



Metro

Los Angeles County
Metropolitan Transportation Authority

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**EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE
OPERATIONS COMMITTEE
MAY 21, 2009**

SUBJECT: TRANSIT COMMUNITY POLICING SERVICES

**ACTION: APPROVE MEMEMORDUM OF UNDERSTANDING (MOU) WITH THE
COUNTY OF LOS ANGELES, LOS ANGELES SHERIFF'S DEPARTMENT**

RECOMMENDATION

Authorize the Chief Executive Officer to:

- A. Execute Modification No. 15 with Memorandum of Understanding (MOU) TCP2610LASD to provide funding for the remaining FY09 transit community policing services in an amount not-to-exceed \$5,310,162 for the period June 1, 2009 through June 30, 2009, revising the Total Contract Value from \$344,828,728 to \$350,138,890.
- B. Execute a three-year MOU with LASD inclusive of one one-year option and subject to approval of the MOU by the County of Los Angeles Board of Supervisors, for transit community policing services including the Gold Line Eastside Extension in the amount of \$65,921,937 for the period July 1, 2009 through June 30, 2010.
- C. Amend the proposed FY10 budget to add \$4,700,000 in revenues and expenses to the Transit Security budget for policing coverage of the Metro Gold Line Eastside Extension.

RATIONALE

Transit Community Policing services are required to ensure the safety of our customers and to safeguard our buses, trains, and facilities. Staff has had on-going discussions and has completed negotiations with LASD to develop this new MOU for transit community policing services.

In December 2008, the Board adopted a framework in determining how overall transit security services would be provided along with how the new contract with LASD would be developed. In March 2009, the Board approved funding for transit community policing services for the period April 1, 2009 through May 31, 2009 in a not-to-exceed amount of

\$10,620,324. This extension was granted to allow staff time to complete negotiations with LASD for the new MOU.

The one-month extension is required in order to allow time for the County's approval process to occur. According to representatives from LASD's Contract Law Division, County Counsel must first approve the item. Upon their approval, the item goes to the Auditor Controller for approval, and then is presented to the CAO. Once all approvals are obtained, then the item is placed on the Board of Supervisors' agenda. This process takes four to six weeks to complete. It is anticipated that all approvals required by the County will be obtained by mid-June.

Staff and LASD personnel have completed negotiations and have concurred and incorporated terms and conditions in the MOU that substantially comply with the December 2008 Board directive. The new contract includes clear lines for Chain of Command and delineations of roles and responsibilities and provisions for a unified command of operational personnel in the field. Supervisory ratios, as per the Board's framework have also been put in compliance with standard practices. The contract value, to include eight stations along the Metro Gold Line Eastside Extension, has been negotiated and the final amount is within the framework's direction and guidance. However, the contract will remain a "Minutes" based contract because under a Full-Time Equivalent (FTE) based service contract we would lose approximately \$2.8 million in service and that any benefit gained by an FTE based service contract did not equate to the value of the service lost. The new contract has included provisions for staffing and billing oversight.

During negotiations, the Board's framework provision for use of TAP cards by LASD personnel was deemed impracticable and unenforceable as a means of performance accountability. However, other options were considered and adopted to determine and establish performance accountability. These new measures of performance and accountability have been identified and incorporated into the new contract. They include standards for performance and mechanisms for validation and satisfy our concerns. This new contract will also provide for more commitment from LASD for greater visibility throughout the system. There are also additional improvements incorporated into the new contract that provide for better accountability, communications and coordinate for a more integrated and comprehensive security program for Metro, its employees and patrons.

FINANCIAL IMPACT

The funding of \$61,221,937 for this service is included in the proposed FY10 budget in cost center 2610, Transit Security under multiple bus and rail operating projects, and line item 50320, Service- Contract Services. In FY09, \$63,721,937 will be expended on this service through June 30, 2009.

Funding of \$4,700,000 for transit community policing services for the Metro Gold Line Eastside extension will be added to the FY10 budget under cost center 2610, Transit Security under project 300055, Metro Gold Line and line item 50320, Service- Contract Services. The source of funds will be CMAQ and Prop C40% discretionary funds (The Prop C40% fund

balance is dependent upon board approval of the FY08 growth over inflation transfer.) This amendment will increase the Enterprise Fund budget, rail operating expenses by \$4,700,000.

Since this is a multi-year contract, the cost center manager and Chief Operations Officer will be accountable for budgeting the cost in future years, including any option exercised.

