



July 11, 2019

CALL AND NOTICE OF A SPECIAL MEETING OF THE
OPERATIONS AND DEVELOPMENT COMMITTEE
OF THE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY

NOTICE is hereby given that a special meeting of the Operations and Development Committee will be held Monday, July 15, 2019, at 8:15 a.m., in the Airport Skyroom of Hollywood Burbank Airport, 2627 N. Hollywood Way, Burbank, California 91505.

Terri Williams, Board Secretary
Burbank-Glendale-Pasadena Airport Authority

SPECIAL MEETING
OF THE
OPERATIONS AND DEVELOPMENT COMMITTEE
Airport Skyroom
Monday, July 15, 2019
8:15 a.m.

The public comment period is the opportunity for members of the public to address the Committee on agenda items and on airport-related non-agenda matters that are within the Committee's subject matter jurisdiction. At the discretion of the presiding officer, public comment on an agenda item may be presented when that item is reached

Members of the public are requested to observe the following decorum when attending or participating in meetings of the Committee:

- *Turn off cellular telephones and pagers.*
- *Refrain from disorderly or boisterous conduct, including loud, threatening, profane, or abusive language, clapping, whistling, stamping, or other acts that disrupt or otherwise render unfeasible the orderly conduct of the meeting.*
- *If you desire to address the Committee during the public comment period, fill out a speaker request card and present it to the Board Secretary.*
- *Confine remarks to agenda items or to airport-related non-agenda matters that are within the Committee's subject matter jurisdiction.*
- *Limit comments to five minutes or to such other period of time as may be specified by the presiding officer.*



The following activities are prohibited:

- *Allocation of speaker time to another person.*
- *Video presentations requiring use of Authority equipment.*



Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Authority to the Committee less than 72 hours prior to that meeting are available for public inspection at Hollywood Burbank Airport (2627 N. Hollywood Way, Burbank) in the administrative office during normal business hours.



In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the Board Secretary at (818) 840-8840 at least 48 hours prior to the meeting.

AGENDA

Monday, July 15, 2019

1. Approval of Agenda
2. Public Comment
3. Approval of Minutes

a. June 17, 2019

[See page 1]

4. Contracts and Leases

a. Award of Contracts – Taxiway A Rehabilitation Project Number E18-20

- Staff report attached.

[See page 4]

Staff seeks an Operations and Development Committee recommendation to the Commission to:

- i) **Award a construction contract in the amount of \$2,099,920 to Sully-Miller Contracting Company for the Taxiway Alpha (“Taxiway A”) Rehabilitation Project;**
- ii) **Award of a Professional Services Agreement in the lump sum amount of \$108,725 to RDM International, Inc. for engineer of record construction administration services onsite technical services, and material testing;**
- iii) **Approve a project budget amount for construction management, contract administration and field observation in an amount not-to-exceed \$75,000; and,**
- iv) **Approve a project contingency of \$150,000 for any unforeseen conditions that may arise during construction.**

With the receipt of the Airport Improvement Program grant for this project, Staff would like to initiate the construction as soon as possible to avoid the winter rainy season. As such this item, subject to the recommendation of the Committee, has also been placed on the Commission’s agenda for consideration at its meeting immediately following the Committee meeting.

b. Award of Contract – Janitorial Services

- Staff report attached.

[See page 8]

Staff seeks a recommendation from the Operations and Development Committee to the Commission for award of a Janitorial Services Agreement to United Maintenance Company, Inc. for a three year period, at a fixed price of \$4,248,390.32, excluding supplies. The proposed agreement also includes

two one-year extension options with a fixed annual cost of \$1,498,765.43 and \$1,529,959.97, respectively. Supplies to be provided are to be billed monthly on an actual cost basis which, based on current activity levels, are estimated to be approximately \$18,000 per month.

On July 3, 2019, one of the short-listed firms, Diverse Facility Solutions, Inc., the current janitorial service provider, submitted a letter protesting Staff's announced plan to recommend contract award to United Maintenance. The protest claimed that United Maintenance has not obtained current wage and benefit information or committed to a collective bargaining agreement. United Maintenance's response to the letter is attached, and United Maintenance's representative will be present to answer any questions from the Committee.

Subject to the recommendation of the Committee, and in order to facilitate a transition of services, this item has been placed on the agenda for the Commission meeting immediately following the Committee's meeting.

5. Adjournment

**MINUTES OF THE REGULAR MEETING OF THE
OPERATIONS AND DEVELOPMENT COMMITTEE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY**

MONDAY, JUNE 17, 2019

A regular meeting of the Operations and Development Committee was called to order on this date in the Airport Skyroom, 2627 N. Hollywood Way, Burbank, California, at 8:30 a.m., by Chairman Tornek.

ROLL CALL

Present: Commissioners Tornek, Brown and Devine

Absent: None

Also Present: Staff: Frank Miller, Executive Director;
John Hatanaka, Senior Deputy Executive Director;
Anthony DeFrenza, Director of Engineering and
Maintenance

1. Approval of Agenda There were no adjustments to the agenda.

2. Public Comment There were no public speakers

3. Approval of the Minutes

a. May 20, 2019 Draft Minutes for the May 20, 2019, Operations and Development Committee meeting were presented for approval.

Motion Commissioner Devine moved approval of the minutes seconded by Commissioner Brown.

Motion Approved The minutes were unanimously approved (3-0).

4. Contract and Leases

a. Task Order Authorization for Escalator Rehabilitation Elevators Etc. LP Staff presented to the Committee and requested recommendation to the Commission for the authorization of two task orders in the total amount of \$171,406 to Elevators Etc. LP ("Elevators Etc.") for the rehabilitation of the two escalators in the "North Tower" section of the elevated walkway to the Regional Intermodal Transportation Center ("RITC"). Staff noted that the escalator rehabilitation will be paid through the available CFC construction fund. Therefore, there will be no impact

to the FY 2019 or proposed FY 2020 budget.

Staff reported that based on information collected while performing preventative maintenance services, Elevators Etc. identified the need to complete a thorough rehabilitation of both escalators in the "North Tower." The escalators were originally installed and commissioned in 2014 and to date have not received a thorough cleaning by either of the two previous service providers. The proposed rehabilitation includes removing all steps, adjustment and re-alignment of the track, complete cleaning of the escalator interior throughout the entire escalator length, flushing the gearbox, replacing the oil, replacing the step chains, and installing new steps. The state-issued permits for both escalators are renewed annually, with the current permits set to expire on August 22, 2019 and November 13, 2019. Staff will instruct Elevators Etc. to complete the work in advance of the permit expiration dates.

Motion

Commissioner Devine moved approval of Staff's recommendation, seconded by Commissioner Brown.

Motion Approved

The motion was approved unanimously (3-0).

b. Acquisition and Installation of Additional Common Use Kiosk

Staff presented to the Committee a request for recommendation to the Commission that it authorize the issuance of purchase orders to SITA for the acquisition and installation of ten additional common use kiosks in the amount of \$172,299, including sales tax; Shires Electric for the installation of the electric power for each kiosk in the amount of \$8,400; and Future Design Communication for the installation of data lines for each kiosk in the amount of \$3,227.

Staff also recommended an additional \$10,000 in project contingency in the event of unforeseen circumstances for a total proposed project cost of \$193,926.

At the May 23, 2019, Airline Airport Affairs Committee meeting, the airlines were presented the estimated cost to acquire, install and maintain ten additional kiosks for the ticket lobbies with the airlines voting in favor of the proposal.

Under the terms of the Airport Use Agreement, the airlines are fully responsible for the cost of any additional equipment as well as the installation and maintenance cost. The additional equipment and installation will initially be funded utilizing Authority funds subject to immediate reimbursement of all project related costs by each airline based on their agreed to cost-sharing formula. There will be no impact to the FY 2019 or proposed FY 2020 budget.

Motion

Commissioner Devine moved approval of Staff's recommendation, seconded by Commissioner Brown.

Motion Approved

The motion was approved (3-0).

5. Adjournment

There being no further business, the meeting adjourned at 8:42 a.m.

**STAFF REPORT PRESENTED TO THE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY
OPERATIONS AND DEVELOPMENT COMMITTEE
JULY 15, 2019**

**AWARD OF CONTRACTS
TAXIWAY A REHABILITATION PROJECT NUMBER E18-20**

SUMMARY

Staff seeks an Operations and Development Committee ("Committee") recommendation to the Commission to:

- i) Award a construction contract in the amount of \$2,099,920 to Sully-Miller Contracting Company ("Sully-Miller") for the Taxiway Alpha ("Taxiway A") Rehabilitation Project;
- ii) Award of a Professional Services Agreement in the lump sum amount of \$108,725 to RDM International, Inc. ("RDM") for engineer of record construction administration services, onsite technical services and material testing;
- iii) Approve a project budget amount for construction management, contract administration and field observation in an amount not-to-exceed \$75,000; and,
- iv) Approve a project contingency of \$150,000 for any unforeseen conditions that may arise during construction.

