



Board Report

File #: 2019-0208, File Type: Contract

Agenda Number: 43.

**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE  
JULY 18, 2019**

**SUBJECT: METRO FREEWAY SERVICE PATROL**

**ACTION: APPROVE RECOMMENDATIONS**

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to:

A. AWARD a firm fixed unit rate Contract No. FS58039000 for Metro Freeway Service Patrol (FSP) Regional light duty towing services Region 1 to Kenny’s Auto Service, in an amount not to exceed \$20,936,369 for 52 months, subject to resolution of protest(s), if any; and,

B. AWARD a firm fixed unit rate Contract No. FS58039001 for Metro Freeway Service Patrol (FSP) regional light duty towing services Region 2 to Platinum Tow and Transport in an amount not to exceed \$24,006,823 for 52 months, subject to resolution of protest(s), if any; and,

C. INCREASE Contract Modification Authority (CMA) to 29 existing Freeway Service Patrol contracts as delineated below for a total amount of \$14,521,000 thereby increasing the CMA amount from \$11,161,294 to \$25,682,294 and extend the periods of performance as follows:

- Beat no. 1: All City Tow Contract No. FSP2828200FSP141, for \$219,000 for 8 months
- Beat no. 2: Citywide Towing Contract No. FSP2785600FSP142, for \$258,000 for 9 months
- Beat no. 3: Hollywood Car Carrier Contract No. FSP3469400B3/43, for \$849,000 for 9 months
- Beat no. 4: Frank Scotto Towing Contract No. FSP2788200FSP144, for \$237,000 for 9 months
- Beat no. 5: Sonic Towing, Inc. Contract No. FSP3469500B5/17, for \$320,000 for 11 months
- Beat no. 6: Neighborhood Towing 4 U Contract No. FSP3469600B6, for \$338,000 for 11 months
- Beat no. 8: Citywide Towing Contract No. FSP2825800FSP148, for \$293,000 for 9 months
- Beat no. 9: Frank Scotto Towing Contract No. FSP3470000B9, for \$394,000 for 11 months
- Beat no. 10: Neighborhood Towing 4 U Contract No. FSP3848100FSP1410, for \$365,000 for 12 months
- Beat no. 12: Tip Top Tow Contract No. FSP2826700FSP14, for \$796,000 for 12 months
- Beat no. 13: Reliable Delivery Service Contract No. FSP2831500FSP1413, for \$440,000 for 7

months

- Beat no. 17: Sonic Towing, Inc. Contract No. FSP3469500B5/17, for \$241,000 for 9.5 months
- Beat no. 18: Bob & Dave's Towing, Inc. Contract No. FSP2690300FSP1418, for \$695,000 for 14.5 months
- Beat no. 20: Bob's Towing Contract No. FSP2836600FSP1420, for \$211,000 for 12 months
- Beat no. 21: Bob's Towing Contract No. FSP2839000FSP1421, for \$153,000 for 12 months
- Beat no. 24: T.G. Towing, Inc. Contract No. FSP2833200FSP1424, for \$275,000 for 11

months

- Beat no. 28: Hadley Tow Contract No. FSP3847300FSP1428, for \$99,000 for 11 months
- Beat no. 33: Mid Valley Towing Contract No. FSP2851900FSP1433, for \$266,000 for 9

months

- Beat no. 34: South Coast Towing, Inc. Contract No. FSP2839600FSP1434, for \$292,000 for 11 months
- Beat no. 36: Hadley Tow Contract No. FSP2841400FSP1436, for \$288,000 for 11 months
- Beat no. 37: Reliable Delivery Service Contract No. FSP3696000FSP1437, for \$690,000 for 11 months

- Beat no. 38: Steve's Towing Contract No. FSP38468001438, for \$106,000 for 11 months
- Beat no. 39: Jon's Towing Contract No. FSP3470400B27/39, for \$253,000 for 9.5 months
- Beat no. 41: T.G. Towing, Inc. Contract No. FSP2760200144, for \$322,000 for 8 months
- Beat no. 42: Platinum Tow & Transport Contract No. FSP2842100FSP1442, for \$290,000 for 11 months

- Beat no. 43: Hollywood Car Carrier Contract No. FSP3469400B3/43, for \$828,000 for 9.5 months

- Beat no. 70: Tip Top Tow Contract No. FSP3471300B70, for \$920,000 for 7 months

- Beat no. 71: Bob & Dave's Towing, Inc. Contract No. FSP3471500B71, for \$932,000 for 6 months

- Region 1: Kenny's Auto Service Contract No. FSP13-R1, for \$3,151,000 for 9 months

## **ISSUE**

Based on the success of the regional approach as demonstrated with the first regional beat, staff is recommending the award of two FSP Regional light duty tow service contracts (Regions 1 & 2). The Region 1 contract award will replace the expiring Region 1 contract. The Region 2 contract award will expand the FSP Regional format from a single region to two (2) regions. Region 2 consolidates six (6) FSP beats in and around the central downtown Los Angeles freeway corridor into a single regional contract. A single contractor managing the FSP service in this area will have the flexibility to more quickly and efficiently respond to congestion due to incidents consistent with the Region 1 experience.

