

Date: October 27, 2021

To: Board of Directors

From: Sam Desue, Jr.

Subject: RESOLUTION NO. 21-10-46 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT MODIFICATION WITH NORTH COAST ELECTRIC COMPANY TO UPGRADE LED LIGHTING FIXTURES AND CONTROLS AT NINE TRIMET FACILITIES

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 modification (Modification) with North Coast Electric Company (North Coast) to upgrade LED lighting fixtures and controls at nine TriMet facilities.

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): State Price Agreement (Piggyback)

4. Reason for Board Action

Board authorization is required for all 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

On March 24, 2021 via Resolution No. 21-03-14, the Board authorized the General Manager to execute a modification to a publicly procured community purchase agreement with North Coast in the amount of \$348,633, in order to purchase lighting fixtures to upgrade interior and exterior lighting at TriMet’s Gateway Transit Center and Robertson Tunnel bores. The original contract award to North Coast, in the amount of \$1,110,189, was to upgrade lighting at TriMet’s bus garages and rail yards, and was authorized on December 9, 2020 by

Resolution No. 20-12-47. The modification of the contract brought the total authorized contract amount to \$1,458,822.

The North Coast contract is a “piggyback” procurement to a competitively bid State of Oregon Price Agreement (#8498). The “piggyback” procurement methodology allows TriMet to take advantage of competitively bid unit pricing for the LED lighting fixtures and controls for all current TriMet locations included in this project, and potential additional locations, without implementation of a project-specific procurement process. Because North Coast’s pricing to TriMet is based upon the State of Oregon’s competitively bid agreement and is in line with TriMet Facilities’ Independent Cost Estimate (ICE) pricing, use of the State of Oregon Price Agreement provides the best value for TriMet.

As a result of a Crime Prevention Through Environmental Design (CPTED) training provided by TriMet Safety and Security, Facilities Management staff identified three additional facilities where lighting upgrades would be especially critical: Gresham Garage and Platform, Gresham City Hall Park and Ride, and Clackamas Garage and Platform. North Coast furnished TriMet price quotations of \$14,001 for fixtures and controls at the Gresham Garage and Platform, \$5,368 for fixtures and controls at the Gresham City Hall Park and Ride, and \$49,017 for fixtures and controls at the Clackamas Garage and Platform. If installed, the total cost for these three upgrades would be \$68,386.

Energy Trust of Oregon (ETO) is currently estimating the Incentive (rebate) and ongoing energy savings amounts for upgrading the lighting and controls at these three sites. TriMet’s partnership with ETO has been very positive for both agencies, and ETO has taken the initiative to offer TriMet the opportunity to participate in unanticipated rebates for lighting upgrades as they become available. Because staff must act quickly to implement such projects when they arise, this Resolution seeks authorization to modify TriMet’s contract with North Coast as future opportunities occur, in an amount greater than the \$68,386 for the three upgrades discussed above.

In the event that additional ETO rebate and project funding opportunities become available, Facilities proposes to implement lighting upgrades at the locations listed below. Each of these locations is unique, and must be assessed at the time the project opportunity arises in order to determine exact upgrade costs and potential ETO rebate amounts. To describe the scope of the advance contract modification approval requested by this Resolution, Facilities staff worked with North Coast to establish the following Rough Order of Magnitude (ROM) Cost Estimates for each location:

Location	ROM Cost Estimate
Parkrose Transit Center	\$15K
82 nd Avenue Transit Station	\$10K
60 th Avenue Transit Station	\$10K
Sunset Parking Garage	\$30K
Elmonica – 170 th Avenue Transit Station	\$30K
Willow Creek Transit Center	\$15K
Total . . .	\$110K

The pricing for any future contract modifications would remain consistent with the pricing obtained via the publicly bid State of Oregon Price Agreement.

This Resolution authorizes a Modification of \$178,386 to the North Coast contract, increasing the current contract authority from \$1,458,822 to \$1,637,208, through the June 30, 2023 end of the contract. The Modification will allow the purchase of LED lighting fixtures and controls for the Gresham Garage and Platform, Gresham City Hall Park and Ride, the Clackamas Garage and Platform, as well as authorize expenditures for the six locations listed above as soon as the opportunity arises. The pricing for the Modification would reflect the same pricing in the competitively bid State of Oregon Price Agreement, with TriMet again “piggybacking” on the state contract.

7. Description of Procurement Process

The contract was procured pursuant to a State of Oregon Price Agreement (#8498) (piggyback).

8. Diversity

North Coast’s workforce is 13.5% minority and 17.4% female, and its total employee count is 741.

9. Financial/Budget Impact

Funding for the LED lighting is included in the Maintenance Operations division’s FY2021-FY22 operating budget.

10. Impact if Not Approved

The lighting fixtures at all of the above-mentioned TriMet facilities are at the end of, or beyond the end of their expected useful lives, and are in need of replacement. Their anticipated failures present significant safety hazards and an ongoing operational risk that should be remediated. Although the ETO Incentives (rebates) for replacement of these fixtures will vary in the future and may not reach the 70% - 100% of the total fixture cost offered for the initial locations, ETO Incentives are expected to remain significant. Thus, Board approval of this Resolution will allow TriMet to take advantage of these anticipated cost savings.

RESOLUTION NO. 21-10-46

**RESOLUTION NO. 21-10-46 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A
CONTRACT MODIFICATION WITH NORTH COAST ELECTRIC COMPANY
TO UPGRADE LED LIGHTING FIXTURES AND CONTROLS AT NINE
TRIMET FACILITIES**

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract modification (Modification) with North Coast Electric Company to upgrade LED lighting fixtures and controls at nine TriMet facilities; and

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

WHEREAS, the total amount of the Modification exceeds the amount previously authorized by the Board;

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 Modification in the amount of not more than \$178,386, increasing the total authorized contract amount from \$1,458,822 to \$1,637,208, through the June 30, 2023, contract term.

Dated: October 27, 2021

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:

Gregory E. Skillman

Legal Department