With the receipt of the Airport Improvement Program ("AIP") grant for this project, Staff would like to initiate the construction as soon as possible to avoid the winter rainy season. As such this item, subject to the recommendation of the Committee, has also been placed on the Commission's agenda for consideration at its meeting immediately following the Committee meeting.

BACKGROUND

Taxiway A serves as the primary commercial taxiway with access to Runway 15-33. The last rehabilitation of the taxiway was completed in 2009 and the taxiway is now showing signs of significant deterioration. The Pavement Condition Index ("PCI") which the Federal Aviation Administration ("FAA") uses to rank airfield pavement conditions is listed from a 2017 survey as a 46 indicating that condition of the taxiway pavement is considered "poor". This taxiway now warrants a full rehabilitation as regular maintenance and spot repairs are no longer capable of maintaining the pavement in acceptable conditions and the pavement has exceeded its useful life.

PROJECT DETAILS

The Commission previously approved the engagement of RDM to develop design documents for the rehabilitation of this taxiway. The proposed rehabilitation consists of full depth pavement replacement in the keel section (middle 45' of the taxiway) resulting in an 8" thick pavement section, and replacement of the top 3" of pavement over the remaining areas of the taxiway and associated connectors within the project boundary. In total the project includes rehabilitation of approximately 374,000 square feet of existing asphalt on Taxiway A and its associated connectors.

The existing keel section thickness varies throughout the length of the taxiway and in certain places is significantly less than 8". The design for the rehabilitation contemplates current and future potential changes in the aircraft fleet mix as well as the number of operations using the taxiway. By providing a consistent 8" thick keel section the length of the taxiway, the proposed rehabilitation is expected to provide a design life of at least 10 years.

PROCUREMENT

Staff initiated the bid process on May 8, 2019, by posting bid documents on PlanetBids and advertising in the Dodge Construction News and other local newspapers, posting the bid opportunity on the Internet and in the Burbank, Glendale, and Pasadena City Halls. Five bids were received on June 10, 2019, with the following results:

CONTRACTOR	BASE BID	DBE%
Sully-Miller Contracting Company (Orange, CA)	\$2,099,920.00	25.27%
PALP, Inc. dba Excel Paving Company (Long Beach, CA)	\$2,368,249.04	
Griffith Company (Santa Fe Springs, CA)	\$2,456,024.49	
Granite Construction (Watsonville, CA)	\$3,239,932.00	
All American Asphalt (Corona, CA)	\$3,473,118.00	

DBE PROGRAM

The Authority's adopted "race conscious" Disadvantaged Business Enterprise ("DBE") program and guidelines were incorporated into the construction bid documents. The triennial DBE Program Goal is 13%; however, the DBE goal established for this specific project was 24.86%. Staff held a mandatory pre-bid meeting and job walk on May 22, 2019, for all potential bidders.

BID EVALUATION

The bids were evaluated by the Procurement Department to determine responsiveness to the request for bids. Staff inspected the inventory of documentation required of each bidder and determined that all were "responsive" as 100% of the documentation requirements were received from each bidder. An additional evaluation was conducted to determine whether there were any bid anomalies, and none were found.

Staff verified that the firm who submitted the apparent low bid had attended the mandatory pre-bid meeting and confirmed that the submitted DBE information represents a DBE participation commitment of 25.27% which is above the defined project goal.

TECHNICAL SERVICES, TESTING AND INSPECTION

As the designer of record, Staff negotiated a detailed scope of services and fee with RDM to provide engineer of record construction administration services, onsite technical services, and materials testing services. These services include site visits, weekly progress meeting participation, materials compliance testing (quality assurance), compaction testing, non-compliance reporting, corrective actions follow up and FAA Acceptance Testing Summary reporting. Staff believes the proposed value of the services in the amount of \$108,725 is reasonable based upon the defined scope and was arrived at consistent with the procurement process outlined in applicable FAA guidance.

