



APRIL 4, 2003

Metropolitan
Transportation
Authority

One Gateway Plaza
Los Angeles, CA
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TO: BOARD OF DIRECTORS

THROUGH: ROGER SNOBLE
CHIEF EXECUTIVE OFFICER

FROM: JOHN B. CATOE, JR.
DEPUTY CHIEF EXECUTIVE OFFICER

SUBJECT: REJECTION OF ALL BIDS AND REISSUANCE
OF SOLICITATION FOR THE METRO FREEWAY
SERVICE PATROL PROGRAM (IFB FSP03)

ISSUE

Staff has rejected all bids under Freeway Service Patrol (FSP) solicitation FSP03, and will revise and reissue the IFB to clarify project requirements and evaluation criteria prior to re-solicitation. Staff will request Board authority at the April Board meeting to extend and provide additional funding for the 20 FSP beats affected by this action. The extension and additional funds are required to provide FSP towing services during the time necessary to complete re-procurement and execute new FSP contracts.

BACKGROUND

MTA issued IFB FSP03 on November 27, 2002 for freeway service patrol towing services. Eighteen potential bidders received IFB packages and, eleven bids were received on January 6, 2003.

After issuing recommendation for award letters, FSP received protests from three bidders regarding the award recommendations. The investigation conducted by FSP and its partners, CHP and Caltrans, determined that some of the issues raised in the protests had merit. CHP's search of DMV records revealed that four out of the seven contractors originally recommended for award were not in compliance with the experience requirements set forth in the IFB.

Staff determined that the solicitation document was unclear or ambiguous when stating the minimum qualifications for a contractor, facility requirements and the time when vehicle maintenance records must be available for inspection. Together, these flaws threatened to compromise the integrity of the bid evaluation process, where all bidders have a clear understanding of the requirements and the evaluation methods used to determine the successful bidders.

Staff determined that the only reasonable course of action to preserve the integrity of the procurement process was to exercise MTA's right to reject all bids and reissue a revised solicitation.

NEXT STEPS

The path forward is as follows:

1. Respond to bidders' protests regarding FSP03, and advise all interested parties of MTA's decision to reject all bids, and reissue a revised solicitation.
2. Obtain Board approval to amend 20 current FSP contracts affected by FSP's action to reissue a revised solicitation. Contract amendments will provide service during the re-procurement process.
3. Revise solicitation technical documents to address problem areas identified.
4. Advertise and issue revised solicitation to all interested parties.
5. Evaluate bids in accordance with requirements stated in revised solicitation.
6. Award new FSP contracts.