

**Board Report**

File #: 2019-0262, **File Type:** Contract

Agenda Number: 34.

**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE
JUNE 20, 2019**

SUBJECT: GRAFFITI ABATEMENT, LANDSCAPE AND IRRIGATION MAINTENANCE, AND TRASH AND VEGETATION REMOVAL SERVICES

ACTION: APPROVE CONTRACT MODIFICATION

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

- A. EXECUTE Modification No. 5 to Contract No. OP3569100, for Region 1 with Woods Maintenance Services, Inc., to provide graffiti abatement, landscape and irrigation maintenance, and trash and vegetation removal services throughout Metro Red Line (MRL), Metro Purple Line, Metro Orange Line (MOL), inactive rights-of-way (IROWs) and various bus and rail locations within the geographical area specified as Region 1, to exercise option year two in the amount of \$5,462,340, increasing the total contract not-to-exceed amount from \$22,084,754.50 to \$27,547,094.50 and extending the contract term from October 1, 2019 to September 30, 2020;
- B. EXECUTE Modification No. 4 to Contract No. OP3635700, for Region 2 with Parkwood Landscape Maintenance, Inc., to provide graffiti abatement, landscape and irrigation maintenance, and trash and vegetation removal services throughout Pasadena Gold Line (PGL), IROWs and various bus and rail locations within the geographical area specified as Region 2, to exercise and increase the value of option year two by \$929,031 from \$4,568,300 to \$5,497,331, increasing the total contract value from \$20,106,244 to \$25,603,575 and extending the contract term from October 1, 2019 to September 30, 2020;
- C. EXECUTE Modification No. 6 to Contract No. OP3569500, for Region 3 with Woods Maintenance Services, Inc., to provide graffiti abatement, landscape and irrigation maintenance, and trash and vegetation removal services throughout Metro Expo Line (Expo), Metro Green Line (MGL), IROWs and various bus and rail locations within the geographical area specified as Region 3, to exercise and increase the value of option year two by \$1,396,884 from \$5,751,654 to \$7,148,538, increasing the total contract value from \$28,253,220 to \$35,401,758 and extending the contract term from October 1, 2019 to September 30, 2020; and

- D. EXECUTE Modification No. 8 to Contract No. OP3638300, for Region 4 with Parkwood Landscape Maintenance, Inc., to provide graffiti abatement, landscape and irrigation maintenance, and trash and vegetation removal services throughout Metro Blue Line (MBL), Harbor Transitway (HTW), IROWs and various bus and rail locations within the geographical area specified as Region 4, to exercise option year two in the amount of \$4,688,234.16, increasing the total contract value from \$16,932,886.64 to \$21,621,120.80 and extending the contract term from October 1, 2019 to September 30, 2020.

ISSUE

Under the existing contracts for Regions 1-4 awarded on September 24, 2015, on-going graffiti abatement, landscape and irrigation, and trash and vegetation removal services are performed on a regular basis system-wide to ensure providing safe, on-time and quality services.

The first option year for the existing four (4) contracts will expire on September 30, 2019. The contractors have been providing satisfactory maintenance services in each of their respective regions.

To continue providing the required graffiti abatement, landscape and irrigation, and trash and vegetation removal services, a Contract Modification is required for each of the four (4) contracts to exercise option year two, extending the period of performance through September 30, 2020, and increasing the option year two values for Regions 2 and 3 contracts to continue providing the required maintenance services system-wide including the Metro Gold Line Foothill and Expo Line Extensions.

BACKGROUND

On June 21, 2018, Metro Board of Directors approved exercising option year one for Regions 1-4 and adding funds to Regions 2 and 3, to continue providing services on the Metro Gold Line Foothill and Expo Line Extensions, respectively.

To continue providing the critical maintenance services, a Contract Modification is required for each of the four (4) contracts, to exercise option year two, extending the period of performance through September 30, 2020, and increasing the option year two values for Regions 2 and 3 to continue providing the required maintenance services system-wide including the Metro Gold Line Foothill and Expo Line Extensions.

DISCUSSION

Under these contracts for Regions 1-4, the contractors provide graffiti abatement, landscape and irrigation, and trash and vegetation removal services throughout Metro-owned active and inactive ROWs and bus and rail facilities within LA County to mitigate vandalism activities, enhance Metro-owned ROWs and facilities' overall appearance and cleanliness and to ensure delivery of safe,

clean, on-time and reliable services system-wide.

DETERMINATION OF SAFETY IMPACT

The approval of this item will ensure the continuity of maintenance services, mitigate vandalism activities, enhance Metro-owned ROWs and facilities' overall appearance and cleanliness, and provide a proactive approach to maintenance needs, to ensure delivery of safe, clean, on-time and reliable services system-wide.

FINANCIAL IMPACT

Subject to board approval, funding of \$17,097,333 is included in the FY20 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 and Sr. Executive Officer, Maintenance and Engineering will be accountable for budgeting the cost in future years.

Impact to Budget

Funding for this action will come from the Enterprise operating fund. The source of funds will come from fares, sales tax, and state and local funds eligible for Bus and Rail Operating Projects. These funding sources will maximize fund use based on approved funding allocation provisions.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This board action supports Strategic Goal 2) Deliver outstanding trip experiences for all. Specifically, graffiti abatement, landscape and irrigation maintenance, and trash and vegetation removal services contribute to the overall condition and cleanliness of Metro facilities.

ALTERNATIVES CONSIDERED

Staff considered providing this service with Metro existing staff. This would require 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 modifications for each of the four (4) contracts to exercise option year two, extending the period of performance through September 30, 2020.

- A. Modification No. 5 to Contract No. OP3569100, for Region 1 with Woods Maintenance Services, Inc.
- B. Modification No. 4 to Contract No. OP3635700, for Region 2 with Parkwood Landscape Maintenance, Inc.
- C. Modification No. 6 to Contract No. OP3569500, for Region 3 with Woods Maintenance

Services, Inc.

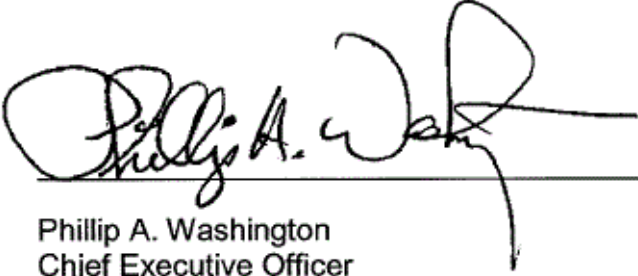
- D. Modification No. 8 to Contract No. OP3638300, for Region 4 with Parkwood Landscape Maintenance, Inc.

ATTACHMENTS

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

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

Reviewed by: James T. Gallagher, Chief Operations Officer, (213) 922-4424
Debra Avila, Chief, Vendor/Contract Management Officer, (213) 418-3051



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

**GRAFFITI ABATEMENT, LANDSCAPE AND IRRIGATION MAINTENANCE, AND
TRASH AND VEGETATION REMOVAL SERVICES / OP3569100, OP3635700,
OP3569500, OP3638300**

1.	Contract Numbers: A) OP3569100, B) OP3635700, C) OP3569500, and D) OP3638300		
2.	Contractors: Woods Maintenance Services, Inc. and Parkwood Landscape Maintenance		
3.	Mod. Work Description: Exercise Second Option Year for Regions 1 through 4		
4.	Contract Work Description Provide graffiti abatement, landscape and irrigation, and trash and vegetation removal services throughout Metro-owned active and inactive ROWs and bus and rail facilities within LA County..		
5.	The following data is current as of: 5/10/19		
6.	Contract Completion Status		Financial Status
	Contracts Awarded:	10/1/15	Contracts Award Amounts: A) \$16,542,520.00 B) \$12,599,235.00 C) \$16,863,892.00 D) \$11,996,937.00
	Notice to Proceed (NTP):	N/A	Total of Modifications Approved: A) \$5,542,234.50 B) \$7,507,009.00 C) \$11,389,328.00 D) \$4,935,949.64
	Original Complete Date:	9/30/18	Pending Modifications (including this action): A) \$5,462,340.00 B) \$5,497,331.00 C) \$7,148,538.00 D) \$4,688,234.16
	Current Est. Complete Date:	9/30/20	Current Contracts Values (with this action): A) \$27,547,094.50 B) \$25,603,575.00 C) \$35,401,758.00 D) \$21,621,120.80
7.	Contract Administrator: Rommel Hilario		Telephone Number: (213) 922-4654
8.	Project Managers: Maral Minasian – Region 1 Lew Yonemoto – Region 2 Shaunt Avanesian – Region 3 Todd Garner - Region 4		Telephone Numbers: (213) 922-6762 (213) 922-6773 (213) 922-5931 (213) 922-6788

A. Procurement Background

This Board Action is to authorize the CEO to exercise the second option year to the various contracts listed above to support Facilities Maintenance to continue providing the required graffiti abatement, landscape and irrigation, and trash and vegetation removal services. A contract modification is required for each of the four contracts to exercise the second option year and extend the period of performance through September 30, 2020.

These Contract Modifications will be processed in accordance with Metro's Acquisition Policy and the contract types are firm fixed unit rates.

