



Broward County

Legislation Details (With Text)

File #:	21-530	Version:	1
		Status:	Agenda Ready
		In control:	TRANSPORTATION DEPARTMENT
On agenda:	4/6/2021	Final action:	4/6/2021
Title:	A. MOTION TO AWARD open-end contract to low responsive, responsible bidder, C & I Construction and Design, Inc., for Transit Shelter Americans with Disabilities Act (ADA) Infrastructure Improvements, Bid No. PNC2120688B1, for the Transportation Department, in the initial two-year estimated amount of \$3,697,415, which includes allowances in the total amount of \$350,000, and authorize the Director of Purchasing to renew the contract for two one-year periods, for a four-year potential estimated amount of \$7,394,830. The initial contract period shall begin on date of award and terminates two years from that date. ACTION: (T-11:13 AM) Approved. VOTE: 9-0. ACTION: (T-11:14 AM) The Board reconsidered the Consent Agenda to remove Item 80 from the Consent Agenda, as read previously by County Attorney Andrew J. Meyers. (Refer to minutes for full discussion.) VOTE: 9-0. B. MOTION TO AWARD open-end contract to second low responsive, responsible bidder, Interstate Construction, LLC, for Transit Shelter Americans with Disabilities Act (ADA) Infrastructure Improvements, Bid No. PNC2120688B1, for the Transportation Department, in the initial two-year estimated amount of \$3,945,700, which includes allowances in the total amount of \$350,000, and authorize the Director of Purchasing to renew the contract for two one-year periods, for a four-year potential estimated amount of \$7,891,400. The initial contract period shall begin on date of award and terminates two years from that date. ACTION: (T-11:13 AM) Approved. VOTE: 9-0. ACTION: (T-11:14 AM) The Board reconsidered the Consent Agenda to remove Item 80 from the Consent Agenda, as read previously by County Attorney Andrew J. Meyers. (Refer to minutes for full discussion.) VOTE: 9-0.		
Sponsors:			
Indexes:	Established Commission Goals, Penny Surtax (Inactive)		
Code sections:			
Attachments:	1. Exhibit 1 - Bid Tabulation, 2. Exhibit 2 - OESBD Compliance Memorandum dated September 9, 2020, 3. Exhibit 3 - Non-Concurrence and User Concurrence Memoranda signed January 21, 2021, 4. Exhibit 4 - Price Analysis		

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: George Tablack

Department: Finance and Administrative Services **Division:** Purchasing

Information

Requested Action

A. **MOTION TO AWARD** open-end contract to low responsive, responsible bidder, C & I Construction and Design, Inc., for Transit Shelter Americans with Disabilities Act (ADA) Infrastructure Improvements, Bid No. PNC2120688B1, for the Transportation Department, in the initial two-year estimated amount of \$3,697,415, which includes allowances in the total amount of \$350,000, and authorize the Director of Purchasing to renew the contract for two one-year periods, for a four-year potential estimated amount of \$7,394,830. The initial contract period shall begin on date of award and terminates two years from that date.

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Why Action is Necessary

Motions A. and B.: In accordance with the Broward County Procurement Code, Section 21.31.a.4, Award Authority, Board approval is required for awards exceeding \$500,000 that includes a single bidder, rejection of apparent low bidder, or protested award.

What Action Accomplishes

Motions A. and B.: Provides all labor, materials, equipment, services, and incidentals to provide transit shelter and bus stop infrastructure improvements including installation of shelter foundations, bench pads, transit shelters, amenities and construction of required foundations, sidewalks, bus stop landing areas, and curb cuts for the Broward County Transportation Department.

Is this Action Goal Related

Yes

Previous Action Taken

None.

Summary Explanation/Background

THE PURCHASING DIVISION AND THE TRANSPORTATION DEPARTMENT RECOMMEND APPROVAL OF THE ABOVE MOTIONS.

This item supports the Board's Value of "Cooperatively delivering an efficient and accessible regional intermodal transportation network" and its Goal to "Support the development, design and construction of sustainable, multi-modal transportation facilities throughout the County, to meet the demands of residents, travelers, and businesses".