Recommendation C authorizes contract modification authority (CMA) in the amount of \$14,521,000 to execute contract modifications to existing FSP light duty tow service contracts. Additional funds are needed to extend and replenish existing FSP contracts, in anticipation of the phased startup of the two multi-beat Regional contracts (Recommendations A & B) and the award and startup of

sixteen (16) individual beat contracts in Q3 FY2020.

To ensure the largest pool of prospective proposers for the Regions, it was necessary to procure the Regional contracts before the individual beat contracts to avoid the contract cap limits required to ensure optimal service. 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, contract with various sub-contractors and outfit their vehicles with the appropriate equipment at Metro's radio shop. Increased CMA will also provide funds to address increased operating costs such as insurance and fuel and 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 construction projects.

## **BACKGROUND**

FSP is a congestion mitigation program managed in partnership with Metro, CHP and Caltrans serving motorists on all major freeways in Los Angeles County. The Los Angeles County FSP program has the highest benefit to cost ratio of all the statewide FSP programs.

The program utilizes a fleet of roving tow and service trucks designed to reduce traffic congestion by efficiently rendering disabled vehicles operational or by quickly towing those vehicles from the freeway to a designated safe location. Quick removal of 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 free to motorists and operates seven days a week during peak commuting hours.

Metro contracts with independent tow service providers for 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 and I-10), and 2 heavy duty (Big Rig) contracts (I-710 and SR-91). Each weekday, 170 tow and service trucks are deployed during peak commuting hours.

The annual benefit of the program is as follows:

- For individual beats, an annual Benefit to Cost Ratio of 10:1 - For every \$1 spent there is a \$10 benefit to motorists.
- 300,000 motorist assists
- 9,847,881,840 hours motorists saved from sitting in traffic
- 16,928,508 gallons of fuel savings
- Approximately 150,000,000 kg of CO2 reductions
- 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.

## **DISCUSSION**

The regional concept was introduced to improve performance, control program costs, and enhance the ability to actively conduct incident response in a large geographic area. The concept divided the FSP service area into six geographic regions. Each region would be comprised of six individual FSP light duty tow service beats with the contract awarded to a single vendor. The first FSP Regional contract (Region 1) was awarded on January 23, 2014. An evaluation of Region 1 was conducted and completed in August 2017 to assess the impacts and benefits of the regional approach. The evaluation focused on three general areas: 1) performance, 2) program efficiency and 3) operational effectiveness.

To evaluate Region 1 performance, various data sources were used including; FSP Assist information, FSP contract information, Caltrans FSP statewide annual report, and Caltrans PeMS. Metrics such as assists per vehicle hour, percentage of time assisting motorists, cost per assist and benefit to cost ratio were utilized to evaluate potential differences between a single contract per beat and a regional beat. Within each performance category, Region 1 consistently outperformed all other contracts on every metric. The Benefit-to-Cost Ratio is one of the Key Performance Indicators used by Metro and Caltrans to measure the success of the FSP program. Region 1 performed at a 17.2:1 ratio which is 7 points higher than the FSP program's overall ratio of 10:1 (Metro's program is the top performing program in the state).

In terms of program efficiency, the evaluation revealed that by consolidating 6 beats into one region under a single contract, the contractor was able to leverage the large number of vehicles (25 tow and service vehicles) to negotiate volume discounts on vehicle prices, parts and equipment. As anticipated, the implementation of Region 1 reduced the administrative workload. This provided the opportunity to focus on operations and program performance. As a result, the Los Angeles County FSP program has been the most cost effective program in the state for the past two years.

The evaluation also identified operational efficiencies associated with the regional approach in terms of the contractor's ability to manage and motivate employees to exceed past beat performance, properly maintain and repair 25 contracted vehicles, and keep contract violation assessments to a bare minimum. This allowed program management staff and FSP CHP field supervision to focus their efforts in other areas of the FSP service area (communications system development).

Based on the benefits of the first regional beat, staff recommends award of a new contract for Region 1 which is expiring and award of an additional contract for a second region (Region 2). Staff will evaluate Region 2's operations and performance in a similar fashion as was done for Region 1.

## **DETERMINATION OF SAFETY IMPACT**

The FSP Program enhances safety on Los Angeles County freeways by assisting motorists with disabled vehicles, towing vehicles from freeway lanes to prevent secondary accidents, and removing debris/obstacles from lanes that can be a hazard to motorists. During FSP operating hours, drivers provide specific services to motorists with disabled vehicles to get them safely back on the road or tow them to a designated safe location off of the freeway. FSP drivers patrolling their Beat locate and assist motorists in freeway lanes or along the shoulder significantly faster than it would take to call a private tow service. The

FSP Program completes approximately 300,000 assists annually.

## **FINANCIAL IMPACT**

The amount of \$14,521,000 for CMA, and first year startup and operational costs of \$5,255,583 for Region 1 and \$5,497,288 for Region 2 is included in the FY20 budget in cost center 3352, Metro Freeway Service Patrol, under project number 300070. Since this action includes multi-year contracts, the cost center manager and Executive Officer, Congestion Reduction will be responsible for budgeting funds in future years.

