



STAFF REPORT

DATE: October 26, 2020

TO: Sacramento Regional Transit Board of Directors

FROM: Laura Ham, VP, Planning and Engineering

SUBJ: RATIFYING UNAUTHORIZED PROCUREMENT, APPROVING A SOLE SOURCE PROCUREMENT, AND APPROVING THE FIRST AMENDMENT TO CONTRACT FOR JANITORIAL SERVICES WITH CONSOLIDATED FACILITY SERVICES, LLC

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

Ratifying the Unauthorized Procurement, approving a sole source procurement, and approving the First Amendment to the Contract for Janitorial Services with Consolidated Facility Services, LLC will authorize payment for additional COVID-19 sanitation services already provided for SacRT facilities and allow continuation of these services until July 30, 2021 while a new solicitation is conducted.

FISCAL IMPACT

Funding source for the Contract amendment is CARES Act grant.

FY 2021*	\$156,411.00	GL 630052 COVID-19 Services, cc37
FY 2022	\$ 7,938.00	GL 630052 COVID-19 Services, cc37
Total	\$164,349.00	

* FY 2021 additional janitorial cost of \$146,435 will be included in a future FY 2021 Operating Budget Amendment if required.

DISCUSSION

On June 12, 2020, SacRT entered into a new contract with Consolidated Facility Services, LLC. The Invitation for Bid for janitorial services was issued March 26, 2020, at a time when the extent and duration of the COVID-19 pandemic was uncertain and sanitation standards were not clearly developed.

Staff included in the Contract scope requirements to provide daily “Extra Sanitization Service” for high-contact surfaces. However, those services were optimistically anticipated to be required only for a 12-week period, through September 23, 2020, and the Contract Total Consideration reflected that assumption. The amount bid by

Consolidated Facility Services for the Extra Sanitation Service is \$2,038.50 per week in addition to the weekly cost of \$2,720.77 for standard janitorial services.

After execution of the Contract, SacRT Staff determined that, in addition to the “Extra Sanitation Service” being provided overnight under the terms of the Contract, additional daytime cleaning was needed to sanitize high contact touch points at all SacRT buildings to ensure employee safety. This additional service consists of deep cleaning service for disinfecting the high contact touch points at a frequency of twice per day, with a total of 9.5-staff/person hours per day for all affected SacRT buildings. The high contact touch points have been designated as follows:

-) Common area/Conference rooms: doorknobs, light switches (not in individual offices), tabletops, and chair handles.
-) Restrooms: soap dispenser handles, door handles or plates, faucet handles, toilet handles, and towel dispenser handles.
-) Breakrooms: soap dispenser handles, microwave handles, toaster oven handles, sink handles and door/drawer knobs, and refrigerator handles.

The locations receiving these additional services are as follows:

-) 1400 29th Street (Administration)
-) 1225 R Street (Customer Service)
-) 1516 29th Street (Finance)
-) 2700 Academy Way (Light Rail)
-) 2750 Academy Way (Light Rail)
-) 2760 Academy Way (Light Rail)
-) 2501 Land Avenue (Light Rail Warehouse)
-) 2810 O Street (Human Resources)
-) 2811 O Street (Engineering and Annex Trailer)
-) 3701 Dudley Way (BMF2)

Staff received a quote for these services on July 13 from Consolidated Facility Services of \$5,899.50 per month, based on an hourly rate of \$27/hour, and directed the Contractor to move forward to provide the services. However, while the Contract provides flexibility to modify the scope or frequency of services, it also specifies that “additions that cause an increase in the cost or time required for performance of the agreed-upon services will be made only pursuant to an amendment to this Contract signed by SacRT and Contractor.” No amendment was executed prior to the Staff direction for the Contractor to provide the services. As a consequence, the additional services constitute an “unauthorized procurement” under the terms of the Board-adopted Procurement Ordinance and SacRT can pay for those services only if the Staff action is ratified by the Board.

