



Metro

Metropolitan Transportation Authority

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**OPERATIONS COMMITTEE
JULY 19, 2007**

**SUBJECT: METRO ORANGE LINE LANDSCAPE AND TREE TRIMMING
MAINTENANCE SERVICES**

ACTION: APPROVE CONTRACT AWARDS

RECOMMENDATION

Authorize the Chief Executive Officer to:

- A. Award a five-year firm fixed unit rate contract, Contract No. OP33442023, to Accent Landscape, Inc., for Metro Orange Line landscape maintenance services in an amount not to exceed \$3,928,432, inclusive of two one-year options and a 10% contingency of \$357,130 for as-needed additional services, effective September 1, 2007.
- B. Award a five-year firm fixed unit rate contract, Contract No. OP33440677, to Asplundh Tree Expert Company, for Metro Orange Line tree trimming services in an amount not to exceed \$425,146, inclusive of two one-year options, effective September 1, 2007.

RATIONALE

As part of the Metro Orange Line (MOL) construction contract, C0675, a two-year landscape maintenance and warranty period has been in effect. All landscape maintenance to date has been provided by the MOL contractor. This original maintenance obligation is scheduled to end August 31, 2007.

These new contracts will provide basic landscape and irrigation maintenance services for right-of-way, park-and-ride lots and busway stations for the Metro Orange Line. The scope of service will comprise maintenance of extensive landscaping on 14 miles of bus right-of-way and seven park-and-ride lots. There are nearly 3,400,000 square feet (77 acres) of landscaping, with approximately 800,000 plants, 6,000 trees, 6,000 vines, 20 backflow preventors, and 24,000 irrigation sprinkler heads. Contracted landscape services for other Metro transit facilities are covered under a separate, ongoing contract that was awarded in April 2005 to Diversified Landscape.

Services covered under recommendation A require the contractor to provide general maintenance and clean-up of landscaped areas. Landscape maintenance of trees under 13

feet in height, shrubs, shrub beds, vines, and groundcover, as well as routine sprinkler head maintenance, are covered in the contract. Landscape maintenance includes the replacement of failed trees or major groupings of shrubs, irrigation water management, and fertilizing, pruning and weeding trees, shrubs, and plants. Additionally, the contractor will provide as-needed services, such as replacing damaged or lost plant material resulting from natural causes beyond the control of the contractor.

Services covered under recommendation B require the contractor to perform trimming, pruning, thinning, shaping and removal of large trees over 13 feet in height. The service provides for the removal of dead or fallen trees that may occur after high winds or severe thunderstorms. In addition to improving the appearance and health of trees, this service is necessary to maintain safe pedestrian passage and prevent obstructing the visibility of bus operators and the motoring public. Visibility is especially important near intersections. Tree trimming service for other transit facilities is covered under a separate bench contract awarded in May 2005 to International Environmental Corporation and Travers Tree Service, Inc.

A two-year plant establishment and warranty maintenance period for the Metro Orange Line landscape project, managed by the installing contractor, is scheduled to end on August 31, 2007. The proposed start date of this contract is September 1, 2007, when maintenance responsibility of the project will be turned over to Metro.

FINANCIAL IMPACT

The funding of \$595,000 for landscaping and tree trimming services is included in the FY08 budget in cost center 3344, Facilities Contracts & Administration under project 301012, Orange Line Operations and line item 50308 Contract Maintenance. Since these are multi-year contracts, the cost center manager and Deputy Executive Officer will be accountable for budgeting the cost in future years, including any options exercised.

ALTERNATIVES CONSIDERED

One alternative considered is to provide these services in-house. This would require the hiring of a significant number of additional personnel and purchase of additional equipment, vehicles and supplies. Staff's analysis indicates that this is a labor-intensive task with no incumbent classification. This is not a cost-effective option for Metro.

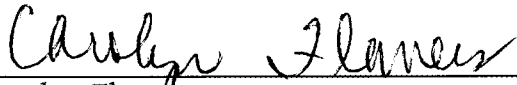
Another alternative is to not provide these services required under the landscaping and tree-trimming contracts. Failure to properly maintain the existing landscaping will result in plant loss, complaint from the community, negative safety impact along the right-of-way, and ordinance violation. Staff does not consider this to be a viable option.

ATTACHMENTS

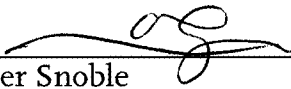
- A. Procurement Summary- Landscaping Services
- A-1 Procurement History- Landscaping Services

- A-2 List of Subcontractors- Landscaping Services
- B. Procurement Summary- Tree Trimming Services
- B-1 Procurement History- Tree Trimming Services
- B-2 List of Subcontractors- Tree Trimming Services

Prepared by: Brady Branstetter, Director, Facilities Maintenance
Hussein Farah, Facilities Maintenance Manager
Robert Vasquez, Sr. Contract Administrator
Samira Baghdikian, Sr. Contract Administrator



Carolyn Flowers
Interim Chief Operations Officer



Roger Snoble
Chief Executive Officer

**BOARD REPORT ATTACHMENT A
PROCUREMENT SUMMARY**

METRO ORANGE LINE LANDSCAPING SERVICES

1.	Contract Number: OP33442023		
2.	Recommended Vendor: Accent Landscape, Inc.		
3.	Cost/Price Analysis Information:		
	A. Bid/Proposed Price: \$3,571,302	Recommended Price: \$3,928,432 (including 10% contingency)	
	B. Details of Significant Variances are in Attachment A-1.D		
4.	Contract Type: Fixed Unit Rate		
5.	Procurement Dates:		
	A. Issued: 04/20/07		
	B. Advertised: 04/19/07		
	C. Pre-bid Conference: 05/07/07		
	D. Bids Due: 05/21/07		
	E. Pre-Qualification Completed: 06/13/07		
	F. Conflict of Interest Form Submitted to Ethics: 06/13/07		
6.	Small Business Participation:		
	A. Bid/Proposal Goal: 20% DALP	Date Small Business Evaluation Completed: 06/11/07	
	B. Small Business Commitment: 0 % (Details are in Attachment A-2)		
7.	Invitation for Bid/Request for Proposal Data:		
	Notifications Sent: 13	Bids/Proposals Picked up: 20	Bids/Proposals Received: 6
8.	Evaluation Information:		
	A. Bidders/Proposers Names:	<u>Bid/Proposal Amount:</u>	<u>Best and Final Offer Amount:</u>
	Accent Landscape	\$3,571,302	Not Applicable to Sealed Bid Procurement
	Marina Landscape	\$3,934,074	
	Far East Landscape	\$4,683,397	
	Diversified Landscape	\$5,257,791	
	International Environmental Landscape	\$9,194,072	
	TruGreen Landscape	(Non-responsive)	
	B. Evaluation Methodology: Sealed Bid (Details are in Attachment A-1.C)		
9.	Protest Information:		
	A. Protest Period End Date: 07/24/07		
	B. Protest Receipt Date: T.B.D.		
	C. Disposition of Protest Date: T.B.D.		
10.	Contract Administrator: Robert Vasquez	Telephone Number: 213-922-1044	
11.	Project Manager: Keith Jackson	Telephone Number: 213-922-8888	

**BOARD REPORT ATTACHMENT A-1
PROCUREMENT HISTORY**

METRO ORANGE LINE LANDSCAPING SERVICES

A. Background on Contractor

Accent Landscape, Inc. (Accent) is located in Gardena, CA and has been in the landscape maintenance business for over 10 years. The firm had a 5-year contract with Metro for landscaping services at other locations which expired approximately 2 years ago. Accent performed well overall on that contract. Accent is currently performing satisfactorily on similar services under separate contracts for Los Angeles County's Departments of Health Services and Parks and Recreation.

B. Procurement Background

This is a competitive sealed-bid procurement under IFB No. OP33442023. The base contract period is for 3 years, with 2 one-year options, for total potential contract term of 5 years. The contract period of performance is anticipated to begin on or about September 1, 2007, since the existing Metro Orange Line landscaping warranty maintenance period expires on August 30, 2007.

C. Evaluation of Bids

This procurement was conducted in accordance, and complies with, standard Metro Procurement policies and procedures for a competitive sealed bid. Bids were received from 6 firms. One of the bidders, TruGreen Landscape, was determined to be non-responsive because it took exceptions to the contract terms and conditions and did not properly complete all the required bid forms. The other 5 bidders were determined to be responsive, responsible and qualified to perform the required services based on the IFB's minimum requirements and a technical evaluation by the Metro project manager. Reference checks were performed for all 5 responsive, responsible bidders and resulted in mostly positive remarks by current and/or former clients. All references for the recommended bidder, Accent, were positive.

D. Cost/Price Analysis Explanation of Variances

The recommended contract amount has been determined to be fair and reasonable based upon adequate competition consisting of 5 responsive, responsible bidders and an Independent Cost Estimate (ICE). The recommended contract amount is lower than the ICE amount and there are no significant pricing issues or areas of concern.

**BOARD REPORT ATTACHMENT A-2
LIST OF SUBCONTRACTORS**

METRO ORANGE LINE LANDSCAPING SERVICES

PRIME CONTRACTOR – Accent Landscape, Inc.

