



## Board Report

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File #: 2024-0815, File Type: Contract

Agenda Number: 21.

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**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE  
NOVEMBER 21, 2024**

**SUBJECT: TREE TRIMMING SERVICES**

**ACTION: APPROVE RECOMMENDATION**

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer (CEO) to award a firm fixed unit rate Contract No. OP1167960008370 to Mariposa Tree Management Inc., for tree trimming services throughout Metro bus and rail facilities, in the Not-To-Exceed (NTE) amount of \$1,925,190 for the three-year base period and \$1,183,600 for the one, two-year option, for a combined NTE amount of \$3,108,790, effective January 1, 2025; subject to resolution of any properly submitted protest(s), if any.

**ISSUE**

The existing contract for tree trimming services throughout Metro bus and rail facilities, excluding Metro G Line (Orange), expires December 31, 2024. A new contract award is required to avoid a lapse in service and continue performing tree trimming services, effective January 1, 2025.

**BACKGROUND**

At its October 2017 meeting, the Board authorized the CEO to award Contract No. OP838450003367 to Mariposa Tree Management, Inc., a five-year firm fixed unit rate contract, to provide as-needed tree trimming services throughout Metro bus and rail facilities systemwide, excluding Metro G Line (Orange). Under the existing contract, Mariposa Tree Management, Inc. has provided satisfactory tree trimming services throughout Metro bus and rail facilities, with the exception of the Metro G Line (Orange) tree trimming services performed under a separate contract. Mariposa Tree Management, Inc. is also actively working with the Diversity and Economic Opportunity Department (DEOD) to mitigate a 1.5% Small Business Enterprise (SBE) and 1.75% Disadvantaged Veteran Business Enterprise (DVBE) shortfall prior to the end of December 2024.

During the term of the existing contract, tree trimming services were expanded to include Union Station's Patsaouras Transit Plaza and West Portal, as well as the K Line (C/LAX) and Regional Connector expansion projects.

On November 14, 2023, the solicitation to provide tree trimming services throughout Metro bus and rail facilities systemwide was issued under the SBE Set Aside Program, where only Metro SBE

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Certified firms can submit bids. On January 9, 2024, no bids were received, resulting in the cancellation of the solicitation. A subsequent market survey revealed that firms on the planholders' list, including the incumbent, were either not Metro SBE-Certified, missed the submission deadline, or found the work outside their area of expertise.

On May 17, 2024, a new solicitation to provide tree trimming services was issued as an open-competitive solicitation with the DEOD establishing a 22% SBE and 3% DVBE goal. On June 18, 2024, three bids were received, but only one bid was deemed responsive for meeting the SBE and DVBE mandatory goals. The second bid failed to meet the SBE goal, while the third bid failed to meet the DVBE goal.

## **DISCUSSION**

Under the new contract recommended for award, the contractor is required to provide tall tree trimming services for approximately 9,900 trees over 13 feet in height throughout Metro bus and rail facilities. Metro bus and rail facilities currently consist of 143 miles of active and inactive Rights-of-Way (ROW), 19 Bus/Rail Divisions, 109 stations, 90 Traction Power Sub-Stations (TPSS), 60 Park and Ride Lots, as well as 39 Locations and Terminals. Trees up to 13 feet in height are covered under a separate landscape maintenance contract. The contractor is also required to provide proactive and as-needed maintenance services as directed by Metro staff, such as emergency services (e.g., clear Metro ROW from any fallen trees due to severe weather), vandalism or vehicular accidents, certified arborist services, stump removal, root pruning, and tree planting.

During the life of the new contract, the scope of services will increase to include an additional 967 trees for the Rail to Rail, Airport Metro Connector (AMC), D line (Purple) Westside Extensions, and A Line (Blue) Foothill Extension Phase 2B system expansion projects as they become operational.

## **DETERMINATION OF SAFETY IMPACT**

The approval of this item will ensure that Metro's maintenance standards are met and the necessary tree trimming services are provided with prompt response times to deliver safe, quality, on-time, and reliable services.

## **FINANCIAL IMPACT**

Funding of \$379,683 is included within the FY25 budget 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 of Shared Mobility will be accountable for budgeting costs in future years.

### **Impact to Budget**

The current funding source for this action includes bus and rail operating eligible sales tax funding, including Passenger Fares, Propositions A/C, Measure R/M, STA, and the Transportation

Development Act.

### **EQUITY PLATFORM**

Tree trimming services improve bus and rail station cleanliness, ensure a clear line of sight to traffic/control signals, and mitigate service interruptions due to safety hazards associated with falling trees and tree branches. This will ensure safe working conditions for train operators and provide reliable service to all patrons. This is especially critical in Equity Focus Communities , where individuals often depend on public transportation as their primary means of travel.

As part of this solicitation, a Systemwide Metro Connect Industry Forum Outreach event was conducted on April 26, 2024. During this outreach event, staff provided detailed information regarding SBE Programs to encourage small business participation in competitive solicitations.

DEOD established a 22% SBE and 3% DVBE goal for this solicitation. Mariposa Tree Management, Inc. made a 22% SBE and 3% DVBE commitment.

### **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

This Board action supports Strategic Goal 2; Deliver outstanding trip experiences for all users of transportation system within the Metro organization. Performing ongoing, as-needed tree trimming services will prolong the lifespan of rail/bus vehicle equipment by keeping ROWs free from obstructions. These services will ensure safe and clean conditions while enhancing Metro's customer experience and providing reliable operations systemwide.

### **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, and customer experience.

With the completion of a financial-based insourcing/outourcing study based on a quantitative and qualitative assessment, staff has analyzed insourcing/outourcing options for tree trimming services, among others. Based on the findings, tall tree trimming was not recommended for insourcing at this time, as this would require negotiating a new job classification with the union, hiring a certified arborist, and purchasing additional equipment, vehicles, and supplies.

### **NEXT STEPS**

Upon Board approval, staff will execute Contract No. OP1167960008370 with Mariposa Tree Management, Inc., effective January 1, 2025, to provide the necessary tree trimming services throughout Metro facilities, excluding Metro G Line (Orange), which is covered under a separate maintenance contract.

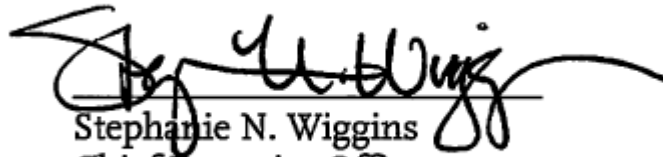
### **ATTACHMENTS**

Attachment A - Procurement Summary

Attachment B - DEOD Summary

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Stephanie N. Wiggins  
Chief Executive Officer

## PROCUREMENT SUMMARY

**TREE TRIMMING MAINTENANCE SERVICES (EXCLUDING G LINE) /  
OP1167960008370**

1.	<b>Contract Number:</b> OP1167960008370	
2.	<b>Recommended Vendor:</b> Mariposa Tree Management Inc.	
3.	<b>Type of Procurement (check one) :</b> <input checked="" type="checkbox"/> IFB <input type="checkbox"/> RFIQ <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	<b>Procurement Dates:</b>	
	<b>A. Issued:</b> May 17, 2024	
	<b>B. Advertised/Publicized:</b> May 18, 2024	
	<b>C. Pre-Bid Conference:</b> May 28, 2024	
	<b>D. Bids Due:</b> June 18, 2024	
	<b>E. Pre-Qualification Completed:</b> August 15, 2024	
	<b>F. Ethics Declaration Forms submitted to Ethics:</b> June 18, 2024	
	<b>G. Protest Period End Date:</b> November 22, 2024	
5.	<b>Solicitations Picked up/Downloaded:</b> 18	<b>Bids Received:</b> 3
6.	<b>Contract Administrator:</b> Ana Rodriguez	<b>Telephone Number:</b> (213) 922-2790
7.	<b>Project Manager:</b> Ruben Cardenas	<b>Telephone Number:</b> (213) 922- 5932

**A. Procurement Background**

This Board Action is to approve the award of Contract No. OP1167960008370 issued in support of tree trimming services for trees 13 feet and above in height for Metro properties systemwide within Los Angeles County, with the exception of the G Line (Orange Line), which is covered under a separate contract. Board approval of contract award is subject to the resolution of any properly submitted protest(s).

On November 14, 2023, Invitation for Bids (IFB) No. OP116796 was issued as a competitive sealed bid procurement in accordance with Metro's Acquisition Policy and the contract type is firm fixed unit rate. This IFB was issued under the Small Business Set Aside Program which required that bidders be Metro Certified Small Business Enterprises (SBE) to be eligible to participate in this solicitation. No bids were received on the bid due date.

On May 17, 2024, the solicitation was re-issued as IFB No. OP116796(2) as a competitive sealed bid procurement in accordance with Metro's Acquisition Policy and the contract type is firm fixed unit rate. Metro's Diversity & Economic Opportunity Department (DEOD) recommended a 22% SBE goal and a 3% Disabled Veteran Business Enterprise (DVBE) goal for this procurement. Bidders were required to meet or exceed the SBE/DVBE goal at the time of proposal due date to be eligible for contract award. Further, the solicitation was subject to the Local Small Business Enterprise (LSBE) Preference Program which gives eligible LSBE bidders a 5% percent preference as a bid price reduction.

One (1) amendment was issued during the solicitation phase of this IFB:

- Amendment No. 1, issued on May 29, 2024, amended section SP-18 Living Wage/Service Contract Worker Retention Policy of the sample contract

A virtual pre-bid conference was held on, May 28, 2024, with six firms in attendance and altogether eight attendees.

Eighteen firms downloaded the IFB and were included on Metro's planholders' list. Fourteen questions were received, and responses were released prior to the bid due date.

A total of three bids were received by the due date of June 18, 2024.

## **B. Evaluation of bids**

This procurement was conducted in accordance with and complies with Metro's Acquisition Policy for competitive sealed bids. The three bids are listed below in alphabetical order:

1. Mario's Tree Service
2. Mariposa Tree Management Inc.
3. West Coast Arborists, Inc.

The recommended firm, Mariposa Tree Management Inc. (Mariposa), was the lowest bidder, and its bid was further evaluated to determine responsiveness to the solicitation requirements. Areas of responsiveness included meeting the minimum qualifications, such as years of experience of arboriculture, experience performing tree trimming and tree removal services for a large or private entity with facilities of comparable scale to Metro properties, and possession of required International Society of Arborists Arborist Certification to perform the required services. The bidder was also required to have at least one of the following licenses: State of California Contractor License for Specialty Tree Trimming, General Engineering Contractor, or General Building Contractor license. Mariposa was determined to be qualified to perform the required services based on meeting the IFB's minimum requirements.

The other two bids were determined to be non-responsive to the SBE/DVBE goals and therefore ineligible for contract award.

## **C. Price Analysis**

The award amount has been determined to be fair and reasonable based on award to the lowest responsive, responsible bidder, adequate competition, price analysis,

and technical analysis. The recommended award amount of \$3,108,790 is 22% higher than the Independent Cost Estimate (ICE) primarily due to the difference in pricing for trimming trees over 40 feet. Metro's ICE was developed utilizing unit rates based on the average unit prices of the existing contracts for tree trimming services. The bid, however, reflects higher unit rates based on the costs for a larger crew size and the additional equipment needed to safely trim trees above 40 feet.

The recommended award amount is lower than the bid amount, due to a calculation error in the extended price of the bid. The firm fixed unit rates on the bid did not change, however, the correction to the calculation of the extended price resulted in the updated recommended award amount being lower than the bid amount as reflected in the table below.

	<b>Bidder Name</b>	<b>Bid Amount</b>	<b>Metro ICE</b>	<b>Award Amount</b>
1.	Mariposa Tree Management Inc.	\$3,123,690	\$2,540,400	\$3,108,790
2.	West Coast Arborists, Inc.	\$3,642,550		
3.	Mario's Tree Service	\$4,109,000		

#### **D. Background on Recommended Contractor**

The recommended firm, Mariposa Tree Management Inc. (Mariposa), has been providing tree pruning, tree trimming and tree removal services along with landscape, irrigation and water management services to Rancho Santa Fe and North County Coastal communities for over 45 years. It provides all types of tree care services including landscape design and installation services, irrigation repair and upgrade services, and services to improve the overall health and vigor of trees and landscapes. Mariposa has accounts with the City of Burbank, City of San Marino, City of Temecula, and City of Thousand Oaks.

Mariposa has been providing Tree Trimming Services to Metro since May of 2020 and performance has been satisfactory.

## DEOD SUMMARY

**TREE TRIMMING MAINTENANCE SERVICES (EXCLUDING GLINE) /  
OP1167960008370**

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 22% Small Business Enterprise (SBE) and 3% Disabled Veteran Business Enterprise (DVBE) goal for this solicitation. Mariposa Tree Management Inc. made a 22% SBE and 3% DVBE commitment.

<b>Small Business Goal</b>	<b>22% SBE 3% DVBE</b>	<b>Small Business Commitment</b>	<b>22% SBE 3% DVBE</b>

	<b>SBE Subcontractors</b>	<b>% Committed</b>	<b>LSBE</b>	<b>Non-LSBE</b>
1.	Far East Landscape and Maintenance, Inc.	<b>11%</b>	<b>X</b>	
2.	Wildscape Restoration, Inc. DBA Urban Greening	<b>11%</b>		<b>X</b>
	<b>Total SBE Commitment</b>	<b>22%</b>		

	<b>DVBE Subcontractors</b>	<b>% Committed</b>	<b>LSBE</b>	<b>Non-LSBE</b>
1.	LC Tree Service Inc.	<b>3%</b>		<b>X</b>
	<b>Total DVBE Commitment</b>	<b>3%</b>		

**B. Local Small Business Preference Program (LSBE)**

Mariposa Tree Management Inc., a non-LSBE prime, listed one LSBE subcontractor but did not subcontract a minimum of 30% of the total contract value to LSBE firms and is ineligible to receive the LSBE Preference.

**C. Living Wage and Service Contract Worker Retention Policy Applicability**

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) will be applicable on this Contract. Metro staff will monitor and enforce the policy guidelines to ensure that workers are paid, at minimum, the current Living Wage rate of \$25.23 per hour (\$19.28 base + \$5.95 health benefits), including yearly increases. In addition, Contractors will be responsible for submitting the required reports for the LW/SCWRP and other related documentation to staff to determine overall compliance with the policy.



LW/SCWRP is applicable on Professional Service Contracts listed below that are \$25,000.00 or greater and have a contract term of three (3) months or more. The LW/SCWRP will apply to professional service contracts for Asphalt and Concrete Repair, Facility and Building Maintenance, Food Services, Janitorial and Custodial, Landscaping, Laundry Services, Moving Services, Office and Clerical (copier maintenance, facsimile maintenance, courier mailing, photographic, printing, collections), Parking Lot Management, Pest Control, Security, Street Sweeping, Towing, Trash Collection, Tree Trimming, Weed Abatement and Debris Removal; and any other Service or labor determined by Metro's Board of Director, Executive Management and DEOD, to meet the intent of this Policy.

DEOD Staff will input current Living Wage hourly rates during the development of the Board Report. The policy guidelines are applicable from conception to completion of the service contracts, including change order and modification work.

**D. Prevailing Wage Applicability**

Prevailing Wage requirements are applicable to this contract. DEOD will 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).

**E. 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.

# **Tree Trimming Services for Metro Transit Facilities**

**Contract No. OP1167960008370**

# RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to award a firm fixed unit rate Contract No. OP1167960008370 to Mariposa Tree Management Inc., for tree trimming services throughout Metro bus and rail facilities, in the Not-To-Exceed (NTE) amount of \$1,925,190 for the three-year base period and \$1,183,600 for the one, two-year option, for a combined NTE amount of \$3,108,790, effective January 1, 2025; subject to resolution of any properly submitted protest(s), if any.

# ISSUE & DISCUSSION

**AWARDEE** - Mariposa Tree Management Inc

**NUMBER OF BIDS** - 3

- Mariposa Tree Management Inc. - \$3,108,790
- West Coast Arborists, Inc. - Non Responsive
- Mario's Tree Service – Non Responsive

**DEOD COMMITMENT** - 22% Small Business Enterprise (SBE) & 3% Disadvantaged Veteran Business Enterprise (DVBE)

**ISSUE** - The existing contract for tree trimming services throughout Metro bus and rail facilities, excluding Metro G Line (Orange), expires December 31, 2024. A new contract award is required to avoid a lapse in service and continue performing tree trimming services, effective January 1, 2025.

# ISSUE & DISCUSSION

**DISCUSSION** - Under the new contract recommended for award, the contractor is required to provide tall tree trimming services for approximately 9,900 trees over 13 feet in height throughout Metro bus and rail facilities. Metro bus and rail facilities currently consist of 143 miles of active and inactive Rights-of-Way (ROW), 19 Bus/Rail Divisions, 109 stations, 90 Traction Power Sub-Stations (TPSS), 60 Park and Ride Lots, as well as 39 Locations and Terminals. Trees up to 13 feet in height are covered under a separate landscape maintenance contract. The contractor is also required to provide proactive and as-needed maintenance services as directed by Metro staff, such as emergency services (e.g., clear Metro ROW from any fallen trees due to severe weather), vandalism or vehicular accidents, certified arborist services, stump removal, root pruning, and tree planting.

# ISSUE & DISCUSSION

## **DISCUSSION** (Continued...)

During the life of the new contract, the scope of services will increase to include an additional 967 trees for the Rail to Rail, Airport Metro Connector (AMC), D line (Purple) Westside Extensions, and A Line (Blue) Foothill Extension Phase 2B system expansion projects as they become operational.