CONSTRUCTION MANAGEMENT/CONTRACT ADMINISTRATION

Project and construction management, field coordination and stakeholder communication will be provided by Airport staff from the Engineering and Operations Departments. Azrial Consulting, the Authority's on-call CAD service provider, will provide AutoCAD and site reference services. The proposed total not-to-exceed budget for all services is \$75,000.

SCHEDULE

The contractor's performance period is 90 calendar days and Staff intends to issue a Notice to Proceed as soon as possible following Commission approval and receipt of all contractual prerequisites. The contract for this project allows for work seven days a week.

OPERATIONS IMPACTS

Construction of the project will require nightly closures of Taxiway A. These nightly closures will be limited to the time between 10:30 p.m. – 6:30 a.m. and the taxiway will be re-opened for use each morning. Staff will communicate with Airlines, Air Traffic Control Tower, FBOs and all stakeholders to provide regular project status and schedule updates. Additionally, in order to minimize the risk of the project impacting regular airport operations, any failure to complete work necessary to re-open the taxiway prior to the 6:30 a.m. deadline subjects the contractor to substantial liquidated damages assessed in terms of "minutes" of delay.

ENVIRONMENTAL REVIEW

Staff has reviewed the California Environmental Quality Act guidelines regarding exemptions applicable to this project and determined that this project is exempt pursuant to the Class 1 categorical exemption (14 C.C.R. § 15301). Among other things, that exemption covers rehabilitation of deteriorated facilities to meet current standards of public health and safety in situations where damage is not substantial and has not resulted from an environmental hazard.

BUDGET BREAKDOWN

CATEGORY OF WORK	AMOUNT	% of COSTS
Construction	\$ 2,099,920	77%
Construction Administration/Testing	\$ 108,725	4%
Construction Management/Contract Administration	\$ 75,000	3%
Project Contingency	\$ 150,000	5%
Construction Total	\$ 2,433,645	90%
Project Design *	\$ 291,310	11%
Project Total	\$ 2,724,955	100%

* The award of a Professional Services Agreement for Design and associated management and administrative costs in the amount of \$313,310 was previously approved by the Commission on February 19, 2019.

BUDGET IMPACTS

The Adopted FY 2020 Budget includes appropriations for this project of \$2,250,000 to be funded utilizing AIP grant funds for 80.59% of project costs, with the remaining local match of 19.41% from Passenger Facility Charge ("PFC") funds. After receipt of bids (which ranged from approximately 12% - 84% higher than the engineer's estimate) the updated project cost of \$2,724,955 was submitted to the FAA in a revised AIP grant application which was approved. For this project, instead of the normal separation between design and construction, at the suggestion of FAA, the grant application included a reimbursement for the cost previously approved by the Commission for design in the amount of \$291,310. The grant, which has been received, provides the federal share of \$2,196,041 of the total project cost with local match being applied for through a PFC application currently under development in the amount of \$528,914.

STAFF RECOMMENDATION

Staff seeks a Committee recommendation to the Commission that it: i) Award of a construction contract in the amount of \$2,099,920 to Sully-Miller; ii) Award a Professional Services Agreement for a lump sum amount of \$108,725 to RDM for engineer of record construction administration services, onsite technical services, and material testing; iii) Approve a project budget for construction management, contract administration field observation for an amount not-to-exceed \$75,000; and, iv) Approve a project contingency of \$150,000 and authorize the President to execute the contracts.

**STAFF REPORT PRESENTED TO THE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY
OPERATIONS AND DEVELOPMENT COMMITTEE
JULY 15, 2019**

**AWARD OF CONTRACT
JANITORIAL SERVICES**

SUMMARY

Staff seeks a recommendation from the Operations and Development Committee ("Committee") to the Commission for award of a Janitorial Services Agreement to United Maintenance Company, Inc. ("United Maintenance"), copy attached, for a three-year period, at a fixed price of \$4,248,390.32, excluding supplies. The proposed agreement also includes two one-year extension options with a fixed annual cost of \$1,498,765.43 and \$1,529,959.97, respectively. Supplies to be provided are to be billed monthly on an actual cost basis which, based on current activity levels, are estimated to be approximately \$18,000 per month.

