



# Broward County

## Legislation Text

File #: 20-2111, Version: 1

### **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, Florida Palm Construction, Inc., a certified Small Business Enterprise, for the Small Business Enterprise Reserve Job Order Contract (JOC) Step 2, Bid No. PNC2119543C1, for the Facilities Management Division and various other County agencies, in the annual estimated amount of \$250,000; and authorize the Director of Purchasing to renew the contract for up to three one-year periods, for a maximum five-year potential estimated amount of \$1,250,000; and authorize the Mayor and Clerk to execute same. The initial contract period shall begin on the date of award and shall terminate two years from that date, contingent upon receipt and approval of insurance and the performance and payment guaranty.

**ACTION: (T-10:47 AM) Approved.**

**VOTE: 9-0.**

B. MOTION TO AWARD open-end contract to low responsive, responsible bidder, Florida Palm Construction, Inc., a certified County Business Enterprise, for the County Business Enterprise Reserve Job Order Contract (JOC) Step 2, Bid No. PNC2119543C1, for the Facilities Management Division and various other County agencies, in the annual estimated amount of \$2,375,000, and authorize the Director of Purchasing to renew the contract for up to three one-year periods, for a maximum five-year potential estimated amount of \$11,875,000; and authorize the Mayor and Clerk to execute same. The initial contract period shall begin on the date of award and shall terminate two years from that date, contingent upon receipt and approval of insurance and the performance and payment guaranty.

**ACTION: (T-10:47 AM) Approved.**

**VOTE: 9-0.**

C. MOTION TO AWARD open-end contract to low responsive, responsible bidder, Alen Construction Group, Inc., a certified County Business Enterprise, for the County Business Enterprise Reserve Job Order Contract (JOC) Step 2, Bid No. PNC2119543C1, for the Facilities Management Division on behalf of Port Everglades Department, and various other County agencies, in the annual estimated amount of \$2,375,000, and authorize the Director of Purchasing to renew the contract for up to three one-year periods, for a maximum five-year potential estimated amount of \$11,875,000; and authorize the Mayor and Clerk to execute same. The initial contract period shall begin on the date of award and

shall terminate two years from that date, contingent upon receipt and approval of the insurance and performance and payment guaranty.

***ACTION: (T-10:47 AM) Approved.***

***VOTE: 9-0.***

**Why Action is Necessary**

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**

Provides for the timely issuance of job orders for construction maintenance, renovations, repairs, and minor new construction projects for County-owned facilities based on pre-priced tasks established by the Job Order Contract Program's Construction Task Catalog.

**Is this Action Goal Related**

No

**Previous Action Taken**

None.

**Summary Explanation/Background**

THE PURCHASING DIVISION AND THE PUBLIC WORKS DEPARTMENT/FACILITIES MANAGEMENT DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTIONS.

This is the second step of a two-step procurement process. Step One qualified firms by group (Aviation Department, Port Everglades Department, or Facilities Management Division) and by Office of Economic and Small Business Development (OESBD) designation (contracts were either reserved for Small Business Enterprises (SBE), County Business Enterprises (CBE), or contained CBE goal participation requirements). The Selection Committee qualified bidders from the Step One solicitation based on experience and references, financial capacity, bonding, and litigation review.

The OESBD determined that Florida Palm Construction, Inc. (Florida Palm) meets the eligibility criteria of the SBE Reserve Program (Exhibit 2). OESBD has determined that Florida Palm and Alen Construction Group, Inc. (Alen) meet the eligibility criteria of the CBE Reserve Program (Exhibit 3).

The purpose of Job Order Contract is to provide means for the timely issuance of job orders for construction maintenance, renovations, repairs, and minor new construction projects for County-owned facilities based on pre-priced tasks established in the Construction Task Catalog (CTC). Minor new construction is defined as an improvement to an existing structure or building, or an extension of infrastructure or utilities. Each task in the CTC is priced based upon Broward County's rates and includes the cost of mobilization, labor, insurance, bonding, security badging, materials, tools, scaffolding, incidentals, and equipment necessary to accomplish the task (Exhibits 10, 11, and 12).

The Director of Purchasing has determined the apparent low bidder, Danz Contracting, LLC, for the SBE and CBE Reserve contracts to be non-responsive to the bid requirements. The bidder is not a

certified SBE or CBE and, therefore, is non-compliant with the OESBD requirements as stated in the solicitation documents.

For the SBE Reserve contract, the procurement carries a 50% performance and payment bond for each awardee. For the CBE Reserve contract, the procurement carries a 25% performance and payment bond for each awardee. The Purchasing Division has confirmed with the surety companies that the two recommended firms have the capacity to obtain the required bonds.

The Facilities Management Division has reviewed the bids submitted by Florida Palm and Alen and concurs with the recommendations for award (Exhibits 4, 5, and 6). There have been no vendor performance evaluations completed for Florida Palm or Alen.

There was no protest or appeal filed regarding this procurement.

The bid was posted on July 31, 2020 and opened on September 9, 2020; eight bids were received for all groups/OESBD designations, with one declination (Exhibit 1).

The bid validity for this project ended on January 7, 2021. Florida Palm and Alen agreed to extend their bid validity through March 31, 2021 for Bid No. PNC2119543C1.

#### **Source of Additional Information**

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

#### **Fiscal Impact**

##### **Fiscal Impact/Cost Summary**

Each requirement processed against the SBE Reserve open-end contract, in the initial two-year term estimated amount of \$500,000 and the five-year amount of \$1,250,000, will be funded by the appropriate source at the time of release.

Each requirement processed against the CBE Reserve open-end contracts, each in the initial two-year term estimated amount of \$4,750,000, and the five-year amount of \$11,875,00, will be funded by the appropriate source at the time of release.