### **Impact to Budget**

The FSP program is funded through a combination of dedicated state funds, SB1 funding and Proposition C 25% sales tax. These funds are not eligible for Metro Bus and Rail Operating and Capital expenses. 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 award the contracts or authorize the increase in contract modification authority. This alternative is not recommended as it will adversely impact the existing contracts and the level and quality of FSP service provided in Los Angeles County.

## **NEXT STEPS**

Upon Board approval, staff will execute the necessary contracts to assure efficient and seamless delivery of the FSP program.

## **ATTACHMENTS**

Attachment A - Procurement Summary (Region 1 and Region 2)

Attachment B - Procurement Summary (Various Beats)

Attachment C - Contract Modification Authority Summary


Attachment D - Contract Modification/Change Order Log

Attachment E - DEOD Summary

Attachment F - FSP Regional Beat Map

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Debra Avila, Chief Vendor/Contract Management, (213) 418-3051



Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

**FSP LIGHT DUTY TOWING-REGION 1 AND REGION 2  
FS58039000, FS58039001**

1.	<b>Contract Numbers: FS58039000, FS58039001</b>	
2.	<b>Recommended Vendors:</b> Kenny's Auto Service #II-Region 1 Platinum Tow and Transport-Region 2	
3.	<b>Type of Procurement (check one):</b> <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.	<b>Procurement Dates:</b>	
	<b>A. Issued:</b> December 13, 2018	
	<b>B. Advertised/Publicized:</b> December 14, 2018	
	<b>C. Pre-Proposal Conference:</b> December 20, 2018	
	<b>D. Proposals Due:</b> January 28, 2019	
	<b>E. Pre-Qualification Completed:</b> June 27, 2019	
	<b>F. Conflict of Interest Form Submitted to Ethics:</b> May 10, 2019	
	<b>G. Protest Period End Date:</b> July 29, 2019	
5.	<b>Solicitations Picked up/ Downloaded:</b> 36	<b>Proposals Received:</b> 10
6.	<b>Contract Administrator:</b> DeValory Donahue	<b>Telephone Number:</b> (213) 922-4726
7.	<b>Project Manager:</b> John Takahashi	<b>Telephone Number:</b> (213) 418-3271

**A. Procurement Background**

This Board Action is to award Contract No. FS58039000 to Kenny's Auto Service #II (Region 1) and Contract No. FS58039001 to Platinum Tow and Transport (Region 2), in support of FSP Light Duty Towing Services for highways in Los Angeles County. Board approval of contract awards are subject to the resolution of any properly submitted protest.

This Freeway Service Patrol Request for Proposal (RFP) to award two regional contracts was issued in accordance with Metro's Acquisition Policy. The RFP was issued with an SBE/DVBE goal of 10% (SBE 7% and DVBE 3%). The contract type is a firm fixed hourly rate. The RFP allowed firms to propose on Regions 1 and 2; however, a firm could only be awarded one Region contract.

The RFP was advertised as a medium-sized business enterprise preference for medium-size businesses whose proposals would be considered first. However, none of the firms that submitted a proposal designated themselves as a medium sized business enterprise.

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

- Amendment No. 1, issued on January 7, 2019, revised Exhibit B, Exhibit 1-Form 4, Exhibit 4, and Exhibit 11.1.

- Amendment No. 2, issued on January 10, 2019, revised Exhibit A and Exhibit H-1.1.

A pre-proposal conference was held on December 20, 2018, and was attended by 39 participants representing 24 companies. There were 21 questions asked and responses were released prior to the proposal due date.

A total of 36 firms downloaded the RFP and were included in the planholders' list. A total of ten proposals were received on January 28, 2019.

## **B. Evaluation of Proposals**

A Proposal Evaluation Team (PET), consisting of staff from Metro Highway Programs and California Highway Patrol, was convened and conducted a comprehensive technical evaluation of the proposals received.

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

- |                                      |            |
|--------------------------------------|------------|
| • Capability and Relevant Experience | 20 percent |
| • Business Plan                      | 20 percent |
| • Facility Visit                     | 10 percent |
| • Vehicle Inspection                 | 10 percent |
| • Price                              | 30 percent |
| • Partnering with Small Business     | 10 percent |

The evaluation criteria are appropriate and consistent with criteria developed for other, similar highway towing service procurements. Several factors were considered when developing these weights, giving the greatest importance to price.

From February 8, 2019 through April 18, 2019, the PET completed its independent evaluation of the proposals. Of the ten proposals received, four were considered responsive. The PET determined that one of the four responsive firms was outside the competitive range and therefore, not included for further consideration as it did not adequately address the requirements of the RFP. As part of the RFP requirements, firms were required to meet the established SBE/DVBE goal of 10%. Six firms did not achieve this goal and were considered non-responsive.

The firms within the competitive range for awards in both regions are listed below in alphabetical order:

1. Freeway Towing, Inc.
2. Kenny's Auto Service, #II
3. Platinum Tow and Transport, Inc.

### **Qualifications of Firms Within the Competitive Range**

#### **Kenny's Auto Service, #II**



Kenny's Auto Service conducted a towing pilot for FSP light duty towing Region 1 and are current providers of towing services. Their proposal and site visit demonstrated extensive knowledge in providing towing services for the region. They are a certified SBE and all vehicles designated for use in this region passed inspection. They proposed 20 drivers that would be dedicated to Metro towing with seven back-up drivers. Kenny's Auto Service will have the Director of Operations to serve as the Project Administrator along with the Deputy Administrator for the FSP program.

**Platinum Tow and Transport, Inc.**

Platinum Tow and Transport's proposal and site visit reflected the ability to execute the requirements for the Metro FSP towing program. They are a certified SBE. Their records management was organized and the towing yard was clean. All designated vehicles passed inspection and 37 drivers, along with four administrative personnel, will support the FSP project. Platinum Tow and Transport will provide three project managers to support the FSP Regional Towing contract.

**Freeway Towing, Inc.**

Freeway Towing is a current Metro FSP Big Rig Contractor. They have been in business for 31 years. Their proposal reflected good organization skills with a designated FSP manager and assistant manager. They proposed ten drivers designated for FSP only and they have been on the advisory committee for AAA Motor Club for 20 years.

**Following is a summary of the PET evaluations scores by region:**

**REGION 1**

	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
	<b>Kenny's Auto Service, #II</b>				
1	Capability and Relevant Experience	63.35	20.00%	12.67	
2	Business Plan	96.65	20.00%	19.33	
3	Facility Visit	93.30	10.00%	9.33	
4	Vehicle Inspection	100.00	10.00%	10.00	
5	Price	82.94	30.00%	24.88	
6	Partnering With Small Business	50.00	10.00%	5.00	
7	<b>Total</b>		<b>100.00%</b>	<b>81.21</b>	<b>1</b>
	<b>Platinum Tow and Transport, Inc.</b>				
8	Capability and Relevant Experience	64.45	20.00%	12.89	
9	Business Plan	90.00	20.00%	18.00	
10	Facility Visit	100.00	10.00%	10.00	
11	Vehicle Inspection	100.00	10.00%	10.00	

12	Price	70.37	30.00%	21.11	
13	Partnering With Small Business	50.00	10.00%	5.00	
14	<b>Total</b>		<b>100.00%</b>	<b>77.00</b>	<b>2</b>
<b>Freeway Towing Inc.</b>					
15	Capability and Relevant Experience	66.65	20.00%	13.33	
16	Business Plan	71.65	20.00%	14.33	
17	Facility Visit	96.70	10.00%	9.67	
18	Vehicle Inspection	100.00	10.00%	10.00	
19	Price	63.52	30.00%	19.06	
20	Partnering With Small Business	50.00	10.00%	5.00	
21	<b>Total</b>		<b>100.00%</b>	<b>71.39</b>	<b>3</b>

## **REGION 2**

	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
<b>Platinum Tow and Transport, Inc.</b>					
1	Capability and Relevant Experience	64.45	20.00%	12.89	
2	Business Plan	90.00	20.00%	18.00	
3	Facility Visit	100.00	10.00%	10.00	
4	Vehicle Inspection	100.00	10.00%	10.00	
5	Price	100.00	30.00%	30.00	
6	Partnering With Small Business	50.00	10.00%	5.00	
7	<b>Total</b>		<b>100.00%</b>	<b>85.89</b>	<b>1</b>
<b>Freeway Towing, Inc.</b>					
8	Capability and Relevant Experience	66.65	20.00%	13.33	
9	Business Plan	71.65	20.00%	14.33	
10	Facility Visit	96.70	10.00%	9.67	
11	Vehicle Inspection	100.00	10.00%	10.00	
12	Price	90.37	30.00%	27.11	
13	Partnering With Small Business	50.00	10.00%	5.00	
14	<b>Total</b>		<b>100.00%</b>	<b>79.44</b>	<b>2</b>

### **C. Price Analysis**

The recommended NTE amount has been determined to be fair and reasonable based upon an independent cost estimate (ICE), price analysis, technical analysis, and fact finding. The primary difference between the ICE and NTE amounts is future increases in vehicle insurance costs and fuel price fluctuations based on market conditions.

## **REGION 1**

	<b>Proposer Name</b>	<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>NTE amount</b>
1.	Kenny's Auto Service, II	\$20,936,368.98	\$18,867,940	\$20,936,368.98
2.	Platinum Tow and Transport, Inc.	\$24,673,874.68	\$18,867,940	N/A
3.	Freeway Towing, Inc.	\$27,334,857.50	\$18,867,940	N/A

## **REGION 2**

	<b>Proposer Name</b>	<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>NTE amount</b>
1.	Platinum Tow and Transport, Inc.	\$24,006,822.70	\$18,357,850	\$24,006,822.70
2.	Freeway Towing, Inc.	\$26,566,657.50	\$18,357,850	N/A

### **D. Background on Recommended Contractors**

#### **REGION 1**

##### **Kenny's Auto Service, #II**

Kenny's Auto Service has been conducting business in the Metropolitan area of Los Angeles since 1938. Metro FSP towing certified since 1994, they have a fleet of 24 trucks that service 6 patrol routes and 70 miles of freeway. In addition to the current towing contract with Metro, they are also contracted with the LA County Sheriff's Department, California Highway Patrol and the City of Bellflower. Kenny's has the ability to store 400 vehicles in their state-of-the-art facility and is a member of the Department of Motor Vehicles Pull Notice program.

