


**Date:** October 23, 2024

**To:** Board of Directors

**From:** Sam Desue, Jr. 

**Subject:** **RESOLUTION NO. 24-10-58 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH RJ RAMOS ENTERPRISES, INC., DBA RJ RAMOS CONSTRUCTION AND ELECTRICAL CO., FOR THE POWELL GARAGE GANTRY CHARGING INFRASTRUCTURE PROJECT**

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**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 RJ Ramos Enterprises, Inc. dba RJ Ramos Construction and Electrical Co. (RJR), for the Powell Garage Gantry Charging Infrastructure Project.

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

**6. Background**

This Project is part of continuing improvements to the Powell Garage Facility, and includes infrastructure and equipment required to support and advance TriMet’s Zero Emission Bus Fleet Transition Plan. The current vehicle charging capacity at Powell Garage can support simultaneous charging for 24 vehicles, but as the Zero Emission Bus procurement progresses, TriMet will need to significantly increase charging capacity, in

phases. In this first phase of the Project, an initial section of galvanized steel gantry structure will be erected over nine existing lanes of bus positions. The gantry structure ultimately will support fifty-four (54) pantograph chargers mounted over vehicle positions.

Construction activities will take place while Powell Garage remains operational. This will require the contractor to strictly adhere to schedule and construction constraints, plan all activities to avoid and/or minimize disruptions to daily operations, and communicate clearly and accurately concerning access to the construction site.

**7. Description of Procurement Process**

On July 24, 2024, the Board approved Resolution No. 24-07-45, which exempted this contract from competitive bidding requirements. At that meeting, the Board received a presentation on the Powell Garage Gantry Charging Infrastructure Project, a video of which may be reviewed here:

<https://trimet.org/meetings/board/pdfs/2024-07-24/final/Presentation%20for%20Resolution%202024-07-45.pdf>.

TriMet issued a Request for Proposals (RFP) on August 7, 2024, with proposals due on August 28, 2024. A total of 734 vendors were notified of the RFP via the TriP\$ website. Four vendors submitted proposals: Kirby Nagelhout Construction Company (KNCC), RJR, Stacy Witbeck, Inc. (SWI), and Stellar J Corporation (Stellar). Only three proposers were deemed responsive to the RFP.

A Source Evaluation Committee (SEC) comprised of staff from TriMet’s Engineering and Construction, Bus Maintenance, and Inclusion, Diversity, Equity & Access Divisions reviewed and evaluated the proposals. The evaluation criteria included: Qualifications of the Proposer (5 possible points); Qualifications of Staff (15 possible points); Diversity in Employment and Contracting (15 possible points); Certification Office for Business Inclusion and Diversity (COBID) certification (5 possible points); Availability and Track Record (10 possible points); Work Plan (25 possible points); and Price Proposal/Cost (25 possible points).

After evaluating the three responsive technical proposals, TriMet opened price proposals of the vendors in the Competitive Range. Scores at that point are summarized below:

	<b>Possible Points</b>	<b>Kirby Nagelhout Construction Company (KNCC)</b>	<b>RJ Ramos Construction Company (RJR)</b>	<b>Stacy Witbeck, Inc. (SWI)</b>
<i>Evaluation Criteria</i>				
Qualifications of the Proposer	<b>5</b>	4.2	3.2	4.8
Qualifications of Staff	<b>15</b>	12.6	10.20	13.40
Diversity in Employment & Contracting	<b>15</b>	10.45	13.05	10.90
COBID certified firm	<b>5</b>	0	5	0
Availability & Track Record	<b>10</b>	7.6	8.2	7.6
Work Plan	<b>25</b>	22.60	18.20	23.40
<b>Technical Proposal Points . . .</b>	<b>75</b>	<b>57.45</b>	<b>57.85</b>	<b>60.10</b>
<b>Initial Price Proposal . . . . .</b>		<b>\$3,852,187</b>	<b>\$4,498,418</b>	<b>\$5,035,836</b>
<b>Price Proposal Points . . .</b>	<b>25</b>	<b>25</b>	<b>21.41</b>	<b>19.12</b>

