

Date: May 15, 2019

To: Board of Directors

From: Doug Kelsey 

Subject: **RESOLUTION NO. 19-05-34 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT MODIFICATION WITH KELLY SERVICES, INC. FOR TEMPORARY TECHNICAL STAFFING SERVICES**

1. Purpose of Item

This Resolution requests the TriMet Board of Directors (Board) to authorize the General Manager to execute a Contract Modification with Kelly Services, Inc. (Kelly) for Temporary Technical Staffing Services (Services).

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other _____

3. Reason for Board Action

Board authorization is required for all 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

TriMet’s Information Technology (IT) Division has an ongoing need to supplement current staffing levels on a temporary or project basis, in order to respond quickly and effectively to the needs of TriMet and adapt to changes in the information technology environment. To achieve maximum flexibility while being mindful of taxpayer dollars, TriMet has elected to meet some of these needs by relying upon temporary technical staffing contracts rather than full-time employees. This allows TriMet to utilize the depth of talent available through these contractors and engage workers with very specific skill sets to resolve discrete issues and/or complete projects effectively and efficiently. For example, TriMet has relied on temporary

staff to support TriMet's e-fare project, for web application development, to provide PC and mobile device support, and provide technological expertise on a multitude of customer survey projects.

In April 2014, TriMet issued a competitive Request for Proposals (RFP) for temporary services, and sixteen firms submitted proposals. Pursuant to the RFP, TriMet awarded four requirements contracts (Contracts), with the Services authorized through a task order process. Each of the Contracts had a base term of one year, with four one-year renewal options, at TriMet's sole discretion. Due to the nature of the Services, the scope of work permits both short and long-term assignments. The contractors and IT hire the individual temporary staff and negotiate their hourly rates through a screening and hiring process.

At its June 2015 meeting, the Board approved Resolution 15-06-29, authorizing modifications to the Contracts to increase the not-to-exceed amount for each from \$150,000 to \$350,000. At its July 2017 meeting, the Board approved Resolution 17-07-57, which authorized additional funding for each of the Contracts in a not-to-exceed amount of \$850,000.

IT has continued to use these Contracts. Because Kelly Services has been the most responsive and provided the most qualified candidates, it has been utilized more than the other three contractors. Thus, expenditures under the Kelly Contract are nearing the limit of the Board's authorization due to ongoing supplemental staffing needs, large-scale agency moves and build-outs, and other projects.

This Contract Modification authorizes an additional \$500,000 for the Kelly Services Contract only, increasing the not-to-exceed amount from \$850,000 to \$1,350,000, for the fourteen months remaining on the Kelly Contract.

6. **Procurement Process**

All four Contracts were originally procured through an RFP process and remain in effect through June 30, 2020.

7. **Diversity**

TriMet's original RFP required that each proposer provide a narrative description of how each currently employs minorities and women throughout its workforce. Although Kelly's narrative did not provide percentages of its female and minority employee, TriMet considered Kelly's narrative of its diversity strategy during the evaluation process. Kelly's diversity strategy affirms that it recognizes the need to recruit a diverse workforce, that its employees come from an array of cultures and backgrounds, and that they therefore are able to work more effectively with diverse teams and groups. Kelly further states that it encourages other diverse businesses to partner with Kelly in providing staffing solutions to customers like TriMet.

