

DEOD SUMMARY

METRO FREEWAY SERVICES PATROL/VARIOUS BEATS

A. Small Business Participation (Modification)

Of the five (5) FSP contracts included in this modification, the FSP Contractors made various Small Business Enterprise (SBE) and Disabled Veteran Business Enterprise (DVBE) commitments.

Beat 9 – Sonic Towing, Inc.

Sonic Towing, Inc. (Sonic), an SBE, made 95% SBE and a 3% DVBE commitment. Based on payments, Beat 9 is 85% complete, and the level of SBE/DVBE participation is 94.51% SBE and 3.30% DVBE, representing a 0.49% shortfall of the SBE commitment and exceeding the DVBE commitment by 0.30%.

Small Business Commitment	95.00% SBE 3.00% DVBE	Small Business Participation	94.51% SBE 3.30% DVBE
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	SBE Contractor(s)	% Commitment	% Participation
1.	Sonic Towing (SBE Firm)	95.00%	94.51%
	Total	95.00%	94.51%

	DVBE Contractor(s)	% Commitment	% Participation
1.	Oasis Fuels	3.00%	3.30%
	Total	3.00%	3.30%

Beat 60 – Freeway Towing, Inc.

Freeway Towing, a made 7.23% SBE and a 3.42% DVBE commitment. Based on payments, Beat 60 is 90% complete, and the level of SBE/DVBE participation is 7.31% SBE and 5.45% DVBE, exceeding both the SBE and DVBE commitments by 0.08% and 2.03%, respectively.

Small Business Commitment	7.23% SBE 3.42% DVBE	Small Business Participation	7.31% SBE 5.43% DVBE
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	SBE Contractor(s)	% Commitment	% Participation
1.	Casanova Towing Equipment, Inc.	6.79%	6.90%
2.	Manatek Commercial Insurance Services, Inc.	0.44%	0.41%
	Total	7.23%	7.31%

	DVBE Subcontractor(s)	% Commitment	% Participation
1.	Oasis Fuels, Inc.	3.42%	5.45%
	Total	3.42%	5.45%

Beat 61 – All City Tow Service

All City Tow Service (ACT) made 7% SBE and a 3.24% DVBE commitment. Based on payments, Beat 61 is 74% complete, and the level of SBE/DVBE participation is 3.44% SBE and 1.86% DVBE, representing a shortfall of both the SBE and DVBE commitments by 3.56% and 1.86%, respectively. ACT has a shortfall mitigation plan and has identified that the reduction in service levels during the 2020 pandemic contributed to the current participation gap.

As part of its recovery efforts, ACT continues to work with its originally listed subcontractors whenever possible and has expanded its team by adding two additional certified Small Business Enterprise (SBE) firms to help close the gap. ACT has reported a steady increase in participation and reaffirmed its commitment to meet its SBE and DVBE commitment until the shortfall is resolved.

Small Business Commitment	7.00% SBE 3.24% DVBE	Small Business Participation	3.44% SBE 1.86% DVBE
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	SBE Contractor(s)	% Commitment	% Participation
1.	Casanova Towing Equipment, Inc.	7.00%	3.10%
2.	Hunter Tires, Inc.	Added	0.20%
3.	Modern Times, Inc.	Added	0.14%
	Total	7.00%	3.44%

	DVBE Subcontractor(s)	% Commitment	% Participation
1.	Arciero & Sons, Inc. (Substituted)	1.39%	0.00%
2.	Image Gear, Inc.	0.56%	0.15%
3.	Oasis Fuels	1.29%	1.71%
	Total	3.24%	1.86%

Region 1 – Kenny's Auto Service #II

For Region 1, Kenny's Auto Service # II (Kenny's Auto), an SBE, made 96.99% SBE and a 3.01% DVBE commitment. Based on payments, Region 1 is 95% complete, and the level of SBE/DVBE participation is 98.01% SBE and 2.03% DVBE, exceeding the SBE commitment by 1.02% and representing a 0.98% shortfall of the DVBE commitment. Kenny's Auto has a shortfall mitigation plan on file and attributes the shortfall to increased expenses with its non-certified subcontractor, caused by an unexpected rise in insurance premiums. To address the shortfall, Kenny's Auto

identified plans to increase the use of certified subcontractors to meet its commitment by the end of the contract term.

Small Business Commitment	96.99% SBE 3.01% DVBE	Small Business Participation	98.01% SBE 2.03% DVBE
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	SBE Contractor(s)	% Commitment	% Participation
1.	Kenny's Auto Service (SBE firm)	96.99%	98.01%
	Total	96.99%	98.01%

	DVBE Contractor(s)	% Commitment	% Participation
1.	DVBE Insurance and Financial Services	3.01%	2.03%
	Total	3.01%	2.03%

Region 2 – Platinum Tow & Transport, Inc.

For Region 2, Platinum Tow & Transport, Inc., an SBE, made 94.29% SBE and a 3.25% DVBE commitment. Based on payments, Region 2 is 80% complete, and the level of SBE/DVBE participation is 91.57% SBE and 4.46% DVBE, representing a 2.73% shortfall of the SBE commitment and exceeding the DVBE commitment by 1.21%. Platinum Tow & Transport has a shortfall mitigation plan on file and contends that one of the SBE firms they listed to perform uniform services was unable to provide those services and they are seeking a Metro Certified SBE firm to replace that commitment.

Small Business Commitment	94.29% SBE 3.25% DVBE	Small Business Participation	91.57% SBE 4.46% DVBE
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	SBE Contractor(s)	% Commitment	% Participation
1.	Platinum Tow & Transport, Inc. (SBE firm)	93.54%	91.30%
2.	Capp Uniform Service	0.44%	0.00%
3.	Autolift Services	0.31%	0.27%
	Total	94.29%	91.57%

	DVBE Contractor(s)	% Commitment	% Participation
1.	Oasis Fuels	3.25%	4.46%
	Total	3.25%	4.46%

¹Current Participation = Total Actual amount Paid-to-Date to DBE firms ÷ Total Actual Amount Paid-to-date to Prime.

Notwithstanding, Metro will continue to monitor FSP Contractor's efforts to meet or exceed their SBE/DVBE commitments.

B. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) is applicable on this Professional Service Contract. Metro staff will continue to monitor and enforce the policy guidelines to ensure that workers are paid at minimum, the current Living Wage rate for \$22.42 per hour (\$16.47 base + \$5.95 health benefits) for Contract No. FSP5768900B60, the current Living Wage rate for \$22.42 per hour (\$16.47 base + \$5.95 health benefits) for Contract No. FSP5769100B61, the current Living Wage rate of \$23.59 per hour (\$17.64 base + \$5.95 health benefits) for Contract No. FS66316003-9, the current Living Wage rate for \$22.42 per hour (\$16.47 base + \$5.95 health benefits) for Contract No. FS58039000, and the current Living Wage rate for \$22.42 per hour (\$16.47 base + \$5.95 health benefits) for Contract No. FS58039001, including yearly increases. In addition, contractors are responsible for submitting the required reports for the LW/SCWRP to determine overall compliance.

C. Prevailing Wage Applicability

Prevailing Wage is not applicable to this modification.

D. Project Labor Agreement/Construction Careers Policy

Project Labor Agreement/Construction Careers Policy is not applicable to this Contract. PLA/CCP is applicable only to construction contracts that have a construction related value in excess of \$2.5 million.