

C7 J A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXTEND, ON A MONTH-TO-MONTH BASIS, THE PROFESSIONAL SERVICES AGREEMENT, DATED MAY 28, 2019 BETWEEN THE CITY OF MIAMI BEACH AND SFM SERVICES, INC. FOR CITYWIDE JANITORIAL SERVICES (EXISTING AGREEMENT) FOR AN ADDITIONAL SIX (6) MONTHS, BASED ON CURRENT FINANCIAL TERMS, COMMENCING ON NOVEMBER 28, 2024 AND EXPIRING ON MAY 28, 2025, OR UNTIL NEGOTIATIONS FOR CITYWIDE JANITORIAL SERVICES ARE FINALIZED AND A NEW AGREEMENT IS EXECUTED, WHICHEVER COMES FIRST.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: November 20, 2024

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXTEND, ON A MONTH-TO-MONTH BASIS, THE PROFESSIONAL SERVICES AGREEMENT, DATED MAY 28, 2019 BETWEEN THE CITY OF MIAMI BEACH AND SFM SERVICES, INC. FOR CITYWIDE JANITORIAL SERVICES (EXISTING AGREEMENT) FOR AN ADDITIONAL SIX (6) MONTHS, BASED ON CURRENT FINANCIAL TERMS, COMMENCING ON NOVEMBER 28, 2024 AND EXPIRING ON MAY 28, 2025, OR UNTIL NEGOTIATIONS FOR CITYWIDE JANITORIAL SERVICES ARE FINALIZED AND A NEW AGREEMENT IS EXECUTED, WHICHEVER COMES FIRST.

RECOMMENDATION

The Administration recommends that the Mayor and City Commission adopt the Resolution approving a month-to-month extension of the SFM Agreement to ensure continuity of citywide janitorial services.

BACKGROUND/HISTORY

On October 18, 2018, the City adopted Resolution No. 2018-30535 accepting the Administration's recommendation pursuant to Request for Proposal (RFP) No. 2017-070-JC, to simultaneously negotiate with Able Business Services Inc. and with SFM Services, Inc. the first and second ranked proposers respectively, for janitorial services. Said resolution further authorized the City Manager to select a primary contractor and a secondary contractor, based on the determination of the final negotiated proposals that offered the City the best combination of pricing and service. Consequently, on May 16, 2019, the City Mayor and Clerk executed a Professional Services Agreement with Able Business Services Inc. ("Able") as the primary contractor for City garages (Zone 4) and City Parks (Zone 6) and serving as the secondary for Zones 2 and Zone 3. Furthermore, on May 28, 2019, the City Mayor and Clerk executed a Professional Services Agreement with SFM Services, Inc. ("SFM") as the primary contractor for Zone 2 and Zone 3 and serving as the secondary contractor for Zone 4 and Zone 6 (the "SFM Agreement"). Subsequently, on September 30, 2019, the City terminated the Professional Services Agreement with Able Business Services, Inc.

On April 22, 2020, the Mayor and City Commission adopted Resolution No. 2020-31227, approving Amendment No. 1 to the SFM Agreement, which expanded the scope of the Agreement by retroactively approving the transfer of janitorial services for the City garages (Zone 4) and City parks (Zone 6) from Able Business Services, Inc. to SFM. Furthermore, said amendment expanded the scope by incorporating additional facilities which were not defined as part of RFP No. 2017-070-JC, including new sites and services.

On September 16, 2020, the Mayor and City Commission adopted Resolution No. 2020-31403, approving Amendment No. 2 to the SFM Agreement, which expanded the scope by incorporating additional facilities which were not defined as part of RFP No. 2017-070-JC, including new City offices and locations. Furthermore, said amendment retroactively approved additional services in response to the COVID-19 pandemic for FY 2019-2020 only. Finally, said amendment also memorialized the living wage increase, under the City's Living Wage Ordinance effective January 1, 2020.

On May 12, 2021, the Mayor and City Commission adopted Resolution No. 2021-31701, approving, Amendment No. 3 to the SFM Agreement, which: (1) retroactively approved effective October 1, 2020, additional janitorial services, in the amount of \$111,599.84 per year; and (2) approved the addition of sweeping services for all City-owned surface parking lot, in the annual total amount of \$906,525.00 for a total contract amount, not to exceed \$3,813,691.87 per year.

