

Meeting Date: 5/26/2015

Report Type: Consent

Report ID: 2015-00275

Title: Uniformed Unarmed Security Guard Services (Two-Thirds Vote Required)
[Published for Review 05/14/2015]

Location: Citywide

Recommendation: Pass a Motion: 1) rejecting all bids for Solicitation B15061511003 for citywide uniformed unarmed security services; 2) suspending competitive bidding, in the best interests of the City, and authorizing the use of a Request-for-Proposal (RFP) process to determine the most experienced and qualified security services contractor to perform citywide uniformed unarmed security services for the City; and 3) authorizing the City Manager or the City Manager's designee to execute a contract extension with Securitas Security Services, USA Inc. for 90 days for the continuation of uniformed unarmed security guard services in a total amount not to exceed \$2,225,265.

Contact: Katherine Robbins, Program Analyst (916) 808-1562; Craig Lymus, Procurement Services Manager, (916) 808-5524, Department of Finance

Presenter: None

Department: Finance

Division: Procurement Services

Dept ID: 06001511

Attachments:

1-Description/Analysis

2-Background

3-Contract

City Attorney Review

Approved as to Form

Lan Wang

5/14/2015 3:18:05 PM

Approvals/Acknowledgements

Department Director or Designee: Dennis Kauffman - 5/14/2015 11:45:55 AM

Description/Analysis

Issue Detail: The City has an ongoing requirement for uniformed unarmed security guard services for approximately 22 City facilities. The existing City contract (Contract No. 2014-1148-2) with Securitas Security Services USA, Inc. (Securitas) will expire on May 30, 2015. At this time the City is unable award a long-term contract for security services as a bid protest has been filed by the previous contractor, National Security Industries (National), the City has received the hearing examiner's final decision and the City is currently evaluating how to proceed. Therefore, this contract extension is necessary in order to ensure continued service in the interests of public safety.

Policy Considerations: The recommendations in this report are in accordance with 1) City Code Chapter 3.58 requiring the payment of a living wage for certain non-professional services contracts, 2) City Code Chapter 3.60 Public Projects, and 3) Administrative Policy 4101 for the procurement of non-professional services.

Economic Impacts: None

Environmental Considerations:

California Environmental Quality Act (CEQA): No environmental review is necessary because the recommendations in this report involve the administrative activity of contracting for the purchase of uniformed unarmed security guard services and are not considered to be a project in accordance with Section 15378(b)(2) of the CEQA Guidelines.

Sustainability: Not applicable

Commission/Committee Action: None

Rationale for Recommendation: The City has an ongoing requirement for uniformed unarmed security guard services for approximately 22 City facilities. The existing City contract (Contract No. 2014-1138-2) will expire May 30, 2015.

On November 13, 2014, staff recommended that Council award a 90-day contract effective November 18, 2014, to Securitas as the lowest responsive and responsible bidder and requested authorization for the City Manager to administer the transition from National to Securitas.

Upon notice of recommendation of award to Securitas, a valid bid protest was filed by National pursuant to City Code Chapter 3.60.480 on November 19, 2014. The administrative hearing on the bid protest began on January 14, 2015, and concluded on March 20, 2015.

On February 17, 2015, staff recommended that Council award a 60-day contract extension to provide additional time for the bid protest process to conclude, extending the contract to April 30, 2015.

On April 28, 2015, staff recommended that Council award a 30-day contract extension to provide additional time to receive the hearing examiner's final decision on the administrative appeal, extending the contract to May 30, 2015.

On May 11, 2015, the City received the hearing examiner's final decision. Staff recommends the City Council exercise its discretion to reject all bids without adopting or rejecting the hearing examiner's

ruling and issue a request for proposals (RFP) in order to determine the most experienced and qualified security services contractor to perform citywide uniformed unarmed security services for the City.

The recommended additional 90-day extension will allow for the continuation of security guard services while staff completes the new solicitation process. Staff will recommend a contract award to the Council at the conclusion of the solicitation process.

Financial Considerations: In determining the recommended spending authority, staff reviewed the expenditure history for this service and considered future needs. The recommended not-to-exceed amount is \$2,225,265. Funding for uniformed unarmed security guard services will be provided by the operating budgets of the departments utilizing this service. Sufficient funding is available in the FY2014/15 budget for security services. Services provided after June 30, 2015, are subject to funding availability in the FY2015/16 budget. Council authorization is being requested to extend the contract with Securitas Security Services USA for services through August 30, 2015.

Local Business Enterprise (LBE): Securitas Security Services USA is headquartered in Westlake Village, CA and has a local office in Sacramento, which qualifies them as a LBE.

ATTACHMENT 1

Background:

On May 20, 2014, Procurement Services presented a recommendation to Council to adopt the findings of fact issued by the Hearing Examiner on the bid protest filed by Securitas, and to award the contract to National. After hearing from all interested parties, the City Council rejected all bids and directed Procurement Services to extend the existing contract to November 1, 2014, to allow additional time to rebid the project.

On July 7, 2014, Procurement Services issued an Invitation for Bid (IFB) No. B15061511003. A total of nine contractors responded to the IFB. The bids were received and opened by the City Clerk on August 6, 2014. National was determined to be the lowest responsive bidder. Of the nine contractors who submitted bids, six were determined to be non-responsive.

On October 28, 2014, Procurement Services presented a recommendation to Council to award the contract to National. However, Council received information on the morning of the hearing that warranted an investigation into possible contract, labor, and wage violations. Council requested the item be continued to November 13, 2014, and the existing contract extended to November 18, 2014, to allow procurement staff time to investigate allegations presented by Service Employees International Union (SEIU). The investigation was initiated on November 3, 2014, and concluded on November 10, 2014.

On November 13, 2014 staff revised the decision to award the contract to National based upon the evidence obtained during the course of the investigation. The City has determined that National has not complied with the current contract by: (1) failing to maintain required equipment (cellphones, vehicles, and diggies), (2) misrepresenting CPR and First Aid training levels for security staff in its bid submittal for IFB B15061511003, and (3) failing to meet the City's guard staffing requirements pursuant to the technical specifications outlined in the contract.

On November 14, 2014, staff sent National official notification that they were in violation of the City contract. On November 18, 2014, staff recommended that Council award a 90-day temporary contract to Securitas as the lowest responsive and responsible bidder and requested authorization for the City Manager to administer the transition from National to Securitas.

On November 19 and 20, 2014, National filed bid protests with the City Clerk's Office. The administrative hearing on the bid protest began on January 14, 2015, and did not conclude until March 20, 2015.

On February 17, 2015, staff recommended that Council award a 60-day contract extension to provide additional time for the bid protest process to conclude, extending the contract to April 30, 2015.

On April 28, 2015, staff recommended that Council award a 30-day contract extension to provide additional time to receive the hearing examiner's final decision on the administrative appeal, extending the contract to May 30, 2015.



City of Sacramento

Tax ID # if applicable:

Requires Council Approval: No **YES** Meeting 5/19 & 5/26

Real Estate Other Party Signature Needed Recording Requested

General Information

Type: Select Contract Type PO Type: Non Professional Formal		Attachment: Original No.: 3
\$ Not to Exceed: \$ 2,225,265.00		Original Doc Number: 2014-1148
Other Party: Securitas Security Services USA		Certified Copies of Document::
Project Name: Uniformed Unarmed Security Guard Services		Deed: <input type="checkbox"/> None <input type="checkbox"/> Included <input type="checkbox"/> Separate
Project Number:	Bid Transaction #: B15061511003	LBE: 100%

Department Information

Department: Choose Department: Finance Division: Procurement
 Project Mgr: Katherine Robbins Supervisor: Craig Lymus
 Contract Services: Date: 5/13/15 Division Mgr: Craig Lymus
 Phone Number: 916-808-1562 Org Number: 06001511
 Comment:

Review and Signature Routing

Department	Signature or Initial	Date
Project Mgr:	<i>Katherine Robbins</i>	5/13/15
Accounting:		
Contract Services:		
Supervisor:	<i>Craig Lymus</i>	5/14/15
Division Manager:	<i>Craig Lymus</i>	5/14/15

City Attorney	Signature or Initial	Date
City Attorney:	<i>[Signature]</i>	5/14/15

Send Interoffice Mail Notify for Pick Up

Authorization	Signature or Initial	Date
Choose Director		
Department Director: Leyne Milstein		
City Mgr: yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		

For City Clerk Processing

Finalized:

Initial: _____

Date: _____

Imaged:

Initial: _____

Date: _____

Received:
(City Clerk Stamp Here)

Contract Cover/ Routing Form: Must Accompany ALL Contracts;
 however, is not part of the contract. (01-01-09)

CONTRACT SUPPLEMENT
(Nonprofessional Services)

Project Title and Job Number: Unarmed Uniformed Security Services
Purchase Order #: 27121

Date: 5/13/15
Contract Supplement No.: 3

The City of Sacramento ("City") and Securitas Security Services USA, Inc. ("Contractor"), as parties to that certain Nonprofessional Services Agreement designated as Agreement Number 2014-1148, including any prior contract supplements modifying the agreement (the agreement and contract supplements are hereafter collectively referred to as the "Agreement"), hereby supplement and modify the Agreement as follows:

1. The scope of Services specified in Exhibit A of the Agreement is amended as follows:

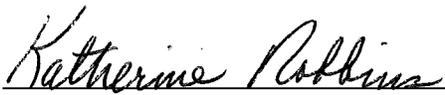
Extending the time of the contract by ninety (90) days through 8/30/2015.

2. In consideration of the additional and/or revised services described in section 1, above, the maximum not-to-exceed amount that is specified in Exhibit B of the Agreement for payment of Contractor's fees and expenses, is increased by 720,000, and the Agreement's maximum not-to-exceed amount is amended as follows:

Agreement's original not-to-exceed amount:	<u>\$694,265.00</u>
Net change by previous contract supplements:	<u>\$810,000.00</u>
Not-to-exceed amount prior to this contract supplement:	<u>\$1,505,265.00</u>
Increase by this contract supplement:	<u>\$720,000.00</u>
New not-to exceed amount including all contract supplements:	<u>\$2,225,265.00</u>

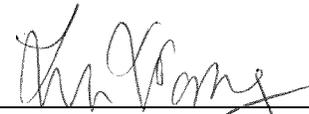
3. Contractor agrees that the amount of increase or decrease in the not-to-exceed amount specified in section 2, above, shall constitute full compensation for the additional and/or revised services specified in section 1, above, and shall fully compensate Contractor for any and all direct and indirect costs that may be incurred by Contractor in connection with such additional and/or revised services, including costs associated with any changes and/or delays in work schedules or in the performance of other services or work by Contractor.
4. Contractor warrants and represents that the person or persons executing this contract supplement on behalf of Contractor has or have been duly authorized by Contractor to sign this contract supplement and bind Contractor to the terms hereof.
5. Except as specifically revised herein, all terms and conditions of the Agreement shall remain in full force and effect, and Contractor shall perform all of the services, duties, obligations, and conditions required under the Agreement, as supplemented and modified by this contract supplement.

Approval Recommended By:



Project Manager

Approved As To Form By:



City Attorney

Approved By:



Contractor

Attested To By:

Approved By:

City of Sacramento

City Clerk