

# Agenda Report

**TO:** CITY COUNCIL **DATE:** November 17, 2008

**FROM:** CITY MANAGER

**SUBJECT:** CONTRACT AWARD TO TOPFLITE BUILDING SERVICES INC.,  
FOR CITYWIDE HOUSEKEEPING SERVICES FOR AN AMOUNT  
NOT TO EXCEED \$1,663,121

**RECOMMENDATION:**

It is recommended that the City Council:

1. Accept the bid dated September 9, 2008, submitted by Topflite Building Services, Inc., in response to specifications for Citywide Housekeeping Services; reject all other bids received; and
2. Authorize the City Manager to enter into a two year contract for Citywide Housekeeping Services in an amount not to exceed \$1,663,121 per year, with an option for three, one-year additional terms, at the discretion of the City Manager, for a maximum total contract length of five years.

**BACKGROUND:**

On November 3, 2008, City Council considered this item and requested staff to meet with the current contracted janitorial staff to discuss the contract transition issues. City Council also expressed the desire that Topflite Building Services, Inc., provide a longer term commitment to retaining the existing janitorial staff beyond that which is required by law.

On November 6, 2008, staff contacted U.S. Metro Group, Inc., to advise them of our intention to hold an informational meeting on November 11, 2008, at 11:00 am in the Public Works Building at City Yards. Staff requested that U.S. Metro Group, Inc., notify their staff of this meeting.

On November 11, 2008, staff held a meeting for all janitorial staff at the Public Works Building to hear the status on the transition of the current housekeeping

contract from U.S. Metro Group, Inc., to Topflite Building Services, Inc. Out of 41 janitors, 23 attended the meeting and signed in. Oskar Molina from the Department of Transportation acted as interpreter, and Doug Lee spoke to the janitorial staff explaining the transition process and what they can expect going forward. During the meeting, the janitorial staff was informed that the total labor hours they currently perform under the existing contract will remain the same, and that full-time staff will retain their full-time status, and part-time staff will retain their part-time status, and that the new contractor will comply with the Living Wage Ordinance. Staff also informed the janitorial staff that Topflite Building Services, Inc., will retain the existing janitorial staff beyond the required 60 days as set out in the Displaced Janitor Opportunity Act, and that the contractor has agreed to extend the required 60 day evaluation period a full six months. All janitorial staff that meet the performance and conduct standards at the end of six months will be retained. This language has been incorporated into the contract document between Topflite Building Services, Inc. and the City. Staff conducted a question and answer session at the end of the meeting to address additional items and facilitate clarification.

In addition, a memo from Topflite Building Services, Inc., written in both Spanish and English, has been distributed to the janitorial staff, advising them that the new contractor is extending an offer of employment to all janitorial staff to work for Topflite Building Services, Inc., under the new contract. Topflite Building Services, Inc., also extended an offer of employment to the supervisors, who are not covered by the Displaced Janitor Opportunity Act. The current janitorial staff is very familiar with the maintenance needs of Pasadena City buildings and their continued employment will provide continuity during the transition period to the new contractor. It is the intention of Topflite Building Services, Inc., to create a transition with no interruption in service and as such they are seeking to retain continuity regarding all janitorial staff.

On August 14, 2008, the Notice Inviting Bids was released and published in the Pasadena Journal and posted on the City's web page. On August 25, 2008, 19 vendors attended a mandatory Pre-Bid Conference and site inspection. On September 9, 2008, four responsive bids were received by the City Clerk's office. The bid results are as follows:

<u>BIDDER</u>	<u>BID AMOUNT</u>
Topflite Building Services, Inc.	\$ 1,511,928.06
U.S. Metro Group, Inc.	\$ 1,544,388.15
Bell Building Maintenance Co.	\$ 1,638,775.58
ABM Industries, Inc.	\$ 1,737,683.68

The submitted bids have been evaluated, and Topflite Building Services, Inc., was identified as the lowest responsive and responsible bidder. In addition, references submitted which were evaluated by staff exemplify their experience


and success with other contracts. Further, Topflite Building Services, Inc., will implement the Displaced Janitor Opportunity Act, signed into law by Governor Davis in October 2001. This law requires janitorial contractors and subcontractors that secure a new building service contract, to continue employing the janitorial staff of the former contractor or subcontractors for at least 60 days, unless the successor contractor has reasonable cause not to hire a particular employee based on performance or conduct while working under the terminated contract.

