



Board Report

File #: 2023-0267, File Type: Contract

Agenda Number: 30.

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE JUNE 15, 2023

SUBJECT: ULTRA-LOW SULFUR AND RENEWABLE DIESEL FUEL

ACTION: APPROVE CONTRACT AWARD

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to award a four-year, Indefinite Delivery/Indefinite Quantity (IDIQ) Contract No. FY98248000 to AAA Oil, Inc. DBA California Fuels and Lubricants, the lowest responsive and responsible bidder, for ultra-low sulfur diesel fuel and renewable diesel fuel. The contract three-year base amount is \$2,492,594.68, inclusive of sales tax, and the one-year option amount is \$825,768.17, inclusive of sales tax, for a total contract amount of \$3,318,362.85, subject to resolution of any properly submitted protest(s), if any.

ISSUE

Metro has a fleet of tow trucks, tractors, hi-rail vehicles, emergency generators, and other non-revenue equipment used to support the maintenance of the bus and rail fleets. Facilities Maintenance uses specialized non-revenue vehicles to maintain the bus and rail infrastructure and perform light construction work. Materials Management operates heavy-duty, non-revenue equipment to transfer major components and subsystems between warehouses and bus and rail maintenance divisions. Diesel fuel is required for many of these support vehicles.

The award of this contract will ensure that bus, rail, non-revenue, and other support departments have an adequate supply of ultra-low sulfur diesel fuel and renewable diesel fuel for non-revenue vehicles, including tow trucks, tractors, hi-rail vehicles, emergency generators, and other diesel-fueled equipment.

BACKGROUND

Metro's medium and heavy-duty non-revenue vehicles that support the maintenance of the compressed natural gas bus fleet, rail vehicles, and the infrastructure that supports these vehicles primarily operate on ultra-low sulfur and renewable diesel fuels. These non-revenue vehicles are essential to support the daily operations of the bus and rail systems. They are used by maintenance departments to respond to accidents or incidents with buses and rail cars that occur on both surface streets and rail lines. The non-revenue vehicles also support construction and maintenance activities at bus and rail operating facilities.

Low sulfur diesel fuel is required for these vehicles until support vehicles can be replaced with either compressed natural gas or zero emission vehicles. Alternative fuel and zero emission medium and heavy-duty vehicles only recently became available for fleet operations. Metro is procuring compressed natural gas tow trucks and vault trucks to support bus maintenance and revenue collection activities. Metro will begin receiving these heavy-duty compressed natural gas trucks by the end of 2023.

Metro is committed to pursuing sustainable practices in bus and rail operations. The purchase of renewable diesel fuel supports this goal since low sulfur and renewable diesel fuel have lower emissions than standard diesel fuel. Metro currently operates seventy-seven non-revenue medium and heavy duty vehicles that use diesel fuel due to their duty cycles, including heavy-duty torque requirements for hauling and towing and fuel type restrictions for maintenance operations in rail tunnels. Metro will continue to require diesel fuel to operate these medium and heavy-duty vehicles until alternative fuel and/or zero emission vehicles are available to replace the diesel vehicles in the coming years. Based upon current trends, it is expected that conversion of medium and heavy duty vehicles to zero emission vehicles can be accomplished by 2035.

DISCUSSION

The award of this contract to AAA Oil, Inc. DBA California Fuels, and Lubricants will allow procurement of approximately 796,000 gallons of diesel fuel over a four-year period at prevailing Oil Price Information Service (OPIS) pricing. OPIS is a widely accepted fuel price index published daily to reflect current market prices in the Los Angeles area for petroleum products. OPIS is a private, independent company with no stake in fuel transactions and is not funded by the oil industry.

The use of an Indefinite Delivery/Indefinite Quantity Contract provides Metro with fuel on an as-needed basis at prevailing OPIS pricing with the application of state and federal taxes and fees associated with diesel fuel. The procurement projections in the bid documents are estimates only, and Metro has no obligation or commitment to order any or all of the diesel fuel estimated in the bid documents.

Metro is actively working towards transitioning the non-revenue fleet from standard diesel fuel to renewable diesel and alternative fuels to reduce its carbon footprint significantly. The use of ultra-low sulfur diesel, renewable diesel, and alternative fuel non-revenue vehicles will reduce greenhouse gas emissions while simultaneously promoting an environmentally responsible approach for operations.

Metro is also in the process of converting revenue and non-revenue fleets to zero emission vehicles. As zero emission medium and heavy-duty non-revenue vehicles become more readily available and the charging infrastructure is developed to support a zero emissions fleet, Metro will continue replacing diesel vehicles with zero-emission non-revenue vehicles. Based upon current trends, it is expected that conversion of the medium and heavy-duty vehicles to zero emission vehicles can be accomplished by 2035. Currently, ten compressed natural gas heavy-duty non-revenue vehicles and fifty-eight zero emission light-duty non-revenue vehicles are in procurement, along with ongoing procurements for zero emission electric buses. Hybrid and zero-emission non-revenue vehicles currently account for 40% of the total non-revenue vehicle fleet.

DETERMINATION OF SAFETY IMPACT

The award of this contract will ensure that all operating divisions have an adequate supply of diesel fuel for the non-revenue vehicles used to support the bus, rail, facilities, and support departments focused on providing safe, clean, and reliable transportation services for Metro customers.

FINANCIAL IMPACT

Funding in the amount of \$830,864.89 is included in the FY24 budget in account 50405 Fuel Non-Rev. Equipment under multiple bus and rail cost centers. Since this is a multi-year Contract, the cost center managers and Chief Operations Officer will be responsible for budgeting the cost in future years.

