Board Report

File #: 2020-0876, **File Type:** Contract **Agenda Number:** 37.

EXECUTIVE MANAGEMENT COMMITTEE
FEBRUARY 18, 2021

SUBJECT: METRO MEDICAL CLINIC SERVICES

ACTION: AWARD BENCH CONTRACTS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

A. AWARD six, nine-year, firm fixed unit rate Contract Nos. PS70268000 through PS70268005, to the following firms, for **Medical Clinic Services,** for a not-to-exceed amount of $6,833,016 for the five-year base term, effective March 1, 2021 through February 28, 2026, plus $2,384,203 for the first, two-year option and $2,436,542 for the second, two-year option, for a combined total amount not-to-exceed $11,653,761, subject to resolution of protest(s), if any.

Contract No.	Contractor
PS70268000	ProHealth Glendale Occupational Medical Group, Inc.
PS70268001	ProHealth Valley Occupational Medical Group, Inc.
PS70268002	CareOnSite, Inc.
PS70268003	Concentra Medical Centers - Los Angeles
PS70268004	Concentra Medical Centers - Commerce
PS70268005	Concentra Medical Centers - Van Nuys

B. EXECUTE individual task orders under these Contracts for medical clinic services for an aggregate not-to-exceed amount of $11,653,761.

ISSUE

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

The current medical services contracts will expire on February 28, 2021.

BACKGROUND

Metro is dedicated to ensuring that employees and job candidates are fit for duty and are able to perform their essential job duties without posing a health or safety risk to themselves, co-workers, or the public. Employees and job candidates are therefore required to undergo medical fitness examinations and drug and alcohol testing at prescribed times as well as when on-duty observations raise concerns regarding fitness. The medical fitness examinations and the drug and alcohol-testing programs are managed by the Talent Acquisition Department.

DISCUSSION

Under Metro's Fitness for Duty Policy (HR 29), Metro conducts medical fitness examinations to ensure employees can fully and safely perform their essential job duties and meet the applicable commercial driver license holder requirements.

Metro requires medical examinations for employees and job candidates under specified situations or in response to evidence indicating a lack of fitness. All inquiries and examinations are specifically job-related and consistent with business necessity. Commercial driver's license holders are required by law to have periodic physical examinations to recertify their medical examiner's certificate. The maximum certification period is two years, but drivers with medical conditions such as hypertension, diabetes or sleep apnea, to name a few, are required to recertify on a more frequent basis. This recertification can range anywhere from one month to one year.

Under Metro's Drug and Alcohol-Free Work Environment Policy (HR 46), Metro conducts substance abuse testing of its safety-sensitive employees and job candidates in accordance with Federal Transit Administration (FTA) regulations 49 CFR Part 655. Collections and testing are performed using the procedures outlined in Department of Transportation (DOT) regulations 49 CFR Part 40. Metro also administers incident-based drug and alcohol testing for non-safety-sensitive employees under its own authority following using the same procedures.

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 for medical clinic services is included in cost center 6240, Talent Acquisition Department under project 100001, General Overhead.

In FY21 there is $602,776 budgeted for these services. 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

The recommendation supports Strategic Plan Goal #5: To provide responsive, accountable, and trustworthy guidance within the Metro Organization; Initiative 5.6: As Metro will foster and maintain a strong safety culture for all. By approving this recommendation Metro will be able to ensure the safety for Metro's patrons and employees.

ALTERNATIVES CONSIDERED

The Board of Directors may decline to approve the award of these bench contracts. This alternative is not recommended because Metro does not have specialized staff that can perform these examinations, nor does Metro have the facility and equipment that meet regulatory and certification standards. Non-compliance with mandatory requirements of regulatory agencies such as FTA, DOT, DMV, and Cal-OSHA, will result in loss of federal funding. Further, this will adversely affect Metro's recruitment process.

NEXT STEPS

Upon Board approval, staff will execute these medical clinic services bench contracts, effective March 1, 2021 and work will be assigned based on need, availability, type of testing, and the response time required.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - DEOD Summary

Prepared By: Patrice McElroy, Executive Officer, Talent Management
(213) 418-3171

Reviewed By: Joanne Peterson, Chief Human Capital & Development Officer
(213) 418-3088

