

**Date:** January 25, 2023

**To:** Board of Directors

**From:** Sam Desue, Jr.

**Subject: RESOLUTION NO. 23-01-02 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING CONTRACT MODIFICATIONS WITH KELLY SERVICES, INC., LEXICON SOLUTIONS, AND TRIAD TECHNOLOGY GROUP FOR TEMPORARY TECHNICAL STAFFING SERVICES**

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**1. Purpose of Item**

This Resolution requests that the TriMet Board of Directors (Board) authorize the General Manager or his designee to execute modifications of contracts (Modifications) with Kelly Services, Inc. (Kelly), Lexicon Solutions (Lexicon), and Triad Technology Group (Triad) for Temporary Technical Staffing Services (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 contract modifications causing contract amounts to exceed \$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 Information Technology (IT) Division has utilized temporary employees to provide technical staffing for both short and long term assignments. To fulfill this need, TriMet has engaged qualified staffing agencies to provide the necessary technical personnel. In September 2020, TriMet issued a Request for Proposals (RFP) for these Services, and as a result, awarded five-year contracts to Kelly, Lexicon and Triad.

Each of the three vendors is capable of providing qualified candidates for the same roles. TriMet relies on all three of these contactors to provide desktop technicians, telecommunications engineers, network engineers, developers, database administrators, project managers, and other technical staff. Through calendar year 2022, these contracts were predominantly used for telecom engineering, desktop support, server engineering, and software engineering.

Often, TriMet’s need for the Services has fluctuated because some of the work consists of short-term projects, making it economically impractical to hire full-time employees to perform the work. In other cases, difficulty in hiring regular staff during COVID resulted in TriMet’s reliance on limited-term contractors for hard-to-fill positions. On occasion, temporary employees have gone on to join TriMet as full-time employees.

While the RFP specified that each contract could be increased to the amount of \$2,000,000 over the life of the contract, each contract initially was issued for an amount not to exceed \$400,000. TriMet staff did not anticipate exceeding the then-current delegated authority threshold of \$500,000, and Board approval was not sought for any of the contracts at the time of award.

Subsequently, via Resolution No. 22-05-35, the Board authorized additional contracting authority up to \$1,000,000. In response to the increased need for the Services, TriMet raised the amount of the Kelley contract to \$600,000 in June of 2022, and raised the amount of the Triad contract to \$999,000 in December of 2022.

As the job market for specialized technical employees has become increasingly competitive and TriMet makes more use of project-specific contract staff, its reliance on temporary technical staff to fill these roles has increased. While TriMet has depended more on Triad than the other two vendors, TriMet anticipates using all three contractors even more over the remaining three years of each contract. The goal of TriMet’s IT Division is to secure sufficient contract authorization to accommodate three more years of additional temporary technical staffing services for the life of the contracts, all of which are scheduled to end in February 2026.

Therefore, this Resolution requests the Board’s approval to execute Modifications to the Contracts, increasing the current amount authorized for each as follows:

Kelly Services, Inc.	Increase of \$900,000 to \$1,500,000
Lexicon Solutions	Increase of \$1,100,000 to \$1,500,000
Triad Technology Group	Increase of \$1,501,000 to \$2,500,000

**7. Procurement Process**

These contracts were procured via an RFP process.

**8. Diversity**

- Kelly's workforce consists of 45 employees. 13.3% are minority and 66.7% are female. It is self-performing all work under this contract.
- Lexicon's workforce consists of 6 employees. 16.7% are minority and 50% are female. Approximately 25% of its work will be via the use of subcontractors.
- Triad is an Oregon-certified Minority-owned Business Enterprise (MBE) with 89 employees. 25% are minority and 37% are female. Approximately 5% of its work will be performed by subcontractors.

**9. Financial/Budget Impact**

Staffing costs are budgeted as an element of the IT Division's annual operating budget.

**10. Impact if Not Approved**

Failure to approve this Resolution and increase the funding for these contracts would cause delay in completion of a number of necessary IT initiatives, including desktop and server replacement and telecom system maintenance. Further, Kelly, Lexicon, and Triad are well-qualified to perform the Services and TriMet has been satisfied with their performance to date. Approval of this Resolution is strongly recommended.

**RESOLUTION NO. 23-01-02**

**RESOLUTION NO. 23-01-02 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING CONTRACT MODIFICATIONS WITH KELLY SERVICES, INC., LEXICON SOLUTIONS, AND TRIAD TECHNOLOGY GROUP FOR TEMPORARY TECHNICAL STAFFING SERVICES**

**WHEREAS**, TriMet has authority under ORS 267.200 to enter into modifications of contracts (Modifications) with Kelly Services, Inc. (Kelly), Lexicon Solutions (Lexicon), and Triad Technology Group (Triad) for Temporary Technical Staffing Services; and

**WHEREAS**, by Resolution No. 22-05-35, dated May 25, 2022, the Board adopted a Statement of Policies requiring it to approve contracts obligating TriMet to pay in excess of \$1,000,000; and

**WHEREAS**, each Modification will cause the total amount of each contract to exceed \$1,000,000;

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

1. That the Modifications shall conform with applicable law.
2. That the General Manager or his designee is authorized to execute Modifications to the contracts increasing the current amount of each as shown below, through the contracts' February 2026 termination dates.

Kelly Services, Inc.	Increase of \$900,000 to \$1,500,000
Lexicon Solutions	Increase of \$1,100,000 to \$1,500,000
Triad Technology Group	Increase of \$1,501,000 to \$2,500,000

Dated: January 25, 2023



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

Attest:



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

Approved as to Legal Sufficiency:



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Legal Department