

Finance and Administrative Services Department
PURCHASING DIVISION
115 S. Andrews Avenue, Room 212 • Fort Lauderdale, Florida 33301 • 954-357-6066 • FAX 954-357-8535

Certified Mail No. 7005 3110 0002 8833 8681

October 19, 2020

Danny Vercetti, President Vercetti Enterprises 7296 SW 48 Street Miami, FL 33155

Re: Bid No. PNC2120945C1, Septage Receiving Facility Operations Administration Building

Dear Mr. Vercetti:

We are in receipt of your letter "objecting" to the Recommendation for Award for Broward County Solicitation Bid No. PNC21210945C1 dated September 14, 2020. After receiving correspondence from the Purchasing Division on September 16<sup>th</sup> and September 17<sup>th</sup> informing you the Right to Objection only applies to committee based procurements, such as a Request for Proposals (RFPs) and Request for Letter of Interests (RLIs) and not to a Bid; and, after being advised that in order for your objection to be considered a bid protest it was necessary to file a non-refundable filing fee pursuant to Section 21.118.a.6 of the Broward County Procurement Code, you voluntarily withdrew the right to protest.

Despite the fact, that you have withdrawn your unofficial protest, we would like to provide clarification on the rejection of your bid by offering the following response to your points:

- 1. Vercetti Enterprises submitted a response in BidSync on July 8, 2020 for the referenced project.
  - A. In accordance with the Special Instruction for Vendors, Paragraph J, it states the vendor must submit with its response a bid bond in the amount of 5% of the total bid price offered. However, no bid bond was received from Vercetti Enterprises for the referenced project. After receiving your unofficial protest, the Purchasing Division conducted a second review for any bid bonds received from Vercetti Enterprises. Our findings revealed that the Purchasing Division received two bid bonds for a different bid (PNC2121017C1, Restroom and Laundry at Easterlin Park Campground), both dated July 15, 2020 (one received by UPS and one received by hand-delivery). There is no record of receiving a bid bond for this solicitation (Bid No. PNC2120945C1). Therefore, Vercetti Enterprises was determined non-responsive to this requirement.
  - B. In accordance with the Special Instructions for Vendors, Paragraph B, the solicitation had a County Business Enterprise (CBE) participation goal of 25%. Vercetti Enterprises did not initially submit an executed CBE Letter of Intent with the bid package. Per the Office of Economic and Small Business Development (OESBD) procedure, the firm was given three business days to provide the required Letter of Intent forms and/or documentation of their good faith effort. The Letters of Intent provided by Vercetti Enterprises totaled 9.8%; however, this fell short of the required 25% CBE participation goal for the project. Vercetti Enterprises also submitted proof of their good faith efforts. Upon OESBD review, they determined your firm did not meet the quality, quantity, and extent in your efforts to meet the CBE goal for the solicitation. Therefore, Vercetti Enterprises was determined non-responsible to this requirement.

Danny Vercetti, President, Vercetti Enterprises Bid No. PNC2120945C1, Septage Receiving Facility Operations Administration Building October 19, 2020 Page 2 of 2

2. "How did Shiff Construction & Development, Inc. increase their bid amount from \$2,935,647.88 to \$3.070.674.88."

The project included allowances in the amount of \$135,000 which were added to the bidder's bid total. Shiff Construction & Development, Inc's. base bid was \$2,935,647.88. Adding the allowance amount to the base bid totals \$3,070,647.88. Please note that the initial bid tabulation in BidSync does not add the amount until the "award" is selected. There was no change in pricing, merely an addition of allowances that were originally included in the bid solicitation.

In conclusion, the Recommendation for Award for Shiff Construction & Development, Inc. shall remain as originally stipulated.

Sincerely,

Brenda J Billingsley, Director

Purchasing Division

**Attachments** 

### BJB/no/lg

 c: Merle Medina, Construction Project Manager, Water and Wastewater Services Division Glenn Marcos, Assistant Director, Purchasing Division
 Connie Mangan, Purchasing Manager, Purchasing Division
 Nancy Olesen, Purchasing Agent Senior, Purchasing Division
 Fernando Amuchastegui, Assistant County Attorney, Office of the County Attorney

# Olesen, Nancy

From:

Danny Vercetti <dv@vercetti.net>

Sent:

Thursday, September 17, 2020 4:13 PM

To:

Olesen, Nancy

Cc:

Billingsley, Brenda; Marcos, Glenn; Amuchastegui, Fernando; Mangan, Constance

Subject:

RE: Award Objection - PNC2120945C1, Septage Receiving Facility Operations Administration

Building

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## Afternoon Nancy,

Disregard then please, I just was really interested in why we weren't questioned and/or how the second bidder was able to raise \$115k when there were no alternates.

