



Finance and Administration Services Department  
**PURCHASING DIVISION**

115 S Andrews Avenue, Room 212, Fort Lauderdale, Florida 33301 | 954-357-6066 | FAX 954-357-5835 | [broward.org/Purchasing](http://broward.org/Purchasing)

## TERMINATION/AWARD/REJECTION AUTHORITY MEMORANDUM

### BLD2124731B1 – Pressure Cleaning Services

#### ☒ RECOMMENDATION FOR AWARD

Vendor(s): YJ & R Landscaping Services, Inc.,  
VC00123128

Contract Type: ☐ Fixed <sup>[1]</sup> ☒ Open-End

Basis of Award: ☐ Low ☒ Responsive ☒ Responsible  
☐ Split <sup>[2]</sup> ☐ Multiple <sup>[3]</sup> ☐ Single <sup>[4]</sup>

Initial Three-Year Term Award Amount \$1,968,600

Breakdown of Initial Award Amount:

\$1,927,350 Bid Amount

+ \$41,250 Allowances

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\$1,968,600 Initial Award Amount

Potential Five-Year Award Amount: \$3,281,000

#### AWARD JUSTIFICATION

☒ Price Analysis ☒ Clarification ☐ Waiver <sup>[5]</sup>

#### ☒ TERMINATION OF CONTRACT

Vendor(s): King of Pressure, Inc., VC00039089

#### ☒ RECOMMENDATION TO REJECT <sup>[6]</sup>

Vendor(s):

1. C&T Pressure Cleaning LLC formally known as C&T Hood Cleaning LLC (C&T)
2. EPMG LLC
3. Power Washing and More LLC DBA Green Earth Pressurewashing (Green Earth)

#### REJECT JUSTIFICATION

☐ Does not meet specifications:

☐ Single Bidder: pricing not fair/reasonable

☒ Non-responsive (did not conform to any/all material aspects of solicitation):

1. C&T is non-responsive for failure to fully comply within three business days on the following items listed below:

- a) Verification of Insurance
- b) Completed Living Wage Ordinance Compliance Affidavit form
- c) Completed Vendor Questionnaire Form.
- d) Completed Domestic Partnership Requirements Certification form.

2. EPMG LLC is non-responsive to the pricing requirement. EPMG LLC submitted pricing for Lines No. BLD2124731B1-01-04 through BLD2124731B1-01-13 about 2541% through 4752% lower than the other bidders. In addition, EPMG LLC's overall submittal pricing is about 76% below Facilities Management Division's estimated cost. Thus, their pricing does not reflect

<sup>1</sup> In accordance with the Internal Control Handbook, Page 216, Chapter 10, Section G, Repairs, if a firm fixed price is not available for equipment repair, a unit must be taken to a repair shop for disassembly and determination of repair costs, and repair. (2006)

<sup>2</sup> Award different line item or group to more than one Bidder.

<sup>3</sup> Award same line item or group to more than one Bidder. (i.e., Primary, Secondary, Tertiary, etc.)

<sup>4</sup> Sole Source/Sole Brand, Reasonable Source, Emergency, and Single Bids over \$100,000 must be added to the monthly activity report to the Board of County Commissioners, and a copy of this Award Rejection Authority Memorandum should be uploaded to your final PO or Procurement Contract.

<sup>5</sup> Pursuant to Procurement Code, Section 21.37, a minor or non-substantive lack of conformity may be considered a technicality or irregularity and may be waived by the Director of Purchasing.

<sup>6</sup> Pursuant to Procurement Code, Section 21.39, after all responses are open, any or all responses may be rejected by the Director of Purchasing, provided, however, that only the Board may reject all responses to a solicitation where the issuance of the solicitation was approved by the Board.

