



## Board Report

File #: 2020-0847, File Type: Contract

Agenda Number: 25.

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### OPERATIONS, SAFETY AND CUSTOMER EXPERIENCE COMMITTEE FEBRUARY 18, 2021

**SUBJECT: TRANSIT LAW ENFORCEMENT SERVICES**

**ACTION: APPROVE CONTRACT MODIFICATIONS**

**RECOMMENDATION**

- A. AUTHORIZE the CEO to execute Contract Modification No. 3 to Contract PS95866000LBPD24750 with the City of Long Beach to continue to provide transit law enforcement services and increase the not-to-exceed contract value by \$6,878,776 from \$30,074,628 to \$36,953,404;
- B. AUTHORIZE the CEO to execute Contract Modification No. 2 to Contract PS5862100LAPD24750 with the City of Los Angeles to continue to provide transit law enforcement services and increase the not-to-exceed contract value by \$60,154,998 from \$369,330,499 to \$429,485,497; and
- C. AUTHORIZE the CEO to execute Contract Modification No. 2 to Contract PS5863200LASD24750 with the County of Los Angeles to continue to provide transit law enforcement services and increase the not-to-exceed contract value by \$44,168,199 from \$246,270,631 to \$290,438,830.

**ISSUE**

In order to maintain a consistent and reliable law enforcement presence and to ensure a safe and secure transit system for Metro patrons and employees, the multi-agency law enforcement services contracts need to be modified.

Additional contract authority is being requested to cover significant costs incurred to (1) augment outreach services to the unhoused population, address crime trends, sexual harassment; and (2) enhanced deployments to cover special events, employee, and customer complaints, or other unforeseen circumstances.

Total additional resources requested by Metro from each of our transit law enforcement partners have resulted in a 16.9% shortfall for the first three years of the contracts' combined approved contract authority. Based on current deployment levels, staff anticipates shortfalls to continue up to the end of the contract term, estimated at 14.5% for FY21 (Year 4) and 20.7% for FY 22 (Year 5), for an overall

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average shortfall of 17.2%, increasing the combined total contract price from \$645,675,758 to \$756,877,731. A Funding/Expenditure Plan indicating these variances is shown in Attachment A.

## **BACKGROUND**

On February 23, 2017, the Metro Board of Directors approved the award of three individual five-year, firm-fixed unit rate contracts to the City of Long Beach, City of Los Angeles and County of Los Angeles for multi-agency law enforcement services to support bus and rail operations throughout the entire Metro transit system. The total five-year contract amount for multi-agency law enforcement services is \$645,675,758.

In order to effectively and efficiently meet Metro's changing safety and security requirements and to better address ridership safety and security concerns, Metro evaluates and adjusts policing strategies and realigns deployment methodologies. Since contract inception, Metro has requested all three law enforcement agencies to deploy additional resources to meet these changing needs. These deployment adjustments, have, among other things, resulted in fewer copper thefts, making it possible to reopen the New Blue Line on schedule; a decreased crime rate; and improved supportive services for the unhoused population through an increased number of homeless contacts, referrals to social services and housing placements.

The following additional resources and cost adjustments have been incurred to date:

### City of Long Beach

In December 2018, Metro requested the City of Long Beach to provide two (2) full-time Metro Quality of Life officers for homeless outreach along the A (Blue) Line, one (1) detective and one (1) vehicle. Metro staff estimates that these adjustments will increase the total five-year contract price by \$6,878,776 from \$30,074,628 to \$36,953,404.

### City of Los Angeles

In July 2018, Metro authorized the City of Los Angeles to implement the following contract adjustments:

- Augment the "Billing and Inspection Unit";
- Increase Crime Analyst Personnel;
- Reclassify the Sick/IOD/Subpoena Control Coordinator from Police Officer III to Management Analyst;
- Convert HOPE Detail from overtime positions to full-time positions;
- Convert Bomb/K9 Unit from as needed to full-time positions; and
- Enhance "Watch 3" staffing (overtime coverage) to facilitate station closures;
- Increase the training budget for additional law enforcement personnel;
- Increase "Reserve Overtime" for new positions;
- Include "Premium Holiday Pay" in accordance with the respective labor agreements;
- Include provisions for community outreach activities; and

- Increase budget for office supplies.

