


Board of Public Works
Office of the City Administrative Officer

ADOPTED BY THE BOARD B P W - 2018 - 0581
PUBLIC WORKS OF THE CITY
of Los Angeles California

Joint Report No. 1

AND REFERRED TO THE CITY COUNCIL
JUL 23 2018

July 23, 2018
CD No: 9, 11, 13, 14, 15


Executive Officer
Board of Public Works

AND REFERRED TO THE MATTER

MOBILE PIT STOP PILOT PROGRAM UPDATE AND SOLE SOURCE CONTRACT AMENDMENT TO HUNTERS POINT FAMILY FOR BATHROOM ATTENDANT AND MONITORING SERVICES

RECOMMENDATIONS

That the Board of Public Works, subject to approval of the City Council and Mayor:

1. FIND that it is in the City's and public's best interest to continue the Mobile Pit Stop Program for one additional year (through July 31, 2019) based on the data supporting the effectiveness of the Pilot as presented in this report;
2. AUTHORIZE the Board of Public Works to transfer \$2,183,379 from the Unappropriated Balance, Fund No. 100/58, Account 580244 (Public Bathroom Access) to the Board of Public Works, Fund No. 100/74, Account 003040 (Contractual Services) to continue implementation of this program;
3. AUTHORIZE the Board of Public Works to reappropriate up to \$37,587.80 from the Affordable Housing Trust Fund, Fund No. 44G/43, Account 43M345 (Rapid Rehousing) to the Board of Public Works, Fund No. 100/74, Account 003040 (Contractual Services);
4. AUTHORIZE the City Controller to revert Fiscal Year 2017-18 unencumbered balances up to \$80,000 in the Board of Public Works, Fund No. 100/74, Account 003040 (Contractual Services) to the Affordable Housing Trust Fund, Fund No. 44G/43, and reappropriate therefrom to the Board of Public Works, Fund No. 100/74, Account 003040 (Contractual Services);
5. FIND, pursuant to the City Charter Section 371(e)(2), (5), and (10), that it is in the City's best interest to sole source this contract amendment for bathroom attendant and monitoring services because (a) it is not practical to competitively bid based on the timeframe created by the inherent nature of the evaluation of the Pilot and (b) it is of urgent necessity to continue the program in order to prevent stoppage of work and continue to address public health issues in the public right-of-way as described in an approved Council motion (C.F. 17-1092);
6. APPROVE the proposed contract amendment to extend the existing contract with Hunters Point Family, in substantial form, for an additional amount of \$1,592,500 through July 31, 2019 for bathroom attendant and monitoring services;
7. AUTHORIZE the President or two members of the Board of Public Works to execute the contract amendment after approval as-to-form has been obtained from the City Attorney;
8. AUTHORIZE the Executive Officer of the Board of Public Works to exercise the options available in the proposed contract amendment including a \$69,000 option for an additional attendant or \$140,000 for an additional location, subject to funding availability;

9. INSTRUCT the Board of Public Works to submit a budget request as part of its 2019-20 proposed budget for any resources needed to continue this program beyond the 2018-19 Fiscal Year; and,
10. AUTHORIZE the Board of Public Works and the Office of the City Administrative Officer to make technical corrections, as necessary, to the transactions included in this report to implement Mayor and Council intentions.

ATTACHMENTS

1. Proposed Contract Amendment #1, in substantial form, between City of Los Angeles and Hunters Point Family.
2. Existing contract between City of Los Angeles and Hunters Point Family (C-130868).
3. Adopted Board of Public Works report dated February 21, 2018 to approve the existing contract between City of Los Angeles and Hunters Point Family.
4. Mayor and Council action authorizing implementation of pilot program and associated funding (C.F. 17-1092).