	<p>reasonable actual costs plus a reasonable proportionate share of the vendor's anticipated profit, overhead costs, and other indirect costs.</p> <p><input checked="" type="checkbox"/> Non-responsible:</p> <p>3. Green Earth is non-responsible for failure to fully comply with the CBE Program Requirements within the stated timeframes, pursuant to the Office of Economic and Small Business Requirements: CBE Reserve, Section G. Green Earth did not provide Letters of Intent that meet at least a 25% CBE goal or documentation of their respective Good Faith Efforts to meet the goal; hence, is not compliant with the CBE Reserve requirements of this solicitation.</p> <p><input type="checkbox"/> Other Reason:</p>
<p><b>OPEN-END CONTRACT TERM(S) OR</b> <input type="checkbox"/> N/A (Fixed Contract)</p> <p>Initial Term [7]: Date of Award – Three Years from Date of Award</p> <p>Number of Renewal Option(s): 2 one-year</p> <p>Potential Contract Duration: Five Years from Date of Award</p> <p>Note: The Initial contract term shall begin on date of award.</p>	<p><b>P-CARD</b></p> <p>YJ &amp; R Landscaping Services, Inc. Accepts:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>

<p><b>ADDITIONAL INFORMATION</b></p> <p>The Office of Economic and Small Business Development (OESBD) designated this a reserved project for County Business Enterprise (CBE) firms. The OESBD has determined that YJ &amp; R Landscaping Services, Inc. meets the eligibility criteria of the CBE reserve program.</p> <p>The purpose of this contract is to furnish labor, materials, equipment, services, and incidentals for the Pressure Cleaning Service at bus terminals, garages and other Broward County facilities.</p> <p>Solicitation No. BLD2124731B1 was solicited to the open market on July 25, 2022 and opened on August 10, 2022. Ten (10) submittals were received with no declinations from the following vendors:</p> <p>Note: C&amp;T Pressure Cleaning LLC is formally known as C&amp;T Hood Cleaning LLC</p> <ol style="list-style-type: none"> <li>1. Power Washing and More LLC DBA Green Earth Pressurewashing</li> <li>2. C&amp;T Hood Cleaning LLC</li> <li>3. C&amp;T Pressure Cleaning LLC</li> <li>4. King of Pressure, Inc.</li> <li>5. EPMG LLC</li> <li>6. YJ &amp; R Landscaping Services, Inc</li> <li>7. Evergreen Cleaning Services, LLC</li> <li>8. Bel-Air Maintenance Inc</li> <li>9. J-MAC Cleaning Services Inc.</li> <li>10. Sunshine Cleaning Systems, Inc.</li> </ol>
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<sup>7</sup> Dates (Initial Term and Final Expiration) are not known until the contract is awarded. Initial term here should be 'number of months or years of initial term'.

On January 5, 2023, in accordance with the December 13, 2022 - Agenda Item No. 25, approved by the Board of County Commissioners, the County Administrator approved open-end contract to responsive, responsible bidder, King of Pressure, Inc., for Pressure Cleaning Services, Solicitation No. BLD212473181, for the Facilities Management Division, in the initial three-year estimated amount of \$914,757, which includes \$41,250 for allowances, for a five-year potential estimated amount of \$1,524,595. The contract began on February 22, 2023 and will end on February 23, 2026.

On May 9, 2023, King of Pressure, Inc. via email submitted a letter of resignation from the Contract. King of Pressure claimed, "We are not able to meet the requirements set fourth in the bid package to achieve the required goal of 25% CBE participation. This expectation will cause my company to be non-compliant...For us to cover that now after the fact would impact us financially".

On July 6, 2023, Notice of Termination was transmitted via Certified Mail (7005 3110 0002 8833 9039) and emailed to King of Pressure, Inc., pursuant to the Contract's General Conditions, Section 4(c) ("Termination For Convenience"), "the County may terminate the contract for convenience upon no less than thirty (30) days written notice.

The Purchasing Division and Facilities Management Division recommends the approval to terminate the contract and have the Director of Purchasing proceed to award a contract to the next lowest responsive, responsible bidder from this solicitation.

