

**Board Report**

File #: 2023-0014, **File Type:** Contract**Agenda Number:** 27.

**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE
MARCH 16, 2023****SUBJECT: METRO FREEWAY SERVICE PATROL****ACTION: APPROVE RECOMMENDATION****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute contract modifications for four current Freeway Service Patrol (FSP) contracts in an aggregate amount of \$4,645,000 thereby increasing the contract amounts from \$18,020,679 to \$22,665,679 and extending the periods of performance for the following contracts:

- Beat 24: T.G. Towing, Inc. Contract No. FSP2833200FSP1424, for \$710,000 for up to 5 months, increasing the total contract amount from \$4,696,302 to \$5,406,302;
- Beat 29: Platinum Tow & Transport, Inc. Contract No. FSP3470600B29, for \$495,000 for up to 5 months, increasing the total contract amount from \$4,145,024 to \$4,640,024;
- Beat 42: Platinum Tow & Transport Contract No. FSP2842100FSP1442, for \$275,000 for up to 5 months, increasing the total contract amount from \$3,964,231 to \$4,239,231; and
- Beat 61: All City Towing Contract No. FSP5769100B61, for \$3,165,000 for up to 25 months, increasing the total contract amount from \$5,215,122 to \$8,380,122.

ISSUE

Three current FSP contracts require modifications to avoid a gap in service until new contracts can be awarded and mobilized to provide service. An additional existing FSP contract also requires modification to continue providing service utilizing high-cost heavy duty tow trucks which were underutilized during the pandemic due to reduced service levels.

BACKGROUND

The FSP program is managed in partnership with Metro, CHP and Caltrans serving motorists on all major freeways in Los Angeles County. Metro's FSP program is the largest of its kind in the nation and maintains the highest level of benefit to cost ratio of all 14 FSP programs within California.

The program utilizes a fleet of roving tow and service trucks designed to reduce traffic congestion by

efficiently rendering disabled vehicles operational by changing out flat tires, providing a jump start, adding water to the radiator, taping leaking hoses, or by quickly towing those vehicles from the freeway to a designated safe location. These services are free to motorists. Quickly removal of motorists and their disabled vehicles from the freeway reduces the chances of further incidents caused by onlookers and impatient drivers. FSP helps save fuel and reduce air polluting emissions by reducing stop-and-go traffic through the provision of free services to motorists and operates seven days a week during peak commuting hours.

Metro contracts with independent tow service providers for Freeway Service Patrol Light Duty (FSPLD) tow service on general purpose lanes on all major freeways in Los Angeles County, 2 Freeway Service Patrol ExpressLanes (FSPEL) contracts on the (I-110 and I-10), and 2 Freeway Service Patrol Heavy Duty (FSPHD) contracts (I-710 and SR-91) to assist large commercial vehicles. (Attachment D) Each weekday, 138 tow and service trucks are deployed during peak commuting hours.

FSP light duty contracts are re-procured approximately every 4 years to replace aging vehicles, encourage competition by providing tow service contractors the opportunity to bid on new contracts, and allow new contracts to reset rates using current industry prices.

The annual benefit of the program is as follows:

- For individual beats, an annual Benefit to Cost Ratio of 9:1 - For every \$1 spent there is a \$9 benefit to motorists
- 300,000 motorist assists
- 5,175,845 hours motorists saved from sitting in traffic
- 8,897,277 gallons of fuel savings
- Approximately 78,296,040 kg of CO2 reductions
- The average motorist wait time for FSP service is 7 minutes (the average wait time for other roadside service is over 30 minutes)
- The Los Angeles County FSP program generates one-half of the cumulative benefits of the 14 FSP programs in the state.

DISCUSSION

The recommendation requests funding to extend periods of performance for three FSPLD beats (24 (Santa Clarita SR14), 29 (Westlake US101), & 42 (Santa Clarita I5)) to avoid a gap in service provision while staff work to complete the solicitation, currently in progress, to replace the older light duty tow service contracts. Authorizing contract modifications will ensure seamless and efficient operation of the FSP program until contract awards have been completed. It will also provide funds to address increased operating costs such as increased insurance premiums, major maintenance expenses, fluctuating fuel prices, and to replenish funding to contracts that provide support to Caltrans construction projects through a Cooperative Agreement which reimburses Metro for FSP support. Upon completion of the solicitation process for FSPLD contracts, staff expects to return to

the Board at the appropriate time for authorization to award the new contracts.

The recommendation will also increase funding and extend the period of performance for the Beat 61 FSPHD contract operating on the SR-91 freeway. Extending the contract for 25 months allows Metro to continue to most cost efficiently and effectively provide the service using the existing high-cost/long-life vehicles that were underutilized for 2 years during the pandemic due to service reductions. Heavy duty tow trucks cost upwards of \$750,000 and can operate effectively for over 1 million miles. In August 2022, the board authorized funding to extend the period of performance for the Beat 60 FSPHD contract operating on the I-710 freeway when presented with the same circumstances of underutilization and potentially higher costs if this contract expires and is replaced with a new contract.

DETERMINATION OF SAFETY IMPACT

The FSP Program enhances safety on Los Angeles County freeways by assisting motorists with disabled vehicles, towing vehicles from freeway lanes to prevent secondary accidents and removing debris/obstacles from lanes that can be a hazard to motorists.

FINANCIAL IMPACT

The amount of \$998,463 for the modifications is included in the FY23 budget in cost center 3352, Metro Freeway Service Patrol. Since some of the contracts requires a multi-year contract, the cost center manager will provide the required funding in future years.

Impact to Budget

The FSP program is funded through a combination of dedicated state funds, SB1 funding and Proposition C 25% sales tax revenues. These funds are not eligible for Metro Bus and Rail Operating and Capital expenses. Metro is also reimbursed for the services provided to support Caltrans construction projects.

EQUITY PLATFORM

DEOD has implemented a two-phased Small Business Recruitment Strategy to increase the number of SBE/DVBE certified vendors specific to the towing industry and tow service providers. Through DEOD's Metro Connect Outreach Program, FSP's program management and Contract Administration staff have scheduled separate pre-solicitation outreach events targeting untapped SBE, DVBE, and DBE-eligible firms within specific North American Industry Classification System (NAICS) codes. In addition, FSP program management staff continue their outreach to the towing community and potential SBE/DVBE vendors to provide information on contracting opportunities in Metro's programs. These efforts include attending the largest towing convention on the west coast (sponsored by the California Tow Truck Association), contact local towing firms via phone or in person, and reach out to former FSP tow contractors.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The FSP Program aligns with Strategic Goal 1: Provide high-quality mobility options that enable people to spend less time traveling. The program mitigates congestion on all major freeways in Los Angeles County.

ALTERNATIVES CONSIDERED

The Board may decide not to authorize the increase in contract modifications. This alternative is not recommended as it could adversely impact the level and quality of FSP service provided in Los Angeles County.

NEXT STEPS

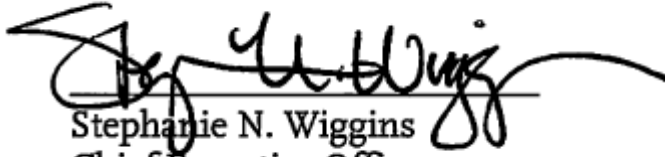
Upon Board approval, staff will execute the necessary contract modifications to assure efficient and seamless delivery of the FSP program. Staff will work on new procurements to address needs beyond FY23. Barring additional unforeseen impacts, staff will return to the Board at the appropriate time to secure approval for new contracts with services to commence in FY24.

ATTACHMENTS

- Attachment A - Procurement Summary
- Attachment B - Contract Modification Summary
- Attachment C - Contract Modification/Change Order Log
- Attachment D - FSP Beat Map
- Attachment E - DEOD Summary

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Reviewed by: Conan Cheung, Chief Operations Officer, (213) 418-3034



Stephanie N. Wiggins
Chief Executive Officer

PROCUREMENT SUMMARY

METRO FREEWAY SERVICE PATROL/VARIOUS BEATS

1.	Contract Number: Various, See Attachment B			
2.	Contractor: Various, See Attachment B			
3.	Mod. Work Description: General Redeployment Support, Caltrans Construction, Special Event Support, Service Coverage			
4.	Contract Work Description: Freeway Service Patrol			
5.	The following data is current as of: February 1, 2023			
6.	Contract Completion Status		Financial Status	
	Contract Awarded:	Various	Contract Award Amount:	Various, See Attachment B
	Notice to Proceed (NTP):	N/A	Total of Modifications Approved:	Various, See Attachment C
	Original Complete Date:	Various	Pending Modifications (including this action):	Various, See Attachment C
	Current Est. Complete Date:	Various	Current Contract Value (with this action):	Various, See Attachment C
7.	Contract Administrator: DeValory Donahue		Telephone Number: (213) 922-4726	
8.	Project Manager: John Takahashi		Telephone Number: (213) 418-3271	

A. Procurement Background

This Board Action is to approve contract modifications for multiple firm-fixed unit rate contracts (see Attachment B-Contract Modification Summary) for towing services in support of the Metro Freeway Service Patrol (FSP) program.

The proposed increase for 4 FSP general purpose lanes and ExpressLane contracts in the amount of \$4,645,000 will allow required towing services for the FSP program to continue and extend the period of performance to support unanticipated events, redeployment, and support during freeway construction work, and service delivery until new contracts are established.

Attachment B - Contract Modification Summary shows the list of contracts that require an increase.

Attachment C - Contract Modification/Change Order Log shows that modifications have been issued to date and no contract modifications are currently in negotiations or pending.

B. Cost Analysis

All firms agreed to honor current hourly rates with no increase during the contract extensions. Therefore, the modifications are deemed fair and reasonable.

**ATTACHMENT B
 CONTRACT MODIFICATION SUMMARY
 METRO FREEWAY SERVICE PATROL
 TOWING SERVICES FOR GENERAL PURPOSE LANES**

Beat	Contractor	Contract No.	Original Contract Value	Approved Increases	Current Contract Value	Requested Increase	Revised Contract Value
24	T.G. Towing, Inc.	FSP2833200FSP1424	\$1,753,911.00	\$2,942,391.00	\$4,696,302.00	\$710,000.00	\$5,406,302.00
29	Platinum Tow & Transport, Inc.	FSP3470600B29	\$3,012,024.00	\$1,133,000.00	\$4,145,024.00	\$495,000.00	\$4,640,024.00
42	Platinum Tow & Transport, Inc.	FSP2842100FSP1442	\$1,765,665.00	\$2,198,566.00	\$3,964,231.00	\$275,000.00	\$4,239,231.00
61	All City Tow Service	FSP5769100B61	\$4,741,020.00	\$474,102.00	\$5,215,122.00	\$3,165,000.00	\$8,380,122.00
Totals				\$6,748,059.00	\$18,020,679.00	\$4,645,000.00	\$22,665,679.00

ATTACHMENT C

CONTRACT MODIFICATION/CHANGE ORDER LOG

**METRO FREEWAY SERVICE PATROL
TOWING SERVICES FOR GENERAL PURPOSE LANES**

CONTRACT No. FSP2833200FSP14-24

BEAT No. 24

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Period of Performance	Approved	5/26/2018	\$0.00
2	Period of Performance	Approved	8/28/2018	\$0.00
3	Period of Performance	Approved	12/21/2018	\$175,391.00
4	Add Funding and Period of Performance	Approved	5/23/2019	\$330,000.00
5	Period of Performance	Approved	8/30/2019	\$0.00
6	Period of Performance	Approved	9/27/2019	\$0.00
7	Period of Performance	Approved	10/31/2019	\$0.00
8	Period of Performance	Approved	11/27/2019	\$0.00
9	Add Funding and Period of Performance	Approved	12/20/2019	\$275,000.00
10	Service Reduction	Approved	4/6/2020	0.00
11	Add Funding and Period of Performance	Approved	5/12/2020	\$580,000.00
12	Add Funding and Period of Performance	Approved	11/9/2020	\$410,000.00
13	Add Funding and Period of Performance	Approved	7/1/2021	\$130,000.00
14	Add Funding and Period of Performance	Approved	2/9/2022	\$460,000.00
15	Service Increase	Approved	4/12/2022	0.00
16	Add Funding and Period of Performance	Approved	9/16/2022	\$582,000.00
17	Add Funding and Extend period of performance for up to five (5) months.	Pending	Pending	\$710,000.00
	Modification Total:			\$3,652,391.00
	Original Contract:			\$1,753,911 .00
	Total:			\$5,406,302.00

CONTRACT No. FSP3470600B29

BEAT No. 29

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Service Reduction	Approved	4/24/2020	\$0.00
2	Period of Performance	Approved	4/27/2020	\$0.00
3	Service Reduction	Approved	7/2/2020	\$0.00
4	Add Funding and Period of Performance	Approved	11/17/2020	\$170,000.00
5	Add Funding and Period of Performance	Approved	7/1/2021	\$175,000.00
6	Add Funding and Period of Performance	Approved	3/3/2022	\$350,000.00
7	Service Increase	Approved	4/20/2022	\$0.00
8	Add Funding and Period of Performance	Approved	8/31/2022	438,000.00
9	Add Funding and Extend period of performance for up to five (5) months.	Pending	Pending	\$495,000.00
	Modification Total:			\$1,628,000.00
	Original Contract:			\$3,012,024.00
	Total:			\$4,640,024.00