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

Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

METRO MEDICAL CLINIC SERVICES / PS70268000 - PS70268005

1.	**Contract Number**: **PS70268000 through PS70268005**	
2.	**Recommended Vendor**: (Various - See Below)	
3.	**Type of Procurement (check one):** ☐ **IFB** ☒ **RFP** ☐ **RFP–A&E** ☐ **Non-Competitive** ☐ **Modification** ☐ **Task Order**	
4.	**Procurement Dates**:	
	A. Issued: July 31, 2020	
	B. Advertised/Publicized: July 31, 2020	
	C. Pre-Proposal Conference: None	
	D. Proposals Due: September 8, 2020	
	E. Pre-Qualification Completed: Pending	
	F. Conflict of Interest Form Submitted to Ethics: December 2, 2020	
	G. Protest Period End Date: February 22, 2021	
5.	**Solicitations Picked up/Downloaded**: 27	**Bids/Proposals Received**: 7
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 establish multiple award medical clinic service contracts for a nine-year term inclusive of two, two-year options. The contracts will be effective March 1, 2021 with a cumulative total amount not-to-exceed $11,653,761. The purpose of these contracts is to provide various medical fitness examinations and drug and alcohol collections for employees and job candidates. These services will be performed on an "as-needed" basis. Board approval of contract awards are subject to resolution of any properly submitted protests.

Request for Proposal (RFP) No. PS70268 was issued in accordance with Metro's Acquisition Policy and the contract type is a firm fixed unit rate. Twenty-seven questions were received, and Metro provided responses prior to the proposal due date.

One amendment was issued during the solicitation phase of the RFP:

- Amendment No. 1 was issued on August 27, 2020 to extend the Proposal Due Date from August 31, 2020 to September 8, 2020.

A total of 27 firms downloaded the RFP and were included on the planholders list. A total of seven proposals from four medical groups were received by the due date of September 8, 2020 and are listed below in alphabetical order:

1. CareOnSite, Inc.
2. Concentra Medical Centers - Los Angeles

3. Concentra Medical Centers - Commerce
4. Concentra Medical Centers - Van Nuys
5. ProHealth Glendale Occupational Medical Group, Inc.
6. ProHealth Valley Occupational Medical Group, Inc.
7. Temple Medical Center (TMC)

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.

On September 25, 2020, the PET met to review the evaluation criteria package, process confidentiality and conflict of interest forms and take receipt of the seven proposals to initiate the evaluation phase.

Proposals were evaluated based on the following evaluation criteria stated in the RFP:

Phase 1 Evaluation – Minimum Qualification Review: This is a pass/fail criteria. The criteria focused on the experience of the proposer in the field of occupational/industrial medicine providing medical fitness examinations and drug and alcohol collections, number of key personnel assigned to the contract and their qualifications, and the capacity and capabilities of the proposed facility/ies.

The PET reconvened and determined that of the seven proposals received, one failed to meet all minimum qualification requirements, and was excluded from further consideration. The remaining six proposals were further evaluated in accordance with the following evaluation criteria and weights:

• Qualifications of the Proposer/Team	20 percent
• Qualifications of Key Personnel	20 percent
• Understanding the Scope of Services and Proposed Methodology	15 Percent
• Operations of Medical Facility	30 Percent
• Price	15 Percent

The evaluation criteria are appropriate and consistent with criteria developed for similar medical clinic services' procurements. Several factors were considered in developing these weights, giving the greatest importance to the operations of the medical facility.

Evaluations were conducted from November 10 through November 24, 2020. After evaluation of proposals, including site visits of proposed facilities, it was determined that all six firms are qualified to provide medical clinic services and were suitable to provide medical fitness examinations and drug and alcohol collections for Metro employees and job candidates. The six firms are listed below in alphabetical order:

1. CareOnSite, Inc.
2. Concentra Medical Center – Commerce
3. Concentra Medical Center - Los Angeles
4. Concentra Medical Center - Van Nuys
5. ProHealth-Glendale Occupational Medical Group
6. ProHealth-Valley Occupational Medical Group

Qualifications Summary of Firms

CareOnSite, Inc.:

CareOnSite, Inc. (CareOnSite), formerly Long Beach Medical Clinic, was established in 1979 in Long Beach, California. It has been providing occupational medical services in the Long Beach and surrounding communities for over 41 years and offers a broad range of healthcare services to employers. CareOnSite is certified as a minority and woman-owned business enterprise through the Southwest Minority Supplier Development Council, Southern California Minority Business Development Councils, and National Women's Business Enterprise Certification. It currently provides medical clinic services to Metro and performance has been satisfactory.

Occupational Health Centers of California, A Medical Corporation dba Concentra Medical Centers

Occupational Health Centers of California, A Medical Corporation dba Concentra Medical Centers (Concentra) is a health care provider established in Addison, Texas specializing in health clinics/centers. Concentra has been in business since 1979. It is one of the largest urgent care and occupational health care providers in the United States. Concentra has 239,000 clients, more than 520 medical centers, and 30+ community-based outpatient clinics nationwide representing 60 percent of the nation's workforce. It currently provides medical clinic services to Metro and performance has been satisfactory.

ProHealth Glendale Occupational Medical Group, Inc.