DISCUSSION

Background

On September 19, 2017, the Los Angeles County Department of Public Health (DPH) declared an outbreak of Hepatitis A Virus (HAV) in Los Angeles County. In response, on October 31, 2017, Council approved a motion describing the public health risk associated with people who are forced to urinate and defecate in public places due to the lack of access to public restrooms (C.F. 17-1092). The motion further directed the Office of the City Administrative Officer (CAO) to report on options for emergency portable public toilets as a vital component in preventing the further spread of HAV. In a report dated December 4, 2017, the CAO identified areas with the greatest need for public bathroom access. It also recommended an option to increase the availability of portable public toilets and to staff those locations with a bathroom attendant based on a similar model implemented in the City of San Francisco.

On December 12, 2017, Council adopted a Homelessness and Poverty Committee report which authorized the implementation of a Mobile Pit Stop Pilot Program (Pilot) for a period of six months. At the same time, an amending motion was adopted which authorized the Board of Public Works (Board) to negotiate and execute a six month contract with Hunters Point Family (HPF), which operates a similar program under a contract with the City of San Francisco Public Works Department (SFPW). Since the SFPW contract was competitively procured, the Board piggybacked on the competitive process used by the SFPW to select HPF to meet the Los Angeles City Charter Section 371 requirements. On February 21, 2018, the Board concurred with the Council and Mayor action to approve a personal services contract (C-130868) with Hunters Point Family (HPF), which was executed on the same day. Therefore, the current contract expires August 21, 2018.

This report includes a sole source justification for the one-year extension with HPF given that the City of San Francisco's contract is set to expire in the first quarter of this fiscal year.

Concept and Launch

The Pilot is intended to provide safe and sanitary public toilets and sinks, used needle receptacles, and dog waste disposal stations in neighborhoods with large unsheltered homeless populations and insufficient restrooms to meet their needs. The Board and CAO worked with the Council Offices to identify specific Pilot locations. HPF hired and trained bathroom attendants to staff each location 12 hours per day, seven days a week, with the exception of one location that is open overnight for 8 hours per day, seven days a week. Attendants clean the restroom units after each use, and enforce courtesy rules to ensure individuals do not misuse the facilities.

There are currently eight locations in operation. Three of the locations have attendants placed at Automatic Public Toilets (APTs), which are the permanent JC Decaux toilet fixtures. Prior to the start of the Pilot, these APTs were being underutilized. The other five locations listed below consist of one standard portable toilet with sink, one ADA accessible toilet, and one ADA accessible sink. The Department of General Services (GSD) has a contract with United Site Services (United) to provide the toilet rentals. United delivers the units to each site every morning and removes them every night for cleaning.

The Department of Transportation (DOT) provides temporary “No Parking” signs for the locations where the units are placed in the parking lane. The Board and CAO also coordinated with the Bureau of Sanitation (BOS) for the installation of wire trash baskets to be placed near each location for trash collected by the attendants at or in the surrounding area of each location. These bins have been added to a regular BOS trash pick-up route.

Lastly, the Board and CAO worked with Council Offices to identify preferred locations for used needle (sharps) receptacles, with the goal of reducing the number of used needles that are left on the streets. The BOS installed sharps kiosks at the two locations denoted below. At each location, the attendant keeps a small sharps container on site for anyone dropping off used needles. At the end of each day, these small sharps containers are dropped off in the larger kiosk installed by BOS. The large kiosk is also available to the public to drop off any sharps containers or used needles they may have. Based on the volume, BOS determined the appropriate frequency for pick up and servicing of these kiosks: Santa Monica and Vermont will be serviced every three to four weeks and Alvarado will be serviced every two to three weeks. One additional sharps kiosk location is pending and will be installed in CD14 if the program is continued.

Collectively, all eight locations are referred to as “Mobile Pit Stops”, and were launched progressively as follows:

Mobile Pit Stops			
<u>Address</u>	<u>Start Date</u>	<u>Hours of Operation</u>	<u>Council District</u>
A. Three (3) Automatic Public Toilet (APT) Locations			
1. East 6 th Street and Gladys Avenue	March 7, 2018	7:00 AM to 7:00 PM	CD14
2. Santa Monica Boulevard and Vermont Avenue*	March 7, 2018	7:00 AM to 7:00 PM	CD13
3. East 5 th Street and Los Angeles Street	March 12, 2018	7:00 AM to 7:00 PM	CD14

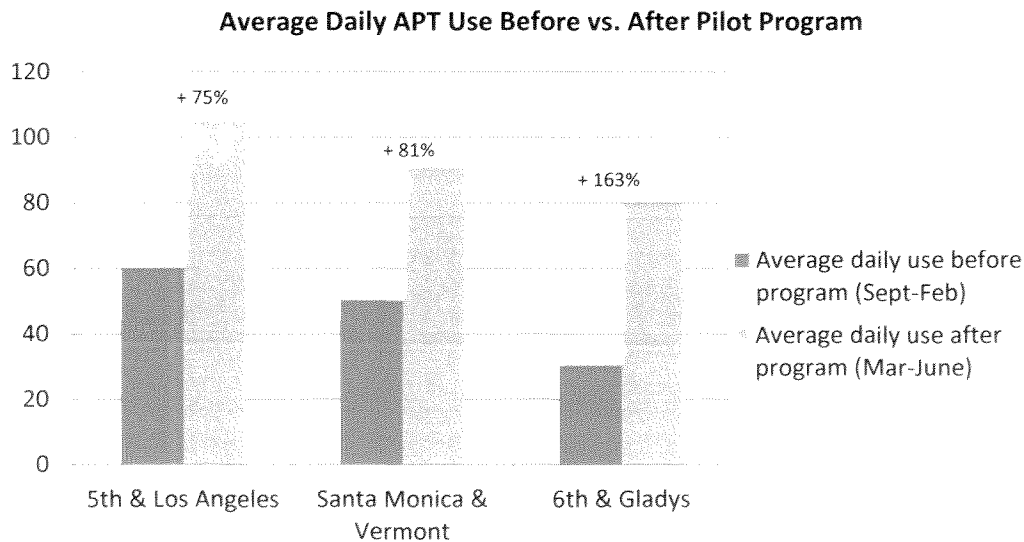
B. Five (5) Portable Toilet Locations			
1. West 38 th Street and Grand Avenue	March 7, 2018	7:00 AM to 7:00 PM	CD9
2. 525 Broad Avenue	March 12, 2018	7:00 AM to 7:00 PM	CD15
3. North Alvarado Street and Bellevue Avenue*	March 14, 2018	7:00 AM to 7:00 PM	CD13
4. East 15 th Street and Griffith Avenue	March 16, 2018	7:00 AM to 7:00 PM	CD14
5. 1 Rose Avenue Parking Lot**	July 5, 2018	10:00 PM to 6:00 AM	CD11

* Includes Sharps Kiosk

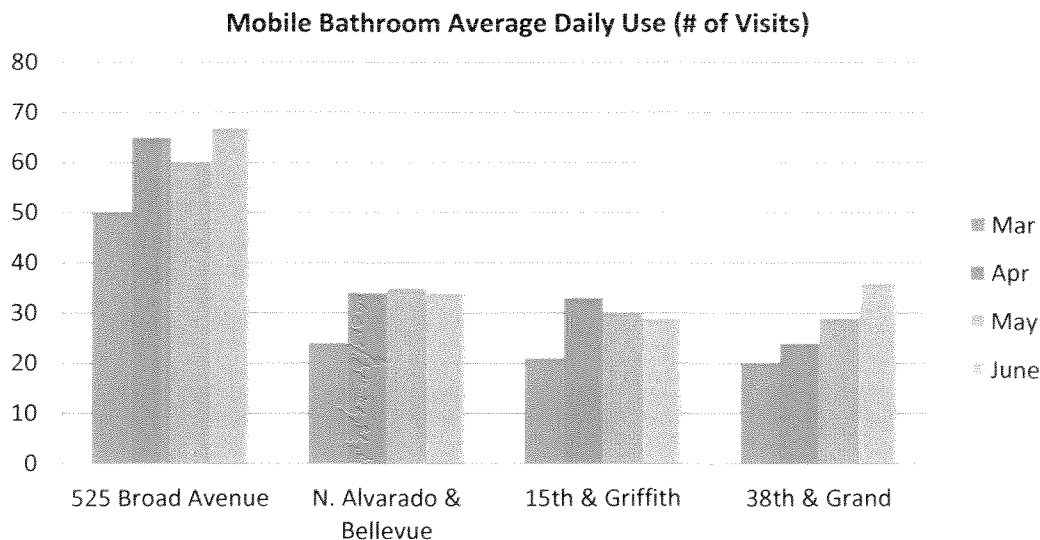
** 1 Rose Avenue Parking Lot location has two (2) attendants on site. The launch delay was caused by the need to secure a Coastal Commission permit for this site.

