



Board Report

File #: 2016-0721, **File Type:** Contract

Agenda Number: 29.

**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
OCTOBER 20, 2016**

SUBJECT: TREE TRIMMING SERVICES FOR METRO TRANSIT FACILITIES (EXCLUDING METRO ORANGE LINE)

ACTION: APPROVE CONTRACT AWARD

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a firm fixed unit rate Contract No. OP5608900 for **tree trimming services throughout Metro bus and rail facilities**, excluding Metro Orange Line covered under a separate maintenance contract, with Great Scott Tree Service Inc., the lowest, responsive and responsible bidder, for a not-to-exceed amount of \$923,040 for the three-year base period inclusive of as-needed services, and \$299,930 for each of the two, one-year options, for a combined total of \$1,522,900, effective January 1, 2017 through December 31, 2021, subject to resolution of protest(s), if any.

ISSUE

The existing contract to perform tree trimming services throughout Metro facilities with the exception of Metro Orange Line (MOL) stations and Right-Of-Way (ROW) covered under a separate maintenance contract is due to expire December 31, 2016.

To continue providing safe, quality and on-time services performing proactive and as-needed tree trimming services throughout Metro facilities, a new contract award is required effective January 1, 2017.

DISCUSSION

Under this new Contract, the contractor is required to provide tree trimming services for trees over thirteen (13) feet tall throughout Metro bus and rail facilities, excluding MOL stations and ROW covered under a separate maintenance contract.

An effective tree trimming maintenance contract is necessary to ensure providing safe travel path with a clear line of visibility for bus and train operators, and mitigate falling tree hazards and service delays. The contractor is also required to provide as-needed services as directed by Metro staff, such as clearing Metro ROW from any fallen trees due to vandalism or vehicular accidents.

DETERMINATION OF SAFETY IMPACT

The approval of this item will ensure meeting Metro maintenance standards in delivering safe and well maintained facilities and properties and provide the necessary as-needed tree trimming services with prompt response time to deliver safe, quality, on-time, and reliable services to our customers and the public.

FINANCIAL IMPACT

Funding of \$200,000 is included in the FY17 budget in cost center 3367 - Facilities Property Maintenance, account 50308, Service Contract Maintenance, under various operating projects.

Since this is a multi-year contract, the cost center manager, project managers, and Sr. Executive Officer, Maintenance and Engineering will ensure that the balance of funds is budgeted in future years.

Impact to Budget

The current year funding for this action will come from the Enterprise operating fund. The source of funds will come from State and local funding sources that are eligible for Bus and Rail Operating Projects. These funding sources will maximize the use of funds for these activities.

ALTERNATIVES CONSIDERED

Staff considered providing this service through in-house staff; however, this would require the hiring and training of additional 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 by the Board, staff will execute Contract No. OP5608900 to Great Scott Tree Service Inc., effective January 1, 2017, to provide the necessary tree trimming services throughout Metro facilities.

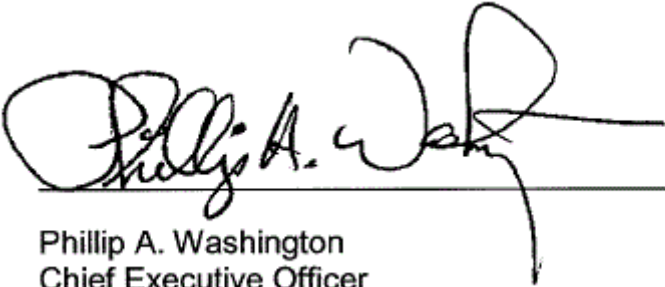
ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - DEOD Summary

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Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

TREE TRIMMING SERVICES FOR METRO TRANSIT FACILITIES (EXCLUDING METRO ORANGE LINE) / OP5608900

1.	Contract Number: OP5608900	
2.	Recommended Vendor: Great Scott Tree Service Inc.	
3.	Type of Procurement (check one): <input type="checkbox"/> RFP <input checked="" type="checkbox"/> IFB <input type="checkbox"/> IFB-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	Procurement Dates:	
	A. Issued: July 15, 2016	
	B. Advertised/Publicized: July 14, 2016	
	C. Pre-Proposal/Pre-Bid Conference: July 21, 2016	
	D. Proposals/Bids Due: August 11, 2016	
	E. Pre-Qualification Completed: August 29, 2016	
	F. Conflict of Interest Form Submitted to Ethics: August 12, 2016	
	G. Protest Period End Date: October 25, 2016	
5.	Solicitations Picked up/Downloaded: 14	Bids/Proposals Received: 5
6.	Contract Administrator: Rommel Hilario	Telephone Number: (213) 922-4654
7.	Project Manager: Maral Minasian	Telephone Number: (213) 922-5931

A. Procurement Background

This Board Action is to approve contract award in support of Facilities Maintenance to provide tree trimming services throughout Metro bus and rail facilities, excluding Metro Orange Line (MOL) as outlined in Invitation for Bid (IFB) No. PS2195315131-2. Board approval of contract awards are subject to resolution of all properly submitted protests.

