

**Board Report**

File #: 2022-0282, **File Type:** Contract**Agenda Number:** 22.

**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE
JUNE 16, 2022****SUBJECT: POWER SWEEPING SERVICES****ACTION: APPROVE CONTRACT MODIFICATION****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute Modification No. 11 to Contract No. OP962800003367 with Nationwide Environmental Services, a Division of Joe's Sweeping Services, Inc., to provide power sweeping services for Metro's facilities in the amount of \$995,000, increasing the contract authority from \$5,846,346 to \$6,841,346 and extending the period of performance from September 1, 2022, through March 31, 2023.

ISSUE

The existing power sweeping services contract term expires on August 31, 2022. Although a new solicitation was issued on November 18, 2021, bids received were deemed non-responsive and the solicitation was cancelled on March 17, 2022.

While a new solicitation is in progress, insufficient authority remains within the existing contract. Therefore, the approval of Modification No. 11 is required to increase contract authority by \$995,000 and extend the performance period through March 31, 2023. This action is necessary to ensure service continuity delivering safe, quality, regularly scheduled, and as-needed maintenance and allowing time to reprocur for a new power sweeping services contract.

BACKGROUND

On April 26, 2018, the Metro Board of Directors approved a three-year base, firm fixed unit rate Contract No. OP962800003367 with Nationwide Environmental Services, Inc., to provide power sweeping services for Metro's facilities, effective June 1, 2018.

Under the existing contract, the contractor has provided power sweeping services on a regular schedule and as-needed basis. Staff continuously evaluates service levels and explores opportunities to increase competition while expanding small business participation.

In preparation for a new power sweeping services solicitation, two (2) outreach events were conducted on June 10 and November 10, 2021. During the event, staff provided an overview of the upcoming procurement where Metro's service area has been split into two (2) moderately sized

geographical regions to attract bids from small businesses as primes.

On November 18, 2021 a new solicitation for power sweeping services was issued for the North and South region, representing Metro's service area. On December 22, 2021, two (2) bids were received, one (1) per region, however, bids were deemed non-responsive and the solicitation was cancelled on March 17, 2022.

DISCUSSION

Under the existing contract, the contractor has been satisfactorily providing regularly scheduled and as-needed power sweeping services for 108 parking lots and structures throughout Metro bus and rail facilities and 41 Caltrans owned Park and Ride (P&R) lots.

To ensure service continuity delivering timely power sweeping services with well-maintained parking lots and structures system-wide throughout LA County, the approval of Modification No. 11 is required to provide additional authority for the existing contract and extend the period of performance through March 31, 2023.

Power sweeping services will support Metro's efforts to enhance customer experience by providing patrons a clean environment at facilities. Specifically, Metro's power sweeping services will ensure that our facilities receive the consistent cleaning services expected by our customers.

DETERMINATION OF SAFETY IMPACT

The approval of this item will ensure service continuity to provide on-going power sweeping services, improve Metro bus and rail facilities overall appearance and cleanliness, and continue providing safe, quality, on-time, and reliable services system-wide.

FINANCIAL IMPACT

Upon Board approval of the FY23 budget, funding of \$995,000 is included under cost center 8370 - Facilities Contracted Maintenance Services, account 50308, Service Contract Maintenance, under various projects.

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

Impact to Budget

The current source of funds for this action is operating eligible State and Local funds including sales tax and Fares. These funding sources ensure the best allocation given approved funding provisions and guidelines.

EQUITY PLATFORM

This action will maintain regularly scheduled and as-needed power sweeping services for Metro's patrons. It ensures that Metro bus and rail facilities overall appearance and cleanliness are well maintained, especially for those with disabilities, older adults and others, while providing a safe, quality, accessible, and reliable environment to all of our patrons at parking lots and structures throughout Metro facilities and Caltrans owned P&R lots.

Metro customers may report cleanliness and maintenance issues of Metro parking lots and structures system-wide through Metro's Customer Relations numbers posted throughout the rail and bus system. Customers, including those who are Limited English Proficient (LEP), can communicate with Metro through nine (9) different languages using translation service. Metro also ensures translated signage is posted for those reporting cleanliness and maintenance issues on the Metro system.

Under the existing contract Nationwide Environmental Services, Inc., made a commitment of 7.02% for SBE and 3.01% for DVBE. To-date, the current participation is 9.88% for SBE and 3.06% for DVBE, exceeding the commitment by 2.86% and 0.05%, respectively.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This board action supports Strategic Goal 5: Provide responsive, accountable, and trustworthy governance within the Metro organization. Performing on-going frequency and as-needed power sweeping will ensure providing safe environment to our patrons, accessibility, and service reliability, and enhancing customers' overall experience.

ALTERNATIVES CONSIDERED

The Board may elect not to approve this recommendation. This option is not recommended as it would result in a gap in service, impacting Metro's system safety, cleanliness, operations, and customer experience.

NEXT STEPS

Upon approval by the Board, staff will execute Modification No. 11 to Contract No. OP962800003367 with Nationwide Environmental Services, to continue to provide power sweeping services throughout Metro bus and rail facilities and 41 Caltrans owned P&R lots. Concurrently, staff is in the process of updating the new solicitation package scope of work documents where Metro's service area has been restructured and split into three (3) moderately sized geographical regions, to further enhance competition and expand opportunities for small business participation during the upcoming procurement.