#### **REGION 2**

##### **Platinum Tow and Transport, Inc.**

Platinum Tow and Transport, Inc. started the tow business in October 2001 with a single tow truck. They now have a fleet of 39 trucks and operate out of 3 locations in Westlake Village, Camarillo, and Oxnard, California. The fourth location in Canoga Park serves as the depot for the Metro FSP. Services include light, medium, and heavy-duty towing and they have been a continuous partner with Metro since 2004. Existing contracts are with Metro, the Auto Club of Southern California, Los Angeles World Airports, and the California Highway Patrol.

## PROCUREMENT SUMMARY

## METRO FREEWAY SERVICE PATROL/VARIOUS BEATS

1.	<b>Contract Number:</b> Various, See Attachment C		
2.	<b>Contractor:</b> Various, See Attachment C		
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 Service		
5.	<b>The following data is current as of:</b> June 28, 2019		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	Various	<b>Contract Award Amount:</b> Various, See Attachment C
	<b>Notice to Proceed (NTP):</b>	N/A	<b>Total of Modifications Approved:</b> Various, See Attachment D
	<b>Original Complete Date:</b>	N/A	<b>Pending Modifications (including this action):</b> Various, See Attachment D
	<b>Current Est. Complete Date:</b>	Various	<b>Current Contract Value (with this action):</b> Various, See Attachment D
7.	<b>Contract Administrator:</b> DeValory Donahue		<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 approve Contract Modification Authority (CMA) for multiple contracts (see Attachment C-Contract Modification Authority Summary) for towing services in support of the Metro Freeway Service Patrol (FSP) program.

The proposed CMA increase for 29 FSP general purpose lane contracts in the amount of \$14,521,000 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 C-Contract Modification Authority Summary shows the list of contracts that require an increase in CMA.

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

**B. Cost**

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

**ATTACHMENT C  
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</b>	<b>Requested CMA Increase</b>	<b>Revised Total CMA</b>
1	All City Tow	FSP2828200FSP141	\$1,651,224.00	\$430,122.00	\$219,000.00	\$649,122.00
2	Citywide Towing	FSP2785600FSP142	\$1,562,049.00	\$346,204.00	\$258,000.00	\$604,204.00
3	Hollywood Car Carrier	FSP3469400B3/43	\$1,915,326.00	\$191,532.00	\$849,000.00	\$1,040,532.00
4	Frank Scotto Towing	FSP2788200FSP144	\$1,732,088.00	\$363,208.00	\$237,000.00	\$600,208.00
5	Sonic Towing, Inc.	FSP3469500B5/17	\$1,808,057.00	\$180,805.00	\$320,000.00	\$500,805.00
6	Neighborhood Towing 4 U	FSP3469600B6	\$1,760,238.00	\$176,023.00	\$338,000.00	\$514,023.00
8	Citywide Towing	FSP2825800FSP148	\$1,562,049.00	\$351,204.00	\$293,000.00	\$644,204.00
9	Frank Scotto Towing	FSP3470000B9	\$1,835,200.00	\$183,520.00	\$394,000.00	\$577,520.00
10	Neighborhood Towing 4 U	FSP3848100FSP1410	\$1,717,924.00	\$416,792.00	\$365,000.00	\$781,792.00
12	Tip Top Tow	FSP2826700FSP14	\$2,312,650.00	\$231,265.00	\$796,000.00	\$1,027,265.00
13	Reliable Delivery Service	FSP2831500FSP1413	\$2,230,847.00	\$698,084.00	\$440,000.00	\$1,138,084.00
17	Sonic Towing, Inc.	FSP3469500B5/17	\$1,782,209.00	\$178,220.00	\$241,000.00	\$419,220.00
18	Bob & Dave's Towing, Inc.	FSP2690300FSP1418	\$2,486,760.00	\$248,676.00	\$695,000.00	\$943,676.00
20	Bob's Towing	FSP2836600FSP1420	\$2,292,530.00	\$229,253.00	\$211,000.00	\$440,253.00
21	Bob's Towing	FSP2839000FSP1421	\$2,292,530.00	\$229,253.00	\$153,000.00	\$382,253.00
24	T.G. Towing, Inc.	FSP2833200FSP1424	\$1,753,911.00	\$505,391.00	\$275,000.00	\$780,391.00
28	Hadley Tow	FSP3847300FSP1428	\$2,293,737.00	\$229,373.00	\$99,000.00	\$328,373.00
33	Mid Valley Towing	FSP2851900FSP1433	\$1,671,437.00	\$547,143.00	\$266,000.00	\$813,143.00
34	South Coast Towing, Inc.	FSP2839600FSP1434	\$1,724,050.00	\$487,405.00	\$292,000.00	\$779,405.00
36	Hadley Tow	FSP2841400FSP1436	\$1,932,125.00	\$543,212.00	\$288,000.00	\$831,212.00
37	Reliable Delivery Service	FSP3696000FSP1437	\$1,898,072.00	\$189,807.00	\$690,000.00	\$879,807.00
38	Steve's Towing	FSP38468001438	\$2,263,556.00	\$226,355.00	\$106,000.00	\$332,355.00
39	Jon's Towing	FSP3470400B27/39	\$2,152,353.00	\$215,235.00	\$253,000.00	\$468,235.00
41	T.G. Towing, Inc.	FSP2760200144	\$1,832,033.00	\$623,203.00	\$322,000.00	\$945,203.00

