

**Board Report**

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**File #:** 2016-0357, **File Type:** Contract**Agenda Number:** 30

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**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE  
MAY 19, 2016****SUBJECT: BLUE LINE BACK-UP POWER SYSTEM****ACTION: AWARD CONTRACT****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to award a firm fixed price Contract No. OP4978800, a sole source procurement, to **American Power Systems, LLC. (APS), in the amount of \$1,003,974, to furnish and install a replacement back-up power system for the Blue Line.**

**ISSUE**

There were three recent Metro Blue Line (MBL) incidents where the service interruptions were a result of a power failure. In the event of a power outage from the utility provider, the power control system has a secondary battery system that activates to provide uninterrupted supervisory control of the substations. During each incident the battery back-up system failed to provide power to the control devices, resulting in service delays.

These systems are located in twenty-one Communications and Signal Rooms (CSR) along the MBL. The batteries are expired and need replacement in all CSR's. The current system cannot be relied upon to function as intended.

**DISCUSSION**

The MBL back-up power system is a vital part of ensuring safe and uninterrupted service. This procurement is for a replacement of the current back-up battery power system along the alignment. The contract allows APS to furnish and install the battery kits and all required hardware and software. They will also provide and maintain a warranty for the battery system as the sole authorized representative. The life expectancy of the new batteries is 20 years, and will require minimal maintenance. The installation for the entire MBL will be completed within six months of contract award.

**Sole Source Justification**

The significance of this sole source procurement is to ensure continued safe operational ability of the back-up power system. The current back-up power system was provided by C&D Technologies.

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Metro has used the C&D battery systems throughout all of the rail communications sites for the last 25 years. From an operational and technical standpoint, it is imperative to acquire the same type of battery kits for the communications equipment compatibility and standardization system-wide. APS is the only authorized manufacturer's representative for C&D Technologies in the State of California and the only company authorized to install for warranty purposes. Another type of battery kit would require re-engineering of the existing communications equipment which is cost-prohibitive and unreasonable. The procurement was conducted in accordance with current policy on sole source procurements.

### **DETERMINATION OF SAFETY IMPACT**

The back-up battery power system needs to be replaced in order to maintain a safe and reliable system. In the event that the utility company has a power failure and the back-up battery system does not work, there is a potential of a multi-hour service disruption. Passengers will need to exit the train wherever they are stopped along the right of way, and this is a safety risk for everyone on the train.

### **FINANCIAL IMPACT**

Funding is included under Project 211029 for the Blue Line Communications and Signal Building Rehabilitation Project. Funds are allocated in cost center 3960 - Rail Transit Engineering, account 53102 - Acquisition of Equipment, task 04.001 - Parts and Materials.

#### **Impact to Budget**

The source of funding for this project will come from Prop A 35% which are eligible for bus and rail Operating and Capital Projects. This funding source will maximize the use of funds for these activities.

### **ALTERNATIVES CONSIDERED**

One alternative is to not award this Contract and leave the expired batteries in the back-up system. This alternative is not recommended as it will leave Metro susceptible to system delays and additional operational expenses.

A second alternative is to only replace some of the back-up system, instead of the entirety of the line. This alternative is not recommended as power failures along the Blue Line cannot be predicted, and thus would still leave the line vulnerable to system delays.

### **NEXT STEPS**

Upon Board approval, staff will execute Contract No. OP4978800 to American Power Systems and issue a Notice-to-Proceed to start working on this project.

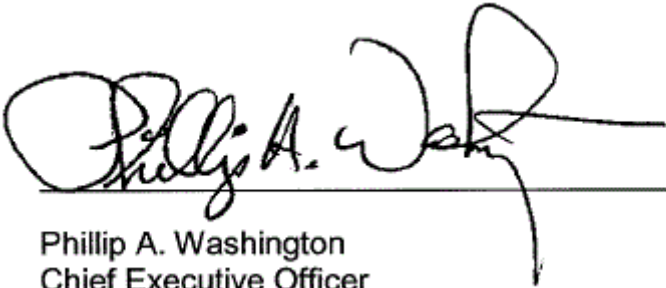
### **ATTACHMENTS**

Attachment A - Procurement Summary

Attachment B - DEOD Summary

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Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

## BLUE LINE BACK-UP POWER SYSTEM /OP4978800

1.	<b>Contract Number:</b> OP4978800	
2.	<b>Recommended Vendor:</b> American Power Systems, LLC	
3.	<b>Type of Procurement (check one):</b> <input type="checkbox"/> IFB <input type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input checked="" type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	<b>Procurement Dates:</b>	
	<b>A. Issued:</b> April 13, 2016	
	<b>B. Advertised/Publicized:</b> N/A	
	<b>C. Pre-Proposal/Pre-Bid Conference:</b> N/A	
	<b>D. Proposals/Bids Due:</b> April 20, 2016	
	<b>E. Pre-Qualification Completed:</b> April 22, 2016	
	<b>F. Conflict of Interest Form Submitted to Ethics:</b> April 20, 2016	
	<b>G. Protest Period End Date:</b> N/A	
5.	<b>Solicitations Picked up/Downloaded:</b> N/A – Sole Source	<b>Bids/Proposals Received:</b> 1 – Sole Source
6.	<b>Contract Administrator:</b> Victor Zepeda	<b>Telephone Number:</b> (213) 922-1458
7.	<b>Project Manager:</b> Roger Largaespada	<b>Telephone Number:</b> (213) 613-2115

**A. Procurement Background**

This Board Action is to approve Contract No. OP4978800 to American Power Systems, LLC (APS) in support of Metro's Rail Communications Back-Up Power System at 21 Blue Line Stations. The Metro Blue Line Back-Up Power System has been in service for over 27 years. In the event a Back-Up Power System fails, public transportation will have to be shutdown.

The RFP was issued in accordance with Metro's Acquisition Policy and the contract type is a firm fixed price.

No amendments were issued during the solicitation phase of this RFP:

The proposal was received on April 20, 2016. This was a sole source procurement because, APS, is the only authorized manufacturer's representative in the entire State of California for C&D Batteries and Uni Power Rectifiers, the type of batteries and rectifiers used on Metro Blue Line, including the installation verification and warranty claim processing company.

**B. Evaluation of Proposals/Bids**

The proposal was evaluated in accordance, and complies with, Metro’s Acquisition Policy for a sole source procurement.

APS was determined to be responsive, responsible and qualified to perform the required services based on the technical evaluation by the Project Manager.

**C. Cost/Price Analysis**

The recommended price for the contract is fair and reasonable based on comparable listed prices on GSA, independent cost estimate, and technical evaluation.

<b>BIDDER</b>	<b>AMOUNT</b>	<b>METRO ICE</b>	<b>AWARD AMOUNT</b>
American Power Supply	\$1,003,974	\$1,002,383	\$1,003,974

**D. Background on Recommended Contractor**

The recommended firm, APS, located in Irvine, CA, has been in business for 22 years and is a leader in the field of DC (direct current) power and uninterrupted power systems. APS is the only authorized distributor in California for C&D Technologies and Uni Power Rectifiers (the system chosen by Metro for the Blue Line).

APS is the sole distributor for the battery plant system, and is the only authorized installation verification and warranty processing company in the State of California.

In 2014, APS was awarded a contract to provide new batteries and power plant at the Green Line Maintenance Yard. Their performance has been satisfactory.

DEOD SUMMARY

BLUE LINE BACK-UP POWER SYSTEM / OP4978800

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) did not establish a Small Business Enterprise (SBE) goal for this sole-source non-competitive procurement based on the lack of subcontracting opportunities. The proposed Contractor, American Power Systems, is the exclusive representative of C & D batteries and Uni Power Rectifiers in Southern California. As confirmed by the Project Manager, American Power Systems is the only authorized dealer that can install and validate the Metro Blue Line Battery Plants, and will perform the work with its own workforces.

**B. Prevailing Wage Applicability**

Prevailing wage is not applicable to this contract

**C. Living Wage /Service Contract Worker Retention Policy Applicability**

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

**D. Project Labor Agreement/Construction Careers Policy**

Project Labor Agreement/Construction Careers Policy is not applicable to this contract.