

Date: June 22, 2022

To: Board of Directors

From: Sam Desue, Jr.



Subject: RESOLUTION NO. 22-06-39 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING PERSONAL SERVICES CONTRACTS WITH FIVE VENDORS FOR TEMPORARY AUGMENTED STAFF SERVICES

1. **Purpose of Item**

This Resolution requests that the TriMet Board of Directors (Board) authorize the General Manager or his designee to execute contracts with five vendors: David Evans and Associates, Inc. (DEA), Harper Houf Peterson Righellis, Inc. (HHPR), Lunar Strategic Consulting LLC (Lunar), Murraysmith, and Wenaha Group (Wenaha) for temporary augmented staff services (Contracts).

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 personal service contracts obligating TriMet to pay in excess of \$1,000,000.

5. **Type of Action**

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

6. **Background**

TriMet's Engineering, Construction and Planning (EC&P) Division has an ongoing need to augment its existing staff on an as-needed basis. Specifically, additional temporary staff is needed to augment current construction and project management services in support of TriMet's Capital and State of Good Repair programs.

The additional staff work needed falls into three disciplines: Civil (including Stations and Guideways), Buildings, and General Administrative. The Civil and Buildings categories need temporary Project Managers, Assistant Project Managers, Construction Managers, Assistant Construction Managers, and Inspectors. The General Administrative category needs temporary Administrative Specialists and Administrative Assistants.

Once the contracts proposed by this Resolution are executed, any EC&P capital project may utilize the staff under contract. However, staff support is currently needed for the Red Line Extension and Reliability Improvements Project, Division Transit Project, Powell Maintenance Facility Project and the Track Rehabilitation Program.

7. **Description of Procurement Process**

TriMet utilized a competitive Request for Qualifications (RFQ) process to select contractors to provide the requested temporary staff services. The RFQ was issued on April 15, 2022, with a proposal due date of May 6, 2022. A total of 674 vendors were notified of the RFQ via TriMet’s eProcurement System (TriP\$). Nine (9) firms submitted proposals: DEA, HHPR, Lunar, Murraysmith, Wenaha, 22nd Century Technologies, Automation and Control Strategies Group, Cogent Infotech Corporation, and LanceSoft, Inc.

Proposers were able to submit proposals for each discipline (civil, buildings, and general) and each position within that discipline for which they wished to provide personnel. Three Source Evaluation Committees (SEC) comprised of staff from TriMet’s EC&P Division evaluated the proposals, scoring each position separately. The evaluation criteria included: (1) qualifications of the proposer, (2) qualifications of the staff, and (3) work plan. As required by statute, this was a qualifications based selection and price was not used as an evaluation factor.

After reviewing initial technical scores, the SEC determined that interviews with firms were not necessary and price negotiations should be opened with the top ranked firms in each category, by position. The top ranked firms and points awarded to each is shown below:

Civil	Awarded Firms (Total Score out of 100)
Project Manager	Lunar (94), Murraysmith (92.67), Wenaha (88.33), DEA (87)
Assistant Project Manager	Murraysmith (91), DEA (88) Wenaha (86.33)
Construction Manager	Lunar (94.67), Murraysmith (91), Wenaha (88.33)
Assistant Construction Manager	Murraysmith (91), Lunar (86), Wenaha (86)
Inspector	Murraysmith (88), DEA (84), HHPR (81.67)
Buildings	
Project Manager	Wenaha (93.33)
Assistant Project Manager	Wenaha (93.33)

Construction Manager	Wenaha (93.33)
Assistant Construction Manager	Wenaha (93.33)
Inspector	Wenaha (91.67)
General	
Administrative Specialist	Murraysmith (83.33), HHPR (78.33)
Administrative Assistant	Murraysmith (83.33)

Each of the five top-ranked firms selected was asked to submit labor, overhead, and profit rates for its staff and its anticipated subcontractors. TriMet staff has determined that the negotiated rates submitted by each firm are fair and reasonable in relation to the local market for the type of work, and in comparison with rates for similar services.

TriMet will issue separate contracts to each firm for the firm to provide subcontracted employees for each of the requested positions, for a total of twenty-four (24) subcontracts. Each subcontract provided will have an initial one-year term, with TriMet's unilateral option to extend each subcontract for an additional four one-year terms. The total amount of each subcontract will not exceed \$2,500,000, over each potential five-year term.

