

**Board Report**

File #: 2023-0136, **File Type:** Contract

Agenda Number: 34.

**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE
APRIL 20, 2023**

SUBJECT: GLASS ANTI-GRAFFITI FILM MAINTENANCE AND REPLACEMENT SERVICES

ACTION: APPROVE CONTRACT MODIFICATIONS

RECOMMENDATIONS

AUTHORIZE the Chief Executive Officer to execute:

- A. Modification No. 5 to Contract No. OP1246400003367, for Region 1 with Graffiti Shield, Inc., to provide glass anti-graffiti film maintenance and replacement services throughout Metro B Line (Red), G Line (Orange) and various bus and rail locations within the geographical area specified in Region 1, to exercise the one, two-year option in the amount of \$1,204,126, increasing the total contract not-to-exceed amount from \$1,806,189 to \$3,010,315 and extending the period of performance from June 01, 2023 to May 31, 2025;
- B. Modification No. 6 to Contract No. OP1246420003367, for Region 2 with Graffiti Shield, Inc., to provide glass anti-graffiti film maintenance and replacement services throughout Metro L Line (Gold), D Line (Purple), J Line (El Monte Bus Way), future Regional Connector, future D Line (Purple) Westside Extension and various bus and rail locations within the geographical area specified in Region 2, to exercise the one, two-year option in the amount of \$1,741,600, increasing the total contract not-to-exceed amount from \$1,732,912 to \$3,474,512, and extending the period of performance from June 01, 2023, to May 31, 2025;
- C. Modification No. 5 to Contract No. OP1246430003367, for Region 3 with Property Protection International, Inc., to provide glass anti-graffiti film maintenance and replacement services throughout Metro E Line (Expo), K Line (Crenshaw), future Airport Metro Connector (AMC) and various bus and rail locations within the geographical area specified in Region 3, to exercise the one, two-year option in the amount of \$1,847,152, increasing the total contract not-to-exceed amount from \$1,643,856 to \$3,491,008 and extending the period of performance from June 01, 2023, to May 31, 2025; and
- D. Modification No. 5 to Contract No. OP1246440003367, for Region 4 with Property Protection International, Inc., to provide glass anti-graffiti film maintenance and replacement services throughout Metro A Line (Blue), C Line (Green), J Line (Harbor Transit Way) and various bus and rail locations within the geographical area specified in Region 4, to exercise the one, two-year

option in the amount of \$2,822,002, increasing the total contract not-to-exceed amount from \$4,233,003 to \$7,055,005 and extending the period of performance from June 01, 2023, to May 31, 2025.

ISSUE

The existing four (4) regional contracts' base term expires on May 31, 2023. To continue providing the required glass anti-graffiti film maintenance and replacement services, contract modifications are required for the four (4) regional contracts to exercise the one, two-year option, extending the period of performance from June 01, 2023, through May 31, 2025.

BACKGROUND

On March 28, 2019, the Metro Board of Directors authorized the Chief Executive Officer to award firm fixed unit rate Contract Nos. OP1246400003367 and No. OP1246420003367 for Regions 1 and 2, respectively with Graffiti Shield, Inc., and Contract Nos. OP1246430003367 and No. OP1246440003367 for Regions 3 and 4, respectively with Property Protection International, Inc., to provide glass anti-graffiti film maintenance and replacement services for all Metro facilities effective June 1, 2019.

Under the existing four (4) regional contracts, the contractors are required to conduct monthly and as-needed inspections of the glass anti-graffiti film installed systemwide, with 100% replacement of all vandalized glass anti-graffiti film. Regular and as-needed glass anti-graffiti film maintenance and replacement services are critical to protect Metro's assets, mitigate extended downtime of elevators due to vandalized elevator glass surfaces compromising its integrity with repeated severe etching and engraving requiring costly repair and replacement, and to ensure compliance with ADA requirements and accessibility to Metro's transit system.

Graffiti Shield, Inc. and Property Protection International, Inc. have been performing satisfactorily providing the necessary glass anti-graffiti film maintenance and replacement services throughout Metro's transit system.

DISCUSSION

There are approximately 165,226 sq. ft. of glass surfaces systemwide, subject to vandalism in the form of etching, graffiti and spray paint. These glass surfaces are mainly within the map cases and elevator doors, cabs and hoistways. The installation of glass anti-graffiti film mitigates damage to glass surfaces by providing protection against permanent engraving of the glass panels. Regular inspection and replacement of the glass anti-graffiti film ensures glass surfaces at Metro bus and rail facilities remain free of graffiti, etching and other forms of vandalism.

Under the existing four (4) regional contracts, the anti-graffiti film is inspected at a frequency of once a month and as-needed, with 100% replacement of all vandalized glass anti-graffiti film. Based on historical data, approximately 30,000 sq. ft. (18%) of glass anti-graffiti film systemwide is being vandalized and replaced on monthly basis.

With the opening of the K Line (Crenshaw/LAX Corridor), approximately 39,868 sq. ft. of additional glass panel surfaces subject to vandalism have been added to the Region 3 contract. Also, once Metro's system expansion project for the Regional Connector becomes operational, an additional 10,158 sq. ft. of glass panel surfaces subject to vandalism will be added to the Region 2 contract.

DETERMINATION OF SAFETY IMPACT

The approval of this item will 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' experience.

FINANCIAL IMPACT

For these four (4) regional contracts, funding of \$578,841 for the remainder of FY23 is allocated 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, Deputy Chief Operations Officer, Shared Mobility will be accountable for budgeting the cost in future years.

Impact to Budget

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

EQUITY PLATFORM

Providing monthly and as-needed glass anti-graffiti film maintenance and replacement services systemwide contribute to improving bus and rail stations' cleanliness and providing safe environment for Metro's patrons. Bus and Rail stations' cleanliness was identified as one of the top areas of concern in the 2020 Customer Experience survey and the FY23 Metro Budget survey conducted to develop the Metro Customer Experience Plan 2022 and assist with funds allocation for the FY23 budget.

Metro customers, including those with Limited English Proficiency (LEP), Metro staff, and Transit Ambassadors can report vandalism, cleanliness, and maintenance issues through the Customer Relations numbers posted throughout the rail and bus system. Customers have the option of communicating with Metro through nine (9) different languages using our translation service. Metro also ensures translated signage is posted for those reporting vandalized glass anti-graffiti film on the Metro system.

Graffiti Shield, Inc. and Property Protection International, Inc. are Metro certified small business primes and both made a commitment of 97% SBE and 3% for DVBE.

Graffiti Shield is meeting the SBE/DVBE commitments on both Regions 1 and 2, with 97% SBE and

3% DVBE participation.

Property Protection International is meeting the SBE/DVBE commitments on both Regions 3 and 4, with 97% SBE and 3% DVBE participation.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This board action supports Strategic Goal 5: Provide responsive, accountable, and trustworthy governance within the Metro organization. Performing on-going anti-graffiti film maintenance and replacement services contributes to facilities' overall cleanliness and will ensure providing a safe, clean environment for our patrons, service reliability, and enhancing customers' overall experience.

ALTERNATIVES CONSIDERED

The Board may elect not to approve the recommendations. This option is not recommended as it would result in a gap in service impacting Metro's system safety, cleanliness, and customer experience.

NEXT STEPS

Upon approval by the Board, staff will execute the following modifications to continue providing glass anti-graffiti film maintenance and replacement services throughout Metro's transit system.

- Modification No. 5 to Contract No. OP1246400003367, for Region 1 with Graffiti Shield, Inc.
- Modification No. 6 to Contract No. OP1246420003367, for Region 2 with Graffiti Shield, Inc.
- Modification No. 5 to Contract No. OP1246430003367, for Region 3 with Property Protection International, Inc.
- Modification No. 5 to Contract No. OP1246440003367, for Region 4 with Property Protection International, Inc.

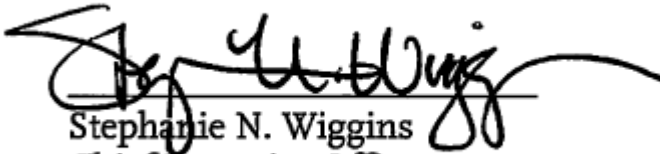
ATTACHMENTS

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

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Stephanie N. Wiggins
Chief Executive Officer

PROCUREMENT SUMMARY

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

1.	Contract Number: OP1246400003367, OP1246420003367, OP1246430003367 and OP1246440003367		
2.	Contractor: (1) Graffiti Shield, Inc. (Region 1) (2) Graffiti Shield, Inc. (Region 2) (3) Property Protection International, Inc. (Region 3) (4) Property Protection International, Inc. (Region 4)		
3.	Mod. Work Description: Exercise one, two-year option		
4.	Contract Work Description: To provide glass anti-graffiti film maintenance and replacement services systemwide to protect glass surfaces.		
5.	The following data is current as of: 3/9/23		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	3/28/19	Contract Award Amount: Region 1: \$1,806,189 Region 2: \$1,732,912 Region 3: \$1,643,856 Region 4: \$4,233,003
	Notice to Proceed (NTP):	N/A	Total of Modification Approved: Region 1:\$ 0 Region 2:\$ 0 Region 3:\$ 0 Region 4:\$ 0
	Original Complete Date:	5/31/23	Pending Modification (including this action): Region 1: \$1,204,126 Region 2: \$1,741,600 Region 3: \$1,847,152 Region 4: \$2,822,002
	Current Est. Complete Date:	5/31/25	Current Contract Value (with this action): Region 1: \$3,010,315 Region 2: \$3,474,512 Region 3: \$3,491,008 Region 4: \$7,055,005
7.	Contract Administrator: Aielyn Dumaua		Telephone Number: (213) 922-7320
8.	Project Manager: Maral Minasian		Telephone Number: (213) 922-6762

A. Procurement Background

This Board Action is to approve modifications to Contract Nos. OP1246400003367, (for Region 1) and OP1246420003367 (for Region 2) with Graffiti Shield, Inc. and Contract Nos. OP1246430003367 (for Region 3) and OP1246440003367 (for Region 4) with Property Protection International, Inc. to exercise the one, two-year

option to continue to provide glass anti-graffiti film maintenance and replacement services throughout the Metro system.

These contract modifications will be processed in accordance with Metro's Acquisition Policy and the contract type is a firm-fixed unit rate.

In March 2019, the Metro Board awarded five-year contracts, inclusive of one, two-year option, to Graffiti Shield, Inc. for Regions 1 and 2 and Property Protection International, Inc. for Regions 3 and 4 to provide glass anti-graffiti film maintenance and replacement services.

Refer to Attachment B – Contract Modification/Change Order Log.

B. Cost/Price Analysis

The recommended prices for the one, two-year option for all four regions have been determined to be fair and reasonable based on rates that were established and evaluated as part of the competitive IFB contract awards in 2019. Recommended contract amounts were the lowest bids received per region. Therefore, exercising the one, two-year option is in the best interest of Metro.

Contractor	Original Bid Amount	Metro ICE	Recommended Amount
Graffiti Shield, Inc. – Region 1	\$1,204,126	\$1,204,126	\$1,204,126
Graffiti Shield, Inc. – Region 2	\$1,741,600	\$1,741,600	\$1,741,600
Property Protection International, Inc. - Region 3	\$1,847,152	\$1,847,152	\$1,847,152
Property Protection International, Inc. - Region 4	\$2,822,002	\$2,822,002	\$2,822,002

CONTRACT MODIFICATION/CHANGE ORDER LOG

GLASS ANTI-GRAFFITI FILM MAINTENANCE AND REPLACEMENT
SERVICES/OP1246400003367 (REGION 1)

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Update contract price, contract term and statement of work	Approved	10/14/19	\$ 0
2	Revise schedule of quantities and prices	Approved	5/20/20	\$ 0
3	No-cost one-year extension	Approved	5/31/22	\$ 0
4	Revise statement of work and schedule of quantities and prices	Approved	12/9/22	\$ 0
5	Exercise one, two-year option	Pending	Pending	\$1,204,126
	Modification Total:			\$ 1,204,126
	Original Contract:			\$ 1,806,189
	Total:			\$ 3,010,315

GLASS ANTI-GRAFFITI FILM MAINTENANCE AND REPLACEMENT
SERVICES/OP1246420003367 (REGION 2)

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Update contract price, contract term and statement of work	Approved	10/14/19	\$ 0
2	Revise schedule of quantities and prices	Approved	5/20/20	\$ 0
3	Update contract price	Approved	9/15/20	\$ 0
4	No-cost one-year extension	Approved	5/31/22	\$ 0
5	Revise statement of work and schedule of quantities and prices	Approved	12/30/22	\$ 0
6	Exercise one, two-year option	Pending	Pending	\$1,741,600
	Modification Total:			\$ 1,741,600
	Original Contract:			\$ 1,732,912
	Total:			\$ 3,474,512

**GLASS ANTI-GRAFFITI FILM MAINTENANCE AND REPLACEMENT
SERVICES/OP1246430003367 (REGION 3)**

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Update contract price, contract term and statement of work	Approved	10/14/19	\$ 0
2	Revise schedule of quantities and prices	Approved	5/20/20	\$ 0
3	No-cost one-year extension	Approved	5/31/22	\$ 0
4	Update Attachment 3 – List of Future Bus and Rail Locations	Approved	10/7/22	\$ 0
5	Exercise one, two-year option	Pending	Pending	\$1,847,152
	Modification Total:			\$ 1,847,152
	Original Contract:			\$ 1,643,856
	Total:			\$ 3,491,008

