINTENANCE 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 contract with Valleysapes, Inc. (Valleysapes) for on-call landscape and bioswale maintenance services for work Zones 2 and 3 (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 contracts obligating TriMet to pay in excess of \$1,000,000.

5. Type of Action

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

6. Background

TriMet has over 200 landscaped locations that are serviced on both a regular schedule and on an on-call/as-needed basis. TriMet uses contracted services for the maintenance of these landscaped locations. The landscape service area is divided into four work Zones:

- Zone #1 is generally defined as the Blue Line Hatfield to 11th Terminus, and WES Line Beaverton Transit Center to Tualatin South;
- Zone #2 is generally defined as the Orange Line SW 5th & Jackson to Park Avenue Garage area;
- Zone #3 is generally defined as the Yellow Line Interstate Rose Quarter to Expo Center, Blue Line Rose Quarter Transit Center to Gateway, and the Red Line Parkrose to Cascades area; and
- Zone #4 generally defined as the Blue Line 102nd to Cleveland and Green Line SE Main to Clackamas Town Center area.

Regularly scheduled services include turf and bed care; shrub/groundcover/perennial pruning; tree pruning (under 14 feet); removal of organic debris and trash located within the work zone; weeding and removal of invasive plants; blowing hardscapes (if fouled); maintaining automatic irrigation (spring turn on, summer monitoring and adjusting, and late-fall shut-down); and bioswale cleaning and maintenance. On-call tasks may include replacement plantings, clear and grub work, and general landscaping.

This solicitation is for the procurement of services only within Zones 2 and 3.

7. Description of Procurement Process

TriMet utilized a competitive Request for Proposals (RFP) process to select a contractor to provide the goods and services. The RFP was issued on April 11, 2023, with a proposal due date of May 3, 2023. A total of 136 vendors were notified of the RFP via TriMet's eProcurement System (TriP\$) website, of which four firms submitted proposals.

All four vendors were deemed "non-responsive" and their proposals were rejected because they either did not submit a proposal, were missing one or more of their proposal forms, and/or did not use the correct proposal forms. Therefore, the RFP was re-issued with a due date of May 17, 2023. A total of 136 vendors were notified of the RFP via TriP\$, of which two firms submitted responsive proposals.

A Source Evaluation Committee (SEC) comprised of staff from TriMet's Maintenance and Engineering & Construction divisions, reviewed and evaluated the proposals. The evaluation criteria included: (1) qualifications of the proposer; (2) qualifications of the staff; (3) workforce diversity; (4) work plan; and (5) price. After evaluating the proposals, the SEC concluded that both Neyda's Landscaping Maintenance (Neyda's) and Valleyscapes were within the competitive range, and the SEC opened their price proposals. Once the pricing was opened, Neyda's score dropped to more than 30 points below Valleyscapes', and was at that time eliminated from competition (see table below).

The SEC then asked Valleyscapes to submit a Best and Final Offer (BAFO) to revise pricing, and TriMet received the BAFO on June 1, 2023. The scoring for the two proposals, and Valleyscapes' overall score after its BAFO submission, are summarized below:

	Possible Points	Neyda's		Valleyscapes	
		Zone 2	Zone 3	Zone 2	Zone 3
Evaluation Criteria					
Qualifications of Proposer	10	7.3	7.3	7.6	7.6
Qualifications of Staff	10	7.1	7.1	7.9	7.9
Workforce Diversity	10	7.6	7.6	6.8	6.8
Understanding of the Work	30	22.7	22.7	19.5	19.5
Technical Proposal Total Points . . .	60	44.7	44.7	41.7	41.7
Initial Price Proposal Pricing . . .		\$8,212,092	\$6,065,924	\$1,162,836	\$589,221
Total Combined Initial Pricing (both Zones 2 and 3) . . .		\$14,278,016		\$1,752,057	
Price Proposal Total Points . . .	40	5.7	3.9	40	40
Total Points (Score) . . .	100	50.3	48.5	81.7	81.7
				BAFO Pricing . . .	\$1,162,836 \$589,221
				Total Combined Price (both Zones 2 and 3) . . .	\$1,752,057
				Independent Cost Estimate (ICE) . . .	\$1,409,746 \$689,633
					<i>Zone 2</i> <i>Zone 3</i>
				Total Combined ICE (both Zones 2 and 3). . .	\$2,099,379