All prices, terms and conditions will remain fixed for the first twelve (12) months of the contract period. Upon completion of the first twelve (12) months contract period, the contractor may make a timely request for an annual price adjustment, prior to the renewal date, for years two through five, in accordance with the price adjustment clause term of the contract. The initial contract period shall begin the date of award and terminate three years from that date.

The allowance items included in this contract, in the total annual amount of \$13,750, includes parts, materials and lift/rental equipment. Expenditures under these allowance items must be approved by the Contract Administrator and will be reimbursed at the contractor's actual incurred cost, without mark-up.

In accordance with the Broward County Living Wage Ordinance, Broward County Administrative Code, Section 26-101(i), these services are covered services. YJ & R Landscaping Services, Inc. has agreed to be bound to the contractual obligations of the Living Wage Ordinance.

Facilities Management Division reviewed the bid submitted by YJ & R Landscaping Services, Inc. and concurs with the recommendation for award. One vendor performance evaluation was completed for YJ & R Landscaping Services, Inc.; the firm has an overall performance rating of 4.92 out of possible rating of 5.0. Copies of the vendor performance evaluation is available upon request.

Incumbent Vendor: YJ & R Landscaping Services, Inc., Contract Number and Title: Contract No. BLD2118805B1, Pressure Chemical Cleaning Services. Contract Term: November 26, 2019 through February 23, 2023. Expenditures to date: \$ 3,203,709.54.

The Purchasing Division reviewed the prices submitted by the recommended vendor, YJ & R Landscaping Services, Inc., and determined that the prices submitted are fair and reasonable in comparison to prices of the other bidders in this solicitation.

The bid posted on July 25, 2022 and opened on August 10, 2022; Ten bids were received with zero declination.

The Recommendation for Award was posted on the Purchasing Division website from July 19, 2023 through July 26, 2023. There was no protest or appeal filed against this procurement.

In accordance with the June 13, 2023, Agenda Item No. 29, approved by the Board of County Commissioners, the County Administrator is authorized to approve and/or execute agreements, contract amendments, work authorizations, advertisements of competitive solicitations and other documents during the 2023 Board Summer Recess, June 14, 2023 through August 22, 2023.



### SOLICITATION METHOD

☒ Invitation for Bid ☐ Request for Quote

☐ Emergency <sup>[4]</sup> ☐ Piggyback <sup>[4]</sup>

☐ Sole Brand <sup>[4]</sup> ☐ Sole Source <sup>[4]</sup>

☐ Only Source <sup>[3]</sup>

Date Notice posted:  
(\*Applies to Sole Brand, Sole  
Source and/or Most  
Reasonable Source)

Responses: Yes ☐ No ☐  
(If Yes, Director of Purchasing and/or Designee  
final Designation Date):

☐ Standardized by:

☐ Board:

☐ Director of Purchasing:

### SOLICITATION INFORMATION

Client Agency: Facilities  
Management Division

Requisition ID: FMD0018931

Folder No: 2124731

Solicitation No:  
(For Informal Quotes Only)

Posted on: July 25, 2022

Opened on: August 10, 2022

Number of Responses: Ten (10)

Number of Declinations: Zero (0)

### OFFICE OF ECONOMIC AND SMALL BUSINESS DEVELOPMENT (OESBD)

OESBD has reviewed this solicitation and determined:

- ☒ This firm is a certified County Business Enterprise (CBE), and therefore is considered a responsive and responsible bidder under the OESBD provisions of this contract.
- ☐ This firm met the [County Business Enterprise (CBE)/Disadvantaged Business Enterprise (DBE)], goal requirements and/or demonstrated Good Faith Effort, and therefore is considered a responsive and responsible bidder under the OESBD provisions of this contract.
- ☐ This firm met the assigned Airport Concession Disadvantaged Business Enterprise (ACDBE) participation goal, and therefore is considered a responsive and responsible bidder under the OESBD provisions of this contract.
- ☐ This project has been designated a sole source/sole brand, or reasonable sole source/brand, Qualified Vendors List (QVL), emergency or piggyback, therefore, this project is not subject to the OESBD requirements.
- ☐ It should be solicited to open market with no assigned goals.
- ☐ Due to no responses received from SBE vendors during the original solicitation, this solicitation was re-bid to the open market. Per OESBD, no goals were applied to the re-solicitation.
- ☐ This is an Informal Quote. A review for SBE/CBE vendors was conducted through the CBE/DBE Directory for potential vendors.