Possible Points	Kirby Nagelhout Construction Company (KNCC)	RJ Ramos Construction Company (RJR)	Stacy Witbeck, Inc. (SWI)
Total Points (Score) . . .	100	82.45	79.22

After price proposals were opened, the SEC asked all three vendors to attend an interview, then submit Best and Final Offers (BAFO) to revise proposals and pricing. Interviews were held September 18 and 20, 2024, with BAFOs due on October 3, 2024. The overall scores after interviews and BAFO submissions are summarized below:

Possible Points	Kirby Nagelhout Construction Company (KNCC)	RJ Ramos Construction Company (RJR)	Stacy Witbeck (SWI)
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***Evaluation Criteria***

Qualifications of the Proposer	5	4	3.8	5
Qualifications of Staff	15	12.6	10.4	13.6
Diversity in Employment & Contracting	15	9.05	13.8	8.3
COBID certified firm	5	0	5	0
Availability & Track Record	10	7.8	9	7.6
Work Plan	25	22.4	20.6	23.6
<b>Technical Proposal Points . . .</b>	<b>75</b>	<b>55.85</b>	<b>62.6</b>	<b>58.10</b>
<b>BAFO Price Proposal . . . . .</b>	<b>\$2,978,143</b>	<b>\$3,664,888</b>	<b>\$4,099,837</b>	
<b>Price Proposal Points . . .</b>	<b>25</b>	<b>25</b>	<b>20.32</b>	<b>18.16</b>
<b>Total Points (Score) . . .</b>	<b>100</b>	<b>80.85</b>	<b>82.92</b>	<b>76.26</b>

The SEC was unanimous in its decision to award a contract to RJR. The firm has a competitive work plan, a solid track record, and a commitment to supporting other COBID-certified firms. The SEC determined that these attributes, along with the firm’s strong response to the interview and BAFO requests, offer the best value to TriMet, based on the stated evaluation criteria, price and technical criteria combined.

The proposed Contract will be for \$3,664,888 over a 13-month term, with the possibility for change orders up to 15% of the Contract price, for a total not-to-exceed amount of \$4,214,888.

**8. Diversity**

RJR is COBID-certified, and is both a Disadvantaged Business Enterprise (DBE) and a Minority Business Enterprise (MBE). The firm has 22 employees, of whom 41% are minority and 36.4% are female. In its proposal, RJR indicated it would utilize small business contractors certified by Oregon’s Certification Office for Business Inclusion and Diversity (COBID) for approximately 45% of the work. Subcontracting areas include civil, electrical, gantry steel, and traffic control. TriMet staff will work with RJR to maximize certified small business subcontracting opportunities.

**9. Financial/Budget Impact**

The cost of these services is included in TriMet's five-year Capital Improvement Plan (CIP) and financial forecasts, and is presented annually to the Board for approval in the upcoming Fiscal Year budget.

**10. Impact if Not Approved**

If this Contract is not approved, TriMet could resolicit the RFP. This option is not recommended because RJR is a well-qualified firm and resoliciting is unlikely to result in additional competition, a superior contractor, or a lower price. Additionally, the infrastructure to be constructed under this Contract must be completed in advance of TriMet's ongoing procurement of Zero Emission Buses, scheduled for FY 2026/2027 as part of the Zero Emission Fleet transition. Approval of this Resolution is strongly recommended.

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**WHEREAS**, TriMet has authority under ORS 267.200 to enter into a contract with RJ Ramos Enterprises, Inc. dba RJ Ramos Construction and Electrical Co. (RJR) for construction services for the Powell Garage Gantry Charging Infrastructure Project (Contract); 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 all 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 a Contract in the amount of \$3,664,888, with the total amount paid to be based on actual services performed, through the Contract's November 5, 2025 expiration date.
3. That the General Manager or his designee is further authorized to execute change orders to the Contract in an amount not to exceed \$550,000 (15% of Contract), with a total Contract authority not to exceed \$4,214,888.

Dated: October 23, 2024

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Presiding Officer

Attest:

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Recording Secretary

Approved as to Legal Sufficiency:



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Legal Department