

**Date:** August 12, 2020

**To:** Board of Directors



**From:** Doug Kelsey

**Subject: RESOLUTION NO. 20-08-35 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT MODIFICATION WITH COCHRAN, INC. FOR ON-CALL FACILITIES ELECTRICAL SERVICES**

---

**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 modification (Modification) with Cochran, Inc. (Cochran) for On-Call Facilities Electrical Services.

**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 goods and services 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**

Historically, TriMet’s Facilities Management Department has utilized a licensed electrical contractor to provide various on-call electrical services that are beyond the licensing and

certification levels of TriMet staff. These services include repairs, maintenance, and minor new installations. Additionally, the outside contractor performs generator repairs and bi-annual inspection and infrared scanning of selected TriMet electrical equipment.

In September 2016, TriMet issued a Request For Proposals to obtain a new contractor for these on-call services. The parameters of this procurement effort were based upon historical levels of service. Based upon the review of the four (4) responsive proposals received, a selection committee composed of TriMet staff determined that Cochran was the most qualified contractor. The Board authorized a contract with Cochran in an amount not to exceed \$1,215,423 over a five (5) year period.

At its May 2019 meeting, the Board approved Resolution 19-05-35, which authorized an increase of \$464,031 in the amount of the Cochran contract, for a total authorized amount of \$1,679,454. This modification was necessary because Facilities Management had recently recruited TriMet's first-ever Electrical Supervisor, who carries an Oregon Supervising Electrician's license. Facilities Management's access to this new Supervisor's level of expertise resulted in the identification of opportunities to optimize and enhance the safety of TriMet's electrical infrastructure. Additionally, due to the age of the majority of TriMet's electrical infrastructure, failure rates are increasing, with a commensurate increase in the volume of electrical repair work greater than anticipated at time of contracting. Finally, changes in jurisdictional personnel have resulted in increased levels and requirements of electrical inspections, resulting in a significant increase in work that generally must be addressed via this contract.

Accomplishing this unanticipated work has enhanced the safety and reliability of TriMet's infrastructure, helping to meet on time performance and operational resiliency goals, as well as federally-mandated State of Good Repair requirements. However, the identification of opportunities to optimize and enhance electrical efficiency and safety, coupled with the accelerating failure rate of some of our aged electrical infrastructure and additional inspection findings, has resulted in the premature exhaustion of available funds.

It is apparent that TriMet will need to undertake a major preventative maintenance and repair effort over a period of several years. This work must encompass on-going investigation, identification and prioritization of electrical repair needs and identification of root causes, which may require significant future annual expenditures.

At this time, additional funds for this contract are immediately necessary because Facilities Management has identified extensive amount of electrical infrastructure, district-wide, that is out of compliance and/or overdue for preventative maintenance. Examples of these immediate preventative maintenance and repair needs include:

- Immediate upgrade of the electrical switchgear that supports all operations at the Elmonica rail yard and expected similar upgrades at the Ruby Junction rail yard.
- Continued assessment and needed reconfiguration of equipment at MAX platforms.

Therefore, this Resolution authorizes a necessary Modification of the Cochran contract to increase the total amount from \$1,679,454 to \$2,134,549. As the electrical maintenance program continues to address the efficiency and safety of TriMet's electrical infrastructure, Facilities Management anticipates that issues similar to those described above will continue. The aim of this immediate work is to ensure the safety of our staff and customers, and to support transit operations through increasing resiliency and performance of the electrical infrastructure.

**7. Procurement Process**

The contract was procured via an RFP process.

**8. Diversity**

Cochran is certified by the Women's Business Enterprise National Council as a Women Owned Business, and its workforce consists of 50% Minorities. Cochran will continue to self-perform a majority of the work, but since the services to be performed under the contract will be requirements-based and authorized via task orders, there may be instances when it will need to subcontract in order to accomplish specific task orders. If this occurs, Cochran has committed to ensuring that D/M/W/ESB firms are given opportunities to perform the subcontracts.

**9. Financial/Budget Impact**

The on-call electrical services are included in the Maintenance Operations division's FY2021 operating budget.

**10. Impact if Not Approved**

Staff is very satisfied with Cochran's work under its contract to date and recommends approval of this Resolution. Although the services can be re-procured if the Board does not approve the Resolution, this option is not recommended because it will cause a delay in addressing immediate Agency needs. Additionally, the original contract was obtained via a competitive process, and re-procuring will not likely result in better pricing or a more qualified vendor.

**RESOLUTION NO. 20-08-35**

**RESOLUTION NO. 20-08-35 OF THE TRI-COUNTY METROPOLITAN  
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A  
CONTRACT MODIFICATION WITH COCHRAN, INC. FOR ON-CALL  
FACILITIES ELECTRICAL SERVICES**

**WHEREAS**, TriMet has authority under ORS 267.200 to enter into a contract modification with Cochran, Inc. for On-Call Facilities Electrical Services; and

**WHEREAS**, by Resolution dated October 25, 2017, the Board of Directors (Board) adopted a Statement of Policies requiring it to approve goods and services contracts obligating TriMet to pay in excess of \$1,000,000; and

**WHEREAS**, the total amount of the Modification exceeds the contract amount originally authorized by the Board;

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Modification of the contract shall conform with applicable law.
2. That the General Manager or his designee is authorized to execute the Modification to increase the total contract amount by not more than \$455,095, through the October 2021 contract termination date.

Dated: August 12, 2020

\_\_\_\_\_  
Presiding Officer

Attest:

\_\_\_\_\_  
Recording Secretary

Approved as to Legal Sufficiency

**Gregory E. Skillman**

Legal Department