



## Board Report

File #: 2016-0574, File Type: Contract

Agenda Number: 26.

### SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE SEPTEMBER 15, 2016

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

**ACTION: EXERCISE FIRST AND SECOND YEAR OPTIONS**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute Contract Modification No. 2 to Contract No. OP33673132, with **XInt Tint of Anaheim, Inc., for glass anti-graffiti film maintenance and replacement services**, to exercise the first and second year options in the amount of \$1,304,442 for each of the first and second year options, for a combined total of \$2,608,884, increasing the total contract value from \$3,945,309 to \$6,554,193 and extending the contract term from November 1, 2016 to October 31, 2018.

#### **ISSUE**

There are approximately 102,788 square feet of glass panel surfaces throughout the Metro transit system. Under the existing contract, on-going anti-graffiti film maintenance and replacement services are performed on a regular basis to protect the glass surfaces and mitigate vandalism system-wide.

The three year base for this Contract will expire on October 31, 2016. The contractor has been providing above satisfactory maintenance services to Metro for the past 17 years under contracts OP 33440807, 33440653, OP33442335 and the existing OP33673132.

To continue providing the required anti-graffiti film maintenance services, a Contract Modification is required to exercise the two, one year options one extending the period of performance through October 31, 2018.

#### **DISCUSSION**

Under this Contract, the contractor is required to perform on-going inspections and replacement of damaged glass anti-graffiti film. On an average, 800,000 square feet of glass anti-graffiti film is replaced annually due to repeated etching damage and other types of vandalism. This service is necessary to ensure clean and well maintained Metro stations and facilities free of graffiti and vandalism.

The three year base for this Contract with XInt Tint will expire on October 31, 2016. This contract

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was competitively procured and XInt Tint was the lowest responsive responsible bidder. XInt Tint was founded in 1988 for installation of window films. They install a variety of window films with a specialized focus on the Anti-Graffiti series of window films. XInt Tint has been providing above satisfactory services to Metro for the past 17 years under contracts OP 33440807, 33440653, OP33442335 and the existing OP33673132.

### **DETERMINATION OF SAFETY IMPACT**

The approval of this item will ensure the provision of timely glass anti-graffiti film maintenance services, enhance Metro bus and rail facilities overall appearance and cleanliness, and provide safe, quality, on-time, and reliable services system-wide.

### **FINANCIAL IMPACT**

Funding of \$855,700 is included in the FY17 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, project managers, and Executive Officer, Maintenance and Engineering will ensure that the balance of funds are budgeted in future years.

#### **Impact to Budget**

The current year funding for this action will come from the Enterprise operating fund. The source of funds will come from Federal, State and local funding sources that are eligible for Bus and Rail Operating or Capital Projects. These funding sources will maximize the use of funds for these activities.

### **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**

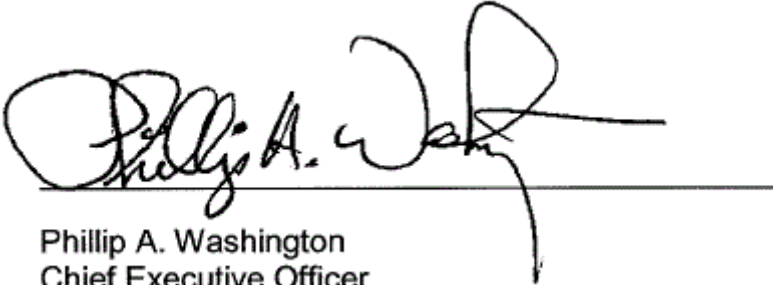
Upon approval by the Board, staff will execute Modification No. 2 to Contract No. OP33673132, with XInt Tint of Anaheim, Inc., for glass anti-graffiti film maintenance and replacement services, to exercise the two, one year options through October 31, 2018.

### **ATTACHMENTS**

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

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Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

ANTI-GRAFFITI FILM MAINTENANCE AND REPLACEMENT SERVICES /  
OP33673132

1.	<b>Contract Number:</b> OP33673132		
2.	<b>Contractor:</b> XInt Tint of Anaheim, Inc.		
3.	<b>Mod. Work Description:</b> Exercise First and Second Options		
4.	<b>Contract Work Description:</b> Anti-graffiti film maintenance and replacement services and etched glass repair services on glass panels used throughout Metro transit facilities.		
5.	<b>The following data is current as of:</b> August 16, 2016		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	10/24/13	<b>Contract Award Amount:</b> \$3,913,326
	<b>Notice to Proceed (NTP):</b>	N/A	<b>Total of Modifications Approved:</b> \$31,983
	<b>Original Complete Date:</b>	10/31/16	<b>Pending Modifications (including this action):</b> \$2,608,884
	<b>Current Est. Complete Date:</b>	10/31/18	<b>Current Contract Value (with this action):</b> \$6,554,193
7.	<b>Contract Administrator:</b> Rommel Hilario		<b>Telephone Number:</b> 213-922-4654
8.	<b>Project Manager:</b> Maral Minasian		<b>Telephone Number:</b> 213-922-6762

**A. Procurement Background**

This Board Action is to approve Modification No. 2 to Contract No. OP33673132 issued in support of Facilities Maintenance to continue anti-graffiti film maintenance and replacement services on glass panels used throughout Metro transit facilities by exercising the first and second option years for the amount of \$2,608,884.

This Contract Modification will be processed in accordance with Metro's Acquisition Policy and the contract type is firm fixed unit rate.

On October 24, 2013, the Board approved a five-year contract, inclusive of two, one-year options, to XInt Tint of Anaheim, Inc., the lowest responsive, responsible bidder, to provide anti-graffiti film maintenance and replacement services on glass panels used throughout Metro transit facilities. The original contract amount consists of \$3,913,326 for the three-year base period and \$1,304,442 for each of the first and

second year options, for a combined total of \$2,608,884, and extending the period of performance from November 1, 2016 to October 31, 2018.

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

**B. Cost/Price Analysis**

The recommended price has been determined to be fair and reasonable based upon rates that were evaluated and established as part of the current contract awarded on October 24, 2013. According to the Consumer Price Index, similar industries experience an average of 3.3% increase from June 2015 to June 2016. The rates for these Option Years are the same rates the firm has charged Metro during the initial three-year base, with no increase. Therefore, exercising the options is in the best interest of Metro. The contract was a result of a competitive IFB in which the option years were evaluated and award was made to the lowest responsive, responsible bidder.

	<b>OPTION YEAR AMOUNT</b>	<b>METRO ICE</b>	<b>MODIFICATION AMOUNT</b>
1	\$2,608,884	\$2,608,884	\$2,608,884

**ATTACHMENT B**

**CONTRACT MODIFICATION/CHANGE ORDER LOG**

**ANTI-GRAFFITI FILM MAINTENANCE AND REPLACEMENT SERVICES /  
OP33673132**

<b>Mod. No.</b>	<b>Description</b>	<b>Status (approved or pending)</b>	<b>Date</b>	<b>\$ Amount</b>
1	Revised Attachment A – Added new locations	Approved	8/1/16	\$31,983
2	<b>Exercise Option Year One and Year Two</b>	<b>Pending</b>	<b>Pending</b>	<b>\$2,608,884</b>
	<b>Modification Total:</b>			<b>\$2,640,867</b>
	<b>Original Contract</b>		10/24/13	\$3,913,326
	<b>Total:</b>			<b>\$6,554,193</b>

**DEOD SUMMARY**

**ANTI-GRAFFITI FILM MAINTENANCE AND REPLACEMENT SERVICES AND  
ETCHED GLASS REPAIR SERVICES/OP33673132**

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) did not recommend a Disadvantaged Business Enterprise (DBE) goal for this procurement. It was determined that the anti-graffiti film is a proprietary product and services will be performed with the prime's own workforces.

**B. Living 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.