



**Memo**

**Date:** June 26, 2013

**To:** Board of Directors

**From:** Neil McFarlane

**Subject:** **RESOLUTION 13-06-40 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH MSN COMMUNICATIONS INC., DBA MOUNTAIN STATES NETWORKING, FOR THE PURCHASE OF DATA CENTER NETWORK EQUIPMENT AND CONFIGURATION AND INSTALLATION SERVICES**

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**1. Issue or Purpose of Item.**

The purpose of this item is to request that the TriMet Board of Directors (“Board”) adopt a resolution authorizing the General Manager to execute a contract with MSN Communications Inc., dba Mountain States Networking, for the purchase of data center network equipment and configuration and installation services.

**2. Reason for Board Action.**

Board authorization is required for all goods or services contracts obligating TriMet to pay in excess of \$500,000.

**3. Background.**

TriMet is upgrading the agency network connection between TriMet primary and secondary data center locations. This upgrade will increase the network speed and capacity necessary to support continuity of operations and disaster recovery.

To complete the upgrade, TriMet will need to purchase data center network equipment and engineering services to configure and install the equipment. TriMet intends to award a one (1) year contract to Mountain States Networking (MSN) for purchase of the required equipment and engineering services. This contract will be awarded through the State of Oregon Department of Administrative Services (DAS) Master Pricing Agreement, which fulfills the State of Oregon public bidding requirements for state and local public entities. In addition to the favorable pricing available through the DAS Master Price Agreement, Cisco Systems, TriMet’s current equipment manufacturer, as an incentive to this contract, has authorized through MSN, an additional promotional discount of \$235,000 off of the DAS equipment pricing.

The proposed contract will have a total not-to-exceed amount of \$625,000. This amount includes \$25,000 in excess of the Mountain States Networking pricing to accommodate any modifications that might be needed and additional on-site training or troubleshooting.

**4. Options.**

The Board may adopt this Resolution or could direct TriMet to issue separate or a combined solicitation for the required equipment and engineering services. This option is not recommended as Mountain States Networking has been determined to be a responsible contractor, and the DAS Master Agreement competitive pricing with additional Cisco equipment discount, has been determined to be fair and reasonable. A separate procurement would be unlikely to result in any more favorable pricing.

**5. Recommendation.**

The General Manager recommends that the Board adopt the Resolution.

**RESOLUTION 13-06-40**

**RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH MSN COMMUNICATIONS INC., DBA MOUNTAIN STATES NETWORKING, FOR THE PURCHASE OF DATA CENTER NETWORK EQUIPMENT AND CONFIGURATION AND INSTALLATION SERVICES**

**WHEREAS**, TriMet has authority under ORS 267.200 to enter into a one (1) year contract with MSN Communications Inc. dba Mountain States Networking for the purchase of data center network equipment, and configuration and installation services (“Contract”); and

**WHEREAS**, the total amount of the Contract shall exceed \$500,000; and

**WHEREAS**, the TriMet Board of Directors (Board), by Resolution dated November 25, 2009, adopted a Statement of Policies requiring the Board to approve goods and services contracts obligating TriMet to pay in excess of \$500,000;

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Contract shall be in conformance with applicable laws.
2. That the General Manager is authorized to execute the Contract.

Dated: June 26, 2013

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Presiding Officer

Attest:

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Recording Secretary

Approved as to Legal Sufficiency:

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Legal Department