**WHAT APPROVAL ACCOMPLISHES** <sup>[8]</sup>

- ☐ In accordance with the Broward County Procurement Code, Section 21.47.(b)(1), the Director of Purchasing may award solicitations in an amount not exceeding \$500,000, inclusive of the value of any renewals or extensions.
- ☐ In accordance with the Broward County Procurement Code, Section 21.47.(b)(2), the Director of Purchasing may award bids in any amount over \$500,000, inclusive of any extensions or renewals, contingent upon no bidder has been determined to be non-responsive or non-responsible, no protests have been filed, and more than one bidder has submitted a response, and further provided that no Commissioner has expressed an objection within five (5) days after receiving notice of intended award from the Purchasing Division.
- ☐ In accordance with the Broward County Procurement Code, Section 21.37.(b), Waiver of Technicality, a lack of conformity as to an issue of responsiveness that is nonsubstantive in nature may be considered a technicality or irregularity that may be waived by the Director of Purchasing.
- ☐ In accordance with Broward County Procurement Code, Section 21.39 Rejection After Bid Opening, any or all responses may be rejected by the Purchasing Director or designee, including those bids in which there is only one (1) responsive vendor.
- ☒ This approval authority is for the Recommendation of Award posting only. Agenda will be submitted for award by the Board of Commissioners. Refer to Broward County Procurement Code, Section 21.47.(a).

**APPROVAL AUTHORITY**

Title: Purchasing Agent Senior		Title: Purchasing Manager
<input checked="" type="checkbox"/> APPROVE <input type="checkbox"/> DISAPPROVE		<input checked="" type="checkbox"/> APPROVE <input type="checkbox"/> DISAPPROVE
MARY MOSS <small>Digitally signed by MARY MOSS Date: 2023.07.14 16:09:16 -04'00'</small>		<i>Jeanette Ferrell</i> <small>Digitally signed by JEANETTE FERRELL DN: cn=Jeanette Ferrell, o=Broward County, ou=Procurement, email=jeanette.ferrell@broward.net, c=US Date: 2023.07.14 16:11:23 -04'00'</small>
(Signature & Date)		(Signature & Date)
Title: Director of Purchasing/Assistant Director of Purchasing		Title: County Administrator
<input checked="" type="checkbox"/> APPROVE <input type="checkbox"/> DISAPPROVE		<input checked="" type="checkbox"/> APPROVE <input type="checkbox"/> DISAPPROVE
Robert Gleason <small>Digitally signed by Robert Gleason Date: 2023.07.18 08:04:19 -04'00'</small>		<i>Jim Campbell</i> 8/1/23
(Signature & Date)		(Signature & Date)

**ATTACHMENTS**

- ☒ (1) Bid Tab ☒ (2) OESBD Document ☒ (3) Using Agency Concurrence ☒ (4) Certificate of Insurance
- ☒ (5) Price Analysis ☐ Sole Source ☐ Sole Brand ☒ (6) Purchasing Agent Report Allowance
- ☐ Board or County Administrator Approved Emergency Memo ☒ Other
- (7) Award Memo for BLD2124731B1 with King of Pressure
- (8) Emails to C&T on Responsiveness
- (9) Notice of Termination - King of Pressure - BLD2124731B1

<sup>8</sup> The Award/Rejection Authority Memorandum must be signed by the appropriate authority prior to Recommendation for Award (RFA) posting in accordance with the most recently