Staff recommends that Topflite Building Services, Inc., be awarded the housekeeping contract for Citywide Housekeeping Services. The contract will be administered by the Building Systems and Fleet Management Division of the Department of Public Works for an annual amount not to exceed \$1,663,121. This amount includes a base amount of \$1,511,928 and 10 percent in contingencies for emergency and/or special cleaning, change orders to cover cost of living increases, and any increases in the square footage maintained during the contract period. The contract amount shall be adjusted in years three through five by the change in the Consumer Price Index, for the Los Angeles-Riverside-Orange County area, for the most recently available 12 month period. The contract will also comply with the Living Wage Ordinance. Departments that typically and usually utilize this contract include but are not limited to: Public Works (Building Systems and Fleet Management Division, Parks and Natural Resources Division), Water and Power, Police, and Transportation. The new contract is scheduled to be in place with the new contractor beginning services on Monday, December 1, 2008.

**FISCAL IMPACT:**

Total annual expenses will not exceed \$1,663,121 annually for the first two years. Sufficient funds are available in the appropriate departments FY 2009 operating budgets. Funds will be requested during the budget process for subsequent contract years.

Respectfully submitted:



---

MICHAEL J. BECK  
City Manager

Prepared by:



---

Sharon Killoran  
Management Analyst IV  
Building Systems and Fleet Management Division

Approved by:



---

Martin Pastucha  
Director of Public Works

**Topflite Building Services, Inc.**

**M E M O R A N D U M**

**TO:** Todos Los Empleados  
**FROM:** Daniel T. White & Lascelles Samuels  
**DATE:** November 11, 2008  
**RE:** Empleo

---

Para todos los empleados que están cubiertos por el Contrato de Limpieza de la Ciudad Entera de Pasadena:

Esta carta es para confirmar que Topflite Building Services va a ofrecer a todos los empleados de U.S. Metro Group Inc, que están asignados por el contrato a la Ciudad de Pasadena que continuaran con su empleo de acuerdo con el Displaced Janitors Opportunity Act. Adicionalmente para mostrar que el intento de Topflite Building Services es de retener los empleados actuales, Topflite va extender el periodo de evaluación de 60 días, requeridos bajo el acta de "Displaced Janitors Opportunity Act" hasta un periodo de seis meses. Además las horas de ningún empleado serán reducidas al aceptar trabajar con Topflite Building Services, Inc.

En cuanto se aceptado y aprobado el contrato por la Ciudad de Pasadena, Topflite Building Services va a reunirse con los empleados afectados por el contrato para discutir sus ofertas de empleo, además de otros términos y condiciones del empleo.

Esperamos poder trabajar juntos para mantener la relación excelente que ustedes han desarrollado con la Ciudad de Pasadena. Nuestra meta es continuar proporcionando un servicio excelente de limpieza por la duración de nuestro contrato con la Ciudad de Pasadena.

Muchas gracias,

***Topflite Building Services, Inc.***

**M E M O R A N D U M**

**TO:** All Employees  
**FROM:** Daniel T. White & Lascelles Samuels  
**DATE:** November 11, 2008  
**RE:** Employment

---

To All Employees Covered by the City of Pasadena Citywide Housekeeping Contract:

This letter will confirm that Topflite Building Services will offer all current employees of U.S. Metro Group Inc., who are assigned to the City of Pasadena Citywide Housekeeping Services contract, continued employment in compliance with the Displaced Janitors Opportunity Act. Additionally to show that the intent of Topflite Building Services is to retain the current workforce, Topflite will extend the 60 day evaluation period required under the act to a full six month period. Further, no employee will have their hours reduced as a result of accepting employment with Topflite Building Services, Inc.

Upon acceptance and approval of the contract by the City of Pasadena, Topflite Building Services will meet with all affected employees covered under this contract to discuss your employment offer as well as all other terms and conditions of employment.

We look forward to bringing you onboard and working to maintain the excellent working relationship you have developed with the City of Pasadena. Our goal is to continue to provide excellent housekeeping services for the length of our contract with the City.

Thank you,