

AGENDA REPORT

Resolution: Authorization Approving Consent to Assignment of Maritime Security Patrol Services Contract and Port Security Operations Center Staffing Contract from Cypress Private Security, LP to Allied Universal Security Services. **(Maritime)**

MEETING DATE: 7/25/2019

AMOUNT: \$0
Operating Expense

PARTIES INVOLVED: Universal Protection Service, LP dba Allied Universal Security Services, Oakland, CA
Greg Feldman, General Manager

SUBMITTED BY: John C. Driscoll, Director of Maritime

APPROVED BY: J. Christopher Lytle, Executive Director

ACTION TYPE: Resolution

EXECUTIVE SUMMARY

This agenda report is to request authorization to assign the existing Maritime Security Patrol Services and Port Security Operations Center Staffing contracts from Cypress Private Security, LP (“Cypress”) to Allied Universal Security Services (“AUS”). Cypress has transferred substantially all its assets and liabilities to AUS. AUS will be taking over and servicing all Cypress existing contracts under existing terms and conditions.

BACKGROUND

On April 12, 2018 and June 13, 2019, following approval from the Board of Port Commissioners (“Board”), Port of Oakland (“Port”) staff entered into professional service agreements with Cypress Private Security, LP (“Cypress”) to provide (1) Port Security Operations Center (“PSOC”) Staffing (Resolution 18-27) and (2) Maritime Security Patrol Services (Resolution 19-48), respectively. The maximum remaining term for both contracts is four years, through June 2023. On June 17, 2019, the Port received official notification that Cypress would be transferring all assets and liabilities to Allied Universal Security Services (“AUS”).

ANALYSIS

On or about June 21, 2019, Cypress assigned all contractual rights and obligation pursuant to and under any existing agreements to AUS. AUS has confirmed its desire and intent to assume the Port contracts, accepting all existing terms and conditions of both contracts, and is requesting the Port consent to the assignment of the contracts from Cypress to AUS.

AUS is a well-positioned company with significant resources to support both existing agreements with the Port. In addition to headquarters on both the east and west coast, AUS boasts a large branch office in Oakland that supports over 1,000 security officers. AUS meets all pre-requisites and is in the final stages of becoming a Port Certified local business. All local security officers are represented by a local Union, and all employees of Cypress currently performing duties under the Port contracts are not affected. Further, AUS recruits and hires locally through relationships with local chambers of commerce, local veteran's organizations including Department of Veterans Affairs (Oakland), East Bay Works, Swords to Ploughshares, Alameda County Social Services Agency, and local colleges (College of Alameda & Peralta College), to name a few.

Staff believes AUS will continue delivering responsive security services and that it is in the best interest of the Port to consent to the assignment of the respective security agreements to continue receiving critical services in support of maritime operations. If approved by the Board, staff will execute an amendment to the current agreements with Cypress to memorialize the assignment and the Port's consent to the assignment.

BUDGET & STAFFING

There is no budget or staffing impact.

MARITIME AVIATION PROJECT LABOR AGREEMENT (MAPLA)

The matters included in this Agenda Report do not fall within the scope of the Port of Oakland Maritime and Aviation Project Labor Agreement (MAPLA) and the provisions of the MAPLA do not apply.

STRATEGIC PLAN

The action described herein would help the Port achieve the following goals and objectives in the Port's Strategic Business Plan (2018-2022).

<https://www.portoakland.com/wp-content/uploads/Port-of-Oakland-Strategic-Plan.pdf>

- Goal: Strengthen Safety and Security
- Goal: Improve Customer Service

LIVING WAGE

Living wage requirements, in accordance with the Port's Rules and Regulations for the Implementation and Enforcement of the Port of Oakland Living Wage Requirements (the "Living Wage Regulations"), do not apply to this agreement as the service provider does not employ 21 or more employees working on Port-related work. However, the service provider will be required to certify that should living wage obligations become applicable, the service provider shall comply with the Living Wage Regulations.

SUSTAINABILITY

Port staff have reviewed the Port's 2000 Sustainability Policy and did not complete the Sustainability Opportunities Assessment Form. There are no sustainability opportunities related to this proposed action because it does not involve a development project, purchasing of equipment, or operations that presents sustainability opportunities.

ENVIRONMENTAL

The proposal to authorize consent to assignment of contracts to Allied Universal Security Services was reviewed in accordance with the requirements of the California Environmental Quality Act (CEQA), and the Port CEQA Guidelines. The general rule in Section 15061(b)(3) of the CEQA Guidelines states that CEQA applies only to activities that have a potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility assignment of existing contracts for port security operations center staffing and security patrol services will have a significant effect on the environment, and therefore this action is not subject to CEQA.

GENERAL PLAN

This action does not change the use of any existing facility, make alterations to an existing facility, or create a new facility; therefore, a General Plan conformity determination pursuant to Section 727 of the City of Oakland Charter is not required.

OWNER-CONTROLLED INSURANCE PROGRAM (OCIP)

Professional service agreements are not subject to the Port's Owner Controlled Insurance Program (OCIP) as professional services are not construction activities.

OPTIONS

Staff has identified the following options for the Board's consideration:

Option 1: Consent to the assignment of existing service agreements with Cypress Private Security, LP to Allied Universal Security Services. This is the recommended action.

Option 2: Do not consent to the assignment of existing agreements. This action would result in termination of current Maritime Security Patrol Services and Port Security Operations Center Staffing until new requests for proposals can be issued and subsequent contracts awarded, or the services are discontinued.

Option 3: Do not consent to the assignment of existing agreements under the original terms and conditions, and direct staff to amend the agreement to reflect a 1-year term only, and initiate a new request for proposals for stated services.

RECOMMENDATION

Adopt a resolution to consent the assignment of existing Port service agreements with Cypress Private Security, LP to Allied Universal Security Services.