



File #: 2017-0113, File Type: Contract

Agenda Number: 42.

REVISED
REGULAR BOARD MEETING
FEBRUARY 23, 2017

SUBJECT: TRANSIT LAW ENFORCEMENT SERVICES

ACTION: APPROVE CONTRACT AWARD

RECOMMENDATION

CONSIDER AUTHORIZING:

- A. the Chief Executive Officer to negotiate and execute individual five-year firm fixed unit rate contracts with the City of Long Beach Contract No. PS5862300LBPD24750 not-to-exceed ~~\$27,088,968~~ \$30,074,628, City of Los Angeles, Contract No. PS5862100LAPD24750 not-to-exceed ~~\$368,717,424~~ \$369,330,499, and the County of Los Angeles, Contract No. PS5863200LASD24750, not-to-exceed ~~\$245,356,369~~ \$246,270,631 for **multi-agency law enforcement services** effective July 1, 2017 through June 30, 2022; subject to resolution of protest(s), if any;
- B. the Chief Executive Officer to negotiate and execute a demobilization/transition agreement with the County of Los Angeles Sheriff's Department for **single agency law enforcement services** effective March 1, 2017, through June 30, 2017; AND a mobilization agreement with the City of Los Angeles Police Department and the City of Long Beach Police Department effective March 1, 2017, through June 30, 2017 within the board approved project budget;
- C. the Chief Executive Officer to enter into Memorandum of Understandings with local law enforcement agencies based upon system expansion to provide flexibility as new bus and rail lines open; and
- D. an increase of two FTE's for the System Security and Law Enforcement Department. Additional staff will assist with oversight of the multi-agency contract compliance, performance, and coordination of training of all law enforcement and security staff.

FASANA AMENDMENT: that the Inspector General be tasked with annually auditing each law enforcement services contract to determine how key performance indicators are measuring up against actual performance metrics. The audit is to ensure that Metro is receiving the services it is paying for.

ISSUE

For Metro's safety and security services to be effective and cost efficient, there must be an appropriate match between the safety and security mission and the various resources used to provide safety and security services. Currently, the resources used by Metro to provide the elements of the safety and security mission are Metro's In-house Security, Private Security, and a single agency Law Enforcement service by the Los Angeles County Sheriff's Department (LASD) Transit Policing Division. The Private Security contract award was approved by the Board in September 2016.

Over the last three and a half years, staff has been working on a new procurement for Law Enforcement Services. During this time, Metro has undertaken an in-depth review of the security and policing strategy with industry experts, policing professionals, and the creation of the Ad-Hoc Transit Policing Committee of the Board. The staff recommendation of a multi-agency law enforcement services contract model supports the key findings and policy direction by the Board to provide a consistent and reliable law enforcement presence to assure the safety of Metro's patrons and employees for the entire county. This approach addresses ridership concerns about safety and security by:

- Increases law enforcement personnel from a range of 140 to 200, to a consistent 314 personnel over each 24-hr operating period.
- Improves response times by slightly more than 50%.
- Assures greater contract compliance through clear performance metrics and accountability measures.

Background

On December 1, 2016, staff submitted a multi-agency law enforcement contract award for consideration and approval by the Board of Directors. The overarching goals associated with the recommendation were to improve law enforcement viability, improve response times, increase law enforcement staffing over each 24-hour operating period, and to improve contract compliance.

The staff recommendation was tabled in lieu of Board's adoption of Motion 41 (Attachment A) which directed staff to extend the current LASD policing contract through February 28, 2017. The purpose of the extension was to afford the Los Angeles County Sheriff's Department (LASD), the Los Angeles Police Department (LAPD) and the Long Beach Police Department (LBPD) an opportunity to collaborate on matters regarding coordination, command & control, and the role of Metro as the lead agency. The result is a staff recommended multi-agency policing plan that focuses on coordinating safety efforts on the Metro bus and rail lines as they cross multiple jurisdictions.

DISCUSSION

In the weeks following the December Board meeting, LAPD, LASD and LBPD's leadership teams attended a series of meetings to develop a collaborative approach to meet Metro's law enforcement staffing requirements.

On January 4, 2017, LAPD, LASD and LBPd met with Metro’s staff and the CEO to discuss strategies to build upon the original staff recommendation. The meeting yielded:

- Increased bus riding and bus patrol coverage
- Effective overlapping of LASD and LAPD Gold, Blue and Green Line Patrols
- Seamless coordination with LBPd on the Blue Line
- Coordination of specialized assignments like K9 explosives detection, tactical units, and crisis intervention teams.
- Coordination with Metro’s in-house fare compliance officers and private security guard staff.
- Seamless communications and coordination during large scale events.

