

Date: January 24, 2018

To: Board of Directors

From: Neil McFarlane 

Subject: **RESOLUTION 18-01-03 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING CONTRACTS WITH LTK ENGINEERING SERVICES, STV INCORPORATED, AND ELCON ASSOCIATES, INC. FOR ON CALL SYSTEMS ENGINEERING 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 three contracts with LTK Engineering Services (LTK), STV Incorporated (STV), and Elcon Associates, Inc. (Elcon) for on call systems engineering services (Services).

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 \$500,000.

4. Type of Action

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

5. Background

TriMet's Capital Projects staff has a need for contractors to provide on call systems engineering services for a variety of short term projects in five different disciplines. These disciplines are Light Rail Vehicles, Traction Power and Distribution, Communications, Commuter Rail Vehicles, and Positive Train Control. Anticipated tasks within these disciplines include troubleshooting, design, and preparation of technical specifications, testing, and other related services.

Currently, TriMet has four contracts to provide these services. The contracts were executed in 2012 via a competitive Request for Proposal process and expire February 1, 2018. The

current contractors have proven to be a valuable resource for TriMet’s Capital Projects staff by providing expert consulting in highly specialized areas of work.

6. Procurement Process

TriMet conducted a competitive, qualifications based, Request for Proposals (RFP) process in accordance with Brooks Act procedures, required when procuring engineering services with federal funds. The RFP was issued on October 2, 2017, with an original due date of October 23, 2017. At the request of several firms, the due date was extended to October 30, 2017. A total of 1,730 firms were notified of the RFP on TriMet’s vendor registration website, eBid eXchange, of which 133 downloaded the documents. Firms were allowed to submit proposals for any or all of the disciplines. Additionally, multiple awards were anticipated for each discipline. TriMet received seven proposals in response to the RFP from Auriga Corporation (Auriga); Elcon; LTK; Mott MacDonald, LLC (Mott); Progress Rail Services Corporation (Progress); SNC-Lavalin Rail and Transit, Inc. (SNC); and STV.

An Evaluation Committee (EC) comprised of staff from TriMet’s Capital Projects Division was appointed to review, evaluate and score the proposals. Proposals were scored separately for each discipline. The evaluation criteria in the RFP included Firm Experience; Qualifications of Staff; Work Plan and Diversity; and Local Presence, Availability and Track Record. A total of 100 points was available in each work category. In accordance with Brooks Act procedures, price was not included as an evaluation factor. The following tables summarize initial scoring by discipline:

Light Rail Vehicles

Proposer	Auriga	LTK	Mott	SNC	STV
Total	71.6	87.2	76.8	69.8	81.6

The EC elected to negotiate with LTK and STV as the two most qualified firms for this discipline.

Traction Power and Distribution

Proposer	Auriga	Elcon	LTK	Mott	SNC	STV
Total	71.6	85.8	87.2	76.8	69.8	81.6

The EC elected to negotiate with LTK, Elcon, and STV as the three most qualified firms for this discipline.

Communications

Proposer	Auriga	Elcon	LTK	Mott	SNC	STV
Total	74.2	76.4	88.2	78	69.8	83.6

The EC elected to negotiate with LTK and STV as the two most qualified firms for this discipline.

Commuter Rail Vehicles

Proposer	Auriga	LTK	Mott	SNC	STV
Total	71.6	88	75.2	67	82.4

The EC elected to negotiate with LTK and STV as the two most qualified firms for this discipline.

Positive Train Control

Proposer	Auriga	Elcon	LTK	Mott	Progress	SNC	STV
Total	73.2	76.6	87.6	78	66.6	65.6	78.8

The EC elected to negotiate with LTK as the most qualified firm for this discipline.

Following concurrence by the Executive Director of Capital Projects and Construction, TriMet formally opened negotiations with the highest ranked firms in each category as noted above. LTK, Elcon, and STV were asked to submit labor, overhead, and profit rates for themselves and any subcontractors. TriMet evaluated these rates and found them to be consistent with previous rates paid for these services. After review by TriMet staff, all rates were accepted by TriMet and found to be fair and reasonable.

Upon the conclusion of these successful negotiations, staff recommends awarding the following contracts:

Discipline	Light Rail Vehicles	Traction Power and Distribution	Communications	Commuter Rail Vehicles	Positive Train Control
Contractor(s)	1. LTK 2. STV	1. LTK 2. Elcon 3. STV	1. LTK 2. STV	1. LTK 2. STV	1. LTK

The contracts will be task order based. Each task order will be offered to the highest ranked firm for each discipline first before being offered to the other awarded firms.

The term of the contracts will be for one (1) year with TriMet’s option to extend for four (4) additional one (1) year terms. The not-to-exceed amount for each contract, if all option years are exercised, will be \$1,250,000. No price adjustments will be allowed during the first year of the contract. Thereafter, the contractor may request rate adjustments on an annual basis. The rates will be negotiated and based on documented changes in contractor’s labor costs. Overhead rates may also be adjusted annually provided that the contractor submits adequate supporting documentation.

7. Diversity

LTK’s workforce is comprised of 21% women and 19% minorities. LTK will be subcontracting work to certified firms in Light Rail Vehicles (Virginkar & Associates- DBE); Traction Power and Distribution (Reyes Engineering, Inc. and ICE Corporation –DBEs); Communications (The Greenbusch Group –WBE and Triunity Engineering and Management –MBE/DBE); Commuter Rail (Virginkar & Associates – DBE); and Positive Train Control (Pacific Railway Enterprises –DBE)

STV’s workforce is comprised of 29% women and 24% minorities. STV will be subcontracting work to certified firms in Light Rail Vehicles (Virginkar & Associates- DBE) and Commuter Rail Vehicles (Virginkar & Associates – DBE).

Elcon is a certified MBE. Their workforce is comprised of 15% women and 23% minorities.

8. Financial/Budget Impact

The maximum amount of each contract will be \$1,250,000 over 5 years. The contracts will be utilized as needed and as budget permits. The Services are budgeted for under Capital Projects' budget for FY18-19.

9. Impact if Not Approved

TriMet could re-procure the contract, however, this option is not recommended because LTK, STV, and Elcon are well-qualified firms and have offered fair and reasonable pricing. Additionally, TriMet could contract for the Services on a case by case basis, however this is not an efficient or effective use of resources.

RESOLUTION 18-01-03

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING CONTRACTS WITH LTK ENGINEERING SERVICES, STV INCORPORATED, AND ELCON ASSOCIATES, INC. FOR ON CALL SYSTEMS ENGINEERING SERVICES

WHEREAS, TriMet has authority under ORS 267.200 to enter into contracts with LTK Engineering Services (LTK), STV Incorporated (STV), and Elcon Associates, Inc. (Elcon) for On Call Systems Engineering Services (Contracts); and

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

WHEREAS, the TriMet Board of Directors (Board), by Resolution dated October 25, 2017, adopted a Statement of Policies requiring the Board to approve personal 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 the General Manager's designee is authorized to execute the Contracts in an amount not to exceed \$1,250,000 for each Contract.

Dated: January 24, 2018

Attest:

Presiding Officer

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department