On September 24, 2015, the Board approved four, five-year contracts, inclusive of two, one-year options, to provide graffiti abatement, landscape and irrigation maintenance, and trash and vegetation removal services

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

B. Cost/Price Analysis

Funding Source	METRO LIVING WAGE/STATE PREVAILING WAGE		
	Service Type	Graffiti Abatement (prevailing wage)	Landscape & Irrigation (living wage)
2015	\$43.37	\$16.04	\$48.88
2019	\$44.37	\$18.99	\$48.98
% increase	2.3%	18.39%	.2%

A) Contract No. OP3569100 (Region 1) is subject to the State prevailing wage and Metro living wage requirements. The recommended price to exercise Option Year Two has been determined to be fair and reasonable based upon a comparison with the independent cost estimate (ICE), technical evaluation, and fact finding.

Option Year Two Amount	Metro ICE	Negotiated Amount
\$5,462,340	\$5,462,340	\$5,462,340

B) Contract No. OP3635700 (Region 2) is subject to the State prevailing wage and Metro living wage requirements. The recommended price to exercise Option Year Two has been determined to be fair and reasonable based upon a comparison with the ICE, technical evaluation, and fact finding.

Option Year Two Amount	Metro ICE	Negotiated Amount
\$5,497,331	\$5,497,331	\$5,497,331

C) Contract No. OP3569500 (Region 3) is subject to the State prevailing wage and Metro living wage requirements. The recommended price to exercise Option Year Two has been determined to be fair and reasonable based upon a comparison with the ICE, technical evaluation, and fact finding.

Option Year Two Amount	Metro ICE	Negotiated Amount
\$7,148,538	\$7,148,538	\$7,148,538

D) Contract No. OP3638300 (Region 4) is subject to the State prevailing wage and Metro living wage requirements. The recommended price to exercise Option Year Two has been determined to be fair and reasonable based upon a comparison with the ICE, technical evaluation, and fact finding.

Option Year Two Amount	Metro ICE	Negotiated Amount
\$4,688,234.16	\$4,688,234.16	\$4,688,234.16

CONTRACT MODIFICATION/CHANGE ORDER LOG

GRAFFITI ABATEMENT, LANDSCAPE AND IRRIGATION MAINTENANCE, AND
TRASH AND VEGETATION REMOVAL SERVICES / REGIONS 1 - 4

REGION 1 – OP3569100			
Mod. No.	Description	Date	Amount
1.	Add locations to Attachment A – List of Locations	1/26/16	\$29,915.50
2.	Add location to Attachment A – List of Locations	5/27/16	\$0
3.	Provide for one-time clean-up project	9/22/17	\$49,979.00
4.	Exercise Option Year One extend the period of performance	7/12/18	\$5,462,340.00
5	Exercise Option Year Two extend the period of performance	PENDING	\$5,462,340.00
	Modification Total:		\$11,004,574.50
	Original Contract:	9/24/15	\$16,542,520.00
	Total Contract Value:		\$27,547,094.50

REGION 2 – OP3635700			
Mod. No.	Description	Date	Amount
1.	Add Gold Line Extension	3/30/16	\$2,270,905.00
2.	Add location to Attachment A – List of Locations	6/2/16	\$0
3.	Exercise Option Year One extend the period of performance	7/10/18	\$5,236,104.00
4	Exercise Option Year Two extend the period of performance	PENDING	\$5,497,331.00
	Modification Total:		\$13,004,340.00
	Original Contract:	9/24/15	\$12,599,235.00
	Total Contract Value:		\$25,603,575.00

REGION 3 – OP3569500			
Mod. No.	Description	Date	Amount
1.	Add Expo Line Extension	5/11/16	\$3,551,658.00
2.	Exercise Option Year One extend the period of performance	7/10/18	\$6,972,648.00
3	Add location to Attachment A – List of Locations	10/10/18	\$473,637.00
4	Add location to Attachment A – List of Locations	10/10/18	\$215,495.00
5	Add location to Attachment A – List of Locations	10/10/18	\$175,890.00
6	Exercise Option Year Two extend the period of performance	PENDING	\$7,148,538.00
	Modification Total:		\$18,537,866.00
	Original Contract:	9/24/15	\$16,863,892.00
	Total Contract Value:		\$35,401,758.00

REGION 4 – OP3638300			
Mod. No.	Description	Date	Amount
1.	Revise Statement of Work	3/30/16	\$0
2.	Revise Statement of Work	10/1/16	\$0
3.	Add location to Attachment A – List of Locations	6/21/2017	\$38,250.00
4.	Exercise Option Year One extend the period of performance	7/6/18	\$4,141,657.00
5.	Add location to Attachment A – List of Locations	9/12/18	\$450,117.44
6.	Add location to Attachment A – List of Locations	9/12/18	\$180,626.00
7.	Exercise Contract Modification Authority	10/1/18	\$125,299.20
8	Exercise Option Year Two extend the period of performance	PENDING	\$4,688,234.16
	Modification Total:		\$9,624,183.80
	Original Contract:	9/24/15	\$11,996,937.00
	Total Contract Value:		\$21,621,120.80