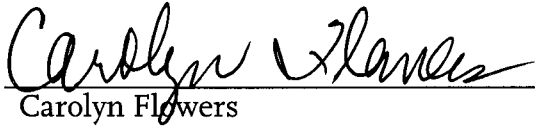
ALTERNATIVES CONSIDERED

An option considered would be to not award this MOU. This alternative is not recommended because this is a critical security program and we do not currently have in place an alternative policy or strategy, nor do we have in place the security assets to provide the current level of protection for our customers and employees.

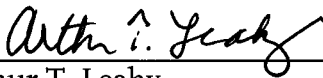
ATTACHMENT

- A Procurement Summary
- A-1 Procurement Background
- A-2 List of Subcontractors

Prepared by: Jack Eckles, DEO, System Safety and Security



Carolyn Flowers
Chief Operations Officer



Arthur T. Leahy
Chief Executive Officer

**BOARD REPORT ATTACHMENT A
PROCUREMENT SUMMARY**

TRANSIT COMMUNITY POLICING SERVICES

1.	Contract Number: PS2610LASD		
2.	Recommended Vendor: Los Angeles County Sheriff's Department		
3.	Cost/Price Analysis Information:		
	A. Bid/Proposed Price: \$ 65,921,937	Recommended Price: \$65,921,937	
	B. Details of Significant Variances are in Attachment A-1.D		
4.	Contract Type: Unit Rate		
5.	Procurement Dates:		
	A. RFIQ Issued: August 7, 2008		
	B. Advertised: n/a		
	C. Pre-proposal Conference: n/a		
	D. Proposals Due: August 18, 2008		
	E. Pre-Qualification Completed: n/a		
	F. Conflict of Interest Form Submitted to Ethics: May 12, 2009		
6.	Small Business Participation:		
	A. Bid/Proposal Goal: n/a	Date Small Business Evaluation Completed: n/a	
	Small Business Commitment: None		
7.	Invitation for Bid/Request for Proposal Data:		
	RFIQs Sent: 8	RFIQs Picked up: 0	Bids/Proposals Received: 1
8.	Evaluation Information:		
	A. Bidders/Proposers Names: Los Angeles County Sheriff's Department	<u>Bid/Proposal Amount:</u> \$65,921,937	<u>Best and Final Offer Amount:</u> \$ N/A
	B. Evaluation Methodology: Most Qualified - Details are in Attachment A-1.C		
9.	Protest Information:		
	A. Protest Period End Date: n/a		
	B. Protest Receipt Date: n/a		
	C. Disposition of Protest Date: n/a		
10.	Contract Administrator: Tommye Williams	Telephone Number: 213-922-1051	
11.	Project Manager: Jack Eckles	Telephone Number: 213-922-3624	

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

TRANSIT COMMUNITY POLICING SERVICES

A. BACKGROUND ON CONTRACTOR

The Los Angeles County Sheriff's Department (LASD) is the largest sheriff's department in the world. In addition to specialized services, the LASD currently operates and provides contract services throughout and within the many cities that comprise Los Angeles County. In addition LASD has provided transit law enforcement services to us since 1996. LASD has provided acceptable transit law enforcement services during this time.

B. Procurement Background

A Request for Interest and Qualifications (RFIQ) was issued on August 7, 2008. The RFIQ was sent to eight local law enforcement agencies. On August 18, 2008, one response to the RFIQ was received from the LASD.

At the October 2008 Board meeting staff's recommendation to enter into direct contract negotiations with LASD for transit community policing services was approved. Staff has worked with LASD personnel to negotiate the Memorandum of Understanding that includes a highly focused Scope of Work, including mutually agreed to Performance Standards.

C. Evaluation of Proposals

The procurement is in compliance with Metro Procurement policies and procedures.

D. Cost/Price Analysis Explanation of Variances

The recommended price of \$65,921,937 has been determined to be fair and reasonable based upon review of the rates established by the County of Los Angeles Auditor/Controller for the LASD in accordance with Government Code Section 53069.8 (b).

The most recent amount for these services is \$5,310,162 per month over the past twelve months as compared to \$5,493,495 per month for the next twelve months going forward under the new Memorandum of Understanding.

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

TRANSIT COMMUNITY POLICING SERVICES

PRIME CONTRACTOR – LOS ANGELES COUNTY SHERIFF’S DEPARTMENT

Small Business Commitment

Other Subcontractors

n/a

n/a

Total Commitment: None