42	Platinum Tow & Transport	FSP2842100FSP1442	\$1,765,665.00	\$471,566.00	\$290,000.00	\$761,566.00
43	Hollywood Car Carrier	FSP3469400B3/43	\$1,915,326.00	\$191,532.00	\$828,000.00	\$1,019,532.00
70	Tip Top Tow	FSP3471300B70	\$3,885,770.00	\$388,577.00	\$920,000.00	\$1,308,577.00
71	Bob & Dave's Towing, Inc.	FSP3471500B71	\$5,455,123.12	\$545,512.00	\$932,000.00	\$1,477,512.00
R1	Kenny's Auto Service	FSP13-R1	\$15,428,224.00	\$1,542,822.00	\$3,151,000.00	\$4,693,822.00
Totals				<u>\$11,161,294.00</u>	<u>\$14,521,000.00</u>	<u>\$25,682,294.00</u>

## CONTRACT MODIFICATION/CHANGE ORDER LOG

METRO FREEWAY SERVICE PATROL  
TOWING SERVICES FOR GENERAL PURPOSE LANES

CONTRACT No. FSP2828200FSP14-1

BEAT No. 1

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Period of Performance extension	Approved	4/26/18	\$0.00
2	Period of Performance extension	Approved	7/27/2018	\$0.00
3	Period of Performance extension	Approved	12/19/2018	\$0.00
4	Add Funding	Approved	4/16/2019	\$265,000.00
	<b>Modification Total:</b>			<b>\$265,000.00</b>
	<b>Original Contract:</b>			<b>\$1,816,346.00</b>
	<b>Total:</b>			<b>\$2,081,346.00</b>

CONTRACT No. FPS278650014-2

BEAT No. 2

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Period of Performance extension	Approved	5/10/2018	\$0.00
2	Period of Performance extension	Approved	7/27/2018	\$0.00
3	Add Funding	Approved	12/19/2018	\$156,204.00
4	Add Funding	Approved	12/31/2018	\$190,000.00
	<b>Modification Total:</b>			<b>\$346,204.00</b>
	<b>Original Contract:</b>			<b>\$1,562,049.00</b>
	<b>Total:</b>			<b>\$1,908,253.00</b>



**CONTRACT No. FSP2788200FSP14-4**

**BEAT No. 4**

<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	7/27/2018	\$0.00
3	Add Funding and Period of Performance extension	Approved	12/19/2018	\$173,208.00
4	Period of Performance extension	Approved	5/31/2019	\$0.00
	<b>Modification Total:</b>			\$173,208.00
	<b>Original Contract:</b>			\$1,732,088.00
	<b>Total:</b>			\$1,905,296.00

**CONTRACT No. FSP2825800FSP14-8**

**BEAT No. 8**

<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	7/27/2018	\$0.00
3	Add Funding and Period of Performance extension	Approved	12/19/2018	\$156,204.00
4	Add Funding	Approved	4/16/2019	\$195,000.00
	<b>Modification Total:</b>			\$351,204.00
	<b>Original Contract:</b>			\$1,562,049.00
	<b>Total:</b>			\$1,913,253.00

**CONTRACT No. FSP3848100FSP14-10**

**BEAT No. 10**

<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	8/3/2018	\$0.00
2	Add Funding	Approved	12/19/2018	\$171,792.00

	<b>Modification Total:</b>			<b>\$171,792.00</b>
	<b>Original Contract:</b>			<b>\$1,717,924.00</b>
	<b>Total:</b>			<b>\$1,889,716.00</b>

**CONTRACT No. FSP28231500SP14-13**

**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	5/9/2018	\$0.00
2	Period of Performance extension	Approved	8/3/2018	\$0.00
3	Add Funding	Approved	9/7/2018	\$223,084.00
4	Period of Performance extension	Approved	12/19/2018	\$0.00
5	Add Funding and Period of Performance extension	Approved	1/14/2019	\$475,000.00
	<b>Modification Total:</b>			<b>\$698,084.00</b>
	<b>Original Contract:</b>			<b>\$2,230,847.00</b>
	<b>Total:</b>			<b>\$2,928,931.00</b>

**CONTRACT No. FSP2833200FSP14-24**

**BEAT No. 24**

<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	5/11/2018	\$0.00
2	Period of Performance extension	Approved	8/3/2018	\$0.00
3	Add Funding and Period of Performance extension	Approved	12/19/2018	\$175,391.00
4	Add Funding and Period of Performance extension	Approved	5/17/2019	\$330,000.00
	<b>Modification Total:</b>			<b>\$505,391.00</b>
	<b>Original Contract:</b>			<b>\$1,753,911.00</b>
	<b>Total:</b>			<b>\$2,259,302.00</b>

