



## Board Report

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**File #:** 2021-0275, **File Type:** Contract

**Agenda Number:** 22.

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

**SUBJECT: FIRE-LIFE SAFETY SYSTEMS TESTING, REPAIR AND CERTIFICATION SERVICES**

**ACTION: APPROVE CONTRACT AWARD**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to award a firm fixed unit rate Contract No. OP72918000 to Link-Nilsen Corp, to provide Fire-Life Safety systems testing, repair and certification services. The contract not-to-exceed amount is \$3,911,744 for the three-year base period, and \$1,990,280 for the one, two-year option, for a combined not-to-exceed amount of \$5,902,024, effective September 16, 2021.

#### **ISSUE**

The existing Fire-Life Safety systems testing, repair and certification contract expires September 15, 2021. To continue providing these critical services and ensure compliance with Los Angeles Fire Department (LAFD) Regulation 4 (Reg. 4) and fire/life safety testing mandates, a new contract award is required effective September 16, 2021.

#### **BACKGROUND**

On August 25, 2016, Metro Board of Directors awarded a five-year, firm fixed unit rate Contract No. OP5766200 to Link-Nilsen Corp, to provide system-wide annual and five-year testing, calibration, repair, retesting where applicable and certification of water-based fire suppression systems. Services also include as-needed bus simple and complex fire alarm panel and related fire/life safety equipment testing, repair and certification due to the limited resources of Reg. 4 certified testers among Metro personnel.

In January 2017, an additional 484 annual rail wet systems, 136 rail facility elevators and 32 rail auto closing assemblies were added to the contract due to limited Reg. 4 certified testers among Metro personnel and to ensure compliance with the LAFD Reg. 4 and fire/life safety testing requirements.

#### **DISCUSSION**

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Link Nilsen, Metro's incumbent contractor has been providing satisfactory service. Under this new contract, Link Nilsen is required to continue providing system-wide annual and five-year testing, calibration, repair, retesting where applicable and certification of water-based fire suppressions systems. Simple and complex fire alarm panels and related fire/life safety equipment testing, repair and certification services will be performed on an as-needed basis should there be limited resources of Reg. 4 certified testers among Metro personnel. These services are timely and critical, to ensure compliance with the LAFD Reg. 4 and fire/life safety testing requirements.

The Diversity and Economic Opportunity Department (DEOD) did not recommend a Small/Disabled Veteran Business Enterprise (SBE/DVBE) participation goal for this procurement due to the lack of certified small businesses that perform fire-life safety systems testing and repairs.

### **DETERMINATION OF SAFETY IMPACT**

The approval of this item will ensure timely testing repair, and certification of the fire/life safety equipment, compliance with the Reg. 4 and fire/life safety mandated testing requirements and guidelines, and the delivery of safe and reliable services to Metro employees and patrons.

### **FINANCIAL IMPACT**

Given Board approval of the FY22 budget, funding of \$1,198,888 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 maximizes their intended use given approved funding guidelines and provisions.

### **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

This Board action supports Strategic Goal 5; Provide responsive, accountable, and trustworthy governance within the Metro organization. Providing on-time fire/life safety equipment testing, repair and certification services will ensure compliance with LAFD Reg. 4 and fire/life safety testing requirements while continuing to provide a safe environment for Metro employees and patrons.

### **ALTERNATIVES CONSIDERED**

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

**NEXT STEPS**

Upon approval by the Board, staff will execute Contract No. OP72918000 with Link-Nilsen Corp., to provide Reg. 4 and fire-life safety testing, repair and certification services effective September 16, 2021.

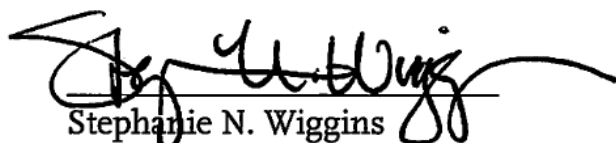
**ATTACHMENTS**

Attachment A - Procurement Summary

Attachment B - DEOD Summary

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Stephanie N. Wiggins  
Chief Executive Officer

## PROCUREMENT SUMMARY

### FIRE-LIFE SAFETY SYSTEMS TESTING, REPAIR AND CERTIFICATION SERVICES

1.	<b>Contract Number:</b> OP72918000	
2.	<b>Recommended Vendor:</b> Link-Nilsen Corporation	
3.	<b>Type of Procurement (check one):</b> <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.	<b>Procurement Dates:</b>	
	<b>A. Issued:</b> December 16, 2020	
	<b>B. Advertised/Publicized:</b> December 9, 2020	
	<b>C. Pre-Bid Conference:</b> December 22, 2020	
	<b>D. Bids Due:</b> January 19, 2021	
	<b>E. Pre-Qualification Completed:</b> March 25, 2021	
	<b>F. Conflict of Interest Form Submitted to Ethics:</b> February 2021	
	<b>G. Protest Period End Date:</b> June 21, 2021	
5.	<b>Solicitations Picked up/Downloaded:</b> 11	<b>Bids Received:</b> 1
6.	<b>Contract Administrator:</b> Steven Dominguez	<b>Telephone Number:</b> (213) 418-3158
7.	<b>Project Manager:</b> Lew Yonemoto	<b>Telephone Number:</b> (213) 922-6773

#### A. Procurement Background

This Board Action is to approve the award of Contract No. OP72918000 to Link-Nilsen Corporation to provide system-wide annual and five-year testing, inspection, repair and re-testing of water based fire suppression systems, emergency power systems, elevator testing, simple and complex fire alarm panels, related sensors, systems and fire-life safety equipment.

Invitation for Bid (IFB) No. OP72918 was issued on December 16, 2020 as a competitive sealed bid procurement in accordance with Metro's Acquisition Policy. The proposed contract type is a firm fixed unit rate.

One (1) amendment was issued during the solicitation phase of this IFB:

- Amendment No. 1, issued on December 30, 2020 revised Exhibit A – Scope of Services and Attachment D of Exhibit A – Electronic Device Policy and disseminated the prevailing wage information.

A pre-bid conference was held on December 22, 2020 and was attended by two participants.

Eleven (11) firms, representing nine (9) companies downloaded the IFB and were included on Metro's planholders' list. There were no questions received regarding this solicitation.

Only one (1) bid was received on January 19, 2021.

Metro staff canvassed firms on the planholders' list, including two fire protection contractors, to determine why no other bids were received. The following is a summary of the market survey:

1. Potential bidder is a Metro certified SBE firm but does not have the technical capability and certification required to provide Reg4 testing and certification of fire-life safety systems;
2. Potential bidder was not interested in submitting a bid because they currently have a lot of work; and
3. Six (6) firms on the planholders' list provide contract monitoring services for upcoming bid opportunities

#### **B. Evaluation of Bids**

This procurement was conducted in accordance with and complies with Metro's Acquisition Policy for a competitive sealed bid. One (1) bid was received from the bidder listed below:

1. Link-Nilsen Corporation

The firm was determined to be responsive, responsible and qualified to perform the services based on the IFB's requirements.

#### **C. Cost/Price Analysis**

The recommended fully burdened unit rates from Link-Nilsen Corporation have been determined to be fair and reasonable based on the independent cost estimate (ICE), cost analysis and technical evaluation.

<b>Bidder Name</b>	<b>Bid Amount</b>	<b>Metro ICE</b>	<b>Award Amount</b>
Link-Nilsen Corporation	\$5,902,024	\$6,032,274	\$5,902,024

#### **D. Background on Recommended Contractor**

The recommended firm, Link-Nilsen Corporation (Link-Nilsen), located in Arcadia, CA, has been in business since 1972. Link-Nilsen is a family run business that specializes in inspection, testing and maintenance of existing fire protection systems as well as the design, approval, permit, fabrication and installation of new fire protection systems. Link-Nilsen services a wide range of clients in Southern California including Jet Propulsion Laboratory (JPL), California Institute of Technology (CalTech), University of California, Los Angeles, and University of Southern California. Link-Nilsen has been providing fire-life safety testing and maintenance services to Metro since 1997 and performance has been satisfactory.

**DEOD SUMMARY**

**FIRE-LIFE SAFETY SYSTEMS TESTING, REPAIR AND CERTIFICATION SERVICES  
/ OP72918000**

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) did not establish a DBE goal for this solicitation due to the lack of subcontracting opportunities. Although a DBE goal was not established for this project, Metro will continue to encourage bidders/proposers to outreach to and utilize DBE firms, should potential subcontract opportunities become available.

**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.