

DRAFT**RESOLUTION 20xx-xxx**

RESOLUTION AUTHORIZING AMENDMENT NO. 9 TO AGREEMENT WITH NMS MANAGEMENT, INC. FOR JANITORIAL SERVICES, INCREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT BY \$290,000 FOR A NEW MAXIMUM AMOUNT OF \$3,651,000; EXTENDING THE TERM OF THE AGREEMENT FOR AN ADDITIONAL FIVE (5) MONTHS ENDING NOVEMBER 30, 2021; AND REMOVING PUBLIC COMFORT STATIONS AND DRINKING FOUNTAIN JANITORIAL SERVICES FROM THE AGREEMENT EFFECTIVE SEPTEMBER 30, 2021. THIS SERVICE HAS BEEN DEEMED AN OPERATIONAL NECESSITY. THE AGREEMENT ALLOWS FOR EARLY TERMINATION BY THE EXECUTIVE DIRECTOR. ALL JANITORIAL SERVICES REQUIREMENTS FOR FISCAL YEAR 2022 ARE BUDGETED 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 District contracts 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, the current agreement for janitorial services with NMS Management, Inc. (NMS) expires June 30, 2021; and

WHEREAS, Amendment No. 9 is needed to increase the maximum amount payable under the agreement by \$290,000 for continuity of janitorial services at District facilities for five (5) months and comfort stations for three (3) months; and

WHEREAS, guidance and requirements mandated from Federal, State, and County agencies have continued to evolve during this COVID-19 health crisis, which

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led to challenges for staff to develop a complete scope of services for future janitorial needs for a new Request for Proposals (RFP); and

WHEREAS, in light of such challenges, and to continue janitorial services in the short term, staff requests Board authorization to execute Amendment No. 9 to the agreement with NMS for janitorial services, increasing the total amount by \$290,000 for a new total agreement maximum amount of \$3,651,000.

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 his designee to enter into Amendment No. 9 to the agreement with NMS Management, Inc. for janitorial services, increasing the maximum amount payable under the agreement by \$290,000 for a new maximum amount of \$3,651,000.

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 15th day of June 2021, by the following vote: