



## Board Report

File #: 2024-0385, File Type: Contract

Agenda Number: 39.

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### OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE JULY 18, 2024

**SUBJECT: FIRE-LIFE SAFETY SYSTEMS TESTING, REPAIR AND CERTIFICATION SERVICES**

**ACTION: APPROVE CONTRACT MODIFICATION**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute Contract Modification No. 3 to Contract No. OP729180008370 with Link-Nilsen Corp, for Fire-Life Safety Systems Testing, Repair and Certification Services, to exercise the one, two-year option in the not-to-exceed (NTE) amount of \$1,990,280, and adding testing locations in the NTE amount of \$702,452, increasing the total contract NTE amount from \$3,911,744 to \$6,604,476, inclusive of the option term, and extending the period of performance from September 30, 2024 to September 30, 2026.

#### **ISSUE**

The existing contract's three-year base term to provide fire-life safety systems testing, repair, and certification services expires on September 30, 2024. To continue providing these critical services and ensure compliance with Los Angeles Fire Department (LAFD) Regulation 4 (Reg. 4), state and federal fire-life safety testing mandates, a contract modification is required to exercise the two-year option, and add testing locations, increasing the total NTE amount from \$3,911,744 to \$6,604,476 and extending the period of performance from September 30, 2024, to September 30, 2026.

#### **BACKGROUND**

On June 24, 2021, the Board authorized the Chief Executive Officer to award a firm fixed unit rate Contract No. OP729180008370, with one, two-year option, to provide systemwide fire-life safety systems testing, repair, and certification services, effective October 1, 2021.

Under the existing contract, the contractor Link-Nilsen Corp. has been providing satisfactory services for systemwide annual and five-year Reg. 4 testing, calibration, repair, retesting where applicable, and certification of water-based fire suppression systems and auto-closing fire assemblies. In the past year, Link Nilsen has tested and certified a total of 1,286 fire-life safety systems at Metro facilities consisting of 42 pre-action systems, 87 deluge systems, 510 automatic fire sprinkler systems, 162 standpipes, 17 fire pumps, 48 pressure-reducing valves, 174 fire hydrants, 229 auto-closing fire assemblies, two (2) water storage tanks, one (1) smoke control system, and 14 pressurized stairwell systems. These services are timely and critical to ensure compliance with the

Reg. 4 and fire-life safety testing requirements.

## **DISCUSSION**

Under the existing contract's three-year base term, the contractor's responsibilities have expanded to include repair, annual and five-year testing, and certification of water-based fire suppression systems, auto-closing fire assemblies, smoke management systems, and clean agent extinguishing systems throughout new locations added to the scope of this contract to include Union Station East Portal and Gateway Headquarters Building. These locations used to be managed under a separate contract outside Metro Operations. The scope of services have further expanded to include Metro's system expansion projects for the K Line (Crenshaw/LAX), and Regional Connector (RC).

With staff's focus on providing fiscally responsible services, the costs associated with providing the critical fire/life safety testing and repair services for the additional locations added during the existing contract base period were covered within the contract base term available authority for as-needed services.

Under Modification No. 3 recommended for approval, the existing contract scope of services will further expand to include water-based fire suppression systems and auto-closing fire assemblies for Metro's upcoming system expansion projects at the Airport Metro Connector (AMC), A-Line (Blue) Foothill Extension 2B, and the Metro D Line (Purple) Extension Phase I. This is in addition to the further expanded scope to include the locations added within the existing contract base term.

## **DETERMINATION OF SAFETY IMPACT**

The approval of this item will ensure timely testing, repair, and certification of the fire-life safety equipment, compliance with the LAFD Reg. 4 and fire-life safety mandated testing requirements and guidelines, and the delivery of safe and reliable facilities and services to Metro employees and patrons.

## **FINANCIAL IMPACT**

Funding of \$1,335,900 is included within the FY25 budget under cost center 8370 - Facilities Contracted Maintenance Services, account 50308, Service Contract Maintenance, under various projects.

Since this is a multi-year contract, the cost center manager and Deputy Chief Operations Officer, Shared Mobility will be accountable for budgeting costs in future years.

### **Impact to Budget**

This action's current source of funds includes operating eligible sales tax funding, including Passenger Fares, Propositions A/C, Measures R/M, STA, and the Transportation Development Act. These fund sources are eligible for bus and rail operations.

## **EQUITY PLATFORM**

Although this contracted service will be applied equally to fire-life and safety systems at all Metro divisions, stations, terminals, and locations, and patrons have no direct interaction with fire-life safety systems throughout the Metro transit system, it is imperative that fire-life safety systems are tested and certified to ensure proper operation during an emergency and ensure rider safety. This is especially critical in EFCs, where public transportation is dependent on as the primary means of travel.

The Diversity and Economic Opportunity Department (DEOD) did not recommend a Small/Disabled Veteran Business Enterprise (SBE/DVBE) participation goal for this procurement due to the lack of availability of certified firms able to perform the required fire-life safety systems testing, repair, and certification services.

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

This Board action supports Strategic Goal 5; Provide responsive, accountable, and trustworthy governance within the Metro organization. Providing on-time fire-life safety equipment testing, repair, and certification services will ensure compliance with LAFD Reg. 4, state, and federal fire-life safety testing requirements while continuing to provide a safe environment for Metro employees and patrons.

### **ALTERNATIVES CONSIDERED**

The board may elect not to approve this recommendation. This option is not recommended as it would result in a gap in service severely impacting Metro's system safety and resulting in non-compliance with federal, state, and LAFD Reg. 4 fire-life safety testing requirements.

With the completion of a financial-based insourcing/outsourcing study based on a quantitative and qualitative assessment, staff has conducted an initial analysis for insourcing/outsourcing options for providing fire-life safety systems testing, repair, and certification services, amongst other services. Based on the findings, providing fire-life safety systems testing, repair, and certification services were not recommended for insourcing as this would require Metro to hire dedicated staff to be trained on several water-based fire-life, safety systems, require the dedicated staff to acquire Reg. 4 certifications for each type of system, acquire and maintain a valid C16 state contractor's license, and purchase additional equipment, vehicles, and supplies to support the expanded responsibility. The insourcing/outsourcing study assessment results indicate that this is not a cost-effective option for Metro.

### **NEXT STEPS**

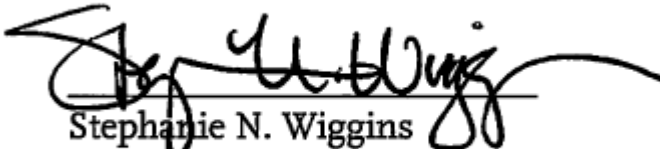
Upon approval by the Board, staff will execute Contract Modification No. 3 to Contract No. OP729180008370 with Link-Nilsen Corp. for systemwide Reg. 4 and fire-life safety testing, repair, and certification services effective October 1, 2024.

### **ATTACHMENTS**

Attachment A - Procurement Summary  
Attachment B - Contract Modification/Change Order Log  
Attachment C - DEOD Summary

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