



Board Report

File #: 2019-0079, File Type: Contract

Agenda Number: 24.

OPERATIONS, SAFETY AND CUSTOMER EXPERIENCE COMMITTEE MARCH 21, 2019

SUBJECT: LEXRAY SOFTWARE MAINTENANCE SERVICE CONTRACT

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

- A. RATIFY AND EXECUTE Contract No. PS126167000-30896 with MobilPrise, Inc. dba LexRay (LexRay) for software maintenance services for costs incurred from January 1, 2015 through March 31, 2019 in the amount of \$1,226,863;
- B. EXECUTE Contract Modification No. 1 to Contract No. PS126167000-30896 with LexRay for software maintenance services for the term April 1, 2019 ending December 31, 2020, increasing the total authorized amount by \$531,136 for a revised total contract amount of \$1,757,999; and

ISSUE

In February 2013, Metro entered into a sole source procurement with LexRay to begin the development of a mobile data platform by purchasing proprietary software licenses. This allowed Metro to migrate closed-circuit television feeds from Metro's rail stations onto a mobile platform for viewing on smart phones. This migration resulted in enhancements of situational awareness for Metro staff and law enforcement during an incident or emergency. At that time, Metro had knowledge that these services were only available from LexRay due to their patent on this software technology.

DISCUSSION

The software provided by LexRay to Metro was originally purchased in 2013. This software is used by Metro's System Security and Law Enforcement Department to facilitate viewing closed circuit television cameras (CCTV) on mobile devices like smartphones and tablets. This ability to view CCTV images on mobile devices gives Metro and law enforcement immediate situational awareness.

Following the 2013 procurement, staff at the project level failed to adhere to contracting protocols, and, among other irregularities, obligated the Agency to pay software maintenance fees for calendar years 2015 through 2018. In late 2018, LexRay advised Metro that there were invoices in the amount of \$1,138,432 for maintenance services from 2015, 2016, 2017 and 2018 that were unpaid. In addition, maintenance services for January, February and March 2019 total \$88,431. Executive staff

in Security and Vendor Contract Management consulted with the Office of the Inspector General and County Counsel as to the best way to resolve this matter. Staff negotiated a resolution with LexRay and their legal counsel. Staff concurs that the amount due LexRay is accurate. Staff is requesting the Board ratify the contract for these maintenance services.

Going forward and as part of lessons learned, Metro is seeking to acquire one video management system with a mobile viewing inclusion. Therefore, a separate mobile viewing provider will no longer be necessary.

DETERMINATION OF SAFETY IMPACT

The LexRay Mobile Operations Platform has enhanced situational awareness at rail stations and other critical Metro locations, and increased incident and emergency response time of Metro staff and law enforcement officers.

FINANCIAL IMPACT

There will be no impact to the FY19 Budget, the amount due LexRay will be paid with FY19 cost savings from security contracts.

IMPACT TO BUDGET

The source of funds for this action will be a mix of operations eligible funds including fares, sales tax and federal/state grants as it supports the safe operation of the rail system.

ALTERNATIVES CONSIDERED

Withhold payment for the software maintenance services provided to Metro. This is not recommended because LexRay performed in good faith and provided Metro ongoing software maintenance.

NEXT STEPS

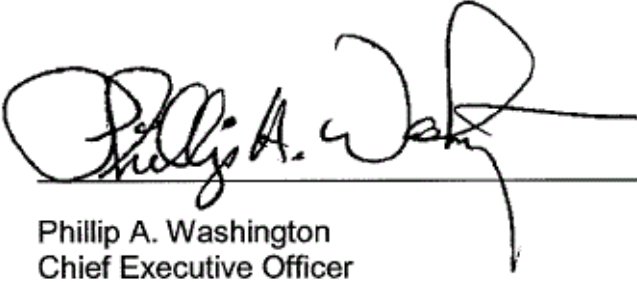
Upon Board approval of the requested recommendations, staff will execute a Contract and Contract Modification No 1. with LexRay for software maintenance services through December 31, 2020 and pay all outstanding invoices.

ATTACHMENTS

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

Prepared by: Susan Walker, Director, Physical Security, (213) 922-7464

Reviewed by: Alex Z. Wiggins, Chief, System Security & Law Enforcement (213) 922-4433
Debra Avila, Chief, Vendor Contract Management (213) 418-3051



