



**Metro™**

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**OPERATIONS COMMITTEE  
FEBRUARY 19, 2004**

**SUBJECT: OP-3630-4017, PORTABLE TOILET SERVICES, TROJAN PORTABLE SERVICES**

**ACTION: AWARD PORTABLE TOILET SERVICES CONTRACT IN THE AMOUNT OF \$504,519**

**RECOMMENDATION**

Authorize the Chief Executive Officer to award a six-year, firm-fixed-unit-rate price Contract No.OP-3630-4017, to Trojan Portable Services for portable toilet services in an amount not to exceed \$504,519, inclusive of two one-year options effective March 1, 2004.

**RATIONALE**

This contract will provide portable toilets for MTA bus operators and field staff at a minimum of ten selected MTA bus layover sites beginning March 1, 2004 and ending February 28, 2010. Trojan Portable Services will provide restroom facilities at bus line terminals where no bathroom facilities are available, as required under the contract between the Authority and the United Transportation Union (UTU). The UTU works with the MTA to determine the locations of the portable toilets. Under this new contract, there will be a minimum of 19 portable toilets, and each unit will be serviced between three to seven times per week according to the schedule in Attachment B. Currently, the MTA rents 22 portable toilets on a monthly basis from Waste Management, Inc.

The proposed new contract provides the required services and also includes a provision for contingencies of \$30,922 for unanticipated emergencies and special events that have caused increased charges in the previous contract. The specified contingency funds were based on an estimated 496 units projected for use in emergencies and such events as the Rail Rodeo, San Fernando Metro Rapidway Opening, Eastside Light Rail Opening and the Gold Line Extension Opening.

**FINANCIAL IMPACT**

The funding of \$47,742 for these portable toilet services is included in the FY04 budget in cost center 3630, Stops and Zones Department under project 305009, Service Plan and Scheduling, Westside/Central Service Sector. Since this is a multi-year contract, the Facilities Maintenance

Manager and the Deputy Chief Executive Officer will be accountable for budgeting the cost in future years including any options exercised.

### **ALTERNATIVES CONSIDERED**

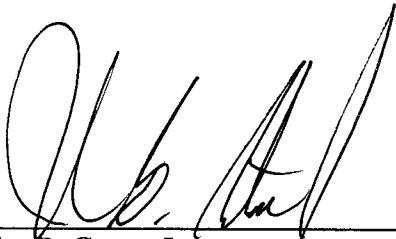
Two alternatives were considered:

- A) Performing the service in-house through the purchase and maintenance of portable toilets. This would require the hiring of additional trained staff, the purchase of additional trucks, facilities, ancillary equipment, permits and licenses, local outside disposal facilities, and a significant increase in liability exposure that would be incurred in the handling of hazardous waste. As a result, staff indicated that this is not an effective option for the MTA.
  
- B) Purchasing of the services on a year-to-year basis. This alternative was used in the past and deemed disruptive to delivery of this service given the annual procurement demands of providing bids from three or more vendors. Staff analysis indicates that this option is neither efficient nor cost effective for the MTA.

### **ATTACHMENT**

- A Procurement Summary
- A-1 Procurement History
- A-2 List of Subcontractors
- B Current Layover Locations

Prepared by: Peter Serdienis, Facilities Maintenance Manager  
Walter Sparkuhl, Contract Administrator



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John B. Catoe, Jr.  
Deputy Chief Executive Officer



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Roger Snoble  
Chief Executive Officer

**BOARD REPORT ATTACHMENT A  
PROCUREMENT SUMMARY**

**PORTABLE TOILET SERVICES**

1.	Contract Number: OP-3630-4017		
2.	Recommended Vendor: Trojan Portable Services, Inc.		
3.	Cost/Price Analysis Information:		
	A. Bid Price: \$504,518.70	Recommended Price: \$504,518.70	
	B. Details of Significant Variances are in Attachment A-1.D		
4.	Contract Type: Firm Fixed Unit Rate Price for Monthly Service and Maintenance		
5.	Procurement Dates:		
	A. Issued: September 22, 2003		
	B. Advertised: September 20, 2003		
	C. Pre-Proposal Conference: October 1, 2003		
	D. Bids/Proposals Due: October 23, 2003		
	E. Pre-Qualification Completed: December 1, 2003		
	F. Conflict of Interest Form Submitted to Ethics: December 1, 2003		
6.	Small Business Participation:		
	A. Bid/Proposal Goal: No M/WBE Goal Recommended	B. Bid/ Proposal Evaluation: December 11, 2003	
	C. Small Business Commitment: 0% Minority-owned Business Enterprises (MBE) 0% Woman-owned Business Enterprises (WBE) 0% Small Business Enterprises (SBE)		
7.	Invitation for Bid/Request for Proposal Data:		
	Notifications Sent: 13	Bid Packages Picked Up: 12	Bids Received: 5
8.	Evaluation Information:		
	Bidders Names:	Proposal Amount:	Best and Final Offer:
	Trojan Portable Services	\$ 504,518.70	N/A
	Waste Management	\$ 562,648.80	
	American Classic Sanitation	\$ 617,741.76	
	National Construction	\$1,293,536.00	
	Andy Gump	\$1,468,657.48	
9.	Protest Information:		
	A. Protest Period End Date: February 24, 2004		
	B. Protest Receipt Date: TBD		
	Disposition of Protest Date: TBD		
10.	Contract Administrator: W. T. (Ted) Sparkuhl	Telephone Number: 922-7399	
11.	Project Manager: Pete Serdienis	Telephone Number: 922-5190	