Impact to Budget

The current source of funds for this action includes Fares, Proposition A/C, Measure R/M, and Transportation Development Act. The proposed source of funding are operating eligible funds.

EQUITY PLATFORM

The benefits of this action are to ensure non-revenue vehicles have adequate fueling capacity to support the bus and rail fleet operations that serve Los Angeles County residents and disproportionately serve marginalized and vulnerable transit riders. The contract for diesel fuel used in non-revenue support vehicles helps to ensure clean, dependable, and safe bus and rail fleet services.

The Diversity and Economic Opportunity Department (DEOD) did not establish a DBE goal for this contract due to a lack of subcontracting opportunities.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The contract for diesel fuel supports Strategic Goal 2.3: Metro will support a customer-centric culture where exceptional experiences are created at every opportunity for internal and external customers. Diesel fuel is required for support vehicles used by Bus & Rail Operations, Facilities Maintenance, Rail Maintenance of Way, and other departments to support the various operations throughout the Metro transit system. These departments are focused on providing clean, safe, and reliable transportation services for all Metro customers.

ALTERNATIVES CONSIDERED

The alternative is not to award the contract. This approach is not recommended due to the operational necessity of the support vehicles that make up the non-revenue fleet that rely on diesel fuel and must be kept in service to meet the agency's Operational support requirements and demands.

NEXT STEPS

Upon approval, staff will award Contract No. FY98248000 to AAA Oil, Inc. DBA California Fuels and

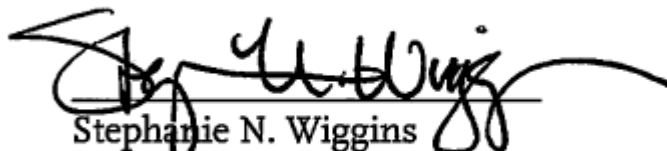
Lubricants to supply ultra-low sulfur diesel fuel and renewable diesel fuel for Metro's non-revenue fleet starting July 1, 2023.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - DEOD Summary

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ATTACHMENT A

PROCUREMENT SUMMARY

**ULTRA-LOW SULFUR AND RENEWABLE DIESEL FUEL
CONTRACT NO. FY98248000**

1.	Contract Number: FY98248000	
2.	Recommended Vendor(s): AAA Oil, Inc.	
3.	Type of Procurement (check one): <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.	Procurement Dates:	
	A. Issued: 2/27/2023	
	B. Advertised/Publicized: 2/23/23, 2/27/23	
	C. Pre-Bid Conference: 3/6/23	
	D. Bids Due: 3/27/23	
	E. Pre-Qualification Completed: 4/12/23	
	F. Conflict of Interest Form Submitted to Ethics: 4/10/23	
	G. Protest Period End Date: 6/16/23	
5.	Solicitations Picked up/Downloaded: 13	Bids/Proposals Received: 4
6.	Contract Administrator: Lorretta Norris	Telephone Number: (213) 922-2632
7.	Project Manager: Irina Conway	Telephone Number: (213) 922-5934

A. Procurement Background

This Board Action is to approve Contract No. FY98248000 for the procurement of Ultra-Low Sulfur and Renewable Diesel Fuel in support of Metro’s non-revenue fleet vehicles. Contract award is subject to resolution of any properly submitted protest.

The IFB was issued in accordance with Metro’s Acquisition Policy and the contract type is an Indefinite Delivery, Indefinite Quantity (IDIQ).

One amendment was issued during the solicitation phase of this IFB:

- Amendment No. 1, issued on March 20, 2023, to update Metro’s scope of work, standard terms and conditions, and bid price form.

A total of four (4) bids were received on March 27, 2023.

B. Evaluation of Bids

This procurement was conducted in accordance and complies with Metro’s Acquisition Policy for a competitive sealed bid. One bidder, Pinnacle Petroleum, Inc. rescinded their bid offer after bid opening due to past ordering issues on a previous contract for unleaded fuel. The other three (3) bids were deemed responsive and responsible to the IFB requirements.

The recommended firm, AAA Oil, Inc., the lowest responsive and responsible bidder, was found to be in full compliance in meeting the bid and technical requirements of the IFB.

C. Price Analysis

The recommended bid price from AAA Oil, Inc., has been determined to be fair and reasonable based upon adequate price competition, Independent Cost Estimate (ICE), historical purchases and selection of the lowest responsive and responsible bidder.

Bidder’s Name	Total Bid Amount	Metro ICE
AAA Oil, Inc.	\$3,318,362.85	\$3,920,000.00
Mansfield Oil Company of Gainesville, Inc.	\$3,337,043.44	
SC Fuels	\$3,443,742.14	

D. Background on Recommended Contractor

The recommended firm, AAA Oil, Inc., is in Westminster, California and has been in the petroleum business since 2004. AAA Oil, Inc., is Metro’s incumbent diesel fuel provider and has been performing satisfactorily. AAA Oil, Inc., has provided fueling and lubricants services to various agencies including Orange County Transportation Authority, North County Transit District, Metropolitan Water District of Southern California, Southern California Edison, and Kern High School District.

DEOD SUMMARY

**ULTRA-LOW SULFUR AND RENEWABLE DIESEL FUEL / CONTRACT NO.
FY98248000**

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) did not establish a Disadvantaged Business Enterprise (DBE) goal for this solicitation due to lack of subcontracting opportunities. AAA Oil, Inc. DBA California Fuels and Lubricant did not make a DBE commitment. It is expected that the firm will perform the services of this contract with their own workforce.

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