



Board Report

File #: 2023-0343, File Type: Contract

Agenda Number: 26.

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE MAY 18, 2023

SUBJECT: INFRASTRUCTURE PROTECTION SERVICES

ACTION: APPROVE CONTRACT MODIFICATION

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute Modification No. 13 to Contract No. PS560810024798 with RMI International, Inc. to continue to provide infrastructure protection services from July 1, 2023, to September 30, 2023, in an amount not to exceed \$6,189,454, increasing the contract value from \$154,991,832 to \$161,181,286.

ISSUE

This Board action requests a 3-month extension to the current contract for infrastructure protection services with RMI International, Inc. to allow staff sufficient time to complete the review and evaluation of the active procurement for these services. Staff intends to return to the Board to recommend a contract award upon completion of the procurement process.

BACKGROUND

Metro's multi-layered public safety framework consists of the following elements to support the strategy:

- Infrastructure protection services - Responsible for the physical security of our stations, divisions, and terminals.
- In-House Metro Security - Responsible for conducting fare and code of conduct enforcement and ensuring a respectful experience for all riders.
- Contract Law Enforcement - Responsible for patrolling the transit system to prevent crime and responding to calls for service.
- Transit Ambassadors - Responsible for enhancing the customer experience through visibility and aiding riders with wayfinding and general assistance. In addition to providing information and support, they are the "eyes and ears" of the system, reporting maintenance, cleanliness, and safety issues that need to be addressed.
- Homeless Outreach Teams - Responsible for coordinating services for the unhoused on our system.

Infrastructure Protection Services provide critical infrastructure protection at selected locations of the regional Metro System to protect Metro assets and to prevent unlawful entry into secured areas, which, if breached, can disrupt Metro Operations and put Metro staff at risk.

The contracted infrastructure protection services component is designed and deployed as a fully integrated and mutually supportive part of the multi-layered approach by providing dedicated fixed-post security protection to Metro properties, including employee parking facilities, Metro Rail and Metro Bus System parking lots, Metro support facilities, and short-term assignments and special security operations, as necessary. Services are deployed at Metro facilities and properties based on the analysis of overall risks, vulnerability assessments, area crime rates, the configuration of facilities, and special identified needs. They are an added layer of visibility and presence and collaborate with Metro Transit Security and law enforcement by informing them of Code of Conduct violations and criminal activity for follow-up action.

DISCUSSION

On September 20, 2022, staff issued a competitive Request for Proposals (RFP) to reprocur infrastructure protection services. Staff continues to review and evaluate proposals received in response to the RFP and anticipates returning to the Board no later than July 2023 for a contract award recommendation. Extending the current contract will allow the critical infrastructure protection services to continue without a lapse in coverage while staff concludes the evaluation of the active procurement.

The contract extension recommendation supports the following priorities:

1. Maintaining physical security at stations and parking lots/structures
2. Safeguarding critical infrastructure
3. Maintaining security at bus/rail maintenance facilities

The contractor will continue to provide infrastructure protection services at selected locations of the regional Metro system, including rail and bus lines, stations, transit facilities, parking lots, construction sites, bus and rail operating divisions, and maintenance facilities.

DETERMINATION OF SAFETY IMPACT

The extension of the current contract will provide a positive safety impact for our employees and patrons by assisting in efforts to safeguard Metro's infrastructure. Providing a safe environment for our front-line employees will help employees feel their safety concerns are being heard and acted on. Furthermore, these services play a key role in Metro's multi-layered public safety model. Lastly, this contract extension will not have any negative impact on establishing safety standards.

FINANCIAL IMPACT

The total funding amount of \$6,189,454 needed for the contract extension is included in the FY24 Preliminary Budget under multiple bus and rail operating projects in Cost Center 2612, Transit Security.

Impact To Budget

The sources of funds for this action include Fares, Advertising revenues, Propositions A/C, Measures R/M, Transportation Development Act, and federal and state grants that are eligible for bus/rail operating expenses. Use of these funding sources currently maximizes funding allocations given approved funding provisions and guidelines.