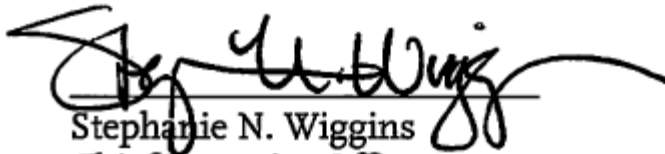
ATTACHMENTS

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

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Stephanie N. Wiggins
Chief Executive Officer

PROCUREMENT SUMMARY

POWER SWEEPING SERVICES/OP962800003367

1.	Contract Number: OP962800003367		
2.	Contractor: Nationwide Environmental Services		
3.	Mod. Work Description: Increase contract authority and extend period of performance		
4.	Contract Work Description: Provide power sweeping services at all Metro transit facilities including bus divisions, terminals, busways, railroad trackways, layover areas, rail divisions and train/bus stations park-and-ride		
5.	The following data is current as of: 5/4/22		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	6/1/18	Contract Award Amount: \$ 5,314,860
	Notice to Proceed (NTP):	N/A	Total of Modification Approved: \$ 531,486
	Original Complete Date:	8/31/22	Pending Modification (including this action): \$ 995,000
	Current Est. Complete Date:	3/31/23	Current Contract Value (with this action): \$ 6,841,346
7.	Contract Administrator: Aielyn Dumaua		Telephone Number: (213) 922-7320
8.	Project Manager: Maral Minasian		Telephone Number: (213) 922-6762

A. Procurement Background

This Board Action is to approve Modification No. 11 to Contract No. OP962800003367 with Nationwide Environmental Services, a Division of Joe's Sweeping, Inc. (Nationwide) to provide power sweeping services at all Metro transit facilities including bus divisions, terminals, busways, railroad trackways, layover areas, rail divisions, and train/bus stations park-and-ride.

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

In June 2018, Metro awarded a three-year contract to Nationwide to provide power sweeping services.

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 and technical analysis. Negotiated rates for the extended term are lower than current market rates for similar services. Therefore, the recommended increase in contract authority is in the best interest of Metro.

Proposed Amount	Metro ICE	Modification Amount
\$995,000	\$995,000	\$995,000

CONTRACT MODIFICATION/CHANGE ORDER LOG

POWER SWEEPING SERVICES/OP962800003367

Mod. No.	Description	Date	Amount
1.	Increase contract authority and revise the Statement of Work and Schedule of Quantities and Prices to add Division 16 – LAX/Crenshaw Line Yard as a service location	3/28/19	\$ 52,000
2	Revise Schedule of Quantities and Prices to adjust service frequency due to COVID-19	5/20/20	\$ 0
3	Revise Statement of Work and Schedule of Quantities and Prices to update service locations	6/24/20	\$ 0
4	Revise Statement of Work to update the submittal and reporting requirements	7/13/20	\$ 0
5	Revise Schedule of Quantities and Prices to modify the frequency of service at various Caltrans Park and Ride Lots	10/16/20	\$ 0
6	Extend the period of performance by seven months	10/19/20	\$ 0
7	Extend the period of performance by three months	3/24/21	\$ 0
8	Revise Statement of Work to remove Location 62 – Rail Communication from the List of Service Locations and adjust the Schedule of Quantities and Prices	5/31/21	\$ 0
9	Increase contract authority, revise agreed-upon fully burdened rates and extend the period of performance by two months	11/15/21	\$ 250,000
10	Increase contract authority, revise agreed-upon fully burdened rates, and extend the period of performance by two months	5/11/22	\$ 229,486
11	Increase contract authority to continue to provide services, revise agreed-upon fully burdened rates and extend the period of performance by seven months	PENDING	\$ 995,000
	Modification Total:		\$ 1,526,486
	Original Contract:	6/1/18	\$ 5,314,860
	Total Contract Value:		\$ 6,841,346

DEOD SUMMARY

POWER SWEEPING SERVICES FOR ALL METRO FACILITIES/OP962800003367

A. Small Business Participation

Nationwide Environmental Services Div. of Joe's Sweeping, Inc. made a 7.02% Small Business Enterprise (SBE) and a 3.01% Disabled Veterans Business Enterprise (DVBE) commitment. The project is 86% complete. The current SBE participation is 9.88% and DVBE participation is 3.06%. Nationwide Environmental Services is exceeding the SBE commitment by 2.86% and DVBE commitment by 0.05%, respectively.

Small Business Commitment	SBE 7.02% DVBE 3.01%	Small Business Participation	SBE 9.88% DVBE 3.06%
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	SBE Subcontractors	% Committed	Current Participation¹
1.	Islas Tires, Inc.	6.60%	8.48%
2.	Rose Equipment Repairs, Inc.	0.42%	1.40%
	Total	7.02%	9.88%

	DVBE Subcontractors	% Committed	Current Participation¹
1.	Hunter Tires, Inc.	3.01%	3.06%
	Total	3.01%	3.06%

¹Current 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 requirements are applicable to this project. DEOD will continue to 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. PLA/CCP is applicable only to construction contracts that have a construction related value in excess of \$2.5 million.