


Date: March 25, 2020
To: Board of Directors
From: Doug Kelsey 
Subject: RESOLUTION NO. 20-03-16 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH CHICK OF ALL TRADES, LLC (C.O.A.T) FOR EMPLOYEE IN CHARGE ON-CALL MONITORING 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 with Chick of All Trades, LLC (C.O.A.T) for Employee-in-Charge On-Call Monitoring 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 approval is required for goods and services 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

In June 2018 TriMet Safety and Security implemented additional safety measures concerning track safety. These additional measures added the safety requirement of an additional person, an Employee-in-Charge (EIC), to be present on site during all activities that occur within four (4) feet of the outside rail of the track. This is also referred to as the "Foul Zone." This proposal funds the required EICs needed to work alongside TriMet's contracted workers to promote safety near the trackway.

7. Description of Procurement Process

TriMet issued an Invitation To Bid (ITB) for Employee-in-Charge On-Call Monitoring Services on January 31, 2020. On February 24, 2020, TriMet received two bids; one from Chick of All Trades LLC, and one from Global Signals Group. The bids from the two vendors are as follows:

BIDDER	CHICK OF ALL TRADES, LLC (C.O.A.T)	GLOBAL SIGNALS GROUP
BID PRICE (5 year total)	\$1,695,000	\$2,465,175

The proposed contracts with the vendor will be for a 5-year term, with TriMet's unilateral option to terminate for convenience if the contract must be terminated for any reason during the 5-year term.

The total price of the contract compares favorably to TriMet's independent cost estimate (ICE) for this procurement of approximately \$2,500,000 for a 5-year contract term. The ICE was based on TriMet's current contract pricing (including escalation) for previous work.

The total contract amount awarded to C.O.A.T is \$1,695,000, which is a cost savings to TriMet's budget of \$805,000 as compared to the Independent Cost Estimate.

8. Diversity

C.O.A.T. is a Disadvantaged Business Enterprise, as confirmed by the Oregon Certification Office for Business Inclusion and Diversity (COBID). C.O.A.T will be self-performing the work from this Invitation to Bid. Since this is a low-bid contract, TriMet has limited input into the subcontractors C.O.A.T may select to work on the Project. However, TriMet will work with C.O.A.T. to determine if there are additional M/W/ESB/SDVE opportunities available, including potential flagging services.

9. Financial/Budget Impact

TriMet has budgeted in advance for this work and the initial costs are included in the FY20 adopted Facilities Management Operations budget.

10. Impact if Not Approved

If this contract is not approved, TriMet's ability to perform code-required landscape and storm water treatment facility maintenance will be limited to areas located outside of the Foul Zone. This would increase safety risks for employees, contractors and assets, as well as risk code violations and failure of landscape installations. Neglect and maintenance failures often create attractive nuisances, which tend to increase vandalism, encampments, degradation of TriMet property and otherwise negatively impact our customers' experience. Approval is strongly recommended.

RESOLUTION NO. 20-03-16

**RESOLUTION NO. 20-03-16 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A
CONTRACT WITH CHICK OF ALL TRADES, LLC (C.O.A.T) FOR
EMPLOYEE IN CHARGE ON-CALL MONITORING SERVICES**

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract (Contract) with Chick of All Trades, LLC (C.O.A.T.) for the procurement of Employee-in-Charge On-Call Monitoring Services; and

WHEREAS, the total amount of the Contract exceeds \$1,000,000; and

WHEREAS, by Resolution dated October 25, 2017, the TriMet Board of Directors (Board) adopted a Statement of Policies requiring it 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 conform with applicable law.
2. That the General Manager or his designee is authorized to execute the Contract in the amount of not more than \$1,695,000, over the anticipated five-year period of the Contract.

Dated: March 25, 2020

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:

Gregory E. Skillman

Legal Department