On July 3, 2019, one of the short-listed firms, Diverse Facility Solutions, Inc. ("DFS"), the current janitorial service provider, submitted a letter protesting Staff's announced plan to recommend contract award to United Maintenance. The protest, copy attached, claimed that United Maintenance has not obtained current wage and benefit information or committed to a collective bargaining agreement. United Maintenance's response to the letter is attached, and United Maintenance's representative will be present to answer any questions from the Committee.

Subject to the recommendation of the Committee, and in order to facilitate a transition of services, this item has been placed on the agenda for the Commission meeting immediately following the Committee's meeting.

BACKGROUND

Following a competitive selection process, in April 2014 the Commission awarded the existing Janitorial Services Agreement to DFS with an initial term of three-years with two one-year options. The Commission exercised both options.

Nine firms responded to a publicly advertised Request for Proposal ("RFP") posted in February 2019. Proposals were received from the following firms, listed in alphabetical order:

- CleanNet of Southern California, Inc.
- Diverse Facility Solutions
- Flagship Airport Services, Inc.
- Pride Industries
- Servicon Systems, Inc.
- SP Plus Corporation
- Trinity Public Sector Solutions
- Uniserve Facility Services
- United Maintenance Company, Inc.

Based on an initial review, two of the proposals were deemed non-responsive and thus were not evaluated further. An evaluation panel, composed of five staff members, was assembled and the seven responsive proposals were evaluated in accordance with the selection criteria outlined in the RFP. Based on this evaluation, the four highest scoring firms were invited to an interview for further consideration.

The interview phase was comprised of a 45-minute presentation by the proposing firm and a 45-minute Q&A with the five-person evaluation panel. Each firm's presentation and response to questions were scored by the evaluation panel.

On May 6, 2019, Staff sought the Committee's recommendation for a contract award to DFS. At that meeting, the Committee asked Staff to clarify the evaluation and selection process, as well as the significant discrepancy in proposed monthly hours and price amongst the short-listed firms. To address the concerns raised by the Committee, Staff utilized a two-step "Best and Final Offer" ("BAFO") process with all the four short-listed firms as described below.

Recognizing that the extended procurement process would continue past the expiration date of the current Janitorial Services Agreement, at the request of the Committee, Staff negotiated a contract amendment with DFS for a month-to-month extension not to exceed three months to allow for completion of the BAFO process. The Commission approved this contract amendment on May 20, 2019.

SCOPE OF SERVICES

The current scope of work includes the janitorial services for all publicly accessible areas of the airport terminal such as restrooms, hallways, hold-rooms, curb-front, bag-claim areas, ticket and gate counters, nursing stations, pet-relief areas, Authority administrative offices, parking booths, security booths, valet center, the elevated walkway to the Regional Intermodal Transportation Center, Hangar 34, maintenance facility and the second floor of Building 36.

The onsite janitorial staff under the current Janitorial Services Agreement provides 4,043 hours per month with three Supervisors, five morning shift Custodians, four afternoon shift Custodians, and six night shift Custodians.

The scope of services for the proposed Janitorial Services Agreement is the same for all areas of the Airport covered under the current agreement. However, based on the increase in passenger activity and flights schedules, the cleaning frequencies identified in the proposed scope of work were enhanced starting with the Summer 2019 schedule to accommodate passenger needs and the Airport's operational requirements.

The proposed Janitorial Services Agreement is for a base term of three years at a fixed price, with two one-year extension options available to the Commission. Both option years include a proposed increased fixed price. The agreement contemplates the potential need to extend services beyond the five-year total term on a month-to-month basis, up to 12 additional months at a negotiated rate, to allow for a potential transition to the proposed Replacement Passenger Terminal.

Staff recognizes that flight schedules and passenger levels are influenced by several external conditions, thus the proposed Janitorial Services Agreement allows the Authority to adjust the Scope of Services at its discretion any time. The agreement also includes a provision which requires a good faith negotiation of a reduction in the monthly fee and hourly rates if at any time the annual passenger throughput at the Airport has dropped by more than 10% compared to the prior 12-month period. Similarly, the agreement includes a provision requiring that, in September 2020 and on an annual basis thereafter, the parties shall determine whether the annual passenger throughput at the Airport has increased by more than 10% compared to the prior 12-month period and, if so, shall negotiate in good faith an increase in the monthly fee and hourly rates.

EVALUATION PANEL CONSIDERATIONS

Providing a clean facility is critical for the Airport as passenger impressions of the overall facility are often most impacted by their perception of the Airport's cleanliness, especially in restrooms. With the increase in flights the Airport has experienced since 2014, the associated increase in passenger activity has significantly impacted restroom cleaning and supply usage. Restrooms are now required to be cleaned more frequently.

Since FY 2014, when current janitorial staffing levels were established, passenger volumes have increased from 3.8 million annual passengers to over 5.2 million annual passengers. This represents an approximately 37% increase in activity. The summer schedule and introduction of an additional air carrier are expected to add to the demand for service throughout the Airport.

During the initial evaluation process, two critical elements were:

1. Proposed staffing – did the proposer offer staffing levels and organizational structure that would meet the level of cleaning required per the scope of services outlined in the RFP, i.e. the minimum required cleaning frequencies to meet the anticipated flight schedule and airport passenger volumes over the next five years; and
2. Proposed Site Manager – did the proposer identify a Site Manager with applicable experience, with requisite leadership skills, strong communication skills and a professional and positive attitude to meet the needs of the Commission and Staff and who is immediately available to lead the transition.

As stated in the May 6th presentation to the Committee, Staff's initial recommendation was heavily influenced by the proposed staffing levels. The RFP defined the increased minimum cleaning frequencies and the approximate 37% increase in passenger volume since 2014, which Staff felt warranted a reevaluation of janitorial staffing levels. The initially recommended firm, DFS, proposed a staffing increase of approximately 20% above current staffing levels while the other firms proposed an approximately 8% increase in staff or no changes at all.

However, the Committee was concerned with the magnitude of the increase in the proposed fee, the significant differences between the monthly hours and fee amongst short-listed firms, the structure of the fee proposal, weight given to the interview portion of the evaluation, as well as Staff's evaluation of the proposed Site Manager. As previously mentioned, the BAFO process was initiated to address these concerns.

BEST AND FINAL OFFER

The four short-listed firms were advised of the concerns and that, to address these questions, Staff would be issuing a BAFO request. The firms were allowed to review and reconsider their proposed staffing levels, reminded again that passenger volumes have increased approximately 37% since 2014 along with the forecasted summer flight schedule.

Firms were also instructed to provide updated pricing information in a revised format. Instead of maintaining a fixed annual price for the entire three-year term and the two optional extension years, pricing was requested by year.

Firms were instructed to provide written details on transition plans and schedule, their proposed Site Manager, and rationale behind their revised proposed staffing levels.

BAFOs were evaluated in accordance with the following selection criteria:

SC-1 Proposed Staffing Level – 40 Points

SC-2 Proposed Price – 40 Points (cumulative all 5 years)

SC-3 Quality of Supplemental Written Response – 20 Points

Evaluation of the submitted BAFOs resulted in Staff announcing on June 6, 2019, a plan to recommend a contract award to United Maintenance at the June 17, 2019, Committee and Commission meetings.

REVISED BEST AND FINAL OFFER

Subsequently, on June 11, 2019, DFS submitted a letter protesting the contract award recommendation, and outlining concerns specifically associated with Staff's responses to questions posted in Addendums 1 and 3 in March 2019, during the initial phase of the procurement. Staff decided to omit the Janitorial Services Agreement contract award from the June 17th Committee and Commission agendas to allow time to evaluate and address the concerns raised by DFS.

On June 19, 2019, staff sent a letter to the four firms who had participated in the BAFO process with the following clarification:

"...it has been brought to our attention that one or more of the Best and Final Offer ("BAFO") submittals for the above-referenced procurement may have been based on a misunderstanding, regarding the status of an organized labor union of the existing janitorial staff employed by the current service provider.

Existing janitorial personnel are members of the SEIU USWW and are covered by a collective bargaining agreement...

After considering the information above, please either confirm pricing provided in the May 17, 2019, BAFO submission remains valid or provide revised pricing."