CONTRACT No. FSP2842100FSP14-42

BEAT No. 42

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Period of Performance	Approved	7/10/2018	\$0.00
2	Add Funding and Period of Performance	Approved	12/21/2018	\$175,566.00
3	Add Funding and Period of Performance	Approved	8/27/2019	\$585,000.00
4	Service Reduction	Approved	3/31/2020	\$0.00
5	Add Funding and Period of Performance	Approved	7/31/2020	\$100,000.00

6	Add Funding and Period of Performance	Approved	11/17/2020	\$345,000.00
7	Add Funding and Period of Performance	Approved	7/1/2021	\$205,000.00
8	Add Funding and Period of Performance	Approved	3/3/2022	\$350,000.00
9	Service Increase	Approved	4/20/2022	\$0.00
10	Add Funding and Period of Performance	Approved	8/31/2022	\$438,000.00
11	Add Funding and Extend period of performance for up to five (5) months.	Pending	Pending	\$275,000.00
	Modification Total:			\$2,473,566.00
	Original Contract:			\$1,765,665.00
	Total:			\$4,239,231.00

CONTRACT No. FSP5769100B61

BEAT No. 61

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Adjustment of Service Start Date	Approved	4/1/2017	\$0.00
2	Service Reduction	Approved	4/3/2020	\$0.00
3	Period of Performance	Approved	3/2/2022	\$0.00
4	Service Increase	Approved	4/20/2022	\$0.00
5	Service Increase	Approved	4/26/2022	\$0.00
6	Add Funding	Approved	1/9/2023	\$474,102.00
7	Add Funding and Extend period of performance for up to five (5) months.	Pending	Pending	\$3,165,000.00
	Modification Total:			\$3,639,102.00
	Original Contract:			\$4,741,020.00
	Total:			\$8,380,122.00

