

Date: July 27, 2016

To: Board of Directors

From: Neil McFarlane *Neil McFarlane*

Subject: RESOLUTION 16-06-49 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH AMEC FOSTER WHEELER ENVIRONMENT & INFRASTRUCTURE, INC. FOR INDUSTRIAL HYGIENE CONSULTING SERVICES

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 Amec Foster Wheeler Environment & Infrastructure, Inc. (“Amec”) for industrial hygiene consulting services (“Services”).

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other _____

3. Reason for Board Action

Board approval is required for personal services contracts obligating TriMet to pay in excess of \$150,000.

4. Type of Action:

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

5. Background

Industrial hygiene is a science devoted to the anticipation, recognition, evaluation, prevention, and control of those environmental factors arising from the workplace which may cause occupational related sickness, impaired health and well being, or significant discomfort among workers. This contract will provide for industrial hygiene assessments throughout a variety of TriMet work environments, including offices, maintenance shops, railroad right-of-way, and bus/rail vehicles. Assessments will include, but are not limited to, potentially excessive noise, inhalation exposures to chemicals and other air contaminants, lighting quality, etc.

6. Procurement Process

TriMet utilized a competitive Request for Proposals (“RFP”) process to select a contractor to provide the Services.

TriMet received four proposals in response to the RFP. All four firms have provided these Services to TriMet in the past. An Evaluation Committee (“EC”) consisting of staff from TriMet’s Safety and Security Division was appointed to review the proposals. The EC evaluated the technical proposals based on the criteria set forth in the RFP, including Experience and Qualifications of Firm; Experience and Qualifications of Key Staff; Workforce Diversity and Proposed Subcontractors; and a Work Plan. After evaluating technical proposals, Amec’s technical score was much higher than the other proposers, but the EC felt that both BSI EHS Services and Solutions (“BSI”) and PBS Engineering and Environmental (“PBS”) demonstrated the technical capability to provide the Services, and therefore, decided to open price proposals of these three proposers.

Due to the fact that the three remaining proposers all performed these services for TriMet in the past, the EC determined that interviews were not necessary. Amec’s proposal was the highest scoring and represented the overall best value to TriMet. The EC noted that Amec has a more robust staff than the other proposers, has far more experience with transit agencies and transit related projects, and would employ professionals who have expertise in the industrial hygiene areas specific to TriMet’s needs. TriMet asked Amec to submit a Best and Final Offer (“BAFO”) reflecting a revised price proposal. The EC elected not to request a BAFO from BSI or PBS because the EC determined that neither BSI nor PBS would be able to increase their overall score enough with a BAFO price proposal to be considered over Amec. TriMet received Amec’s BAFO on June 22, 2016. The BAFO price is \$173,700.00 for the two-year base term and \$260,550 for the three option years. This represents a 1%-3% reduction in proposed hourly rates from their initial proposal. TriMet staff performed a cost analysis of Amec’s BAFO price and determined that the costs are fair and reasonable.

The table below shows the scoring of the three proposers (technical and price):

Criteria	Possible Points	Amec	BSI EHS Services and Solutions	PBS Engineering and Environmental
Qualifications of Firm and Staff	40	35	26	28
Work Plan/Project Approach	30	26	24	19
Technical Score	70	61	50	47
Total Price Score	30	22	19	30
Total Score	100	83	69	77

7. Diversity

Amec's current workforce is comprised of 30% female and 15% minority employees. They intend to self-perform a majority of the services, but have identified two areas of work for potential D/M/W/ESB utilization: industrial hygiene technician services and lab analysis. Amec estimates 15% D/M/W/ESB participation under this contract.

8. Financial/Budget Impact

This Resolution authorizes TriMet to contract with Amec for the Services in the estimated amount of \$434,250.00 for a base term of two years with three one-year options at TriMet's sole discretion. The Services are included in the Safety and Security budget. The estimated amount of the contract is based on hourly rates for various professionals on staff plus a small fee for each lab test to be performed. No rate increases are allowed during the base term. Rate increases during the renewal terms will be subject to TriMet approval, and will be tied to the Portland area Consumer Price Index. The actual contract amounts will be based on TriMet's actual usage, which will vary annually based on needs.

9. Impact if Not Approved

TriMet could re-procure the contract. This option is not recommended because Amec is well qualified to perform this work, and it is unlikely that TriMet would receive additional proposals through a re-procurement.

RESOLUTION 16-06-49

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH AMEC FOSTER WHEELER ENVIRONMENT & INFRASTRUCTURE, INC. FOR INDUSTRIAL HYGIENE CONSULTING SERVICES

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract with Amec Foster Wheeler Environment & Infrastructure, Inc. ("Amec") for industrial hygiene consulting services; and

WHEREAS, the total amount of the Contract shall exceed \$150,000; and

WHEREAS, the TriMet Board of Directors ("Board"), by Resolution dated November 25, 2009, adopted a Statement of Policies requiring the Board to approve personal services contracts obligating TriMet to pay in excess of \$150,000;

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.

Dated: July 27, 2016

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department