Guess it is what it is.

Best regards,



Danny Vercetti President

7296 SW 48<sup>th</sup> Street Miami, FL 33155

C: 305.338.5359 O: 305.517.3772



From: Olesen, Nancy

Sent: Thursday, September 17, 2020 3:25 PM

To: Danny Vercetti

Cc: Billingsley, Brenda; Marcos, Glenn; Amuchastegui, Fernando; Mangan, Constance

Subject: RE: Award Objection - PNC2120945C1, Septage Receiving Facility Operations Administration Building

## Good afternoon

In response to your email below, this solicitation was a bid and therefore it requires a filing fee (per Procurement Code 21.118).. The "Right to Objection" does not apply on bids (only applies to RLIs/RFPs).

Thank you,

Nancy



Nancy Olesen, Senior Purchasing Agent Broward County Purchasing Division 115 South Andrews Avenue, Room 212, Fort Lauderdale, FL 33301

Office: 954-357-7995, Fax: 954-357-8253

nolesen@broward.org

Customer Care is my priority. How am I doing? Please contact my Manager, Connie Mangan at <a href="mailto:cmangan@broward.org">cmangan@broward.org</a> with feedback.

From: Danny Vercetti <<u>dv@vercetti.net</u>>
Sent: Wednesday, September 16, 2020 4:50 PM
To: Olesen, Nancy <<u>nolesen@broward.org</u>>

Cc: Billingsley, Brenda < BBILLINGSLEY@broward.org>; Marcos, Glenn < GMARCOS@broward.org>; Amuchastegui,

Fernando < FA@broward.org >; Mangan, Constance < CMANGAN@broward.org >

Subject: RE: Award Objection - PNC2120945C1, Septage Receiving Facility Operations Administration Building

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Afternoon Nany,

Would this filing fee apply as well to the Right to Object under Section 21.84?

Best regards,



Danny Vercetti President

7296 SW 48<sup>th</sup> Street Miami, FL 33155 C: 305.338.5359 O: 305.517.3772



From: Olesen, Nancy < nolesen@broward.org > Sent: Wednesday, September 16, 2020 8:35 AM

To: Danny Vercetti < dv@vercetti.net >

Cc: Billingsley, Brenda < BBILLINGSLEY@broward.org >; Marcos, Glenn < GMARCOS@broward.org >; Amuchastegui,

Fernando < FA@broward.org>; Mangan, Constance < CMANGAN@broward.org>

Subject: RE: Award Objection - PNC2120945C1, Septage Receiving Facility Operations Administration Building

Good morning,

See attached notification of filing fees for PNC2120945C1, Septage Receiving Facility Operations Administration Building.

Thank you,



Nancy Olesen, Senior Purchasing Agent Broward County Purchasing Division 115 South Andrews Avenue, Room 212, Fort Lauderdale, FL 33301 Office: 954-357-7995, Fax: 954-357-8253 nolesen@broward.org

Customer Care is my priority. How am I doing? Please contact my Manager, Connie Mangan at <a href="mailto:cmangan@broward.org">cmangan@broward.org</a> with feedback.

From: Garcia, Lucy < LUGARCIA@broward.org > On Behalf Of Billingsley, Brenda

Sent: Tuesday, September 15, 2020 10:31 AM

To: 'Danny Vercetti' < dv@vercetti.net>

Cc: Billingsley, Brenda < BBILLINGSLEY@broward.org>; Marcos, Glenn < GMARCOS@broward.org>; Mangan, Constance < CMANGAN@broward.org>; Coyman, Ted < TCOYMAN@broward.org>; Olesen, Nancy < nolesen@broward.org>;

Amuchastegui, Fernando <FA@broward.org>

Subject: RE: Award Objection - PNC2120945C1, Septage Receiving Facility Operations Administration Building

Good morning Mr. Vercetti,

We have received your correspondence as attached and noted below.

