



Board Report

File #: 2018-0599, **File Type:** Contract

Agenda Number: 35.

**EXECUTIVE MANAGEMENT COMMITTEE
NOVEMBER 15, 2018**

SUBJECT: METRO MEDICAL CLINIC SERVICES

ACTION: AWARD CONTRACT

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a 42-month, firm fixed unit rate Contract No. PS42270000 to Temple Medical Center for medical clinic services for Metro downtown service area, in an amount not-to-exceed \$1,034,640 effective January 25, 2019 subject to resolution of protests(s) if any.

ISSUE

Metro conducts physical examinations and drug and alcohol specimen collections for employees and job candidates. These physical examinations and specimen collections are industry standard safety protocols mandated by various funding and regulatory agencies, including the Department of Transportation (DOT), Federal Transit Administration (FTA), California Department of Motor Vehicles (DMV), and Cal-OSHA.

DISCUSSION

Under Human Resources Fitness for Duty Policy (HR 29), Metro conducts medical examinations to ensure individuals are able to perform the duties of their positions in a safe and competent manner, meet the applicable commercial driver licensing requirements, and are free from the adverse effects of drug abuse and alcohol misuse. Holders of commercial driver licenses are required by law to have periodic physical examinations to recertify their medical cards. The maximum certification period is two years, but drivers with medical conditions such as hypertension or diabetes must recertify annually.

Currently, Talent Acquisition contracts with five (5) clinics throughout the Los Angeles County, including one in the downtown area, to provide numerous medical services including physical exams and drug and alcohol testing collections servicing various worksite locations. Based on the needs of the agency and current hiring demands, there is a need to add an additional clinic to service the downtown area. Temple Medical Center would be advantageous for employees and candidates due to its close proximity to Metro's Headquarters building.

The Talent Acquisition Department assigns pre-employment examinations and corresponding drug/alcohol testing to selected clinics in the downtown area. The Talent Acquisition Department also assigns corresponding drug testing based on proximity either to Gateway or the employee's home. Divisions assign random and incident-based drug/alcohol testing to the clinic designated for their divisions or nearest to the site of the incident. Employees choose the clinic they wish for commercial driver license renewal examinations and the corresponding drug test.

DETERMINATION OF SAFETY IMPACT

The medical clinics provide the capability for Metro to meet federal requirements for fitness for duty examinations ensuring improved safety for our employees and patrons.

FINANCIAL IMPACT

The funding of \$295,611 is included in the FY19 budget for medical clinic services in cost center 6240, Talent Acquisition Department under project 100001, General Overhead.

Since this is a multi-year contract, the cost center manager and Chief Human Capital & Development Officer will be responsible for budgeting the cost in future years, including any options exercised.

Impact to Budget

The source of funds for this Contract is General Overhead funds, comprised of Federal, State and local funds. These funds are eligible for bus and rail operating costs.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Recommendation supports Strategic Plan Goal #5 (Provide responsive, accountable, and trustworthy governance within the Metro organization). These physical examinations and specimen collections are industry standard safety protocols mandated by various funding and regulatory agencies, including the Department of Transportation (DOT), Federal Transit Administration (FTA), California Department of Motor Vehicles (DMV), and Cal-OSHA.

ALTERNATIVES CONSIDERED

The Board of Directors may choose not to authorize the Contract award for this project; however, this alternative is not recommended as not adding an additional medical clinic would limit Talent Acquisition's ability to effectively move forward with increased hiring demands, moreover, expensing additional resources from the other medical clinics.

NEXT STEPS

Upon approval by the Board, staff will execute Contract No. PS42270000 with Temple Medical Center to provide medical clinic services for Metro downtown service area, effective January 25, 2019.


ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - DEOD Summary

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Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

METRO MEDICAL CLINIC SERVICES / PS42270000

1.	Contract Number: PS42270000	
2.	Recommended Vendor: Temple Medical Center	
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: August 31, 2017	
	B. Advertised/Publicized: September 8, 2017	
	C. Pre-Proposal Conference: September 18, 2017	
	D. Proposals Due: October 9, 2017	
	E. Pre-Qualification Completed: September 18, 2018	
	F. Conflict of Interest Form Submitted to Ethics: September 10, 2018	
	G. Protest Period End Date: November 23, 2018	
5.	Solicitations Picked up/Downloaded: 6	Bids/Proposals Received: 2
6.	Contract Administrator: Marc Margoni	Telephone Number: (213) 922-1304
7.	Project Manager: Leticia Felix	Telephone Number: (213) 418-3122

A. Procurement Background

This Board Action is to approve the award of Contract No. PS42270000 issued to support the Human Resources medical examination and drug and alcohol-testing programs for Metro employees. Board approval of contract awards are subject to resolution of any properly submitted protest(s).