Pilot Program Achievements

At the time of this report, the Pilot has been operating for approximately four months (March through June). The three APT locations resulted in an average overall increase in daily use of 106% from the six months immediately prior to the pilot period compared to the first four months of the program:



Although comparison data does not exist for the remaining four operative Mobile Pit Stop sites, each location has reported significant daily use between the months of March and June. Average daily visits have increased from 20 to 36 at the 38th & Grand Avenue site; from 50 to 67 at 525 Broad Avenue; from 24 to 34 at N. Alvarado and Bellevue; and from 21 to 29 at 15th and Griffith Avenue.



As of June 30, 2018, the two sharps kiosk locations have been active for approximately two months. At the Santa Monica and Vermont site, 414 needles were collected in the first month and 867 needles were collected in the second month. At the Alvarado and Bellevue location, 1,165 needles were collected in the first month and 1,827 needles were collected in the second month.

Continued Data Collection

If the program is continued, the Board and the CAO will continue to collect and analyze usage and needle collection data throughout the remainder of the Pilot. Additionally, the CAO has been working with BOS to collect data related to MyLA 3-1-1 requests for needle and hazardous human waste (feces) collections within a half-mile radius of each site to analyze how the program is impacting requests for feces and needle collections from BOS. To date, the data provided by BOS is not large enough to analyze for results. The CAO will continue to collect this data and report back with findings prior to expiration of the contract.

Workforce Development

In addition to providing a public health service to the community, the Pilot has provided job opportunities for those who are overcoming the obstacles associated with finding work after being released from jail or prison. HPF, and their subcontractor, FiveKeys Schools and Programs, identified the employees through their Los Angeles community partners' outreach and advertisement. Interviews were held at the Amity Foundation, Goodwill Industries and Para Los Ninos. The program has hired 37 employees, many of which have never had full-time employment. 21 of the current employees reside in the City. One employee was recently able to purchase his first vehicle.

The transitional employment program also includes placing the employees in small cohorts that allow managers to identify skill set growth areas and potential workplace adjustments needed in preparation for permanent job placements. Participants attend 90 minute workshops once a week for six weeks, which includes employment readiness, resume building, mock interviews, computer

basics, expungement and legal issues, education, self-care, Mental Health First Aid and Sobriety, and family reunification and responsibilities. Aside from the direct training, these groups provide transitional employees with on-going support, mentorship, and connections.

HPF has an extensive community partner network for candidate recommendations for the Mobile Pit Stop Program. HPF is currently developing employment transition partners within the Los Angeles area to assist each attendant with additional career opportunities after their employment with HFP. The program has proven not only to provide a necessary public health service to the community, but has the added benefit of providing a meaningful jobs program to the attendants serving the community.

