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Los Angeles County
Metropolitan Transportation Authority

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**SYSTEM SAFETY AND OPERATIONS COMMITTEE
JANUARY 19, 2012**

**SUBJECT: CONTRACT OP3344-11-2821, FENCE REPLACEMENT
INSTALLATION, MAINTENANCE, AND REPAIR SERVICES, ACE
FENCE COMPANY**

**ACTION: AWARD CONTRACT FOR FENCE REPLACEMENT INSTALLATION,
MAINTENANCE, AND REPAIR SERVICES**

RECOMMENDATION

Authorize the Chief Executive Officer to award a five-year firm fixed unit rate contract, under bid no. OP3344-11-2821 with Ace Fence Company, the lowest responsive, responsible bidder, to provide fence replacement installation, maintenance, and repair services for Metro transit facilities in an amount not to exceed \$1,282,400.00, inclusive of two one-year option periods, effective March 1, 2012.

RATIONALE

Multiple types of fencing systems are installed on Metro operational and non-operational railroad properties throughout Los Angeles County. The types of fencing installed include steel picket, chain link, wrought iron, wire mesh, razor wire and post and cable. To meet Metro's safety and security needs, fencing is required on active railroad rights-of-way, surrounding electrified railroad yards and traction power substations to prevent the public from accessing these restricted areas and placing themselves at the risk of being hit by trains or electrocuted by third rail or high-power electrical lines. Fencing on other Metro rail operating properties and storage yards is necessary to restrict access from trespassers, mitigate illegal dumping, and to protect Metro property from theft and vandalism.

Property fences are subject to damage due to vandalism, forced entries, vehicle accidents and natural disasters, requiring repair on an as-needed basis. As needs or conditions change with existing or future property acquisitions, Metro Operations must have the ability to add new fencing in a timely manner. Fence replacement installation, maintenance, and repair service is necessary for rapid response to emergencies, to prevent endangering lives, protect public property, prevent access to Metro-owned

facilities, and to secure other restricted areas. This fencing repair and installation service will meet these needs in support of Metro rail operations.

This contract will replace Contract No. OP334406B4038 with Ace Fence Company which has provided fence repair and installation services for Metro under multiple contracts over the past fifteen years. The existing contract will expire on February 29, 2012. Service under the new contract is planned to commence on March 1, 2012.

DETERMINATION OF SAFETY IMPACT

Approving the fence replacement installation, maintenance, and repair services contract will result in a positive impact on safety. This contract will provide rapid response to emergencies; repair and replacement of damaged fencing; secure perimeters to electrified railroad yards and traction power substations. Public safety is enhanced by preventing unauthorized access to restricted areas and Metro facilities that would place individuals at the risk of being hit by trains or electrocuted by third rail or high-power electrical lines. Fencing repair and replacement is also necessary to mitigate illegal dumping and protect Metro properties from theft and vandalism.

FINANCIAL IMPACT

The funding of \$84,532 for this service is included in the FY12 budget, for the remainder of the Fiscal Year, in cost center 3367, Contracts & Administration, under projects 300022 (Blue Line Operations), 300033 (Green Line Operations), 300044 (Red Line Operations), and 300055 (Gold Line Operations). Since this is a multi-year contract, the cost center manager and Deputy Executive Officer will be accountable for budgeting the cost in future years, including any options exercised.

Impact to Budget

The source of funds for this action will come from the Enterprise bus and rail operating fund such as fares, local sales tax, and federal funds. No other sources of funds were considered for this activity because it supports bus and rail operations. This activity is part of the on-going maintenance costs of Metro facilities.

ALTERNATIVES CONSIDERED

One alternative considered is to perform fence replacement installation, maintenance, and repair services in-house. This will require the hiring and training of additional personnel. It will also require setting up maintenance shops and the purchase of additional equipment, parts and supplies, and service trucks to support this new operation. Staff's assessment indicates that this is not a cost effective option for Metro.