While the original contract services, including the “Extra Sanitation Services,” were bid on a flat-rate rather than hourly rate basis, Staff has estimated that Consolidated Facility Services cost per hour for the “Extra Sanitation Services”, which were competitively bid, equates to roughly \$25/hour. In addition, based on internet market research, the cost per hour for commercial janitorial services in California typically ranges from \$25 to \$100 per hour. On that basis, Staff has determined that the \$27/hour rate for the additional daytime services is fair and reasonable.

Staff desires to continue both the twice-daily daytime cleaning and the nightly additional cleaning services. Based on the rates proposed by the Contractor, the additional services have a cost of roughly \$14,000 per month, as compared to \$11,000 for the “regular” services and will more than double the Total Consideration for the first year of the Contract. This magnitude of change in scope would typically require a new solicitation, since competitive pricing was not obtained for the additional services. Because these services may need to continue in the long-term, Staff intends to conduct a new procurement to obtain more competitive pricing.

However, in the short-term, these services are still needed to mitigate the potential harm from COVID-19. Therefore, Staff is requesting that the Board approve a sole source procurement under the federal guidelines and SacRT declaration of emergency to continue these additional services for a 9-month period to permit a new solicitation to be conducted and a contract award finalized.

RESOLUTION NO. 20-10-0123

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

October 26, 2020

RATIFYING UNAUTHORIZED PROCUREMENT, APPROVING A SOLE SOURCE PROCUREMENT, AND APPROVING THE FIRST AMENDMENT TO CONTRACT FOR JANITORIAL SERVICES WITH CONSOLIDATED FACILITY SERVICES, LLC

WHEREAS, on March 13, 2020, President Trump declared a national emergency over the coronavirus (COVID-19) outbreak; and

WHEREAS, on March 20, 2020, by Resolution No. 20-03-022, the Board declared an emergency and authorized the suspension of competitive bidding requirements under the SacRT Procurement Ordinance to the extent necessary to obtain supplies and services to respond to COVID-19; and

WHEREAS, on June 12, 2020, SacRT and Consolidated Facility Services, LLC entered into a Contract for Janitorial Services ("Contract"), which Contract included provisions for the performance of "Extra Sanitation Services" for a limited period; and

WHEREAS, subsequent to the Contract solicitation and execution, it was determined that an even higher level of sanitation was necessary to protect SacRT Staff from the impacts of COVID-19; and

WHEREAS, SacRT Staff directed the performance of additional cleaning services without further competition or an amendment to the Contract; and

WHEREAS, in recognition of the emergency need for the additional services, the Board has determined that it is appropriate to ratify the Unauthorized Procurement of these additional services, from which SacRT has received a benefit and which would have been proper if authorized through a Contract amendment; and

WHEREAS, in light of the continuing emergency and the time required to conduct a new competitive solicitation, the Board has determined that it is appropriate to issue a sole source amendment to Consolidated Facility Services, LLC to continue providing enhanced cleaning services through July 2021 while a new solicitation is conducted.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, pursuant to Section 1.105, "Ratification of Unauthorized Procurement," of the Procurement Ordinance (18-08-01), the actions of Staff in requesting additional daytime cleaning services and authorizing continuation of additional night time cleaning services beyond the 12-week period specified in the Contract are hereby ratified.

THAT, pursuant to Section 1.405.A of the Procurement Ordinance, due to the declared emergency related to COVID-19, the Board hereby approves a sole source

procurement of additional cleaning services from Consolidated Facility Services, Inc. for additional COVID-19 cleaning services through July 31, 2021.

THAT, the First Amendment for Janitorial Services to Consolidated Facility Services, whereby the scope of services is modified to provide for nighttime "Extra Sanitation Services" and daytime deep cleaning services through July 31, 2021, as further set forth therein, and the total consideration is increased by \$164,349.00, from \$472,692.44 to \$637,041.44, is hereby approved.

THAT, the Chair and General Manager/CEO are hereby authorized and directed to execute said First Amendment.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary