



Metro

Los Angeles County
Metropolitan Transportation Authority

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APRIL 9, 2020

TO: BOARD OF DIRECTORS
THROUGH: PHILLIP A. WASHINGTON
CHIEF EXECUTIVE OFFICER
FROM: DEBRA AVILA
CHIEF
VENDOR/CONTRACT MANAGEMENT OFFICER

*Lending a helping hand to
our friends at Metrolink,
PAW*

MIGUEL CABRAL
EXECUTIVE OFFICER
DIVERSITY AND ECONOMIC OPPORTUNITY DEPT
VENDOR/CONTRACT MANAGEMENT

SUBJECT: MEMORANDUM OF UNDERSTANDING WITH
METROLINK TO PROVIDE DISADVANTAGED BUSINESS
ENTERPRISE AND LABOR COMPLIANCE MONITORING
AND ENFORCEMENT SERVICES

ISSUE

At the March 23, 2020 Board of Directors meeting, the Southern California Regional Rail Authority (Metrolink) Board authorized Metrolink's CEO to execute a Memorandum of Understanding with LA Metro (Metro) to provide Disadvantaged Business Enterprise (DBE) and Labor Compliance (LC) Monitoring and Enforcement Services.

BACKGROUND

Metrolink administers a DBE Program as a condition of financial assistance from the U.S. Department of Transportation (DOT) and has received DOT approval to re-instate race-conscious DBE Program elements, including contract-specific DBE goals, on Federal Transit Administration (FTA) assisted procurements.

Additionally, Metrolink complies with the prevailing wage requirements of the federal Davis-Bacon and Related acts and the California Labor Code, and has a

State of California Department of Industrial Relations (DIR) approved Labor Compliance Program.

Metro implements multiple programs to provide greater opportunity to the small and disadvantaged contracting community. These include DBE, Disabled Veteran Business Enterprise, Mentor/Protégé and Small Business Enterprise Programs. Metro also monitors and enforces contractor compliance with State and Federal prevailing wage requirements and has implemented small business and prevailing wage practices.

Metro's programs are managed by the Diversity and Economic Opportunity Department (DEOD) within Vendor/Contract Management and are viewed as models throughout the Transportation sector and feature on-line document preparation, submittal and review elements for DBE and LC programs.

DISCUSSION

In 2019, Metro and Metrolink initiated discussions for Metro to provide the forementioned services. On October 9, 2019, Metro submitted a proposal for a Memorandum of Understanding (MOU) to provide Metrolink with DBE and LC services.

Metro will support the work with six full-time representatives dedicated to administer Metrolink's DBE and LC Programs – four supporting the DBE Program and two supporting the LC Program. These full-time representatives will receive partime support from two existing Metro Directors (one each for DBE and LC). Program oversight will be provided by Metro's DEOD Executive and Metrolink will retain a DBE Liaison Officer. The dedicated full-time staff for the program will be located at Metrolink's Pomona campus offices. This will allow them to work closely with Metrolink Project Managers and field contractors more efficiently.

The five-year term of the proposed MOU includes a maximum cost of \$6,129,884.88, assuming up to 40 contracts requiring DBE monitoring per month and up to 20 contracts requiring LC monitoring per month.

NEXT STEPS

Execute the MOU enabling Metro to initiate the development of a transition plan to assume the work and recruit the dedicated program staff. Staff will keep the LA Metro Board of Directors apprised of Progress via future Board Boxes.