



Metro

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

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**OPERATIONS COMMITTEE
FEBRUARY 19, 2009**

SUBJECT: CONTRACT OP33442273, HERBICIDE APPLICATION SERVICES

ACTION: APPROVE CONTRACT AWARD

RECOMMENDATION

Authorize the Chief Executive Officer to award a five-year firm fixed unit rate contract, Contract No. OP33442273 to Pestmaster Services, Inc., the lowest responsive and responsible bidder, to provide herbicide application services on our railroad rights-of-way and transit facilities for an amount not to exceed \$1,364,846, inclusive of two one-year options.

RATIONALE

We operate several light rail lines in Los Angeles County. We also own additional non-operational light rail lines and parcel properties that were acquired for future transit rail expansion. This contract will provide growth inhibitors and pre- and post-emergent herbicide applications on our transit properties to control vegetation regrowth. Properties and facilities that the contract will provide service to include operational light rail lines, non-operational railroad rights-of-way, bus and rail operating divisions, park-and-ride lots, traction power substations and communication and signal houses.

Uncontrolled weed growth can propagate rapidly and engulf Metro and adjacent properties. Vegetation control on our properties is necessary to comply with local municipal codes and ordinances, to reduce the threat of fires, and mitigate complaints from adjacent property owners. In addition, weed abatement on operational railroad rights-of-way is necessary to maintain proper visibility of wayside signals for safe train operation, allow for proper inspection of track infrastructure, prevent wheel slippage, and facilitate proper track maintenance.

The proposed contract will replace an existing contract with Pestmaster Services. Service start date under the new contract is planned for March 1, 2009.

FINANCIAL IMPACT

The funding of \$148,309 for this service is included in the FY09 budget in cost center 3344, Contract and Administration under projects 300011 (Bus Operations), 300022 (Blue Line Operations), 300033 (Green Line Operations), 300044 (Red Line Operations), 300055 (Gold Line Operations) and 610041 (Inactive ROW Maintenance). 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 options exercised. In FY08, \$176,416 was expended on this service.

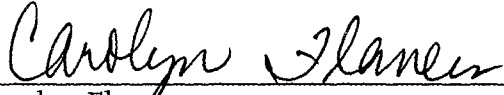
ALTERNATIVES CONSIDERED

One alternative considered is to provide the service in-house. This will require the hiring of trained and licensed personnel and the purchase of specialized herbicide spraying equipment, vehicles and chemical supplies. This is a specialized service that is performed infrequently that will not be cost effective to bring in-house. Staff's analysis indicates that this is not a recommended option.

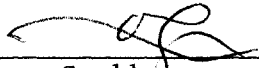
ATTACHMENTS

- A. Procurement Summary
- A-1 Procurement History
- A-2 List of Subcontractors

Prepared by: Brady Branstetter, Director, Facilities Maintenance
Hussein Farah, Facilities Maintenance Manager
Wayne Okubo, Sr. Contract Administrator



Carolyn Flowers
Chief Operations Officer



Roger Snoble
Chief Executive Officer

**BOARD REPORT ATTACHMENT A
PROCUREMENT SUMMARY**

HERBICIDE APPLICATION SERVICES

1.	Contract Number: OP33442273		
2.	Recommended Vendor: Pestmaster Services, Inc.		
3.	Cost/Price Analysis Information:		
	A. Bid/Proposed Price: \$1,364,846	Recommended Price: \$1,364,846	
	B. Details of Significant Variances are in Attachment A-1.D		
4.	Contract Type: Firm Fixed Unit Rate Contract		
5.	Procurement Dates:		
	A. Issued: October 7, 2008		
	B. Advertised: October 10, 2008		
	C. Pre-proposal Conference: October 15, 2008		
	D. Proposals Due: November 25, 2008		
	E. Pre-Qualification Completed: December 11, 2008		
	F. Conflict of Interest Form Submitted to Ethics: January 7, 2009		
6.	Small Business Participation:		
	A. Bid/Proposal Goal: 10% DALP	Date Small Business Evaluation Completed: January 12, 2009	
	B. Small Business Commitment: 10.26% Details are in Attachment A-2		
7.	Invitation for Bid/Request for Proposal Data:		
	Notifications Sent: 126	Bids/Proposals Picked up: 10	Bids/Proposals Received: 2
8.	Evaluation Information:		
	A. Bidders/Proposers Names: Pestmaster Services, Inc. DeAngelo Brothers, Inc.	<u>Bid/Proposal Amount:</u> \$1,364,846 \$1,550,741	<u>Best and Final Offer Amount:</u>
	B. Evaluation Methodology: Details are in Attachment A-1.C		
9.	Protest Information:		
	A. Protest Period End Date: February 24, 2009		
	B. Protest Receipt Date: None		
	C. Disposition of Protest Date: N/A		
10.	Contract Administrator: Wayne Okubo	Telephone Number: (213)922-7466	
11.	Project Manager: Keith Jackson	Telephone Number: (213)922-8888	

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

HERBICIDE APPLICATION SERVICES

A. Background on Contractor

Pestmaster Services, Inc. specializes in pest management and vegetation control for residential, commercial, and government agencies. The company is headquartered in Bishop, California and has been in the business of herbicide application and pest abatement since 1979. It has current herbicide contracts with Pacific Gas and Electric (PG&E) statewide, Edwards Air Force Base, Los Angeles Department of Water and Power (LA DWP), U.S. Army Corps of Engineers, and numerous other large client organizations. Pestmaster Services, Inc. is the incumbent contractor for these services, performing satisfactorily over the past ten years, under two consecutive, competitively bid contracts.

B. Procurement Background

This procurement complied with the competitive sealed bid process under IFB No. OP33442273. The base contract period is for three years with two additional one-year contract options for a total possible contract period of five years. The IFB was issued on October 7, 2008, and advertised on October 10, 2008, resulting in the receipt of two responsive, responsible bids.

C. Evaluation of Proposals

Pestmaster Services, Inc. provided a responsive and responsible bid in accordance with the Procurement Policies and Procedures for procurement by sealed bidding. Staff determined that Pestmaster Services, Inc. is a responsive, responsible and qualified firm to perform the required services based on the IFB's minimum requirements, past performance, and technical evaluation by the project manager.

The resultant contract will be for a not-to-exceed amount based on firm fixed unit rates. Clarifications were requested from both bidders to confirm that each had a clear understanding of the basis for compensation. Both understood that payment shall be made to the contractor for only the area (linear foot, acreage, or specific site) to which herbicide is applied. This will allow for the selection of specific locations for treatment, and account for changes to the service area volume as construction work progresses along the rights-of-ways.

D. Cost/Price Analysis Explanation of Variances

The recommended not-to-exceed price of \$1,364,846 has been determined to be fair and reasonable based upon the following: the award is being made to the lowest price bidder where adequate competition was achieved; the price offered is 13% or \$185,895 lower than the other bidder, and 52% or \$719,077 lower than the Independent Cost Estimate (ICE).

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

HERBICIDE APPLICATION SERVICES

PRIME CONTRACTOR – Pestmaster Services, Inc.

Disadvantaged Business Enterprise Anticipated Level of Participation (DALP)

Small Business (DBE) Commitment

Other Subcontractors

Macropest Exterminators 10.26%

None

Total DBE Commitment 10.26%