Thank you,



Lucy Garcia
Program Project Coordinator
Broward County Purchasing Division
115 S. Andrews Avenue, Fort Lauderdale, FL 33301
(954) 357-6071 Fax: (954) 357-8535
www.broward.org/purchasing

Customer care is my priority. How am I doing? Please contact my Director, Brenda J. Billingsley, at <a href="mailto:bbillingsley@broward.org">bbillingsley@broward.org</a> with feedback.

From: Danny Vercetti < dv@vercetti.net > Sent: Monday, September 14, 2020 7:26 PM

To: Billingsley, Brenda < BBILLINGSLEY@broward.org>

Cc: Olesen, Nancy < nolesen@broward.org>

Subject: Award Objection - PNC2120945C1, Septage Receiving Facility Operations Administration Building

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Good evening Brenda,

Please see our Objection for Recommendation of Award to Schiff Construction for the Septage Facility Operations Administration Building.

Below is my contact information.

Best regards,



Danny Vercetti President

7296 SW 48<sup>th</sup> Street Miami, FL 33155

C: 305.338.5359 O: 305.517.3772



Under Florida law, most e-mail messages to or from Broward County employees or officials are public records, available to any person upon request, absent an exemption. Therefore, any e-mail message to or from the County, inclusive of e-mail addresses contained therein, may be subject to public disclosure.

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Finance and Administrative Services Department

**PURCHASING DIVISION** 

115 S. Andrews Avenue, Room 212 • Fort Lauderdale, Florida 33301 • 954-357-6066 • FAX 954-357-8535

September 16, 2020

Vercetti Enterprises Attn: Danny Vercetti 7296 SW 48 Street Miami, FL 33155 Phone: (305) 517-3772

E-mail: dv@vercetti.net

**Email Transmittal** 

RE: PNC2120945C1, Septage Receiving Facility Operations Administration Building

Dear Mr. Vercetti:

We are in receipt of your protest letter dated September 14, 2020 at 7:26 p.m. Pursuant to the above referenced solicitation and Section 21.118 of the Broward County <u>Procurement Code</u>, a protest shall be submitted in writing and received by the Director of Purchasing within five (5) business days from the posting of the recommendation of award on the Purchasing Division's website. In addition, the solicitation states that as a condition of initiating any bid protest, the protestor shall present the Director of Purchasing a nonrefundable filing fee.

We have not received the required filing fee for your protest as of this date. The Recommendation for Award for this solicitation was posted on September 14, 2020. As per the date of the recommendation of award, you will have until Friday, September 18, 2020, 5:00 p.m. to submit the required filing fee based upon the estimated contract amount.

In order for your protest to be considered timely, the appropriate filing fee must be submitted to the Purchasing Division in the remaining time allotted. The filing fee for this protest is \$3,000. The County may accept cash, money order, certified check, or cashier's check, payable to Broward County Board of Commissioners.

Please refer to the Broward County's Procurement Code to obtain information regarding the filing fee.

Sincerely,

Nancy Olesen Digitally signed by Nancy Olesen Date: 2020.09.16

Nancy Olesen Purchasing Agent 954-357-7995

nolesen@broward.org

cc: Brenda Billingsley, Director, Purchasing Division

Glenn Marcos, Assistant Director, Purchasing Division

Fernando Amuchastegui, Assistant County Attorney, Purchasing Division

Connie Mangan, Purchasing Manager, Purchasing Division



Design-Build | Construction | General Contracting

Brenda Billingsley Broward County Purchasing Division 115 S. Andrews Ave – Room 212 Fort Lauderdale, FL 33301

September 14<sup>th</sup>, 2020

RE: Bid No. PNC2120945C1 - Septage Receiving Facility Operations Administration Building

In regards to the above referenced RFP, Vercetti Enterprises formally objects to the Recommendation for Award posted on 9/14/2020. With doing so we hereby assert the following:

- 1. The vendor submitting the objection is Vercetti Enterprises, LLC regarding solicitation "Bid No. PNC2120945C1 - Septage Receiving Facility Operations Administration Building".
- 2. Proceedings regarding the selection process have not been presented to Vercetti Enterprises, therefore not allowing us to fully understand the decision reached by Broward County and how Vercetti Enterprises can cure missing or partial information or provide clarification.
- 3. The relief being requested is Vercetti Enterprises being provided the information used to reach the Recommendation for Award decision along with an understanding of how Schiff Construction & Development, Inc. was able to increase their bid amount from \$2,935,647.88 to \$3,070,674.88.
- 4. Vercetti Enterprises sole contact with Broward County regarding this bid solicitation was with James Vose, of the Office of Economic and Small Business Development, to review the CBE Participation goal set at 25%. As mentioned in our letter and email to Mr. Vose, our team personally reached out to dozens of Broward County CBE firms with very minimal feedback. As you are aware, this solicitation was in the midst of the Covid-19 pandemic and therefore many

subcontractors' offices were either closed or operating with minimal staffing. Due to this, at the time we could only achieve a 10% CBE participation. Nonetheless you will find in the attached letter that Vercetti Enterprises continued to reach out to Broward County CBE firms in order to reach the 25% goal, which we currently have.

We look forward to hearing back from you.

Sincerely,

Danny Vercetti

Building



# APPLICATION FOR EVALUATION OF GOOD FAITH EFFORT PURSUANT TO BUSINESS OPPORTUNITY ACT OF 2012, Sec. 1-81.5(e)

RLI/BID NO .: 1/1/2/20945 (PR	OJECT NAME: Septemon	2 Kecerling	Tacility Operat
Vercetti Enterprises	1 0		Administration
PRIME CONTRACTOR		4.	
7296 S.W. 48# St.	Miami, FL 3315	55 (305	1217-3225
ADDRESS	J	TĒLEP	HONE
The undersigned representative contacted County Business Enter the CBE goal for this solicitation the requirements of the Business hereby submits documentation requests to be evaluated under States.	rprise (CBE) certified firm but has not been able to a Opportunity Act of 2012 (attached to this form) or	s in a good fail meet the goal. (the Act), the p f good faith ef	th effort to meet Consistent with orime contractor
The prime contractor understand CBE contract participation goal prime contractor as an attachm Section 1-81.5(e) of the CBE A	is contingent on both the nent to this application a	e information per the other to	provided by the factors listed in
solicitation. The prime contract			
effort is made by the Director Development, and is not subjects	or of the Office of Eco		
SIGNATURE:			and a supplication of the
PRINT NAME / TITLE: Day	nia Vercetti -	President	
DATE:	23/2020		



Design-Build | Construction | General Contracting

James Vose, Jr.
Broward County
Office of Economic and Small Business Development
115 S. Andrews Ave – Room A680
Fort Lauderdale, FL 33301

July 23rd, 2020

RE: Bid No. PNC2120945C1 - Septage Receiving Facility Operations Administration Building

In respect to the above-mentioned bid submission and in maintaining with the CBE Subcontractor Goal outlined in the RFP documents Vercetti Enterprises, has to the best of our ability, reached out and attempted communication with many of the firms listed on the Broward County Certified Firm Directory. As such, we have received proposals from a few subcontractors that have the Certified Business Enterprises designation. Unfortunately, the feedback was not as extensive as we had hoped and after reviewing the proposals that came in before the bid submission deadline, our CBE percentage for this project stands at 10%.

As a certified Small Business Enterprises in Miami-Dade County we value the importance of contracting with local and minority owned small businesses as this practice has helped us become the company we are today. Please see the attached document outlining many of the CBE firms that were contacted for this bid solicitation. Our team will continue to reach out to Broward CBE firms with the intent of reaching the 25% goal set forth for this project.

Sincerely,

Danny Vercetti

7296 S.W. 48th Street | Miami, FL 33155 | 305.517.3772 | www.vercetti.net

# **Edward Kiejliches**

From: Danny Vercetti

**Sent:** Thursday, July 23, 2020 9:48 AM

To: Edward Kiejliches
Subject: Fwd: Septage

Best regards,

Danny V

Begin forwarded message:

From: Danny Vercetti <dv@vercetti.net>
Date: June 22, 2020 at 4:08:39 PM EDT
To: Danny Vercetti <dv@vercetti.net>

**Subject: Septage** 

Septage Receiving Facility at Pompano due June 24th at 2 pm.

