



## Board Report

File #: 2018-0675, File Type: Contract

Agenda Number: 6.

### AD HOC CONGESTION, HIGHWAY AND ROADS COMMITTEE NOVEMBER 14, 2018

**SUBJECT: METRO FREEWAY SERVICE PATROL CONTRACTS**

**ACTION: APPROVE CONTRACT MODIFICATION AUTHORITY**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to increase Contract Modification Authority (CMA) to 12 existing Freeway Service Patrol contracts as delineated below for a total amount of \$3,670,000 thereby increasing the CMA amount from \$2,113,534 to \$5,783,534 and extend the periods of performance as follows:

- Beat no.1: All City Tow contract no. FSP2828200FSP141, for \$265,000 for 6 months
- Beat no.2: Citywide Towing contract no. FSP2785600FSP142, for \$190,000 for 5 months
- Beat no.4: Frank Scotto Towing contract no. FSP2788200FSP144, for \$190,000 for 5 months
- Beat no.8: Citywide Towing contract no. FSP2825800FSP148, for \$195,000 for 5 months
- Beat no.10: Neighborhood Towing 4 U contract no. FSP3848100FSP1410, for \$245,000 for 7 months
- Beat no.13: Reliable Delivery Service contract no. FSP2831500FSP1413, for \$475,000 for 7 months
- Beat no.24: T.G. Towing, Inc. contract no. FSP2833200FSP1424, for \$330,000 for 8 months
- Beat no.33: Mid Valley Towing contract no. FSP2851900FSP1433, for \$380,000 for 10 months
- Beat no.34: South Coast Towing contract no. FSP2839600FSP1434, for \$315,000 for 8 months
- Beat no.36: Hadley Tow contract no. FSP2841400FSP1436, for \$350,000 for 8 months
- Beat no.41: T.G. Towing contract no. FSP2760200144, for \$440,000 for 11 months
- Beat no.42: Platinum Tow and Transport contract no. FSP2842100FSP1442, for \$295,000 for 8 months

#### **ISSUE**

Staff is requesting the Board to authorize contract modification authority (CMA) in the amount of \$3,670,000 to execute contract modifications to existing Metro Freeway Service Patrol (FSP) light

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duty tow service contracts. Additional funds are needed to extend and replenish existing FSP contracts, in anticipation of the award of two multi-beat Regional contracts and 11 individual beat contracts in Q3 FY19 and Q1 FY2020, respectively. Extending the period of performance will ensure seamless and efficient operation of the FSP program during the initial contract mobilization phase of the new Regional contracts where contractors order trucks to be built to Metro FSP specifications, hire and train drivers and contract with various sub-contractors. Increased CMA will also replenish funding to contracts that provide support to Caltrans construction projects through a Cooperative Agreement. The FSP program currently expends up to \$75,000 each month to support Caltrans projects.

## **DISCUSSION**

The FSP program is a congestion mitigation program managed in partnership with Metro, CHP and Caltrans serving motorists on all major freeways in Los Angeles County. The program utilizes a fleet of roving tow and service trucks designed to reduce traffic congestion by efficiently getting disabled vehicles operational or by quickly towing those vehicles off of the freeway to a designated safe location. Quickly removing motorists and their disabled vehicles from the freeway reduces the chances of further incidents caused by onlookers and impatient drivers. FSP helps save fuel and reduce air polluting emissions by reducing stop-and-go traffic. The service is absolutely free to motorists and operates seven day a week during peak commuting hours.

Metro contracts with independent tow service providers to provide light duty tow service on general purpose lanes on all major freeways in Los Angeles County, 2 light duty contracts on the ExpressLanes (I-110 & I-10), and 2 heavy duty (Big Rig) contracts (I-710 & SR-91). Each weekday 170 tow and service trucks are deployed during peak commuting hours.

