



## Board Report

File #: 2019-0030, File Type: Contract

Agenda Number: 18.

### OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE MARCH 21, 2019

**SUBJECT: GLASS ANTI-GRAFFITI FILM MAINTENANCE AND REPLACEMENT SERVICES**

**ACTION: AWARD CONTRACTS**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to award the following three-year base term contracts for regions 1 through 4; subject to resolution of protest(s) if any:

- A. AWARD a firm fixed unit rate Contract No. OP1246400003367, for Region 1 to Graffiti Shield, Inc., to provide glass anti-graffiti film maintenance and replacement services throughout Metro Red Line (MRL), Metro Orange Line (MOL) and various bus and rail locations within the geographical area specified as Region 1, for a not-to-exceed amount of \$1,806,189 for the three-year base period, and a not-to-exceed amount of \$1,239,682 for one, two-year option. This is a combined not-to-exceed total amount of \$3,045,871, effective June 1, 2019 through May 31, 2024;
- B. AWARD a firm fixed unit rate Contract No. OP1246420003367, for Region 2 to Graffiti Shield, Inc., to provide glass anti-graffiti film maintenance and replacement services throughout Metro Gold Line (PGL), Metro Purple Line (MPL), El Monte Bus Way and various bus and rail locations within the geographical area specified as Region 2, for a not-to-exceed amount of \$1,734,912 for the three-year base period, and not-to-exceed amount of \$1,789,600 for one, two-year option. This is a combined not-to-exceed total amount of \$3,524,512, effective June 1, 2019 through May 31, 2024;
- C. AWARD a firm fixed unit rate Contract No. OP1246430003367, for Region 3 to XInt Tint of Anaheim, Inc., to provide glass anti-graffiti film maintenance and replacement services throughout Metro Expo Line (Expo) and various bus and rail locations within the geographical area specified as Region 3, for a not-to-exceed amount of \$1,643,856 for the three-year base period, and a not-to-exceed amount of \$1,905,976 for one, two-year option. This is a combined not-to-exceed total amount of \$3,549,832, effective June 1, 2019 through May 31, 2024; and
- D. AWARD a firm fixed unit rate Contract No. OP1246440003367, for Region 4 to XInt Tint of Anaheim, Inc., to provide glass anti-graffiti film maintenance and replacement services throughout

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Metro Blue Line (MBL), Metro Green Line (MGL), Harbor Transit Way (HTW) and various bus and rail locations within the geographical area specified as Region 4, for a not-to-exceed amount of \$4,233,003 for the three-year base period, and a not-to-exceed amount of \$2,944,234 for one, two-year option. This is a combined not-to-exceed total amount of \$7,177,237, effective June 1, 2019 through May 31, 2024.

## **ISSUE**

The existing glass anti-graffiti film maintenance and replacement services contract will expire on May 31, 2019. To continue providing the required anti-graffiti film maintenance and replacement services to protect the glass surfaces system-wide, four (4) new regional contract awards are required effective June 1, 2019.

## **BACKGROUND**

There is approximately 125,358 square feet of glass panel surface throughout the Metro transit system subject to vandalism. Based on historical data, approximately 102,794 square feet (82%) of glass anti-graffiti film system-wide is etched or vandalized and replaced each month. With the new expansion projects to include Crenshaw/LAX Corridor, Regional Connector, Purple Line Westside Extension Phase I and the Airport Metro Connector, approximately 75,032 square feet of additional glass panel surface will be added to these contracts as it is subject to vandalism. This will increase the total glass panel surface to 200,390 sq. ft. with an estimated replacement rate of 164,319 square feet (82%) per month.

## **DISCUSSION**

The existing system-wide glass anti-graffiti film maintenance and replacement services contract is due to expire on May 31, 2019. This contract is being replaced with four (4) new regional maintenance contracts split geographically. This action is necessary to expand opportunities for small business participation while maintaining service efficiency and continuity.

Under these new regional contracts, each contractor will provide regular glass anti-graffiti film maintenance and replacement services within their defined locations. The anti-graffiti film will be inspected at a frequency of once a month and on an as-needed basis, with 100% replacement of all etched or vandalized anti-graffiti film.

Regular graffiti abatement service for Metro facilities is essential to ensure maintaining a safe, clean, and pleasant environment to our patrons. This service will continue our long standing practice of zero tolerance for graffiti system-wide and enhance the overall appearance and cleanliness of Metro facilities while mitigating criminal activities. Graffiti Shield, Inc. and Xlnt Tint of Anaheim, Inc., are both Metro Certified small business enterprises (SBE). For this procurement, each contractor has made a 97% SBE and a 3% Disabled Veteran Business Enterprise (DVBE) participation commitment.

## **DETERMINATION OF SAFETY IMPACT**

Approval of this item will have a direct impact on the safety of our customers. This board action will

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ensure the delivery of timely and reliable glass anti-graffiti film maintenance and replacement services while improving Metro bus and rail facilities overall appearance and cleanliness, and enhancing customers' transit experience.

### **FINANCIAL IMPACT**

The total three-year base contract value for regions 1 through 4 is \$9,417,960. Approximately \$262,000 is available in the FY19 budget to fund this action. Funding is allocated under cost center 3367 - Facilities Property Maintenance, account 50308, Service Contract Maintenance, under various projects.

Since these are multi-year contracts, the cost center manager and Sr. Executive Officer, Maintenance and Engineering will be accountable for budgeting the cost in future years.

#### **Impact to Budget**

The current source of funds for this action include Proposition A/C, Measure R/M, and Transportation Development Act. Use of these funding sources currently maximizes project funding allocation given approved funding provisions and guidelines.

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

Approval of this recommendation supports the following Metro Strategic Plan Goal: 2) Deliver outstanding trip experience for all users of the transportation system. Also, glass anti-graffiti film installation and replacement services contribute to facilities' overall condition and cleanliness.

### **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. Metro's assessment indicates that this is not a cost effective option for Metro.

### **NEXT STEPS**

Upon approval by the Board, staff will execute contracts to the recommended contractors below, to provide glass anti-graffiti film maintenance and replacement services, effective June 1, 2019:

Contract No. OP1246400003367, for Region 1 to Graffiti Shield, Inc.  
Contract No. OP1246420003367, for Region 2 to Graffiti Shield, Inc.  
Contract No. OP1246430003367, for Region 3 to Xlnt Tint of Anaheim, Inc.  
Contract No. OP1246440003367, for Region 4 to Xlnt Tint of Anaheim, Inc.


### **ATTACHMENTS**

Attachment A - Region Maps  
Attachment B - Procurement Summary

Attachment C - DEOD Summary

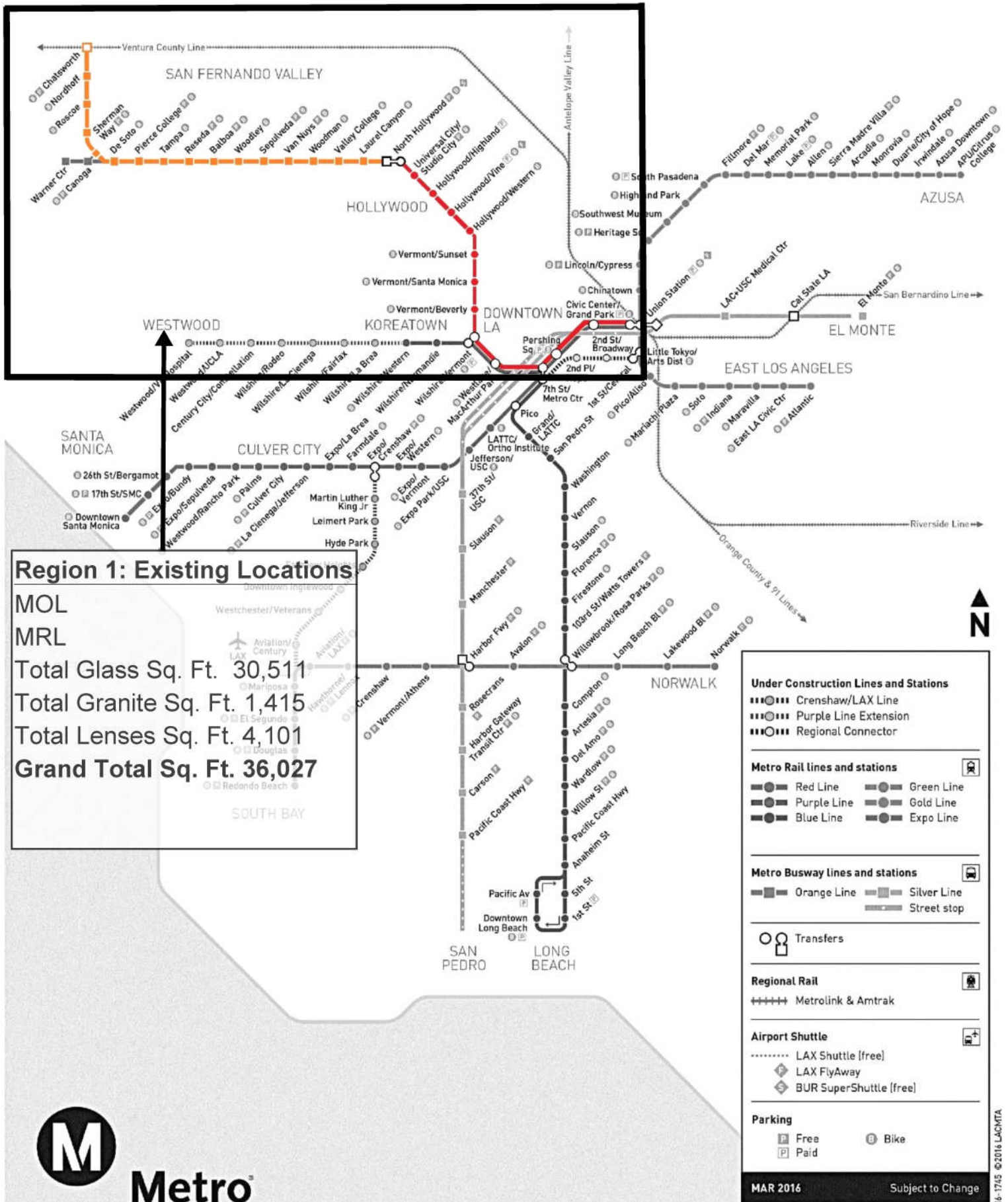
Prepared by: Brady Branstetter, DEO, Facilities Maintenance, (213) 922-6767  
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Reviewed by: James T. Gallagher, Chief Operations Officer, (213) 418-3108  
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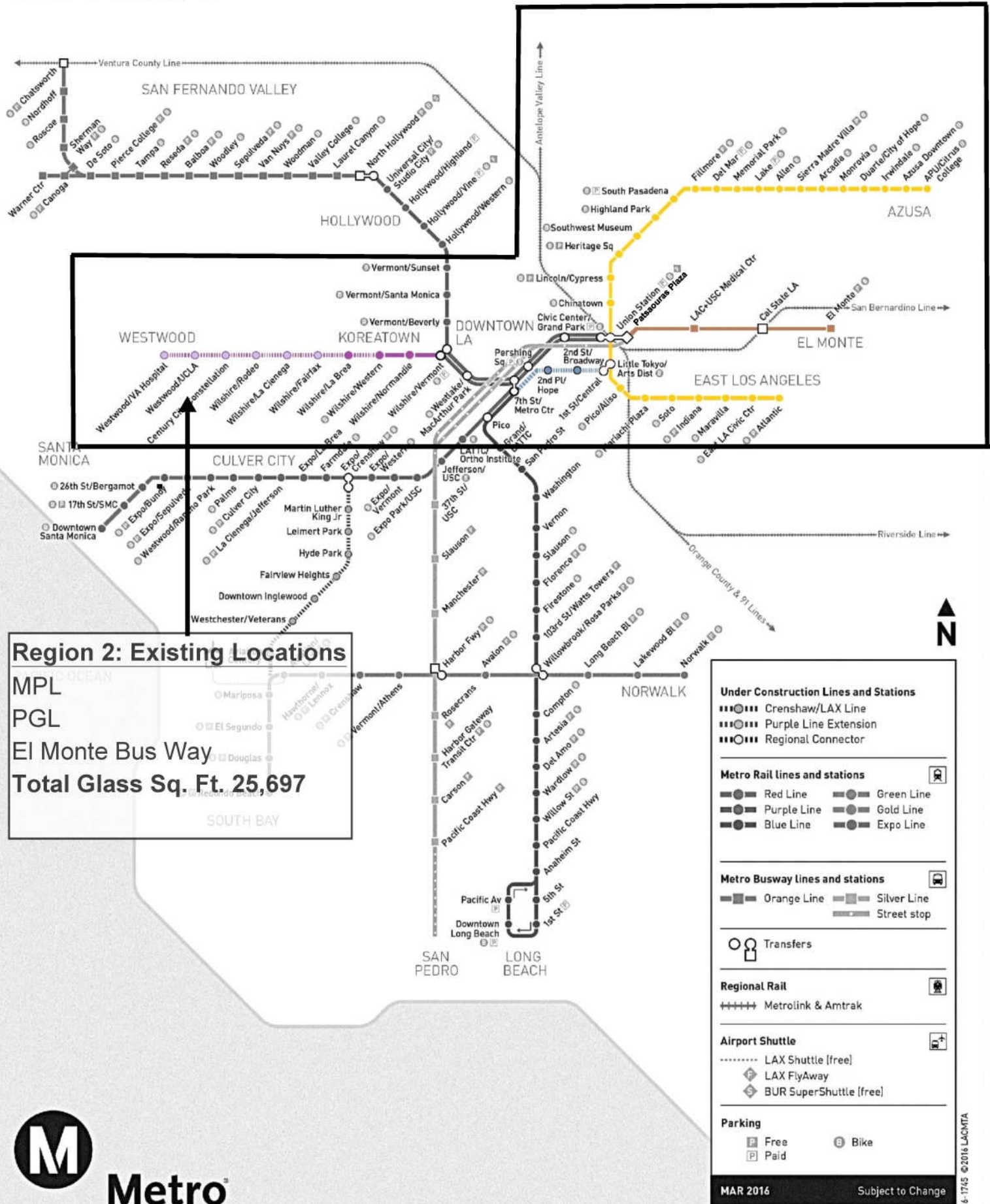
Phillip A. Washington  
Chief Executive Officer



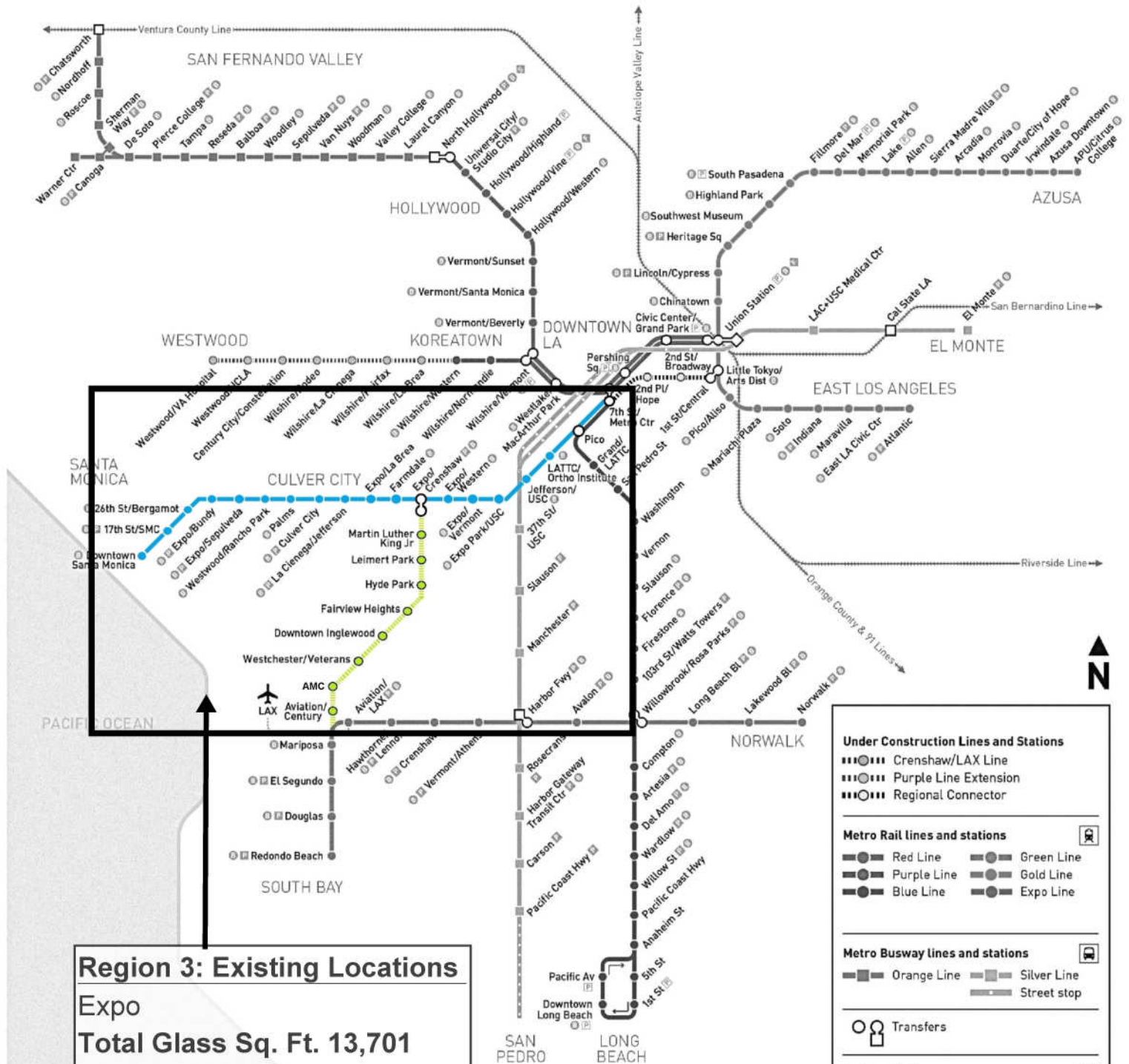
**Metro**



Go Metro



Metro

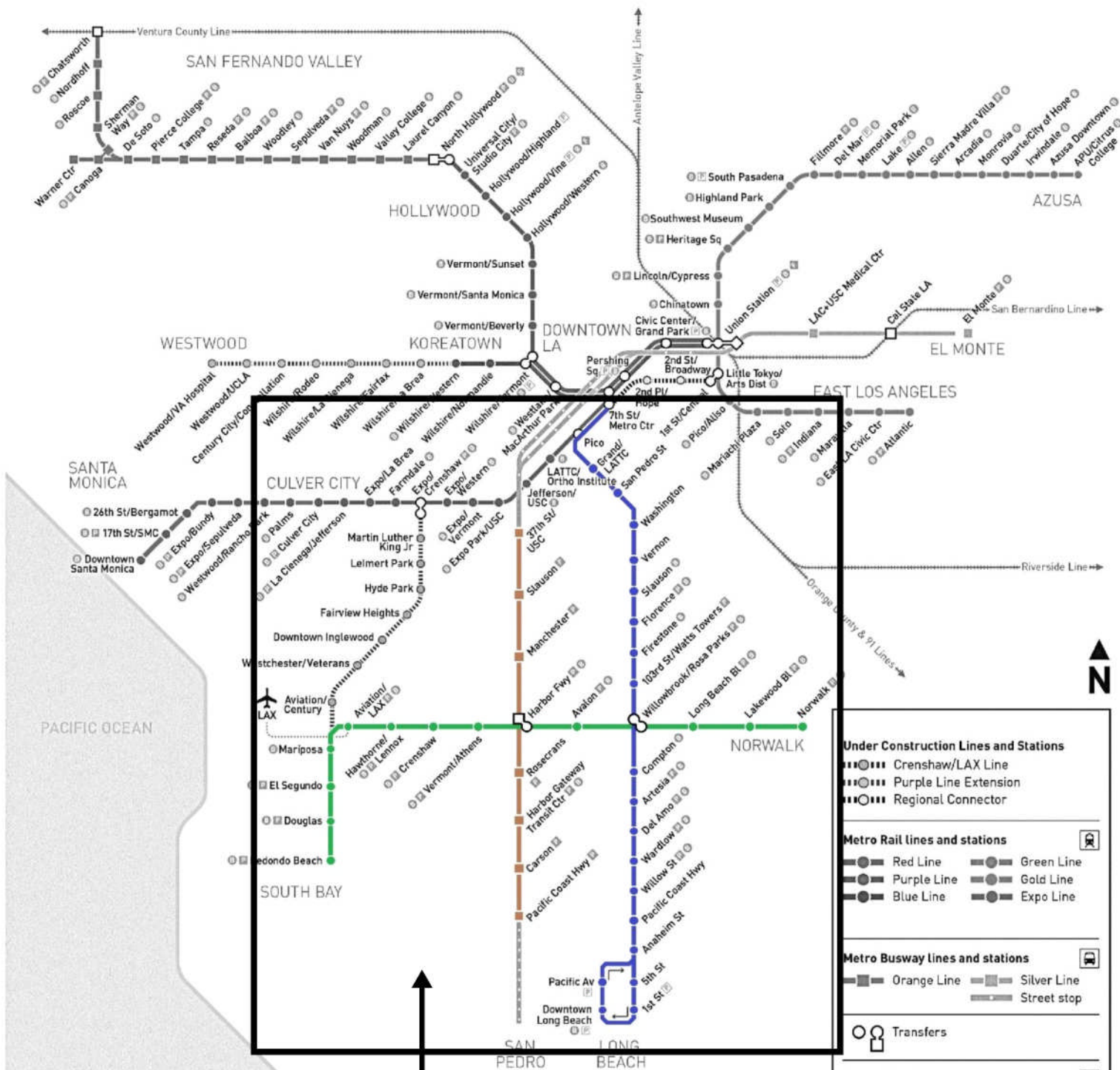


**Metro**

MAR 2016

Subject to Change





**Region 4: Existing Locations**

MBL  
HTW  
MGL

Total Glass Sq. Ft. 32,450  
Total Plexi Glass Sq. Ft. 17,483  
**Grand Total Sq. Ft. 49,933**



