



Board Report

File #: 2018-0585, File Type: Contract

Agenda Number: 22.

**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE  
NOVEMBER 15, 2018**

**SUBJECT: STAINLESS STEEL ANTI-GRAFFITI FILM INSTALLATION AND REPLACEMENT SERVICES**

**ACTION: AWARD CONTRACT**

**RECOMMENDATION**

CONSIDER:

- A. FINDING that the procurement of stainless steel, anti-graffiti film installation and replacement services for all Metro facilities pursuant to Public Utilities Code (PUC) Section 130237, constitutes a single source procurement method for the sole purpose of duplicating or replacing supply, equipment or material already in use; and
- B. AUTHORIZING the Chief Executive Officer to award a non-competitive five-year firm fixed unit rate Contract No. OP1141410003367 to Graffiti Shield, Inc. to provide stainless steel, anti-graffiti film installation and replacement services for all Metro facilities for a not to exceed amount of \$14,919,070 for the three-year base period and a not to exceed amount of \$11,835,168 for the two, one year options for a combined not to exceed total amount of \$26,754,238, effective February 3, 2019.

(REQUIRES 2/3 VOTE OF THE BOARD)

**ISSUE**

The existing contract will expire on February 2, 2019. In order to ensure uninterrupted stainless steel anti-graffiti film installation and replacement services, a new contract award is required effective February 3, 2019.

**BACKGROUND**

In January 2013, a pilot program was implemented to install and replace stainless steel anti-graffiti film at selective Metro stations. This program was developed in an effort to improve stations' overall appearance and cleanliness, mitigate graffiti and protect the stainless steel surfaces against vandalism. Internal estimates at the time established a projected cost savings of \$6.52 per square foot utilizing a sacrificial film compared to mechanical restoration of the steel surface. Furthermore, it

was not known initially if the film could satisfactorily cover already damaged surfaces, be easily peeled away by vandals, or otherwise damaged in any way. By the end of the 10 month pilot period, the material was proven to effectively cover vandalism for an improved appearance, was rarely tampered with or peeled, and offered satisfactory protection against damage to the steel surface by cutting or etching. The turnaround time to remove and replace damaged film was less than 10 percent of the time to mechanically restore surfaces and was less disruptive to patrons. With these positive results the pilot program was determined to be successful. A five year contract was awarded with an effective start date of February 3, 2014 to include all Metro bus and rail stations system-wide. This contract will expire on February 2, 2019.

The stainless steel anti-graffiti film product was exclusively developed for Metro's use in an effort to improve facilities overall condition and mitigate vandalism. A market survey was conducted which revealed there is no comparable stainless steel anti-graffiti film product available. Over the term of the existing contract, we have experienced a 22 percent decrease in material replacements overall and the current cost savings differential has increased from \$6.52 to \$14.31 per square foot. Therefore, it was determined that Graffiti Shield, Inc., is the sole provider of this patent pending stainless steel anti-graffiti film.

## **DISCUSSION**

Graffiti Shield Inc. is a Metro Certified SBE and has made a 100% SBE participation commitment.

Currently, there are approximately 198,000 sq. ft. of stainless steel panel surfaces throughout the Metro transit system subject to vandalism. Based on historical data, approximately 83,500 sq. ft. of stainless steel 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 an additional 71,000 sq. ft. of stainless steel panel surfaces subject to vandalism will be added to this Contract. This will increase the total stainless steel panel surfaces to 269,000 sq. ft. with an estimated replacement rate of 113,300 sq. ft. (42%) per month.

## **DETERMINATION OF SAFETY IMPACT**

The approval of this item will ensure the delivery of timely and reliable stainless steel anti-graffiti film maintenance 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 is \$14,919,070. Funding of \$2,100,000 for FY19 is allocated under 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

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 funding allocation given approved funding provisions and guidelines.

**IMPLEMENTATION OF STRATEGIC PLAN GOALS**

This unique stainless steel anti-graffiti film installation and replacement services contribute to facilities' overall condition and cleanliness while continuing to deliver outstanding trip experiences for all users of the transportation system.

**ALTERNATIVES CONSIDERED**

Staff considered providing stainless steel restoration services throughout Metro facilities utilizing Metro in-house staff. Staff analysis determined that the necessary patent pending film product does not exist in today's open market; therefore, it would not be available to Metro. Also, this method would require the hiring and training of additional personnel, and purchase of additional equipment, vehicles, and supplies to support this program. Staff's assessment indicates that this method is deemed insufficient, labor intensive, and not a cost-effective option for Metro.

**NEXT STEPS**

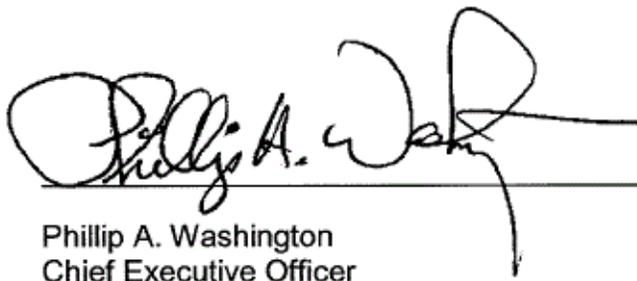
Upon approval by the Board, staff will execute Contract No. OP1141410003367 to Graffiti Shield, Inc., effective February 3, 2019, to provide stainless steel anti-graffiti film installation and replacement services throughout Metro bus and rail facilities.