Continuation of Mobile Pit Stop Program

Based on the positive data and results described above, the Board and CAO are recommending the continuation of the Mobile Pit Stop Program for one additional year, from August 22, 2018 through July 31, 2019. The end date was originally intended to be one full year. However, GSD recently completed negotiations with United on a contract amendment which resulted in an unanticipated increase in the cost of toilet rentals. The change in the end date was necessary to balance the funds available in the budget for the program. The Board and CAO are also recommending that HPF's existing contract (C-130868) be extended for one year based on their proven success in the implementation of the Pilot, and also due to urgent necessity which makes it impractical to prepare a Request for Proposals (RFP) in time to prevent a stoppage of work (see *Sole Source Justification* section below). The effectiveness of the program will continue to be evaluated throughout the year, and also in conjunction with the City's annual budget process. If the Mayor's 2019-20 Proposed Budget includes funding to continue the program beyond July 2019, the Board will begin preparing a RFP around April 2019. This would allow sufficient time for staff to prepare and advertise the RFP and receive and review proposals. The Board will only seek necessary approvals to award the contract based on funding availability in the 2019-20 Adopted Budget.

It should be noted that the Board may also request a dedicated resource, potentially at the level of Management Analyst, to oversee the program if it is continued into Fiscal Year 2019-20. Currently, the Pilot is being handled on a part-time basis by multiple high level Board and CAO staff which impacts the program's implementation as well as other administrative services that these staff currently provide for the Board Offices/Public Works Bureaus and Proposition HHH, respectively. The proposed position would be responsible for contract management including proactive monitoring of services; procurement, vendor performance evaluation, and resolving delivery and pick-up issues; troubleshooting day to day operational issues in coordination with the contractor and other involved departments such as DOT, BOS, and GSD; development of potential program enhancements to address various homelessness and public safety issues; and, regular and ad-hoc reporting of program effectiveness through research, data collection, and analysis of data resulting from the program.

Sole Source Justification

HPF is a 501(c)(3) non-profit organization founded to provide support services, including workforce development, environmental justice, social enterprises, and re-entry services. HPF played a large role in the conception of the SFPW Mobile Pit Stop Program in 2014, which served as a model for the City's Pilot. Today, HPF remains involved in the growth and expansion of the SFPW program that has now expanded to 18 locations. The Board contracted with HPF based on their experience in implementing a program as unique as the City's Pilot. The City's Pilot required extensive training for bathroom attendants spanning multiple weeks, trauma informed

de-escalation training, and the handling of sharps and hazardous waste. It should be noted that the areas where the bathrooms are located often have public safety issues that arise during the course of a day. Therefore, the policies and procedures that have been developed by HPF through their experience in SFPW have allowed them to be successful in providing these special services to both the SFPW and now, the City of Los Angeles. Bringing on a new contractor would require additional lead time for training and mobilization.

Based on the data described in the *Pilot Program Achievements* section above, the special services provided by HPF have resulted in a significant increase in toilet usage and collection of used needles; thereby, reducing the amount of hazardous waste and used needles found in the public right-of-way. HPF has also built significant relationships with the site neighbors, including residents and business owners, who have come to view their presence in a positive manner. Continuing the relationship with HPF will ensure the program's continued success with the potential to develop additional enhancements based on their experiences.

In accordance with Charter Section 371(e)(2), the special services provided by HPF are of a temporary and occasional character and competitive bidding is not practicable due to the inherent nature of the evaluation of the Pilot. Further, in accordance with Charter Section 371(e)(10), it is undesirable or impractical, to competitively bid this work out due to timing and prevention of work stoppage. Council originally authorized and provided funding for the implementation of a six month Pilot, which is set to end in August 2018, in conjunction with the expiration of the HPF contract. However, as part of that action, the CAO and Board were also required to report back to Council on the effectiveness of the Pilot, and recommend whether or not to continue the Pilot or a long-term program. This would require that the Pilot be in place for four to five months in order to obtain a sufficient amount of data and allow a higher level of confidence in evaluating trends and potential correlation between the results and the implementation of the Pilot. Based on this timeframe, it would not be feasible, or practicable to go through the competitive bid process without creating a gap in these special services. This contract amendment with sole source justification is to extend the existing contract for an immediate one year period. Preventing a stoppage of work ensures that the public health issues associated with hazardous waste in the public right-of-way continue to be addressed. In accordance with Charter Section 371(e)(5), this Pilot is of urgent necessity for the preservation of public health as described in a Council motion regarding the HAV outbreak in Los Angeles County (C.F. 17-1092).