**Metro**



## PROCUREMENT SUMMARY

GLASS ANTI-GRAFFITI FILM MAINTENANCE AND REPLACEMENT SERVICES /  
OP1246400003367, OP1246420003367, OP1246430003367, OP1246440003367

|    |   |  |
|----|---|--|
| 1. | <b>Contract Number:</b> A: OP1246400003367<br>B: OP1246420003367<br>C: OP1246430003367<br>D: OP1246440003367  |  |
| 2. | <b>Recommended Vendor:</b> A: Graffiti Shield, Inc. (Region 1)<br>B: Graffiti Shield, Inc. (Region 2)<br>C: XInt Tint of Anaheim, Inc. (Region 3)<br>D: XInt Tint of Anaheim, Inc. (Region 4)   |  |
| 3. | <b>Type of Procurement (check one):</b> <input type="checkbox"/> RFP <input checked="" type="checkbox"/> IFB <input type="checkbox"/> IFB-A&E<br><input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order |  |
| 4. | <b>Procurement Dates:</b>   |  |
|    | A. Issued: November 15, 2018  |  |
|    | B. Advertised/Publicized: November 19, 2018   |  |
|    | C. Pre-Proposal/Pre-Bid Conference: December 4, 2018  |  |
|    | D. Proposals/Bids Due: January 10, 2019   |  |
|    | E. Pre-Qualification Completed: February 1, 2019  |  |
|    | F. Conflict of Interest Form Submitted to Ethics: January 17, 2019  |  |
|    | G. Protest Period End Date: February 15, 2019   |  |
| 5. | <b>Solicitations Picked up/Downloaded:</b> 24   | <b>Bids Received:</b> Region 1: 3 bids<br>Region 2: 3 bids<br>Region 3: 3 bids<br>Region 4: 3 bids |
| 6. | <b>Contract Administrator:</b><br>Rommel Hilario  | <b>Telephone Number:</b><br>(213) 922-4654   |
| 7. | <b>Project Manager:</b><br>Maral Minasian   | <b>Telephone Number:</b><br>(213) 922-6762   |

**A. Procurement Background**

This Board Action is to approve contract awards to two Small Business Enterprise (SBE) firms, XInt Tint of Anaheim, Inc. and Graffiti Shield, Inc. to provide anti-graffiti film maintenance, installation and replacement services for four regions to protect the glass surfaces system-wide as outlined in Invitation for Bid (IFB) No. OP57985, effective June 1, 2019. Board approval of contract awards are subject to resolution of any properly submitted protest(s).

Prior to the release of IFB No. OP57985, an informational meeting was held at Metro Headquarters on November 1, 2018, to share details and timelines for the upcoming procurement, and also provide an opportunity to potential bidders on how Metro would be replacing the existing system-wide service area with four new geographical regions. This action was intended to expand opportunities for small business participation while maintaining service efficiency and continuity. A total of 12 participants representing 8 firms were present at the meeting.

On November 15, 2018, IFB No. OP57985 was issued as a competitive procurement in accordance with Metro's Acquisition Policy. The proposed contract types are firm fixed unit rates.

One amendment was issued during the solicitation phase of this IFB:

- Amendment No. 1, issued on December 5, 2018, provided pre-bid conference material including sign-in sheets, planholder's list, and prevailing wage information.

A pre-bid conference was held on December 4, 2018 and was attended by six participants representing five firms.

## **B. Evaluation of Bids**

This procurement was conducted in accordance, and complies with Metro's Acquisition Policy for a competitive sealed bid. As detailed in the IFB requirements, bidders were allowed to submit bid packages for a maximum of three geographical regions. Each geographical region was assigned a 10% goal, inclusive of a 7% Small Business Enterprise (SBE) goal and a 3% Disabled Veteran Business Enterprise (DVBE) goal.

