

Date: December 12, 2018

To: Board of Directors

From: Doug Kelsey 

Subject: **RESOLUTION 18-12-83 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH COMPLETE COACH WORKS FOR DRIVER PROTECTION SYSTEM UNITS FOR NEW FLYER AND GILLIG BUSES**

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 Complete Coach Works (CCW) to procure Driver Protection System (DPS) units for 478 New Flyer and Gillig buses.

2. Type of Agenda Item

- Initial Contract
 Contract Modification
 Other _____

3. Reason for Board Action

Board approval is required for goods and services contracts obligating TriMet to pay in excess of \$1,000,000.

4. Type of Action

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

5. Background

In 2016, TriMet established a Security Continuous Improvement Team (CIT) to address the growing concern of assaults against TriMet employees, and bus operators in particular. The Security CIT was comprised of bus operators from each of the garages, bus transportation trainers, field supervisors, ATU representatives, transportation managers, TriMet security staff, Transit Police, and the Deputy District Attorney assigned to TriMet.

During that year there were approximately 35 assaults and 35 acts of intimidation/criminal threats against bus operators. This trend continues with an average of 40 assaults since that time. The trend of assault against bus operators is similar to that of many transit agencies nationally and internationally.

The Security CIT developed several strategies to address the issue, including bus operator assault awareness and prevention training, revision of fare enforcement protocols on board buses, increased sanctions against aggressive passengers, support services to bus operators, and bus operator protective panels. These measures are in keeping with the recommendations made by FTA’s Transit Advisory Committee for Safety (TRACS) Report 14-01 – Preventing and Mitigating Transit Worker Assaults in the Bus and Rail Transit Industry. TRACS also recommended the installation of protective panels in bus operating cabs.

In 2017, the Security CIT initiated the study of available protective panels. Protective panels provide bus operators security and protection from potential assault, as they shield bus operators from aggressive passenger behaviors. These ranged from full cab enclosures, to non-sliding glass panels atop the upper portion of half a door that partially partitions the operating cab, to sliding panels atop half doors. After reviewing the various options, the CIT field tested two panel types – both with sliding glass panels. Sliding panels allow the operator to adjust the degree of enclosure.

Six buses were equipped with the two panel types and field tested over a period of several months. Bus operators were then surveyed to gauge the degree of acceptance. Most bus operators favored the barriers. At the end of the survey period, the Security CIT recommended the procurement of the protective panels with extended glass. These panels are similar to those used by the Washington Metropolitan Transit Authority (WMATA) in Washington, DC.

This contract is for a Driver Protection System that will be used to prevent and/or halt unsolicited and inappropriate interactions between TriMet’s bus operators and passengers. CCW will supply 478 DPS units over the course of 5-years, including installation.

6. Procurement Process

TriMet issued an Invitation to Bid for the DPS units on October 23, 2018. TriMet received one (1) bid on November 21, 2018 as follows:

Bid Results	
Driver Protection System	
5-Year Contract Bid Price	
Complete Coach Works	\$2,507,110

Following receipt of bids, but prior to the issuance of the Notice of Intent to Award, staff performed a responsibility determination and determined that CCW is responsive and responsible.

The proposed contract with CCW will be for five (5) years, with the number of DPS units installed being spread out over the duration of that time period as follows:

Contract years one and two:

- Powell Garage – 141 buses
- Center Garage – 59 buses

Contract year three:

- Center Garage – 100 buses

Contract year four:

- Center Garage – 22 buses
- Merlo Garage – 67 buses

Contract year five:

- Merlo Garage – 89 buses

Contract pricing is based on a firm fixed rate per unit, including installation. No price increases are allowed for the DPS units during the term of the contract, however installation costs may increase in years 2-5 of the contract term; any rate increases during these years will be subject to TriMet approval, and will be capped at the yearly percentage change in 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 estimated contract amount is:

Complete Coach Works

- 5-year contract total – \$2,507,110

The total amount of the contract of \$2,507,110 is 24.88% higher than TriMet’s independent cost estimate (ICE) for this procurement of \$2,007,600 for the 5-year contract term, which was based on pricing from a previous contract with ArowGlobal for the same DPS units that TriMet used to test on six (6) buses (three (3) New Flyer buses and three (3) Gillig buses); where both the units and installation were provided at “cost.” The ICE did not include travel costs (i.e., airfare, lodging, per diem, etc.).

7. Diversity

CCW is not a certified firm, but their workforce is 66.04% minority and 15.41% female. The total employee count of the company is 318. CCW will ship the DPS units directly to TriMet and use their own employees to install the units.

8. Financial/Budget Impact

The FY2019 Adopted Budget includes \$398,452 to initiate the contract and will be paid for with Capital Improvement Project funds via the Safety and Security division’s budget. Future year budgets will include the remainder of the contract amount, as appropriate.

9. Impact if Not Approved

The Board can choose to not approve this contract. However, in an environment where “creating a culture of safety and service excellence, in which safety is the fundamental value guiding all agency decisions” is of the utmost importance, protecting our operators from potential harm is one of TriMet’s top priorities.

RESOLUTION 18-12-83

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH COMPLETE COACH WORKS FOR DRIVER PROTECTION SYSTEM UNITS FOR NEW FLYER AND GILLIG BUSES

WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract with Complete Coach Works for the purchase of Driver Protection System units for 478 New Flyer and Gillig buses (Contract); and

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

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

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 in an amount not to exceed \$2,507,110.

Dated: December 12, 2018

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department