**ATTACHMENTS**

- Attachment A - Procurement Summary
- Attachment B - DEOD Summary

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Phillip A. Washington  
Chief Executive Officer

**ATTACHMENT A**

**PROCUREMENT SUMMARY  
STAINLESS STEEL ANTI-GRAFFITI FILM INSTALLATION AND REPLACEMENT  
SERVICES / OP1141410003367**

1.	<b>Contract Number:</b> OP1141410003367	
2.	<b>Recommended Vendor:</b> Graffiti Shield, Inc..	
3.	<b>Type of Procurement (check one):</b> <input type="checkbox"/> IFB <input type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input checked="" type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	<b>Procurement Dates:</b>	
	A. Issued: 07/20/18	
	B. Advertised/Publicized: n/a	
	C. Pre-proposal/Pre-Bid Conference: n/a	
	D. Proposals/Bids Due: 8/21/18	
	E. Pre-Qualification Completed: October 2, 2018	
	F. Conflict of Interest Form Submitted to Ethics: October 1, 2018	
	G. Protest Period End Date: November 19, 2018	
5.	<b>Solicitations Picked up/Downloaded:</b> n/a	<b>Bids/Proposals Received:</b> n/a
6.	<b>Contract Administrator:</b> Rommel Hilario	<b>Telephone Number:</b> (213) 922-4654
7.	<b>Project Manager:</b> Maral Minasian	<b>Telephone Number:</b> (213) 922-6762

**A. Procurement Background**

This Board Action is to approve a non-competitive firm fixed unit rate contract in support of Facility Maintenance to provide stainless steel anti-graffiti film installation and replacement services for all Metro facilities.

The stainless steel anti-graffiti film product was exclusively developed for Metro’s use by Graffiti Shield, Inc. in an effort to improve facilities overall condition and mitigate vandalism. In January 2013, a pilot program was successfully implemented to install and replace stainless steel anti-graffiti film at selective Metro stations. This program was developed in an effort to improve stations’ overall appearance and cleanliness, mitigate graffiti and protect the stainless steel surfaces against vandalism. As a result, a five-year contract, OP33673154, was awarded to Graffiti Shield with an effective start date of February 3, 2014 to include all Metro bus and rail stations system-wide. This contract will expire on February 2, 2019.

A market survey was conducted in May 2018. Metro staff reached out to seven firms as potential vendors for providing stainless steel look alike anti-graffiti film product. These firms produce and/or work with window tinting and anti-graffiti film products. Vendors responded to Metro staff’s inquiry regarding the availability of stainless steel look alike anti-graffiti film products that can be applied to cover etched stainless steel surfaces and protect them from further vandalism system-wide, and there is no comparable stainless steel anti-graffiti film product available. Graffiti Shield, Inc. is the owner of this proprietary, (patent pending) stainless steel anti-graffiti film. Therefore,

Metro has deemed them as a single/sole source provider of this patent pending stainless steel anti-graffiti film.

This non-competitive procurement was conducted in accordance with Metro's Acquisition Policy.

**B. Evaluation of Proposals**

The proposal submitted by Graffiti Shield, Inc. was evaluated by staff from Vendor/Contract Management and Facility Maintenance, and was determined to be acceptable.

**C. Cost/Price Analysis**

Graffiti Shield's proposed unit rate for the 3 year base is calculated at \$4.45 per square foot which is a 5% increase from their original contract in 2015. The proposed unit rate for Option Year 1 and 2 is calculated at \$4.52 per square footage which represents a 6.8% increase from 2015. According to the Consumer Price Index, similar industries experienced an average of 12.4% price increase from February 2015 to June 2018. Therefore, the recommended price has been determined to be fair and reasonable based upon price analysis, a comparison with historical pricing, Metro's independent cost estimate, fact finding and technical evaluation.

<b>PROPOSER</b>	<b>PROPOSAL AMT</b>	<b>ICE</b>	<b>AWARD AMOUNT</b>
Graffiti Shield, Inc.	\$26,754.238	\$27,168,050	\$26,754,238

**D. Background on Recommended Contractor**

Graffiti Shield, Inc., located in Anaheim, California, manufactures surface protection products for glass, metal, and solid surfaces. The firm specializes in pre-cut anti-graffiti films for public and private spaces. Although Graffiti Shield was founded in early 2013, the firm has experience manufacturing and installing protective films. The owners also established another company called "XInt Tint" to exclusively handle the anti-graffiti solutions for glass surfaces. Graffiti Shield is the incumbent for the existing contract for stainless steel anti-graffiti film installation and replacement services, and has performed satisfactorily.



**DEOD SUMMARY**

**STAINLESS STEEL ANTI-GRAFFITI FILM INSTALLATION AND REPLACEMENT SERVICES / OP1141410003367**

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) did not establish a Small/Disabled Veteran Business Enterprise (SBE/DVBE) goal for this procurement. The anti-graffiti film is a proprietary product and services will be performed using the prime’s own workforce. The Prime, Graffiti Shield, Inc. is SBE certified by Metro.

	<b>SBE Prime</b>	<b>% Committed</b>
1.	Graffiti Shield, Inc.	100%
	<b>Total Commitment</b>	<b>100%</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 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 (PLA/CCP) is not applicable to this Contract. PLA/CCP is applicable only to construction contracts that have a construction contract value in excess of \$2.5 million.