



## Board Report

File #: 2024-1067, File Type: Contract

Agenda Number: 30.

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### OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE FEBRUARY 20, 2025

**SUBJECT: PEST AND BIRD CONTROL SERVICES**

**ACTION: AWARD CONTRACT**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer (CEO) to award a firm fixed unit rate Contract No. OP48505 (2)0008370 to CDS Services, Inc. DBA Legion Pest Management, for pest and bird control services throughout Metro's bus and rail facilities, rail cars, and non-revenue vehicles, in the Not-To-Exceed (NTE) amount of \$2,887,332 for the three-year base period and \$1,925,728 for the two-year option, for a combined NTE amount of \$4,813,060, effective April 5, 2025; subject to the resolution of any properly submitted protest(s), if any.

#### **ISSUE**

The existing contract for pest and bird control services throughout Metro's bus and rail facilities, rail cars, and non-revenue vehicles, excluding buses, expires on April 4, 2025. A new contract award is required to avoid a lapse in service and continue performing pest and bird control services, effective April 5, 2025.

#### **BACKGROUND**

On October 26, 2017, the Board approved the award of Contract No. OP852420003367 to Pestmaster Services Inc. for the combined amount of \$6,634,069.20 to provide regularly scheduled and as-needed pest and bird control services throughout Metro's bus and rail facilities, rail cars, and non-revenue vehicles, excluding buses.

During the term of the existing contract, pest and bird control services were expanded to include Union Station West Portal, the K-Line (C/LAX), and the Regional Connector expansion projects, reflecting sufficient existing contract authority through October 31, 2023.

On May 5, 2023, a new pest and bird control services solicitation was issued, and on June 12, 2023, three bids were received. On September 21, 2023, the Board awarded Contract No. OP485050008370 to CDS Services, Inc. DBA Legion Pest Management to provide regularly scheduled and as-needed pest and bird control services systemwide, pending the resolution of any property submitted protest. Concurrently, Metro received a timely protest on the same day as the contract

award.

In September of 2023, it became necessary to execute short-term agreements to extend the services provided by the incumbent contractor to avoid a lapse in service and continue providing pest and bird control services systemwide while allowing sufficient time for protest resolution and re-solicitation.

On May 21, 2024, Metro cancelled IFB No. OP48505 due to bidders not meeting small business program requirements. All bidders were notified of the cancellation and that the services would be re-solicited.

## **DISCUSSION**

Under the new contract recommended for the award, the contractor is required to provide regularly scheduled and as-needed pest and bird control services throughout Metro's bus and rail facilities, rail cars, and non-revenue vehicles, excluding buses serviced under a separate service maintenance contract. Metro bus and rail facilities consist of 254 locations and 451 rail cars. Services include treatment of pest infestations, pest and bird waste clean-up, installation of pest and bird deterrent applications, animal trapping, and dead animal removal.

During the new contract term, the scope of services will increase to include the addition of 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 regularly scheduled and as-needed pest and bird control services are provided with prompt response time to deliver safe, quality, on-time, and reliable services.

## **FINANCIAL IMPACT**

The current funding for this action is \$458,668, which 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 funding source for this action includes bus and rail operating-eligible funds, which include Propositions A and C, Measure R and M sales taxes, State Transit Assistance (STA), and Transportation Development Act (TDA) funds. Use of these funding sources maximizes the intent of project usage given approved guidelines and provisions,

## **EQUITY PLATFORM**

Scheduled and as-needed pest and bird control services improve bus and rail station cleanliness and provide a safe environment for Metro's patrons. This will ensure safe working conditions for employees 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.

Metro patrons, employees, and Transit Ambassadors can report cleanliness and maintenance issues through the Customer Relations phone numbers posted throughout the rail and bus system. Customers can communicate with Metro in nine (9) different languages using our translation service. Metro also ensures that translated signage is posted for those reporting cleanliness and maintenance issues on the Metro system. For the 12 months ending on December 19, 2024, 131 incidents were reported through the Transit Watch App, indicating that 29% of the 453 incidents related to pest and bird control services were reported through Metro's M3 Incident Reporting System.