The Office of Economic and Small Business Development (OESBD) established a County Business Enterprise (CBE) goal of 35% for this contract. Continental Construction USA, LLC (Continental) and C & I Construction and Design, Inc., both committed to 35% CBE participation which the OESBD reviewed and approved. Interstate Construction, LLC committed to 40.60% CBE participation, which the OESBD reviewed and approved (Exhibit 2).

The purpose of these contracts is to furnish all labor, materials, equipment, services, and incidentals required to provide Transit Shelter ADA Infrastructure Improvements for the Broward County Transit Division. This contract is part of the County's Transit ADA Improvement Program, which will be funded by the Transportation Surtax fund, to install compliant ADA landing pads and transit amenities, including installation of transit shelter foundations, bench pads, Transit Shelters, amenities and construction of required foundations, sidewalks, bus stop landing areas, curb cuts at bus stop sites throughout Broward County. The work to be performed under this Contract shall consist of the civil work at each site and the installation of select transit amenities. All work shall be ADA compliant.

The allowances incorporated into each contract in the total amount of \$350,000 include: \$140,000 for permits, \$10,000 for inspections, \$5,000 for irrigation systems, \$10,000 for landscaping, \$115,000 for specialized construction activities and \$70,000 for parts, materials, and miscellaneous items. Expenditures under these allowance items must be approved by the contract administrator and will be reimbursed at the contractor's actual cost without mark-up.

This procurement carries a 100% performance and payment guaranty. The Purchasing Agent confirmed with the surety company that C & I Construction and Design, Inc. and Interstate Construction, LLC have the capacity to obtain the required guaranty.

This solicitation included a basis of award that specified that awards may be made up to a maximum of three low responsive, responsible vendors based on total bid amount.

Based on the Responsibility review conducted by the Transportation Department (Exhibit 3), the Director of Purchasing has deemed the apparent low bidder, Continental, (Motion A), non-responsible owing to the firm having open purchase orders with the Transportation Department in various stages and failure to actively pursue work and closeout purchase orders. Additionally, Continental has been issued multiple notices of violation to cure from OESBD for Disadvantaged Business Enterprise violations; Continental's Dun and Bradstreet report shows significant financial stress and payment behaviors; and finally, the reference from City of Miami Gardens is less than satisfactory (Exhibit 3). There is a \$570,755, or 16%, difference between the bid amount of the apparent low bidder, Continental and the recommended bidder, C & I Construction and Design, Inc.

The Transportation Department has reviewed the bids submitted by C & I Construction and Design, Inc., and Interstate Construction, LLC and concurs with the recommendation(s) for award (Exhibit 3). C & I Construction and Design, Inc. has three performance evaluations and an overall rating of 3.64 out of possible 5. Interstate Construction, LLC has one performance evaluation and an overall rating of 4.13 out of possible 5.

The total award amount(s) is based on voluntary price reduction(s) from the recommended bidder(s). The Purchasing Division has reviewed the prices submitted by the recommended bidder(s), C & I Construction and Design, Inc. and Interstate Construction, LLC. The prices submitted are considered fair and reasonable based on the engineer's cost estimate (Exhibit 4).

The bid posted on July 14, 2020 and opened on August 19, 2020; five bids were received with two declinations (Exhibit 1).

The bid validity for this solicitation expired December 17, 2020. The recommended bidder(s), C & I Construction and Design, Inc. and Interstate Construction, LLC, agreed to extend their respective bid validity through April 9, 2021.

The Recommendation for Award was posted on the Purchasing Division website from March 8 - 12, 2021, at which time any aggrieved vendor could have protested the results. There was no protest or appeal filed regarding this procurement.

Source of Additional Information

Brenda J. Billingsley, Director, Purchasing Division, (954) 357-6070

Chris Walton, Director, Transportation Department (954) 357 8631 (Non-Concurrence)

Fiscal Impact

Fiscal Impact/Cost Summary

Each requirement processed against these open-end contracts will be funded by the Transportation Surtax fund at the time of release.

Requisition No. MTD0005213