

Date: August 12, 2015

To: Board of Directors

From: Neil McFarlane *Neil McFarlane*

Subject: RESOLUTION 15-08-49 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH OAC SERVICES, INC. FOR ELEVATOR REPLACEMENT AND UPGRADE DESIGN SERVICES

1. Purpose of Item

The purpose of this item is to request that the TriMet Board of Directors (“Board”) authorize the General Manager to execute a contract with OAC Services, Inc. (“OAC”) for design services for the Elevator Replacement and Upgrade Project (“Project”).

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other _____

3. Reason for Board Action

Board approval is required for personal services contracts obligating TriMet to pay in excess of \$150,000.

4. Type of Action:

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

5. Background

TriMet maintains 24 elevators and five materials lifts that provide access to transit stations, buildings, and park and rides, and also transport materials for maintenance activities. As part of TriMet’s asset management plan, in 2013 all elevators were evaluated for their remaining useful life. Based on that evaluation, TriMet’s Capital Committee has established a schedule and budget for the Project, which is included in TriMet’s capital plan. The plan calls for 12 elevators to be refurbished in the next two to five years, three more in six to nine years, and four more in 10 to 15 years.

Work under this proposed contract will include assessment of existing elevator conditions, review of options for replacement or upgrades, recommendations for construction packaging and prioritization, design services, permitting support, and construction management for the Project. The identified repair and construction work will be performed under a separate contract.

6. Procurement Process

This procurement was subject to the Brooks Act, also known as Qualifications-Based Selection. Qualifications-Based Selection is a procurement process which is utilized when selecting architects and engineers for design contracts. In Qualifications-Based Selection procurement, the agency must select the most qualified firm. Price quotations are not permitted as a consideration in the selection process.

Prior to advertising this Request for Proposals (“RFP”), TriMet contacted approximately twenty local firms, including Minority/Women/Emerging Small Business (“M/W/ESB”) firms, to make them aware of this contracting opportunity. The RFP sought firms with demonstrated successful experience with elevator retrofits in active facilities. Key evaluation criteria included the firm’s experience, personnel experience, work plan and diversity plan, availability in Portland, and cost estimating and controls.

On June 22, 2015, TriMet received four proposals in response to the RFP, from Greenbusch Group, Merryman Barnes Architects, OAC, and Wenaha Group.

TriMet appointed an evaluation committee (“EC”) to review and evaluate the proposals, which was comprised of staff from TriMet’s Capital Projects division, Facilities Management, and office of Diversity and Transit Equity. EC members were selected based on their expertise, experience and knowledge related to the Project.

The EC evaluated the proposers in accordance with the procedures and criteria established in the RFP. Scores were as follows:

| Criteria | Possible Points | OAC Services, Inc. | Merryman Barnes Architects | Wenaha Group | Greenbusch Group |
|------------------------------|-----------------|--------------------|----------------------------|--------------|------------------|
| Corporate Experience | 20 | 18 | 14 | 13 | 13 |
| Personnel Experience | 35 | 31 | 22 | 21 | 21 |
| Work Plan and Diversity Plan | 25 | 23 | 16 | 15 | 15 |
| Availability in Portland | 10 | 8 | 8 | 8 | 5 |
| Cost Estimating and Controls | 10 | 9 | 7 | 6 | 5 |
| Total | 100 | 89 | 67 | 63 | 59 |

Accordingly, TriMet proposes to award a contract to OAC. In accordance with Qualifications-Based Selection, the direct labor costs and overall contract value were negotiated after selection of the contractor. The attached Resolution authorizes the award of a contract to OAC for five years, with the option to renew the contract for four additional one-year terms, in an amount not to exceed \$5,900,000 over the full term nine-year term.

7. Diversity

OAC has estimated that it expects to obtain approximately 12 percent M/W/ESB participation on this contract. In its proposal, four of OAC's seven proposed subcontractors are M/W/ESB firms that it expects to use for subcontracted work in civil, structural, CAD support, lighting, and signage, depending upon the scope of work actually included in assigned task orders. The parties will specify M/W/ESB subcontracting opportunities as each task order is negotiated, at which time the M/W/ESB utilization will become a fixed commitment for that scope.

Based on OAC's past performance, TriMet will strive to improve OAC's estimated utilization rate. Staff is encouraged by the fact that OAC is currently completing a similarly-sized (\$5,000,000) elevator refurbishment contract at Sea-Tac Airport for the Port of Seattle. OAC expected to achieve approximately 15 percent M/W/ESB participation, but instead anticipates that when completed it will achieve 27 percent M/W/ESB participation for this work.

8. Financial/Budget Impact

The budget for this contract is included in TriMet's annual budget for FY 2015-16 and in its five-year Capital Plan and future expenditure forecast. Work performed under the contract will be authorized by task orders, allowing TriMet to tailor the scope of services and assure that the contract stays within budget.

9. Impact if Not Approved

TriMet's alternative would be to hire additional staff to complete the work. This option is not preferred because procurement of this contract requires highly specialized expertise that would be difficult to fill.

RESOLUTION 15-08-49

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH OAC SERVICES, INC. FOR ELEVATOR REPLACEMENT AND UPGRADE DESIGN SERVICES

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract with OAC Services, Inc. for design services for the Elevator Replacement and Upgrade Project (“Contract”); and

WHEREAS, the total amount of the Contract shall exceed \$150,000; and

WHEREAS, the TriMet Board of Directors (“Board”), by Resolution dated November 25, 2009, adopted a Statement of Policies requiring the Board to approve personal services contracts obligating TriMet to pay in excess of \$150,000;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Contract shall be in conformance with applicable laws.
2. That the General Manager or his designee is authorized to execute the Contract.

Dated: August 12, 2015

Attest:

Presiding Officer

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department