As part of this solicitation, a Systemwide Metro Connect Industry Forum Outreach event was conducted on March 27, 2023. During this outreach event, staff provided detailed information regarding SBE Programs to encourage small business participation.

DEOD established a 10% SBE and 3% DVBE goal for this solicitation. CDS Services, Inc. DBA Legion Pest Management made a 60% SBE and 40% DVBE commitment.

### **VEHICLE MILES TRAVELED OUTCOME**

VMT and VMT per capita in Los Angeles County are lower than national averages, the lowest in the SCAG region, and on the lower end of VMT per capita statewide, with these declining VMT trends due in part to Metro's significant investment in rail and bus transit.\* Metro's Board-adopted VMT reduction targets align with California's statewide climate goals, including achieving carbon neutrality by 2045. To ensure continued progress, all Board items are assessed for their potential impact on VMT.

As part of these ongoing efforts, this item is expected to contribute to further reductions in VMT. This item supports Metro's systemwide strategy to reduce VMT through these maintenance activities that will improve bus and rail station cleanliness and further encourage transit ridership. Metro's Board-adopted VMT reduction targets were designed to build on the success of existing investments, and this item aligns with those objectives.

\*Based on population estimates from the United States Census and VMT estimates from Caltrans' Highway Performance Monitoring System (HPMS) data between 2001-2019.

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

This Board action supports Strategic Goal 2: Deliver outstanding trip experiences for all users of the transportation system within the Metro organization. Performing ongoing, regularly scheduled, and as-needed pest and bird control services will prolong the lifespan of bus and rail facilities, rail cars, and non-revenue vehicles by keeping Metro's assets free of intrusions from birds and pests. 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/outsourcing study based on a quantitative and qualitative assessment, staff has analyzed insourcing/outsourcing options for pest and bird control services, among other services. Based on initial findings, pest and bird control services were not recommended for insourcing as they would require Metro to obtain specialty licenses to purchase pesticides, hire and train licensed personnel to apply pesticides, and purchase additional equipment, vehicles, and supplies to support bird and pest control service delivery.

## **NEXT STEPS**

Upon Board approval, staff will execute Contract No. OP48505(2)0008370 with CDS Services, Inc. DBA Legion Pest Management effective April 5, 2025, to provide necessary regularly scheduled and as-needed pest and bird control services throughout Metro's bus and rail facilities, rail cars, and non-revenue vehicles.

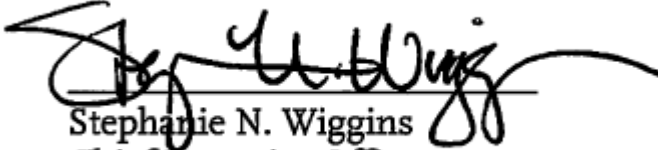
## **ATTACHMENTS**

Attachment A - Procurement Summary

Attachment B - DEOD Summary

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Stephanie N. Wiggins  
Chief Executive Officer



## PROCUREMENT SUMMARY

## PEST AND BIRD CONTROL SERVICES / OP48505(2)0008370

1.	<b>Contract Number:</b> OP48505(2)0008370	
2.	<b>Recommended Vendor:</b> CDS Services, Inc. DBA, Legion Pest	
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> July 26, 2024	
	<b>B. Advertised/Publicized:</b> July 26, 2024	
	<b>C. Pre-Bid Conference:</b> August 6, 2024	
	<b>D. Bids Due:</b> September 4, 2024	
	<b>E. Pre-Qualification Completed:</b> January 24, 2025	
	<b>F. Ethics Declaration Forms submitted to Ethics:</b> August 13, 2024	
	<b>G. Protest Period End Date:</b> February 24, 2025	
5.	<b>Solicitations Picked up/Downloaded:</b> 16	<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. OP48505(2)0008370 to support pest and bird control services throughout Los Angeles County. Board approval of contract award is subject to the resolution of any properly submitted protest(s), if any.