As mentioned above, if the program is continued in Fiscal Year 2019-20, the Board will go through the competitive bid process prior to the contract expiration in order to secure a more long-term contract, subject to funding availability.

Scope of Work

The scope of work is focused primarily on monitoring a total of eight site locations, including three APTs and five Mobile Pit Stop locations, for 12 hours per day and seven days a week, with the exception of Venice location for 8 hours per day and seven days a week. This would include:

- Cleaning and daily set-up at each location;
- Ensuring safe usage of each bathroom;
- Enforcing courtesy rules and reporting and damage or misuse of the bathrooms;
- Securing bathrooms in the event it becomes unusable due to damage or vandalism;
- Cleaning sidewalks, curbs, and areas adjacent to bathrooms; and,

- Managing the collection of waste including needles, trash, and hazardous waste.

HPF will also be responsible for providing training to the bathroom attendants such as trauma informed, de-escalation training and handling of sharps and hazardous waste. There will be monthly reporting requirements on usage rates and demographic information, as well as on the volume of the specific waste types collected around the bathroom.

The specific locations, hours of operation, and number of attendants will remain the same as the Pilot. However, the City may elect to change these locations based on usage rates, safety, feasibility, and various other factors. At least one attendant will be on site at each location during hours of operation, and at least two at the Venice location. Due to the 12 hour daily operation, this may require staffing more than one individual per location.

Contract Terms

The proposed contract amendment extends the term of the contract through July 31, 2019 for an additional cost of \$1,592,500. There are no extension options as it relates to the length of the contract. However, it will include an option for the Board, or designee, to request HPF services for additional locations at a cost of \$140,000 per location, subject to funding availability and Council motion or other Council action on the identification of additional locations. The proposed contract amendment will also provide the Board, or designee, an option, at its sole discretion, to require the Contractor to provide additional bathroom attendants at an existing location, at a cost of \$69,000 per attendant, if it determines that there is a need based on safety, volume of workload, and other factors at each location. These amounts would be pro-rated for a year.

Business Inclusion Program

In addition to the justification to sole source this contract to HPF, their subcontractor, Five Keys Schools and Programs has also played a large role in implementing the Pilot. Their work focuses not just on staffing the bathrooms with attendants, but also providing re-entry services for these individuals who previously incarcerated and are now working as attendants on the Pilot. Subcontracting with other entities would negatively impact or hinder the work that Five Keys Schools and Programs begun as it relates to workforce development. Therefore, the Mayor's Office of Economic Development has granted the Board's request for an exemption from the Executive Directive No. 14, Business Inclusion Program requirements.

STATUS OF FUNDING

The Council action from December 2017 appropriated a total of \$1,370,975 for the six month Pilot from the Los Angeles Homeless Services Authority (LAHSA) General Fund savings managed by the Housing and Community Investment Department, Fund 44G, to the Board. As shown in the table below, the funding was used for primarily for the HPF contract for bathroom attendants and the rental of the portable toilets from United. The Board has also prepared Contract Purchase Orders to continue the rentals of the toilets through October 2018. In addition, the Board transferred \$80,000 to the BOS in the year-end Financial Status Report (FSR) for the sharps kiosk installation and service. The year-end FSR also included a transfer of \$13,000 to the Board to reimburse a portion of the staff time spent in the implementation of the program. It should be noted that this amount does not represent the fully burdened cost of staffing the program. The

majority of the staff cost to implement the program was absorbed by the Board through its Adopted Budget Salaries appropriation.

Funding in the amount of \$25,000 was also used to front fund a deficit created by a reduction in the Board's Bridge Improvement staffing appropriation in the 5th 2017-18 Construction Projects Report (CPR). The Board became aware of the reduction once the 5th CPR was approved in Council at the end of June. By that time, the Board had already fully expended or encumbered its salary appropriations and expense accounts. Therefore, in order to remedy the issue and meet year-end payroll, the Board had to identify an available funding source to front fund the unanticipated reduction in Bridge Improvement Program staffing. The amount of \$25,000 will be reimbursed by Bridge Improvement Program funding sources in the 1st 2018-19 CPR.