The following are the bids received by Regions:

### **REGION #1**

1. Graffiti Shield, Inc.
2. Solar Art
3. XInt Tint of Anaheim, Inc.

### **REGION #2**

1. Graffiti Shield, Inc.
2. Outdoor Service Providers
3. Solar Art

### **REGION #3**

1. Outdoor Service Providers
2. Solar Art
3. XInt Tint of Anaheim, Inc.

### **REGION #4**

1. Graffiti Shield
2. Outdoor Service Providers
3. XInt Tint of Anaheim, Inc.

### **C. Cost/Price Analysis**

The bids from Graffiti Shield, Inc. and XInt Tint of Anaheim, Inc., both certified Small Business Enterprise firms, were determined to be the lowest, responsive bids for Regions 1 through 4.

#### **REGION #1**

The bid from Graffiti Shield, Inc., in the amount of \$3,045,871, has been determined to be fair and reasonable based upon adequate competition, comparison with Metro's independent cost estimate, and technical evaluation by the Program Manager.

| <b>BIDDER</b>              | <b>AMOUNT</b> | <b>METRO ICE</b> | <b>AWARD AMOUNT</b> |
|----------------------------|---------------|------------------|---------------------|
| Graffiti Shield, Inc.      | \$3,045,871   | \$3,431,000      | \$3,045,871         |
| XInt Tint of Anaheim, Inc. | \$3,149,929   |                  |                     |
| Solar Art                  | \$3,539,996   |                  |                     |

#### **REGION #2**

The bid from Graffiti Shield, Inc., in the amount of \$3,524,512, has been determined to be fair and reasonable based upon adequate competition, comparison with Metro's independent cost estimate, and technical evaluation by the Program Manager

| <b>BIDDER</b>             | <b>AMOUNT</b> | <b>METRO ICE</b> | <b>AWARD AMOUNT</b> |
|---------------------------|---------------|------------------|---------------------|
| Graffiti Shield, Inc.     | \$3,524,512   | \$3,840,400      | \$3,524,512         |
| Solar Art                 | \$4,278,896   |                  |                     |
| Outdoor Service Providers | \$7,846,900   |                  |                     |

#### **REGION #3**

The bid from XInt Tint of Anaheim, Inc., in the amount of \$3,549,832, has been determined to be fair and reasonable based upon adequate competition, comparison with Metro's independent cost estimate, and technical evaluation by the Program Manager

| <b>BIDDER</b>                | <b>AMOUNT</b> | <b>METRO ICE</b> | <b>AWARD<br/>AMOUNT</b> |
|------------------------------|---------------|------------------|-------------------------|
| XInt Tint of Anaheim, Inc.   | \$3,549,832   | \$3,713,200      | \$3,549,832             |
| Solar Art                    | \$4,139,068   |                  |                         |
| Outdoor Service<br>Providers | \$7,210,804   |                  |                         |

#### **REGION #4**

The bid from XInt Tint of Anaheim, Inc., in the amount of \$7,177,237, has been determined to be fair and reasonable based upon adequate competition, comparison with Metro's independent cost estimate, and technical evaluation by the Program Manager.

| <b>BIDDER</b>                | <b>AMOUNT</b> | <b>METRO ICE</b> | <b>AWARD<br/>AMOUNT</b> |
|------------------------------|---------------|------------------|-------------------------|
| XInt Tint of Anaheim, Inc.   | \$7,177,237   | \$8,442,500      | \$7,177,237             |
| Graffiti Shield              | \$7,374,728   |                  |                         |
| Outdoor Service<br>Providers | \$9,500,909   |                  |                         |

#### **D. Background on Recommended Contractor**

##### **Graffiti Shield, Inc.**

Graffiti Shield, Inc., located in Anaheim, California, manufactures surface protection products for glass, metal, and solid surfaces. The firm specializes in precut anti-graffiti films for public and private spaces. Graffiti Shield was founded in early 2013, and has experience manufacturing and installing protective films. Graffiti Shield is the incumbent for the existing contract for stainless steel anti-graffiti film installation and replacement services and has performed satisfactorily.

##### **XInt Tint of Anaheim, Inc.**

XInt Tint of Anaheim, Inc. was founded in 1988 as a solar control film company that primarily focused on automotive and residential installations, and commercial applications for the installation of a variety of window films. XInt Tint started focusing their efforts on medium to large installation projects in Southern California. Currently, XInt Tint is the incumbent for the existing contract for glass anti-graffiti film replacement and installation services and has performed satisfactorily.



