File #: 2022-0087, **File Type:** Contract **Agenda Number:** 16.

**OPERATIONS, SAFETY AND CUSTOMER EXPERIENCE COMMITTEE
MARCH 17, 2022**

SUBJECT: PUBLIC SAFETY ADVISORY COMMITTEE FACILITATOR SERVICES

ACTION: APPROVE CONTRACT MODIFICATION

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Modification No. 1 to Contract No. PS72932000 with Estolano Advisors, for an amount not to exceed $160,563, increasing the contract price from $210,459 to $371,022.

ISSUE

Metro staff established a Public Safety Advisory Committee (PSAC) to re-envision transit safety and explore community-based approaches to policing leading up to and as part of the 2022 renewal of the multiagency police contract approved in 2017. In April 2021, PSAC meetings commenced with the support of a contracted facilitator from Estolano Advisors. PSAC meeting frequency has increased with the formation of several PSAC Ad hoc meetings, requiring additional contract authority.

BACKGROUND

During the planning stages of PSAC, Staff identified the need to procure facilitator services to aid in the public safety discussions between PSAC and Metro. Considering PSAC would work to review, comment, and provide input on how Metro can re-imagine public safety, Staff sought a qualified subject matter expert to facilitate and help guide PSAC toward clearly defined recommendations.

DISCUSSION

PSAC kicked off its meetings in April 2021 with two general meetings per month. With the introduction of Motion 26.2 in late March 2021, staff realized the PSAC needed to meet more often than twice a month to achieve its goals set forth by the Board. It was then decided that ad-hoc subcommittees would be formed to address priority topics such as the law enforcement contracts. In June and July, four (4) ad-hoc subcommittees were created to address the following priorities: Public Safety Survey, Infrastructure Protection Services, Policing Contracts, and Non-Law Enforcement Alternatives. The Public Safety Survey ad-hoc subcommittee was created for members to provide feedback and help shape the survey questions for the agency's first Public Safety Survey. Since the survey launched in July, this ad-hoc subcommittee soon sunset and was replaced with the

Community Engagement ad-hoc subcommittee.

From June through December 2021, each ad-hoc subcommittee met twice a month in order to meet time-sensitive deadlines, such as contract extensions and new procurements. Beginning in January 2022, ad-hoc subcommittees started meeting monthly rather than bi-weekly. In total, we are anticipating 70 ad-hoc subcommittee meetings and 30 general meetings between April 2021 and June 2022, including up to eight additional PSAC meetings and presentations to the Board of Directors, as necessary.

DETERMINATION OF SAFETY IMPACT

There are no safety impacts with this action.

FINANCIAL IMPACT

Impact to Budget

The FY22 Adopted Budget includes $295,700 allocated in Cost Center 2610, Account 50316 and project number 306006. The source of funds for this contract modification will be local operating funds including Proposition A, C, TDA, Measure R, and Measure M taxes. These funds are eligible for Bus and Rail operations.

EQUITY PLATFORM

This contract was awarded under Metro's Small Business Enterprise (Set-Aside) Program. Estolano Advisors is a Metro certified SBE contractor and made a 74.39% SBE commitment as the Prime. Approval of the contract modification would allow Metro to continue to carry out its commitment to working with small and disadvantaged business enterprises and would directly align with Metro's Equity Platform in advancing equity through its investment decisions.

In addition, by increasing the funding of this contract, Metro staff and the contractor will be able to continue to have robust conversations about public safety and develop recommendations in partnership with community members. The facilitators have helped create an inclusive and safe space for members to express their ideas, feelings, and experiences about public safety and propose alternatives to existing models. For example, PSAC members who represent people with disabilities or bus operators have been able to voice their unique safety concerns and raise recommendations for their colleagues' consideration.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The following strategic goals will be achieved through this action: goal #2 deliver outstanding trip experiences for all users of the transportation system and goal #3 enhance communities and lives through mobility and access to opportunity.

ALTERNATIVES CONSIDERED

The Board of Directors may choose not to authorize this Contract Modification. This alternative is not recommended because Metro does not have specialized staff that can facilitate community discussions on public safety and experience using dynamic tools to reach consensus and develop group recommendations.