Small Business Commitment

None

Total Commitment 0%

Other Subcontractors

None

**BOARD REPORT ATTACHMENT B
PROCUREMENT SUMMARY**

METRO ORANGE LINE TREE TRIMMING MAINTENANCE SERVICES

1.	Contract Number: OP33440677		
2.	Recommended Vendor: Asplundh Tree Expert Company		
3.	Cost/Price Analysis Information:		
	A. Bid/Proposed Price: \$425,146	Recommended Price: \$425,146	
	B. Details of Significant Variances are in Attachment B-1.D		
4.	Contract Type: Fixed Unit Rate		
5.	Procurement Dates:		
	A. Issued: April 20, 2007		
	B. Advertised: April 19, 2007		
	C. Pre-Bid Conference: May 7, 2007		
	D. Bids Due: May 21, 2007		
	E. Pre-Qualification Completed: June 15, 2007		
	F. Conflict of Interest Form Submitted to Ethics: June 12, 2007		
6.	Small Business Participation:		
	A. Bid/Proposal Goal: No Goal Recommended	Date Small Business Evaluation Completed: January 4, 2007	
	D. Small Business Commitment: No Goal Recommended. Details are in Attachment B-2		
7.	Invitation for Bid/Request for Proposal Data:		
	Notifications Sent: 11	Bids/Proposals Picked up: 27	Bids/Proposals Received: 7
8.	Evaluation Information:		
	A. Bidders/Proposers Names:	<u>Bid/Proposal Amount:</u>	<u>Best and Final Offer Amount:</u>
	1) Marina Landscape, Inc.	1) Non-Responsive	N/A
	2) Asplundh Tree Expert Co.	2) \$425,146	
	3) Treemsmith Enterprises, Inc.	3) \$500,350	
	4) TruGreen LandCare	4) Non-Responsive	
	5) Travers Tree Service	5) \$785,025	
	6) International Environmental Corp.	6) \$1,158,315	
	7) California Arbor Care	7) \$1,321,120	
	B. Evaluation Methodology: Sealed Bid Details are in Attachment B-1.C		
9.	Protest Information:		
	A. Protest Period End Date: July 24, 2007		
	B. Protest Receipt Date: TBD		
	C. Disposition of Protest Date: TBD		
10.	Contract Administrator: Samira Baghdikian	Telephone Number: (213) 922-1033	
11.	Project Manager: Keith Jackson Facilities Maintenance Supervisor	Telephone Number: (213) 922-8888	

**BOARD REPORT ATTACHMENT B-1
PROCUREMENT HISTORY**

METRO ORANGE LINE TREE TRIMMING MAINTENANCE SERVICES

A. Background on Contractor

Asplundh Tree Expert Co., with a regional office in Ontario, California, has been in business since 1928. It is a full service utility contractor that performs vegetation control for railroads and pipelines, municipal, utility and street/park tree trimming, traffic signal/highway lighting construction and maintenance, and outdoor advertising maintenance. Asplundh serves utilities and municipalities in the United States, Canada, Australia and New Zealand. The firm has extensive public and private sector experience, which includes sizeable, long-term and on-going contracts with Southern California Edison, the City of Pasadena and the City of Burbank.

B. Procurement Background

Staff utilized a sealed bid-type procurement under Invitation for Bids (IFB) No. OP33440677. Prior to the May 21, 2007 bid deadline, seven firms submitted bids. Bids were submitted by Marina Landscape, Inc. ("Marina"), Asplundh Tree Expert Co. ("Asplundh"), Treesmith Enterprises, Inc. ("Treesmith"), TruGreen LandCare ("TruGreen"), Travers Tree Service ("Travers"), International Environmental Corp. ("IEC") and California Arbor Care ("Arbor Care").

The Diversity & Economic Opportunity Department (DEOD) did not recommend a Disadvantaged Business Enterprises Anticipated Levels of Participation (DALP) goal for this procurement based on the determination that there were no apparent opportunities for subcontracting. Although, a DALP has not been established for this procurement, the contractor is expected to outreach to and utilize DBE firms should potential DBE subcontract opportunities become available throughout the life of the contract.

C. Evaluation of Bids

Marina was deemed non-responsive, as the firm did not meet the minimum license requirement qualification set forth in the IFB. A minimum qualification of proof of state contractor's license C61-D49 (Specialty Tree Trimming) was required. Consequently, Marina was eliminated from further consideration in the competitive procurement process.

TruGreen was also deemed non-responsive because it took multiple exceptions to the bid documents. TruGreen unilaterally modified the Special Provisions and General Conditions set forth in the IFB. Therefore, TrueGreen was also eliminated from further consideration.

Thus, Asplundh, Treesmith, Travers, IEC and Arbor Care were the firms that provided responsive and responsible bids in accordance with Procurement Policies and Procedures.

D. Price Analysis and Explanation of Variances

The recommended bid price of \$425,146 has been determined to be fair and reasonable based upon price analysis and adequate price competition under the competitive procurement process. The recommended bid price is lower than the independent cost estimate.

**BOARD REPORT ATTACHMENT B-2
LIST OF SUBCONTRACTORS**

METRO ORANGE LINE TREE TRIMMING MAINTENANCE SERVICES

PRIME CONTRACTOR – Asplundh Tree Expert Co.

Small Business Commitment

Other Subcontractors

N/A

N/A

Total Commitment None recommended