- Danny DLR
  - o CBE Firms to contact
    - Electrical
      - SENTECH ELECTRIC INC (954) 327-1881 Rings takes me to VM then hangs up. 6/22
      - FASTRAC ELECTRIC CORP (561) 743-8055 Number no longer in service.
         6/22
        - o (561) 275-1702 Called twice left VM
      - GRID ONE ELECTRICAL CONST INC (561) 261-7562 Sent invite through email he will take a look at it. 6/22
      - SOUTH FLORIDA UTILITIES INC Sent invite to bid. 6/22
      - KEYLITE POWER AND LIGHTING COR (305) 232-9910 They will ask
         Michel who was on a phone call if they are bidding. 6/22
      - Langer Electric Co 954-984-8489 rogir@langerelectric.com Not Bidding 6/22
      - Key Electric Inc 954-935-6822 info@keyelectric.biz Sent invite through email he will take a look at it. 6/22
      - Siemens Industry Inc 954-364-6600 <u>rich.forbes@siemens.com</u> No answer. 6/22
      - Gator Electric & Communication (561) 641-8100 Sent an invite to bid they would take a look at it 6/22
      - Sportslighter Electric In 561-333-1500 <u>sportslighter@bellsouth.net</u>
         Carl Wasnt sure if a proposal was being worked on will check and call back or send proposal if its ready. 6/22
    - Site:

• ALL SITE CONSTRUCTION INC - (561) 848-1110 - 6/22 felicia@allsiteinc.net call back after 1:30pm, sent itb

#### Sitework



E & N Construction, Inc. 954-974-2122 - Got email added company to smartbid sent invite sperez@enconstruct.com 6/19 No Answer left VM 6/22



- FLORIDA BLACKTOP, INC. 954-943-9700 LEESHAOUY@GMAIL.COM Natalie called back and said she would have proposal by bid due date
- Mann Excavation <a href="https://mannexcavation.com/services/Never">https://mannexcavation.com/services/Never</a> received email invite resent him through outlook with prevailing wages requirement included. 6/19 Left VM 6/22
- https://broward-backhoe-service-inc.business.site/#testimonials No Answer left VM 6/18



- https://www.himmelconstruction.com/services.html Left VM 6/19
- https://www.sunshinecontractinginc.com/ Added to smartbid and sent an invite. 6/19
- http://allritegrading.com/ Left VM 6/19

### **Electrical**



"D" Electrician Technical Serv 954-726-0394 - info@delectrician.com Sent invite 6/16



A & W Electric of Hollywood, I 954-527-5599 - mwinzell@awelectric.org Already on smartbid and was sent invite Mark said he would take a look at it. 6/19



Above & Beyond Datacom, Inc. 954-983-7774 iknoles@aboveandbeyonddatacom.com Left VM 6/16



Arbor Electrical Service, Inc. - 954-765-6685 - service@mrwireman.com Left VM 6/16 had sent them invite yesterday.



ARM ELECTRICAL SERVICES LLC - 954-214-0848 - arm64@att.net Left VM 6/16



B.A.R. Control & Electrical So - 954-587-7226 - barelectric@comcast.net Left VM 6/16



Citizen Protection, Inc. 954-404-8916 - ada@citizen-protection.com Spoke to Ada she gave me Jose's number hes the project manager 305 766 1581



Clearview Electric, Inc. - 954-828-2253 - pajones.pj@gmail.com Left VM



Dato Electric, Inc. - 954-658-7535 - datochris@datoelectric.com No



Proposed



DIVERSE TECHNOLOGIES, INC - 954-228-3249 -ADMINISTRATOR@DIVERSETECHS.COM Left VM 6/18 Called me back saved on smartbid and sent invites for different projects. 6/19

Edge Electric, Inc. 954-931-5987 - john.edge@edgeelectric.net

#### Fencing

- Gomez Son & Fence Got email and sent plans and takeoff 6/17
  - Fence Masters Robert Travinski \* Project Manager \* Office: (305) 635-7777 \* Cell (954) 604-2442 Got email sent plans and takeoff 6/17
- Low voltage

Call Structured Cabling Solutions Added to smartbid sent invite 6/16 Call miami business telephone Added to smartbid sent invite 6/16

#### HVAC

- Laco Air Conditioning Added to smartbid and sent invite 6/16
- Solo Air conditioning Estimator in a meeting will call me back to let me know if they are going after the job. 6/15
- Kool Flow, Inc. Will send out Burlington proposal and will look at septage. 6/15
- Jam Mechanical Contractor Will look at email invite 6/15
- o Total Comfort A/C Resent invite 6/15
- G.I.F.T. Systems A/C, Inc. Left VM 6/15

#### Electrical

- V.I. Electrical Contractor Inc. Resent invite. 6/15
- J & I Electrical Service Corp Janet called me back and will look at writing up a proposal.
   She was sent prevailing wages as well. 6/15
- Arbor Electrical Service, Inc. dba Mr. Wireman Electric Margaret Anglin 954-792-4990
   service@mrwireman.com Sent Invite will call in an hour. 6/15
- o Cerrito Electric Sent Invite. 6/15
- United Electric Contractors Left VM 6/15
- Kilowatt Electric Company Resent invite to added email 6/15
- Pacman Data, Voice & Electric, Inc. (954) 577-7923 Chris Pacchioli
   Chris@Pacmanelectric.com Left VM 6/15
- o Fine Line Electric, Inc. (954) 786-8006 Cell: (561) 245-1627 Nick Vetrano Resent invite 6/15
- o Sportslighter Electric, Inc 561-333-1500 Sue Juncal Sent Invite 6/15
- C. Davis Electric Michael Gagliano Direct:954-919-5551 Left VM Invite was sent 28th of May. 6/15



- TIRONE ELECTRIC & DATA (954) 989-7162 Mike Farquhar Sent invite 6/15
- SEES Statewide Electrical and Environmental Solutions 786-703-6977 Cell: 305-299-7024 Tulio Gonzalez Left VM 6/16

## Glazing

- Jax Construction & Development Resent invite 6/15
- o Construct Build Inc. Will have a proposal by Friday 6/19. 6/15

## Sergio

- o Bid Bond/11 Sent request, 6/15 Received
- Fencing
  - Carlson fence 6/16 sent revised fence takeoff
- o Sitework
  - ATC Engineering Inc. 6/15 taking a look to see if will bid, 6/19 reviewing give until monday 6/22 no answer
  - Atlantic Southern Paving, Inc. 6/15 will not bid in time, 6/19 Rich is speaking with Tommy to bid
  - Elite Engineering & Construction 6/15 interested, follow up this afternoon 6/19 no answer left vm, 6/22 no answer left vm
  - Line Design Solutions, LLC 6/15 priced striping only
  - Tech11 LLC 6/15 Robert taking a look, follow up at 1pm 6/19 no answer left vm
- o Drywall
  - Drywall & Framing investments Group waiting to see for stucco
- o West Construction Subs:
  - Fire Alarm
    - SECURITAS ELECTRONIC SECURITY 855-331-0359 6/22 left vm
  - Landscape:
    - A CUT ABOVE LANDSCAPE (561) 795-1995 rebecca@acalandscape.net
       6/22 sent itb
  - Fence:

- BULLDOG FENCE (561) 582-0002 brad@bulldogfencecompany.com 6/22 sent itb
- Gas/Mechanical:
  - 561-842-7236 -**Glasgow Equipment Service** pete@glasgowequipment.com
  - Environmental Control Technology Inc. (772) 283-6746 6/22 left vm
- Plumbing:
  - Hypoluxo Plumbing Inc (561) 533-5444 hypoplum@comcast.net David - Christina 6/22 sent itb
- Roofing:
  - Therma Seal Roof Systems Inc (561) 223-2096 -Estimates@thermasealroofs.com - 6/22 sent itb
- Eddie
  - Review submission package
    - 25% CBE goal requirement

Best regards,



Danny Vercetti President

8350 NW 52<sup>nd</sup> Terrace Unit 301 Miami, FL 33166 C: 305.338.5359 O: 305.517.3772

1960 G

\* JAG Enterprises \* Sunbelt Electical A Blizzard Air Conditioning A Cooltrace Unique Air Conditioning

A J. Stephens Construction A El Leon Construction A F.M. A Construction A (ommercial Interior Contractors A Professional Flooring Contracto A Thousand and One Painting Corp. A-Star Contractors