On September 18, 2021, Amendment No. 4 to the SFM Agreement was added administratively; said amendment incorporated into the Contract the omitted "Contract Provisions for Non-Federal Entity Contracts Under Federal Award," the "Byrd Anti-Lobbying Amendment Certification," the "Suspension and Debarment Certification," and other miscellaneous requirements of the City Code and Florida Law.

On September 14, 2022, the Mayor and City Commission adopted Resolution No. 2022-32276, approving a revised Amendment No. 5 to the SFM Agreement, said amendment approved effective June 22, 2022, additional sites and services in the amount of \$84,459.56, for a total contract amount of \$3,898,151.43 per year.

On October 18, 2023, the Mayor and City Commission approved the issuance of RFP 2024-032-WG (the RFP) Janitorial Services and on October 19, 2023, the RFP was issued. On February 24, 2024, the City Manager appointed an Evaluation Committee via LTC # 065-2024.

On May 15, 2024, the Mayor and City Commission: (1) adopted Resolution No. 2024-33057, approving Amendment No. 6 to the SFM Agreement, said amendment approved effective May 28, 2024, a six (6) month extension of the contract while negotiations were to take place for a replacement contract and; (2) adopted Resolution No. 2024-33011, approving the Administration to enter into simultaneous negotiations with American Facility Services, Inc., and SFM Services, Inc., the tied top-ranked proposers.

ANALYSIS

The current extension to the SFM Agreement is set to expire on November 28, 2024. In order to ensure continuity of services, the Administration recommends an additional extension of the Agreement on a month-to-month basis for six (6) additional months, or, until negotiations for citywide janitorial services are finalized, and a new agreement is executed, whichever comes first.

FISCAL IMPACT STATEMENT

The month-to-month extension does not contemplate any changes to the existing financial terms of the Professional Services Agreement. Funding for janitorial services citywide has been appropriated in the City's FY 2025 budget.

Does this Ordinance require a Business Impact Estimate?

(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

CONCLUSION

The Administration recommends that the Mayor and City Commission approve the month-to-month extension of the SFM Agreement to continue with citywide janitorial services while a new agreement is negotiated.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

No

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

Facilities and Fleet Management

Sponsor(s)

Co-sponsor(s)

Condensed Title

Extend on Month-to-Month Basis PSA, Citywide Janitorial Services. FF

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXTEND, ON A MONTH-TO-MONTH BASIS, THE PROFESSIONAL SERVICES AGREEMENT, DATED MAY 28, 2019 BETWEEN THE CITY OF MIAMI BEACH AND SFM SERVICES, INC. FOR CITYWIDE JANITORIAL SERVICES (EXISTING AGREEMENT) FOR AN ADDITIONAL SIX (6) MONTHS, BASED ON CURRENT FINANCIAL TERMS, COMMENCING ON NOVEMBER 28, 2024 AND EXPIRING ON MAY 28, 2025, OR UNTIL NEGOTIATIONS FOR CITYWIDE JANITORIAL SERVICES ARE FINALIZED AND A NEW AGREEMENT IS EXECUTED, WHICHEVER COMES FIRST.

WHEREAS, on July 26, 2017, the Mayor and City Commission approved the issuance of Request for Proposals (RFP) No. 2017-070-JC for Janitorial Services, City-wide (the RFP); and

WHEREAS, on October 18, 2018, the Mayor and the City Commission accepted the recommendation of the City Manager, pursuant to RFP No. 2017-070-JC, to enter into simultaneous negotiations with Able Business Services, Inc. ("Able") and SFM Services ("SFM") Inc; and further authorized the City Manager to select a firm that will serve as the primary contractor, with the remaining firm to serve as the secondary contractor; and

WHEREAS, on May 16, 2019, the City Mayor and City Clerk executed a Professional Services Agreement with Able to serve as the primary contractor for City garages (Zone 4) and City parks (Zone 6) and serving as the secondary contractor for Zones 2 and 3; and

WHEREAS, on May 28, 2019, the City Mayor and City Clerk executed a Professional Services Agreement with SFM (the "SFM Agreement") serve as the primary contractor for Zones 2 and 3 and serving as the secondary contractor for City garages (Zone 4) and City parks (Zone 6); and

WHEREAS, on September 30, 2019, the City terminated the Professional Services Agreement with Able Business Services, Inc.; and