NEXT STEPS

Upon Board approval, staff will execute Modification No. 1 to Contract No. PS72932000 with Estolano Advisors. .

ATTACHMENTS

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

Prepared by: Judy Gerhardt, Deputy Chief System Security and Law Enforcement Officer, (213) 922-4811

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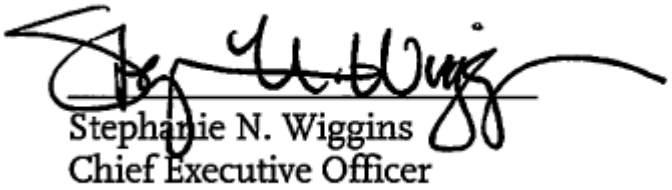

Stephanie N. Wiggins
Chief Executive Officer

PROCUREMENT SUMMARY

TRANSIT PUBLIC SAFETY FACILITATOR SERVICES/PS72932000

1.	**Contract Number**: PS72932000			
2.	**Contractor**: Estolano Advisors			
3.	**Mod. Work Description**: Increase contract authority			
4.	**Contract Work Description**: Provide facilitation services between Metro and the Transit Public Safety Advisory Committee (PSAC)			
5.	**The following data is current as of**: 2/8/22			
6.	**Contract Completion Status**		**Financial Status**	
	Contract Awarded:	4/6/21	**Contract Award Amount:**	$ 210,459
	Notice to Proceed (NTP):	N/A	**Total of Modification Approved:**	0
	Original Complete Date:	11/7/22	**Pending Modification (including this action):**	$160,563
	Current Est. Complete Date:	11/7/22	**Current Contract Value (with this action):**	$371,022
7.	**Contract Administrator**: Aielyn Dumaua		**Telephone Number**: (213) 922-7320	
8.	**Project Manager**: Imelda Hernandez		**Telephone Number**: (213) 922-6760	

A. Procurement Background

This Board Action is to approve Modification No. 1 to Contract No. PS72932000 with Estolano Advisors to provide facilitation services between Metro and the Public Safety Advisory Committee (PSAC).

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

In April 2021, Metro awarded a 19-month contract to Estolano Advisors to facilitate and help guide PSAC through productive consensus toward clearly defined recommendations for Metro to embrace.

Refer to Attachment B – Contract Modification/Change Order Log.

B. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based on price analysis, negotiations and technical analysis. The negotiated amount is based on fully burdened hourly labor rates that were established as part of a competitive contract award in April 2021.

The negotiated amount is higher than Metro's independent cost estimate (ICE) due to additional personnel required in support of the expanded scope of services and supplementary facilitation services for additional PSAC general meetings and ad-hoc sub-committee meetings.

The recommended increase in contract authority is in the best interest of Metro.

Proposed Amount	Metro ICE	Negotiated Amount
$210,458	$121,760	$160,563

CONTRACT MODIFICATION/CHANGE ORDER LOG

TRANSIT PUBLIC SAFETY FACILITATOR SERVICES/PS72932000

Mod. No.	Description	Date	Amount
1	Increase contract authority to provide facilitation services between Metro and the Public Safety Advisory Committee (PSAC)	PENDING	$ 160,563
	Modification Total:		**$ 160,563**
	Original Contract:	**4/6/21**	**$ 210,459**
	Total Contract Value:		**$ 371,022**

DEOD SUMMARY

TRANSIT PUBLIC SAFETY FACILITATOR SERVICES/PS72932000

A. Small Business Participation

Estolano Advisors, an SB Prime, made a 74.39% Small Business Enterprise (SBE) commitment. The contract is 38.76% complete and the current (SBE) participation is 79.35%, exceeding the SBE commitment by 4.96%.

Small Business Commitment	SBE 74.39%	Small Business Participation	SBE 79.35%

	SBE Subcontractors	% Committed	Current Participation[1]
1.	Estolano Advisors (SB Prime)	74.39%	79.35%
	Total	**74.39%**	**79.35%**

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

B. Living Wage and 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. PLA/CCP is applicable only to construction contracts that have a construction related value in excess of $2.5 million.