



Board Report

File #: 2021-0137, **File Type:** Contract

Agenda Number: 26.

REVISED
OPERATIONS, SAFETY AND CUSTOMER EXPERIENCE COMMITTEE
MARCH 18, 2021

SUBJECT: TRANSIT LAW ENFORCEMENT SERVICES

ACTION: APPROVE CONTRACT MODIFICATIONS

RECOMMENDATION

- A. AMEND the combined contract value for the three multi-agency law enforcement contracts for services through December 31, 2021 by an increase of \$36,000,000 from \$645,675,758 to \$681,675,758. The Board delegates to the CEO, or his designee, the discretion to allocate the \$36M among the three law enforcement contracts, as deemed appropriate.

- B. ENGAGE the Public Safety Advisory Committee (PSAC) for the remaining six months of the multi-agency law enforcement contract.

ISSUE

In order to maintain a consistent and reliable law enforcement presence and to ensure a safe and secure transit system for Metro patrons and employees, the multi-agency law enforcement services contracts need to be modified.

Additional contract authority is being requested to cover significant costs incurred since the beginning of the contract period to (1) augment outreach services to the unhoused population, address crime trends, sexual harassment; and (2) enhanced deployments to cover special events, employee, and customer complaints, or other unforeseen circumstances. An additional \$36M is being requested for services through December 31, 2021.

BACKGROUND

On February 23, 2017, the Metro Board of Directors approved the award of three individual five-year, firm-fixed unit rate contracts to the City of Long Beach, City of Los Angeles and County of Los Angeles for multi-agency law enforcement services to support bus and rail operations throughout the entire Metro transit system. The total five-year contract amount for multi-agency law enforcement services is \$645,675,758.

In order to effectively and efficiently meet Metro's changing safety and security requirements and to better address ridership safety and security concerns, Metro evaluates and adjusts policing strategies and realigns deployment methodologies. Since contract inception, Metro has requested all three law enforcement agencies to deploy additional resources to meet these changing needs. These deployment adjustments, have, among other things, resulted in fewer copper thefts, making it possible to reopen the New Blue Line on schedule; a decreased crime rate; and improved supportive services for the unhoused population through an increased number of homeless contacts, referrals to social services and housing placements.

The following additional resources and cost adjustments have been incurred to date:

City of Long Beach

In December 2018, Metro requested the City of Long Beach to provide two (2) full-time Metro Quality of Life officers for homeless outreach along the A (Blue) Line, one (1) detective and one (1) vehicle.

City of Los Angeles

In July 2018, Metro authorized the City of Los Angeles to implement the following contract adjustments:

- Augment the "Billing and Inspection Unit";
- Increase Crime Analyst Personnel;
- Reclassify the Sick/IOD/Subpoena Control Coordinator from Police Officer III to Management Analyst;
- Convert HOPE Detail from overtime positions to full-time positions;
- Convert Bomb/K9 Unit from as needed to full-time positions; and
- Enhance "Watch 3" staffing (overtime coverage) to facilitate station closures;
- Increase the training budget for additional law enforcement personnel;
- Increase "Reserve Overtime" for new positions;
- Include "Premium Holiday Pay" in accordance with the respective labor agreements;
- Include provisions for community outreach activities; and
- Increase budget for office supplies.

Since October 2017, the City of Los Angeles has deployed resources to support 184 additional activities such as the following: Metro Real Estate Agreements with Council District 1, Westlake/MacArthur Station Park Community Market, Metrolink Union Station Platforms, A (Blue) Line Closure, New Blue Copper Theft Mitigation, and Metro Rail Operation's calendar of special events, among other enhance deployments.

Metro staff also anticipates staffing level increases will be required to support the Offloading and Flexible Dispatching operations, and the opening of the new Crenshaw/LAX Line. Once the opening date of the new Crenshaw/LAX Line is established, Metro staff will return to the Board of Directors to request approval for additional contract modification authority.

County of Los Angeles

Since contract inception, the County of Los Angeles has augmented budgeted personnel to support 59 additional activities such as: Metro's Red-Light Photo Enforcement (RLPE) program, Metro Real Estate Agreements with East San Gabriel Valley Coalition (ESGVCH), Annual Homeless Winter Shelter Program, and Metro Rail Operation's special events and enhance deployments.

Metro staff anticipates staffing level increases will be required to support the opening of the new Crenshaw/LAX Line. Once the opening date of the new Crenshaw/LAX Line is established, Metro staff will return to the Board of Directors to request approval for additional contract modification authority.

DISCUSSION

Through the multi-agency law enforcement services contracts, Metro is able to provide a consistent and reliable law enforcement presence, improve response times, increase law enforcement staffing over each 24-hour operating period, support bus and rail operations throughout the entire Metro transit system and provide additional law enforcement services on an as-needed basis for special events and/or other exigent circumstances.