CONTRACT No. FSP2851900FSP14-33

BEAT No. 33

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Period of Performance extension	Approved	6/12/2018	\$0.00
2	Add Funding and Extend Period of Performance extension	Approved	12/19/2018	\$167,143.00
3	Add Funding and Extend Period of Performance extension	Approved	5/17/2019	\$380,000.00
	<b>Modification Total:</b>			<b>\$547,143.00</b>
	<b>Original Contract:</b>			<b>\$1,671,437.00</b>
	<b>Total:</b>			<b>\$2,218,580.00</b>

CONTRACT No. FSP2839600FSP14-34

BEAT No. 34

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Period of Performance extension	Approved	6/12/2018	\$0.00
2	Add Funding	Approved	12/19/2018	\$172,405.00
	<b>Modification Total:</b>			<b>\$172,405.00</b>
	<b>Original Contract:</b>			<b>\$1,724,050.00</b>
	<b>Total:</b>			<b>\$1,896,455.00</b>

CONTRACT No. FSP2841400FSP14-36

BEAT No. 36

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Period of Performance extension	Approved	6/12/2018	\$0.00
2	Add Funding	Approved	12/20/2018	\$193,212.00
	<b>Modification Total:</b>			<b>\$193,212.00</b>
	<b>Original Contract:</b>			<b>\$1,932,125.00</b>

	<b>Total:</b>		<b>\$2,125,337.00</b>
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**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	5/1/2018	\$0.00
2	Period of Performance extension	Approved	8/3/2018	\$0.00
3	Add Funding	Approved	9/8/2018	\$183,203.00
4	Period of Performance extension	Approved	12/19/2018	\$0.00
5	Period of Performance extension	Approved	5/31/2019	\$0.00
6	Add Funding	Approved	6/21/2019	\$220,000.00
	<b>Modification Total:</b>			\$403,203.00
	<b>Original Contract:</b>			<b>\$1,832,033.00</b>
	<b>Total:</b>			<b>\$2,235,236.00</b>

**CONTRACT No. FSP2842100FSP14-42**

**BEAT No. 42**

<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	6/12/2018	\$0.00
2	Add Funding	Approved	12/20/2018	\$175,566.00
	<b>Modification Total:</b>			\$175,566.00
	<b>Original Contract:</b>			\$1,765,665.00
	<b>Total:</b>			<b>\$1,941,231.00</b>

## DEOD SUMMARY

**FSP LIGHT DUTY TOWING – REGION 1 AND REGION 2  
FS58039000, FS58039001**

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 7% Small Business Enterprise (SBE) and 3% Disabled Veteran Business Enterprise (DVBE) goal for this procurement. For Region 1, Kenny's Auto Service, an SBE Prime, exceeded the goal by making a 96.99% SBE commitment and a 3.01% DVBE commitment. For Region 2, Platinum Tow & Transport, an SBE Prime, exceeded the goal by making a 94.29% SBE commitment and a 3.25% DVBE commitment.

**Region 1 - Kenny's Auto Service**

<b>Small Business Goal</b>	<b>7% SBE 3% DVBE</b>	<b>Small Business Commitment</b>	<b>96.99% SBE 3.01% DVBE</b>
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<b>SBE Subcontractors</b>		<b>% SBE Commitment</b>
1.	Kenny's Auto Service (SBE Prime)	96.99%
<b>Total</b>		<b>96.99%</b>

<b>DVBE Subcontractors</b>		<b>% DVBE Commitment</b>
2.	DVBE Insurance and Financial	3.01%
<b>Total</b>		<b>3.01%</b>

**Region 2 - Platinum Tow & Transport**

<b>Small Business Goal</b>	<b>7% SBE 3% DVBE</b>	<b>Small Business Commitment</b>	<b>94.29% SBE 3.25% DVBE</b>
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<b>SBE Subcontractors</b>		<b>% SBE Commitment</b>
1.	Platinum Tow & Transport (SBE Prime)	93.54%
2.	Capp Uniform Service	0.44%
3.	Autolift Services	0.31%
<b>Total</b>		<b>94.29%</b>

<b>DVBE Subcontractors</b>		<b>% DVBE Commitment</b>
1.	Oasis Fuels	3.25%
<b>Total</b>		<b>3.25%</b>

## **Small Business Participation – Various Beats**

Of the twenty-nine FSP contracts included in this modification, Contractors made SBE commitments for 21 Beats, 18 of which are meeting or exceeding their SBE commitment(s) and 11 of which are SBE Primes.

The FSP Contractors for Beats 1, 2, 8, 33, 38, 39 and 71 did not make SBE commitments and have no SBE participation. These contracts were procured prior to the 2016 legislative change to the Public Utilities Code that authorized meeting the SBE goal as a condition of award for non-federal IFB procurements.

The FSP Contractors for Beats 4, 12, and 70 have participation levels below their respective commitment levels and are in shortfall. For Beat 4, Mighty Transport, Inc. dba Frank Scotto Towing, made a 10.54% SBE commitment. The project is 62% complete and the current SBE participation is 7.23%, representing a 3.13% shortfall. Frank Scotto Towing added one (1) SBE subcontractor to perform on the contract which has decreased their shortfall from 3.94% as previously reported in November 2018 and expect to meet their commitment. For Beats 12 and 70, Tip Top Tow made a 10.20% SBE commitment for each, which is 92% and 89% complete, respectively. Current SBE participation is 1.81% and 0%, representing shortfalls of 8.39% and 10.20%. Tip Top Tow explained that their listed SBE had been decertified prior to subcontract execution for Beat 70, and that they are in the process of adding one (1) SBE to mitigate their shortfall for both beats.

