



## Board Report

File #: 2023-0632, File Type: Contract

Agenda Number: 23.

### OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE NOVEMBER 16, 2023

**SUBJECT: SPACE PLANNING - INSTALLATION SERVICES AND FURNITURE**

**ACTION: APPROVE RECOMMENDATION**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute Modification No. 5 to Contract No. PS28069-2000 with M3 Office Inc. in the amount of \$1,500,000 to continue to provide space planning/installation services and furniture increasing the total not-to-exceed contract value from \$7,500,000 to \$9,000,000 and extend the period of performance through December 31, 2024.

#### **ISSUE**

Contract PS28069-2000 with M3 Office Inc. is set to expire on December 31, 2023. A contract extension through December 31, 2024, is required to continue to provide furniture planning and installation services.

On April 21, 2023, RFP No. PS100212 for space planning installation services and furniture, was issued as a competitive solicitation to replace the existing contract. However, the solicitation was canceled due to the failure of the single proposer to meet the established Disadvantaged Business Goal (DBE) goal. Efforts to reprocure this contract are ongoing. Building Maintenance Services, DEOD and Procurement are working together to identify necessary changes to the DBE goal setting. Changes to the scope of work are also being evaluated to include additional services that could possibly help attract DBE participation.

The requested contract modification will allow for sufficient time to procure these services through a competitive procurement process.

#### **BACKGROUND**

On March 23, 2017, the Metro Board of Directors awarded a five-year, indefinite delivery/indefinite quantity contract for space planning/installation services and furniture.

Under the existing contract, the contractor provides space planning services, furniture, and furniture installation services for all Metro facilities, including new operating facilities and the Gateway Headquarters building.

## **DISCUSSION**

Facilities Maintenance reconfigures cubicles and offices in the Gateway Headquarters building and all Divisions to meet ever-changing business needs. This includes the implementation of new space standards to accommodate additional staff required for service expansion.

These reconfigurations require various furniture components that must work seamlessly with our existing inventory of furniture and are readily available. This Contract will continue to be utilized to buy new and replacement furniture components to support the requirements throughout the agency. It will also provide furniture to meet the staff's ergonomic needs as determined by Corporate Safety for all Metro locations, including items such as ergonomic chairs, tables, and desktop risers.

A one-year contract extension is requested to ensure sufficient time to advertise a new solicitation and award a new contract as well as reduce impacts related to furniture and space planning for upcoming projects. This Contract will also provide space planning services and furniture for the buildings and projects outside the Gateway building. For example,

1. Airport Metro Connector (AMC) 96<sup>th</sup> Street Station

## **DETERMINATION OF SAFETY IMPACT**

This Contract will have a positive impact on safety as ergonomic furniture is provided for Metro employees as determined by Corporate Safety.

## **FINANCIAL IMPACT**

The funding of \$200,000 for the Gateway Headquarters building is included in the FY24 budget in cost center number 6430 (Building Services) under project number 100090 (Gateway Building Costs). Since this is a multi-year contract, the cost center management for all departments that make use of this contract will be responsible for budgeting in future years.

### **Impact to Budget**

Partial funding for this project is allocated through General Overhead funding which is based on Metro's federally approved indirect-cost-allocation plan that distributes costs agency-wide. The remaining funding for this project will come from specific funding sources that are allocated to direct projects.

## **EQUITY PLATFORM**

Given that this contracted service will be applied to all Metro facilities, and all Metro staff will have an opportunity for acquiring new furniture on an as-needed basis, there is no anticipated equity impact.

M3 made a 4.12% Disadvantaged Business Enterprise commitment for this contract.

## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

This Board action supports Strategic Goal 5: Provide responsive, accountable, and trustworthy governance within the Metro organization. Providing quality furniture for Metro employees contributes to a work environment that fosters safety, aesthetics, comfort, and morale.

## **ALTERNATIVES CONSIDERED**

The Board may elect not to approve this recommendation. That is not recommended because, each department and expansion capital project would be required to purchase furniture and space planning/installation services directly with multiple vendors through multiple procurement actions such as P-Cards and one-time procurements. This alternative is more costly to Metro and is not desired since it doesn't take advantage of volume discount and causes quality issues, problems with maintenance and repairs, as well as aesthetic inconsistency.

## **NEXT STEPS**


Upon Board approval, staff will execute Modification No. 5 to Contract No. PS28069-2000 with M3 Office Inc. to continue to provide space planning and installation services and furniture. In addition, we will continue with the process to reprocur a new five-year contract.