Since October 2017, the City of Los Angeles has deployed resources to support 184 additional activities such as the following: Metro Real Estate Agreements with Council District 1, Westlake/MacArthur Station Park Community Market, Metrolink Union Station Platforms, A (Blue) Line Closure, New Blue Copper Theft Mitigation, and Metro Rail Operation's calendar of special events, among other enhance deployments.

Metro staff also anticipates staffing level increases will be required to support the Offloading and Flexible Dispatching operations, and the opening of the new Crenshaw/LAX Line. Once the opening date of the new Crenshaw/LAX Line is established, Metro staff will return to the Board of Directors to request approval for additional contract modification authority.

Overall, the above adjustments, including future staffing level increases to support only the Offloading and Flexible Dispatching operations are projected to increase the five-year contract price by \$60,154,998 from \$369,330,499 to \$429,485,497.

### County of Los Angeles

Since contract inception, the County of Los Angeles has augmented budgeted personnel to support 59 additional activities such as: Metro's Red-Light Photo Enforcement (RLPE) program, Metro Real Estate Agreements with East San Gabriel Valley Coalition (ESGVCH), Annual Homeless Winter Shelter Program, and Metro Rail Operation's special events and enhance deployments. These additional resources are estimated to increase the total five-year contract price by \$44,168,199 from \$246,270,631 to \$290,438,830.

Metro staff anticipates staffing level increases will be required to support the opening of the new Crenshaw/LAX Line. Once the opening date of the new Crenshaw/LAX Line is established, Metro staff will return to the Board of Directors to request approval for additional contract modification authority.

### **DISCUSSION**

Through the multi-agency law enforcement services contracts, Metro is able to provide a consistent and reliable law enforcement presence, improve response times, increase law enforcement staffing over each 24-hour operating period, support bus and rail operations throughout the entire Metro transit system and provide additional law enforcement services on an as-needed basis for special events and/or other exigent circumstances.

### **DETERMINATION OF SAFETY IMPACT**

The authorization of the contract modifications to each of the law enforcement contracts, will ensure continued safety and security of patrons and employees, improvement of Metro's ability to safeguard critical transportation infrastructures, and outreach to the unsheltered.

### **FINANCIAL IMPACT**

The funding increase of \$111,201,973 will be added to the total contract value of the three five-year multi-agency law enforcement contracts. The FY21 budget requirement is \$43,350,000 and will be reflected in Cost Center 2610 - System Security and Law Enforcement, Account 50320 - Contract Services, in multiple projects. It will be funded with projected FY21 year-end budget availability.

Since this is a multi-year service contract, the Chief System Security and Law Enforcement Officer and the Project Manager will be responsible for budgeting costs for this multi-year service contract.

#### Impact to Budget

The source of funds for this effort will be local operating funds including fares, sales tax Proposition A, C, TDA, and Measure R. Using these funding sources maximizes the allowable project funding designations given approved funding use provisions and guidelines.

#### **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The recommendation supports strategic plan goal 2.1 of committing to improving security. To achieve this goal, Metro will rely on a multi-layered, integrated security program that comprises of technology, people, and partnerships.

#### **ALTERNATIVES CONSIDERED**

The Board may decline to approve the contract modifications. This alternative is not recommended as it will result in: 1) inadequate law enforcement staff to support current and future bus and rail operations throughout the entire Metro transit system, 2) increase in crime rate making it unsafe for patrons and employees to use the Metro system, and 3) surge of the homeless population seeking shelter on the Metro System.

#### **NEXT STEPS**

Upon Board approval, staff will execute contract modifications to each of the law enforcement contracts to continue to provide law enforcement services.


#### **ATTACHMENTS**

- Attachment A - Funding/Expenditure Plan
- Attachment B - Procurement Summary
- Attachment C - Contract Modification/Change Order Log
- Attachment D - DEOD Summary

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