



## Board Report

File #: 2018-0782, File Type: Contract

Agenda Number: 17.

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

**SUBJECT: ARTIFICIAL IVY INSTALLATION AND MAINTENANCE SERVICES**

**ACTION: AWARD CONTRACT**

#### **RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to award a firm fixed unit rate Contract No. OP1212080003367 to Intuitive Real Estate Solutions for a three year program, to provide heavy duty artificial ivy installation and maintenance services as a graffiti deterrent, for a not to exceed amount of \$659,198, effective March 18, 2019.

#### **ISSUE**

Staff recommends the award of a three year firm fixed unit rate contract to Intuitive Real Estate Solutions, to provide heavy duty artificial ivy installation and maintenance services as a graffiti deterrent and support Metro's long lasting practice of zero tolerance for graffiti system-wide.

#### **BACKGROUND**

In September 2016, Intuitive Real Estate Solutions reached out to Metro staff to introduce a heavy duty artificial ivy product and proposed to install it for Proof of Concept purposes.

On February 8, 2017 and April 12, 2017, the artificial ivy product was installed at two (2) Metro stations in a limited quantity. The product has been performing well in withstanding weather conditions; however, since the test areas were limited in size, product effectiveness as a graffiti deterrent require broader application at strategic locations in covering vertical surfaces at areas exposed to vandalism activities.

This program includes the installation of approximately 40,000 square feet of artificial ivy at seven locations within Metro rail system that are highly affected by graffiti. The program also includes monthly inspections and maintenance to ensure the product remains in clean and well maintained conditions, free of graffiti and any other vandalism activities.

#### **DISCUSSION**

Intuitive Real Estate Solutions is a Metro Certified SBE and has made a 97.72% SBE participation

commitment.

The heavy duty artificial ivy product proposed by Intuitive Real Estate Solutions consists of one (1) sq. ft. tiles made of 100% recycled low-density polyethylene. The ivy material is ultra violet resistant and fire retardant with a minimum life expectancy of seven (7) years in an outdoor environment, exposed to direct sunlight and other forms of inclement weather conditions.

This product is an added measure to the graffiti abatement and deterrent programs currently available at Metro.

### **DETERMINATION OF SAFETY IMPACT**

Approval of this item will not have a direct impact on safety. This item however, will further enhance Metro stations cleanliness and overall appearance, providing aesthetically attractive and sustainable coverage for vertical surfaces while acting as a graffiti deterrent, protecting Metro's assets, and enhancing customers' transit experience.

### **FINANCIAL IMPACT**

The total three year contract value is \$659,198. Funding of \$65,000 for FY19 is included in the FY19 budget under Account 50320 Contract Services and various operating 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**

Approval of this item supports the following Metro Strategic Goal 2: Deliver outstanding trip experiences for all users of the transportation system. The sustainable artificial ivy facade will contribute to improving facilities' overall condition and cleanliness.

### **ALTERNATIVES CONSIDERED**

Staff considered installation and maintenance of heavy duty artificial ivy as a graffiti deterrent throughout Metro facilities utilizing Metro in-house staff. This method would require the hiring of additional personnel, and purchase of additional equipment, vehicles, and supplies to support this program. Staff's assessment indicates that this method is not a cost-effective option for Metro.

### **NEXT STEPS**

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Upon approval by the Board, staff will execute Contract No. OP1212080003367 with Intuitive Real Estate Solutions, effective March 18, 2019, for a three-year program to provide heavy duty artificial ivy installation and maintenance services.

