

DRAFT**RESOLUTION 20xx-xxx**

RESOLUTION AUTHORIZING AMENDMENT NO. 8 TO AGREEMENT WITH NMS MANAGEMENT, INC. FOR JANITORIAL SERVICES, INCREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT BY \$62,389 FOR A NEW MAXIMUM AMOUNT OF \$3,360,989 FOR ADDITIONAL AS-NEEDED JANITORIAL SERVICES DUE TO COVID-19 REQUIREMENTS AND ADDITIONAL REQUIREMENTS AT THE TENTH AVENUE MARINE TERMINAL. THIS SERVICE HAS BEEN DEEMED AN OPERATIONAL NECESSITY. THE AGREEMENT ALLOWS FOR EARLY TERMINATION BY THE EXECUTIVE DIRECTOR. ALL ADDITIONAL COVID-19 REQUIREMENTS FOR FISCAL YEAR 2021 ARE CURRENTLY UNBUDGETED AND WILL BE EXPENDED AGAINST DEPARTMENT NON-PERSONNEL EXPENSE (NPE) BUDGETS.

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, the San Diego Unified Port District (District) has an agreement with NMN Management, Inc. for janitorial services at all District facilities and at twenty (20) comfort stations located in the parks and common public areas throughout the tidelands; and

WHEREAS, this amendment increases the agreement's maximum amount payable by \$62,389 for a new maximum amount of \$3,360,989 for additional as-needed janitorial services in District facilities due to COVID-19 requirements and additional cleaning services at the Tenth Avenue Marine Terminal (TAMT); and

WHEREAS, Amendment No. 8 reduces scheduled janitorial services at the District's Administration Building due to its temporary closing and implementation of teleworking for most staff; and

WHEREAS, although the District has seen some cost savings for scheduled

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janitorial services, these savings have not offset the increased cost for COVID-19 disinfection services at facilities still utilized by staff; and

WHEREAS, this amendment also reclassifies all periodic janitorial services, such as carpet cleaning and floor waxing, to as-needed services as an additional cost saving measure during Fiscal Year 2021; and

WHEREAS, the current agreement for janitorial services with NMS Management, Inc. (NMS) expires June 30, 2021; and

WHEREAS, staff anticipates that guidance and requirements mandated from Federal, State, and County agencies will continue to evolve during this COVID-19 health crisis, which could require future Board actions; and

WHEREAS, the District is also seeking reimbursement for all COVID-19 related costs through the Federal Emergency Management Agency (FEMA) Public Assistance Grant Program; and

WHEREAS, staff requests Board authorization to execute Amendment No. 8 to the agreement with NMS for janitorial services, increasing the total amount by \$62,389 for a new total agreement maximum amount of \$3,360,989.

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. 8 to the agreement with NMS Management, Inc. for janitorial services, increasing the total amount by \$62,389 for a new total agreement maximum amount of \$3,360,989.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL

By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 6th day of October 2020, by the following vote: