

**Board Report**

File #: 2016-0035, **File Type:** Contract**Agenda Number:** 28

**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
MARCH 17, 2016****SUBJECT: BUS OPERATOR SAFETY BARRIER INSTALLATION KITS****ACTION: AWARD CONTRACT****RECOMMENDATION**

AUTHORIZE:

- A. the Chief Executive Officer to award a not-to-exceed contract under Bid Number OP17007 to **NABI Parts Inc., for the purchase of Bus Operator Safety Barrier Installation Kits** for a base amount not to exceed \$5,443,449, inclusive of sales tax; and
- B. the amendment of the **FY16 Adopted Budget to add 4 represented full time equivalents** (FTE's).

ISSUE

In July 2015, in response to increased operator assaults on Metro's bus fleet, Metro's CEO directed staff to retrofit all of Metro's existing bus fleet with protective Bus Operator Safety Barriers in order to provide operators additional protection against bus operator assaults. The initial response was in September 2015, when Metro authorized contract modifications with New Flyer of America to retrofit all 900 New Flyer buses delivered under Contract OP33202869 with operator safety barriers. There are 1,300 buses remaining in Metro's fleet that are in need of retrofitting with barriers.

DISCUSSION

Metro is dedicated to increasing the safety of our Operators and customers. No matter how minor, assaults on Operators cause worker absence, productivity losses and increased levels of stress for the victim and their coworkers. Therefore, it is important that Metro continue its preventative measures to address the issue of Operator assaults.

This procurement provides for the purchase and delivery of Bus Operator Safety Barrier "Installation Kits" that will be used to retrofit all remaining buses in Metro's active bus fleet. Staff will install the operator barriers on up to 1,300 buses over the next two years.

Installation includes mounting of brackets to support the barriers, grab rails to secure the barriers in

the closed position and the barriers themselves. The installation process requires 10 hours of work for each bus. Additional work is essential prior to and after the installation of the barrier kits to prepare the buses. The fareboxes need to be removed and reinstalled in order to install the barriers.

Metro will retrofit barriers according to fleet age beginning with the newest series. As buses are retired over the next two years, the number of barriers purchased and installed will correspondingly be reduced until the fleet is fully retrofitted or equipped from the manufacturer.

Metro is recommending that the Board approve 4 additional represented FTE's in the FY16 budget. These additional employees will provide the necessary labor to install the equipment. These additional personnel will be absorbed through attrition following the completion of the program.

DETERMINATION OF SAFETY IMPACT

The installation of protective Bus Operator Safety Barriers is expected to help reduce the rate of operator assaults in Metro's bus fleet.

FINANCIAL IMPACT

Funding of \$500,000 for the components is included in the FY16 budget under multiple bus operating cost centers in project 306002 Operations Maintenance under line 50441, Parts - Revenue Vehicle and in the Central Maintenance Cost Center 3366.

Since this is a multi-year contract, the cost center manager, project managers, and Executive Director, Maintenance will ensure that the balance of funds is budgeted in future years.

Impact to Budget

The source of funds for this procurement will come from Federal, State and Local funding sources that are eligible for Bus and Rail Operating Projects. These funding sources will maximize the use of funds for these activities.

ALTERNATIVES CONSIDERED

Staff considered having operator safety barriers provided only through new vehicle procurements. This approach is not recommended as it would take several years before all Metro buses would be outfitted.

Staff considered using outside contractors to conduct these operator safety barrier installations, but determined that this approach would violate provisions in Metro's current ATU labor contract.

NEXT STEPS

Metro's requirements for bus operator safety barriers will be fulfilled under the provisions of the contract.

ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - DEOD Summary

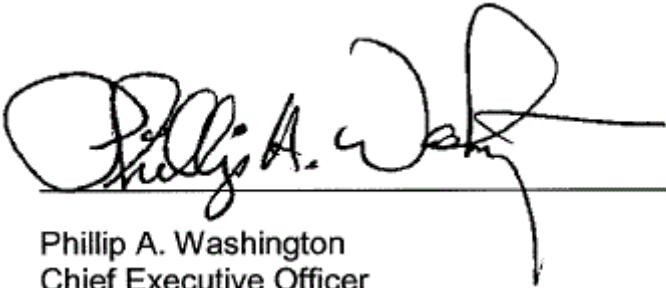
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Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

METRO BUS OPERATOR SAFETY BARRIERS/CONTRACT NO. OP17007

1.	Contract Number: RFP No. OP17007	
2.	Recommended Vendor(s): NABI Parts, LLC	
3.	Type of Procurement (check one): <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	Procurement Dates:	
	A. Issued: 8/26/15	
	B. Advertised/Publicized: 8/25/15	
	C. Pre-proposal/Pre-Bid Conference: 9/9/15	
	D. Proposals/Bids Due: 10/26/15	
	E. Pre-Qualification Completed: 11/17/15	
	F. Conflict of Interest Form Submitted to Ethics: 11/30/15	
	G. Protest Period End Date: 2/24/16	
5.	Solicitations Picked up/Downloaded: 10	Bids/Proposals Received: 3
6.	Contract Administrator: Nathan Jones	Telephone Number: 213/922-6101
7.	Project Manager: John Drayton	Telephone Number: 213/617-6285

A. Procurement Background

This Board Action is to approve a contract under RFP No. OP17007 issued in support of the Metro Bus Operator Safety Barriers.

RFP No. OP17007 was issued in accordance with Metro's Acquisition Policy and the contract type is a not-to-exceed, indefinite delivery, indefinite quantity (IDIQ).

Seven amendments were issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on September 17, 2015, released a schedule for potential proposers' bus visits and inspections of the different Metro bus types for barrier fittings; clarified and responded to potential proposers' questions;
- Amendment No. 2, issued on September 23, 2015 revised the proposal due date and the Schedule of Quantities and Prices Form;
- Amendment No. 3, issued on September 25, 2015, issued an update to the Statement of Work;
- Amendment No. 4, issued on September 29, 2015, clarified and responded to potential proposers' questions;
- Amendment No. 5, issued on October 7, 2015, clarified and responded to potential proposers' questions;
- Amendment No. 6, issued on October 14, 2015, revised the Schedule of Quantities and Prices Form;

- Amendment No. 7, issued on October 15, 2015, revised the proposal due date and the Schedule of Quantities and Prices Form.

A total of three proposals were received on October 26, 2015.

B. Evaluation of Proposers

This procurement method was a *Technically Acceptable Lowest Price, which consists of a 2 step process.

The Proposal Evaluation Team (PET) consisting of staff from, Vehicle Technology, Bus Maintenance, and Engineering, was convened and conducted a technical evaluation of the proposals received.

The proposals were evaluated based on the evaluation criteria on a pass or fail basis as defined in the table below.

Being deemed technically acceptable, the proposer was required to pass all 3 evaluation criteria. If the proposer failed any one of the three evaluation criteria below, the proposer was deemed technically unacceptable and was eliminated for consideration of award; their separately submitted price proposal was not open or considered. It was required that there had to be a consensus among the PET members on the final disposition of each proposer against the defined criteria.

Technical / Non-Technical Evaluation Criteria	
The Proposer/Prime Contractor is required to be actively engaged in the business of providing Bus Driver Safety Barrier Partitions for a minimum of one (1) year	
The Proposer/Prime Contractor must have one (1) client that is a bus transportation authority that operates at least 200 or more buses	
The Bus Transportation authority must have been utilizing these barriers (or substantially similar barriers from this manufacturer) for at least six (6) months	

In Step 1, two of the three proposers were deemed technically acceptable. The firms found to be technically acceptable were Arrow Global and NABI Parts, LLC. In Step 2 the price proposals of the technically acceptable proposers were opened with the lowest price received from NABI. NABI's proposal was deemed to be in full compliance with the RFP requirements.

NO.	Proposer Name	Proposed Amount
1.	NABI Parts, LLC	\$5,443,449
2.	Arrow Global	\$6,629,361
3.	Bentech	NA

C. Cost/Price Analysis

The recommended proposed total price has been determined to be fair and reasonable based upon adequate price competition and selection of the lowest priced responsive and responsible proposer.

Proposer Name	Proposal Price	Metro ICE
NABI Parts, LLC	\$5,443,449	\$8,520,500

D. Background on Recommended Contractor

The recommended firm, NABI Parts, LLC, located in Delaware, OH, is a decade long supplier of OEM transit parts to Metro’s fleet on NABI buses and has provided transit buses to Metro for over 25 years. NABI has developed a Driver’s Barrier System for Metro that provides interchangeability with the Bus Driver’s Barriers currently being manufactured and installed on Metro’s New Flyer Xcelsior fleet. NABI’s service center in Ontario, California specializes in, and will provide, the training of installation and operation of the new Operator Safety Barriers. In June 2013, NABI was acquired by New Flyer Industries. Twenty-four out of the 25 largest transit authorities in the United States and Canada operate either New Flyer or NABI buses or both. Metro operates both.

DEOD SUMMARY

METRO BUS OPERATOR SAFETY BARRIERS/RFP No. OP17007

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) did not recommend a Small Business Enterprise (SBE) goal for this solicitation based on the lack of subcontracting opportunities. This procurement is for the purchase and delivery of commercially available off the shelf installation kits. Metro's project manager confirmed that installation will be performed in-house.

B. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy is not applicable to this contract.

C. Prevailing Wage Applicability

Prevailing wage is not applicable to this contract equipment.