DEOD SUMMARY

**GRAFFITI ABATEMENT, LANDSCAPE AND IRRIGATION MAINTENANCE, AND
TRASH AND VEGETATION REMOVAL SERVICES / OP3569100, OP3635700,
OP3569500, OP3638300**

A. Small Business Participation

Region 1- Metro Red Line, Metro Orange Line, Inactive ROWs & Various Locations - Woods Maintenance Services (WMS) made a 25.12% Small Business Enterprise (SBE) commitment. The project is 71% complete. WMS has a current participation of 24.38%, which represents a shortfall of 0.74%. WMS explained that the shortfall is due to reimbursable non-labor related costs. WMS will reallocate staffing and is in the process of adding DVBE subcontractor, IECLT, Inc., to perform landscaping & irrigation maintenance services.

Small Business Commitment	25.12% SBE	Small Business Participation	24.38% SBE
----------------------------------	-------------------	-------------------------------------	-------------------

	SBE Subcontractors	% SBE Commitment	% SBE Participation
1.	Briteworks, Inc. (Graffiti)	3.29%	3.74%
2.	Briteworks, Inc. (Trash/Vegetation Removal)	3.29%	3.27%
3.	BJAG Group, LLC	3.40%	3.64%
4.	Far East Landscape & Maintenance	15.14%	13.73%
	Total	25.12%	24.38%

Region 2 - Metro Gold Line, Inactive ROWs & Various Locations – Parkwood Landscape Maintenance, Inc. made a 22% SBE and 3% DVBE commitment. The project is 82% complete. Parkwood is exceeding its commitment with a current SBE participation of 22.14% and 2.91% DVBE.

Small Business Commitment	22.00% SBE 3.00% DVBE	Small Business Participation	22.14% SBE 2.91% DVBE
----------------------------------	----------------------------------	-------------------------------------	----------------------------------

	SBE Subcontractors	% SBE Commitment	% SBE Participation
1.	Briteworks, Inc.	11.00%	10.01%
2.	Far East Landscape (Landscape)	5.87%	4.91%
3.	Far East Landscape (Trash Removal)	5.13%	7.22%
	Total	22.00%	22.14%

	DVBE Subcontractors	% DVBE Commitment	% DVBE Participation
1.	IECLT, Inc.	3.00%	2.91%
	Total	3.00%	2.91%

Region 3 - Metro Expo Line, Metro Green Line, and Bus Facilities – Woods Maintenance Services (WMS) made 24.46% SBE commitment. The project is 77% complete. WMS has a current participation of 23.75%, which represents a shortfall of 0.72%. WMS explained that the shortfall is due to reimbursable non-labor related costs. WMS will reallocate staffing and is in the process of adding DVBE subcontractor, IECLT, Inc., to perform landscaping & irrigation maintenance services.

Small Business Commitment	24.46% SBE	Small Business Participation	23.75% SBE
----------------------------------	-------------------	-------------------------------------	-------------------

	SBE Subcontractors	% SBE Commitment	% SBE Participation
1.	BJAG	4.88%	3.96%
2.	Briteworks (Graffiti Abatement)	0.00%	2.78%
3.	Briteworks (Trash/Vegetation Removal)	10.67%	9.83%
4.	Far East Landscape & Irrigation	8.91%	7.18%
	Total	24.46%	23.75%

Region 4 - Metro Blue Line, Harbor Transit Way, Various Bus Locations – Parkwood Landscape Maintenance made a 22% SBE and 3% DVBE commitment. The project is 72% complete. Parkwood is exceeding its commitment with a current SBE participation of 23.24% and 3.05% DVBE.

Small Business Commitment	22.00% SBE 3.00% DVBE	Small Business Participation	23.24% SBE 3.05% DVBE
----------------------------------	----------------------------------	-------------------------------------	----------------------------------

	SBE Subcontractors	% SBE Commitment	% SBE Participation
1.	Briteworks, Inc.	11.00%	10.12%
2.	Far East Landscape (Landscape)	5.87%	4.70%
3.	Far East Landscape (Trash Removal)	5.13%	8.42%
	Total	22.00%	23.24%

	DVBE Subcontractors	% DVBE Commitment	% DVBE Participation
1.	IECLT, Inc.	3.00%	3.05%

	Total	3.00%	3.05%
--	--------------	--------------	--------------

B. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy (LW/SCWRP) is applicable to this contract. Metro staff will monitor and enforce the policy guidelines to ensure that applicable workers are paid at minimum, the current Living Wage rate of \$18.99 per hour (\$13.75 base + \$5.24 health benefits), including yearly increases. In addition, contractors will be responsible for submitting the required reports for the Living Wage and Service Contract Worker Retention Policy and other related documentation to staff to determine overall compliance with the policy.

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. Project Labor Agreement/Construction Careers Policy is applicable only to construction contracts that have a construction contract value in excess of \$2.5 million.