General Deployment Plan

SERVICE AREA	LAPD	LASD	LBPd	Metro	Pvt Secty	SERVICE AREA	LAPD	LASD	LBPd	Metro	Pvt Secty
A. Special Rail Detail Locations						D. Bus Hubs					
1. Union Station	All					1. Harbor/Gateway					All
2. K-9 Explosive Unit	On Call	All				2. El Monte Transit Ctr					All
3. 7th St./Metro Ctr	All					E. Bus Riding Patrol					
4. WB/Rosa Parks					All	1. Westside	All				
B. Rail						2. San Fernando Valley	All City	All County			
1. Red Line (14)	All					3. Central	All				
2. Purple Line (2)	All					4. Mid-City	All				
3. Blue Line (21)	All City	All County	All City			5. South LA	All				
4. Expo Line (17)	All City	All County				6. San Gabriel Valley		All			
6. Green Line (13)	All City	All County				7. Gateway Cities		All			
7. Gold Line (27)	All City	All County				8. South Bay		All			
C. Metro Security						9. Silver Line	All City	All County			
Unarmed Metro security officers will conduct fare compliance operations						10. Orange Line	All				
Revenue Protection				All		11. Northwest Bus		All			
Station Closures				All							
Gateway Complex				X							

The combined costs of the general deployment plan are:

- 5-year Multi Agency Law Enforcement Contract \$641.1M \$645.7M
 - 5-Year Private Security Contract \$81.9M
 - 5-Year Metro In House Security (projected) \$69.5M
- Total \$792.5M \$797.1M

For a grand total of ~~\$792.5~~ \$797.1 million for law enforcement and security.

Given Metro’s expansive 1400 square mile service area, formal partnering with additional law enforcement agencies will improve system-wide visibility and emergency response times. If the staff recommendation is approved, a four (4) to six (6) month mobilization will be needed for LAPD, LASD and LBPd to train and mobilize staff.

Staffing Request

Two additional FTE's are requested to assist with contract compliance and oversight, as well as transit specific training for law enforcement and security personnel. The compliance position will be tasked with tracking key performance indicators (KPI's) by measuring actual performance against established metrics, reviewing activity logs, and conducting field observations, among other duties. The training position will ensure that all law enforcement and security personnel remain up to date on mandatory transit specific safety and emergency management training.

DETERMINATION OF SAFETY IMPACT

The authorization of the law enforcement contract will enhance the security of patrons and employees, as well as improve Metro's ability to safeguard critical transportation infrastructure.

FINANCIAL IMPACT

The total five year contract amount for law enforcement is ~~\$641,162,761~~ \$645,675,758. Since this is a multi-year contract, the System Security and Law Enforcement Department will update its budget on an annual basis to fund years.

Impact to Budget

The source of funds for this project will be local operating funds including sales tax Proposition A, C, TDA, and Measure R. These funds are eligible for bus and rail operations.

ALTERNATIVES CONSIDERED

Three alternatives were considered:

1. The Board may decline to approve the contract award. This alternative is not recommended because Metro currently does not have an internal police force.
2. The Board may award an extension or renewal of the current County of Los Angeles contract without modifying the scope of work. This alternative is not recommended because of an immediate need to improve overall performance and law enforcement visibility, per OIG audit, APTA Peer Review, and Ad-Hoc Transit Policing Committee.
3. The Board may award a single agency law enforcement contract award. This alternative is not recommended, several transit agencies throughout the ~~county~~ country have implemented a similar multi-agency model and that model supports they key findings and policy direction by the Board to provide a consistent and reliable law enforcement presence to assure the safety of Metro's patrons and employees.

NEXT STEPS

Upon approval by the Board, staff will negotiate a demobilization/transition agreement with LASD, as well as execute agreements with LASD, LAPD, and LBPDP.

