



Board Report

File #: 2021-0167, File Type: Contract

Agenda Number: 19.

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE MAY 20, 2021

SUBJECT: FENCE REPAIR AND MAINTENANCE SERVICES

ACTION: APPROVE CONTRACT AWARD

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to award a firm fixed unit rate Contract No. OP1788370008370, to Deco Fence Company, the lowest responsive and responsible bidder, to provide fence repair and maintenance services. The contract not-to-exceed amount is \$2,290,068 for the three-year base, and \$1,654,560 for the one, two-year option, for a combined not-to-exceed amount of \$3,944,628, effective July 1, 2021, subject to resolution of protests(s), if any.

ISSUE

The existing fencing repair and maintenance contract will expire on June 30, 2021. To ensure service continuity providing safe and timely fence repair and installation, a new contract award is required effective July 1, 2021.

BACKGROUND

On February 18, 2016, Metro Board of Directors awarded a five-year, firm fixed unit rate Contract No. OP4056400OP to APW Construction Inc., DBA Ace Fence Co., to provide fence repair and maintenance services for Metro Rail Rights-Of-Way (ROWs), facilities and parcel properties.

There are multiple types of fencing systems installed on the perimeters of Metro operational and non-operational railroad properties throughout Los Angeles County. Property fences are subject to damage due to vandalism, forced entries, vehicle accidents and natural disasters requiring repair on an as-needed basis.

As Metro continues to upgrade the existing infrastructure, expand its services to include new rail construction stations and facilities, and continuously refine Metro's safety requirements and procedures, timely response to fencing repair and maintenance is required.

Timely response to as-needed fencing repair and maintenance services is necessary to address emergencies, to prevent endangering lives, protect public properties by restricting access to Metro-owned facilities, and to secure other restricted areas.

DISCUSSION

Under this new contract, the contractor is required to meet Metro's security needs providing timely as-needed fencing repair and maintenance services to protect Metro's active railroad ROWs, electrified railroad yards and traction power substations, preventing the public from accessing these restricted areas and placing themselves at the risk of being hit by trains or electrocuted by a third rail or high-power electrical lines.

Fencing on other Metro rail operating properties and storage yards is necessary to restrict access to trespassers, mitigate illegal dumping, and protect Metro properties from theft and vandalism.

This contract solicitation is part of the Small Business Enterprise (SBE) Prime (Set-Aside) Program. Deco Fence Company is a Metro certified SBE contractor and made 60% SBE commitment as the Prime, meeting the Small Business Prime Set-Aside requirements established for this solicitation.

DETERMINATION OF SAFETY IMPACT

The approval of this item will ensure the continuity of providing safe, timely and quality as-needed fencing repair and maintenance services system-wide.

FINANCIAL IMPACT

Subject to Board approval of the FY22 Budget, funding of \$763,356 is to be allocated 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 Sr. Executive Officer, Maintenance and Engineering will be accountable for budgeting the cost in future years.

Impact to Budget

The current source of funds for this action are Proposition A/C, Measure R/M, and the Transportation Development Act. Use of these funding sources currently maximizes project funding allocations given approved funding provisions and guidelines.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This board action supports Strategic Goal 5: Provide responsive, accountable, and trustworthy governance within the Metro organization. Performing as-needed fencing repair and maintenance services will ensure safe, timely, and quality services to prevent endangering lives, and protecting public properties by restricting access to Metro-owned facilities, and secure other restricted areas.

ALTERNATIVES CONSIDERED

Staff considered providing this service through in-house staff; however, this would require the hiring,

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. OP1788370008370, with Deco Fence Company, to provide the necessary as-needed fencing repair and maintenance services system-wide effective July 1, 2021.

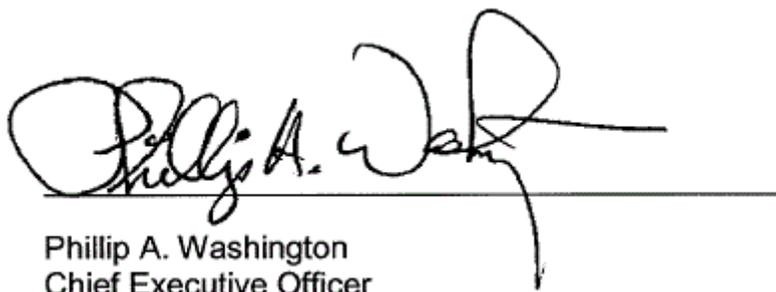
ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - DEOD Summary

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Phillip A. Washington
Chief Executive Officer

**PROCUREMENT SUMMARY
FENCE REPAIR AND INSTALLATION / OP1788370008370**

1.	Contract Number: OP1788370008370	
2.	Recommended Vendor: Deco Fence Company	
3.	Type of Procurement (check one): <input type="checkbox"/> RFP <input checked="" type="checkbox"/> IFB <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: December 18, 2020	
	B. Advertised/Publicized: December 17, 2020	
	C. Pre-proposal/Pre-Bid Conference: December 29, 2020	
	D. Proposals/Bids Due: January 26, 2021	
	E. Pre-Qualification Completed: February 26, 2021	
	F. Conflict of Interest Form Submitted to Ethics: February 19, 2021	
	G. Protest Period End Date: May 24, 2021	
5.	Solicitations Picked up/Downloaded: 22	Bids Received: 2
6.	Contract Administrator: Rommel Hilario	Telephone Number: (213) 922-4654
7.	Project Manager: Alberto Garcia	Telephone Number: (213) 922-6760

A. Procurement Background

This Board Action is to approve the award of Contract No. OP1788370008370 to Deco Fence Company to provide masonry walls, wrought iron, steel picket, welded wire mesh, Cochrane Clear Vu, and chain link fence installation, maintenance, and repair services for all Metro owned rail right-of-way (ROWs), facilities and parcel properties. Board approval of contract awards are subject to resolution of any properly submitted protest.

On December 18, 2020, Invitation for Bids (IFB) No. OP70418-2 was issued as a competitive 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 Prime Program.

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

- Amendment No. 1, issued on January 7, 2021, provided pre-bid conference material including sign-in sheets, planholder's list, and prevailing wage information.

A virtual pre-bid conference was held on December 29, 2020. A total of 22 firms downloaded the IFB and were included in the planholder's list. There were seven questions received and responses were provided prior to the bid due date.

B. Evaluation of Bids

A total of two bids were received on January 26, 2021, from firms listed below in alphabetical order:

1. Deco Fence Co.
2. Izurieta Fence Company, Inc.

The bids were reviewed for responsiveness. Areas of responsiveness included meeting the minimum qualification requirements, such as years of experience in performing fence repair and installation services, and having the required California State Contractors licenses to perform the scope of services. Both firms were determined to be responsive and qualified to perform the required services based on the IFB requirements.

C. Cost/Price Analysis

The bid price from Deco Fence Company has been determined to be fair and reasonable based upon price analysis, independent cost estimate (ICE), and technical analysis.

BIDDER	BID AMOUNT	METRO ICE	AWARD AMOUNT
Deco Fence Company	\$3,944,628	\$4,281,840	\$3,944,628
Izurieta Fence Company, Inc.	\$4,246,200		

D. Background on Recommended Contractor

Deco Fence Company

The recommended firm, Deco Fence Company (Deco Fence), located in Riverside, California, was founded in 2019. It provides residential and commercial fence repair and installation services and supplies fencing materials. Deco Fence is a Metro certified SBE firm.

The Deco Fence team includes AZ Construction, Inc., dba Ace Fence Company, and Commercial Fence Co., Inc., a licensed masonry contractor.

DEOD SUMMARY

FENCE REPAIR AND INSTALLATION SERVICES / OP1788370008370

A. Small Business Participation

Effective June 2, 2014, per Metro's Board-approved policy, competitive acquisitions with three or more Small Business Enterprise (SBE) certified firms within the specified North American Industry Classification System (NAICS) as identified for the project scope shall constitute Small Business Set-Aside procurement. Accordingly, the Contract Administrator advanced the solicitation, including posting the solicitation on Metro's website, advertising, and notifying certified small businesses as identified by NAICS code(s) that this solicitation was open to SBE Certified Small Businesses Only.

Deco Fence Company, an SBE Prime, is performing 60% of the work with their own workforce. Deco Fence Company listed two (2) non-SBE firms, Ace Fence Company and Commercial Fence as subcontractors on this project.

	SBE Firm Name	SBE % Committed
1.	Deco Fence Company (Prime)	60%
	Total Commitment	60%

B. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy is not applicable to this contract.

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. Project Labor Agreement/Construction Careers Policy is applicable only to construction contracts that have a construction contract value in excess of \$2.5 million.