On June 26, 2019, responses were received and are summarized below:

	Original Proposal		BAFO		Revised BAFO	
	Monthly Hours	Monthly Fee	Monthly Hours	Monthly Fee (Year 1)	Monthly Fee (Year 1)	Monthly Fee (5 Yr Avg)
Current Agreement (Established 2014)	4,043	\$ 93,132				
FIRM:						
United Maintenance	4,378	\$ 99,494	4,971	\$ 108,280	\$ 112,167	\$ 121,285
DFS	4,857	\$ 138,635	4,856	\$ 122,138	\$ 122,138	\$ 134,395
PRIDE Industries	3,969	\$ 105,002	4,723	\$ 115,525	\$ 115,525	\$ 127,015
Uniserve	3,999	\$ 97,927	4,226	\$ 100,328	\$ 105,525	\$ 116,623

During a review of the Fee Schedule insignificant mathematical errors were identified in three of the four BAFOs, including the submittals by United Maintenance and DFS. Staff clarified what numbers were used for evaluation with each of the three firms.

Evaluation scores, with highest scoring firm being recommended for award.

	SC-1	REVISED SC-2	SC-3	REVISED Total
Maximum Points Possible	40	40	20	100
FIRM:				
United Maintenance	40	38	17	95
DFS	39	35	20	94
PRIDE Industries	38	37	17	92
Uniserve	34	40	15	89

Both United Maintenance and Uniserve submitted revised fees with DFS and PRIDE confirming their pricing as previously submitted.

Resulting from the completed two-step BAFO process, United Maintenance increased the number of hours per month from 4,378 to 4,971 and committed to use as its Site Manager a 30-year veteran of the company with 17 years of management experience at facilities of a similar or larger size as the Airport.

FUNDING

Appropriations for the Janitorial Services and Supplies have been included in the adopted FY 2020 budget which provides funding for the proposed fee schedule by United Maintenance.

STAFF RECOMMENDATION

Staff recommends that the Committee recommend to the Commission award of the attached Janitorial Services Agreement to United Maintenance for a three year period, at a fixed fee of \$4,248,390.32 excluding supplies, with two one-year options. Supplies will be reimbursed at actual cost on a monthly basis and, based on current activity levels, are estimated to be approximately \$18,000 per month.



Diverse Facility Solutions

Corporate Office: 12838 S. Cicero Avenue, Alsip, IL 60803 • P: 773-582-1022 • F: 773-582-1094
www. DiverseFacilitySolutions.com

Via email: LAguilera@bur.org

July 3, 2019

Lanna Aguilera, C.P.
Senior Procurement Specialist
Hollywood Burbank Airport Authority
2627 N. Hollywood Way
Burbank, CA 91505

Re: Request for Proposals No. MA19-01
Protest of Contract Award to United Maintenance Company

Dear Ms. Aguilera,

Diverse Facility Solutions (DFS) hereby submits its protest for contract award for the Janitorial Services and Supplies to United Maintenance Company. Once again DFS feels compelled to raise concerns to the Burbank-Glendale-Pasadena Airport Authority (BGPAA) staff, Committees and Commission. The following detail outlines the grounds for our protest to the contract award recommendation to United Maintenance Company for RFP No. MA19-01.

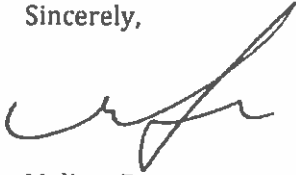
United Maintenance Company has not obtained wage or benefit details and information for the existing employees, nor has the company signed a commitment to the SEIU Master Collective Bargaining Agreement.

DFS has contacted SEIU USWW local representation and confirmed that United Maintenance Company has not agreed to honoring the SEIU Master Agreement and thus has not been provided with accurate or up-to-date wage and benefit information for the existing employees. The custodial team dedicated to the Hollywood Burbank Airport have been members of SEIU and protected by an active and fully executed Collective Bargaining Agreement for 20+ years. A service contractor providing labor on the BUR campus without having this information, puts the employees' wages, benefits and seniority in jeopardy. An award to a contractor creating a non-union workforce could create issue and tension with local union representation, as well as the current custodial staff by adversely affecting their wages, benefits and scheduled wage increases through the course of contract term.

With notice of the June 17th, 2019 recommendation to award the contract to United Maintenance, SEIU and the existing custodial team executed a petition to protect their rights. SEIU provided a copy of the petition to the Airport Authority during that meeting despite the delay of the recommendation in an effort to put the BGPAA on notice of the desire to retain the existing wage and benefits package detailed in the CBA.

In correlation with this protest, DFS requests that Commission approval of the recommendation for contract award to United Maintenance Company scheduled for July 15, 2019 is delayed until resolution of this protest.

