



# NEWPORT BEACH

## City Council Staff Report

August 13, 2019  
Agenda Item No. 19

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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**TITLE:** Park and Beach Public Restroom Janitorial Services

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### **ABSTRACT:**

The City currently utilizes contractors to provide janitorial and portering services for public buildings and restroom facilities. Ed Building Maintenance (EBM) is contracted to provide all janitorial services for the City's 30 standalone restrooms located within city parks and beaches. At the current contracted levels, the janitorial and portering services provided at our beach and park facilities have not been keeping up with community expectations and requests.

At the City Council Planning Session on February 2, 2019, staff received direction from the Council to review and increase the service level for the public restrooms located within our parks and beaches. In response, staff worked with Ed Building Maintenance to supplement the existing janitorial service levels under their current contract. At the same time, staff issued a Request for Proposal (RFP) to provide long-term enhanced levels of janitorial services for these park and beach restroom facilities. Staff has completed the RFP process and requests City Council review of the desired janitorial services and approval to award a new agreement with Ed Building Maintenance.

### **RECOMMENDATION:**

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly;
- b) Approve a three-year Janitorial Services Agreement with Ed Building Maintenance for cleaning / servicing 30 standalone City restrooms for a total not-to-exceed amount of \$2,415,000 (3 years at approximately \$803,784 per year); and
- c) Approve Budget Amendment No. 20-007-CC transferring \$140,000 from Public Works account 01090901-811031 to the Public Works account 0109041-811012, and also appropriating \$350,000 in increased expenditures from the General Fund unappropriated fund balance to the Public Works account 0109041-811012.

**Alternative Recommended Actions (to maintain current enhanced service levels)**

- d) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly;
- e) Authorize staff to prepare and the City Manager and City Clerk to execute an amendment to the existing Janitorial Services Agreement with Ed Building Maintenance for cleaning/servicing 30 standalone City restrooms to increase the not-to-exceed amount by \$1,070,500 for a total amended not-to-exceed contract amount of \$1,670,500; and
- f) Authorize Finance Department staff to execute an administrative budget amendment transferring \$140,000 from Public Works account 01090901-811031 to the Public Works account 0109041-811012, and also appropriating \$140,000 in increased expenditures from the General Fund unappropriated fund balance to the Public Works account 0109041-811012.

**FUNDING REQUIREMENTS:**

The Facilities Maintenance Janitorial Services account (0109041-811012) is currently not budgeted at a level to fund enhanced levels of janitorial services for the City's 30 standalone beach and park restrooms as desired by the community and City Council. Depending on the level of enhanced service selected as discussed below, the approval of the Recommended Actions (items a, b & c) will require a Budget Amendment to transfer \$140,000 from Public Works Beach Refuse account (01090901-811031) into the Facilities Maintenance Janitorial Services account (0109041-811012), and will also appropriate an additional \$350,000 annually in increased expenditure appropriations from the General Fund unappropriated fund balance into the Public Works, Facilities Maintenance Janitorial Services account (0109041811012).

Should Council desire to approve the Alternative Recommended Actions (items d, e & f), this action will require a Budget amendment transferring \$140,000 from Public Works account 01090901-811031 to the Public Works account 0109041-811012, and will also appropriate \$140,000 in increased expenditures from the General Fund unappropriated fund balance to the Public Works account 0109041-811012.

**DISCUSSION:**

Prior to July 2011, City staff provided cleaning and janitorial services during the workweek for its 30 standalone park and beach restroom facilities (fourteen park and sixteen ocean or bay front restroom facilities) and used various contractors to perform said janitorial work during weekends and after hours. At the time, these service levels appeared acceptable and consistent.

In July 2011, the City adjusted its janitorial practices to provide 100% of the necessary janitorial services by one contracted service provider and approved a five-year, \$910,000 agreement with ABM Janitorial services for the cleaning of the 30 park and beach restroom facilities.

Consequently, and possibly due to the challenges associated with lower-bid contractual janitorial services, staffing dependability and consistency issues arose and service levels fluctuated. The City started receiving many more service comments and requests from the community to improve cleanliness of public restrooms. Staff continued to work with ABM Janitorial to meet public concerns and improve service levels.

In response to continued complaints, the City entered into a three-year agreement in May of 2018, with Ed Building Maintenance (EBM) to augment ABM's janitorial services for high usage restrooms at a not-to-exceed total of \$600,000. EBM was to provide seasonal portering at seven high use beach and bay front restrooms: Balboa Pier, Newport Pier, 15<sup>th</sup> Street, Corona del Mar, Washington Street, Balboa Fire Station 4, and Balboa Island Ferry Landing. EBM's seasonal portering service began on Memorial Day and extended through Labor Day. Three roving crews of two people continuously serviced and cleaned these seven high use restrooms between the hours of 10 a.m. and 8 p.m. daily. Additionally, EBM delivers and stocks most City restrooms and buildings with restroom paper and cleaning products purchased by the City.

As of June 2018, utilizing the combined services of ABM and EBM, the City was spending approximately \$470,000 per year for contracted janitorial services to clean and supply the necessary paper and cleaning products to these 30 standalone restroom facilities.

