

TO: Andrew P. Powers, City Manager

FROM: Jonathan Serret, Cultural Affairs Director

DATE: September 12, 2023

SUBJECT: **Second Amendment to Bank of America Performing Arts Center Event Security Service Agreement**

RECOMMENDATION:

1. Approve Second Amendment to Professional Services Agreement with Staff Pro, Inc. dba Allied Universal Event Services, Fullerton, California (Contract No. 12908-2021) for BAPAC Security Services in the amount of \$402,500, for a revised not-to-exceed amount of \$950,000.
2. Approve additional budget appropriation in the amount of \$150,000 as follows: \$23,500 from A/C #681-0000-341-9900 (Theatres Fund – Retained Earnings Undesignated) to A/C #681-7810-682-5660 (Scherr Forum, Security) and \$126,500 from A/C #681-0000-341-9900 (Theatres Fund – Retained Earnings Undesignated) to A/C #681-7710-682-5660 (Kavli, Security).
3. Authorize expenditure in the amount of \$76,000 from A/C #681-7810-682-5660 (Scherr) and \$326,500 from A/C #681-7710-682-5660 (Kavli).
4. Find that this action does not constitute a project under the California Environmental Quality Act.

FINANCIAL IMPACT:

\$150,000 Increase to Adopted FY 2023-24 Theatres Fund Budget. \$150,000 increase to the Adopted FY 2023-24 Theatres Fund Budget is necessary to maintain BAPAC security staffing. \$252,500 is already included in the Adopted FY 2023-24 Theatres Fund Budget.

BACKGROUND:

Starting in the fall of 2016, in response to more stringent security requirements contained in contracts and riders for touring artists appearing at the Bank of America Performing Art Center (BAPAC), the Cultural Affairs Department (CAD)

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began to implement enhanced security measures. These requirements primarily called for bag searches and magnetometer screenings of all patrons entering the venue, in addition to a larger security presence backstage and in the loading dock parking area.

Best practices among live performance venues recommend consistent, conspicuous security protocols for all events; this prevents a perpetrator from focusing their attention on events that they perceive will have a reduced security presence. The most vital, and most expensive, component of highly visible security measures is the security personnel necessary for checkpoints at venue entry and to provide additional coverage throughout the venue as needed. In June 2019, City Council approved several staff recommendations regarding BAPAC security protocols, including the adoption of a Patron Safety Policy and the purchase of security scanning equipment.

Staff solicited a formal Request for Proposals/Qualifications (RFP/Q) for BAPAC Security Services in May 2019. The City received nine proposals in response to the solicitation. Allied Universal Event Services (AUES) was selected as the service provider based on their proposal and interview with the RFP/Q review panel. The current agreement with AUES runs through June 30, 2024.

DISCUSSION/ANALYSIS:

The theatres have benefitted from strong programming schedules following the pandemic closures of 2020 and 2021, including a large number of high-profile events. Additional events, especially those which are sold out or well attended, require more security staffing. The increased usage of the BAPAC has exceeded the estimations for venue activity; the theatres hosted 236 performances in FY 2022-23 with the venues in use 296 days of the year. Increased use of the venues has resulted in a higher than estimated need for contracted security services, leading to the early dissipation of the current not-to-exceed amount.

To promote consistent security services and continue to provide a safe environment for event attendees for the remainder of the contract term, staff are requesting a Second Amendment to the Agreement with AUES (Attachment #1), increasing the contract value by \$402,500 for a new total contract value not to exceed \$950,000. Later this year, staff will draft a new RFP/Q to solicit proposals prior to the expiration of the existing agreement on June 30, 2024.

COUNCIL GOAL COMPLIANCE:

Meets the following City Council goals:

D. Maintain strong commitment to public safety (including Police, Fire, Emergency Medical Services, and Emergency Management) to ensure City remains one of the safest Cities in the United States with a population over 100,000.

G. Continue City's commitment to community and cultural programs and services (such as Performing Arts/Theatres, Libraries, TOTV, Visual Arts, Youth and Senior Programs).

Attachments:

Attachment #1 – Second Amendment to Professional Services Agreement
with Allied Universal Event Services