



# Broward County

## Legislation Details (With Text)

**File #:** 21-730      **Version:** 1

**Status:** Agenda Ready

**In control:** FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

**On agenda:** 6/1/2021      **Final action:** 6/1/2021

**Title:** MOTION TO AWARD open-end contract to low responsive, responsible bidder, Mainguy Environmental Care, Inc. dba Mainguy Landscape Services, for Group 2 of Grounds Maintenance Services, Bid No. BLD2121876B1, for the Water and Wastewater Services in the estimated initial term amount of \$632,727, which includes an allowance for permit fees, direct costs for chemicals, herbicides and pesticides, replacement parts and materials in the amount of \$3,500; and authorize the Director of Purchasing to renew the contract for two one-year periods, for a three-year potential estimated amount of \$1,898,180. The initial contract period will begin August 14, 2021 and will terminate one year from that date.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1 - Bid Tabulation, 2. Exhibit 2 - Goal Compliance Memorandum dated March 15, 2021, 3. Exhibit 3 - User Concurrence Memorandum signed April 12, 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

MOTION TO AWARD open-end contract to low responsive, responsible bidder, Mainguy Environmental Care, Inc. dba Mainguy Landscape Services, for Group 2 of Grounds Maintenance Services, Bid No. BLD2121876B1, for the Water and Wastewater Services in the estimated initial term amount of \$632,727, which includes an allowance for permit fees, direct costs for chemicals, herbicides and pesticides, replacement parts and materials in the amount of \$3,500; and authorize the Director of Purchasing to renew the contract for two one-year periods, for a three-year potential estimated amount of \$1,898,180. The initial contract period will begin August 14, 2021 and will terminate one year from that date.

#### Why Action is Necessary

In accordance with the Broward County Procurement Code, Section 21.47(a), Award and Execution Authority, the Board shall make all awards with a value of more than \$500,000. The contract threshold increase exceeds the authority of the Director of Purchasing.

#### What Action Accomplishes

Provides all labor, materials, equipment, and incidentals necessary to provide ground maintenance services.

**Is this Action Goal Related**

No

**Previous Action Taken**

None.

**Summary Explanation/Background**

THE PURCHASING DIVISION AND THE PUBLIC WORKS DEPARTMENT/ WATER AND WASTEWATER SERVICES RECOMMEND APPROVAL OF THE ABOVE MOTION.

The Office of Economic and Small Business Development (OESBD) established a 25% County Business Enterprise (CBE) program requirement for this project. Mainguy Environmental Care, Inc. dba Mainguy Landscape Services (Mainguy), a certified CBE, has committed to 100% CBE participation, which has been reviewed and approved by OESBD (Exhibit 2).

The purpose of this contract is to provide all labor, materials, equipment, and incidentals necessary to provide ground maintenance services at various locations throughout Broward County identified in Group 2 for the Water and Wastewater Services (WWS).

The allowance incorporated in the contract in the annual amount of \$3,500 is for permit fees, direct costs for chemicals, herbicides and pesticides, and replacement parts and materials. Expenditures under these allowance items must be approved by the contract administrator and will be reimbursed at the contractor's actual incurred cost, without markup (Exhibit 1).

Bid No. BLD2121876B1 consisted of two groups: Group 1 for Facilities Management Division (FMD) and Group 2 for WWS. Upon review of the bids, OESBD determined that Superior Landscaping & Lawn Service, Inc. and YRY Homes did not meet the CBE program requirement; thus, the vendors were non-compliant to the bid's CBE program requirement. Based upon OESBD's determination, the Director of Purchasing deemed Superior Landscaping & Lawn Service, Inc. and YRY Homes non-responsive to the solicitation's CBE program requirement (Exhibit 2). Group 1 for FMD was approved by the Board under a separate agenda item and presented to the Board on May 4, 2021 (Item No. 21).

In accordance with the Broward County Workforce Investment Program, Broward County Administrative Code, Section 19.211, these services are subject to the Workforce Investment Program. Mainguy has agreed to be bound to the contractual obligations of the Workforce Investment Program.

In accordance with the Broward County Living Wage Ordinance, Section 26-101 (i), these services are covered services. Mainguy has agreed to be bound to the contractual obligations of the Living Wage Ordinance.

WWS reviewed the bid submitted by Mainguy and concurs with the recommendation for award for Group 2 (Exhibit 3). There are no performance evaluations for Mainguy.

Upon review, the Purchasing Division discovered a significant disparity with the \$1 unit price offered by Mainguy compared to the unit price offered by the other vendors for Item No. BLD2121876B1-02-

12, trimming services at the North Regional Wastewater Treatment Plant. The Purchasing Division requested clarification and/or an explanation for the significant price variation of Mainguy's offered price. Mainguy responded that the unit price was a keying error and should have been \$100; but the company would still honor the \$1 unit price. The Purchasing Division has researched the prices submitted by the recommended bidder, Mainguy; and it determined that the prices submitted, with exception to the forementioned Item No. BLD2121876B1-02-12, are fair, reasonable, and aligned with the estimate (Exhibit 4). The difference between the apparent low bidder, YRY Homes, and the recommended bidder, Mainguy, for the total bid for Group 2 is \$149,582. Additionally, YRY Homes, the apparent low bidder, for Group 2, did not bid all the line items within the bid; but bid only 60 out of 94 items.

Incumbent: Weed-A-Way Inc; Contract Number and Title: BLD2115552B2\_1, Ground Maintenance Services for WWS. Contract Term: August 14, 2018 through August 13, 2021. Expenditures to date: \$466,984. The Director of Purchasing approved Interim Contract No. BLD2115552BX\_3 on May 23, 2018. Expenditures to date: \$37,174.

Incumbent: MCT Service, LLC; Contract Number and Title: BLD2115552B2\_2, Ground Maintenance Services for WWS. Contract Term: August 14, 2018 through August 13, 2021. Expenditures to date: \$506,890. The Director of Purchasing approved Interim Contract No. BLD2115552BX\_2 on May 23, 2018. Expenditures to date: \$35,155.

The amounts referenced in this agenda item were rounded to the nearest whole dollar. Vendor payments will be based on the actual total bid amount. The bid tabulation reflects the actual amount of the award.

The Recommendation for Award was posted on the Purchasing Division website from April 21 - 27, 2021. There was no protest or appeal filed against this procurement.

The bid posted on January 27, 2021 and opened on February 17, 2021; six bids were received with no declinations (Exhibit 1).

**Source of Additional Information**

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

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

Each requirement processed against this open-end contract will be funded by the appropriate source at the time of release.

Requisition No. WWF0003380