

Leon County Board of County Commissioners

Agenda Item: To be distributed under the County Administrator's Time on the Agenda

March 9, 2021

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator

Title: Security Guard Services Contract Award

Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Alan Rosenzweig, Deputy County Administrator Scott Ross, Director, Financial Stewardship
Lead Staff/ Project Team:	Shelly Kelley, Director, Purchasing Division Maggie Theriot, Director, Office of Resource Stewardship

Statement of Issue:

This item seeks Board approval to award a contract to Barkley Security Agency, Inc., for private security services utilizing the Florida State Term Contract for Security Guard Services subject to certain conditions.

Fiscal Impact:

This item has a fiscal impact. Adequate funds are available in all the respective operating budgets.

Staff Recommendation:

Option #1: Authorize the County Administrator to negotiate and execute an agreement with Barkley Security Agency, Inc., an eligible vendor on the Florida State Term Contract for Security Guard Services, subject to legal review by the County Attorney and contingent upon settlement of pending litigation between the County and Barkley Security Agency, Inc.

Report and Discussion

Background:

This item seeks Board approval to award the private security services contract to Barkley Security Agency, Inc. (Barkley Security), utilizing the Florida State Term Contract for Security Guard Services (State Security Contract). The purchase of private security services off of the State Security Contract will enable Leon County to select a private security vendor while still being in compliance with Chapter 287, Florida Statutes.

On February 16, 2021 the Board approved a bid for security services to Moses Security Services Inc. However, Moses Security Services was unable to provide the required bonding documents necessary to execute the agreement. As Moses Security Services was unable to effectuate the agreement, an analysis was performed of the previous security bids as well as state term contract. As noted in the analysis, Barkley Security provided the second lowest bid, but was deemed ineligible as a result of a contract dispute. However, contingent upon settlement of pending litigation between the County and Barkley Security Agency, Inc. this item recommends engaging with Barkley Security through the state contract.

The Florida Department of Management Services (DMS) manages Florida State Term Contracts. DMS procures many commodities and services, and the contracts (Florida State Term Contracts) are intended to be used by states agencies and local governments. Under the State Security Contract, Leon County can contract for services from ten eligible private security vendors, including Barkley Security.

Leon County has used private security services to fill critical needs at many facilities and events. Barkley Security provided private security services to Leon County for five years under a contract that expired February 28, 2021. Prior to that time, Barkley Security provided private security services under a previous contract.

The main function of private security is to secure Leon County facilities by utilizing the presence of armed and/or unarmed security guards. However, private security is utilized to fill many other needs such as monitoring temperature kiosks or building systems. Under the State Security Contract, services are billed per hour at varying rates depending upon whether the guard is armed or unarmed, as well as experience and training levels. Private security currently operates in six Leon County facilities providing services unique to the needs of each building, program, or occupant. Additional security services are often utilized throughout the year based on need. For example, private security guards are often used on a temporary basis to help alleviate unique issues such as loitering or to provide support during special events such as Early Voting.

Analysis:

On January 14, 2021, the Invitation to Bid (ITB) for Private Security Guard Services continuing services contract was advertised. Seven bids were received, the lowest bidder was Moses Security

Services, Inc., at a rate of \$584,340 and was determined to be responsive by the Purchasing Division. In addition to submitting higher bids, four of the remaining six bidders were either deemed ineligible or nonresponsive to the bid. Barkley Security was determined to be ineligible by the Purchasing Division because it was engaged in a dispute with Leon County relating to an allegation of breach of contract at the time of bid submission. The solicitation document stated that vendors would be deemed ineligible if, at the time of bid submission, they were engaged in a dispute or controversy relating to or arising out of an allegation that they were in breach of a contract with a governmental entity. Additionally, three of the vendors did not meet the MWBE requirements and were determined to be nonresponsive.

The Board approved the bid award to Moses Security Services, Inc., on February 16, 2021. However, the vendor was unable to provide the required documents necessary to execute the agreement. As the low bidder was unable to effectuate the agreement, staff examined the alternative of utilizing an eligible vendor on the State Security Contract.

Barkley Security and the County have been engaged in settlement discussions to resolve the breach of contract dispute that caused Barkley Security's prior bid to be deemed ineligible. If the Board approves the settlement of pending litigation between the County and Barkley Security, staff would negotiate with Barkley Security as an eligible vendor on the State Security Contract to provide private security services at a rate not to exceed its prior bid amount of \$672,887 for one year, with up to four one-year renewals.

Options:

1. Authorize the County Administrator to negotiate and execute an agreement with Barkley Security Agency, Inc., an eligible vendor on the Florida State Term Contract for Security Guard Services, subject to legal review by the County Attorney and contingent upon settlement of pending litigation between the County and Barkley Security Agency, Inc.
2. Do not authorize the County Administrator to negotiate and execute an agreement with Barkley Security Agency, Inc., an eligible vendor on the Florida State Term Contract for Security Guard Services, subject to legal review by the County Attorney and contingent upon settlement of pending litigation between the County and Barkley Security Agency, Inc.
3. Board direction.

Recommendation:

Option #1