


Date: March 28, 2018

To: Board of Directors

From: Doug Kelsey 

Subject: **RESOLUTION 18-03-25 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH COLUMBIA PRESSURE WASHING, LLC FOR BUS SHELTER CLEANING SERVICES FOR THE SOUTHEAST REGION**

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 a contract with Columbia Pressure Washing, LLC (CPW) for Bus Shelter Cleaning Services for the Southeast (SE) Region (Services).

2. Type of Agenda Item

- Initial Contract
 Contract Modification
 Other _____

3. Reason for Board Action

Board authorization is required for goods and services contracts obligating TriMet to pay in excess of \$1,000,000.

4. Type of Action

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

5. Background

TriMet has approximately 1,000 bus shelters that require cleaning at least once per week. High ridership locations are cleaned more often, with some needing to be cleaned on a daily basis. TriMet uses contracted services for cleaning all bus stops that have shelters or other amenities. The cleaning services are divided into three regions:

1. West Region (west of the Willamette River);
2. Northeast Region (NE) (east of the Willamette River and north of Burnside to the Oregon border); and
3. Southeast Region (SE) (east of the Willamette River and south of Burnside).

At its October 26, 2016 meeting, the Board authorized TriMet to award three contracts; one each to 2C Building Services LLC (2C) (SE Region), Snug's Pro Wash, Inc. (NE Region) and G&L Janitorial LLC (West Region). The contracts were awarded as a result of an Invitation to Bid (ITB) process.

Following Board authorization, staff met separately with the three vendors to review expectations, mobilization plans, basic next steps, and to answer any questions the vendors had with regards to the start up of their respective contracts. 2C, the vendor who was awarded the SE Region contract needed to acquire resources, equipment, and hire additional staff to mobilize for the start of the contract, which was set to begin July 1, 2017. Staff from Procurement and Contracts and Facilities Management held monthly and then bi-monthly progress meetings with 2C, to answer questions and provide information and assist with the preparation for commencement of work. After several meetings without any progress from 2C regarding mobilization plans and documentation, TriMet was notified by 2C that they wanted to withdraw their bid because they felt that the pricing that they submitted was too low.

As a result of 2C withdrawing their bid, and all remaining bids resulting from the original solicitation being over 90 days old, a new solicitation needed to be conducted for the SE Region Services. TriMet issued an ITB on February 16, 2017. On March 14, 2017, TriMet received eleven (11) bids. 2C was again the lowest responsive bidder.

Given the recent history, Procurement and Contracts staff requested information from 2C as a matter of a responsibility determination to make sure that, if awarded, they would be able to perform the Services and adhere to the requirements of the ITB. Normally, vendors are given three business days to provide information when requested, but 2C was given two weeks to gather the necessary information and provide it to TriMet. Following the initial request for information, Procurement and Contracts staff followed up with 2C several times over the phone and via email to make sure they understood what information was being requested and why. The request for information was sent on March 17, 2017 with a due date of March 31, 2017. 2C submitted their response on March 31, 2017, but failed to provide the specific information requested. The other information that was submitted was insufficient and did not comply with the requirement of the ITB. 2C was found not responsible and their bid was rejected.

The second lowest responsive bid was submitted by Environmental Business Solutions, Inc. (EBS). The same information that was requested of 2C was requested of EBS, and they were able to provide the information immediately, were found to be responsible and awarded the contract.

At its April 26, 2017 meeting, the Board authorized TriMet to award a contract to EBS for the SE Region. Following Board authorization, staff met with EBS to review expectations, mobilization plans, basic next steps, and to answer any questions the vendor had with regards to the start up of their contract, as they needed to acquire resources, equipment, and hire additional staff to mobilize prior to their July 1, 2017 contract start date.

Starting with the commencement of EBS' contract on July 1, 2017, they consistently failed to meet the performance standards set forth the contract's Scope of Work by not cleaning shelters as per the Master Schedule, including, but not limited to graffiti removal, trash emptying, etc.; not completing Supervisor Inspections and reports and turning them in within 2 days of the completed cleanings; the GPS (route tracking tool) and sign-off sheets not being completed for

locations and or correlating; not attending scheduled meetings; not reporting hazardous conditions; and averaging four or more customer complaints per week. Staff from Facilities Management held weekly progress meetings with EBS to encourage performance; but after several months without improvement, a Cure Letter and a Final Warning Letter, EBS' contract was terminated for default on February 25, 2018.

6. Procurement Process

As a result of EBS' contract termination, and all remaining bids resulting from the original solicitation for this region being over 90 days old, a new solicitation needed to be conducted for the Services. Staff decided to conduct a Request for Proposals (RFP) to be able to consider vendor qualifications, equipment inventory, and the ability of the vendor to commence work in a short period of time in addition to price in selection of the contractor. TriMet issued a RFP on January 12, 2018. On February 12, 2018, TriMet received six (6) proposals in response to the RFP:

- 2C Building Services, LLC
- DBI Services, LLC
- Columbia Pressure Washing, LLC
- Recology Portland, Inc.
- Ortiz & Associates, Inc.
- Willamette Building Services, LLC

The proposals from 2C and Willamette Building Services, LLC were deemed non-responsive because both firms submitted proposals with little or no detail.

A Source Evaluation Committee (SEC) comprised of staff from the Facilities Management department was appointed to review and evaluate the proposals. The evaluation criteria in the RFP included: (1) qualifications of the firm, staff, and diversity; (2) project understanding/work plan; and (3) price proposal. After evaluating the proposals, CPW, Recology Portland, Inc. (Recology) and Ortiz & Associates, Inc. (Ortiz) were shortlisted to the competitive range and the SEC opened price proposals from those three firms. After opening price proposals, Recology was removed from the competitive range. Site visits were then scheduled with CPW and Ortiz to see their operating facilities and equipment inventory. Following site visits, the SEC determined that both competitive range finalists were technically qualified and were asked to submit a Best and Final Offer (BAFO) to clarify questions that came up during site visits and to revise pricing. Overall proposal scores of the two firms after site visits and BAFOs are summarized in the table below:

	Possible Points	Columbia Pressure Washing, LLC	Ortiz & Associates, Inc.
Evaluation Criteria			
Qualifications of the Firm, Staff, and Diversity	20	17.5	15.8
Project Understanding – Work Plan	30	26.0	20.8
Price Proposal	50	50.0	29.7
Total Score	100	93.5	66.3
Pricing		\$1,295,281.20	\$2,181,740.80

It was determined that CPW demonstrated the experience, qualifications, and a strong understanding of the work and is hereby being recommended for award. The proposed contract with CPW will have a base term of one-year, with four one-year options, for a maximum five-year term. Contract pricing is based on per service rates. No rate increases will be allowed during the base term of the contract. Any rate increases during the renewal terms (option years) will be subject to TriMet approval, and will be tied to the Consumer Price Index (CPI-W), All-Urban Workers, for the Portland-Salem area. The base term estimated contract amount is:

Columbia Pressure Washing, LLC

•Initial one-year base term	–	\$ 259,056.24
•5-year contract total	–	\$1,295,281.20

The final total contract amount will be based on the agency's actual usage, which will vary annually according to the frequency of shelter cleanings and the number of shelters serviced.

The total price of the contract of \$1,295,281.20 is 6% above TriMet's independent cost estimate (ICE) for this procurement of \$1,212,957.00 for a 5-year contract term. The ICE was based on TriMet's current contract pricing, including escalation, but did not account for new Oregon minimum wage laws and increased labor rates over the next five years.

7. Diversity

While a minority owned business, CPW is not certified. However, they intend to become certified and will seek the assistance of TriMet's Diversity and Transit Equity Department to pursue certification. Their workforce is 100% minority and 25% female. The total employee count of the company is 8. CPW will perform the SE Region bus shelter cleaning services via the use of its own employees; they will not use subcontractors.

8. Financial/Budget Impact

Bus shelter cleaning costs are budgeted as an element in the Facilities Management department's operating budget for FY2018 and beyond.

9. Impact if Not Approved

Should the Board choose to not approve this contract, it could direct Facilities Management to provide shelter cleaning services utilizing TriMet staff. TriMet, however, is not currently staffed and/or equipped to perform these functions, and doing so would mean that TriMet would have to find additional funds to hire enough staff and equipment to perform the functions as solicited, which would be at a greater cost than the proposed contract.

RESOLUTION 18-03-25

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH COLUMBIA PRESSURE WASHING, LLC FOR BUS SHELTER CLEANING SERVICES FOR THE SOUTHEAST REGION

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract with Columbia Pressure Washing, LLC for bus shelter cleaning services (Contract); and

WHEREAS, the total amount of the Contract is expected to exceed \$1,000,000; and

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

NOW, THEREFORE, BE IT RESOLVED:

1. That the Contract shall be in conformance with applicable laws.
2. That the General Manager or his designee is authorized to execute the Contract in an amount not to exceed \$1,295,281.20.

Dated: March 28, 2018

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department