



Board Report

File #: 2018-0203, File Type: Contract

Agenda Number: 29.

**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
JUNE 21, 2018**

**SUBJECT: GRAFFITI ABATEMENT, LANDSCAPE AND IRRIGATION
MAINTENANCE, AND TRASH AND VEGETATION
REMOVAL SERVICES**

ACTION: APPROVE CONTRACT MODIFICATION

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

- A. EXECUTE Modification No. 4 to Contract No. OP3569100, for Region 1 with Woods Maintenance Services, Inc., to provide graffiti abatement, landscape and irrigation maintenance, and trash and vegetation removal services throughout Metro Red Line (MRL), Metro Purple Line, Metro Orange Line (MOL), inactive rights-of-way (IROWs) and various bus and rail locations within the geographical area specified as Region 1, to exercise option year one in the amount of \$5,462,340, increasing the total contract not-to-exceed amount from \$16,622,414.50 to \$22,084,754.50 and extending the contract term from October 1, 2018 to September 30, 2019;
- B. EXECUTE Modification No. 3 to Contract No. OP3635700, for Region 2 with Parkwood Landscape Maintenance, Inc., to provide graffiti abatement, landscape and irrigation maintenance, and trash and vegetation removal services throughout Pasadena Gold Line (PGL), IROWs and various bus and rail locations within the geographical area specified as Region 2, to exercise and increase the value of option year one by \$883,645 from \$4,352,459 to \$5,236,104, thereby increasing the total contract not-to-exceed amount from \$14,870,140 to \$20,106,244 and extending the contract term from October 1, 2018 to September 30, 2019;
- C. EXECUTE Modification No. 2 to Contract No. OP3569500, for Region 3 with Woods Maintenance Services, Inc., to provide graffiti abatement, landscape and irrigation maintenance, and trash and vegetation removal services throughout Metro Expo Line (Expo), Metro Green Line (MGL), IROWs and various bus and rail locations within the geographical area specified as Region 3, to exercise and increase the value of option year one by \$1,396,884 from \$5,575,764 to \$6,972,648, thereby increasing the total contract not-to-exceed amount from \$20,415,550 to \$27,388,198 and extending the contract term from October 1, 2018 to September 30, 2019; and
- D. EXECUTE Modification No. 4 to Contract No. OP3638300, for Region 4 with Parkwood

Landscape Maintenance, Inc., to provide graffiti abatement, landscape and irrigation maintenance, and trash and vegetation removal services throughout Metro Blue Line (MBL), Harbor Transitway (HTW), IROWs and various bus and rail locations within the geographical area specified as Region 4, to exercise option year one in the amount of \$4,141,657, increasing the total contract not-to-exceed amount from \$12,035,187 to \$16,176,844 and extending the contract term from October 1, 2018 to September 30, 2019.

ISSUE

Under the existing contracts for Regions 1-4 awarded on September 24, 2015, on-going graffiti abatement, landscape and irrigation, and trash and vegetation removal services are performed on a regular basis system-wide to ensure providing safe, on-time and quality services.

The three-year base period for the existing four (4) contracts will expire on September 30, 2018. The contractors have been providing satisfactory maintenance services in each of their respective regions.

To continue providing the required graffiti abatement, landscape and irrigation, and trash and vegetation removal services, a Contract Modification is required for each of the four (4) contracts to exercise option year one extending the period of performance through September 30, 2019, and increasing the option year one values for Regions 2 and 3 contracts to continue providing the required maintenance services system-wide including the Metro Gold Line Foothill and Expo Line Extensions.

DISCUSSION

Under the existing contracts for each of the four (4) Regions, a 25% SBE goal was established. For Region 1, Woods Maintenance Services, Inc. actual contribution exceeds the goal by 0.5% with a 25.5% SBE participation. For Region 2, Parkwood Landscape Maintenance, Inc. actual contribution exceeds the goal by 0.1% with a 25.1% SBE participation. For Region 3, Woods Maintenance Services, Inc. actual contribution exceeds the goal by 0.1% with a 25.1% SBE participation. For Region 4, Parkwood Landscape Maintenance, Inc. actual contribution exceeds the goal by 1% with a 26% SBE participation.

Under these contracts for Regions 1-4, the contractors provide graffiti abatement, landscape and irrigation, and trash and vegetation removal services throughout Metro-owned active and inactive ROWs and bus and rail facilities within LA County to mitigate vandalism activities, enhance Metro-owned ROWs and facilities' overall appearance and cleanliness and to ensure delivery of safe, clean, on-time and reliable services system-wide.

During the three-year base period, on February 25, 2016, Metro Board of Directors approved the execution of Modification No. 1 for each of Regions 2 and 3 respectively, to expand the services provided for the three-year base period only, to include Metro Gold Line Foothill and Expo Line Extensions in preparation for their revenue operating dates of March 5 and May 20, 2016, respectively.

To continue providing the required graffiti abatement, landscape and irrigation, and trash and vegetation removal services, a Contract Modification is required for each of the four (4) contracts, to exercise option year one, extending the period of performance through September 30, 2019, and increasing the option year one values for Regions 2 and 3 to continue providing the required maintenance services system-wide including the Metro Gold Line Foothill and Expo Line Extensions.

DETERMINATION OF SAFETY IMPACT

The approval of this item will ensure the continuity of maintenance services, mitigate vandalism activities, enhance Metro-owned ROWs and facilities' overall appearance and cleanliness, and provide a proactive approach to maintenance needs, to ensure delivery of safe, clean, on-time and reliable services system-wide.

FINANCIAL IMPACT

Funding of \$16,359,562 is included in the FY19 budget in cost center 3367 - Facilities Property Maintenance, account 50308, Service Contract Maintenance, under various projects.

Since this is a multi-year contract, the cost center manager and Sr. Executive Officer, Maintenance and Engineering will be accountable for budgeting the cost in future years.

Impact to Budget

Funding for this action will come from the Enterprise operating fund. The source of funds will come from state and local funds including fares that are eligible for Bus and Rail Operating Projects. These funding sources will maximize fund use based on approved funding allocation provisions.

ALTERNATIVES CONSIDERED

Staff considered providing this service through Metro in-house staff. This would require the hiring and specialized training of additional personnel, purchase of additional equipment, vehicles, and supplies to support the expanded responsibility. Staff's assessment indicates that this is not a cost-effective option for Metro.

NEXT STEPS

Upon approval by the Board, staff will execute Contract Modifications for each of the four contracts to exercise option year one, extending the period of performance through September 30, 2019:

- A. Modification No. 4 to Contract No. OP3569100, for Region 1 with Woods Maintenance Services, Inc.
- B. Modification No. 3 to Contract No. OP3635700, for Region 2 with Parkwood Landscape Maintenance, Inc.

- C. Modification No. 2 to Contract No. OP3569500, for Region 3 with Woods Maintenance Services, Inc.
- D. Modification No. 4 to Contract No. OP3638300, for Region 4 with Parkwood Landscape Maintenance, Inc.

ATTACHMENTS

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

Prepared by:

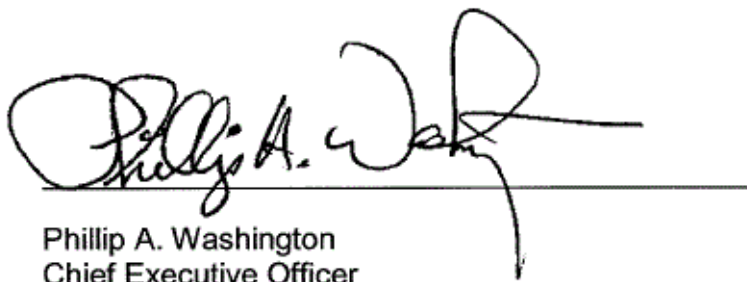
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Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

GRAFFITI ABATEMENT, LANDSCAPE AND IRRIGATION MAINTENANCE, AND TRASH AND VEGETATION REMOVAL SERVICES / OP3569100, OP3635700, OP3569500, OP3638300

1.	Contract Numbers: A) OP3569100, B) OP3635700, C) OP3569500, and D) OP3638300		
2.	Contractors: Woods Maintenance Services, Inc. and Parkwood Landscape Maintenance		
3.	Mod. Work Description: Exercise First Year Option for Regions 1 through 4 Contracts		
4.	Contract Work Description Provide graffiti abatement, landscape and irrigation, and trash and vegetation removal services throughout Metro-owned active and inactive ROWs and bus and rail facilities within LA County.		
5.	The following data is current as of: 5/24/18		
6.	Contract Completion Status		Financial Status
	Contracts Awarded:	9/25/15	Contracts Award Amounts: A) \$16,542,520.00 B) \$12,599,235.00 C) \$16,863,892.00 D) \$11,996,937.00
	Notice to Proceed (NTP):	N/A	Total of Modifications Approved: A) \$79,894.50 B) \$2,270,905.00 C) \$3,551,658.00 D) \$38,250.00
	Original Complete Date:	9/30/18	Pending Modifications (including this action): A) \$5,462,340.00 B) \$5,236,104.00 C) \$6,972,648.00 D) \$4,141,657.00
	Current Est. Complete Date:	9/30/19	Current Contracts Values (with this action): A) \$22,084,754.50 B) \$20,106,244.00 C) \$27,388,198.00 D) \$16,176,844.00
7.	Contract Administrator: Rommel Hilario		Telephone Number: (213) 922-4654
8.	Project Managers: Maral Minasian – Region 1 Lew Yonemoto – Region 2 Shaunt Avanesian – Region 3 Todd Garner – Region 4		Telephone Numbers: (213) 922-6762 (213) 922-6773 (213) 922-5931 (213) 922-6788

A. Procurement Background

This Board Action is to exercise the first year option to the various contracts listed above to support Facilities Maintenance to continue providing the required graffiti abatement, landscape and irrigation, and trash and vegetation removal services. A contract modification is required for each of the four contracts to exercise the first option year and extend the period of performance through September 30, 2019. Specifically, the following Contract Modifications will be issued:

- A) Modification No. 4 to Contract No. OP3569100 with Woods Maintenance Services, Inc., to provide graffiti abatement, landscape and irrigation maintenance, and trash and vegetation removal services throughout Metro Red Line (MRL), Metro Purple Line, Metro Orange Line (MOL), inactive rights-of-way (IROWs) and various bus and rail locations within the geographical area specified as Region 1, to exercise option year one in the amount of \$5,462,340, increasing the total contract not-to-exceed amount from \$16,622,414.50 to \$22,084,754.50 and extending the contract term from October 1, 2018 to September 30, 2019;
- B) Modification No. 3 to Contract No. OP3635700 with Parkwood Landscape Maintenance, Inc., to provide graffiti abatement, landscape and irrigation maintenance, and trash and vegetation removal services throughout Pasadena Gold Line (PGL), IROWs and various bus and rail locations within the geographical area specified as Region 2, to exercise option year one by \$883,645 from \$4,352,459 to \$5,236,104, increasing the total contract not-to-exceed amount from \$14,870,140 to \$20,106,244 and extending the contract term from October 1, 2018 to September 30, 2019;
- C) Modification No. 2 to Contract No. OP3569500 with Woods Maintenance Services, Inc., to provide graffiti abatement, landscape and irrigation maintenance, and trash and vegetation removal services throughout Metro Expo Line (Expo), Metro Green Line (MGL), IROWs and various bus and rail locations within the geographical area specified as Region 3, to exercise and increase the value of option year one by \$1,396,884 from \$5,575,764 to \$6,972,648, increasing the total contract not-to-exceed amount from \$20,415,550 to \$27,388,198 and extending the contract term from October 1, 2018 to September 30, 2019; and
- D) Modification No. 4 to Contract No. OP3638300 with Parkwood Landscape Maintenance, Inc., to provide graffiti abatement, landscape and irrigation maintenance, and trash and vegetation removal services throughout Metro Blue Line (MBL), Harbor Transitway (HTW), IROWs and various bus and rail locations within the geographical area specified as Region 4, to exercise option year one in the amount of \$4,141,657, increasing the total contract not-to-exceed amount from \$12,035,187 to \$16,176,844 and extending the contract term from October 1, 2018 to September 30, 2019

These Contract Modifications will be processed in accordance with Metro's Acquisition Policy and the contract types are firm fixed unit rates.

On September 24, 2015, the Board approved four, five-year contracts, inclusive of two, one-year options to provide graffiti abatement, landscape and irrigation maintenance, and trash and vegetation removal services.

(Refer to Attachment B – Contract Modification/Change Order Log)

B. Cost/Price Analysis

Funding Source	METRO LIVING WAGE/STATE PREVAILING WAGE			
	Service Type	Graffiti Abatement (prevailing wage)	Landscape & Irrigation (living wage)	Trash & Vegetation (prevailing wage)
2015		\$43.37	\$16.04	\$48.88
2018		\$44.37	\$17.26	\$48.98
% increase		2.3%	8%	2.2%

As shown above, the state prevailing and Metro living wage rates have increased since the contract start date in 2015.

- A) Contract No. OP3569100 (Region 1) is subject to the State prevailing wage and Metro living wage requirements. The recommended price to exercise Option Year One has been determined to be fair and reasonable based upon a comparison with the independent cost estimate (ICE), technical evaluation, and fact finding.

Option Year One Amount	Metro ICE	Negotiated Amount
\$5,462,340	\$5,462,340	\$5,462,340

- B) Contract No. OP3635700 (Region 2) is subject to the state prevailing wage and Metro living wage requirements. The recommended price to exercise Option Year One has been determined to be fair and reasonable based upon a comparison with the ICE, technical evaluation, and fact finding.

Option Year One Amount	Metro ICE	Negotiated Amount
\$5,236,104	\$5,236,104	\$5,236,104

- C) Contract No. OP3569500 (Region 3) is subject to the state prevailing wage and Metro living wage requirements. All direct labor rates remain unchanged from the original contract which was executed on November 11, 2015. The recommended price to exercise Option Year One has been determined to be fair and reasonable based upon a comparison with the ICE, technical evaluation, and fact finding.

Option Year One Amount	Metro ICE	Negotiated Amount
\$6,972,648	\$6,972,648	\$6,972,648

D) Contract No. OP3638300 (Region 4) is subject to the state prevailing wage and Metro living wage requirements. All direct labor rates remain unchanged from the original contract which was executed on November 11, 2015. The recommended price to exercise Option Year One has been determined to be fair and reasonable based upon a comparison with the ICE, technical evaluation, and fact finding.

Option Year One Amount	Metro ICE	Negotiated Amount
\$4,141,657	\$4,141,657	\$4,141,657

CONTRACT MODIFICATION/CHANGE ORDER LOG

**GRAFFITI ABATEMENT, LANDSCAPE AND IRRIGATION MAINTENANCE, AND
TRASH AND VEGETATION REMOVAL SERVICES / OP3569100, OP3635700,
OP3569500, OP3638300**

REGION 1 – OP3569100 – Woods Maintenance Services, Inc.			
Mod. No.	Description	Date	Amount
1.	Add locations to Attachment A – List of Locations	1/26/16	\$29,915.50
2.	Add location to Attachment A – List of Locations	5/27/16	\$0
3.	Provide for one-time clean-up project	9/22/17	\$49,979.00
4.	Exercise First Option Year	PENDING	\$5,462,340.00
	Modification Total:		\$5,542,234.50
	Original Contract:	9/24/15	\$16,542,520.00
	Total Contract Value:		\$22,084,754.50

REGION 2 – OP3635700 – Parkwood Landscape Maintenance, Inc.			
Mod. No.	Description	Date	Amount
1.	Add Gold Line Extension	3/30/16	\$2,270,905.00
2.	Add location to Attachment A – List of Locations	6/2/16	\$0
3.	Exercise First Option Year	PENDING	\$5,236,104.00
	Modification Total:		\$7,507,009.00
	Original Contract:	9/24/15	\$12,599,235.00
	Total Contract Value:		\$20,106,244.00

REGION 3 – OP3569500 – Woods Maintenance Services, Inc.			
Mod. No.	Description	Date	Amount
1.	Add Expo Line Extension	5/11/16	\$3,551,658.00
2.	Exercise First Option Year	PENDING	\$6,972,648.00
	Modification Total:		\$10,524,306.00
	Original Contract:	9/24/15	\$16,863,892.00
	Total Contract Value:		\$27,388,198.00

REGION 4 – OP3638300 – Parkwood Landscape Maintenance, Inc.			
Mod. No.	Description	Date	Amount
1.	Revise Statement of Work	3/30/16	\$0
2.	Revise Statement of Work	10/1/16	\$0
3.	Add location to Attachment A – List of Location	6/21/2017	\$38,250.00
4.	Exercise First Option Year	PENDING	\$4,141,657.00
	Modification Total:		\$4,179,907.00
	Original Contract:	9/24/15	\$11,996,937.00
	Total Contract Value:		\$16,176,844.00

DEOD SUMMARY

GRAFFITI ABATEMENT, LANDSCAPE AND IRRIGATION MAINTENANCE, AND TRASH AND VEGETATION REMOVAL REGIONS 1 – 4 / CONTRACT NUMBERS (1) OP3569100, (2) OP3635700, (3) OP3569500, AND (4) OP3638300

A. Small Business Participation

Region 1- Metro Red Line, Metro Orange Line, Inactive ROWs & Various Locations - Woods Maintenance Services (WMS) made a 25.12% Small Business Enterprise (SBE) commitment. The solicitation was released prior to the elimination of Good Faith Efforts (GFE) for state/local RFPs effective September 2015. At the time of bid, WMS demonstrated adequate GFE in response to the Disabled Veteran Business Enterprise (DVBE) goal, and has been encouraged to outreach to DVBE firms, should subcontracting opportunities become available.

The project is 61% complete. WMS is exceeding its SBE goal commitment with a current participation of 25.55%.

Small Business Commitment	25.12% SBE	Small Business Participation	25.55% SBE
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	SBE Subcontractors	% SBE Commitment	% SBE Participation
1.	Briteworks, Inc. (Graffiti)	3.29%	4.00%
2.	Briteworks, Inc. (Trash/Vegetation Removal)	3.29%	3.49%
3.	BJAG Group, LLC	3.40%	3.93%
4.	Far East Landscape & Maintenance	15.14%	14.13%
	Total	25.12%	25.55%

Region 2 - Metro Gold Line, Inactive ROWs & Various Locations – Parkwood Landscape Maintenance, Inc. made a 22% SBE and 3% DVBE commitment. The project is 82% complete. Parkwood is exceeding its commitment with a current SBE participation of 22.07% and 3.02% DVBE.

Small Business Commitment	22.00% SBE 3.00% DVBE	Small Business Participation	22.07% SBE 3.02% DVBE
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	SBE Subcontractors	% SBE Commitment	% SBE Participation
1.	Briteworks, Inc.	11.00%	11.03%
2.	Far East Landscape (Landscape)	5.87%	4.49%

3.	Far East Landscape (Trash Removal)	5.13%	6.55%
	Total	22.00%	22.07%

	DVBE Subcontractors	% DVBE Commitment	% DVBE Participation
1.	IECLT, Inc.	3.00%	3.02%
	Total	3.00%	3.02%

Region 3 - Metro Expo Line, Metro Green Line, and Bus Facilities – Woods Maintenance Services (WMS) made 24.46% SBE commitment. The solicitation was released prior to the elimination of GFE for state/local RFPs effective September 2015. At the time of bid, WMS demonstrated adequate GFE in response to the DVBE goal, and has been encouraged to outreach to DVBE firms, should subcontracting opportunities become available.

The project is 81% complete. WMS is exceeding its SBE commitment with a current participation of 25.05%.

Small Business Commitment	24.46% SBE	Small Business Participation	25.05% SBE
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	SBE Subcontractors	% SBE Commitment	% SBE Participation
1.	BJAG	4.88%	3.93%
2.	Briteworks (Graffiti Abatement)	0.00%	2.96%
3.	Briteworks (Trash/Vegetation Removal)	10.67%	10.40%
4.	Far East Landscape & Irrigation	8.91%	7.76%
	Total	24.46%	25.05%

Region 4 - Metro Blue Line, Harbor Transit Way, Various Bus Locations – Parkwood Landscape Maintenance made a 22% SBE and 3% DVBE commitment. The project is 69% complete. Parkwood is exceeding its commitment with a current SBE participation of 22.68% and 3.35% DVBE.

Small Business Commitment	22.00% SBE 3.00% DVBE	Small Business Participation	22.68% SBE 3.35% DVBE
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	SBE Subcontractors	% SBE Commitment	% SBE Participation
1.	Briteworks, Inc.	11.00%	10.44%
2.	Far East Landscape (Landscape)	5.87%	4.49%
3.	Far East Landscape & Irrigation	5.13%	7.75%
	Total	22.00%	22.68%

	DVBE Subcontractors	% DVBE Commitment	% DVBE Participation
1.	IECLT, Inc.	3.00%	3.35%
	Total	3.00%	3.35%

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 contract. Metro staff will continue to monitor and enforce the policy guidelines to ensure that applicable workers are paid at minimum, the current Living Wage rate of \$17.26 per hour (\$12.08 base + \$5.18 health benefits), including yearly increases. 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 requirements are applicable to this project. DEOD will continue to monitor contractors' compliance with the State of California Department of Industrial Relations (DIR), California Labor Code, and, if federally funded, the U S Department of Labor (DOL) Davis Bacon and Related Acts (DBRA).

D. Project Labor Agreement/Construction Careers Policy

Project Labor Agreement/Construction Careers Policy is not applicable to this Contract.