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

**PORTABLE TOILET SERVICES**

**A. Background of Contractor**

Trojan Portable Services has been in business for 10 years. Incorporated in 1997, Trojan Portable Services, Inc., has grown into a company having a staff of 30 full-time personnel and 14 vacuum trucks that serve the counties of Los Angeles, Orange and Riverside on a daily basis.

Trojan Portable Services has not had any previous contracts with the MTA. Trojan currently has multi-year contracts with the Los Angeles Unified School District, County of Orange, State of California Department of Corrections, California Department of Motor Vehicles, California Highway Patrol, Los Angeles Parks and & Harbor Departments and California State Parks. These multi-year contracts account for 20,000 monthly services.

**B. Procurement Background**

Invitation for Bid (IFB) for Portable Toilet Services was advertised on September 20, 2003 and released September 22, 2003. Thirteen firms were sent postcards notifying them of the procurement and a pre-bid conference was held on October 1, 2003. Twelve firms obtained copies of the solicitation. Standard sealed-bid procedures were utilized for this procurement with the award being made to the lowest-priced, responsive, responsible bidder. Trojan Portable Services, Waste Management (incumbent), American Classic Sanitation, National Construction and Andy Gump submitted bids on October 23, 2003. There are no prior Board actions having an impact on this procurement. There are two one-year options in addition to the four-year base line contract, and pricing for potential out-year requirements beyond the base-line contract and option years.

The Diversity and Economic Opportunity Department (DEOD) did not recommend a Minority-owned Business Enterprises' (MBE) or Woman-owned Business Enterprises' (WBE) or a Small Business Enterprises' (SBE) participation goal for this project. The decision not to recommend an S/M/WBE goal is based on industry practices and historical data that the prime contractor provides all services/products with minimal, if any, subcontracting, and the procurement was competitively bid and locally funded.

**C. Evaluation of Proposals**

This is a standard sealed-bid procurement that was conducted in accordance with MTA Procurement policies and procedures. Trojan Portable Services, Los Angeles, California is the lowest, responsive and responsible bidder. Trojan Portable Services, Waste Management of California and American Classic Sanitation, LLC were approved by the

Pre-Qualification Department. Andy Gump, Inc. submitted an incomplete Pre-Qualification application and National Construction Rentals failed to submit any Pre-Qualification Application.

D. Price Analysis and Explanation of Variances

The recommended price of \$505,519 was determined to be fair and reasonable based upon adequate price competition and a price analysis performed by the Contract Administrator. The independent estimate for this procurement was performed by the MTA Estimating Department. Although the difference between the winning bid amount and the MTA estimate is significant (126%), the winning bid amount is considered fair and reasonable when compared to the bid prices submitted by the incumbent contractor and the next lowest responsive, responsible bidders.

<b>Bid/Proposal Amount</b>	<b>MTA Estimate</b>	<b>Recommended/Negotiated Amount</b>
<b>\$504,519</b>	<b>\$1,142,231</b>	<b>\$504,519</b>

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

**PORTABLE TOILET SERVICES**

**PRIME CONTRACTOR – Trojan Portable Services**

<u>Small Business Commitment</u>	<u>Other Subcontractors</u>
None	None
Total Commitment	0.0%

**ATTACHMENT B**

**Current MTA Bus Transit and Rail Operations Terminals and Layover Locations**

Quantity (# of Units)	<u>Location</u>	Weekly <u>Servicing</u>	Days <u>Serviced</u>
2	Cesar E. Chavez Ave. at Lyon St.	5x	Mon through Fri
1	Wilshire Blvd. at Vermont Ave.	3x	Mon, Wed, Fri
2	Avalon Blvd. at I-105 Green Line	3x	Mon, Wed, Fri
1	Wilshire Blvd. at Western Ave.	3x	Mon, Wed, Fri
2	Beaudry Ave. at Fourth St.	3x	Mon, Wed, Fri
2	Beaudry Ave. at Fifth St.	3x	Mon, Wed, Fri
2	Huntington Dr. at Monterey Rd.	3x	Mon, Wed, Fri
2	Selma Ave. at Argyle Ave.	3x	Mon, Wed, Fri
2	Hubbard Ave N at F. Modugno Dr.	3x	Mon, Wed, Fri
<u>3</u>	Lankershim Blvd. at Ventura Blvd.	7x	Sun through Sat
<b>19</b>	Actual Units		