Although Valleyscapes' proposal was the only one to progress to the BAFO stage, staff believe it to be the best value to TriMet. Valleyscapes has a significant company presence in the Portland area, has developed an excellent relationship with TriMet staff from prior work, and has thoroughly demonstrated its ability to effectively respond to TriMet's needs under the Contract. In addition, Valleyscapes' proposal was found to be fair and reasonable based on rates charged from their prior contracts with TriMet for the same services, and in comparison with TriMet's Independent Cost Estimate of \$2,099,379 for the three-year contract term. Accordingly, staff recommends the award of both Zones 2 and 3 to Valleyscapes.

The proposed contract with Valleyscapes will be for a three-year term, with TriMet retaining the unilateral option to terminate for convenience for any reason during that period. Price adjustments will be permitted on an annual basis at TriMet's discretion, which will be capped at the Consumer Price Index for all Urban Wage Earners and Clerical Workers (CPI-W) for the Portland-Salem area Western Region. The total amount ultimately paid will be based on TriMet's actual requirements and the goods and services needed during the Contract term.

8. Diversity

Valleyscapes' total employee count is 105, and its workforce is 87.6% minority and 2.9% female. Valleyscapes will use its own workforce to perform the work under this Contract.

9. Financial/Budget Impact

The Contract amount is accounted for in the Facilities Maintenance operating budgets for FY2024 through FY2027.

10. Impact if Not Approved

If this Contract is not approved, TriMet will need to reissue the RFP for work Zones 2 and 3. This option is not recommended because Valleyscapes is a well-qualified firm, and resoliciting is unlikely to result in additional competition, a superior contractor or a lower price. Approval of this Resolution is strongly recommended.

RESOLUTION NO. 23-06-30

RESOLUTION NO. 23-06-30 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH VALLEYSAPES, INC. (VALLEYSAPES) FOR ON-CALL LANDSCAPE AND BIOSWALE MAINTENANCE SERVICES FOR ZONES 2 AND 3

WHEREAS, TriMet has authority under ORS 267.200 to execute a contract with Valleysapes, Inc. (Valleysapes) for on-call landscape and bioswale maintenance services for Zones 2 and 3 (Contract); and

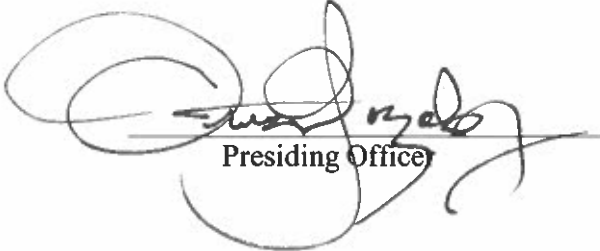
WHEREAS, by Resolution dated May 25, 2022, the TriMet Board of Directors (Board) adopted a Statement of Policies requiring the Board to authorize contracts obligating TriMet to pay in excess of \$1,000,000; and

WHEREAS, the total amount of the Contract exceeds \$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 an amount of \$1,752,057, with the actual expenditure based on the cost of goods and services provided throughout the three-year Contract term.
3. That the General Manager or his designee is authorized to execute modifications to the Contract to pay for unanticipated additional expenditures in an amount not to exceed 15% of \$1,752,057, for a total additional authorized amount of \$262,809 over the Contract's three-year term.

Dated: June 28, 2023


Presiding Officer

Attest:


Recording Secretary

Approved as to Legal Sufficiency:


Legal Department