On May 5, 2023, Invitation for Bids (IFB) No. OP48505 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 Medium Sized Business Enterprise I Program (MSZ-I Program) which requires that bidders must be MSZ-I firms, Metro Certified Small Business Enterprises (SBE), Disadvantaged Business Enterprises (DBE), or Disabled Veterans Business Enterprises (DVBE) to be eligible to participate in this solicitation. Bidders were also required to meet or exceed the recommended SBE goal of 10% and a DVBE goal of 3%. On May 21, 2024, Metro rejected all bids and informed bidders that IFB No. OP48505 was cancelled and would be resolicited.

On July 26, 2024, the solicitation was re-issued as IFB No. OP48505(2) and 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 Medium Sized Business Enterprise I Program (MSZ-I Program) which requires that bidders must be MSZ-I firms, Metro Certified Small Business Enterprises (SBE), Disadvantaged Business Enterprises (DBE), or Disabled Veterans Business Enterprises (DVBE) to be eligible to participate in this solicitation. Bidders

were also required to meet or exceed the recommended SBE goal of 10% and a DVBE goal of 3%.

Two (2) amendments were issued during the solicitation phase of this IFB:

- Amendment No. 1, issued on August 20, 2024, amended DEOD Instructions to Bidders/Proposers and updated amended section SP-18 Living Wage/Service Contract Worker Retention Policy of the sample contract
- Amendment No. 2, issued on August 26, 2024, amended Exhibit 2, Schedule of Quantities and Prices and extended the bid due date to September 4, 2024.

A virtual pre-bid conference was held on August 6, 2024, with five firms in attendance and ten attendees.

Sixteen firms downloaded the IFB and were included on Metro's planholders' list. Four 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 September 4, 2024, and are listed below in alphabetical order:

1. CDS Services, Inc.
2. Loisun, Inc. DBA A1 Watkins Pest and Termite Control (Loisun Inc.)
3. Stafford Environmental Services, Inc.

## **B. Evaluation of bids**

On September 4, 2024, the bids received were forwarded to the Pre-Qualification Office to determine eligibility to MSZ-I program requirements. All three bidders were deemed responsive to the MSZ-I requirement.

Stafford Environmental Services, Inc., was determined to be non-responsive to the SBE/DVBE goal.

The recommended firm, CDS Services Inc., was the apparent lowest bidder, and its bid was evaluated to determine responsiveness to the solicitation requirements. Areas of responsiveness included meeting the minimum qualifications, such as years of experience providing pest and bird control services, possession of required licenses to perform the services, and having access to the necessary equipment required to perform the services.

### **C. Price Analysis**

The award amount has been determined to be fair and reasonable based on an award to the lowest responsive, responsible bidder, adequate competition, price analysis, and technical analysis. The recommended award amount of \$4,813,060 is 42.09% lower than the Independent Cost Estimate (ICE) due to differences in the method of calculation for pest control services for rail cars and Union Station Headquarters and the competitiveness of the solicitation leading to lower-than-expected service rates. The recommended bidder proposed to absorb the additional monthly costs for each rail car location within the overall systemwide monthly cost. Conversely, the ICE assumed a firm fixed unit rate per rail car, per location, as is the case with the existing contract. Additionally, the service rates for pest and bird control are between 14% and 20% lower than the ones used by the ICE that were based on existing contract rates.