## DEOD SUMMARY

**GLASS ANTI-GRAFFITI FILM MAINTENANCE AND REPLACEMENT SERVICES**  
**REGION 1 - OP1246400003367; REGION 2 - OP1246420003367;**  
**REGION 3 - OP1246430003367; REGION 4 - OP1246440003367**

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 7% Small Business Enterprise (SBE) and 3% Disabled Veteran Business Enterprise (DVBE) goal for this solicitation. This new contract is divided into four (4) regional maintenance contracts split geographically and is being awarded to two (2) SBE Primes: Graffiti Shield, Inc. (Region 1 & Region 2) and XInt Tint of Anaheim, Inc. (Region 3 & Region 4).

**REGION 1 - OP1246400003367 - Graffiti Shield, Inc.**

| <b>Small Business Goal</b> | <b>7% SBE<br/>3% DVBE</b> | <b>Small Business Commitment</b> | <b>97% SBE<br/>3% DVBE</b> |
|----------------------------|---------------------------|----------------------------------|----------------------------|
|----------------------------|---------------------------|----------------------------------|----------------------------|

|    | <b>SBE/DVBE Subcontractors</b>   | <b>% SBE Commitment</b> | <b>% DVBE Commitment</b> |
|----|----------------------------------|-------------------------|--------------------------|
| 1. | Graffiti Shield, Inc. (SBE)      | 97%                     |                          |
| 2. | LA Glass Co. (DVBE)              |                         | 3%                       |
|    | <b>Total SBE/DVBE Commitment</b> | <b>97%</b>              | <b>3%</b>                |

**REGION 2 - OP1246420003367 - Graffiti Shield, Inc.**

| <b>Small Business Goal</b> | <b>7% SBE<br/>3% DVBE</b> | <b>Small Business Commitment</b> | <b>97% SBE<br/>3% DVBE</b> |
|----------------------------|---------------------------|----------------------------------|----------------------------|
|----------------------------|---------------------------|----------------------------------|----------------------------|

|    | <b>SBE/DVBE Subcontractors</b>   | <b>% SBE Commitment</b> | <b>% DVBE Commitment</b> |
|----|----------------------------------|-------------------------|--------------------------|
| 1. | Graffiti Shield, Inc. (SBE)      | 97%                     |                          |
| 2. | LA Glass Co. (DVBE)              |                         | 3%                       |
|    | <b>Total SBE/DVBE Commitment</b> | <b>97%</b>              | <b>3%</b>                |

**REGION 3 - OP1246430003367 – XInt Tint of Anaheim, Inc.**

| <b>Small Business Goal</b> | <b>7% SBE<br/>3% DVBE</b> | <b>Small Business Commitment</b> | <b>97% SBE<br/>3% DVBE</b> |
|----------------------------|---------------------------|----------------------------------|----------------------------|
|----------------------------|---------------------------|----------------------------------|----------------------------|

|    | <b>SBE/DVBE Subcontractors</b>   | <b>% SBE Commitment</b> | <b>% DVBE Commitment</b> |
|----|----------------------------------|-------------------------|--------------------------|
| 1. | XInt Tint of Anaheim, Inc. (SBE) | 97%                     |                          |

|    |                                  |            |           |
|----|----------------------------------|------------|-----------|
| 2. | LA Glass Co. (DVBE)              |            | 3%        |
|    | <b>Total SBE/DVBE Commitment</b> | <b>97%</b> | <b>3%</b> |

**REGION 4 - OP1246440003367 – XInt Tint of Anaheim, Inc.**

|                            |                           |                                  |                            |
|----------------------------|---------------------------|----------------------------------|----------------------------|
| <b>Small Business Goal</b> | <b>7% SBE<br/>3% DVBE</b> | <b>Small Business Commitment</b> | <b>97% SBE<br/>3% DVBE</b> |
|----------------------------|---------------------------|----------------------------------|----------------------------|

|    | <b>SBE/DVBE Subcontractors</b>   | <b>% SBE Commitment</b> | <b>% DVBE Commitment</b> |
|----|----------------------------------|-------------------------|--------------------------|
| 1. | XInt Tint of Anaheim, Inc. (SBE) | 97%                     |                          |
| 2. | LA Glass Co. (DVBE)              |                         | 3%                       |
|    | <b>Total SBE/DVBE Commitment</b> | <b>97%</b>              | <b>3%</b>                |

**B. Living/Prevailing Wage and Service Contract Worker Retention Policy Applicability**

The Living Wage and Service Contract Worker Retention Policy is not applicable to this contract.

**C. Prevailing Wage Applicability**

Prevailing Wage requirements are applicable to this project. DEOD will 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. Project Labor Agreement/Construction Careers Policy is applicable only to construction contracts that have a construction contract value in excess of \$2.5 million.