



Broward County

Legislation Details (With Text)

File #: 20-1741 **Version:** 1

Status: Agenda Ready

In control: County Administration - Parks And Recreation Division

On agenda: 11/10/2020 **Final action:** 11/10/2020

Title: A. MOTION TO AWARD open-end contract to low responsive, responsible bidder, MBR Construction, Inc., for Bid No. PNC2120194B1, Parks Construction and Improvements, for the Parks and Recreation Division and other Broward County agencies, in the two-year estimated amount of \$6,970,000, which includes allowance items in the amount of \$600,000, and authorize the Director of Purchasing to renew the contract for one additional one-year period, for a three-year potential estimated amount of \$10,454,999. The initial contract period begins on the date of award and terminates two years from that date, contingent upon the receipt and approval of certificate of insurance and performance and payment guaranty.

ACTION: (T-10:45 AM) Approved.

VOTE: 9-0. Commissioner Rich voted in the affirmative telephonically.

B. MOTION TO AUTHORIZE Director of Purchasing to award up to two additional vendors for Bid No. PNC2120194B1, Parks Construction and Improvements, for the Parks and Recreation Division and other Broward County agencies, in a two year estimated amount of \$8,598,998 per each additional vendor, which includes allowance items in the amount of \$600,000, for a two-year initial term, and authorize the Director of Purchasing to renew the contract for one additional one-year period, for a three-year potential estimated amount of \$12,898,497 per each additional vendor.

ACTION: (T-10:45 AM) Approved.

VOTE: 9-0. Commissioner Rich voted in the affirmative telephonically.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1 - Bid Tabulation, 2. Exhibit 2 - Goal Compliance Memorandum dated September 23, 2020, 3. Exhibit 3 - User Concurrence signed July 27, 2020, 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

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Why Action is Necessary

Motion A. 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.

Motion B. In accordance with the Broward County Procurement Code, Section 21.14.d, contract awards over the authority of the Director of Purchasing must be authorized by the Board.

What Action Accomplishes

Motions A and B. Provides multiple contracts for miscellaneous construction projects at various County parks and other locations.

Is this Action Goal Related

No

Previous Action Taken

None.

Summary Explanation/Background

THE PURCHASING DIVISION AND THE PARKS AND RECREATION DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTIONS.

The Office of Economic and Small Business Development (OESBD) established a 30% County Business Enterprise (CBE) participation goal for this contract. MBR Construction, Inc. provided the completed Contractor's Assurance Statement with its bid submittal and met the CBE participation goal requirements, which the OESBD reviewed and approved (Exhibit 2).

The purpose of this contract is to provide for construction improvements to various Broward County

parks and similar locations. New park improvements may include construction work such as site development, parking lot and roadway improvements, water and sewer utilities, small buildings, playgrounds, sport courts and site lighting.

The allowances incorporated into this contract in the amount of \$600,000 are for payment of permit and inspection fees, unforeseen conditions, utility connection fees, non-CCNA professional services, geotechnical testing services, and miscellaneous construction materials and services. 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.

The Director of Purchasing determined Industrial Shadeports to be non-responsive because they did not bid on all line items in the solicitation as required. Industrial Shadeports submitted five out of 430 line items in the solicitation (Exhibit 1).

This solicitation provided for award of up to three vendors. MBR Construction, Inc. is currently recommended for award in Motion A. The pricing of two additional vendors is being reviewed. Upon user concurrence, additional recommendations for award of up to two vendors may be requested and submitted for approval. Board approval of Motion B provides authorization for the Director of Purchasing to award up to two additional vendors under this solicitation.

The Parks and Recreation Division reviewed the bids submitted by MBR Construction, Inc., and concurs with the recommendation for award (Exhibit 3). Two performance evaluations were completed for MBR Construction, Inc.; the firm has an average rating of 3.27 out of a possible 5.0. Copies of the vendor performance evaluations are available upon request.

The Purchasing Division has researched the prices submitted by the low responsive, responsible bidder, MBR Construction, Inc., and has determined that the prices submitted are fair and reasonable in comparison to the previous Broward County contract and other bids (Exhibit 4).

This procurement carries \$2,000,000 of the contract's initial term amount for performance and payment guaranty. The Purchasing Agent confirmed with the surety that MBR Construction, Inc. has the capacity to obtain the required guaranty.

The original total bid amount submitted by MBR Construction, Inc. was in the estimated two-year amount of \$7,031,265; the vendor offered a voluntary price reduction of \$61,266, for a revised two-year amount of \$6,970,000. The Broward County Procurement Code, Section 21.30.f.2(c), allows for a voluntary price reduction of the bid price if the reduction does not result in the modification or deletion of any condition of the bid (Exhibit 4).

The bid posted on April 1, 2020 and opened on May 27, 2020; seven bids were received with two declinations (Exhibit 1). There were no protests filed regarding this procurement.

The amounts referenced in this agenda 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 but does not itemize the allowance and line items; however, the total amount for all allowance items is included in the total award amount.

Incumbents: ENCO, LLC and MBR Construction, Inc.; Contract Title and Number: Park Improvements and Construction, T1369306B1. Contract Term for ENCO, LLC: April 12, 2016 through

April 11, 2019 and expenditures were \$3,292,097; Contract Term for MBR Construction, Inc.: April 12, 2016 through July 10, 2020 and expenditures were \$5,763,814.

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.

RQM No. PRA0004273