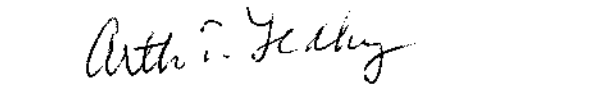
ATTACHMENTS

A. Procurement Summary

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PROCUREMENT SUMMARY

CONTRACT OP3344-11-2821

FENCE REPLACEMENT INSTALLATION, MAINTENANCE, AND REPAIR SERVICES

1.	Contract Number: OP3344-11-2821	
2.	Recommended Vendor: ACE FENCE COMPANY	
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: September 7, 2011	
	B. Advertised/Publicized: September 7, 2011	
	C. Pre-proposal/Pre-Bid Conference: September 21, 2011	
	D. Proposals/Bids Due: October 10, 2011	
	E. Pre-Qualification Completed: October 27, 2011	
	F. Conflict of Interest Form Submitted to Ethics: November 29, 2011	
	G. Protest Period End Date: December 15, 2011	
5.	Solicitations Picked up/Downloaded: 5	Bids/Proposals Received: 4
6.	Contract Administrator: Roger Mays	Telephone Number: (213) 922-7215
7.	Project Manager: Keith Jackson	Telephone Number: (213) 922-8888

A. Procurement Background

This Invitation For Bid (IFB) was a formal sealed bid, competitive procurement issued on September 7, 2011, for a three year base contract with two one-year options to provide fence installation, replacement, repair and maintenance services on an as-needed basis. Under the contract terms, the contractor is obligated to respond to an emergency request within two hours on a 24 hour, seven days a week schedule.

There was a Pre-Bid Conference held on September 21, 2011, and seven individuals representing their respective companies attended. No amendments were issued during the solicitation phase of the IFB. Bids closed on October 10, 2011, and four proposals were received.

B. Evaluation of Proposals/Bids

This procurement was conducted in accordance with Metro's Procurement Policies and Procedures for competitive sealed bid procurements. Ace Fence Company was the only responsive, responsible bid received for this competitive IFB. Ace Fence Company is qualified to perform the required services based on the IFB's minimum

requirements, technical evaluation and satisfactory past performance on Metro contracts.

Four bids were received and evaluated on a pass/fail basis against the four minimum requirements in the IFB as described below. Three bidders did not meet all of the minimum requirements and their bids were eliminated from the competition.

The minimum requirements were the following:

1. Bidder must possess a valid State of California Contractor's License C-13.
2. Contractor must have a minimum of five (5) years experience in the installation, maintenance and repair of four (4) feet and six (6) feet-high wrought iron and steel picket fences, and other types of fencing systems with at least \$150,000 per year contracted work over the last five years.
3. Contractor shall provide the names and phone numbers of at least three (3) references from comparably sized firms or public agencies for which they provided similar services within the past five years.
4. Project manager/supervisor, staff and technical personnel assigned to this contract must have a minimum of five (5) years of related experience.

The three non-qualified bidders failed in at least three of the four minimum requirements.

C. Cost/Price Analysis

Metro's cost estimating department prepared an independent cost estimate in accordance with Metro's Acquisition Policy, Section 4.22.1. The recommended price has been determined to be fair and reasonable because the bids were received through a fair and open competitive process and the recommended award amount of \$1,282,400 is 27% lower than the independent cost estimate of \$1,747,200.

Bid/Proposal Amount	Staff Estimate
\$1,282,400.00	\$1,747,200.00

D. Background on Recommended Contractor

APW Construction Inc., DBA, Ace Fence Company has been the incumbent contractor since February 2007. They are located at 727 N. Glendora Avenue, La Puente, California and have been in business for twenty three years at this location. Ace Fence Company has provided satisfactory fencing work to Metro over the past fifteen years as either a prime contractor or subcontractor on Metro contracts.

E. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) recommended a 25% Disadvantaged Business Enterprise (DBE) Anticipated Level of Participation (DALP) goal for this solicitation. Ace Fence Company, a DBE Prime made a 100% DBE commitment.

	DBE Subcontractor	% DBE Commitment
1.	Ace Fence (Prime)	100%
	Total Commitment	100%