### **Annual Benefit & Program Efficiency**

- Annual Benefit to Cost Ratio of 10:1 - For every \$1 spent there is a \$10 benefit to motorists. The Los Angeles County FSP program has the highest benefit to cost ratio of all the statewide FSP programs.
- 300,000 Assists performed each year (average) and over 7,000,000 Assists since 1991
- 9,454,840 Hours motorists saved from sitting in traffic
- 16,253,000 Gallons of fuel savings
- 150,000 kg of emissions savings
- The average motorist wait time for FSP service is 7 minutes (The average wait time for AAA service is over 30 minutes)
- The Los Angeles County FSP program generates one-half of the cumulative benefits of the 14 FSP programs in the state.

## **DETERMINATION OF SAFETY IMPACT**

The FSP program provides a vital service to assist motorists with disabled vehicles on Los Angeles County freeways. During FSP operating hours, drivers provide specific services to motorists to get them safely back on the road to tow them to a designated safe location off of the freeway. FSP

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drivers patrolling their beats locate and assist motorists in freeway lanes or along the shoulder significantly faster than it would take to call a private tow service. The ability of FSP to quickly get motorists back on the road or tow them off of the freeway to a designated safe location off of the freeway reduces the motorists' exposure to the freeway environment, and the chance of secondary accidents.

## **FINANCIAL IMPACT**

The amount of \$3,670,000 is included in the FY19 budget in cost center 3352, Metro Freeway Service Patrol, under project number 300070. The cost center manager and Executive Officer, Congestion Reduction will be accountable for managing these funds.

### Impact to Budget

The FSP program is funded through a combination of State SB1 and other state funds, Proposition C 25% sales tax and SAFE funds. Metro is also reimbursed for the services provided to support Caltrans construction projects.

## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The FSP Program aligns with Strategic **Goal 1: Provide high quality mobility options that enable people to spend less time traveling.** The program mitigates congestion on all major freeways in Los Angeles County.

## **ALTERNATIVES CONSIDERED**

The Board may decide not to authorize the increase in contract modification authority. This alternative is not recommended as it will adversely impact the existing contracts and the FSP service provided in Los Angeles County.

## **NEXT STEPS**

Upon Board approval, staff will increase contract modification authority.


## **ATTACHMENTS**

Attachment A - Procurement Summary  
Attachment B - FSP Contract Modification Authority Summary  
Attachment C - Contract Modification/Change Order Log  
Attachment D - DEOD Summary  
Attachment E - FSP Beat Map

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Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

## METRO FREEWAY SERVICE PATROL/VARIOUS BEATS

1.	<b>Contract Number:</b> Various, see Attachment B		
2.	<b>Contractor:</b> Various, See Attachment B		
3.	<b>Mod. Work Description:</b> General Redeployment Support, Caltrans Construction, Special Event Support, Service Coverage		
4.	<b>Contract Work Description:</b> Freeway Service Patrol Services		
5.	<b>The following data is current as of:</b> October 24, 2018		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	Various	<b>Contract Award Amount:</b> Various, See Attachment B
	<b>Notice to Proceed (NTP):</b>	N/A	<b>Total of Modifications Approved:</b> Various, See Attachment B
	<b>Original Complete Date:</b>	N/A	<b>Pending Modifications (including this action):</b> Various, See Attachment B
	<b>Current Est. Complete Date:</b>	Various	<b>Current Contract Value (with this action):</b> Various, See Attachment B
7.	<b>Contract Administrator:</b> Roxane Marquez		<b>Telephone Number:</b> (213) 922-4147
8.	<b>Project Manager:</b> John Takahashi		<b>Telephone Number:</b> (213) 418-3271

**A. Procurement Background**

This Board action is to increase contract modification authority (CMA) for multiple firm fixed unit rate contracts (see Attachment B – Contract Modification Authority Summary) for towing services in support of the Metro Freeway Service Patrol (FSP) program.

The proposed CMA increase for 12 FSP general purpose lane contracts in the amount of \$3,670,000 will continue required towing services for the FSP program and extend the period of performance to support unanticipated events, redeployment, and support during freeway construction work, and service delivery until new FSP Regional contracts are in place.

