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**AUGUST 17, 2012**

**TO: BOARD OF DIRECTORS**

**THROUGH: ARTHUR T. LEAHY**   
**CHIEF EXECUTIVE OFFICER**

**FROM: DOUGLAS R. FAILING P.E.**   
**EXECUTIVE DIRECTOR HIGHWAY PROGRAM**

**SUBJECT: ALTERNATIVE PROCUREMENT METHOD FOR  
EXPRESSLANES TOWING**

**ISSUE**

In support of the Metro ExpressLanes project, a dedicated incident management service similar to Metro Freeway Service Patrol will be provided. Due to the nature of the service to be provided and the initial one-year term of the contract, Metro will be using an alternative procurement method that will allow only current Metro Freeway Service Patrol contractors, in good standing, the opportunity to bid on this pilot project.

**DISCUSSION**

Metro FSP staff have been working with our partners CHP and Caltrans to determine how best to provide dedicated tow/incident management services in support of the Metro ExpressLanes demonstration project. While the service will be similar in nature to the existing FSP operation, there are a number of unique parameters associated with providing incident management support on the ExpressLanes. These include the following:

- ExpressLanes is a demonstration project and by extension the tow/incident management support is also a demonstration project;
- There are limited shoulders/enforcement zones to assist a disabled motorists in the field – more vehicles anticipated to be disabled in the travel lane;
- There are increased safety concerns as vehicles will most likely be disabled in active travel lanes;
- ExpressLanes have unique operating goals that differ from the mixed flow lanes (i.e. goal to operate at 45 miles/hour or greater);
- Greater opportunity to assist vehicles carrying multiple passengers;

Due to these factors and in particular the knowledge, experience and training required to safely operate within the freeway environment, it was determined that the best and most prudent course of action was to obtain an existing Metro FSP contractor(s) in good standing to perform the initial pilot of this new service. Using existing FSP contractors to support this pilot project provides the following benefits:

- Knowledge of existing FSP practices;
- Knowledge and experience operating with CHP on incidents;
- Knowledge of latest highway safety protocol;
- Multiple contractors available;
- Selection process quicker;
- Greater capability to handle the one year pilot program requirement and changes that may occur;
- Knowledge and experience of Metro and Caltrans staff;
- Ability to provide constructive feedback regarding the operation of the service and possible changes to improve future operations

This action is consistent with past practices where the FSP program used an alternative procurement method to support a limited/pilot service (Super Beats pilot program). Should this service prove to be successful, future contracts will revert to the standard procurement protocols allowing all interested vendors to participate.

### **NEXT STEPS**

Metro's procurement department will release an Invitation for Bid to the current FSP contractors