

Resolution authorizing a 12-month service agreement for custodial services for outlying police buildings with Ernestina Luna, dba Unified Service Associates of San Antonio, Texas for an amount not to exceed \$109,395.96, with two 12-month options for a potential total amount not to exceed \$328,187.88.

WHEREAS, custodial services for ten outlying police buildings will be provided to the Police Department;

WHEREAS, the City received four responsive, responsible bids and one non-responsive bid for the custodial services for outlying police buildings in response to RFB 2125 of which the lowest responsive, responsible bidder may be awarded the custodial services;

WHEREAS, the incumbent firm, Hilario Ortega, Jr., dba A Plus Janitorial and Mowing ("A Plus Janitorial"), submitted a bid for the custodial services for outlying police building;

WHEREAS, A Plus Janitorial did not satisfactorily perform under its previous agreement with the City, requiring the City to provide a default notice dated April 11, 2019;

WHEREAS, A Plus Janitorial did not cure the defects that were referenced in the default notice provided to it;

WHEREAS, RFB 2125 provided that in determining a bidder's responsibility, the City may consider "ability, capacity, experience, efficiency and integrity of the bidders," and that a bidder may be disqualified if the bidder has "defaulted on previous contracts with the City," A Plus Janitorial is deemed non-responsive and is disqualified from consideration;

WHEREAS, the lowest responsive, responsible bidder is Unified Service Associates of San Antonio, Texas in the amount of \$109,395.96;

WHEREAS, state law provides that such procurements, as outlined above, are subject to statutory procurement requirements, including competitive bids, unless an exception applies;

WHEREAS, state law provides that, if the competitive sealed bidding requirement applies to a contract for goods or services, the contract must be awarded to the lowest responsive, responsible bidder or to the bidder that provides the best value, pursuant to Texas Local Government Code §252.043(a);

WHEREAS, in the event the lowest responsive, responsible bidder fails to execute the contract for the awarded item or fails to perform under a contract for any awarded items, the City Manager, or designee, is authorized to execute a contract for the remainder of the contract term with the next lowest bidder, in succession, in order to secure replacement custodial services.

Be it resolved by the City Council of the City of Corpus Christi, Texas:

Section 1. The City Council specifically finds that the foregoing statements included in the preamble of this resolution are true and correct and adopts such findings for all intents and purposes related to the authorizations of this procurement.

Section 2. The City Manager, or designee, is authorized to execute all documents necessary to secure a service agreement for the custodial services for outlying police buildings with Unified Service Associates of San Antonio, Texas, for an amount not to exceed \$109,395.96 with two additional 12-month renewal options with a potential total amount not to exceed \$328,187.88. A copy of the agreement will be on file in the Office of the City Secretary.

Section 3. In the event that the bidder fails to execute the contract for the awarded item or fails to perform under a contract for any awarded items, the City Manager, or designee, is authorized to execute a contract for the remainder of the contract term with the next lowest bidder, in succession, in order to secure replacement custodial services.

The above resolution was passed by the following vote:

Joe McComb	_____
Roland Barrera	_____
Rudy Garza	_____
Paulette Guajardo	_____
Gil Hernandez	_____
Michael Hunter	_____
Ben Molina	_____
Everett Roy	_____
Greg Smith	_____

ATTEST:

CITY OF CORPUS CHRISTI

Rebecca Huerta
City Secretary
Corpus Christi, Texas

Joe McComb
Mayor

_____ day of _____, 2019