Attachment B – Contract Modification Authority Summary shows the list of contracts that require an increase in CMA.

Attachment C – Contract Modification/Change Order Log shows that modifications have been issued to date to two contracts and no contract modifications are currently in negotiations or pending.

**B. Cost**

Contract modifications that are required in the future, prices will be determined fair and reasonable based upon independent cost estimate, fact-finding, technical analysis, cost analysis, and negotiations.

**ATTACHMENT B  
CONTRACT MODIFICATION AUTHORITY (CMA) SUMMARY**

**METRO FREEWAY SERVICE PATROL  
TOWING SERVICES FOR GENERAL PURPOSE LANES**

<b>Beat</b>	<b>Contractor</b>	<b>Contract No.</b>	<b>Original Contract Value</b>	<b>Existing CMA (10%)</b>	<b>Requested CMA Increase</b>	<b>REVISED TOTAL CMA</b>
1	All City Tow	FSP2828200FSP141	\$1,651,224.00	\$165,122.00	\$265,000.00	\$430,122.00
2	Citywide Towing	FSP2785600FSP142	\$1,562,049.00	\$156,204.00	\$190,000.00	\$346,204.00
4	Frank Scotto Towing	FSP2788200FSP144	\$1,732,088.00	\$173,208.00	\$190,000.00	\$363,208.00
8	Citywide Towing	FSP2825800FSP148	\$1,562,049.00	\$156,204.00	\$195,000.00	\$351,204.00
10	Neighborhood Towing 4 U	FSP3848100FSP1410	\$1,717,924.00	\$171,792.00	\$245,000.00	\$416,792.00
13	Reliable Delivery Service	FSP2831500FSP1413	\$2,230,847.00	\$223,084.00	\$475,000.00	\$698,084.00
24	T.G. Towing, Inc.	FSP2833200FSP1424	\$1,753,911.00	\$175,391.00	\$330,000.00	\$505,391.00
33	Mid Valley Towing	FSP2851900FSP1433	\$1,671,437.00	\$167,143.00	\$380,000.00	\$547,143.00
34	South Coast Towing, Inc.	FSP2839600FSP1434	\$1,724,050.00	\$172,405.00	\$315,000.00	\$487,405.00
36	Hadley Tow	FSP2841400FSP1436	\$1,932,125.00	\$193,212.00	\$350,000.00	\$543,212.00
41	T.G. Towing, Inc.	FSP2760200144	\$1,832,033.00	\$183,203.00	\$440,000.00	\$623,203.00
42	Platinum Tow & Transport	FSP2842100FSP1442	\$1,765,665.00	\$176,566.00	\$295,000.00	\$471,566.00

**Totals**

**\$2,113,534.00**

**\$3,670,000.00**

**\$5,783,534.00**

**CONTRACT MODIFICATION/CHANGE ORDER LOG**

**METRO FREEWAY SERVICE PATROL  
TOWING SERVICES FOR GENERAL PURPOSE LANES**

**CONTRACT NO. FSP2831500FSP14-13  
Beat No. 13**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Period of Performance Extension	Approved	5/01/2015	\$ 0.00
1a	Period of Performance Extension	Approved	4/30/2018	\$ 0.00
2	Period of Performance Extension	Approved	8/31/2018	\$ 0.00
3	Funding Increase	Approved	9/03/2018	\$ 223,084
	<b>Modifications Total:</b>			<b>\$ 223,084</b>
	<b>Original Contract:</b>		4/30/2015	<b>\$2,230,847</b>
	<b>Total:</b>			<b>\$2,453,931</b>

**CONTRACT NO. FSP276020014-41  
Beat No. 41**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Period of Performance Extension	Approved	5/10/2018	\$ 0.00
2	Period of Performance Extension	Approved	8/28/2018	\$ 0.00
3	Fund Increases	Approved	9/17/2018	\$ 183,203
	<b>Modifications Total:</b>			<b>\$ 183,203</b>
	<b>Original Contract:</b>		2/09/2015	<b>\$1,832,033</b>
	<b>Total:</b>			<b>\$2,015,236</b>



