



**Metro**

Los Angeles County  
Metropolitan Transportation Authority

One Gateway Plaza  
Los Angeles, CA 90012-2952

**51**

**DECEMBER 10, 2009  
REGULAR BOARD MEETING**

**SUBJECT: CONTRACT OP33442073, GRAFFITI PAINT-OUT SERVICES,  
GRAFFITI CONTROL SYSTEMS**

**ACTION: APPROVE CONTRACT AWARD**

**RECOMMENDATION**

Authorize the Chief Executive Officer to award a five-year firm fixed unit rate contract, Contract No. OP33442073 to Graffiti Control Systems, Inc., the only responsive, responsible bidder, to provide graffiti paint-out service for our transit facilities in an amount not to exceed \$430,000, inclusive of two, one-year options, effective November 1, 2009.

**RATIONALE**

This contract will provide graffiti removal services by painting over tagged surfaces, predominately on rail active and in-active right-of-way structures. Paint-outs are typically required on painted metal structures and unprotected masonry structures. Such surfaces on public transit facilities and infrastructure include aerial structures; bridge girders and columns; canopy support columns; equipment enclosures; sound walls; hand rails; and benches. Work under this contract constitutes a small fraction of the overall graffiti abatement program for our transit facilities and is subject to prevailing wages in accordance with the California labor code governing public works.

The bulk of graffiti abatement service for rail transit facilities is provided by a separate contract which deploys chemical and pressure washing methods to remove graffiti and does not require painting. We benefit from a lower cost of removal with the primary contract due to the lower labor rates when painter prevailing wages are not applicable.

In an effort to provide clean facilities and a pleasant environment for transit system patrons, we strive to maintain zero tolerance to graffiti on our facilities. A regular graffiti removal service is essential in order to enhance the appearance of our facilities and protect it from the appearance of urban decay and community plight.

Control of this insidious vandalism problem at our facilities is necessary to mitigate criminal activity in and around transit facilities and to keep the propagation of graffiti in transit facilities in check.

This proposed multi-year contract will replace an existing contract that will expire in October 2009. Until now, graffiti paint-out service was acquired thru annual purchase orders. In an effort to obtain a more advantageous pricing, this recommendation is to award a multi-year contract that will also result in reduced procurement and administrative costs.

### **FINANCIAL IMPACT**

The funding of \$86,000 for the service is included in the FY10 budget in cost center 3344, Contract and Administration under project 300011 (Bus Operations), 300022 (Blue Line Operations), 300033 (Green Line Operations), 300044 (Red Line Operations), 300055 (Gold Line Operations), 301012 (Orange Line Operations) and 610041 (Inactive ROW Maintenance). Since this is a multi-year contract, the cost center manager and Executive Officer will be accountable for budgeting the cost in future years, including any options exercised. In FY09, \$75,438 was expended on this service.

### **Impacts to Bus and Rail Enterprise Fund Operating and Capital Budgets (New Section)**

The source of funds for this project is fares, Prop A sales taxes, TDA4 and other Enterprise funds. These funds are eligible for bus and rail operating and capital projects. No other source of funds was considered for this service because these funds are dedicated to Enterprise fund activities. The new annual cost will be 3.5% less than the previous contract, which represents a savings of \$15,000 over 5 years.

### **ALTERNATIVES CONSIDERED**

One alternative considered is to hire personnel to provide this as-needed service. This will require the acquisition of specialty high-reach equipment, vehicles, supplies, and additional supervisory personnel to coordinate with other agencies to perform the work, which will result in a higher fixed cost. Staff's assessment indicates that this is not a recommended option for us as the service need is intermittent.

### **ATTACHMENTS**

- A. Procurement Summary
- A-1 Procurement History
- A-2 List of Subcontractors

Prepared by: Brady Branstetter, Director, Facilities Maintenance  
Hussein Farah, Facilities Maintenance Manager  
Nicole Dang, Assistant Contract Administrator

*Carolyn Flowers*

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Carolyn Flowers  
Chief Operations Officer

*Arthur T. Leahy*

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Arthur T. Leahy  
Chief Executive Officer

**BOARD REPORT ATTACHMENT A  
PROCUREMENT SUMMARY**

**Graffiti Abatement Paint-Outs Services**

1.	Contract Number: OP33442073		
2.	Recommended Vendor: Graffiti Control Systems, Inc.		
3.	Cost/Price Analysis Information:		
	A. Bid Price: \$ 430,000	Recommended Price: \$ 430,000	
	B. Details of Significant Variances are in Attachment A-1.D		
4.	Contract Type: Fixed Unit Rate		
5.	Procurement Dates:		
	A. Issued: June 19, 2009		
	B. Advertised: June 20, 2009 and June 22, 2009		
	C. Pre-Bid Conference: July 02, 2009		
	D. Bid Due: July 20, 2009		
	E. Pre-Qualification Completed: September 01, 2009		
	F. Conflict of Interest Form Submitted to Ethics: September 1, 2009		
6.	Small Business Participation:		
	A. Bid Goal: No Goal Recommended	Date Small Business Evaluation Completed: September 02, 2009	
	Small Business Commitment: No DBE Anticipated level of Participation (DALP) was recommended.		
7.	Invitation for Bid/Request for Bid Data:		
	Notifications Sent: 33	Bid Picked up: 28	Bids Received: 4
8.	Evaluation Information:		
	A. Bidders Names:	<u>Bid Amount:</u>	<u>Best and Final Offer Amount:</u>
	1. Everlast Builders	\$ 296,000	\$296,000
	2. Tony Painting, Inc.	\$ 385,000	\$385,000
	3. Graffiti Control Systems, Inc.	\$ 430,000	\$430,000
	4. Fix Painting Co.	\$ 695,000	\$695,000
	B. Evaluation Methodology: Sealed Bid Details are in Attachment A-I.C		
9.	Protest Information:		
	A. Protest Period End Date: October 20, 2009		
	B. Protest Receipt Date: TBD		
	C. Disposition of Protest Date: TBD		
10.	Contract Administrator: Nicole Dang	Telephone Number: 922-7438	
11.	Project Manager: Lena Babayan	Telephone Number: 922-8830	







