


Date: June 26, 2024

To: Board of Directors

From: Sam Desue, Jr. 

Subject: **RESOLUTION NO. 24-06-34 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING MODIFICATION OF TEMPORARY SERVICES CONTRACTS FOR INFORMATION TECHNOLOGY**

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 with Kelly Services, Inc. (Kelly), Lexicon Solutions (Lexicon), and Triad Technology Group (Triad) for Temporary Technical Staff Services (Modifications).

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 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 Information Technology (IT) Division has utilized temporary employees to provide technical staff for 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 in February of 2021, awarded five-year contracts to Kelly, Lexicon and Triad in the amount of \$400,000 each. Subsequently, in June of 2022, TriMet increased the amount of the Kelly contract to \$600,000, and in December of 2022, TriMet increased the amount of the Triad contract to \$999,000.

Each of the three vendors is capable of providing qualified candidates for the same roles. TriMet relies on all three contractors to provide desktop technicians, telecommunications engineers, network engineers, developers, database administrators, project managers, and other technical staff.

TriMet's need for these temporary services often fluctuates. Some of the work consists of short-term projects, making it economically impractical to hire full-time employees to perform them. In other cases, the difficulty in hiring regular staff has resulted in engagement of limited-term contractors for hard-to-fill positions. On occasion, temporary employees have subsequently joined TriMet as full-time employees.

Due to the continuing need for these services, in January of 2023, via Resolution No. 23-01-02, the Board authorized increases in the amounts of each of the contracts: The Kelly contract was increased to \$1,500,000, the Lexicon contract was increased to \$1,500,000, and the Triad contract was increased to \$2,500,000.

These contracts were procured as part of one solicitation. When awarding multiple contracts from the same RFP or Invitation to Bid (ITB), TriMet's practice is to seek Board authorization through one Resolution for the contract awards. Even when the original contract amounts did not meet the threshold for Board authorization, this practice is followed when requesting contract modifications that exceed the threshold.

As the job market for specialized technical employees has become increasingly competitive and TriMet continues to rely on project-specific contract staff, the need for temporary technical staff to fill these roles has increased. Although TriMet has depended more on Triad than the other two vendors, TriMet anticipates using all three contractors even more over the remaining two years of each contract.

The goal of TriMet's IT Division is to secure sufficient contract authorization to accommodate two more years of additional temporary technical staffing services for the life of the contracts, all of which are scheduled to end in February 2026. At this time, the funds remaining in each contract are:

- Kelly: \$710,821, at current spend rate, funds depleted in 11 months.
- Lexicon: \$454,000, at current spend rate, funds depleted in 7.5 months.
- Triad: \$398,000, at current spend rate, funds depleted in 2.7 months.

Therefore, this Resolution requests the Board's approval to execute Modifications to the three contracts, increasing the maximum amount authorized for each as follows:

- Kelly: Increase of \$500,000 to new maximum of \$2,000,000
- Lexicon: Increase of \$500,000 to new maximum of \$2,000,000
- Triad: Increase of \$2,000,000 to new maximum of \$4,500,000

7. Description of Procurement Process

These contracts were procured via a competitive RFP process.

8. Diversity

- Kelly's workforce consists of 51 employees, of whom 24% are minority and 59% are female. Kelly will be self-performing all work under this contract.

- Lexicon's workforce consists of 7 employees, of whom 14.3% are minority and 42.9% are female. Twenty-five percent (25%) of its contract workforce consists of subcontractors who work for minority-owned businesses.
- Triad is an Oregon-certified Minority-owned Business Enterprise. Its workforce consists of 71 employees, of whom 25.4% are minority and 38% are female. Triad may perform as much as 20% of its work through subcontractors.

9. Financial/Budget Impact

Temporary technical staff 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 a delay in the completion of many 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. 24-06-34

**RESOLUTION NO. 24-06-34 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING
MODIFICATION OF TEMPORARY SERVICES CONTRACTS FOR
INFORMATION TECHNOLOGY**

WHEREAS, TriMet has authority under ORS 267.200 to enter into contracts with Kelly Services, Inc. (Kelly), Lexicon Solutions (Lexicon), and Triad Technology Group (Triad) for temporary technical staff services for its Information Technology (IT) Division; and

WHEREAS, TriMet's need for the temporary technical services being provided by Kelly, Lexicon and Triad will exceed the amount of funding available under each contract prior to the February 2026 termination date for each contract; and

WHEREAS, TriMet has authority under ORS 267.200 to enter into modifications of the contracts with Kelly, Lexicon and Triad to increase the amounts available under each contract (Modifications); and

WHEREAS, the total amount of the contract Modifications will exceed \$1,000,000; and

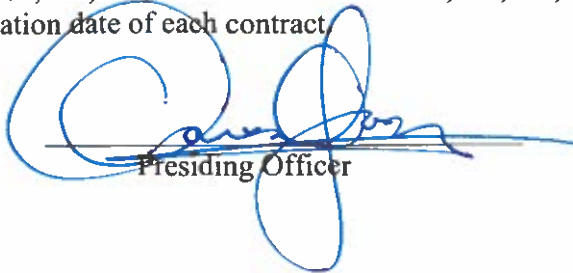
WHEREAS, by Resolution No. 22-05-35, dated May 25, 2022, the TriMet Board of Directors (Board) adopted a Statement of Policies requiring it to authorize all contracts obligating TriMet to pay in excess of \$1,000,000;

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 for each contract to increase the maximum amount of each, as follows:

Kelly: Increase of \$500,000, to new maximum of \$2,000,000,
Lexicon: Increase of \$500,000, to new maximum of \$2,000,000,
Triad: Increase of \$2,000,000, to new maximum of \$4,500,000,
through the February 2026 termination date of each contract.

Dated: June 26, 2024



Presiding Officer

Attest:



Recording Secretary

Approved as to Legal Sufficiency:



Legal Department