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

LEXRAY SOFTWARE MAINTENANCE SERVICE/PS126167000-30896

1.	Contract Number: PS126167000-30896	
2.	Recommended Vendor: MobilPrise, Inc. dba LexRay	
3.	Type of Procurement (check one): <input type="checkbox"/> IFB <input type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input checked="" type="checkbox"/> Non-Competitive <input checked="" type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	Procurement Dates:	
	A. Issued: N/A	
	B. Advertised/Publicized: N/A	
	C. Pre-Proposal Conference: N/A	
	D. Proposals Due: N/A	
	E. Pre-Qualification Completed: March 5, 2019	
	F. Conflict of Interest Form Submitted to Ethics: February 19, 2019	
	G. Protest Period End Date: N/A	
5.	Solicitations Picked up/Downloaded: N/A	Bids/Proposals Received: N/A
6.	Contract Administrator: Aielyn Dumaua	Telephone Number: (213) 922-7320
7.	Project Manager: Susan Walker	Telephone Number: (213) 922-7464

A. Procurement Background

This Board Action is to:

- a) Ratify and execute Contract No. PS126167000-30896 for software maintenance services incurred from January 1, 2015 through March 31, 2019 in the amount of \$1,226,863; and
- b) Execute Contract Modification No. 1 to Contract No. PS126167000-30896 in the amount of \$531,136, for continued software maintenance services for the period April 1, 2019 through December 31, 2020

Total contract amount, including modification, will be \$1,757,999. This is a single source procurement issued in accordance with Metro's Acquisition Policy and the contract type is a firm fixed price.

In February 2013, Metro entered into a sole-source procurement with LexRay for the development of Mobile Operations Platform, which included hardware equipment, customized software applications and licenses. However, Metro inadvertently failed to pay software maintenance fees since calendar year 2015. In addition, continued LexRay maintenance service is required through December 31, 2020.

The LexRay Mobile Operations Platform is a proprietary technology used by Metro to enhance situational awareness at rail stations and other critical Metro locations, and increase incident and emergency response time of Metro staff and law enforcement officers.

B. Cost/Price Analysis

The recommended contract price has been found to be fair and reasonable based upon price analysis, including the review of invoices submitted for services rendered during January 1, 2015 through March 31, 2019 and price proposal for continued services during April 1, 2019 through December 31, 2020. Based on the price analysis, technical analysis, fact-finding, and clarifications, the total agreed to price of \$1,757,999, including Modification No. 1, has been determined to be fair and reasonable.

	Proposer Name	Proposal Amount	Metro ICE	Final Amount
1.	MobilPrise, Inc. dba LexRay			
	Original Contract	\$1,226,863	\$1,226,863	\$1,226,863
	Modification No. 1	\$ 531,136	\$ 531,136	\$ 531,136
	Total	\$1,757,999	\$1,757,999	\$1,757,999

C. Background on Recommended Contractor

The recommended firm, MobilPrise, Inc. dba LexRay, is headquartered in Downers Grove, Illinois. It has been in business since 2008 and is a mobility technical company that provides applications, video and systems interfaces on mobiles.

LexRay's patented technologies allow integration of enterprise solutions in the fields of biometrics, facial recognition, artificial intelligence, Internet of Things (IoT) technologies, mobile emergency operations centers, object recognition, person of interest, threat detection, real-time alerts, multi-location intelligence, gender detection, ethnicity detection, age detection, emotion detection, heat maps, forensic video, deep learning, gesture recognition, access control, drone connectors, computer dispatching system, predictive analytics, continuity of operations planning and all types of mobile applications.

The LexRay Mobile Operations Platform allows seamless integration with a wide variety of IoT products and systems. It has been implemented within industries such as government, law enforcement, ID management, smart cities, energy sector, airports, harbors and ports, NFL and MLB, casinos and hotels, stadiums and events, mobile carriers, online-to-offline, manufacturing, education and retail. Clients include the Los Angeles County Sheriff Department, Santa Ana Police, Regional Transportation Transit and StubHub in support of the LA Chargers and LA Galaxy games.

LexRay has been providing Metro with software maintenance service on the LexRay Mobile Operations Platform, including licenses, hardware equipment and software customization upgrade, since 2013 and performance has been satisfactory.

CONTRACT MODIFICATION/CHANGE ORDER LOG

LEXRAY SOFTWARE MAINTENANCE SERVICE/PS126167000-30896

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	LexRay Software Maintenance Service for the period 4/1/19 through 12/31/20	Pending	3/28/19	\$531,136
	Modification Total:			\$531,136
	Original Contract:	Pending	3/28/19	\$1,226,863
	Total:			\$1,757,999

DEOD SUMMARY

LEXRAY SOFTWARE MAINTENANCE SERVICE/PS126167000-30896

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) did not recommend a Disadvantaged Business Enterprise (DBE) goal for this sole-source procurement as the MobilPrise, Inc. dba LexRay's software license and technology is proprietary. It is expected that LexRay will perform the work with its own workforce.

B. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) 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 is not applicable to this Contract. Project Labor Agreement/Construction Careers Policy is applicable only to construction contracts that have a construction contract value in excess of \$2.5 million.