


Date: October 25, 2023

To: Board of Directors

From: Sam Desue, Jr. 

Subject: **RESOLUTION NO. 23-10-54 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH ADVANCED TRIBAL, LLC FOR ON-CALL BUS SHELTER REPAIR, MAINTENANCE AND INSTALLATION 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 (Contract) with Advanced Tribal, LLC (Advanced Tribal) for On-Call Bus Shelter Repair, Maintenance and Installation 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 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 Maintenance Operations department is responsible for approximately 1060 bus shelters located throughout TriMet’s service boundaries. These shelters are installed in the following areas:

- 365 shelters in the area north of East Burnside to Jantzen Beach, and east of the Willamette River to Troutdale;

- 310 shelters in the area south of East Burnside, and east of the Willamette River to Oregon City and Estacada;
- 322 shelters in the area west of the Willamette River to Tualatin, King City, and Forest Grove; and
- 62 shelters along the FX/Division line, from 11th & Division in SE Portland to Eastman Parkway in Gresham.

TriMet's Maintenance Operations department utilizes contractors on an on-call basis to assemble and install new and used shelters, refurbish used shelters, remove discontinued or damaged shelters, as well as repair shelters and amenities.

At its March 22, 2023 meeting, the Board, in its role as the TriMet Contract Review Board, approved Resolution No. 23-03-12, which granted a contract-specific special procurement exemption from the competitive bidding process. The exemption limited the pool of competition to Certification Office for Business Inclusion and Diversity (COBID) certified firms, using a competitive RFP process.

7. Description of Procurement Process

Prior to issuance of the solicitation, the Procurement staff conducted outreach to a large pool of COBID-certified firms that had been identified as having the expertise to perform the Services. The RFP was issued on June 30, 2023, with a proposal due date of August 7, 2023. A total of 591 firms were notified of the RFP via TriMet's eProcurement System (TriP\$), of which seven firms submitted proposals. All seven were deemed "responsive" and their proposals were forwarded to the Source Evaluation Committee (SEC) for review and scoring.

Proposals were received from the following firms:

- Advanced Tribal LLC
- ASA Construction LLC
- Crystal Clear Construction
- Ortiz and Associates, Inc.
- Red Bull Development LLC
- Restore Nuisance Abatement
- RJ Ramos Enterprises, Inc.

The SEC, comprised of staff from TriMet's Facilities Management and Transit Equity and Inclusion Departments, reviewed and evaluated all proposals. The SEC scored the proposals in accordance with the evaluation criteria established in the RFP. The evaluation criteria included: (1) qualifications of the proposer; (2) qualifications of staff; (3) workforce diversity; (4) understanding of the work; and (5) price.

After evaluating the proposals, the SEC shortlisted Advanced Tribal, Ortiz and Associates, Inc., and Restore Nuisance Abatement to the competitive range, and eliminated ASA Construction, Crystal Clear Construction, Red Bull Development, and RJ Ramos Enterprises from competition. The SEC then opened the price proposals of the vendors in the Competitive Range.

Vendor scores in the Competitive Range are summarized below:

Criterion (points)	Advanced Tribal	Ortiz and Associates	Restore Nuisance Abatement
Qualifications of the Proposer (15)	13.8	13.4	11.2
Qualifications of Staff (15)	13.8	12.4	11.4
Workforce Diversity (10)	9.8	8	9.4
Understanding of the Work (40)	36.6	34.2	30.8
Total Technical	74	68	62.8
Price Proposal/Cost (20)	7	14	20
Total Points	81	82	82.8

The SEC then asked Advanced Tribal, Restore Nuisance Abatement, and Ortiz and Associates to attend in-person interviews to discuss key points of their individual proposals, and then submit Best and Final Offers (BAFOs) to revise pricing. In preparation for these meetings, TriMet requested that each proposer answer a series of identical questions specific to the equipment to perform the work, safety and quality control plan, staffing and work plan.

The SEC met with the firms the week of September 18, 2023 to interview and discuss their written responses to the questions and their individual proposals. After the interviews concluded, the SEC re-evaluated and re-scored each firm.

The final scores are as follows:

Criterion (points)	Advanced Tribal	Ortiz and Associates	Restore Nuisance Abatement
Qualifications of the Proposer (15)	14	11.20	11.40
Qualifications of Staff (15)	13.80	11.20	12
Workforce Diversity (10)	9.60	8.20	9.60
Understanding of the Work (40)	37	32.60	34
Total Technical	74.40	63.20	67
Price Proposal/Cost (20)	19.61	19.95	20
Total Points	94.01	83.15	87
Pricing Total (5 Years)	\$10,227,755	\$10,054,505	\$10,027,188

TriMet determined that Advanced Tribal’s price proposal/cost is fair and reasonable, based on comparison with the other firms’ price proposal/costs.

The proposed Contract will be for a five-year term. Price adjustments will be permitted on an annual basis, at TriMet’s discretion, and will be limited to the Consumer Price Index – All Urban Wage Earners and Clerical Workers (CPI-W), for the Portland-Salem area Western

Region, Pacific Division – Class A. The applicable CPI-W will be the most recently published figure as of the anniversary date of the Contract.

8. Diversity

Advanced Tribal LLC is a wholly-owned Native American business and DBE/MBE certified. Their total workforce is 100% minority and 40% female. In its proposal, Advanced Tribal stated that all work will be self-performed.

9. Financial/Budget Impact

Bus Shelter Repair, Maintenance and Installation costs are budgeted as an element of the Facilities Management department's annual operating budget. TriMet has sufficient FY2024 funds budgeted for the Project's scope of work.

10. Impact if Not Approved

TriMet's alternative would be to hire and train ATU staff to perform this work. The Agency would then need to procure the equipment to repair and maintain the shelters, including crane trucks, articulating boom lifts, flatbed trucks, glass trucks and flatbed trailers, as well as appropriate power tools and hand tools to perform the services as solicited. Because this alternative would cost far more than the proposed contract, it is not preferred.

RESOLUTION NO. 23-10-54

**RESOLUTION NO. 23-10-54 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A
CONTRACT WITH ADVANCED TRIBAL, LLC. FOR ON-CALL BUS
SHELTER REPAIR, MAINTENANCE AND INSTALLATION SERVICES**

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract with Advanced Tribal, LLC for On-Call Bus Shelter Repair, Maintenance and Installation Services (Services); and

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

WHEREAS, the total amount of the Contract exceeds \$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 an amount not to exceed \$10,227,755, through the five-year Contract term.

Dated: October 25, 2023

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department