**ATTACHMENTS**

Attachment A - Artificial Ivy Installation Pictures

Attachment B - Procurement Summary

Attachment C - DEOD Summary

Prepared by: Brady Branstetter, DEO, Facilities Maintenance, (213) 922-6767  
Lena Babayan, Senior Director, Facilities Maintenance, (213) 922-6765

Reviewed by: James T. Gallagher, Chief Operations Officer, (213) 418-3108  
Debra Avila, Chief, Vendor/Contract Management Officer, (213) 418-3051

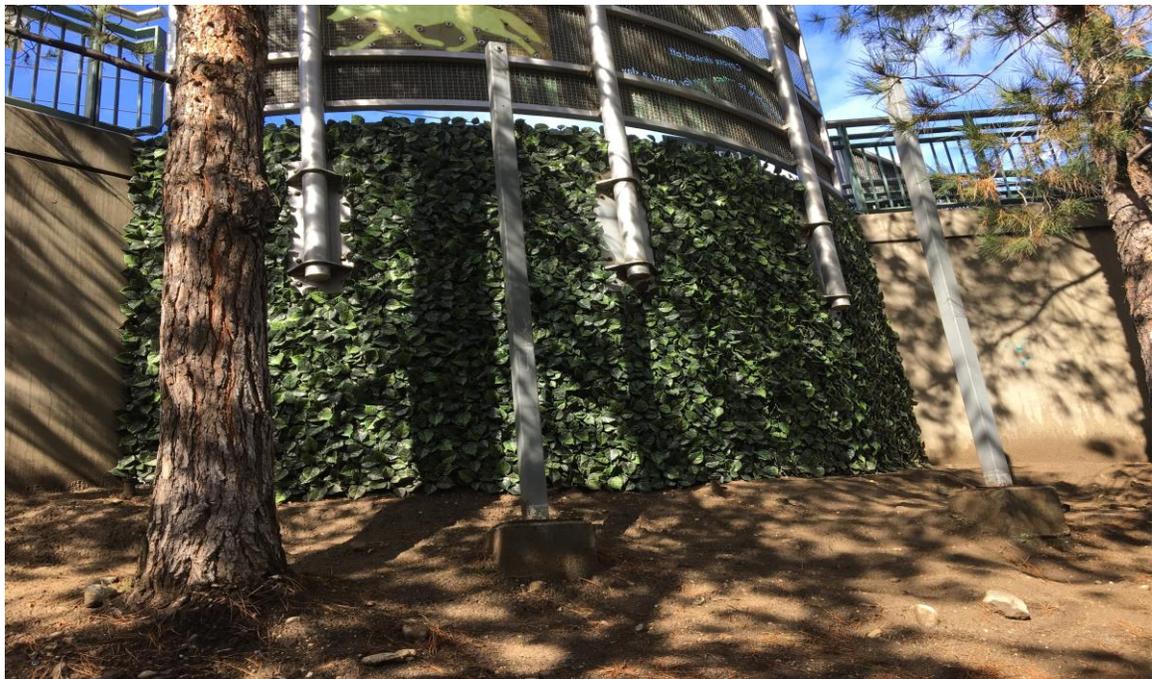


Phillip A. Washington  
Chief Executive Officer

# ATTACHMENT A ARTIFICIAL IVY INSTALLATION



**MBL SLAUSON STATION**



**PGL LINCOLN CYPRESS STATION**

**PROCUREMENT SUMMARY  
ARTIFICIAL IVY INSTALLATION AND MAINTENANCE SERVICES  
OP1212080003367**

|    |   |  |
|----|---|--|
| 1. | <b>Contract Number:</b> OP1212080003367   |  |
| 2. | <b>Recommended Vendor :</b> Intuitive Real Estate Solutions   |  |
| 3. | <b>Type of Procurement (check one):</b> <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E<br><input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order |  |
| 4. | <b>Procurement Dates:</b>   |  |
|    | A. <b>Issued:</b> September 28, 2018  |  |
|    | B. <b>Advertised/Publicized:</b> September 28, 2018   |  |
|    | C. <b>Pre-Proposal/Pre-Bid Conference:</b> October 9, 2018  |  |
|    | D. <b>Proposals/Bids Due:</b> October 30, 2018  |  |
|    | E. <b>Pre-Qualification Completed:</b> December 28, 2018  |  |
|    | F. <b>Conflict of Interest Form Submitted to Ethics:</b> December 21, 2018  |  |
|    | G. <b>Protest Period End Date:</b> February 25, 2019  |  |
| 5. | <b>Solicitations Picked up/Downloaded:</b> 15   | <b>Bids/Proposals Received:</b> 3          |
| 6. | <b>Contract Administrator:</b><br>Rommel Hilario  | <b>Telephone Number:</b><br>(213) 922-4654 |
| 7. | <b>Project Manager:</b><br>Shaunt Avanesian   | <b>Telephone Number:</b><br>(213) 922-5931 |