ProHealth Glendale Occupational Medical (ProHealth Glendale) is an urgent care clinic/center located in Glendale, California. It has been providing occupational medicine and pre-employment services for about 20 years. ProHealth Glendale currently provides medical clinic services to Metro and performance has been satisfactory.

ProHealth Valley Occupational Medical Group, Inc.

ProHealth Valley Occupational Medical (ProHealth Valley) is an occupational medical clinic/center located in Mission Hills, California. It is a sister clinic to ProHealth Glendale. ProHealth Valley has been providing a variety of occupational

medical services to Southern California municipalities, police, fire, schools, and large employers for at least 20 years. It has well trained and experienced groups of physicians, physician assistance, medical assistants, and X-ray technicians.

The following is a summary of the PET scores:

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	**ProHealth Glendale**				**1**
3	Qualifications of the Proposer/Team	93.35	20.00%	18.67	
4	Qualifications of Key Personnel	92.50	20.00%	18.50	
5	Understanding the Scope of Services and Proposed Methodology	88.67	15.00%	13.30	
6	Operations of Medical Facility	95.23	30.00%	28.57	
7	Price	100.00	15.00%	15.00	
8	**Total**		**100.00%**	**94.04**	

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	**CareOnSite**				**2**
3	Qualifications of the Proposer/Team	95.35	20.00%	19.07	
4	Qualifications of Key Personnel	92.50	20.00%	18.50	
5	Understanding the Scope of Services and Proposed Methodology	96.00	15.00%	14.40	
6	Operations of Medical Facility	93.80	30.00%	28.14	
7	Price	84.47	15.00%	12.67	
8	**Total**		**100.00%**	**92.78**	

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	**ProHealth Valley**				**3**
3	Qualifications of the Proposer/Team	88.65	20.00%	17.73	
4	Qualifications of Key Personnel	90.00	20.00%	18.00	
5	Understanding of the Scope of Services and Proposed Methodology	88.67	15.00%	13.30	
6	Operations of Medical Facility	93.30	30.00%	27.99	
7	Price	100.00	15.00%	15.00	
8	**Total**		**100.00%**	**92.02**	

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	**Concentra - Commerce**				**4**
3	Qualifications of the Proposer/Team	90.00	20.00%	18.00	
4	Qualifications of Key Personnel	86.65	20.00%	17.33	
5	Understanding the Scope of Services and Proposed Methodology	86.67	15.00%	13.00	
6	Operations of Medical Facility	95.23	30.00%	28.57	
7	Price	90.07	15.00%	13.51	
8	**Total**		**100.00%**	**90.41**	

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	**Concentra – Van Nuys**				**5**
3	Qualifications of the Proposer/Team	90.65	20.00%	18.13	
4	Qualifications of Key Personnel	87.50	20.00%	17.50	
5	Understanding the Scope of Services and Proposed Methodology	84.67	15.00%	12.70	
6	Operations of Medical Facility	93.80	30.00%	28.14	
7	Price	90.07	15.00%	13.51	
8	**Total**		**100.00%**	**89.98**	

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	**Concentra – Los Angeles**				**6**
3	Qualifications of the Proposer/Team	85.35	20.00%	17.07	
4	Qualifications of Key Personnel	86.65	20.00%	17.33	
5	Understanding the Scope of Services and Proposed Methodology	86.00	15.00%	12.90	
6	Operations of Medical Facility	94.27	30.00%	28.28	
7	Price	90.07	15.00%	13.51	
8	**Total**		**100.00%**	**89.09**	

C. Cost/Price Analysis

Each proposer submitted fully burdened service rates and the rates have been determined to be fair and reasonable based upon adequate price competition, technical evaluation, price analysis and independent cost estimate.

D. Background on Recommended Contractor

All six clinics listed above are recommended for award. These clinics have been evaluated and are determined to be responsive and responsible to perform the services as outlined in the Statement of Work on as needed basis.

DEOD SUMMARY

METRO MEDICAL CLINIC SERVICES / PS70268000 - PS70268005

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) did not establish a Disadvantaged Business Enterprise (DBE) goal for this Task Order Contract due to the lack of subcontracting opportunities. Six (6) firms were selected as prime consultants: CareOn Site, Inc., Occupational Health Centers of California dba Concentra Medical Centers (8th Street), Occupational Health Centers of California dba Concentra Medical Centers (Commerce), Occupational Health Centers of California dba Concentra Medical Centers (Van Nuys), ProHealth Glendale Occupational Medical Group, Inc., and ProHealth Valley Occupational Medical Group, Inc.

The selected prime consultants did not list any DBE subcontractors, nor did they commit to any DBE participation. It is expected that the selected prime consultants will perform these services with their own workforces

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.