



City of Arts & Innovation

City Council Memorandum

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TO: HONORABLE MAYOR AND CITY COUNCIL DATE: JUNE 6, 2023

FROM: GENERAL SERVICES DEPARTMENT WARDS: ALL

SUBJECT: NINTH AMENDMENT TO AGREEMENT FOR UNARMED SECURITY OFFICER SERVICES AT VARIOUS CITY FACILITIES WITH UNIVERSAL PROTECTION SERVICE, LP, DOING BUSINESS AS ALLIED UNIVERSAL SECURITY SERVICES, FOR AN ADDITIONAL FOUR-MONTH TERM FROM MARCH 1, 2023 THROUGH JUNE 30, 2023 IN THE AMOUNT OF \$587,102.85 WITH 15% CHANGE ORDER AUTHORITY IN THE AMOUNT OF \$88,065.43 FOR A REVISED TOTAL CONTRACT AMOUNT OF \$7,912,230.86.

ISSUE:

Approve the Ninth Amendment to Agreement for Unarmed Security Officer Services at Various City Facilities with Universal Protection Service, LP, dba Allied Universal Security Services, for an additional four-month term from March 1, 2023, through June 30, 2023 in the amount of \$587,102.85 and authorize 15% change order authority in the amount of \$88,065.43 for unforeseen service needs and to add facilities as necessary, for a total contract amount of \$7,912,230.86.

RECOMMENDATIONS:

That the City Council:

1. Approve the Ninth Amendment to Agreement for Unarmed Security Officer Services at Various City Facilities with Allied Universal Security Services in the amount of \$587,102.85 for an additional four-month term from March 1, 2023, through June 30, 2023;
2. Authorize 15% change order authority in the amount of \$88,065.43 for unforeseen changes in service including, but not limited to, requests to increase service frequency, add new City facilities, or provide special or emergency security services, for a total contract amount of \$7,912,230.86: and
3. Authorize the City Manager, or designee, to execute the Ninth Amendment to Agreement for Unarmed Security Officer Services at Various City Facilities including making minor and non-substantive changes.

BACKGROUND:

The General Services Department is responsible for Unarmed Security Officer Services at

multiple City facilities.

On August 11, 2015, the City Council approved the Agreement for Unarmed Security Officer Services at Various City Facilities (Agreement) with Guardsmark, LLC for daytime Unarmed Security Officer Services at City Hall, Public Utilities Orange Square, Public Utilities Resource Center, Main Library, Eastside Library, Arlanza Library, the Riverside Metropolitan Museum, and after-hours services at the Corporation Yard and the Water Quality Control Plant, for a three year term in the amount of \$1,367,655, plus \$100,000 change order authority for a total contract amount of \$1,467,655. This approval included authorizing the City Manager, or designee, to execute up to three optional one-year extensions of the agreement depending upon satisfactory contractor performance.

Guardsmark, LLC was subsequently acquired by Universal Protection Service, LP. On February 23, 2016, the City Council approved a First Amendment to the Agreement assigning all rights and obligations from Guardsmark GP, a subsidiary of Guardsmark, LLC, under the original agreement to Universal Protection Service, LP without changes to the value or length of service.

On September 27, 2016, the City Council approved a Second Amendment to add additional facilities and modify service at other facilities. There was no change in compensation, or any other terms associated with the Second Amendment.

On May 9, 2017, the City Council approved a Third Amendment to modify and/or add services at City facilities, and increased compensation in the amount of \$289,908.30, for a revised contract amount of \$1,757,563.30 with a 15% change order authority in the amount of \$263,634.50, for a total contract amount of \$2,021,197.80.

On June 12, 2018, the City Council approved a Fourth Amendment to extend services for one year at City facilities in the amount of \$696,419.72, for a revised contract amount of \$2,717,514.52 with a 15% change order authority in the amount of \$104,462.96, for a total contract amount of \$2,822,080.47.

On July 2, 2019, the City Council approved the Fifth Amendment to Agreement for Unarmed Security Officer Services at Various City Facilities with Universal Protection Service, LP dba Allied Universal Security Services for an additional one-year term through June 30, 2020, in the amount of \$798,201.62 for a revised contract amount of \$3,620,282.09; plus a 15% change order authority in the amount of \$119,730.24 for a total contract amount of \$3,740,012.34.

On August 18, 2020, the City Council approved the Sixth Amendment to Agreement for Unarmed Security Officer Services at Various City Facilities with Universal Protection Service, LP dba Allied Universal Security Services for an additional one-year term through June 30, 2021, in the amount of \$926,096.50 for a revised contract amount of \$4,666,108.84; plus a 15% change order authority in the amount of \$138,914.48 for a total contract amount of \$4,805,023.31.

On June 3, 2021, the City Council approved the Seventh Amendment to Agreement for Unarmed Security Officer Services at Various City Facilities with Universal Protection Service, LP dba Allied Universal Security Services for an additional one-year term through June 30, 2022 in the amount of \$1,215,162.08 for a revised contract amount of \$6,030,185.39; plus a 15% change order authority in the amount of \$182,274.31 for a total contract amount of \$6,202,459.70.

On December 13, 2022 City Council approved the Eighth Amendment to Agreement for Unarmed Security Officer Services at Various City Facilities with Universal Protection Service, LP, dba Allied Universal Security Services, for an additional eight-month term from July 1, 2022 through

February 28, 2023 in the amount of \$940,548.08 plus a 10% change order authority in the amount of \$94,054.80 for unforeseen service needs and to add facilities as necessary, for a total contract amount of \$7,237,062.58.

DISCUSSION:

The General Services Department (General Services) is responsible for City-wide security services. The current Unarmed Security Officer Services Agreement was scheduled to expire on July 30, 2022, with no further extensions available. On April 4, 2022, General Services issued Request for Proposal RFP No. 2174, soliciting qualified vendors to provide annual unarmed security services for various City facilities. A non-mandatory pre-proposal meeting for Unarmed Security Officer Services was held on April 12, 2022, and final proposals were due on May 3, 2022.

A Selection Committee (Committee) consisting of representatives from the General Services, Parks and Recreation, Library, Public Utilities, and Public Works departments was convened to review the 21 proposals received, which took a considerable amount of time, including requesting any clarifications needed to determine responsiveness in order to make a final vendor selection. After tabulating final proposal scores several proposals were within a competitive range. The four highest scoring proposers were invited to the second round of interviews and a formal presentation to City staff. Once final scores were calculated for presentations/interviews, the highest rated proposer and the City entered into negotiations on a new agreement. A protest regarding the highest and second highest rated proposers was submitted to the City after the intent to award was posted which subsequently resulted in the two highest rated proposers being deemed non-responsive.

As a result of the delay in awarding RFP No. 2174 due to a formal protest filed with the City, and to prevent a lapse in unarmed security services, General Services requested that the current vendor continue to provide said services for a four-month period via an extension of their current agreement. Universal Protection Service, LP agreed to the four-month extension at the previously approved hourly rate through June 30, 2023. This four-month extension will allow the city sufficient time to determine whether the formal protest is valid, determine which vendor is the most qualified, and return to City Council before June 30, 2023, for award of RFP No. 2174.

The following table depicts costs of the Agreement under the current and amended terms.

Agreement	Term	Base/Revised Cost	Change Order	Total Contract Amt
Original Contract	08/11/2015 to 06/30/2018	\$1,367,655.00	\$100,000.00	\$1,467,655.00
2 nd Amendment	08/11/2015 to 06/30/2018	NA	NA	NA
3 rd Amendment	08/11/2015 to 06/30/2018	\$ 289,908.30	\$263,634.50	\$2,021,197.80
4 th Amendment	07/01/2018 to 06/30/2019	\$ 696,419.72	\$104,462.96	\$2,822,080.47
5 th Amendment	07/01/2019 to 06/30/2020	\$ 798,201.62	\$119,730.24	\$3,740,012.34
6 th Amendment	07/01/2020 to 06/30/2021	\$ 926,096.50	\$138,914.48	\$4,805,023.31
7 th Amendment	07/01/2021 to 06/30/2022	\$1,215,162.08	\$182,274.31	\$6,202,459.70
8 th Amendment	07/01/2022 to 02/28/2023	\$ 940,548.08	\$ 94,054.80	\$7,237,062.58
9 th Amendment	03/01/2023 to 06/30/2023	\$ 587,102.85	\$ 88,065.43	\$7,912,230.86

Section 702(w) of Purchasing Resolution 23914 allows for an exception to competitive

procurement “When approved by the Manager, Services not subject to the bidding requirements of Section 1109 of the City Charter, which are of such a nature that suitable technical or performance specifications describing them are not ready available and cannot be developed in a timely manner to meet the needs of the City, in which case the Manager shall be authorized to negotiate with any Person or Persons for the Procurement thereof upon the price, terms and conditions need by the Manager to be in the best interest of the City and in doing so may utilize Informal Procurement or Negotiated Procurement process.”

The Purchasing Manager concurs that the recommendation to approve is in compliance with Purchasing Resolution No. 23914.

STRATEGIC PLAN ALIGNMENT:

This item contributes to **Strategic Priority 5 - High Performing Government** and **Goal 5.4 - Achieve and maintain financial health by addressing gaps between revenues and expenditures and aligning resources with strategic priorities to yield the greatest impact.**

This item aligns with each of the five Cross-Cutting threads, as follows:

1. **Community Trust** – This item has been agendized for City Council consideration, ensuring public transparency.
2. **Equity** – Security services are provided equitably across City facilities, helping to ensure the safety of staff and visitors.
3. **Fiscal Responsibility** – The current vendor agreed to the proposed four-month extension at the current hourly rate through June 30, 2023. This will allow the Selection Committee sufficient time to evaluate the 21 submitted proposals to determine which vendor is the most qualified and return to City Council for award of RFP No. 2174.
4. **Innovation** – The City’s partnership with Universal Protection Services has facilitated uninterrupted contract security services while the City moves forward with the RFP selection process.
5. **Sustainability & Resiliency** – Contract security services help to mitigate safety risks, furthering the City’s operational sustainability and resiliency.

FISCAL IMPACT:

The fiscal impact of this action is \$587,102.85 plus 15% change order authority in the amount of \$88,065.43 for a total amount of \$675,168.28 for Unarmed Security Officer Services from March 1, 2023, to June 30, 2023. Sufficient funds are included in the FY 2022/23 budget in the following accounts as listed in the table below.

Fund	Account	Department/Divisions	Amount
General Fund	2210000-421000	General Services Building Services	\$2,739.74
	2315200-421000	Finance Purchasing Central Stores	\$2,739.74
	3510000-421000	Fire Operations	\$2,739.74
	4110100-421000	Public Works Streets	\$5,479.49
	4110400-422201	Public Works Signal Maintenance	\$2,739.74
	5135000-421000	Library Neighborhood Services	\$237,092.40
	5205000-421000	Park & Recreation - Recreation	\$51,981.75
	5215000-421000	Park & Recreation - Parks	\$2,739.74
	7222100-421000	Non-Dept City Hall Occupancy	\$52,185.60
Refuse	4130100-421000	Public Works Solid Waste	\$13,698.76
Sewer	4125000-421000	Sewer – Admin & Reg Compliance	\$28,539.00
Special Transit	5200200-421000	Special Trans Services	\$2,739.74
Public Parking	4150000-421000	Public Parking	\$6,115.50
Central Garage	2215000-421000	General Services Central Garage	\$11,872.22
Electric	6000010-421000	RPU Admin Bldg. Occupancy	\$119,863.80
	6100000-421000	RPU Electric Operations	\$16,438.46
	6105000-421000	RPU Electric Field Operation	\$16,438.46
Water	6205000-421000	Public Utilities Water Operations	\$10,958.97
Total:			\$587,102.85

Prepared by: Carl Carey, General Services Director
 Certified as to availability of funds: Edward Enriquez, Interim Assistant City Manager/Chief Financial Officer/City Treasurer
 Approved by: Edward Enriquez, Interim Assistant City Manager/Chief Financial Officer/City Treasurer
 Approved as to form: Phaedra A. Norton, City Attorney

Attachment: Ninth Amendment to Agreement for Unarmed Security Services