## DEOD SUMMARY

## METRO FREEWAY SERVICE PATROL / VARIOUS BEATS

**A. Small Business Participation**

Of the 12 FSP contracts included in these Contracts, eight of the Contractors made SBE commitments. The Freeway Service Patrol (FSP) Contractors for Beats 10, 13, 24, 34, 36, 41 and 42, are meeting or exceeding their SBE commitment. The FSP Contractors for Beats 1, 2, 8 and 33 did not make SBE commitments at time of bid and have no SBE participation.

The FSP Contractor for Beat 4, Mighty Transport, Inc. dba Frank Scotto Towing, made a 10.54% SBE commitment. The project is 58% complete and the current SBE participation is 6.60%, representing a 3.94% shortfall. Mighty Transport submitted a mitigation plan, which includes adding two SBE subcontractors to perform on the contract to eliminate the shortfall by the end of the modification period.

Metro Project Managers and Contract Administrators will work in conjunction with DEOD to ensure that Mighty Transport is on schedule to meet or exceed its SBE commitment. Additionally, key stakeholders associated with the contract have been provided access to Metro's tracking and monitoring system to ensure that all parties are actively tracking Small Business progress.

**Beat 4 – Mighty Transport, Inc. dba Frank Scotto Towing**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Patten Energy	10.42%	6.58%
2.	JCM & Associates	0.12%	0.02%
	<b>Total</b>	<b>10.54%</b>	<b>6.60%</b>

**Beat 10 – Neighborhood Towing 4 U**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Neighborhood Towing 4 U (SBE Prime)	10.02%	10.10%
2.	AAA Oils, Inc.	0.00%	13.07%
	<b>Total</b>	<b>10.02%</b>	<b>23.17%</b>

**Beat 13 – Reliable Delivery Service**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Reliable Delivery Service (SBE)	100%	100%

	Prime)		
	<b>Total</b>	<b>100%</b>	<b>100%</b>

**Beat 24 – T.G. Towing, Inc.**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	T. G. Towing, Inc. (SBE Prime)	100%	100
	<b>Total</b>	<b>100%</b>	<b>100%</b>

**Beat 34 – South Coast Towing, Inc.**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	AAA Oils, Inc. dba California Fuel	11.31%	13.54%
	<b>Total</b>	<b>11.31%</b>	<b>13.54%</b>

**Beat 36 – Hadley Tow**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	AAA Oils, Inc. dba California Fuel	16.77%	14.47%
2.	Manatek Insurance	2.33%	7.77%
	<b>Total</b>	<b>19.10%</b>	<b>22.24%</b>

**Beat 41 – T.G. Towing, Inc.**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	T.G. Towing, Inc. (SBE Prime)	100%	100%
	<b>Total</b>	<b>100%</b>	<b>100%</b>

**Beat 42 – Platinum Tow & Transport**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Platinum Tow % Transport (SBE Prime)	100%	100%
	<b>Total</b>	<b>100%</b>	<b>100%</b>

**B. Living Wage and Service Contract Worker Retention Policy Applicability**

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) is applicable to this contract. Metro staff will monitor and enforce the policy guidelines to ensure that applicable workers are paid at minimum, the current Living Wage rate of \$18.99 per hour (\$13.75 base + \$5.24 health benefits), including yearly increases. In addition, contractors will be responsible for submitting the required reports for the LW/SCWRP and other related documentation to staff to determine overall compliance with the policy.

**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.






# Attachment E

## Los Angeles County Metro Freeway Service Patrol Beat Map

January 1, 2008

Monday – Friday 6am – 7pm\*  
Saturday/Sunday 10am – 6pm\*

\*Service Level (No. of Trucks) varies by day of week/time of day.

-  FSP Beat Number and service area
-  Freeway without FSP
-  Interstate
-  U.S. Highway
-  State Highway