ATTACHMENTS

Attachment A - Motion #41

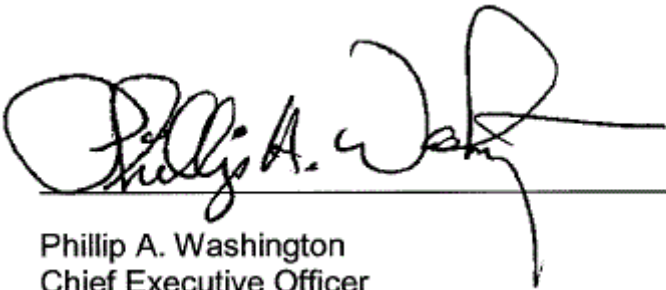
Attachment B - Procurement Summary

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Phillip A. Washington
Chief Executive Officer



Metro

Los Angeles County
Metropolitan Transportation
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File Summary

File Number	Title	Current Status
2016-0950	Motion / Motion Response	Agenda Ready

WE, THEREFORE, MOVE that the Board:

- A. AUTHORIZES the Chief Executive Officer to execute a Modification to the Contract with the County of Los Angeles Sheriff's Department (LASD) to provide law enforcement services for an additional three months in an amount not-to-exceed the current monthly levels of contracted costs;
- B. INSTRUCTS the CEO to work with other policing agencies to develop transit enforcement MOUs; and
- C. REQUESTS staff to return to the Board with a policing plan that focuses on coordinating safety efforts on our bus and rail lines as they cross multiple jurisdictions.

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Introduced: 12/1/2016

Controlling Body: Board of Directors - Regular Board Meeting

Meeting Date:

Sponsor(s): Board of Directors - Regular Board Meeting

Drafter: langstonc2@metro.net

PROCUREMENT SUMMARY

TRANSIT LAW ENFORCEMENT SERVICES

1.	Contract Number: PS5862100LAPD24750, PS5863200LASD24750 and PS5862300LBPD24750	
2.	Recommended Vendor: City of Los Angeles County of Los Angeles City of Long Beach	
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: February 5, 2016	
	B. Advertised/Publicized: February 5, 2016	
	C. Pre-Proposal/Pre-Bid Conference: February 18, 2016	
	D. Proposals/Bids Due: May 27, 2016	
	E. Pre-Qualification Completed: N/A	
	F. Conflict of Interest Form Submitted to Ethics: May 31, 2106	
	G. Protest Period End Date: November 28, 2016	
5.	Solicitations Picked up/Downloaded: 18	Bids/Proposals Received: 3
6.	Contract Administrator: Aielyn Q. Dumaua	Telephone Number: (213) 922-7320
7.	Project Manager: Alex Z. Wiggins	Telephone Number: (213) 922-4433

A. Procurement Background

This Board Action is to approve Contract Nos. PS5862100LAPD24750, PS5863200LASD24750 and PS5862300LBPD24750 issued to provide law enforcement services to support bus and rail operations throughout the entire Metro transit system. Board approval of contract awards are subject to resolution of all properly submitted protests.

RFP No. PS24750 was issued as a competitively negotiated procurement in accordance with Metro's Acquisition Policy and the contract type is a firm fixed unit rate. The RFP clearly indicated that Metro may award the entire contract to a single Agency, to a partnership between agencies, or to an Agency located within a specific municipal jurisdiction. Hence, potential proposers were given the flexibility to submit proposals covering a specific territorial jurisdiction, multiple jurisdictions, or the entire Metro system. Further, no DBE contract goal was established for this procurement but Proposers were encouraged to utilize DBE certified firms whenever potential subcontracting opportunities are available.

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

- Amendment No. 1, issued on February 24, 2016, provided electronic copies of the Planholders' List and pre-proposal conference materials, revised the submittal requirements for the Cost Proposal (Volume III), and extended the proposal due date;
- Amendment No. 2, issued on March 3, 2016, updated the Notary Public Acknowledgment section of the Proposal Letter (Pro Form 053), and revised Exhibit 4: Part A – Cost Proposal (Summary) and Exhibit 5 – Part A- Cost Proposal (Detail) to include the Expo Line Phase 2 stations and exclude duplicate stations;
- Amendment No. 3, issued on April 1, 2016, revised the final date for questions to align with the extension of the proposal due date, revised Exhibit 4: Part A – Cost Proposal (Summary) to clarify cost information to be provided, and invited potential proposers to a one-time site visit/job walk to tour selected Metro facilities that may be made available to the Contractor upon contract award;
- Amendment No. 4, issued on April 15, 2016, revised Exhibit 5: Part A – Cost Proposal (Detail) to align with changes to Exhibit 4: Part A: Cost Proposal (Summary) issued per Amendment No. 3;
- Amendment No. 5, issued on May 5, 2016, clarified the basis of selection and award and the evaluation process, and revised Exhibit 4: Part A – Cost Proposal (Summary) and Exhibit 5: Part A – Cost Proposal (Detail) to include a separate cost proposal table for management/supervisory staff; and
- Amendment No. 6, issued on May 17, 2016, provided electronic copies of the Site Visit/Job Walk sign-in sheet and agenda and materials provided.

A pre-proposal conference was held on February 18, 2016, and was attended by 23 participants representing 7 law enforcement agencies. The site visit/job walk was conducted on April 22, 2016 and was attended by 10 participants representing 2 law enforcement agencies. There were 27 questions received and responses were provided prior to the proposal due date.

A total of three proposals were received on May 27, 2016, and are listed below in alphabetical order:

1. Los Angeles County Sheriff's Department
2. Los Angeles Police Department
3. Long Beach Police Department

B. Evaluation of Proposals/Bids

A Proposal Evaluation Team (PET) consisting of staff from Metro's System Security and Law Enforcement, Transit Operations, Risk Management, and Office of Management and Budget was convened and conducted a comprehensive technical evaluation of the proposals received.

The proposals were evaluated based on the following evaluation criteria and weights:

- Agency Qualifications and Capabilities 15 percent
- Experience and Capabilities of Key Personnel 15 percent
- Management Plan/Approach 45 percent
- Homeland Security and Emergency Preparedness 10 percent
- Cost Proposal 15 percent

The evaluation criteria are appropriate and consistent with criteria developed for law enforcement services procurements. Several factors were considered when developing these weights, giving the greatest importance to the Management Plan/Approach.

On May 31, 2016, the PET met to process confidentiality and conflict forms and take receipt of the three responsive proposals to initiate the evaluation phase. Evaluations were subsequently conducted and the PET determined that all three agencies were within the competitive range. Based on evaluation results, the PET deemed that it would be most advantageous to Metro to award contracts to all three law enforcement agencies based on best value. This alternative would increase law enforcement visibility, improve response time to calls for service, deter crime, reduce vulnerability to terrorism, maximize the use of free basic “911” services, enforce Metro’s Code of Conduct and reduce fare evasion. More importantly, this alternative is less cost prohibitive. In view thereof, the PET determined to commence negotiations without need for oral presentations with all three agencies.

Qualifications Summary of Firms Within the Competitive Range:

Los Angeles County Sheriff’s Department

The Los Angeles County Sheriff’s Department (LASD) was established in 1850 and has been providing contract law enforcement services to government agencies/entities since 1954. It presently serves 40 contract cities, 90 unincorporated communities, 216 facilities, hospitals and clinics located throughout the County, nine community colleges and 47 Superior Courts. It also provides services such as laboratories and academy training to smaller law enforcement agencies within the County. Additionally, LASD is responsible for securing approximately 18,000 inmates daily in seven custody facilities which include providing food and medical treatment.

LASD proposed to provide transit law enforcement services on all Metro properties, including all rail and bus stations, lines, platforms, tunnels, buildings, Maintenance and Operations Divisions and other critical infrastructure and the like.

Los Angeles Police Department

The Los Angeles Police Department (LAPD), established in 1869, provides police service to the City of Los Angeles encompassing 498 square miles and a population of 4,030,904 people. With about 9,843 officers and 2,773 civilian staff, LAPD is the third largest municipal police department in the United States. Aside from serving the communities within the City of Los Angeles, LAPD presently provides Bomb K-9 contract police services at LAX and responds to bus-related emergencies. From 1997 to 2002, LAPD partnered with Metro to provide contract law enforcement services to Metro's Red Line and Metro's bus service within the City of Los Angeles.

LAPD's proposed contract policing services include the major components of Metro's transportation system that lie within the geographical boundaries of the City of Los Angeles. LAPD defines the proposed service are as follows: the entire Red Line; the entire Purple Line; the entire Orange Line; portions of the Blue Line, Gold Line, Expo Line, Green Line, and Silver line within the City of Los Angeles and Metro bus service within the City of Los Angeles.

Long Beach Police Department

The Long Beach Police Department (LBPD), founded in 1888, is the second largest municipal agency in Los Angeles County and provides law enforcement services to the City of Long Beach, the seventh largest city in the State of California. It has over 800 sworn officers and a total staffing of over 1,200 personnel. LBPD also provides contracted law enforcement services to the Port of Long Beach, Long Beach Airport, Long Beach Transit, and Long Beach City College.