WHEREAS, on April 22, 2020, the Mayor and City Commission adopted Resolution No. 2020-31227, approving Amendment No. 1 to the SFM Agreement; said amendment (1) retroactively approving additional services in the amount of \$68,688; (2) retroactively approving, effective January 5, 2020, the transfer of janitorial services for the City garages (Zone 4) and City parks (Zone 6) from Able Business Services, Inc. to SFM, in the amount of \$1,410,309.28 per year, increasing the contract price to \$2,531,286.03 per year; and (3) approving additional sites and services, in the amount of \$117,900.00 per year, for a total contract price of \$2,649,186.03 per year, subject to increases or decreases in the level of service, as authorized by Amendment No. 1; and

WHEREAS, on September 16, 2020, the Mayor and City Commission adopted Resolution No. 2020-31403, approving Amendment No. 2 to the SFM Agreement; said amendment (1) approving, effective January 25, 2020, additional sites and services, in the amount of \$146,381.00

per year, for a total contract price of \$2,795,567.03 per year; (2) approving additional services in response to the COVID-19 pandemic, in the amount of \$325,528.31, for fiscal year 2019-2020 only; and (3) memorializing the living wage increase, under the City's Living Wage Ordinance effective January 1, 2020; and

WHEREAS, on May 12, 2021, the Mayor and City Commission adopted Resolution No. 2021-31701, approving, Amendment No. 3 to the SFM Agreement; said amendment (1) retroactively approving, effective October 1, 2020, additional janitorial services, in the amount of \$111,599.84 per year; and (2) approving the addition of sweeping services for all City-owned surface parking lot, with a tentative start date of May 2021, in the annual total amount of \$906,525.00 for a total contract price, not to exceed \$3,813,691.87 per year; and

WHEREAS, on September 18, 2021, the City and SFM executed Amendment No.4 to the SFM Agreement; said amendment incorporating into the Agreement the omitted "Contract Provisions for Non-Federal Entity Contracts Under Federal Award," the "Byrd Anti-Lobbying Amendment Certification," the "Suspension and Debarment Certification," and other miscellaneous requirements of the City Code and Florida Law; and

WHEREAS, in order to improve and maintain sanitary conditions in the City, the Administration recommends including additional sites and services in the scope of the Agreement, effective June 22, 2022, in the amount of \$84,459.56 per year, increasing the current contract price to an estimated annual amount of \$3,898,151.43 per year, not including additional services that may added by the City Manager, as needed, within the limits of the City Manager's purchasing authority under the City Code; and

WHEREAS, on June 22, 2022, the City and SFM executed Amendment No. 5 to the SFM Agreement; said amendment approving, effective June 22, 2022, additional sites and services in the amount of \$84,459.56 per year, increasing the current contract price to an estimated annual amount of \$3,898,151.43 per year, not including additional services that may be added by the City Manager, as needed, within the limits of the City Manager's purchasing authority under the City Code; and

WHEREAS, on October 18, 2023, the Mayor and City Commission approved the issuance of RFP 2024-032-WG (the "RFP") Janitorial Services and on October 19, 2023, the RFP was issued. On February 24, 2024, the City Manager appointed an Evaluation Committee via LTC # 065-2024; and

WHEREAS, on May 15, 2024, the Mayor and City Commission: (1) adopted Resolution No. 2024-33057, approving Amendment No. 6 to the SFM Agreement, said amendment approved effective May 28, 2024, a six (6) month extension of the contract while negotiations were to take place for a replacement contract and; (2) adopted Resolution No. 2024-33011, approving the Administration to enter into simultaneous negotiations with American Facility Services, Inc, and SFM Services, Inc., the tied top-ranked proposers; and

WHEREAS, the City Manager recommends the approval of the month-to-month extension of the SFM Agreement.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve the month-to-month extension of the Professional Services Agreement dated May 28, 2019 between the City of Miami Beach and SFM Services, Inc. for Citywide janitorial services (existing agreement) extending the term of the existing agreement for an additional six (6) months, commencing on November 28, 2024 and expiring on May 28, 2025, or until negotiations for Citywide janitorial services are finalized and a new agreement is executed, whichever comes first.

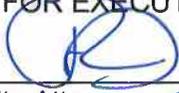
PASSED and **ADOPTED** this _____ day of _____, 2024

Steven Meiner, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney *DK* Date

11/6/2024