By approving this amendment and funding the multi-agency law enforcement contract through December 31, 2021, it provides the Public Safety Advisory Committee (PSAC) the opportunity to provide recommendations on the remaining six months of the contract, including the approach for the opening of Crenshaw/LAX Line, and the future contract to help reimagine public safety on Metro's system. In doing so, it allows Metro to launch pilot programs, gather lessons learned, identify costs, and seek customer feedback. This will complement initiatives underway such as our ambassador program that will assist with connecting persons experiencing homelessness with social services, a pilot Flexible Dispatch Program, and environmental safety enhancements like Call Point. In addition, staff will be launching a Public Safety Survey to better understand the safety needs of our diverse ridership. The survey, in collaboration with PSAC, is expected to be launched in the Summer with results being available in the Fall.

Staff will incorporate PSAC recommendations for the Board's consideration in the November/December 2021 board cycle.

DETERMINATION OF SAFETY IMPACT

The authorization of the contract modifications to each of the law enforcement contracts, will ensure continued safety and security of patrons and employees, improvement of Metro's ability to safeguard critical transportation infrastructures, and outreach to the unsheltered.

FINANCIAL IMPACT

The funding increase of \$36M will be added to the total contract value of the three five-year multi-agency law enforcement contracts.

Impact to Budget

The source of funds for this effort will be local operating funds including fares, sales tax Proposition A, C, TDA, and Measure R. Using these funding sources maximizes the allowable project funding designations given approved funding use provisions and guidelines.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendation supports strategic plan goal 2.1 of committing to improving security. To achieve this goal, Metro will rely on a multi-layered, integrated security program that comprises of technology, people, and partnerships.

ALTERNATIVES CONSIDERED

Should the Board of Directors not approve the recommendation outlined in this report, it may consider approving a \$111,201,973 amendment to fund the three law enforcement agencies through the end of their contract term of June 30, 2022. This alternative is not recommended as it does not provide PSAC the opportunity to provide recommendations on how to reimagine public safety.

NEXT STEPS

Upon Board approval, staff will execute contract modifications to each of the law enforcement contracts to continue to provide law enforcement services.

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

**TRANSIT LAW ENFORCEMENT SERVICES/PS5862100LAPD24750/
PS5863200LASD24750 and PS95866000LBPD24750**

1.	Contract Number: (1) PS5862100LAPD24750, (2) PS5863200LASD24750 and (3) PS95866000LBPD24750			
2.	Contractor: (1) City of Long Beach (2) City of Los Angeles (3) County of Los Angeles			
3.	Mod. Work Description: Increase contract authority			
4.	Contract Work Description: Transit Law Enforcement Services			
5.	The following data is current as of: December 1, 2020			
6.	Contract Completion Status		Financial Status	
	Contract Awarded:	LAPD: 2/23/17 LBPD: 2/23/17 LASD: 2/23/17	Contract Award Amount:	LAPD: \$369,330,499 LASD: \$246,270,631 LBPD: \$ 30,074,628
	Notice to Proceed (NTP):	N/A	Total of Modifications Approved:	LAPD: \$0 LASD: \$0 LBPD: \$0
	Original Complete Date:	6/30/22	Pending Modifications (including this action):	LAPD: \$21,526,518 LASD: \$11,325,520 LBPD: \$ 3,147,962
	Current Est. Complete Date:	6/30/22	Current Contract Value (with this action):	LAPD: \$390,857,017 LASD: \$257,596,151 LBPD: \$33,222,590
7.	Contract Administrator: Aielyn Dumaua		Telephone Number: (213) 922-7320	
8.	Project Manager: Aston Greene		Telephone Number: (213) 922-2599	

A. Procurement Background

This Board Action is to approve modifications to Contract No. PS95866000LBPD24750 with the City of Long Beach, Contract No. PS5862100LAPD24750 with the City of Los Angeles, and Contract No. PS5863200LASD24750 with the County of Los Angeles to continue to provide law enforcement services to support bus and rail operations throughout the entire Metro transit system.

These modifications are being requested to cover significant costs incurred since the beginning of the contract period to (1) augment outreach services to the unhoused population, address crime trends, sexual harassment; and (2) enhance deployments to cover special events, employee, and customer complaints, or other unforeseen circumstances, necessitating the deployment of additional contractor resources above and beyond the original budgeted personnel. Contract modifications will be

processed in accordance with Metro's Acquisition Policy and the contract type is a firm fixed unit rate.

On February 23, 2017, the Board approved the award of contracts to the City of Long Beach, City of Los Angeles and County of Los Angeles to provide transit law enforcement services for a period of five years.

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. Labor rates are subject to each law enforcement agencies' collective respective bargaining agreement.

Contractor	Modification Amount	Metro ICE	Negotiated Amount
City of Long Beach	\$ 3,147,962	\$ 3,147,962	\$ 3,147,962
City of Los Angeles	\$ 21,526,518	\$ 21,526,518	\$ 21,526,518
County of Los Angeles	\$ 11,325,520	\$ 11,325,520	\$ 11,325,520

CONTRACT MODIFICATION/CHANGE ORDER LOG

TRANSIT LAW ENFORCEMENT SERVICES/PS95866000LBDP24750

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Revised Contract No. to PS95866000LBDP24750	Approved	1/8/18	\$ 0
2	Revised Exhibit B – Memorandum of Cost	Approved	10/1/19	\$ 0
3	Increase in contract authority	Pending	Pending	\$ 3,147,962
	Modification Total:			\$ 3,147,962
	Original Contract:			\$30,074,628
	Total:			\$33,222,590

TRANSIT LAW ENFORCEMENT SERVICES/PS5862100LAPD24750

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Revised provisions of GC14-Termination	Approved	7/1/18	\$ 0
2	Increase in contract authority	Pending	Pending	\$ 21,526,518
	Modification Total:			\$ 21,526,518
	Original Contract:			\$369,330,499
	Total:			\$390,857,017

TRANSIT LAW ENFORCEMENT SERVICES/PS5863200LASD24750

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Revised Exhibit A - Statement of work and updated Exhibit B – SH-AD 575	Approved	7/1/20	\$ 0
2	Increase in contract authority	Pending	Pending	\$ 11,325,520
	Modification Total:			\$ 11,325,520
	Original Contract:			\$246,270,631
	Total:			\$257,596,151

DEOD SUMMARY

**TRANSIT LAW ENFORCEMENT SERVICES/PS5862100LAPD24750/
PS5863200LASD24750 and PS95866000LBPD24750****A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) did not recommend a Disadvantaged Business Enterprise (DBE) goal for this solicitation due to a lack of subcontracting opportunities. As confirmed by the Project Manager, these services are performed with the law enforcement departments own workforces.

B. Living Wage and Service Contract Worker Retention Policy Applicability

A review of the current service contract indicates that the Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) was not applicable at the time of award. Therefore, the LW/SCWRP is not applicable to this modification.

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.

Law Enforcement Services Contract Modification Authority

Operations, Safety and Customer Experience Committee

Thursday, March 18, 2021

Contract Amendment Request

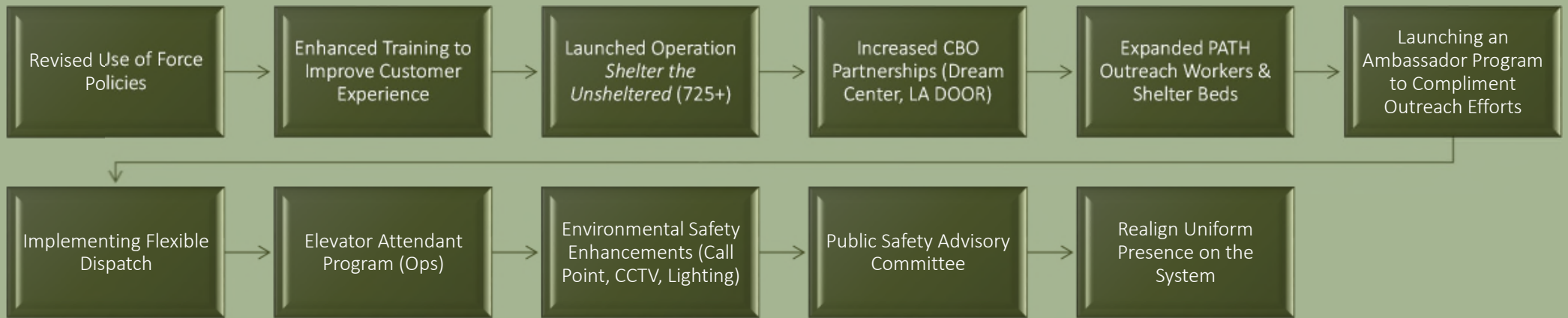
- Amend the combined contract value for the three multi-agency law enforcement contracts for services through **December 31, 2021** by an increase of **\$36,000,000** from \$645,675,758 to \$681,675,758.
- The Public Safety Advisory Committee (PSAC) will be engaged for the remaining six months of the multi-agency law enforcement contract. Staff will implement PSAC preliminary recommendations during the remaining six months of the contract. Thus, serving as a public safety model leading into the proposed future law enforcement services contract in FY22 and beyond.
- In addition, staff will be launching a Public Safety Survey to better understand the safety needs of our diverse ridership.

Contract Achievements

- In collaboration with Metro's Transit Security and PATH, we launched Operation *Shelter the Unsheltered* in April 2020, which has helped to connect over 740 individuals to shelters
- Expanded the HOPE, MET, and Quality of Life homeless outreach teams
- Improved contract compliance, and reduced data reporting from 60 days to 30 days
- Improved Metro's Sexual Harassment Program by having law enforcement respond to incidents as priority calls with tracked response time
- Launched law enforcement audits to improve accountability and presence on the system

Future Public Safety Model

Metro is striving to be a national leader in reimagining public safety by launching experimental programs, seeking community input, being agile, and making data driven decisions to increase rider safety.



Through these efforts, our goal is to create a multi-disciplined model to serve the needs of our diverse customers.