The five firms will provide the twenty-four (24) subcontracted positions, as shown below:

- 1) DEA will provide three (3) subcontracted employees: a Civil Project Manager, a Civil Assistant Project Manager and a Civil Inspector.
- 2) HHPR will provide two (2) subcontracted employees: a Civil Inspector and an Administrative Specialist.
- 3) Lunar will provide three (3) subcontracted employees: a Civil Project Manager, a Civil Contract Manager and a Civil Assistant Contract Manager.
- 4) Murraysmith will provide seven (7) subcontracted employees: a Civil Project Manager, a Civil Assistant Project Manager, a Civil Inspector, a General Administrative Specialist and a General Administrative Assistant.
- 5) Wenaha will provide nine (9) subcontracted employees: a Civil Project Manager, a Civil Assistant Project Manager, a Civil Contract Manager, a Civil Assistant Contract Manager, a Buildings Project Manager, a Buildings Assistant Project Manager, a Buildings Contract Manager, a Buildings Assistant Contract Manager and a Buildings Inspector.

8. **Diversity**

1) DEA's total employee count is 812, and its workforce is 18.2% minority and 26.7% female. DEA anticipates using DBE firms for 10.03% of the work in the area of construction management.

2) HHPR's total employee count is 119, and its workforce is 7.5% minority and 26% female. HHPR anticipates using DBE firms for 10% of the work in the area of inspections.

3) Lunar has one employee, who is female. Lunar is a DBE firm and anticipates using DBE firms for 35% of the work in the area of project management.

4) Murraysmith's total employee count is 374, and its workforce is 11.2% minority and 35.5% female. Murraysmith anticipates using DBE firms for 10% of the work in the areas of project management, construction management, and inspections.

5) Wenaha's total employee count is 36, and its workforce is 33.3% minority and 47.2% female. Wenaha is a DBE and MBE and will self-perform the work under its contracts.

9. **Financial/Budget Impact**

The budget for these personal services subcontracts is embedded in each approved capital project for the respective fiscal years, and may be supplemented by the FY2023 EC&P operating budget as needed.

10. **Impact if Not Approved**

If the Board decides not to approve this Resolution, TriMet could attempt to re-procure these contracts. However, TriMet selected the best of the competitive proposals through the RFQ process, and the awarded firms are well qualified to provide the necessary subcontracted personnel to perform the requested personal services. In addition, advertising for these services a second time may cause project delays and is unlikely to lead to additional or more favorable proposals.

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**RESOLUTION NO. 22-06-39 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING
PERSONAL SERVICES CONTRACTS WITH FIVE VENDORS FOR
TEMPORARY AUGMENTED STAFF SERVICES**

WHEREAS, TriMet has authority under ORS 267.200 to enter into contracts with vendors to provide personal services to augment construction and project management for TriMet's Engineering, Construction and Planning (EC&P) Division (Contracts); and

WHEREAS, TriMet intends to award the Contracts to five vendors: David Evans and Associates, Inc. (DEA), Harper Houf Peterson Righellis, Inc. (HHPR), Lunar Strategic Consulting LLC (Lunar), Murraysmith, and Wenaha Group (Wenaha); to provide the EC&P Division with twenty-four subcontractors to perform construction and project management personal services on an as-needed basis; and

WHEREAS, by Resolution dated May 25, 2022, the TriMet Board of Directors (Board) adopted a Statement of Policies requiring the Board to authorize personal services contracts obligating TriMet to pay in excess of \$1,000,000; and

WHEREAS, the total amount of the Contracts exceeds \$1,000,000, and the total amount of each subcontract may exceed \$1,000,000;

NOW, THEREFORE, BE IT RESOLVED:

1. That each of the Contracts shall conform with applicable law.
2. That the General Manager or his designee is authorized to execute the Contracts for personal services in amounts not to exceed \$2,500,000 for each, with the term of each not to exceed five years.

Dated: June 22, 2022

Attest:

Presiding Officer

Recording Secretary

Approved as to Legal Sufficiency:

Gregory E. Skillman
Legal Department