	<b>Bidder Name</b>	<b>Bid Amount</b>	<b>Metro ICE</b>	<b>Award Amount</b>
1.	CDS Services, Inc.	\$4,813,060	\$8,311,668	\$4,813,060
2.	Loisun, Inc.	\$5,900,899		
3.	Stafford Environmental Services	\$8,669,464		

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

The recommended firm, CDS Services Inc., established in 2013 is located in Murrieta, California. It specializes in developing custom Integrated Pest Management (IPM) and Bird Management Plans. IPM is a specialized pest control program that is an effective and environmentally responsible approach to pest management services. CDS Services has accounts in the Greater Los Angeles, Orlando, New York, Fresno, Rocky Mountain Veterans Affairs Medical Centers, and military bases.



DEOD SUMMARY

PEST AND BIRD CONTROL SERVICES / OP4850520008370

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 10% Small Business Enterprise (SBE) and 3% Disabled Veteran Business Enterprise (DVBE) goal for this Medium Size Business Enterprise (MSZ-I) solicitation. CDS Services Inc., DBA Legion Pest Management, an SBE and DVBE firm, exceeded the goal by making a 60% SBE and 40% DVBE commitment.

<b>Small Business Goal</b>	<b>10% SBE 3% DVBE</b>	<b>Small Business Commitment</b>	<b>60% SBE 40% DVBE</b>
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	<b>SBE Subcontractor</b>	<b>% Committed</b>	<b>LSBE</b>	<b>Non-LSBE</b>
1.	CDS Services Inc., DBA Legion Pest Management (Prime)	60%		X
	<b>Total Commitment</b>	<b>60%</b>		

	<b>DVBE Subcontractor</b>	<b>% Committed</b>	<b>LSBE</b>	<b>Non-LSBE</b>
1.	CDS Services Inc., DBA Legion Pest Management (Prime)	40%		X
	<b>Total Commitment</b>	<b>40%</b>		

**B. Medium Size Business Enterprise Program (MSZ-I)**

CDS Services Inc., DBA Legion Pest Management is an MSZ-I firm.

**C. Local Small Business Enterprise (LSBE) Preference Program**

CDS Services Inc., DBA Legion Pest Management, a non-LSBE Prime, did not meet the LSBE Preference Program requirements and is not eligible for LSBE preference.

**D. 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.

**E. Prevailing Wage Applicability**

Prevailing Wage is not applicable to this contract.

**F. 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.

# **Pest and Bird Control Services for Metro Transit Facilities**

**Contract No. OP4850520008370**



**Metro**

# RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to award a firm fixed unit rate Contract No. OP4850520008370 to CDS Services, Inc. DBA Legion Pest Management for pest and bird control services throughout Metro's bus and rail facilities, rail cars, and non-revenue vehicles, in the Not-To-Exceed (NTE) amount of \$2,887,332 for the three-year base period and \$1,925,728 for the two-year option, for a combined NTE amount of \$4,813,060, effective April 5, 2025; subject to resolution of any properly submitted protest(s), if any.

# ISSUE & DISCUSSION

**AWARDEE** - CDS Services, Inc., DBA, Legion Pest Management

**NUMBER OF BIDS** - 3

- Loison, Inc., dba, A1 Watkins Pest and Termite Control - \$5,852,252.52
- CDS Services, Inc. DBA Legion Pest Management - \$4,813,060.00
- Stafford Environmental Services, Inc. – Non Responsive

**DEOD COMMITMENT** - 10% Small Business Enterprise (SBE) & 3% Disadvantaged Veteran Business Enterprise (DVBE) goal established, with 60% SBE and 40% DVBE commitment made.

**ISSUE** - The existing contract for pest and bird control services expires April 4, 2025. A new contract award is required to avoid a lapse in service and continue performing pest and bird control services, effective April 5, 2025.

# ISSUE & DISCUSSION

## DISCUSSION

- Under the new contract recommended for award, the contractor is required to provide regularly scheduled and as-needed pest and bird control services throughout Metro's 451 bus and rail locations and 451 rail cars
- Services include treatment of pest infestations, pest and bird waste clean-up, installation of pest and bird deterrent applications, animal trapping, and dead animal removal.
- During the new contract term, the scope of services will increase to include the addition of 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.