

Date: December 9, 2015

To: Board of Directors

From: Neil McFarlane *Neil McFarlane*

Subject: RESOLUTION 15-12-70 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH ORTIZ AND ASSOCIATES, INC. FOR PROPERTY MANAGEMENT SERVICES FOR THE LAFAYETTE PEDESTRIAN BRIDGE

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 Ortiz and Associates, Inc. (“Ortiz”) for property management services for the Lafayette Pedestrian Bridge.

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other _____

3. Reason for Board Action

Board authorization is required for all goods and services contracts obligating TriMet to pay in excess of \$500,000.

4. Type of Action:

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

5. Background

TriMet constructed the Lafayette Pedestrian Bridge in the Brooklyn neighborhood in SE Portland as part of the Portland Milwaukie Light Rail (“PMLR”) Project. The new pedestrian bridge provides access across the Union Pacific Railroad’s Brooklyn rail yard. The westside entrance is at SE 18th Avenue & SE Rhine Street, and the eastside entrance is at SE 20th Avenue & SE Lafayette Street. Two newly installed elevators provide ADA access. The bridge is used primarily by neighborhood pedestrians, especially school children attending local schools near this bridge. In addition, it provides public street connectivity and access to TriMet bus stops and the MAX light rail station at SE17th Avenue and Rhine Street.

The pedestrian bridge poses a particular challenge for facility maintenance. It is a facility which is open at all hours and all days, and must be maintained to a high standard. Its elevators, associated elevator control and alarm systems, closed-circuit CCTV system and lighting systems, covering the entire facility, must be fully functional at all times. The facility has expansive glass surfaces, which together with the CCTV and lighting systems, provide safety and security. In order to maintain a safe and secure facility for neighborhood use, it must be kept completely clean of any litter, graffiti, and glass etching, on an every-day basis. Due to these unique challenges for daily maintenance to such a high standard, TriMet is contracting for property management services for this facility.

6. Procurement Process

On October 1, 2015, TriMet issued a Request for Proposals (“RFP”) for these services, and formed an Source Evaluation Committee (“SEC”) comprised of staff from TriMet’s Capital Projects, Facilities Management, and Diversity and Transit Equity departments to review the proposals.

TriMet received only one proposal for these services, from Ortiz. TriMet heavily advertised the procurement, though Ebid notification to over 300 firms, advertisement in the Daily Journal of Commerce, and direct notification to eight property management firms by TriMet’s Procurement Department.

After reviewing the Ortiz proposal, the SEC determined that the proposal met the technical requirements of the RFP, and was eligible for award. Therefore, TriMet requested a Best and Final Offer (“BAFO”), which Ortiz submitted by the November 16, 2015 due date. Contract pricing for the services as submitted in the BAFO, was as follows:

Criteria	Admin & Scheduled Maintenance	Estimated On Call Work	Landscape & Irrigation Maintenance ¹
Annual Price	\$130,846	\$41,500	\$3,500
5 Year Contract Term Price	\$654,230	\$207,500	\$10,500 ¹
Total Contract Price	\$872,230		

1. Landscape and irrigation maintenance services commence in Year 3, following the end of landscape and irrigation warranties furnished under the PMLR construction contract.

Ortiz’s pricing in its initial proposal was less than TriMet’s fair cost estimate for these services, and its BAFO pricing is \$21,000 lower than its initial proposal.

The contract is structured with a one-year base term, with TriMet’s option for up to four additional one-year extensions. It is a requirements contract, so actual payment will be based on the amount of work authorized by TriMet and actually performed by Ortiz. The base term contract amount is \$172,346. The projected five-year contract amount is \$959,453, based on the total contract price of \$872,230 as submitted in the BAFO, and allowance of 10 percent for additional services which TriMet staff may direct the contractor to perform during the five-year term.

By this Resolution, staff requests that the Board authorize the General Manager to execute the year-one base contract, and, at his discretion, exercise future option years.

7. **Diversity**

Ortiz is a certified Disadvantaged Business Enterprise (“DBE”) firm in the State of Washington. Until recently, it has been a certified DBE in the State of Oregon, and is presently re-applying for DBE certification in Oregon. Ortiz has also identified four DBE firms in its proposal for subcontracting opportunities, for landscape work, graffiti removal, snow removal, and scheduled maintenance on the elevator HVAC. Therefore, all work under this contract is expected to be performed by DBE firms.

8. **Financial/Budget Impact**

Funding for these services is budgeted under the Facilities Management department operating budget.

9. **Impact if Not Approved**

TriMet’s alternative would be to perform this work with increases in its own staff. However, due to the unique challenges and resources required to provide comprehensive maintenance services at a high standard for this facility on an every-day basis to ensure safety and security of this facility, as described above, TriMet’s Facilities Management department needs the intensive level of every-day cleaning and maintenance resources this contract will provide.

The Board could opt not to approve the contract, or direct staff to conduct a new solicitation. However, staff believes that re-solicitation would be unlikely to obtain improved offerings over the proposed contract.

For the above reasons, staff recommends award of this contract.

RESOLUTION 15-12-70

**RESOLUTION OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A
CONTRACT WITH ORTIZ AND ASSOCIATES, INC. FOR PROPERTY
MANAGEMENT SERVICES FOR THE LAFAYETTE PEDESTRIAN BRIDGE**

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract with Ortiz and Associates, Inc. for property management services for the Lafayette pedestrian bridge (“Contract”); and

WHEREAS, the total amount of the Contract shall exceed \$500,000; and

WHEREAS, the TriMet Board of Directors (“Board”), by Resolution dated November 25, 2009, adopted a Statement of Policies requiring the Board to approve goods and services contracts obligating TriMet to pay in excess of \$500,000;

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: December 9, 2015

Attest:

Presiding Officer

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department