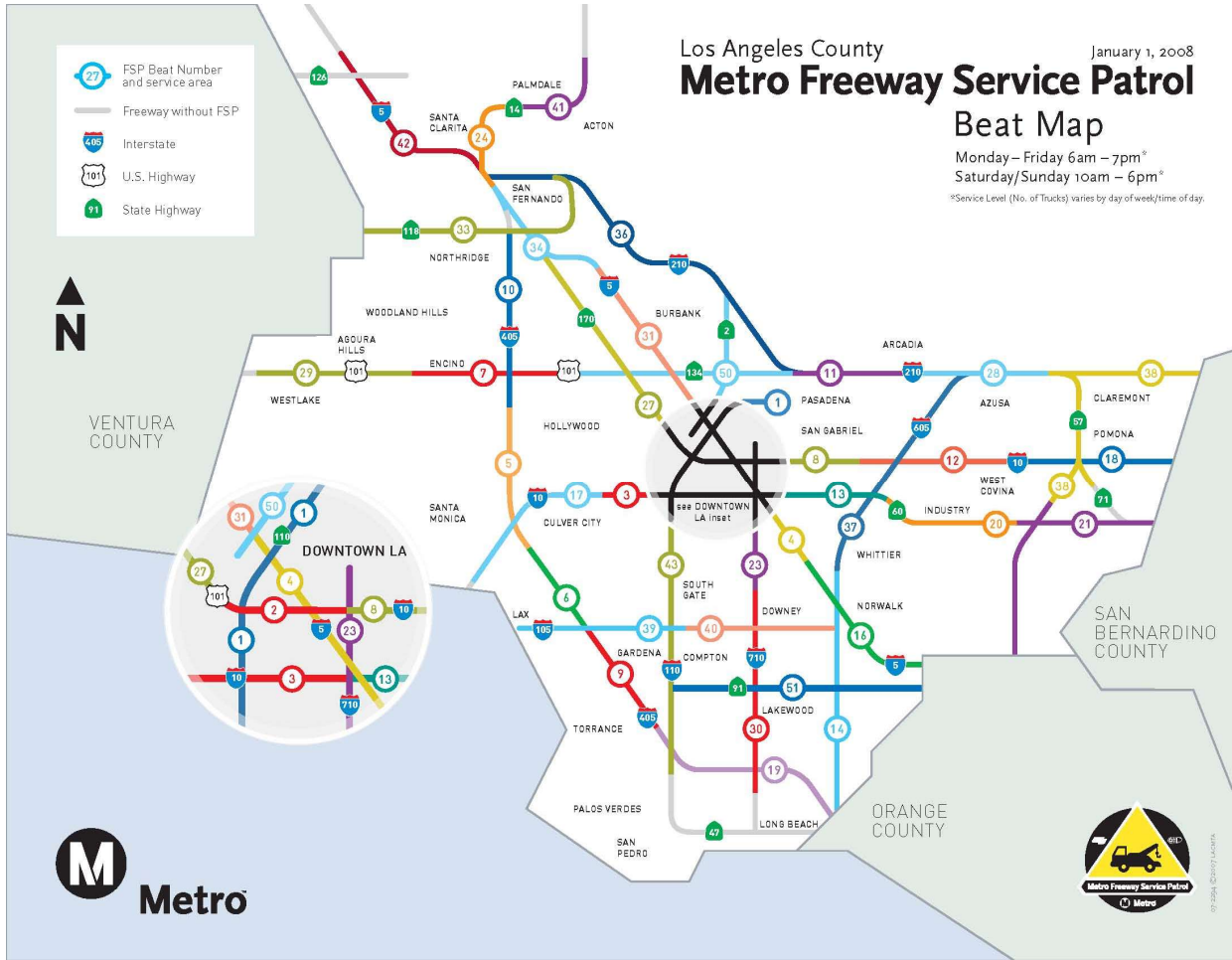
Attachment D

Los Angeles County Metro Freeway Service Patrol Beat Map

January 1, 2008

Monday-Friday 6am - 7pm*
Saturday/Sunday 10am - 6pm*

*Service Level (No. of Trucks) varies by day of week/time of day.



DEOD SUMMARY

METRO FREEWAY SERVICES PATROL/VARIOUS BEATS

A. Small Business Participation (Modification)

Of the four FSP contracts included in this modification, three of the Contractors made SBE commitments and one contractor made an SBE/DVBE commitment. The FSP Contractors T.G. Towing - Beat 24, and Platinum Tow & Transport - Beats 29 and 42, are SBE primes and are each meeting their 100% SBE commitment.

The FSP Contractor All City Tow Service (ACTS) - Beat 61, made a 7.00% SBE and 3.23% DVBE commitment and the current level of participation is 1.15% SBE and 0.88% DVBE, representing a shortfall of 5.85% and 2.35%, respectively. ACTS contends that the pandemic greatly impacted services and the utilization of its SBE/DVBE subcontractors. However, ACTS reported with service now reinstated to pre-pandemic levels and the increasing need for repairs and equipment, they expect to see incremental increases in the utilization of their SBE/DVBE subcontractors by the end of the 3rd quarter and will continue to search for new SBE/DVBE subcontractors to provide services to ACTS for the remainder of the contract.

Notwithstanding, Metro Project Managers and Contract Administrators will continue to meet bi-monthly with DEOD and the FSP Contractors in shortfall to monitor the Contractor's efforts to meet or exceed their SBE/DVBE commitments.

Beat 24 – T.G. Towing, Inc.

	SBE Contractor(s)	% Commitment	% Participation
1.	T. G. Towing, Inc. (SBE Prime)	100%	100%
	Total	100%	100%

Beat 29 – Platinum Tow & Transport

	SBE Contractor(s)	% Commitment	% Participation
1.	Platinum Tow & Transport (SBE Prime)	100%	100%
	Total	100%	100%

Beat 42 – Platinum Tow & Transport

	SBE Contractor(s)	% Commitment	% Participation
1.	Platinum Tow & Transport (SBE Prime)	100%	100%
	Total	100%	100%

Beat 61 – All City Tow Service

	SBE Contractor(s)	% Commitment	% Participation
1.	Casanova Towing Equipment, Inc.	7.00%	0.96%
2.	Hunter Tires, Inc.	Added	0.19%
	Total	7.00%	1.15%

	DVBE Subcontractor(s)	% Commitment	% Participation
1.	Arciero & Sons, Inc.	1.39%	0.00%
2.	Image Gear dba Reflective Stripe	0.55%	0.19%
3.	Oasis Fuels, Inc.	1.29%	0.69%
	Total	3.23%	0.88%

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 (LW/SCWRP) is applicable to this contract. Metro staff will monitor and enforce the policy guidelines to ensure that applicable workers are paid at minimum, the current Living Wage rate of \$23.81 per hour (\$18.04 base + \$5.77 health benefits), including yearly increases. The increase may be up to 3% of the total wage, annually. In addition, contractors will be responsible for submitting the required reports for the Living Wage and Service Contract Worker Retention Policy and other related documentation to staff to determine overall compliance with the policy.

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.