

**Metro**Los Angeles County
Metropolitan Transportation AuthorityOne Gateway Plaza
Los Angeles, CA 90012-2952213.922.2000 Tel
metro.net**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
JANUARY 15, 2015****SUBJECT: HERBICIDE APPLICATION SERVICES FOR BUS AND RAIL RIGHT-
OF-WAY AND FACILITIES****ACTION: APPROVE CONTRACT AWARD****RECOMMENDATION**

Authorize the Chief Executive Officer to award a five-year, firm fixed unit rate contract, PS1779633673325 to Conejo Crest Landscape, Inc., the lowest responsive, responsible bidder, to provide herbicide application services throughout Metro right-of-Way (ROW) and transit facilities in an amount not-to-exceed \$1,915,506.05, inclusive of two, one-year options, effective March 1, 2015.

This contract amount consists of \$1,130,304.90 for the three year base period and \$387,137.15 for the first option year and \$398,064.00 for the second option year, for a combined total of \$1,915,506.05. This award is pending resolution of any timely protest.

ISSUE

The existing herbicide application services contract will expire on February 28, 2015. Under this contract, herbicide growth inhibitors and pre and post emergent herbicide applications are used throughout Metro ROWs and properties to abate weeds and control vegetation growth. Herbicide application services are performed throughout approximately 180 miles of active and inactive Metro owned ROWs. In April, 2012 and thereafter, herbicide application services were expanded to include additional service areas along the Union Pacific (UP) ROW adjacent to Metro Blue Line stations in an effort to improve the cleanliness and overall appearance of adjacent ROWs that could be perceived by the public as Metro properties.

Weed abatement and vegetation control throughout Metro ROW and properties are necessary to ensure compliance with local municipal codes and ordinance, reduce the threat of fires, and mitigate complaints from adjacent property owners. In addition, weed abatement along operational ROWs is necessary to maintain proper visibility of signals for safe transit operations, prevent wheel slippage, and allow for proper inspection and maintenance of tracks and infrastructure.

To continue providing the required herbicide application services, a new contract must be awarded by March 1, 2015.

DISCUSSION

This contract requires the contractor to provide herbicide application services throughout all Metro facilities and ROWs as well as portions of the UP ROW.

The services provided under the existing contract are based on an as-needed basis. Under the new contract, the level of service has been improved to a regular periodic schedule and as-needed services to ensure delivering clean and well maintained properties and ROWs system-wide.

DETERMINATION OF SAFETY IMPACT

The approval of this item will improve Metro properties and ROWs overall appearance and cleanliness, provide on-going weed abatement and prompt response time to ensure delivery of safe, quality, on-time, and reliable services system-wide.

FINANCIAL IMPACT

Funding of \$125,590 for the new contract is included in the FY15 budget in cost center 3367 – Facilities Property Maintenance, projects 306002 (Bus Operations), 300022 (Blue Line Operations), 300033 (Green Line Operations), 300044 (Red Line Operations), 300055 (Gold Line Operations), 301012 (Orange Line Operations), 300066 (Expo Line), and 610041 (ROW Operations).

Since this is a multi-year contract, the cost center manager, project managers, and executive director will ensure that the balance of funds are budgeted in future years.

Impact to Budget

The source of funds for this procurement will come from Federal, State and local funding sources that are eligible for Bus and Rail Operating or Capital Projects. These funding sources will maximize the use of funds for these activities.

ALTERNATIVES CONSIDERED

Staff considered providing this service through Metro in-house staff. This would require the hiring and training of additional licensed personnel, purchase of additional equipment, vehicles, and supplies to support the expanded responsibility. Staff's assessment indicates that this is not a cost-effective option for Metro.

NEXT STEPS

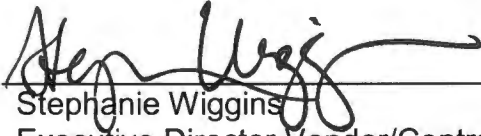
Upon approval, staff will complete the administrative processes and will issue a Notice to Proceed to Conejo Crest Landscape, Inc., effective March 1, 2015, to provide herbicide application services throughout all Metro facilities and ROWs, as well as portions of the UP ROW.