LBPD proposed to provide law enforcement services on a segment of the Blue Line, consisting of 10 stations namely: Artesia, Del Amo, Wardlow, Willow Street, Pacific Coast Highway, Anaheim Street, 5th Street, 1st Street, Downtown Long Beach, and Pacific Avenue stations.

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	Long Beach Police Department				
3	Agency Qualifications and Capabilities	74.20	15.00%	11.13	
4	Experience and Capabilities of Key Personnel	80.00	15.00%	12.00	
5	Management Plan/Approach	73.67	45.00%	33.15	
6	Homeland Security and Emergency Preparedness	81.50	10.00%	8.15	
7	Cost Proposal	100.00	15.00%	15.00	
8	Total		100.00%	79.43	1

9	Los Angeles Police Department				
10	Agency Qualifications and Capabilities	85.53	15.00%	12.83	
11	Experience and Capabilities of Key Personnel	90.80	15.00%	13.62	
12	Management Plan/Approach	77.67	45.00%	34.95	
13	Homeland Security and Emergency Preparedness	90.00	10.00%	9.00	
14	Cost Proposal	14.40	15.00%	2.16	
15	Total		100.00%	72.56	2
16	LA County Sheriff Department				
17	Agency Qualifications and Capabilities	73.00	15.00%	10.95	
18	Experience and Capabilities of Key Personnel	75.87	15.00%	11.38	
19	Management Plan/Approach	66.78	45.00%	30.05	
20	Homeland Security and Emergency Preparedness	87.00	10.00%	8.70	
21	Cost Proposal	33.33	15.00%	5.00	
22	Total		100.00%	66.08	3

C. Cost/Price Analysis

The final negotiated amounts will comply with all requirements of Metro's Acquisition Policy and Procedures, including fact-finding, clarifications, negotiations, and cost analysis to determine a fair and reasonable price before contract execution.

Original Proposal

	Proposer Name	Area of Coverage	Proposal Amount	Metro ICE
1.	LASD	Entire Metro System	\$766,636,530	\$367,179,833
2.	LAPD	Metro rail and bus stations and other Metro facilities within City of Los Angeles	\$396,782,595	
3.	LBPD	10 Blue Line Stations	\$42,171,878	

Staff Recommendation

	Proposer Name	Area of Coverage	Revised Proposal ^{1/}	Negotiated or NTE amount	Metro ICE
1.	LASD	Bus and rail stations	\$129,800,051	\$246,270,631	\$367,179,833

		outside the Cities of Los Angeles and Long Beach			
2.	LAPD	Metro rail and bus stations and other Metro facilities within City of Los Angeles	\$377,620,834	\$369,330,499	
3.	LBPD	10 Blue Line Stations	\$37,859,370	\$30,074,628	
Total				\$645,675,758	

1/ as a result of clarifications

The proposed aggregate amount of the three contracts in the amount of \$645,675,758 is greater than Metro’s independent cost estimate (ICE) because of the following factors:

1. unanticipated start-up costs for all 3 agencies;
2. Supplemental services not provided in the statement of work which were found to be of significant benefit to Metro through discussions (e.g., Special Problems Unit and Threat Unit, Homeless Outreach and Mental Evaluation Teams, etc.);
3. staffing adjustments in light of increasing threats associated with global terrorism and violent extremism; and
4. increase in estimated labor escalation rate to align with labor union contracts.

D. Background on Recommended Contractor

Los Angeles County Sheriff Department

The Los Angeles County Sheriff Department (LASD) is headquartered in Los Angeles, California. LASD is statutorily responsible for providing law enforcement in the County of Los Angeles and serves as the Director of Emergency Management for the County.

LASD has been providing transit community policing services to Metro since July 2009. Performance generally meets the scope of work requirements. LASD proposed the same key personnel team under the current contract.

Los Angeles Police Department

The Los Angeles Police Department's (LAPD) is the law enforcement agency for the City of Los Angeles. Its authority to police was granted by the state constitution.

LAPD's proposed management team possesses a wide breadth of experience which includes community policing, anti-terrorism and DHS activities, gang/narcotics, traffic and transit. The proposed Commanding Officer is a graduate of the Federal Bureau of Investigation (FBI) National Academy.

Long Beach Police Department

The Long Beach Police Department (LBPD) provides law enforcement for the City of Long Beach. It has partnered with entities such as Metro, Los Angeles County Sheriff's Department, Transportation Security Administration, Department of Homeland Security, FBI, and Union Pacific Railroad Police to improve communication and increase security in the City of Long Beach.

The proposed Command Unit collectively has experience in transit and airport policing.