The IFB was issued as a competitive procurement in accordance with Metro's Acquisition Policy. The contract type is firm fixed unit price.

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

- Amendment No. 1, issued on July 22, 2016, provided pre-bid conference material including sign-in sheets, planholder's list, and living wage information.

A pre-bid conference was held on July 21, 2016. A total of five bids were received on August 11, 2016.

B. Evaluation of Bids

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

1. Great Scott Tree Service Inc. (Great Scott)
2. International Environmental Corporation (International Environmental)Parkwood Landscape Maintenance, Inc. (Parkwood)
3. The Jungle Nursery Inc. (Jungle Nursery)
4. Thrifty Tree Service Inc. (Thrifty Tree)

All five firms were determined to be responsive, responsible, and were deemed qualified to perform the services based on the IFB's minimum requirements and technical evaluation by the Project Manager. Further analysis was conducted to review appropriate labor classifications and wage rates for each bid, and all were deemed responsive to the IFB requirements.

C. Cost/Price Analysis

The recommended pricing from Great Scott Tree Service Inc. has been determined to be fair and reasonable based upon adequate competition. Metro's independent cost estimate was based on historical pricing and market average.

BIDDER	BID AMOUNT	SBE PRICE PREFERENCE	METRO ICE	AWARD AMOUNT
Great Scott Tree Service Inc.	\$1,522,900	N/A	\$1,196,750	\$1,522,900
The Jungle Nursery Inc.	\$2,114,928	\$1,903,435.20		
International Environmental Corporation	\$3,164,923	\$3,006,676.85		
Parkwood Landscape Maintenance, Inc.	\$3,438,943	\$3,266,995.85		
Thrifty Tree Service Inc.	\$4,205,200	N/A		

The IFB included an opportunity for bidders to earn a Small Business Price Preference for bidding as a certified small business and/or bidders who met or exceeded the 15% small business goal established in the IFB. Jungle Nursery earned 10% price preference because they are a certified SBE and also subcontracted with a separate SBE firm. International Environmental is a certified SBE firm performing all of the work and, therefore, earned a 5% price preference on their bid. Parkwood met the SBE goal and, therefore, earned a 5% price preference for their bid. Great Scott and Thrifty Tree Service did not meet the 15% SBE goal and, therefore, did not earn a price preference. The small business preference price calculations are for evaluation purposes only. Applying the preference factor does not change the contractor's actual bid or the amount of any subsequent contract

award. As a result, Great Scott Tree Service remains the lowest responsive and responsible bidder.

D. Background on Recommended Contractor

Great Scott, located in Stanton, California, started in 1976 to provide high quality tree maintenance at a competitive cost. Over the years, they have developed a program that incorporates tree maintenance with technology using TrimIT, a GIS program that provides staff with the tools to track work history, project future maintenance and cost, and present the information visually using a geographic information system. Great Scott currently has various contracts for tree services that include the City of Irvine, City of Newport Beach, City of Seal Beach, City of Cypress, City of El Segundo, City of Stanton, City of Chino, and City of West Hollywood. Great Scott is a certified arborist and is registered with the Department of Industrial Relations.

DEOD SUMMARY**TREE TRIMMING SERVICES FOR METRO TRANSIT FACILITIES
(EXCLUDING METRO ORANGE LINE)/OP5608900****A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 15% Small Business Enterprise (SBE) goal for this solicitation. Great Scott Tree Service Inc. did not make a SBE commitment.

According to guidance provided by County Counsel, SBE goals on non-federally funded Invitation for Bids (IFBs) cannot be a condition of award because Metro can only award to the lowest bidder in accordance with Section 130232(5) of the California Public Utilities Code. DEOD staff worked with Government Relations to seek legislative change to the Public Utilities Code through Assembly Bill 2690 (Ridley-Thomas), which was signed by Governor Brown on August 26, 2016.

Effective January 1, 2017, Metro will be authorized to establish SBE/DVBE goals, as a condition of award, on non-federally funded IFBs. Bidders that fail to meet the SBE/DVBE goals will be ineligible for contract award.

B. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) is applicable to this contract. Metro staff will monitor and enforce the policy guidelines to ensure that applicable workers are paid at minimum, the current Living Wage rate of \$16.18 per hour (\$11.27 base + \$4.91 health benefits), including yearly increases of up to 3% of the total wage. In addition, contractors will be responsible for submitting the required reports for the Living Wage and Service Contract Worker Retention Policy and other related documentation to staff to determine overall compliance with the policy.

C. Prevailing Wage Applicability

Prevailing Wage requirements are applicable to this project. 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).

D. Project Labor Agreement/Construction Careers Policy

Project Labor Agreement/Construction Careers Policy is not applicable to this contract.