

**Date:** October 26, 2022

**To:** Board of Directors

**From:** Sam Desue, Jr.



**Subject:** **RESOLUTION NO. 22-10-59 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH TRANSDEV SERVICES, INC. (TRANSDEV) FOR PARATRANSIT ELIGIBILITY ASSESSMENT SERVICES**

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**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 Transdev Services, Inc. (Transdev) for Paratransit Eligibility Assessment 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: 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 1<sup>st</sup> Reading  
 Ordinance 2<sup>nd</sup> Reading  
 Other \_\_\_\_\_

**6. Background**

As a part of determining eligibility for LIFT service, TriMet's Accessible Transportation Program (ATP) conducts functional ability assessments of the skills needed to use fixed route

services to determine if applicants are eligible for LIFT paratransit services under the standards of the Americans with Disabilities Act (ADA).

Approximately one-half of transit agencies nationwide use an in-person assessment process to determine eligibility for paratransit services. Transit agencies handle these assessments in one of three ways:

- 1) In-house (which TriMet has determined to be cost-prohibitive);
- 2) Through the use of hospitals and other medical facilities (which TriMet has determined places too great of a burden on our customers, as it requires multiple medical appointments); and
- 3) Through the use of third party contractors, which TriMet feels best balances the needs of the agency and the needs of our customers.

Market research, as well as the expertise of TriMet's ATP staff, has shown that the number of firms providing paratransit eligibility services nationwide is very small, which limits competition. In fact, for the past two solicitations for these services, TriMet received only one proposal. However, in response to our most recent solicitation, TriMet received two proposals from the two largest national firms.

#### **7. Description of Procurement Process**

TriMet utilized a competitive Request for Proposals (RFP) process to select a contractor to provide the Services. The RFP was issued on September 6, 2022, with a proposal due date of September 27, 2022. A total of 210 vendors were notified of the RFP via TriMet's eProcurement System (TriP\$). Two (2) proposers, Medical Transportation Management (MTM) and Transdev, submitted proposals.

A Source Evaluation Committees (SEC) comprised of staff from TriMet's Accessible Transportation Programs, Intelligent Transportation Systems, and Legal Services Departments evaluated the two submissions for their Technical Proposals and Price Proposals. The evaluation criteria for Technical Proposals included (1) qualifications of proposer, key staff and workforce diversity, and (2) understanding the work (which included experience and technical competency of firm and its approach to the work).

After reviewing initial technical scores, the SEC determined that Transdev was the highest scoring proposer, even when the Price Proposals were considered, as shown by the scoring details below:

	Possible Points	Transdev	MTM
<i>Evaluation Criteria</i>			
Qualifications of Proposer, Staff, and Diversity	40	36	28.25
Understanding of the Work	30	28.75	22.5
<b>Technical Proposal Totals . . .</b>	<b>70</b>	<b>64.75</b>	<b>50.75</b>
<b>Price Proposal . . .</b>	<b>30</b>	<b>30.0</b>	<b>25.5</b>
<b>Total Score . . .</b>	<b>100</b>	<b>94.75</b>	<b>76.25</b>
<b>Pricing . . .</b>		<b>\$7,611,840.86</b>	<b>\$8,971,488.71</b>
<i>Independent Cost Estimate (ICE) . . .</i>		\$6,330,364.57	

Although the SEC already had determined that Transdev was the superior proposer, the SEC requested a Best and Final Offer (BAFO) from Transdev. Transdev’s BAFO, received on October 5, 2022, lowered its overall contract price to \$7,600,283. After its price reduction, Transdev’s price proposal was \$1,371,205 less than the price offered by its competitor, MTM.

The SEC was unanimous in its decision to award the contract to Transdev. The SEC concluded that Transdev offers a highly skilled management team, possesses a deep understanding of the technical component of the work, provides responsive and proactive corporate support, and brings state-of-the-art technology to the Services.

The proposed contract with Transdev will be for a five-year term, with TriMet retaining the unilateral option to terminate for convenience for any reason during that period. TriMet found Transdev’s price to be fair and reasonable based on comparison with MTM’s price and with the ICE of \$6,330,364, over the five-year contract term. Price adjustments will be permitted in accordance with Transdev’s price proposal.

**8. Diversity**

Transdev’s total national employee count is 16,363, and its workforce is 78% minority and 27% female.

**9. Financial/Budget Impact**

The services are budgeted in ATP’s FY2023 Budget.

**10. Impact if Not Approved**

TriMet could re-procure the contract. However, this option is not recommended because Transdev is a well-qualified firm and has offered fair and reasonable pricing. Re-procurement would not result in more competition or a better result.

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TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING  
A CONTRACT WITH TRANSDEV SERVICES, INC. (TRANSDEV) FOR  
PARATRANSIT ELIGIBILITY ASSESSMENT SERVICES**

**WHEREAS**, TriMet has authority under ORS 267.200 to enter into contracts with vendors to provide paratransit eligibility assessment services (Contract); and

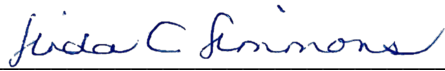
**WHEREAS**, by Resolution dated May 22, 2022, the TriMet Board of Directors (Board) adopted a Statement of Policies requiring the Board to authorize goods and services contracts obligating TriMet to pay in excess of \$1,000,000; and

**WHEREAS**, the total amount of the 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 of \$7,600,283, with actual expenditures based on the cost of Services provided over the Contract's five-year term.
3. That the General Manager or his designee is authorized to execute modifications to the Contract to pay for unanticipated additional expenditures in an amount not to exceed \$760,028 (10% of the Contract amount), over the Contract term.


Dated: October 26, 2022

  
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Presiding Officer

Attest:

  
\_\_\_\_\_  
Recording Secretary

Approved as to Legal Sufficiency:

  
\_\_\_\_\_  
Legal Department