#### **A. Procurement Background**

This Board Action is to approve a firm fixed unit rate contract in support of Facilities Maintenance to provide, install, and maintain artificial ivy at various rail stations as a method of graffiti deterrence. The artificial ivy material consists of UV resistant polyethylene which is intended to resemble ivy plant material, and will be strategically placed at locations known for graffiti vandalism issues.

Through this program, approximately 40,000 square feet of artificial ivy will be installed at seven various locations within Metro rail system. The program also includes monthly inspections and maintenance to ensure the product remains in clean and well maintained conditions, free of graffiti and any other vandalism activities.

On September 28, 2018, Request for Proposals (RFP) No. OP57524 was released in the Small Business Enterprise Set-Aside program, and was issued as a competitive negotiated procurement in accordance with Metro's Acquisition Policy.

Two amendments were issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on October 2, 2018, extended the proposal due date;

- Amendment No. 2, issued on October 11, 2018, included pre-proposal documents, including the agenda, sign-in sheets, planholder's list, and a supplemental list of completed/current projects form.

A pre-proposal conference was held on October 9, 2018. A total of fifteen participants representing seven firms were in attendance.

On October 30, 2018, Metro received three proposals from three firms as follows, in alphabetical order:

1. CR&A Custom Apparel, Inc. (dba) CR&A Custom, Inc.
2. Intuitive Real Estate Solutions
3. Singh Group, Inc.

## **B. Evaluation of Proposals**

The Proposal Evaluation Team (PET), consisting of staff from Metro's Facilities Maintenance departments was convened and conducted a comprehensive technical evaluation of the proposals received.

The RFP required that all proposals shall be evaluated first on the minimum qualifications (pass/fail) basis. Any proposer that received a single fail for any of the minimum qualifications, as defined, would be eliminated from further consideration. The minimum qualifications are as follows:

1. Contractor shall demonstrate a minimum of three (3) years experience applying graffiti deterrent products or abatement services for a minimum of three (3) public or private entity clients for which it has performed work in accordance with the tasks and frequencies outlined in the statement of work.
2. Contractor must hold a valid, current State of California General Contractors License Class B and submit a copy with the bid documents. All licenses shall remain valid through the contract period of performance.

All three proposals met the minimum qualification requirements and were further evaluated based on the following evaluation criteria and weights:

|   |     |
|---|-----|
| Degree of the Contractor's (Firm and Staff) |     |
| • Skills and Experience                     | 40% |
| • Product Effectiveness                     | 30% |
| • Cost Proposal                             | 30% |

Following is a summary of the PET scores:

| 1  | FIRM   | Average Score | Factor Weight  | Weighted Average Score | Rank     |
|----|--|---------------|----------------|------------------------|----------|
| 2  | <b>Intuitive Real Estate Solutions</b>                           |               |                |                        |          |
| 3  | Degree of the Contractor's (Firm and Staff) Skills & Experience  | 85.75         | 40%            | 34.30                  |          |
| 4  | Product Effectiveness  | 94.00         | 30%            | 28.20                  |          |
| 5  | Cost   | 100.00        | 30%            | 30.00                  |          |
| 6  | <b>Total</b>   |               | <b>100.00%</b> | <b>92.50</b>           | <b>1</b> |
| 7  | <b>Singh Group Inc.</b>  |               |                |                        |          |
| 8  | Degree of the Contractor's (Firm and Staff) Skills & Experience  | 76.75         | 40%            | 30.70                  |          |
| 9  | Product Effectiveness and Specifications                         | 96.00         | 30%            | 28.80                  |          |
| 10 | Cost   | 74.00         | 30%            | 22.20                  |          |
| 11 | <b>Total</b>   |               | <b>100.00%</b> | <b>81.70</b>           | <b>2</b> |
| 12 | <b>CR&amp;A Custom Apparel, Inc. (dba) CR&amp;A Custom, Inc.</b> |               |                |                        |          |
| 13 | Degree of the Contractor's (Firm and Staff) Skills & Experience  | 82.50         | 40%            | 33.00                  |          |
| 14 | Product Effectiveness and Specifications                         | 66.00         | 30%            | 19.80                  |          |
| 15 | Cost   | 74.00         | 30%            | 22.20                  |          |
| 16 | <b>Total</b>   |               | <b>100.00%</b> | <b>75.00</b>           | <b>3</b> |

**C. Cost/Price Analysis**

The recommended price has been determined to be fair and reasonable based upon adequate competition, price analysis, fact finding, and technical evaluation which included a review of equipment specifications as stated in the statement of work.

| <b>PROPOSER</b>       | <b>PROPOSAL AMOUNT</b> | <b>METRO ICE</b> | <b>AWARD AMOUNT</b> |
|-----------------------|------------------------|------------------|---------------------|
| Intuitive Real Estate | \$659,198              | \$529,110        | \$659,198           |
| CR&A                  | \$892,454              |                  |                     |
| Singh Group, Inc.     | \$894,100              |                  |                     |

**D. Background on Recommended Contractor**

Intuitive Real Estate Solutions (Intuitive), a Los Angeles, CA based company, has been protecting real estate property from graffiti and vandalism through installation of glass/window like poly-carbonate products at vacant properties since 2013. In 2015, Intuitive partnered with Ivy-it Inc. and began manufacturing and installing a heavy duty, 100% recycled, low-density polyethylene product which resembled ivy plants. The ivy material is ultra violet resistant and fire retardant with a minimum life expectancy of seven years in an outdoor environment, exposed to direct sunlight and other forms of inclement weather conditions.

In 2017, Intuitive installed heavy duty artificial ivy product at two Metro locations for a pilot program. The product has been performing well in withstanding weather conditions, however, since the test areas were limited in size, product effectiveness as a graffiti deterrent require broader application in covering vertical surfaces at areas exposed to vandalism activities. Other artificial ivy customers include the cities of Riverside, Lynnwood, Bell Gardens and Anaheim.

## DEOD SUMMARY

ARTIFICIAL IVY INSTALLATION AND MAINTENANCE SERVICES/  
OP1212080003367**A. Small Business Participation**

Pursuant to Metro's Board-approved policy, competitive acquisitions with three or more Small Business Enterprise (SBE) certified firms within the specified North American Industry Classification System (NAICS) as identified for the project scope shall constitute Small Business Set-Aside procurement. Accordingly, the Contract Administrator advanced the solicitation, including posting the solicitation on Metro's website, advertising, and notifying certified small businesses as identified by NAICS code(s) that this solicitation was open to **SBE Certified Small Businesses Only**.

Intuitive Real Estate Solutions, an SBE Prime, is performing 97.72% of the work with its own workforce, and made a total SBE commitment of 97.72%. The Prime also listed one (1) non-SBE firm, Diamond Construction Co., as a subcontractor on this project.

**SMALL BUSINESS PRIME (SET-ASIDE)**

|    | <b>SBE Prime Contractor</b>             | <b>SBE % Committed</b> |
|----|---|------------------------|
| 1. | Intuitive Real Estate Solutions (Prime) | 97.72%                 |
|    | <b>Total Commitment</b>                 | 97.72%                 |

**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). Trades that may be covered include: surveying, potholing, field, soils and materials testing, building construction inspection, construction management and other support trades.

**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.