

DEOD SUMMARY

METRO FREEWAY SERVICES PATROL/VARIOUS BEATS

A. Small Business Participation (Modification)

Each of the four FSP Contractors on the five FSP contracts included in this modification has different Small Business Enterprise (SBE) and Disabled Veteran Business Enterprise (DVBE) commitments and levels of participation.

Beat 9 – Sonic Towing, Inc.

Sonic Towing, Inc. (Sonic), an SBE, made a 95% SBE and a 3% DVBE commitment on this contract. Based on payments, the contract is 99% complete, and the level of SBE/DVBE participation is 95.24% SBE and 2.86% DVBE, exceeding the SBE commitment by 0.24% and representing a 0.14% shortfall of the DVBE commitment. Sonic contends and the Metro Project Team confirmed that the DVBE faced supply chain issues in the last month, but the issues have been resolved, and the next delivery will mitigate the shortfall once payments are reported.

Small Business Commitment	95.00% SBE 3.00% DVBE	Small Business Participation	95.24% SBE 2.86% DVBE
	SBE Contractor(s)	% Commitment	% Participation
1.	Sonic Towing (Prime)	95.00%	95.24%
	Total	95.00%	95.24%
	DVBE Contractor(s)	% Commitment	% Participation
1.	Oasis Fuels	3.00%	2.86%
	Total	3.00%	2.86%

Beat 10 – Jon’s Towing, Inc.

Jon’s Towing (Hovanwil, Inc.) (Jon’s), an SBE, made a 95% Small Business Enterprise (SBE) and a 3% Disabled Veteran Business Enterprise (DVBE) commitment on this contract. Based on payments, the contract is 92% complete and the level of SBE and DVBE participation is 94.58% SBE, representing a 0.42% shortfall and 3.25% DVBE, exceeding the commitment by 0.25%. Jon’s has a shortfall mitigation plan on file and contends, and the Metro Project team confirmed an over-allocation of funds to the DVBE but reports that the SBE shortfall will be mitigated within five months.

Small Business Commitment	95.00% SBE 3.00% DVBE	Small Business Participation	94.58% SBE 3.25% DVBE
	SBE Contractor(s)	% Commitment	% Participation
1.	Jon’s Towing, Inc. (Prime)	95.00%	94.58%
	Total	95.00%	94.58%
	DVBE Subcontractor(s)	% Commitment	% Participation
1.	Oasis Fuels, Inc.	3.00%	3.25%

	Total	3.00%	3.25%
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Beat 12 – Sonic Towing, Inc.

Sonic Towing, Inc. (STI) made a 95% Small Business Enterprise (SBE) and a 3% Disabled Veteran Business Enterprise (DVBE) commitment on this contract. Based on payments, the contract is 91% complete and the level of SBE and DVBE participation is 95.11% SBE and 3.41% DVBE, exceeding both commitments by 0.11% and 0.41%, respectively.

Small Business Commitment	95.00% SBE 3.00% DVBE	Small Business Participation	95.11% SBE 3.41% DVBE
	SBE Contractor(s)	% Commitment	% Participation
1.	Sonic Towing, Inc. (SBE Prime)	95.00%	95.11%
	Total	95.00%	95.11%
	DVBE Subcontractor(s)	% Commitment	% Participation
1.	Oasis Fuels	3.00%	3.41%
	Total	3.00%	3.41%

Beats 20 and 37 – Safeway Towing dba Bob’s Towing

Safeway Towing dba Bob’s Towing (Bob’s) made a 3.02% SBE and a 3.45% DVBE commitment on this contract. Based on payments, Beats 20 and 37 are 81% complete, and the level of SBE/DVBE participation is 0.43% SBE and 4.72% DVBE, representing a 2.59% shortfall in the SBE commitment and exceeding the DVBE commitment by 1.27%. Bob’s has a shortfall mitigation plan on file and asserts that the SBE shortfall is attributable to Hunter Tires’ inability to provide the agreed-upon services, which has been confirmed by the Metro Project team. Bob’s further reported that it has identified a replacement SBE firm and intends to onboard the firm through the Request to Add (RTA) process within the coming weeks.

Small Business Commitment	3.02% SBE 3.45 DVBE	Small Business Participation	0.43% SBE 4.72% DVBE
	SBE Contractor(s)	% Commitment	% Participation
1.	Hunter Tires, Inc.	3.02%	0.43%
	Total	3.02%	0.43%
	DVBE Contractor(s)	% Commitment	% Participation
1.	Oasis Fuels, Inc.	3.45%	4.72%
	Total	3.45%	4.72%

Beat 21 – South Coast Towing, Inc.

South Coast Towing, Inc. (SCT), an SBE, made a 7% Small Business Enterprise (SBE) and a 3% Disabled Veteran Business Enterprise (DVBE) commitment on this contract. Based on payments, the contract is 77% complete and the level of SBE and DVBE participation is 59.56% SBE and 8.41% DVBE, exceeding the commitments by 52.56% and 5.41%, respectively.

Small Business Commitment	7.00% SBE 3.00% DVBE	Small Business Participation	59.56% SBE 8.41% DVBE
	SBE Contractor(s)	% Commitment	% Participation
1.	South Coast Towing (Prime)	Added	59.56%
2.	Hunter Tires (Substituted)	7.00%	0.00%
	Total	7.00%	59.56%
	DVBE Contractor(s)	% Commitment	% Participation
1.	Oasis Fuels	3.00%	8.41%
	Total	3.00%	8.41%

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 to this modification. Metro staff will monitor and enforce the policy guidelines to ensure that applicable workers are paid at minimum, the current Living Wage rate of \$25.96 per hour (\$19.87 base + \$6.09 health benefits), including yearly increases. The increase may be up to 3% of the total wage, annually. In addition, contractors will be responsible for submitting the required reports for the Living Wage and Service Contract Worker Retention Policy and other related documentation to staff to determine overall compliance with the policy.

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.

E. Manufacturing Careers Policy

The Manufacturing Careers Policy (MCP) does not apply to this contract. The MCP is required on Metro's Rolling Stock RFPs, with an Independent Cost Estimate of at least \$50 million.