Notwithstanding, Metro Project Managers and Contract Administrators will work in conjunction with DEOD to ensure that the FSP Contractors are on schedule to meet or exceed their SBE commitments. 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 3 – Disco Auto Sales dba Hollywood Car Carrier**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	AAA Oils, Inc. dba California Fuels	10.20%	21.45%
	<b>Total</b>	<b>10.20%</b>	<b>21.45%</b>

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

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Patten Energy	10.42%	5.19%
2.	JCM & Associates	0.12%	0.01%
3.	Buchanan & Associates	Added	2.34%
	<b>Total</b>	<b>10.54%</b>	<b>7.54%</b>

**Beat 5 – Sonic Towing, Inc.**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Sonic Towing, Inc. (SBE Prime)	Added	54.19%
2.	Casanova Towing Equipment	16.70%	0.00%
	<b>Total</b>	<b>16.70%</b>	<b>54.19%</b>

**Beat 6 – Neighborhood Towing 4U**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Neighborhood Towing 4U, Inc. (SBE Prime)	Added	16.96%
1.	Casanova Towing Equipment	16.70%	0.00%
	<b>Total</b>	<b>16.70%</b>	<b>16.96%</b>

**Beat 9 – Mighty Transport, Inc. dba Frank Scotto Towing**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	AAA Oils, Inc.	10.13%	15.31%
2.	Buchanan & Associates	0.87%	1.29%
3.	JCM & Associates	0.10%	0.04%
4.	Performance Auto Body	0.22%	0.00%
	<b>Total</b>	<b>11.32%</b>	<b>16.64%</b>

**Beat 10 – Neighborhood Towing 4 U**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Neighborhood Towing 4 U (SBE Prime)	10.02%	11.96%
2.	AAA Oils, Inc.	Added	11.90%
	<b>Total</b>	<b>10.02%</b>	<b>23.86%</b>

**Beat 12 –Tip Top Tow**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	AAA Oils, Inc.	10.20%	1.81%
	<b>Total</b>	<b>10.20%</b>	<b>1.81%</b>

**Beat 13 – Reliable Delivery Service**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Reliable Delivery Service (SBE Prime)	100%	100%
	<b>Total</b>	<b>100%</b>	<b>100%</b>

**Beat 17 – Sonic Towing, Inc.**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Sonic Towing, Inc. (SBE Prime)	Added	52.99%
2.	Casanova Towing Equipment	16.70%	0.00%
	<b>Total</b>	<b>16.70%</b>	<b>52.99%</b>

**Beat 18 – Bob & Dave’s Towing**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Deborah Dyson Electrical	4.95%	15.91%
2.	JCM & Associates	0.12%	1.00%
	<b>Total</b>	<b>5.07%</b>	<b>16.91%</b>

**Beats 20 and 21 – Safeway Towing Services, Inc. dba Bob’s Towing**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Bob’s Towing (SBE Prime)	100%	100%
	<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 28 – FMG, Inc. dba Hadley Tow**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	AAA Oils, Inc.	18.83%	15.50%
2.	Manatek Insurance	2.62%	6.22%
	<b>Total</b>	<b>21.45%</b>	<b>21.72%</b>



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

	SBE Subcontractor(s)	% Commitment	% Participation
1.	AAA Oils, Inc. dba California Fuel	11.31%	13.11%
	<b>Total</b>	<b>11.31%</b>	<b>13.11%</b>

**Beat 36 – Hadley Tow**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	AAA Oils, Inc. dba California Fuel	16.77%	15.74%
2.	Manatek Insurance	2.33%	6.44%
	<b>Total</b>	<b>19.10%</b>	<b>22.18%</b>

**Beat 37 – Reliable Delivery Service**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	Reliable Delivery Service (SBE Prime)	100%	100%
	<b>Total</b>	<b>100%</b>	<b>100%</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>

**Beats 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>

**Beat 43 – Disco Auto Sales dba Hollywood Car Carrier**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	AAA Oils, Inc. dba California Fuels	10.20%	15.88%
	<b>Total</b>	<b>10.20%</b>	<b>15.88%</b>

**Beat 70 – Tip Top Tow Service**

	SBE Subcontractor(s)	% Commitment	% Participation
1.	AAA Oils, Inc.	10.20%	0.00%
	<b>Total</b>	<b>10.20%</b>	<b>0.00%</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 modification. Metro staff will monitor and enforce the policy guidelines to ensure that applicable workers are paid at minimum, the current Living Wage rate of \$19.56 per hour (\$14.22 base + \$5.34 health benefits), including yearly increases. The increase may be up to 3% of the total wage, annually. In addition, contractors will be responsible for submitting the required reports for the Living Wage and Service Contract Worker Retention Policy and other related documentation to staff to determine overall compliance with the policy.

**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. Project Labor Agreement/Construction Careers Policy is applicable only to construction contracts that have a construction contract value in excess of \$2.5 million.

