



**Board Report**

**File #:** 2021-0274, **File Type:** Contract

**Agenda Number:** 21.

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**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE  
JUNE 17, 2021**

**SUBJECT: HERBICIDE APPLICATION SERVICES**

**ACTION: APPROVE CONTRACT AWARD**

**RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to award a firm fixed unit rate Contract No. OP1788370008370, to Conejo Crest Landscape Inc., dba Conejo Crest Landscape Management, the lowest responsive and responsible bidder, to provide weed abatement using herbicide application services. The contract not-to-exceed amount is \$639,701 for the three-year base, and \$459,975 for the one, two-year option, for a combined not-to-exceed amount of \$1,099,676, effective December 1, 2021, subject to resolution of protests(s), if any.

**ISSUE**

The existing contract for weed abatement using herbicide application services expires November 30, 2021.

To ensure service continuity, safe operations within Metro Rights-of-Ways (ROWs) and facilities, and compliance with State and Local codes and requirements, a new herbicide application services contract award is required effective December 1, 2021.

**BACKGROUND**

On January 15, 2015, Metro Board of Directors awarded a five-year, firm fixed unit rate Contract No. OP33673325 to Conejo Crest Landscape Management, to provide weed abatement using herbicide application services system-wide.

Under the existing contract, herbicide application services are performed throughout approximately 195 miles of active and inactive Metro owned ROWs. In February 2016 and thereafter, herbicide application services were expanded to include the additional service areas of Metro Bus Operating Division 13, Metro Foothill Extension and Expo Line Phase II.

**DISCUSSION**

Conejo Crest Landscape Management, Metro's incumbent contractor, has been providing

satisfactory services. Under this new contract, the contractor is required to provide system-wide weed abatement using herbicide application services.

Regular herbicide application services are essential for Metro facilities and ROWs to ensure compliance with State and local codes and requirements, reduce the threat of fires, maintain proper visibility of signals for safe transit operations, prevent wheel slippage, and allow for proper inspection and maintenance with safe and reliable operations.

The Diversity and Economic Opportunity Department (DEOD) established a 7% goal, inclusive of a 4% SBE goal and a 3% DVBE goal. Conejo Crest Landscape Management made a 4% SBE and a 3% DVBE commitment.

### **DETERMINATION OF SAFETY IMPACT**

The approval of this item will ensure the continuity of safe and timely services, compliance with State and local municipal codes and ordinances, and to meet Metro maintenance standards while providing a proactive approach for service delivery.

### **FINANCIAL IMPACT**

Given Board approval of the FY22 budget funding of \$245,000 is included 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 enterprise operating funds including fares and sales tax. Allocation of these funds to this effort maximizes fund use 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 regular herbicide application services will ensure providing safe, clean, and reliable operations while enhancing customer experience system wide.

### **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. OP1788370008370, with Conejo Crest Landscape Inc, dba Conejo Crest Landscape Management, to provide the necessary herbicide application services system-wide effective December 1, 2021.

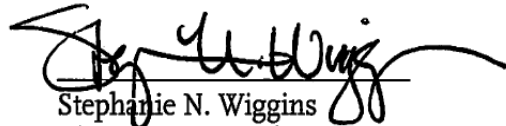
## ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - DEOD Summary

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Stephanie N. Wiggins  
Chief Executive Officer

**PROCUREMENT SUMMARY  
HERBICIDE APPLICATION SERVICES  
P1788370008370**

1.	<b>Contract Number:</b> OP1788370008370	
2.	<b>Recommended Vendor:</b> Conejo Crest Landscape Inc. dba Conejo Crest Landscape Management	
3.	<b>Type of Procurement (check one):</b> <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.	<b>Procurement Dates:</b>	
	<b>A. Issued:</b> January 15, 2021	
	<b>B. Advertised/Publicized:</b> January 17, 2021	
	<b>C. Pre-Proposal/Pre-Bid Conference:</b> January 21, 2021	
	<b>D. Proposals/Bids Due:</b> February 25, 2021	
	<b>E. Pre-Qualification Completed:</b> May 10, 2021	
	<b>F. Conflict of Interest Form Submitted to Ethics:</b> March 9, 2021	
	<b>G. Protest Period End Date:</b> June 21, 2021	
5.	<b>Solicitations Picked up/Downloaded:</b> 15	<b>Bids Received:</b> 4
6.	<b>Contract Administrator:</b> Rommel Hilario	<b>Telephone Number:</b> (213) 922-4654
7.	<b>Project Manager:</b> Shaunt Avanesian	<b>Telephone Number:</b> (213) 922-25931

**A. Procurement Background**

This Board Action is to approve the award of Contract No. OP1788370008370 to Conejo Crest Landscape Inc. dba Conejo Crest Landscape Management (Conejo Crest), to provide weed abatement using herbicide application services throughout Metro Right-Of-Ways (IROWS), Metro Park & Ride (P&R) Lots, and specific bus and rail facilities.

On January 15, 2021, Invitation for Bids (IFB) No. OP69327-2 was issued as a competitive sealed bid procurement in accordance with Metro's Acquisition Policy. The proposed contract type is firm fixed unit rate. The Diversity and Economic Opportunity Department (DEOD) recommended a 7% goal, inclusive of a 4% Small Business Enterprise (SBE) goal and a 3% Disabled Veteran Business Enterprise (DVBE) goal.

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

- Amendment No. 1, issued on January 26, 2021, provided pre-bid conference materials, planholders' list, and prevailing wage information.
- Amendment No. 2, issued on February 17, 2021, extended the bid due date and specified the bid opening date.

A virtual Pre-Bid Conference was held on January 21, 2021. There were no questions received prior to the bid due date.

**B. Evaluation of Bids**

This procurement was conducted in accordance with and complies with Metro’s Acquisition Policy for a competitive sealed bid. A total of four (bids) were received on February 21, 2021, and are listed below in alphabetical order:

1. Conjeo Crest
2. D’Angelo Brothers, LLC
3. Pest Master Services, Inc.
4. Quality Sprayers, Inc.

Metro’s DEOD Department determined that Pest Master Services, Inc. and D’Angelo Brothers, LLC were non-responsive to the mandatory DVBE goal. Hence, both firms were excluded from further consideration.

The bids of the following remaining firms were reviewed for responsiveness.

1. Conejo Crest
2. Quality Sprayers, Inc.

Areas of responsiveness included meeting the minimum qualification requirements such as years of experience in performing herbicide application services and having the required license, vehicles, (e.g. hi-rail spray truck and one off-track spray truck) and equipment to perform the required 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 Conejo Crest has been determined to be fair and reasonable based upon price analysis, independent cost estimate (ICE), and technical analysis.

<b>BIDDER</b>	<b>AMOUNT</b>	<b>METRO ICE</b>	<b>AWARD AMOUNT</b>
Conjeo Crest	\$1,099,676	\$1,938,334	\$1,099,676
Quality Sprayers, Inc.	\$1,372,241		

**D. Background on Recommended Contractor**

The recommended firm, Conejo Crest, located in Van Nuys, was established in 2005. It offers complete landscape maintenance services for public works, commercial and industrial properties. Conejo Crest has been providing herbicide application services to Metro since 2014 and performance has been satisfactory.

The Conejo Crest team includes Far East Landscape and Maintenance, Inc., a Metro certified SBE firm and IECLT, Inc., a DVBE firm.

**DEOD SUMMARY**

**HERBICIDE APPLICATION SERVICES  
P1788370008370**

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 4% Small Business Enterprise (SBE) and 3% Disabled Veteran Business Enterprise (DVBE) goal for this solicitation. Conejo Crest Landscape Inc. dba Conejo Crest Landscape Management made a 4% SBE and 3% DVBE commitment.

<b>Small Business Goal</b>	<b>4% SBE 3% DVBE</b>	<b>Small Business Commitment</b>	<b>4% SBE 3% DVBE</b>
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	<b>SBE Subcontractor</b>	<b>% Committed</b>
1.	Far East Landscape and Maintenance, Inc.	4%
	<b>Total SBE Commitment</b>	<b>4%</b>

	<b>DVBE Subcontractor</b>	<b>% Committed</b>
1.	IECLT, Inc.	3%
	<b>Total DVBE Commitment</b>	<b>3%</b>

**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.