Los Angeles County
Metropolitan Transportation
Authority
One Gateway Plaza
3rd Floor Board Room
Los Angeles, CA

File #: 2020-0316, **File Type:** Contract **Agenda Number:** 17.

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE
JUNE 18, 2020

SUBJECT: FIRE-LIFE SAFETY SYSTEMS TESTING AND CERTIFICATION SERVICES

ACTION: APPROVE CONTRACT MODIFICATION

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Modification No. 6 to Contract No. OP5766200 with Link-Nilsen Corporation, for Fire-Life Safety Systems Testing and Certification services to exercise option year two in an amount not to exceed $836,474, increasing the total contract value from $3,462,243 to $4,298,717 and extending the contract term from September 15, 2020 to September 15, 2021.

ISSUE

This contract option year one will expire on September 15, 2020. To continue providing the critically mandated services, a contract modification is required to exercise and increase the original value of option year two by $350,000 from $486,474 to $836,474, increasing the total contract value from $3,462,243 to $4,298,717 and extending the contract term from September 15, 2020 to September 15, 2021.

BACKGROUND

This contract was awarded on August 25, 2016. The contractor is required to provide regulatory required testing, repair and certification services for fire/life safety five-year water-based systems throughout Metro bus and rail facilities, and the bus facilities annual water-based systems, elevators, emergency power and exit lighting systems, complex and basic fire alarm panels, supervising station fire alarm systems, automatic closing fire assemblies and emergency generators.

During the contract three-year base period, in January 2017 and thereafter, services were expanded to include the rail facilities 484 annual water-based systems, 136 elevators and 32 auto closing assemblies (fire doors that automatically close when activated by the fire alarm panel). These services were added to this contract due to the limited resources of LAFD Reg. 4 certified testers among Metro personnel and to ensure compliance with the LAFD Reg. 4 and fire/life safety testing requirements.

On June 28, 2018, Metro Board of Directors authorized the Chief Executive Officer to execute Modification No. 3 to Contract No. OP5766200 to increase the three-year base contract value in the amount of $1,360,000, from $1,623,895.90 to $2,983,895.90.

DISCUSSION

This contract option year one will expire on September 15, 2020. However, since the scope of work has been expanded to include additional rail location services and repair work, there is limited funding remaining within the current contract option year one and additional authority is required along with exercising option year two, to complete all mandated Reg. 4 testing.

To continue providing on-time system-wide testing services, ensure compliance with fire/life safety Reg. 4 requirements and deliver as-needed maintenance services, a contract modification is required.

The Diversity and Economic Opportunity Department (DEOD) established a 10% Small Business Enterprise (SBE) goal for this contract. Link-Nilsen Corp., made an 11% SBE commitment and is currently exceeding this goal with 22.19% participation.

DETERMINATION OF SAFETY IMPACT

The approval of this item will ensure providing on-time fire/life safety testing and maintenance services in accordance with regulatory requirements and guidelines and to ensure delivering safe, quality, timely, and reliable services to our customers and the public.

FINANCIAL IMPACT

Subject to Board approval of the FY21 Budget, funding of $853,573 is to be allocated under cost center 8370 - Facilities Maintenance Contracts and Administration, account 50308, Service Contract Maintenance, under various projects.

Since this is a multi-year contract, the cost center manager and Sr. Executive Officer, Maintenance and Engineering will be accountable for budgeting the cost in future years.

Impact to Budget

Current funding for this action includes Proposition A/C, TDA, STA, Fares, and Advertising. Using these funding sources maximizes project funding allocations allowed by approved funding provisions and guidelines.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This Board action supports Strategic Goal 5; Provide responsive, accountable, and trustworthy governance within the Metro organization. By providing on-time fire/life safety testing and maintenance services Metro remains in compliance with fire/life safety regulatory requirements and provides a safe environment for employees and patrons.

ALTERNATIVES CONSIDERED

Staff considered providing this service with in-house staff. This would require the hiring and training of additional certified personnel, purchase of additional equipment, vehicles, and supplies to support the expanded responsibility. Staff's assessment indicates this is not a cost-effective option for Metro.

NEXT STEPS

Upon Board approval, staff will execute Modification No. 6 to Contract No. OP5766200 with Link-Nilsen Corp., to exercise option year two and continue providing the mandated fire/life safety testing and critical maintenance services. Staff will also monitor all expenditures associated with this contract modification to ensure remaining within approved cash flow limits for FY21.

