



Broward County

Legislation Details

File #: 20-366 **Version:** 1

Status: Agenda Ready

In control: PUBLIC WORKS AND ENVIRONMENTAL SERVICES DEPARTMENT

On agenda: 2/25/2020 **Final action:** 2/25/2020

Title: A. MOTION TO AWARD fixed contract to low responsive, responsible bidder, Earth Tech Enterprises, Inc. (Earth Tech) for Segment II Nearshore Hardbottom Mitigation, Bid No. PNC2117911C1, for the Environmental Planning and Community Resilience Division, in the amount of \$12,998,228.00, to be substantially completed within 455 calendar days from the Project Initiation Date specified in the Second Notice to Proceed, and requiring Final Completion within 60 calendar days after the date of Substantial Completion; and to waive, as a technical deficiency or irregularity in Earth Tech’s bid submittal pursuant to Section 21.30.f.1.(c) of the Broward County Administrative Code, Earth Tech’s submission of a reference for a project outside the three year reference window stated in the bid; with the award contingent upon the receipt and approval of insurance/performance and payment guaranty acceptable to the Director of Purchasing and resolution of all pending protests and subsequent appeals; and authorize the Mayor and Clerk to execute the same.

(See Yellow-Sheeted Additional Material 56 and 56(2), dated February 25, 2020, submitted at the request of Finance and Administrative Services Department.)

OR

B. MOTION TO FIND Earth Tech Enterprises, Inc. and Pac Comm, Inc. non-responsible vendors for Segment II Nearshore Hardbottom Mitigation, Bid No. PNC2117911C1, pursuant to Section 21.41.c. of the Broward County Administrative Code (Code), and award fixed contract to Resolve Equipment, Inc. (Resolve) for Segment II Nearshore Hardbottom Mitigation, Bid No. PNC2117911C1, for the Environmental Planning and Community Resilience Division, in the amount of \$14,950,985, to be substantially completed within 455 calendar days from the Project Initiation Date specified in the Second Notice to Proceed, and requiring Final Completion within 60 calendar days after the date of Substantial Completion; and to waive any and all technical deficiencies and irregularities in Resolve’s bid submittal pursuant to Section 21.30.f.1.(b), 21.30.f.1.(c), 21.30.f.2.(b), and 21.30.f.2.(d) of the Broward County Administrative Code, including Resolve’s references being performed by affiliated legal entities and Resolve not possessing a General Contractor’s License; with the award contingent upon the receipt and approval of insurance/performance and payment guaranty acceptable to the Director of Purchasing, receipt of a guaranty from applicable affiliate and parent entities in a form approved by the Office of the County Attorney, and resolution of any protests and subsequent appeals; and authorize the Mayor and Clerk to execute the same.

(See Yellow-Sheeted Additional Material 56 and 56(2), dated February 25, 2020, submitted at the request of Finance and Administrative Services Department.)

ACTION: (T-10:50 AM) Commissioner Fisher made motion to find Earth Tech to be non-responsible to the solicitation, as well as made further motion as read into the record by Commissioner Fisher. The motion was seconded by Commissioner Bogen and carried unanimously.. (Refer to Minutes for full discussion.)

VOTE: 9-0. Vice-Mayor Geller voted in the affirmative telephonically.

OR

C. MOTION TO REJECT all bids for Segment II Nearshore Hardbottom Mitigation, Bid No.

PNC2117911C1 and re-solicit the bid. (Commission District 4)

(See Yellow-Sheeted Additional Material 56 and 56(2), dated February 25, 2020, submitted at the request of Finance and Administrative Services Department.)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1 - User Non-Concurrence of Award for PNC2117911C1 - Earth Tech, 2. Exhibit 2 - User Non-Concurrence of Award for PNC2117911C1 - Pac Comm, 3. Exhibit 3 - User Concurrence of Award for PNC2117911C1 - Resolve Marine Services, Inc., 4. Exhibit 4 - Earth Tech Enterprises Inc. User Concurrence Memorandum signed September 25, 2019, 5. Exhibit 5 - Resolve Marine Group, Inc. - Response to Corporate Restructuring, 6. Exhibit 6 - Resolve Marine Group, Inc. - Pre and Post Restructuring Organizational Charts, 7. Additional Material - Information, 8. Additional Material - Information

Date	Ver.	Action By	Action	Result
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