Sincerely,



Melissa Zagorac
Vice President, Business Development
Diverse Facility Solutions

cc: Frank Miller, Executive Director BGPAA (fmiller@bur.org); John Hatanaka, Senior Deputy Executive Director BGPAA (jhatanaka@bur.org); Anthony DeFrenza, Director of Engineering & Maintenance BGPAA (adefrenza@bur.org); Mark Wright, President DFS (m.wright@dfscompany.com); Charles Cole, Vice President of Finance DFS (c.cole@dfscompany.com)



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July 10, 2019

Lanna Aguilera, C.P.
Sr. Procurement Specialist
Burbank-Glendale Pasadena Airport Authority
2627 N. Hollywood Way
Burbank, CA 91505

Re: United Maintenance / SEIU West

Dear Ms. Aguilera:

Hinshaw & Culbertson LLP represents United Maintenance. Our client asked us to reach out to SEIU West to begin the process of recognizing them and then bargaining a contract. I now have been asked to provide you with the details of those efforts.

Before I do so, allow me to express the gratitude of our client regarding the recommendation of an award of the contract to United Maintenance, and we trust you will be pleased with the service our client will provide. I also have been asked to pass along the commitment of United Maintenance to keep you and the Authority informed of important developments.

Turning to our efforts with respect to SEIU West, I personally made the initial contact and the initial offer to SEIU West to enter into a bargaining relationship while the bidding process was underway. We informed them that our client has entered into contracts with other SEIU Locals at other facilities, including other airports and airlines, with no issues and no labor disputes. In fact, we hope to enter into another collective bargaining agreement with SEIU Local 32BJ in Philadelphia by the end of this week. With Local 32BJ of SEIU, we likely will be able to go from recognition to signature on a collective bargaining agreement in just three to four weeks. In other airports, our client also has voluntarily recognized the incumbent union after hiring a majority of the predecessor's workforce and finished or are near finished with a contract.

It is in that spirit that I attempted to open a dialogue with SEIU-West expressing the same intent. If you would like, I would be able to provide email evidence of our attempts. Nevertheless, to begin the process, our client obtained the existing agreements with Diversified Facilities Solutions, Inc. ("DFS"). When those agreements eventually were provided on June 21, we saw for the first time that the MOA and the larger CBA were signed by DFS on April 3, 2019, which is three days after the bids were submitted by the interested parties. No other agreements were provided by SEIU, so it appears this collective bargaining relationship was not

Lanna Aguilera, C.P.
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memorialized until three months ago. If the larger CBA is reflective of the area-wide master agreement, SEIU-West has provided no confirmation to us of that fact.

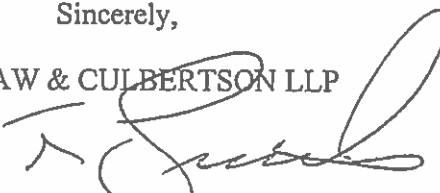
As we indicated above, we expressed a willingness to hire mainly from the predecessor's staff and to bargain an agreement, which is exactly what the law contemplates. SEIU responded that they do not intend to deviate from the area-wide agreement, essentially telling us they will not bargain in good faith. Notwithstanding that position, United Maintenance commits to you that we will continue our efforts to bargain an agreement with SEIU-West.

Finally, we demanded that SEIU-West retract the defamatory and factually incorrect memorandum they submitted to you last month on June 17, just days after we reached out to the Union in the prior week and offered to recognize them based on hiring projections and bargain. The union's non-committal response did not come back to us until after the final bids on financial terms were submitted. For purposes of this communication, please note that the Union's June 17 memo is demonstratively wrong on multiple accounts and defamatory on just as many. United Maintenance can provide a specific and detailed fact to allegation document if you would prefer one. However, for purposes of this communication, we want you to know the communication was reckless, poorly, if at all, fact-checked and loaded with innuendo placing United Maintenance in a false light and wrong on substantive matters. In fact, the genesis of the article was a failed attempt of another SEIU Local to organize a unit of United Maintenance; a unit where employees rejected SEIU in a National Labor Relations Board-sponsored election. That explains the background of the dispute and the source of the defamatory information. If you require a detailed summary of the facts, we will provide one upon request.

We will keep you posted on developments.

Sincerely,

HINSHAW & CULBERTSON LLP



Tom H. Luetkenmeyer

THL:rd