**GLASS ANTI-GRAFFITI FILM MAINTENANCE AND REPLACEMENT
SERVICES/OP1246440003367 (REGION 4)**

Mod. No.	Description	Status (approved or pending)	Date	\$ Amount
1	Update contract price, contract term and statement of work	Approved	10/14/19	\$ 0
2	Revise schedule of quantities and prices	Approved	5/20/20	\$ 0
3	No-cost one-year extension	Approved	5/31/22	\$ 0
4	Revise statement of work and schedule of quantities and prices	Approved	12/9/22	\$ 0
5	Exercise one, two-year option	Pending	Pending	\$2,822,002
	Modification Total:			\$ 2,822,002
	Original Contract:			\$ 4,233,003
	Total:			\$ 7,055,005

DEOD SUMMARY

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

A. Small Business Participation

Graffiti Shield Inc. made a 97% Small Business Enterprise (SBE) and a 3% Disabled Veterans Business Enterprises (DVBE) commitment on Regions 1 and 2. Based on payment, the projects are 48% and 26% complete. Graffiti Shield Inc. is meeting the SBE/DVBE commitments on both Regions, with 97% SBE and 3% DVBE participation.

Property Protection International, Inc. (formerly known as XInt Tint of Anaheim, Inc.) made a 97% Small Business Enterprise (SBE) and a 3% Disabled Veterans Business Enterprises (DVBE) commitment on Regions 3 and 4. Based on payment, the projects are 19% and 48% complete. Property Protection International is meeting the SBE/DVBE commitments on both Regions, with 97% SBE and 3% DVBE participation.

Region 1– OP1246400003367 – Graffiti Shield

Small Business Commitment	97% SBE 3% DVBE	Small Business Participation	97% SBE 3% DVBE
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	SBE Subcontractors	% Committed	Current Participation¹
1.	Graffiti Shield, Inc. (SB Prime)	97%	97%
	Total	97%	97%

	DVBE Subcontractors	% Committed	Current Participation¹
1.	Los Angeles Company, Inc. dba Los Angeles Glass Co.	3%	3%
	Total	3%	3%

Region 2 – OP1246420003367 – Graffiti Shield

Small Business Commitment	97% SBE 3% DVBE	Small Business Participation	97% SBE 3% DVBE
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	SBE Subcontractors	% Committed	Current Participation¹
1.	Graffiti Shield, Inc. (SB Prime)	97%	97%
	Total	97%	97%

	DVBE Subcontractors	% Committed	Current Participation¹
1.	Los Angeles Company, Inc. dba Los Angeles Glass Co.	3%	3%
	Total	3%	3%

Region 3 – OP1246430003367 (OP161998000) – Property Protection International, Inc. (formerly known as XInt Tint of Anaheim, Inc.)

Small Business Commitment	97% SBE 3% DVBE	Small Business Participation	97% SBE 3% DVBE
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	SBE Subcontractors	% Committed	Current Participation¹
1.	Property Protection International, Inc. (SB Prime)	97%	97%
	Total	97%	97%

	DVBE Subcontractors	% Committed	Current Participation¹
1.	Los Angeles Company, Inc. dba Los Angeles Glass Co.	3%	3%
	Total	3%	3%

Region 4 – OP1246440003367 (OP161999000) – Property Protection International, Inc. (formerly known as XInt Tint of Anaheim, Inc.)

Small Business Commitment	97% SBE 3% DVBE	Small Business Participation	97% SBE 3% DVBE
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	SBE Subcontractors	% Committed	Current Participation¹
1.	Property Protection International, Inc. (SB Prime)	97%	97%
	Total	97%	97%

	DVBE Subcontractors	% Committed	Current Participation¹
1.	Los Angeles Company, Inc. dba Los Angeles Glass Co.	3%	3%
	Total	3%	3%

¹Current Participation = Total Actual amount Paid-to-Date to DBE firms ÷ Total Actual Amount Paid-to-date to Prime.

B. Living Wage and Service Contract Worker Retention Policy Applicability

A review of the current service contract indicates that the Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) was not applicable at the time of award. Therefore, the LW/SCWRP is not applicable to this modification.

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. PLA/CCP is applicable only to construction contracts that have a construction related value in excess of \$2.5 million.