

**Board Report**

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**File #:** 2020-0897, **File Type:** Contract**Agenda Number:** 19.

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**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE  
MARCH 18, 2021****SUBJECT: RAIL VEHICLE LUBRICATING STICKS****ACTIONS: AWARD CONTRACT****RECOMMENDATIONS**

AUTHORIZE the CEO to award a 36-month March 2021 through March 2024, firm fixed price contract with two one (1) year extensions, on Contract Number SD66581000, to LB Foster Rail Technologies, Inc., the lowest responsive and responsible bidder for HPF & LCF Lubricating Block for an amount not to exceed \$1,176,592.09. Board approval of the contract award is subject to resolution of any properly submitted protest.

**ISSUE**

This procurement will provide Metro continuity in the supply of rail wheel lubricating sticks at the lowest cost. The contract to be awarded is a "requirement type" agreement, in which we commit to ordering only from the awardee, up to the specified quantity for a specific duration of time, but with no obligation or commitment for us to order any and all of the lubricating sticks that may be anticipated. The bid quantities are estimates only, with deliveries to be ordered and released as required.

**DISCUSSION**

The procurement is for the acquisition of lubricating sticks needed to maintain and service the Red, Blue, Green, Gold, and Expo Line Rail Fleet. Each of the vehicles has four or six lubricating sticks depending on the wheel configuration. The thin film from the Friction modifier stick provides a consistent friction level on the wheel/rail interface throughout the transit system. The Lubricating Sticks are critical to the operation of the Metro rail fleet because they reduce tread wear and wheel replacement, wheel truing costs, rail wear, gauge widening and noise levels and provide for safer vehicle operation. Rail vehicle lubricating sticks are inspected during the monthly vehicle inspection and replenished as needed as part of the Rail Fleet Service Maintenance Program.

**DETERMINATION OF SAFETY IMPACT**

Safety is of the utmost importance to Metro; therefore, it is imperative to maintain the lubricating sticks in inventory so that they are immediately available when replacement is warranted. Award of contract will ensure rail Divisions have adequate inventory to maintain and service the rail cars according to Metro Maintenance standards.

## **FINANCIAL IMPACT**

The total contract amount is \$1,176,592.09. FY21 funds of \$54,000 are included in cost center 3940, projects 300044 and 300055, account 50441 Revenue Parts. The funding of \$500,000 for Red, Blue, Green, Gold, and Expo Line lubricating sticks will be requested to be included in FY22 budget in Cost Center Numbers 3941, 3942, 3943, 3944, 3947, and 3948 Rail Fleet Services, Project Numbers 300022, 300033, 300044, 300055, and 300066 under line item 50441 - Parts, Revenue Vehicle.

Since this is a multi-year contract, the cost center manager, project manager and Sr. Executive Officer, Rail Fleet Services will ensure that the balance of funds is budgeted in future fiscal years.

### **Impact to Budget**

Sources of funds for this action include Federal Grants, Prop A 35%, Prop C 40%, Measure R 2%, Measure M 2% SGR, State SB1. Allocating these funds to this effort maximizes their intended use given approved funding guidelines and provisions.

## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

Approval of this recommendation supports the following Metro Strategic Plan Goal 2) Deliver outstanding trip experience for all users of the transportation system.

## **ALTERNATIVES CONSIDERED**

The alternative is not to award the contract and to procure Lubricating Sticks on an as-needed basis at a higher cost. This approach is not recommended since it does not provide a commitment from the suppliers to ensure availability and price stability.

## **NEXT STEPS**

The acquisition of lubricating sticks will proceed under the provisions of the contract.

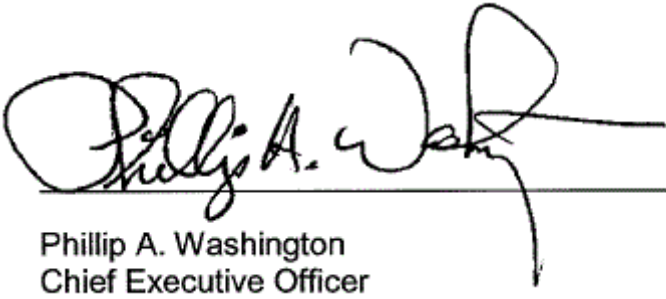
## **ATTACHMENTS**

Attachment A - Procurement Summary

Attachment B - DEOD Summary

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Phillip A. Washington  
Chief Executive Officer

**PROCUREMENT SUMMARY**

**PURCHASE OF LUBRICATING BLOCKS HPF & LCF SD66581**

1.	<b>Contract Number:</b> SD66581000	
2.	<b>Recommended Vendor:</b> LB Foster Technologies, Inc. 415 Holiday Dr. Suite 100 Pittsburg, PA 15220	
3.	<b>Type of Procurement (check one):</b> <input checked="" type="checkbox"/> IFB <input 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>	
	A. Issued: 1-15-2020	
	B. Advertised/Publicized: 1-14-2020	
	C. Pre-proposal/Pre-Bid Conference: 1-22-2020	
	D. Proposals/Bids Due: 4-29-2020	
	E. Pre-Qualification Completed 6-30-2020	
	F. Conflict of Interest Form Submitted to Ethics: November 9, 2020	
	G. Protest Period End Date: November 25, 2020	
5.	<b>Solicitations Picked up/Downloaded:</b> 16	<b>Bids/Proposals Received:</b> 3
6.	<b>Contract Administrator:</b> Sherri Jackson	<b>Telephone Number:</b> 213/922-1025
7.	<b>Project Manager:</b> Mary Leigh	<b>Telephone Number:</b> 213/922-5860

**A. Procurement Background**

This Board Action is to approve Contract No.SD66581000 for the procurement of HPF & LCF Lubricating Blocks for 36 months, with two-1-year options. Board approval of the contract award is subject to resolution of any properly submitted protest(s).

IFB No SD66581 was issued in accordance with Metro’s Acquisition Policy and the contract type is a Firm Fixed Price (FFP).

Five amendments were issued during the solicitation phase of this IFB: The amendments were issued because of the State of Emergency surrounding COVID-19, and Metro’s response to addressing receipt of bids during this period.

Amendment No. 1 issued on February 21, 2020 was to revise Pre-Qualification and Bid Opening/Closing date.

Amendment No. 2 issued on March 2, 2020 was to revise Pre-Qualification and Bid Opening/Closing date.

Amendment No. 3 issued on March 10, 2020 was to revise Pre-Qualification and Bid Opening/Closing date

Amendment No. 4 issued on March 23, 2020 was to revise Pre-Qualification and Bid Opening/Closing date

Amendment No.5 issued on April 23, 2020 with revised Instructions on Bid Submittals.

IFB No.SD66581 was released on January 15, 2020 as a competitive procurement.

A total of three bids were received on April 29, 2020.

## **B. Evaluation of Bids**

This procurement was conducted in accordance and complies with LACMTA's Acquisition Policy for a competitive sealed bid. Three bids were received:

1. LB Foster Rail Technologies, Inc. (Pittsburg)
2. Whitmore Mfg. Company
3. LB Foster Rail Technologies Corporate (Canada)

LB Foster Rail Technologies, Inc. (Pittsburg) was determined to be responsive and responsible to the IFB requirements. Whitmore Mfg. Company and LB Foster Rail Technologies Corporate (Canada) and capable of meeting the compliance of the technical requirements but would require 1<sup>st</sup> article approval.

## **C. Price Analysis**

The recommended bid amount of \$ 1,176,592.09 is determined to be fair and reasonable based on an adequate open competitive bid process in a competitive environment. The recommended award amount is approximately 35.5% lower than Metro's Independent Cost Estimate.

Low Bidder Name	Bid Amount	Metro ICE
LB Foster Rail Technologies, Inc (Pittsburg)	\$1,176,592.09	\$1,824,830.00.
Whitmore Mfg. Company, LLC	\$1,260,042.75	\$1,824,830.00.
LB Foster Rail Technologies Corporate (Canada)	\$1,733,569.99	\$1,824,830.00.

## **D. Background on Recommended Contractor**

The recommended firm, LB Foster Rail Technologies, Inc. has been in business since 1902, they are a global supplier. LB Foster manufactures and distributes a wide range of railway products and services including new rail, used rail, insulated rail joints, rail lubrication systems, transit products, and trackwork. LB Foster has

national and international clients, including public transit agencies such as Massachusetts Bay Transportation Authority (MBTA), and New York City Department of Transportation. LB Foster has performed satisfactorily on providing parts and services for the P2000, and P2550 Light Rail Vehicles and the A650 Heavy Rail Vehicles.

## DEOD SUMMARY

## PURCHASE OF LUBRICATING BLOCKS HPF &amp; LCF SD66581

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 2% Disadvantaged Business Enterprise (DBE) goal for this solicitation. LB Foster Technologies, Inc. exceeded the goal by making a 4.79% DBE commitment.

<b>Small Business Goal</b>	<b>2% DBE</b>	<b>Small Business Commitment</b>	<b>4.79% DBE</b>
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	<b>DBE Subcontractor</b>	<b>Ethnicity</b>	<b>% Committed</b>
1.	Langley Traffic Services	Caucasian Female	4.79%
<b>Total Commitment</b>			<b>4.79%</b>

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

The Living Wage and Service Contract Worker Retention Policy 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.