...Equity Platform

EQUITY PLATFORM

As part of the multi-layered security model, it is imperative that all front-line security presence working on the Metro system are sensible and properly trained to address the complex social issues that many of our customers face. Thus, through an enhanced training model, we can re-imagine public safety by training security officers beyond tactical training, including emotional intelligence.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendation supports strategic plan goal 2.1 of committing to improving security. To achieve this goal, Metro will continue to utilize a multi-layered safety model.

ALTERNATIVES CONSIDERED

The Board may decline to extend the contract. This alternative is not recommended because Metro currently does not have the internal resources to provide the necessary level of staffing needed system-wide to safeguard infrastructure, employees, and patrons.

NEXT STEPS

Upon Board approval, staff will execute Modification No. 13 to Contract No. PS560810024798 with RMI International, Inc. to continue to provide infrastructure protection services in Los Angeles County.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - Contract Modification/Change Order Log
Attachment C - DEOD Summary

Prepared by: Cathryn Banuelos, Chief Administrative Analyst, System Security and Law Enforcement Officer, (213) 922-7650
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Reviewed by: Gina Osborn, Chief Safety Officer, System Security and Law Enforcement, (213) 922-3055



Stephanie N. Wiggins
Chief Executive Officer

**PROCUREMENT SUMMARY
INFRASTRUCTURE PROTECTION SERVICES / PS560810024798**

1	Contract Number: PS560810024798		
2	Contractor: RMI International, Inc.		
3	Mod. Work Description: Extend the period of performance by three months and increase contract authority		
4	Contract Work Description: Infrastructure Protection Services		
5	The following data is current as of: May 9, 2023		
6	Contract Completion Status		Financial Status
	Contract Awarded:	9/27/2016	Contract Award Amount:
	Notice to Proceed (NTP):	N/A	Total of Modifications Approved:
	Original Complete Date:	6/30/2023	Pending Modifications (including this action):
	Current Est. Complete Date:	9/30/2023	Current Contract Value (with this action):
7	Contract Administrator: Aielyn Dumaua		Telephone Number: (213) 922-7320
8	Project Manager: Cathryn Banuelos		Telephone Number: (213) 922-7650

A. Procurement Background

This Board Action is to approve Modification No. 13 to Contract No. PS560810024798 with RMI International, Inc. to continue infrastructure protection services at selected locations of the regional Metro System which includes rail and bus lines, stations, transit facilities, parking lots, construction sites, bus and rail operating divisions, and maintenance facilities. This modification will also extend the period of performance from July 1, 2023, through September 30, 2023.

This contract modification will be processed in accordance with Metro's Acquisition Policy and the contract type is a firm fixed unit rate.

In September 2016, the Board approved a five-year contract with RMI International, Inc. to provide infrastructure protection services.

Refer to Attachment B –Contract Modification/Change Order Log for modifications issued to date.

B. Cost Analysis

The recommended amount has been determined to be fair and reasonable based on a cost analysis, the independent cost estimate (ICE), and hourly rates being subject to Metro's living wage rates. The modification amount is less than 3% higher than Metro's ICE.

Proposed Amount	Metro ICE	Modification Amount
\$6,189,454	\$6,012,130	\$6,189,454

ATTACHMENT B

**CONTRACT MODIFICATION/CHANGE ORDER LOG
INFRASTRUCTURE PROTECTION SERVICES / PS560810024798**

Mod. No.	Description	Status (Approved or Pending)	Date	\$ Amount
1	Clarified basis for payment of billable overtime work and holiday hours	Approved	9/27/2016	\$0
2	Increase contract value due to unanticipated living wage adjustment for FY17/18	Approved	7/1/2017	\$5,108,918
3	Revised fully burdened hourly labor as a result of unanticipated living wage rate adjustments for FY18/19	Approved	7/1/2018	\$0
4	Change in deployment	Approved	1/25/2019	\$0
5	Updated list of subcontractors and issued applicable living wage rates for FY19/20	Approved	7/1/2019	\$0
6	Increased contract value to cover increased security guard presence and living wage rate adjustments	Approved	2/1/2020	\$18,400,000
7	Updated list of subcontractors	Approved	10/12/2020	\$0
8	Increased contract authority and extended the period of performance by 6 months through March 31, 2022	Approved	8/16/2021	\$15,000,000

