

**Metro**Los Angeles County
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metro.net**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
JANUARY 15, 2015****SUBJECT: GRAFFITI ABATEMENT SERVICES****ACTION: AUTHORIZE CONTRACT MODIFICATION****RECOMMENDATION**

Authorize the Chief Executive Officer to execute Modification No. 7 to Contract No. OP33442421 for Graffiti Abatement Services to Woods Maintenance Services, Inc., in the amount of \$1,365,000 increasing the not-to-exceed Contract value from \$4,252,763 to \$5,617,763. This contract provides on-going graffiti abatement services throughout Metro properties. This modification extends the period of performance through August 31, 2015.

ISSUE

The existing graffiti abatement contract will expire on January 31, 2015. Under this contract, graffiti abatement services are being performed via chemical and/or pressure washing techniques system-wide. Since April 2012 and thereafter, the contractor's crews are required to take before and after photos of the vandalized areas for law enforcement before removing graffiti from Metro transit stations, soundwalls, retaining walls, bridges, poles, columns, and any other transit structures, five days a week within 24 hours, and in accordance with Metro's safety requirements.

Although procurement actions were initiated months ago to replace the current contract, administrative clarifications pertaining to labor classifications were provided, impacting the bidding process and the requirements put forth within the solicitation package. Due to the updated information, the latest procurement was cancelled and a new solicitation will be issued for competitive bidding, which will include the updated labor classification requirements.

To continue providing these critical services without service interruptions, a contract modification is required for the existing Contract No. OP33442421 to extend the period of performance and increase contract value while a new procurement process is completed with an anticipated award date of September 1, 2015.

DISCUSSION

Beginning February 2012, graffiti abatement services were expanded to service the Union Pacific Right-Of-Way (ROW) adjacent to Metro Blue Line stations and 42 Caltrans Park and Ride lots. These actions were taken to improve the cleanliness and appearance of facilities and ROWs that are often perceived by the public as Metro properties. Furthermore, in May 2012 Expo I stations were added to the scope of this contract to ensure providing safe, clean and free of graffiti stations.

Regular graffiti abatement service for Metro facilities is essential to ensure maintaining a safe, clean, and pleasant environment to our patrons. This service will continue our long standing practice of zero tolerance for graffiti system-wide and enhance the overall appearance and cleanliness of Metro facilities while mitigating criminal activities.

To avoid service interruptions and continue providing graffiti abatement services throughout Metro bus and rail facilities and stations, a contract modification is required to extend the period of performance and increase the contract value, until all related procurement actions are completed.

DETERMINATION OF SAFETY IMPACT

The approval of this item will maintain and enhance Metro properties overall appearance and cleanliness, mitigate vandalism activities, and provide proactive approach to graffiti abatement, to ensure delivery of safe, quality, on-time, and reliable services system-wide.

FINANCIAL IMPACT

Funding of \$975,000 for this modification is included in the FY15 budget in cost center 3367 – Facilities Property Maintenance, account 50308, Service Contract Maintenance, projects 306002 – Operations Maintenance, 300022 - Blue Line Operations, 300033 - Green Line Operations, 300044 - Red Line Operations, 300055 -Gold Line Operations, 301012 - Orange Line Operations, 300066 - Expo Line Operations, 300014 – Regional Activities, and 410028 - Caltrans Property Maintenance.

Since this is a multi-year contract, the cost center manager, project managers, and Executive Director, Maintenance will ensure that the balance of funds is budgeted in future years.

Impact to Budget

The current year funding for this action will come from the Enterprise operating fund and Proposition C 25%. No other sources of funds were considered for this activity because it supports Caltrans P&R lots, and bus and rail operations. This activity is part of the on-going maintenance costs of Metro facilities.

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 this is not a cost-effective option for Metro.