Request for Proposals (RFP) No. PS42270 was issued in accordance with Metro's Acquisition Policy and the contract type is a firm fixed unit rate. The RFP was issued as a Race Conscious Disadvantaged Business Enterprise (RC DBE) with a 5% DBE goal.

Two amendments were issued during the solicitation phase of the RFP:

- Amendment No. 1 was issued on September 6, 2017 to clarify the period of performance;
- Amendment No. 2 was issued on September 18, 2017 to clarify insurance requirements.

A pre-proposal conference was held on September 18, 2017 and was attended by four participants representing three firms. There were three questions submitted and responses were released prior to the proposal due date.

A total of six firms downloaded the RFP and were included on the plan holders list. A total of two proposals from two medical groups were received by the due date of October 9, 2017 and are listed below in alphabetical order:

- Alameda Industrial Medical Group
- Temple Medical Center

B. Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of staff from Transportation Operations and Talent Acquisition departments was convened and conducted a comprehensive technical evaluation of the proposals received.

The proposals were evaluated based on pass/fail minimum qualification technical requirements and the following weighted supplemental evaluation criteria:

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|---------------------------------------|------------|
| • Medical Clinic Physicians and Staff | 50 percent |
| • Medical Clinic Operations | 30 percent |
| • Price | 20 Percent |

The evaluation criteria are appropriate and consistent with criteria developed for other, similar procurements. The primary concern was assuring that each clinic and its staff met the minimum technical qualifications and that a contracted clinic would be geographically accessible to the operating divisions.

Staff elected to reprioritize this work, and as a result, evaluations were conducted several months after the proposals were received. During the week of August 27, 2018, the PET met and conducted an independent technical evaluation of the proposals received and determined that Temple Medical Center and Alameda Industrial Medical Group met the minimum technical qualifications as outlined in the RFP. However, certification verification review performed by the Diversity and Economic Opportunity Department revealed that Alameda Industrial Medical Group was not responsive to the DBE requirements of the RFP and was deemed non-responsive. As a result, Alameda Industrial Group was disqualified from further consideration. Subsequently, the PET continued its independent evaluation of the remaining proposal.

Qualifications Summary of Firm

Temple Medical Center (TMC): TMC is a privately owned medical practice located at 124 N. Vignes Street in Los Angeles and has been in business since 1962. The practice is devoted to occupational medicine (injuries, fitness exams and drug and alcohol testing). The center has had contracts with Metro in the past. In addition to Metro, TMC provides similar services to Greyhound Lines, Veolia Transportation and MV Transit.

The following is a summary of the PET scores:

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	Temple Medical Center				
3	Minimum Qualification Technical Requirements	Pass	Pass/Fail	Pass	
4	Medical Clinic Physicians and Staff	55.00	50.00%	27.50	
5	Medical Clinics Operations	67.60	30.00%	20.28	
6	Price	100.00	20.00%	20.00	
7	Total		100.00%	67.78	1

C. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based upon an adequate price competition, price analysis, technical analysis, fact finding, and negotiations. The difference between the proposed amount and the negotiated amount is the reduction in volume of personnel required for the downtown area. The not-to-exceed amount reflects a more realistic volume of personnel anticipated for the downtown area.

	Proposer Name	Proposal Amount	Metro ICE	Negotiated Amount
1.	Temple Medical Center	\$2,639,602.50	\$1,079,997.92	\$1,034,640

D. Background on Recommended Contractor

The recommended firm, Temple Medical Center (TMC), is located in downtown Los Angeles. TMC has been in business since 1962 and was founded by Dr. Parviz Taherpour. TMC specializes in occupational/industrial medicine and employment physicals. TMC focuses on the medical needs of the workplace. TMC is open 24 hours a day, 365 days a year servicing clients such as L.A. Sherriff's, State and Federal Departments and many privately-owned companies. TMC is compliant with DOT regulations 49 CFR Part 40 as well as regulations set forth by the California Department of Motor Vehicles and California Occupational Safety & Health Administration.

DEOD SUMMARY

MEDICAL CLINIC SERVICES/PS42270000

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) established a 5% Disadvantaged Business Enterprise (DBE) goal for this solicitation. P. Taherpour, M.C. Inc. DBA Temple Medical Center met the goal by making a 5% DBE commitment.

Small Business Goal	5.00% DBE	Small Business Commitment	5.00% DBE
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	DBE Subcontractors	% Committed
1.	R. Industrial & Healthcare Supplies	1.07%
2.	Paramount Safety Supply, Inc.	1.80%
3.	Cosar International Corp.	0.73%
4.	The "G" Crew	1.40%
	Total Commitment	5.00%

B. Living/Prevailing 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.

D. Project Labor Agreement/Construction Careers Policy

Project Labor Agreement/Construction Careers Policy (PLA/CCP) is not applicable to this Contract. PLA/CCP is applicable only to construction contracts that have a construction contract value in excess of \$2.5 million.