



Board Report

File #: 2023-0485, **File Type:** Contract

Agenda Number: 36.

**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE
SEPTEMBER 21, 2023**

SUBJECT: STAINLESS STEEL ANTI-GRAFFITI FILM INSTALLATION AND REPLACEMENT SERVICES FOR REGIONS 1 THROUGH 3

ACTION: APPROVE CONTRACT AWARD

RECOMMENDATIONS

AUTHORIZE the Chief Executive Officer to:

- A. AWARD a firm fixed unit rate Contract No. OP964830008370, for Regions 1, 2, and 3 combined, to Graffiti Shield, Inc., to provide stainless steel anti-graffiti film installation and replacement services systemwide in the not-to-exceed (NTE) amount of \$15,722,845 for the three-year base, \$5,737,859 for option year one, and \$5,963,032 for option year two, for a combined NTE amount of \$27,423,736, effective December 1, 2023, subject to the resolution of any properly submitted protest(s); and

- B. EXECUTE individual contract modifications within the Board-approved contract modification authority.

ISSUE

Providing monthly and as-needed stainless-steel anti-graffiti film maintenance and replacement services systemwide contributes to improving bus and rail stations' cleanliness and providing a safe environment for Metro's patrons. The existing stainless-steel anti-graffiti film installation and replacement services contract's three-year base term expires on November 30, 2023.

BACKGROUND

On December 6, 2018, Metro Board of Directors awarded a non-competitive three-year base with two (2), one-year options contract No. OP1141410003367 to Graffiti Shield, Inc., as the sole provider of the patent-pending stainless-steel anti-graffiti film product, to provide systemwide stainless-steel anti-graffiti film installation and replacement services.

In November 2022, Graffiti Shield, Inc., informed Metro that the product's patent-pending application

was denied, and the stainless-steel anti-graffiti film was available for purchase. To expand competition, staff elected not to exercise the option terms for the existing non-competitive contract and instead initiated a new contract solicitation splitting Metro's service area into three (3) geographical regions. Based on Metro's enhanced programs for Medium-Size Business Enterprise (MSZ) and Small Business Enterprise (SBE) approved by the Board on June 24, 2021, all three (3) regions were released for solicitation under Metro's Medium Size Business Enterprise (MSZ1) program. As part of this solicitation, a Systemwide Metro Connect Industry Forum Outreach event was conducted on July 13, 2022, to provide a detailed overview of the enhanced MSZ and SBE programs policy for competitively negotiated procurements.

On March 8, 2023, a single bid was received by Graffiti Shield, Inc., a Metro certified SBE Prime. A market review was conducted afterward to solicit feedback from potential bidders. One firm indicated the anti-graffiti film specifications included within the solicitation package are similar to product specifications manufactured by Graffiti Shield, Inc., therefore, the firm elected not to submit a bid. Another firm stated they were disappointed by the amount of paperwork required by Metro for a bid submittal.

DISCUSSION

Under this new contract, the contractor is required to conduct monthly and as-needed inspections of the stainless-steel anti-graffiti film installed systemwide, with 100% replacement of all vandalized stainless-steel anti-graffiti film. Regular and as-needed stainless-steel anti-graffiti film maintenance and replacement services are critical to protect Metro's assets, mitigate extended downtime of elevators due to vandalized stainless-steel surfaces compromising their 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. The Metro stations that experience above average stainless-steel vandalism are highlighted in Attachment C.

Graffiti Shield, Inc., is a Metro certified SBE Prime and has been performing satisfactorily providing the necessary stainless-steel anti-graffiti film maintenance and replacement services systemwide.

There are approximately 200,000 sq. ft. of stainless-steel panel surfaces throughout the Metro transit system subject to vandalism. Based on historical data, an average of 57,000 sq. ft. of stainless-steel anti-graffiti film systemwide is etched/vandalized and replaced each month. Furthermore, the scope of services will expand during the life of this contract to include Metro's new system expansion projects for the D Line (Purple) Extension Phases I, II & III, A Line (Blue) Foothill Extension Phase 2B, and Airport Metro Connector (AMC) with an additional 13,579 sq. ft. of stainless-steel panel surface to be inspected and serviced on a monthly basis.

While the NTE amount for the new contract recommended for award is comparable to the existing contract NTE amount and 10% above the Independent Cost Estimate (ICE), it is deemed fair and reasonable when taking into consideration the expanded services to include Metro's system expansion projects and the post pandemic inflation rates impacting both labor and material costs.

DETERMINATION OF SAFETY IMPACT

The approval of this item will ensure the delivery of timely and reliable stainless-steel anti-graffiti film maintenance and replacement services, while improving Metro bus and rail stations' overall appearance and cleanliness, and enhancing customers' experience.

FINANCIAL IMPACT

For this contract, funding in the amount of \$2,794,346 for the remainder of FY24 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 includes operating eligible sales tax funding including Propositions A/C, Measures R/M, and the Transportation Development Act. These fund sources are eligible for bus and rail operations.

EQUITY PLATFORM

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.

As part of this solicitation, a Systemwide Metro Connect Industry Forum Outreach event was conducted on July 13, 2022. During the outreach event, staff provided an overview detailing the new enhanced MSZ and SBE Programs policy for competitively negotiated procurements.

The Diversity and Economic Opportunity Department (DEOD) established a 22% Small Business Enterprise (SBE) and 3% for Disabled Veterans Business Enterprise (DVBE) goals for Regions 1, 2, and 3 and was issued as a MSZ-1 solicitation.. Graffiti Shield, Inc. is an MSZ-1 as a certified SBE firm and made a 97% SBE and 3% DVBE commitment for the three (3) Regions combined.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This Board action supports Strategic Goal 5: Provide responsive, accountable, and trustworthy governance within the Metro organization. Performing ongoing 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.

With the completion of a financial based insourcing/outsourcing study based on a quantitative and qualitative assessment, staff has analyzed insourcing/outsourcing options for stainless-steel anti-graffiti film installation and maintenance services among other services. Based on the findings, stainless-steel anti-graffiti film installation and maintenance services may be considered for insourcing. Approving this recommendation for a contract award will allow staff the time during the three-year base contract term to take the necessary steps for the planning, acquisition of equipment and materials, allocation of resources, training, and implementation to bring the stainless-steel anti-graffiti film installation and maintenance services in-house.

NEXT STEPS

Upon approval by the Board, staff will execute Contract No. OP964830008370, with Graffiti Shield Inc., to provide stainless-steel anti-graffiti film maintenance and replacement services systemwide, effective December 1, 2023.

ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - DEOD Summary

Attachment C - Stainless Steel Anti-Graffiti Film Vandalism Hot Spots

Prepared by: Lena Babayan, Executive Officer, Operations Administration (Interim), (213) 922-6765

Carlos Martinez, Director, Facilities Contracted Maintenance Services, (213) 922-6761

Shahrzad Amiri, Deputy Chief Operations Officer, Shared Mobility, (213) 922-3061

Debra Avila, Deputy Chief Vendor/Contract Management Officer (213) 418-3051

Reviewed by: Conan Cheung, Chief Operations Officer, Transit Operations,
(213) 418-3034



Stephanie N. Wiggins
Chief Executive Officer