NEXT STEPS

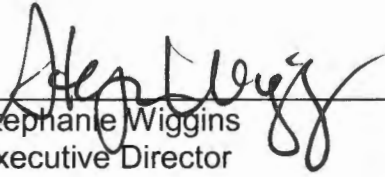
Upon Board approval, staff will execute a contract modification with Woods Maintenance Services, Inc.

ATTACHMENTS

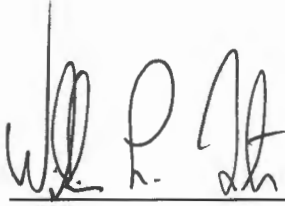
- A. Procurement Summary
- B. Contract Modification/Change Log

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Stephanie Wiggins
Executive Director
Vendor/Contract Management



William L. Foster
Interim Chief Operations Officer



Arthur T. Leahy
Chief Executive Officer

**PROCUREMENT SUMMARY
GRAFFITI ABATEMENT SERVICES**

1.	Contract Number: OP33442421		
2.	Contractor: Woods Maintenance Services, Inc.		
3.	Mod. Work Description: Continuation of services		
4.	Contract Work Description: Graffiti Abatement Services		
5.	The following data is current as of: 12/16/14		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	01/21/10	Contract Award Amount: \$3,866,148
	Notice to Proceed (NTP):	02/01/10	Total of Modifications Approved: \$386,615
	Original Complete Date:	01/31/15	Pending Modifications (including this action): NTE \$1,365,000
	Current Est. Complete Date:	08/31/15	Current Contract Value (with this action): \$5,617,763
7.	Contract Administrator: Tom Meng		Telephone Number: (213) 922-1074
8.	Project Manager: Carlos Martinez		Telephone Number: (213) 922-6761

A. Procurement Background

This Board Action is to approve Modification No. 7 in support of Facilities Maintenance’s graffiti abatement program anticipated costs during the extended performance period.

This contract modification will be processed in accordance with Metro’s Acquisition Policy and the contract type is a Firm Fixed Unit Price.

On January 21, 2010, Contract No. OP3342421 was awarded to Woods Maintenance Services, Inc. (item No. 57) in the amount of \$3,866,148 as the lowest responsive, responsible bidder for graffiti abatement services along Metro right-of-way.

Attachment B shows six modifications have been issued to date and one modification to be negotiated.

B. Cost/Price Analysis

A fair and reasonable price will be negotiated based on cost/price analysis, fact finding, and negotiations.

Proposed Amount	Metro ICE	Negotiated Amount
\$1,365,000	\$1,365,000	\$1,365,000

C. Small Business Participation

Woods Maintenance Services made an 8.60% Disadvantaged Business Enterprise Anticipated Levels of Participation (DALP) commitment for this contract. The project is 97% complete and currently the Prime is exceeding DALP commitment with a DALP participation of 8.78%.

DALP COMMITMENT	DBE 8.60%	DALP PARTICIPATION	DBE 8.78%

	DBE Subcontractors	Ethnicity	Status	% Committed	Current Participation¹
1.	BriteWorks	Hispanic	Performing	8.60%	8.78%
	Total			8.60%	8.78%

¹Current Participation = Total Actual amount Paid-to-Date to DBE firms ÷ Total Actual Amount Paid-to-date to Prime.

D. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy is not applicable to this modification.

CONTRACT MODIFICATION/CHANGE LOG

GRAFFITI ABATEMENT SERVICES

Mod. no.	Original Contract	01/21/10	\$3,866,148
1.	Add funding and add locations	02/16/12	\$200,000
2.	Add service to EXPO Rail Line and increase funding	05/15/12	\$186,615
3.	Exercise Option Year 1	10/26/12	\$0
4.	Provide Tap Cards to contractor	06/04/13	\$0
5.	Exercise Option Year 2	02/01/14	\$0
6.	Add a one person crew for a total of 15 crews	09/01/14	\$0
7.	Add funds and extend performance period (pending Board approval)		NTE \$1,365,000
	Total:		\$5,617,763