ATTACHMENTS

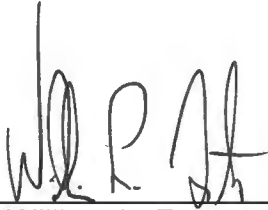
A. Procurement Summary

Prepared by: Brady Branstetter, Director, Facilities Maintenance
Lena Babayan, Facilities Maintenance Manager

Questions: Christopher Reyes, Senior Administrative Analyst, Operations
(213) 922-4808



Stephanie Wiggins
Executive Director Vendor/Contract
Management



William L. Foster
Interim Chief Operations Officer



Arthur T. Leahy
Chief Executive Officer

PROCUREMENT SUMMARY

HERBICIDE APPLICATION SERVICES FOR BUS AND RAIL RIGHT-OF-WAY AND FACILITIES

1.	Contract Number: PS1779633673325	
2.	Recommended Vendor: Conejo Crest	
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: May 27, 2014	
	B. Advertised/Publicized: May 27, 2014	
	C. Pre-proposal/Pre-Bid Conference: June 3, 2014	
	D. Proposals/Bids Due: July 10, 2014	
	E. Pre-Qualification Completed: October 6, 2014	
	F. Conflict of Interest Form Submitted to Ethics: July 18, 2014	
	G. Protest Period End Date: : (Please insert date)	
5.	Solicitations Picked up/Downloaded: 17	Bids/Proposals Received: 5
6.	Contract Administrator: Helen Gates-Bryant	Telephone Number: (213) 922-1269
7.	Project Manager: Carlos Martinez	Telephone Number: (213) 922-6761

A. Procurement Background

This Board Action is to approve Contract No. PS1779633673325 to Conejo Crest to deliver herbicide application services for Metro Bus and Rail ROWs and Facilities.

This IFB is a rebid. The original IFB was issued on July 26, 2013 under IFB No. OP33673121. The recommended contractor did not meet the required DBE goal, and a redetermination hearing by DEOD concluded that GFE (Good Faith Effort) was not satisfied. The Public Utilities Commission (PUC) also issued an interim decision regarding personnel safety along the right-of-way. This interim decision would have impacted bid responses received against this solicitation. Therefore, no award was made against that IFB.

The solicitation was issued in accordance with Metro's Acquisition Policy and the contract type is a Firm Fixed Unit Rate.

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

- Amendment No. 1, issued on June 9, 2014, provided answers to the contractor's submitted questions, copies of the Pre-Bid Conference sign-in sheets, and minutes.

A total of five bids were received on July 10, 2014. A Pre-Bid Conference was held on June 3, 2014 with representatives from seven companies in attendance. In addition to Vendor Contract Management and Facilities Management, representatives from Risk Management, Pre-Qualification, Ethics, DEOD and Safety were in attendance to discuss requirements included in the solicitation that could impact bid responses.

One protest was received and is currently being reviewed for response and resolution.

B. Evaluation of Bids

A total of five bidders responded to this solicitation. The firm recommended for award, Conejo Crest, was found to be in full compliance with the Minimum Requirements and was determined to be responsive and responsible. The apparent low bidder – Quality Sprayers, Inc. was determined to be non-responsive for not meeting the Prevailing Wage requirement.

No.	Bidder's Name	Bid Amount
1.	Quality Sprayers, Inc.	\$1,639,709.00
2.	Conejo Crest	\$1,915,506.05
3.	Habitat Protection, Inc. dba Pestmaster Services of North San Diego	\$2,036,381.86
4.	DeAngelo Brothers LLC dba DBI	\$2,066,036.60
5.	The Terminix International Co. LP	\$2,420,194.34

C. Price Analysis

The recommended bid price has been determined to be fair and reasonable based upon adequate price competition. Conejo Crest met the Federal Prevailing Wage rate requirement and is considered responsive and responsible.

Bidder/Proposer Name	Proposal Amount	Metro ICE	Negotiated amount or NTE
Conejo Crest	\$1,915,506.05	\$2,081,607.23	\$1,915,506.05

D. Background on Recommended Contractor

The recommended firm, Conejo Crest, located in Van Nuys, CA has been in business for over forty-five years, performing commercial, city, and public works projects. Conejo Crest has the financial and employee staffing capabilities to provide the services outlined in the statement of work. In addition to herbicide services, they also provide landscape and irrigation services, and tree care services. They do not currently have any contracts with Metro. This would be their first contract award from Metro.

Conejo Crest holds an Agricultural Pest Control Registration by the County of Los Angeles and is licensed by the State of California Department of Pesticide Regulation. The proposed Project Manager for this contract has been licensed for over 30 years as a Qualified Applicator, is Hi-Rail and radio certified. The Manager is familiar with the scope of work in this contract, having performed the work for a previous Metro contractor.

The herbicide application services contract is currently held by Pestmaster Services, Inc. This contractor has held the contract since March 1, 2009.

E. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) established a 5% Race Conscious Disadvantaged Business Enterprise (RC DBE) goal for this solicitation. Conejo Crest Landscape made a 15.50% RC DBE commitment.

DBE GOAL	DBE 5%	DBE COMMITMENT	DBE 15.50%
	DBE Subcontractors	Ethnicity	% Committed
1.	Far East Landscape	Asian Pacific	15.50%
	Total RC DBE Commitment		15.50%

F. All Subcontractors Included with Recommended Contractor’s Proposal

	Subcontractor	Services Provided
1.	Far East Landscape & Maintenance, Inc.	Landscape maintenance services