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
9	Increased contract authority and extended the period of performance by 6 months through September 30, 2022	Approved	3/31/2022	\$15,539,480
10	Updated list of subcontractors	Approved	2/22/2022	\$0
11	Increased contract authority and extended the period of performance by 6 months through March 31, 2023	Approved	9/30/2022	\$18,998,594
12	Extended the period of performance by 3 months through June 30, 2023	Approved	3/31/2023	\$0
13	Increase contract authority and extend the period of performance by 3 months through September 30, 2023	Pending	Pending	\$6,189,454
	Modification Total:			\$79,236,446
	Original Contract:		9/27/2016	\$81,944,840
	Total:			\$161,181,286

DEOD SUMMARY

INFRASTRUCTURE PROTECTION SERVICES / PS560810024798

A. Small Business Participation

RMI International, Inc (RMI) made a 33.20% Disadvantaged Business Enterprise (DBE) commitment. Based on payments, the contract is 87% complete and the current DBE participation is 31.84%, representing a 1.36% shortfall. RMI has increased its level of DBE participation by 0.67% since the last modification in September 2022.

RMI has a shortfall mitigation plan on file and contends they have worked diligently with their DBE subcontractors to increase deployments in an effort to reduce the shortfall. RMI noted the addition of two (2) DBE subcontractors, Black Knight Patrol and Level One Protection, to supplement the listed DBEs that have either reached capacity and/or declined new assignment hours. RMI further contends that as of April 2023, both RMI and their subcontractors have seen an increase in qualified candidates, which is aiding in subcontractors taking on more service hours. RMI stated that its subcontractors currently support over 40% of the service hours on this assignment and projects to meet their commitment by contract term completion.

Staff will continue to engage with RMI and the Metro project team to discuss strategies for RMI to increase their DBE utilization. Staff will continue to track and monitor RMI efforts to meet or exceed its DBE commitment.

Small Business Commitment	33.20% DBE	Small Business Participation	31.84% DBE
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	DBE Subcontractors	Ethnicity	% Committed	Current Participation¹
1.	Allied Protection Services, Inc.	African American	13.44%	1.78%
2.	North American Security and Investigations, Inc.	Hispanic American	5.96%	15.30%
3.	Security America, Inc. <i>(substituted due to voluntary withdrawal)</i>	Hispanic American	13.80%	6.12%
4.	American Eagle Protective Services	African American	Added	6.71%

5.	Absolute Security International, Inc.	Asian Pacific American	Added	1.33%
6.	Black Knight Patrol	Hispanic American	Added	0.55%
7.	Level One Protection, Inc.	Hispanic American	Added	0.05%
	Total		33.20%	31.84%

¹Current Participation = Total Actual amount Paid-to-Date to DBE firms ÷ Total Actual Amount Paid-to-date to Prime.

B. Contracting Outreach and Mentoring Plan (COMP) Program

RMI International Inc. is mentoring (3) DBE protégés: Allied Protection Services, North American Security & Investigations, and Absolute Security International, Inc.

C. Prevailing Wage Applicability

Prevailing wage is not applicable to this contract.

D. Living Wage Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) is applicable to this modification. Metro staff will monitor and enforce the policy guidelines to ensure that applicable workers are paid at minimum, the current Living Wage rate of \$21.33 per hour (\$15.66 base + \$5.77 health benefits), including yearly increases. The increase may be up to 3% of the total wage, annually. 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.

E. 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.

Infrastructure Protection Services

Gina Osborn
Chief Safety Officer

Recommendation

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- Staff continues to review and evaluate proposals received in response to the RFP and anticipates returning to the Board no later than July 2023 for a contract award recommendation.
- Extending the current contract will allow the critical infrastructure protection services to continue without a lapse in coverage while staff concludes the evaluation of the active procurement.