Despite the additional portering services being provided by EBM, the City was still receiving a lot of feedback regarding the cleanliness of our public restrooms. During the City Council Planning Session on February 9, 2019, the cleanliness of public restrooms at heavily used ocean / bay front sites and parks was discussed. Staff was directed to increase service levels at City owned park and beach restroom facilities and analyze the cost effectiveness of further outsourcing janitorial services.

In February of 2019, the City terminated the base janitorial contract with ABM for performance issues and correspondingly added the necessary cleaning of all park and beach restrooms to the scope of work with EBM. As requested by City Council, the level of service was concurrently increased as an interim solution until a new bidding process could be completed. Since this change was implemented, staff has monitored the contract and situation closely and has noted a substantial reduction in complaints, as well as a significant improvement in appearance and function of those public restrooms. While the current agreement with EBM does not expire until 2021, the increased service levels, cleaning frequency, and extension of the summer schedule has accelerated the contract use. We are projected to exceed the \$600,000 not-to-exceed contract limit in 2019 and an adjustment to overall contract funding will be necessary. The annual projected cost by EBM to service these 30 restroom facilities at the current service level is approximately \$592,130.

Staff prepared and issued an RFP for Park and Beach Restroom Janitorial Services with the following desired service level enhancements/adjustments:

1. Increase the number of high use facilities from seven (7) to sixteen (16)
2. Extend the peak season cleaning schedule from 14 weeks (Memorial Day to Labor Day), to approximately 32 weeks (March to October)

3. During the peak season, clean all park restrooms twice daily, as needed.
4. During the peak season, ocean / bay front restrooms will be thoroughly cleaned once before 7 a.m. Then between 10 a.m. and 9 p.m. those 16 high use restroom facilities will be cleaned multiple times during the day by four roving service crews (portering service) consisting of two person (1 male and 1 female) teams.

The City received proposals from eight contractors in response to the RFP. The top three proposals are as rated below. Pursuant to the procedures provided in the RFP instructions, only those proposals receiving a Technical Score of 70% (28 out of the maximum score of 40) or above qualified to advance to the Cost Review (maximum score of 70) step of the evaluation process. In this particular RFP, the proposals ranked fourth through eighth scored less than 70% in the Technical Score evaluation and were disqualified from award consideration. The costs from these proposals remained sealed and were not evaluated by staff.

Overall Rank	Contractor	Technical Score	Cost Score	Base Annual Cost	Hourly Rate	Total Score
1	Ed Building Maintenance (EBM)	34.67	60.00	\$803,784	\$21.00	94.67
2	Quality Commercial Cleaning	34.00	50.53	\$954,424	\$30.00	84.53
3	Commercial Cleaning Systems	30.67	30.38	\$1,587,647	\$33.50	61.05

It should be noted, although the proposed contract cost is approximately 35% above the current estimated annual cost for the service level EBM is providing, the proposed new janitorial contract includes further additional service level enhancements as described in the RFP discussion above and displayed in the table below. Based on usage, requests, and complaints, this level is proposed to meet the current service needs.

Service	Service Level prior to 2/2019	Existing Service Level	Proposed Service Level
Year-round Cleaning – Twice Daily	14 Park Restrooms & 16 Beach Restrooms	14 Park Restrooms & 16 Beach Restrooms	14 Park Restrooms & 16 Beach Restrooms
Peak Season	Memorial Day – Labor Day	Memorial Day – Labor Day	March - October
Roving Crews	2 – 2 Person Crews 7 High Use Restrooms During Peak Season	3 – 2 Person Crews 7 High Use Restrooms During Peak Season	4 – 2 Person Crews 16 High Use Restrooms Extended Peak Season
<b>Total Annual Cost</b>	<b>\$467,650</b>	<b>\$592,130</b>	<b>\$803,784</b>

The total annual projected cost by EBM to service these 30 restroom facilities is \$803,784. The anticipated start date would be thirty days from contract execution.

Staff recommends approving a three-year Janitorial Services Agreement with Ed Building Maintenance for cleaning/servicing 30 standalone City restrooms for a total not-to-exceed amount of \$2,415,000, or approximately \$803,784 per year.

As an alternative recommended action, City Council may choose to retain the current service level at an annual (and increased) cost of \$592,130. In order to do so, staff will need to amend the existing agreement with EBM to adjust the scope of work and to increase the not-to-exceed amount by \$1,070,500 so as to allow work to continue until the expiration date of May 2021. It should also be noted that while this enhanced service level has significantly reduced the number of complaints received prior to February 2019, this service level is not fully in line with the overall cleanliness expectations for public restrooms as staff continues to receive complaints. Additionally, an upward budget adjustment of \$280,000 (as described above) will still be needed to retain the existing service levels as staff was planning for the approval of new contract and associated budget amendment to remedy the current underfunding.

**ENVIRONMENTAL REVIEW:**

Staff recommends the City Council find this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**NOTICING:**

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

**ATTACHMENTS:**

- Attachment A – Three-year Service Contract with Ed Building Maintenance Services (EBM)
- Attachment B – Exhibit of City Beach and Park Restroom Facilities Covered by EBM Service Contract
- Attachment C – Budget Amendment