

Covered  
Contractors/Subrecipients  
Drug & Alcohol Testing  
Program Compliance Oversight  
Services



Operations, Safety, and Customer Experience Committee

# Staff Recommendation

AUTHORIZE the Chief Executive Officer to award a firm fixed unit rate Contract No. PS123023000 to Byrnes & Associates to provide Workplace Drug & Alcohol Testing Program compliance oversight services in the Not-to-Exceed (NTE) amount of \$676,899 for the three-year base term, and \$225,633 for each of the two, one-year options, for a total combined NTE amount of \$1,128,165, effective February 1, 2025, subject to the resolution of any properly submitted protest, if any.

# Evaluation Criteria and Evaluation Score – Single Proposer



<b>Single Proposer Byrnes &amp; Associates</b>	<b>Evaluation Criteria Factor Weight</b>	<b>Weighted Average Score</b>
Experience and Qualifications of Firm/Team and Key Personnel	30.00%	29.50%
Training Conducted by Proposer/Key Personnel	30.00%	27.25%
Implementation/Planned Approach	20.00%	18.22%
Price Proposal	20.00%	20.00%
<b>Total</b>	<b>100%</b>	<b>94.97%</b>

# Background

- As a direct recipient of FTA funds, Metro is required to ensure that all covered contractors and subrecipients are compliant with FTA regulations 49 CFR Parts 40 and Part 655
- Therefore, Metro must certify covered contractors/subrecipients for regulatory compliance on an annual basis
- Metro's covered contractors/subrecipients contracts are subject to:
  - ✓ Annual Drug & Alcohol Management Information System (DAMIS) reporting to the FTA
  - ✓ State/Federal agency audits:
    - ✓ CPUC
    - ✓ CHP
    - ✓ FTA Triennial Team
    - ✓ FTA National D&A Team
- Non-compliance can result in Metro's loss of federal funding

# Compliance Oversight Services



Metro's Compliance Workplan ensures the following activities occur:

- Review of Metro procurements to determine safety-sensitive status for contractors
- Conduct annual FTA audit simulation
- Review of drug & alcohol policies/programs for regulatory compliance
- Receive & review “pre-employment” documentation, prior to first performance of safety-sensitive function
- Review of quarterly DAMIS simulation reports to ensure appropriate testing & spread
- Review annual DAMIS report, prior to FTA-submission