Description	Amount (\$)
C.F. 17-1092 Appropriation for Pilot (Board 100/74/003040)	1,370,975.00
Hunters Point Family Contract for Pilot	-880,000.00
United Site Services Equipment Rentals for Pilot	-270,480.20
Sharps Kiosk Installation (BOS 100/82/001010 & 003040)	-5,000.00
Sharps Kiosk Collection and Service (BOS 100/82/001010 & 003040)	-75,000.00
Reimbursement of Board Salaries for Pilot (Board 100/74/001010)	-13,000.00
United Site Services Equipment Rentals from conclusion of Pilot through 10/29/18	-64,907.00
Transfer to Board Salaries to front-fund deficit created by reduction in Bridge Improvement Program staffing appropriation.	-25,000.00
Savings and Uncommitted Balance (reverted at year-end):	37,587.80

As shown above, the Pilot had savings of \$37,588. The proposed budget for continuation of the program through July 31, 2019 is shown in the table below. This includes the cost for the one year contract extension with HPF without funding for the options described above for additional locations and attendants. The cost for United toilet and sink rental is separated into two line items: (1) the original cost calculated based on the existing contract between GSD and United; and, (2) the increased cost based on the commodities contract amendment negotiated between GSD and United. This unanticipated increase in cost was not built into the initial Adopted Budget calculation for the program. Therefore, to mitigate this shortfall, the HPF contract, as well as the rental period had to be slightly reduced. The Board and CAO will coordinate with BOS on the costs for sharps kiosk service. If additional funding is needed, the Board and CAO will request a transfer in an FSR. The last line on the table represents potential savings from the existing contract with HPF. The amount listed is the maximum amount that may be reverted and reappropriated. However, the actual number will not be determined until the expiration of the existing contract, and may be lower.

Description	Amount (\$)
Hunters Point Family Contract for one (1) year without options	-1,592,500.00
United Site Services Equipment Rental from 10/30/18 through 7/31/19	-439,071.20
Increased Cost associated with United Site Services Equipment Rental	-207,800.00
2018-19 Mobile Pit Stop Budget Need:	-2,239,371.20
2018-19 Adopted Budget Unappropriated Balance (100/58/580244):	2,183,379.00
2017-18 Uncommitted Balance to be Reappropriated:	37,587.80
Reimbursement from Bridge Improvement Program:	25,000.00
Total Surplus/Shortfall:	6,595.60
<i>Early Reversion and Reappropriation of Potential Hunters Point Family Contract Savings:</i>	<i>80,000.00</i>

Based on the budget described above, this report recommends:

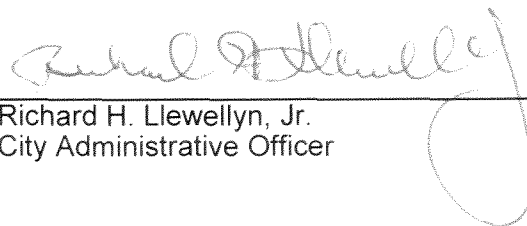
1. Transfer of funding in the 2018-19 Unappropriated Balance from the line item titled "Public Bathroom Access;"
2. Reappropriation of savings from the 2017-18 appropriation for the Pilot; and,
3. Early reversion and reappropriation of potential savings that will be disencumbered from the existing HPF contract in 2018-19.

Upon approval of the recommended financial transactions, the Board will have sufficient funding in Fund 100/74, Account 003040, entitled Contractual Services, to fully fund this sole source contract amendment.

Respectfully submitted,



Dr. Fernando Campos
Executive Officer, Board of Public Works



Richard H. Llewellyn, Jr.
City Administrative Officer

Questions regarding this report may be referred to:

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