

**Board Report**

File #: 2016-0360, **File Type:** Contract**Agenda Number:** 37

**AD HOC TRANSIT POLICING OVERSIGHT COMMITTEE
MAY 19, 2016****SUBJECT: TRANSIT COMMUNITY POLICING SERVICES****ACTION: CONTRACT MODIFICATION****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute Modification No. 13 to Memorandum of Understanding (MOU) No. PS2610LASD with the **County of Los Angeles Sheriff's Department (LASD) to provide law enforcement services** for up to six (6) months for the period covering July 1, 2016 through December 31, 2016 in the amount of \$56,296,146, thereby increasing the total contract value from \$569,570,714 to \$625,866,860.

ISSUE

The current Memorandum of Understanding (MOU) with the Los Angeles Sheriff's Department (LASD) will expire on June 30, 2016. The proposed MOU modification will extend the term of the MOU to align with the scheduled implementation date of the new Transit Policing contract.

DISCUSSION

On June 18, 2015, the Board authorized a twelve (12) month contract extension of the LASD contract, for the period covering July 1, 2015 through June 30, 2016, to complete the following items:

1. Review draft Transit Policing Statement of Work with the Ad Hoc Transit Policing Oversight Committee Board members (Per Motion By: Mayor Garcetti, Supervisor Molina, Supervisor Antonovich, and Director Fasana);
2. Release the Request for Proposal for Transit Policing Contract; and
3. Provide Law Enforcement Services to Foothill and Expo Extensions and add additional administrative staff and Deputies to support the new Transit Policing Division and current rail lines.

On February 5, 2016, Metro issued a new solicitation for a five-year Transit Policing contract. The statement of work took into consideration the workload and staffing recommendations of the Office of the Inspector General (based on a Board directed audit conducted by Bazilio Cobb Associates of the current LASD MOU). Following the release of the solicitation, one of the proposers requested a sixty (60) day extension. Proposals are now due on May 27, 2016. Staff anticipates bringing an award

recommendation to the September Board meeting.

The extended solicitation period provided potential proposers with additional time to obtain the necessary internal approvals and consider alternative technical proposals.

Staff is requesting a six (6) month extension to the current contract to ensure continuous safety and protection for our patrons, employees and critical infrastructure protection until a new contract is in place.

DETERMINATION OF SAFETY IMPACT

The authorization of FY17 contract extension will provide a positive impact on safety for our employees and patrons by mitigating potential terrorist incidents and deterring crimes on our transit system.

FINANCIAL IMPACT

The funding of \$56,296,146 for Modification No. 13 is included in the FY17 budget in Cost Center 2610, System Security and Law Enforcement, under multiple bus and rail operating projects in Account 50320-Contract Services

Impact on Bus and Rail Operating and Capital Budget

The FY17 funding for contract Transit Policing Services will come from Enterprise Fund revenues (fares, sales tax revenues, and TDA4). These funds are eligible for bus and rail operating and capital expenses.

ALTERNATIVES CONSIDERED

The Board may decide not to authorize the modification to the existing contract. The alternative is not recommended because this is a critical security program and we do not currently have in place an alternative policy or strategy, nor do we have security assets to provide the current level of protection for our customers and employees that will be supported by Modification No. 13. Further, this would result in a minimal level of protection for our customers, employees, and critical infrastructure.

NEXT STEPS

Upon approval by the Board, staff will execute Modification No. 13 with LASD under the current MOU No. PS2610LASD to continue providing transit law enforcement services until the replace contract begins.

Metro staff intends to return to the Board in September 2016 to recommend award of a new Transit Policing contract.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - Contract Modification/Change Order Log
Attachment C - DEOD Summary

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Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

TRANSIT COMMUNITY POLICING SERVICES/PS2610LASD

1.	Contract Number: PS2610LASD		
2.	Contractor: County of Los Angeles Sheriff's Department		
3.	Mod Work Description: Continuation of Transit Law Enforcement Services		
4.	Contract Work Description: Transit Community Policing Services		
5.	The following data is current as of : April 12, 2016		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	07/01/09	Contract Award Amount: \$65,921,937
	Notice to Proceed (NTP):	N/A	Total of Modifications Approved: \$503,648,777
	Original Complete Date:	06/30/12	Pending Modifications (including this action): \$56,296,146
	Current Est. Compete Date:	06/30/16	Current Contract Value (with this action): \$625,866,860
7	Contract Administrator: Aielyn Q. Dumaua		Telephone Number: (213) 922-7320
8	Project Manager: Alex Wiggins		Telephone Number: (213) 922-4433

A. Procurement Background

This board action is to approve Modification No. 13 issued in support of continued Metro system-wide law enforcement services, as set forth in Memorandum of Understanding (MOU) PS2610LASD currently in effect between Metro and Los Angeles County Sheriff's Department (LASD).

This modification will be processed in accordance with Metro's Acquisition Policy. The contract type is firm fixed unit rate.

The MOU with LASD was originally approved for a five-year term covering the period July 1, 2009 through June 30, 2014 (inclusive of two one-year options). Several contract actions/modifications have been executed and approved by the Board.

(Refer to Attachment B – Contract Modification/Change Order Log)

B. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based upon LASD's proposed rates established on an annual basis by the County of Los Angeles Auditor/Controller as required by Government Code Section 53069.8(b). The proposed rates were reviewed and found to be consistent with the pricing established by the Auditor-Controller.

Proposal Amount	Metro ICE	Negotiated Amount
\$56,296,146	\$56,301,059	\$56,296,146

CONTRACT MODIFICATION/CHANGE LOG

TRANSIT COMMUNITY POLICING SERVICES/PS2610LASD

Mod No.	Description	Status (approved or pending)	Date	\$ Amount
1	Provide additional law enforcement personnel for the Metro Gold Line Eastside extension.	Approved	12/10/09	\$2,895,460
1-A	Threat Interdiction Unit (TIU) - grant funded	Approved	12/10/09	\$943,216
2	Funding for the period July 1, 2010 through June 30, 2011, the second year of the base contract.	Approved	7/22/10	\$62,937,004
3	Funding for the period July 1, 2011 through July 31, 2011.	Approved	6/22/11	\$5,470,211
4	Funding for the period August 1, 2011 through September 30, 2011. In addition, LASD shall provide specified Access Services in the amount of \$227,461 for the period July 1, 2011 through June 30, 2012	Approved	8/4/11	\$11,167,883
5	Funding for the period October 1, 2011 through October 31, 2011	Approved	9/22/11	\$5,470,211
6	Funding for November 1, 2011 through June 30, 2012, the remaining portion of the third year of the base contract	Approved	11/1/11	\$58,844,951
7	Item D of Article 20, Standards of Performance of the MOU was revised to allow LASD assigned personnel to complete "Patrol Training" at Metro	Approved	8/1/12	\$0

Mod no.	Description	Status (approved or pending)	Date	\$ Amount
8	Exercise Option No. 1 to extend the period of performance from July 1, 2012 through June 30, 2013 and increase contract value. <i>Note: Board approval was for \$80,622,796 but MOD 8 was issued in the reduced amount of \$80,325,626</i>	Approved	8/1/12	\$80,325,626
9	Exercise Option 2 to extend the period of performance from July 1, 2013 through June 30, 2014 and provide dedicated law enforcement staff for the TAP program.	Approved	9/1/13	\$83,855,638
10	Extend the term of the MOU for 6 months from July 1, 2014 through December 31, 2014	Approved	6/5/14	\$44,443,488
11	Extended the term of the MOU for 6 months from January 1, 2015 through June 30, 2015	Approved	1/1/15	\$44,443,488
12	Extended term of the MOU for one year from July 1, 2015 through June 30, 2016 and provided additional law enforcement personnel for the Gold Line and Expo Line extensions.	Approved	7/1/15	\$102,851,601
13	Six-month extension of the term of the MOU from July 1, 2016 through December 31, 2016	Pending	5/19/16	\$56,296,146
	Modification 1 thru 13 Total:			\$559,944,923
	Original Contract:			\$ 65,921,937
	Total:			\$625,866,860

DEOD SUMMARY

TRANSIT COMMUNITY POLICING SERVICES / PS2610LASD

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) did not establish a Disadvantaged Business Enterprise (DBE) goal for this project as there were no identified subcontracting opportunities. The County of Los Angeles Sheriff's Department (LASD) provides transit policing services with their own workforces.

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

Prevailing wage is not applicable to this modification.

D. Project Labor Agreement/Construction Careers Policy

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