## **ATTACHMENTS**

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

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## PROCUREMENT SUMMARY

## SPACE PLANNING-INSTALLATION SERVICES AND FURNITURE/PS28069-2000

1.	<b>Contract Number:</b> PS28069-2000		
2.	<b>Contractors:</b> M3 Office, Inc.		
3.	<b>Mod. Work Description :</b> Continue existing services and extend the period of performance from January 1, 2024 to December 31, 2024		
4.	<b>Contract Work Description</b> Provide space planning/installation services and furniture		
5.	<b>The following data is current as of :</b> 10/2/2023		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	03/23/17	<b>Contract Award Amount:</b> \$5,000,000
	<b>Notice to Proceed (NTP):</b>	N/A	<b>Total of Modifications Approved:</b> \$2,500,000
	<b>Original Complete Date:</b>	12/31/23	<b>Pending Modifications (including this action):</b> \$1,500,000
	<b>Current Est. Complete Date:</b>	12/31/24	<b>Current Contract Value (with this action):</b> \$9,000,000
7.	<b>Contract Administrator:</b> Antwaun Boykin		<b>Telephone Number:</b> (213) 922-1056
8.	<b>Project Manager:</b> Merrilu Alfaro		<b>Telephone Numbers:</b> (213) 922-2154

**A. Procurement Background**

This Board Action is to approve Contract Modification No. 5 to continue to provide space planning/installation services and furniture and extend the period of performance from January 1, 2024, to December 31, 2024.

This contract modification will be processed in accordance with Metro's Acquisition Policy and the contract type is an indefinite delivery/indefinite quantity.

In March 2017, the Board awarded a five-year (inclusive of two, one-year options) contract to M3 Office, Inc. to provide space planning/installation services and furniture.

A total of four modifications have been issued to date.

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

**B. Price Analysis**

The recommended price has been determined to be fair and reasonable based on the firms' fixed unit rates that were established and evaluated as part of the competitive contract awarded in March 2017.

<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>Recommended Amount</b>
\$1,500,000	\$1,500,000	\$1,500,000

## CONTRACT MODIFICATION/CHANGE ORDER LOG

## SPACE PLANNING-INSTALLATION SERVICES AND FURNITURE/ PS28069-2000

<b>Mod. No.</b>	<b>Description</b>	<b>Status (Approved or Pending)</b>	<b>Date</b>	<b>Amount</b>
1	Exercise the two, one-year option terms and extend the period of performance (POP) through March 31 2022	Approved	10/08/2019	\$ 2,000,000
2	Continuation of existing services and extend POP through December 31, 2022	Approved	03/07/2022	\$ 500,000
3	Continue existing services and extend POP through June 30, 2023	Approved	07/06/2022	\$ 0
4	Continue existing services and extend POP through December 31, 2023	Approved	03/01/2023	\$ 0
5	Continue existing services and extend POP through December 31, 2024	<b>Pending</b>	<b>Pending</b>	<b>\$ 1,500,000</b>
	<b>Modification Total:</b>			<b>\$ 4,000,000</b>
	<b>Original Contract:</b>		<b>3/23/17</b>	<b>\$ 5,000,000</b>
	<b>Total:</b>			<b>\$ 9,000,000</b>

## DEOD SUMMARY

## SPACE PLANNING/INSTALLATION SERVICES AND FURNITURE/PS28069-2000

**A. Small Business Participation**

M3 Office, Inc. (M3) made a 4.12% Disadvantaged Business Enterprise (DBE) commitment. Based on payments made to date, the project is 78% complete and the current DBE participation is 3.43%, representing a 0.69% commitment shortfall.

M3 explained that the shortfall is due to the good cause termination of its listed DBE subcontractor. M3 is required to demonstrate good faith efforts and affirm continued steps to find a replacement DBE firm to meet its commitment. DEOD will continue to monitor M3's efforts to meet their commitment.

<b>Small Business Commitment</b>	<b>4.12% DBE</b>	<b>Small Business Participation</b>	<b>3.43% DBE</b>
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	<b>DBE Subcontractors</b>	<b>Ethnicity</b>	<b>% Committed</b>	<b>Current Participation<sup>1</sup></b>
1.	Décor Interior Design, Inc.	African American	4.12%	3.43%
	<b>Total</b>		<b>4.12%</b>	<b>3.43%</b>

<sup>1</sup>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**

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 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. Project Labor Agreement/Construction Careers Policy is applicable only to construction contracts that have a construction contract value in excess of \$2.5 million.