

**Date:** October 26, 2022

**To:** Board of Directors

**From:** Sam Desue, Jr.

**Subject:** **RESOLUTION NO. 22-10-56 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH LIBERTY ELECTRIC, INC. (LIBERTY) FOR THE YELLOW LINE LIGHT RAIL SUBSTATION FEEDER BREAKER RETROFIT PROJECT**

**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 Liberty Electric, Inc. (Liberty) for the Yellow Line light rail substation feeder breaker retrofit project (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:

**4. Reason for Board Action**

Board authorization is required for all contracts obligating TriMet to pay in excess \$1,000,000.

**5. Type of Action**

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

**6. Background**

TriMet’s light rail system’s Traction Power Substations convert incoming utility power to traction power as the source of propulsion for MAX trains across many miles of track. These substations rely on large industrial circuit breakers to protect the light rail system from electrical overloads. TriMet’s substation breakers must be periodically upgraded for efficiency and safe operation.

TriMet’s Yellow Line (Expo) was completed in 2004 and the substations supplying 800VDC for the Yellow Line have reached the end of their lifecycle, where replacement parts or repair

services are no longer offered by the Original Equipment Manufacturer (OEM). Due to the age of the Yellow Line equipment and the necessity to maintain these substation feeder breaker units in a state of good repair, it is now time to upgrade and modernize this equipment to improve its safety and reliability.

There are six mainline Traction Power Substations (TPS) and one rail yard TPS included in this upgrade. The six mainline TPS are located at the Expo Center, Delta Park, Buffalo, Killingsworth, Failing, and Graham; while the yard TPS is located at Ruby Junction (South). Each mainline TPS is equipped with two feeder breakers and one annunciator panel, and the rail yard TPS has four feeder breakers and one annunciator panel.

**7. Description of Procurement Process**

TriMet issued an Invitation to Bid (ITB) on September 6, 2022, with bids due on September 27, 2022. The ITB was advertised on TriMet’s TriP\$ website. TriMet received two bids in response to the ITB. A summary of the bids is shown below:

	<b>Liberty Electric, Inc.</b>	<b>Mass Electric Construction Co.</b>
	\$2,076,861	\$2,230,000
<i>Independent Cost Estimate (ICE) . . .</i>	\$2,600,000	

TriMet’s Independent Cost Estimate (ICE) for the Project was \$2,600,000. TriMet determined that Liberty was the lowest responsive and responsible bidder, and found its bid to be fair and reasonable based on competition and comparison with TriMet’s ICE. This Resolution would authorize the award of the Contract to Liberty

As is typical for this type of retrofit work, unforeseen circumstances may occur that require changes to the scope of work for the project. Therefore, the attached Resolution includes authority for potential future change orders up to \$334,500, or 15 percent (15%) of the Contract amount.

**8. Diversity**

Liberty’s total employee count is 56, and its workforce is 20.4% minority and 12.5% female. Liberty will perform the removal and reinstallation of the feeder breakers, and will subcontract with Siemens Mobility Inc. to perform the electrical overhaul work jointly.

**9. Financial/Budget Impact**

Substation feeder breaker retrofit costs are budgeted each year as an element of the Maintenance of Way (MOW) department operating budget.

**10. Impact if Not Approved**

If this Resolution is not approved, total replacement of the feeder breakers with new equipment could be performed by other suppliers, but it would be much more costly than the proposed upgrade and retrofit of the existing feeder breakers by Liberty. Introducing components to the substation system from different manufacturers would create an increased maintenance burden, requiring a new spare parts inventory and training on new components. Award of this Contract to Liberty is the most cost-effective approach for maintaining this equipment in a state of good repair.

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TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A  
CONTRACT WITH LIBERTY ELECTRIC, INC. (LIBERTY) FOR THE  
YELLOW LINE LIGHT RAIL SUBSTATION FEEDER BREAKER RETROFIT  
PROJECT**

**WHEREAS**, TriMet has authority under ORS 267.200 to enter into a contract with Liberty Electric, Inc. (Liberty) for the Yellow Line light rail substation feeder breaker retrofit project (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 the amount of \$2,076,861, and authorized to execute change orders in the amount of not more than \$311,529 (15% of the Contract amount), through the Contract's October 31, 2025, expiration date.

Dated: October 26, 2022

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Presiding Officer

Attest:

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Recording Secretary

Approved as to Legal Sufficiency:

***Gregory E. Skillman***

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Legal Department