



# Broward County

## Legislation Details (With Text)

**File #:** 20-2135 **Version:** 1

**Status:** Agenda Ready

**In control:** COUNTY ADMINISTRATION

**On agenda:** 12/1/2020 **Final action:** 12/1/2020

**Title:** MOTION TO DISCUSS new significant information for the lease and development of Broward County-owned land in Unincorporated Southwest Broward County, and to provide direction to staff as to how to proceed with the solicitation.

**Sponsors:**

**Indexes:** Established Commission Goals

**Code sections:**

**Attachments:** 1. Exhibit 1 - 10-27-20 Email to Bang Energy - Request for Information, 2. Exhibit 2 - 11-3-20 Response from Bang Energy, 3. Exhibit 3 - 11-5-20 Request for Additional Documentation to Bang Energy, 4. Exhibit 4 - 11-11-20 Response from Bang Energy, 5. Additional Material - Information, 6. Additional Material - Information, 7. Additional Material - Information

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

**Director's Name:** Bertha Henry

**Department:** County Administration

### Information

#### Requested Action

MOTION TO DISCUSS new significant information for the lease and development of Broward County-owned land in Unincorporated Southwest Broward County, and to provide direction to staff as to how to proceed with the solicitation.

#### Why Action is Necessary

After ranking of the vendors, if there is new significant information to be considered, the County Administrator will present such information to the Board for consideration.

#### What Action Accomplishes

Provides discussion of significant new information and direction to staff.

#### Is this Action Goal Related

Yes

#### Previous Action Taken

None

#### Summary Explanation/Background

On May 1, 2020, Broward County ("County") received an unsolicited proposal from Foundry Commercial, LLC related to the lease and development of Broward County-owned land in

Unincorporated Southwest Broward County ("Unsolicited Proposal"), pursuant to Section 255.065, Florida Statutes ("P3 Statute").

On June 2, 2020 (Item No. 12), the Board directed the County Administrator to evaluate the unsolicited proposal.

On June 16, 2020 (Item No. 19), the Board directed the County Administrator to publish notice that Broward County has received an unsolicited proposal and would accept other proposals for the same project for a period of 50 days after the initial date of publication.

The Purchasing Division published Solicitation No. PNC2121385F1 Land Development Opportunity in Unincorporated Southwest Broward County. By the August 12, 2020 due date, the County received three proposals: Bridge Development Partners, LLC; Helms Development/Clarion Partners; and Vital Pharmaceuticals, Inc. (VPX), d/b/a Bang Energy. Bridge Development Partners, LLC subsequently withdrew from consideration.

On October 6, 2020 (Item No. 53), the Board approved a motion to hear presentations from all proposers. Pursuant to Section 255.065, Florida Statutes, Board of County Commissioners' approval is required to rank submitted proposals.

On October 21, 2020, the Board heard presentations, evaluated, and ranked the three proposals. The Board ranked Vital Pharmaceuticals, Inc. (VPX), d/b/a Bang Energy ("Bang Energy") as the first-ranked firm.

Subsequently, based on the Board discussions during the October 21, 2020 meeting, Bang Energy, was requested to provide the following:

- Information regarding how Bang Energy intends to deliver water to the development site; and
- Documentation detailing the approximately \$62,000 current median annual employee salary and how it was derived. (Exhibit 1)

On November 3, 2020, Bang Energy responded to the request indicating that it had retained the engineering firm of Craven Thompson to assist with this project and provided two letters (one from the City of Sunrise and the other from the City of Pembroke Pines) to answer the County's questions on water delivery. The response, without providing the requested documentation, further indicated that Bang Energy's current median annual employee salary level figure was \$62,400.36, which was generated by its payroll system, ADP (Exhibit 2).

On November 5, 2020, the County requested additional documentation regarding the current median annual employee salary level and water delivery to the development site. (Exhibit 3).

On November 11, 2020, Bang Energy responded indicating that the previously provided annual employee median salary level of \$62,400.26 was erroneously calculated and the corrected median salary figure is \$45,760. Bang Energy also attached a letter from Craven Thompson to address the water delivery issue (Exhibit 4).

Based on the information received, staff considers this new significant information related to the number one-ranked firm. Based upon its review of the new significant information, the Board, by majority vote, has the option to: (1) ratify the ranking; (2) reorder the ranking; or (3) reject all

submittals.

Additional supporting documentation provided to the Board regarding this project can be found on Broward County's Purchasing Division website at

[<http://www.broward.org/Purchasing/Pages/Repository.aspx>](http://www.broward.org/Purchasing/Pages/Repository.aspx).

**Source of Additional Information**

Sandy Michael McDonald, Director, Office of Economic and Small Business Development, 954-357-5615

Kevin Kelleher, Assistant County Administrator, 954-357-7320

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

There is no fiscal impact