ATTACHMENTS

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

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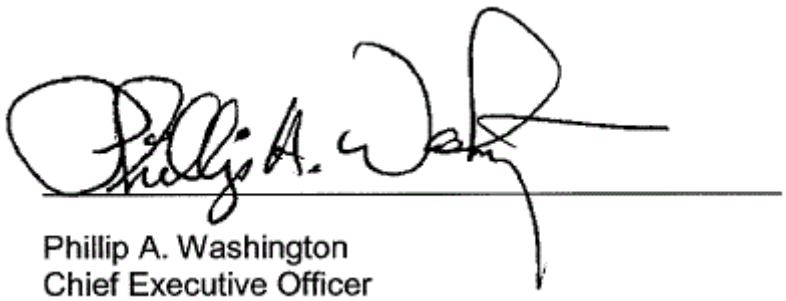

Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

FIRE-LIFE SAFETY SYSTEMS TESTING AND CERTIFICATION SERVICES/OP5766200

1.	**Contract Number**: OP5766200			
2.	**Contractor**: Link-Nilsen Corporation			
3.	**Mod. Work Description**: Exercise Option Year Two			
4.	**Contract Work Description**: To provide Fire-Life Safety Systems Testing and Certification services			
5.	**The following data is current as of**: 5/4/20			
6.	**Contract Completion Status**		**Financial Status**	
	Contract Awarded:	8/25/16	**Contract Award Amount:**	$1,388,558
	Notice to Proceed (NTP):	N/A	**Total of Modifications Approved:**	$2,073,685
	Original Complete Date:	9/15/20	**Pending Modifications (including this action):**	$836,474
	Current Est. Complete Date:	9/15/21	**Current Contract Value (with this action):**	$4,298,717
7.	**Contract Administrator**: Rommel Hilario		**Telephone Number**: (213) 922-4654	
8.	**Project Manager**: Lew Yonemoto		**Telephone Number**: (213 922-6733	

A. Procurement Background

This Board Action is to approve Modification No. 6 to Contract No. OP5766200 to Link-Nilsen Corporation (Link-Nilsen) for fire/life safety regulatory mandated testing, repair and certification services in accordance with LAFD Regulation 4. This contract modification exercises the second option year, increasing the total not-to-exceed contract amount from $3,462,243 to $4,298,717 and extending the contract term to September 15, 2021.

This contract modification will be processed in accordance with Metro's Acquisition Policy and the contract type is firm fixed unit rate.

In August 2016, the Board approved a five-year contract (three-year base term with two, one-year options), to Link-Nilsen to provide annual testing, calibration, repair, re-testing, and certification of water based fire suppression systems, simple and complex fire alarm panels, related sensors, systems and fire-life safety equipment in accordance with the requirements of the Los Angeles Fire Department (LAFD) Chief's Regulation 4 Procedures (Reg 4), the National Fire Prevention Association (NFPA) 72 and NFPA 25 as amended by California Code of Regulations (CCR) Title 19.

Refer to Attachment B – Contract Modification/Change Order Log for modifications issued to date.

B. Price Analysis

The recommended price has been determined to be fair and reasonable based on price analysis and are subject to prevailing wage.

Proposed Amount	Metro ICE	Award Amount
$836,474	$836,474	$836,474

CONTRACT MODIFICATION/CHANGE ORDER LOG

FIRE-LIFE SAFETY SYSTEMS TESTING AND CERTIFICATION SERVICES/OP5766200

Mod. No.	Description	Date	Amount
1.	Add funding for Reg. 4 testing	10/24/17	$100,000
2.	Add funding for Reg. 4 testing	1/3/18	$135,338
3.	Add funding for Reg. 4 testing	7/10/18	$1,360,000
4.	Modification to Statement of Work	4/2/18	$0
5.	Exercise Option Year No. 1	9/18/19	$478,347
6.	**Exercise Option Year No. 2**	**PENDING**	**$836,474**
	Modification Total:		**$2,910,159**
	Original Contract:	**8/25/16**	**$1,388,558**
	Total Contract Value:		**$4,298,717**

DEOD SUMMARY

FIRE-LIFE SAFETY SYSTEMS TESTING AND CERTIFICATION SERVICES/OP5766200

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) established a 10% Small Business participation goal for this project. Link-Nilsen Corporation made an 11% Small Business Enterprise (SBE) commitment for this contract. Based on payments reported, the contract is 88% complete. Link-Nilsen is exceeding its SBE commitment with 22.19% SBE participation.

Small Business Commitment	SBE 11%	Small Business Participation	SBE 22.19%

	SBE Subcontractor	% Committed	% Participation
1.	Certified Testing Specialist	11%	22.19%
	Total SBE Participation		**22.19%**

[1]*Current Participation = Total Actual amount Paid-to-Date to SBE firms ÷Total Actual Amount Paid-to-date to Prime.*

B. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage / Service Contract Worker Retention Policy is not applicable to this contract.

C. Prevailing Wage Applicability

Prevailing Wage requirements are applicable to this project. DEOD will monitor contractors' compliance with the State of California Department of Industrial Relations (DIR), California Labor Code, and, if federally funded, the U S Department of Labor (DOL) Davis Bacon and Related Acts (DBRA).

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.