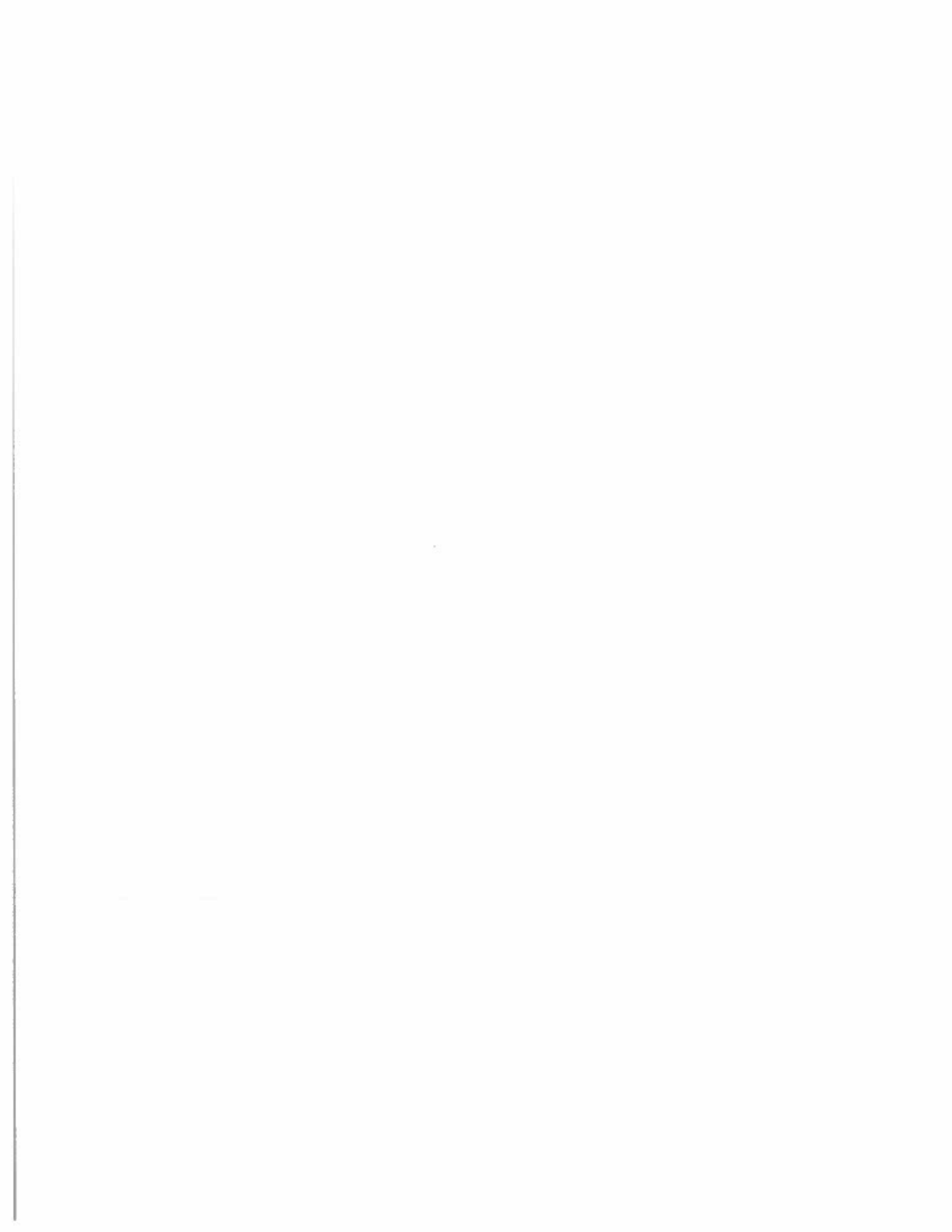
Based on the nature of the Services available from each contractor, TriMet's IT division engages them when a need arises and budgeted funds are available, and then undertakes the screening and interview process to find the most qualified candidate for the temporary work or project in demand. To the extent Kelly can make qualified minority and/or female candidates available for the Services, TriMet's IT division would attempt to engage them.

8. Financial/Budget Impact

The Services are budgeted for in the IT division's operating budget.

9. Impact if Not Approved

TriMet staff is satisfied with the Services obtained under the Kelly Contract to date. Should the Board not approve this Resolution, TriMet would not be able to retain the temporary employees currently provided under the Kelly Contract. Although TriMet can re-procure the Services, this option is not recommended because it will delay obtaining the temporary technical staffing Services necessary to address immediate agency needs. Because the original Contracts were obtained via a competitive process, re-procuring will not be likely to result in better pricing or more qualified vendors.



RESOLUTION NO. 19-05-34

**RESOLUTION NO. 19-05-34 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A
CONTRACT MODIFICATION WITH KELLY SERVICES, INC. FOR
TEMPORARY TECHNICAL STAFFING SERVICES**

WHEREAS, TriMet has authority under ORS 267.200 to enter into a Contract Modification with Kelly Services, Inc. (Kelly) for temporary technical staffing services (Services); and

WHEREAS, the total amount of the current Kelly Contract is \$850,000; and

WHEREAS, the Contract Modification in the amount of \$500,000 will increase the total amount of the Kelly Contract to \$1,350,000; and

WHEREAS, by Resolution dated October 25, 2017, the TriMet Board of Directors adopted a Statement of Policies requiring it to approve personal services contracts obligating TriMet to pay in excess of \$500,000;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Contract Modification shall conform with applicable law.
2. That the General Manager or his designee is authorized to execute the Contract Modification increasing the amount of the Kelly Contract from \$850,000 to an amount not to exceed \$1,350,000, for the approximately fourteen months remaining of the Kelly Contract.

Dated: May 15, 2019

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department

