

**DRAFT**

**RESOLUTION 20xx-xxx**

**RESOLUTION AUTHORIZING AMENDMENT NO. 7  
TO AGREEMENT WITH NMS MANAGEMENT, INC.  
FOR JANITORIAL SERVICES, INCREASING THE  
MAXIMUM AMOUNT PAYABLE UNDER THE  
AGREEMENT BY \$80,000 FOR A NEW MAXIMUM  
AMOUNT OF \$3,298,600 FOR ADDITIONAL AS-  
NEEDED JANITORIAL SERVICES**

**WHEREAS**, the San Diego Unified Port District (District) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix I (Act); and

**WHEREAS**, Board of Port Commissioners BPC Policy No. 110 establishes a policy governing the processing and administration of public projects, consulting and service agreements, the processing of supplies, materials, and equipment, and grants; and

**WHEREAS**, on April 14, 2016 the Board of Port Commissioners (Board) adopted a resolution authorizing the District to enter into an agreement with NMS for Janitorial Services from July 1, 2016 through June 30, 2019 with two one-year options in an amount not to exceed \$2,458,640.16; and

**WHEREAS**, the current agreement is in Term 4 (Option Year 1) and will terminate June 30, 2020; and

**WHEREAS**, Term 5 (Option Year 2), if granted, shall commence on July 1, 2020, and shall terminate on June 30, 2021; and

**WHEREAS**, this agreement is used to provide janitorial services at various District buildings, offices and public restrooms located in parks and common public areas throughout the tidelands; and

**WHEREAS**, janitorial services may also be requested on an as-needed basis to perform special cleaning requirements associated with public events where normal, scheduled services are not adequate to maintain an acceptable level of cleanliness or sanitation; and

**WHEREAS**, the six previous amendments have been issued to cover additional unforeseen janitorial service requirements including the Hepatitis A outbreak and addition of District assets to include the Harbor Police Investigations Building; Tenth Avenue Marine Terminal Tiger Project; and Historic Railcar Museum

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in National City, increasing the maximum expenditure from \$2,458,640.16 to \$3,218,600; and

**WHEREAS**, Amendment No. 7 is needed to provide additional as-needed janitorial services at the National City Aquatic Center; Tenth Ave Marine Terminal temporary construction office spaces; and cleaning of the Administrative Building's 8<sup>th</sup> floor. Each requires periodic janitorial services; and

**WHEREAS**, District staff requests Board authorization for Amendment No. 7 to the agreement with NMS for Janitorial Services, increasing the total amount by \$80,000 for a new total agreement not-to-exceed amount of \$3,298,600.

**NOW THEREFORE, BE IT RESOLVED** that the Board of Port Commissioners of the San Diego Unified Port District, authorizes and directs the District's Executive Director or her designee to enter into Amendment No. 7 to agreement with NMS Management, Inc. for janitorial services, increasing the maximum amount payable under the agreement by \$80,000 for a new maximum amount payable under the agreement of \$3,298,600 for additional as-needed janitorial services.

APPROVED AS TO FORM AND LEGALITY:  
GENERAL COUNSEL

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By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 5<sup>th</sup> day of November 2019, by the following vote: