



# Broward County

## Legislation Details (With Text)

<b>File #:</b>	21-824	<b>Version:</b>	1
		<b>Status:</b>	Agenda Ready
		<b>In control:</b>	PUBLIC WORKS DEPARTMENT
<b>On agenda:</b>	6/15/2021	<b>Final action:</b>	6/15/2021
<b>Title:</b>	MOTION TO AWARD open-end contracts to two low responsive, responsible bidders, Custom Tree Care, Inc. (Primary Vendor) and DRC Emergency Services, LLC (Secondary Vendor), for Disaster Debris Clearing and Removal Services, Bid No. OPN2122158B1, for Solid Waste and Recycling Services Division, in the initial three-year estimated amount of \$6,265,971, and authorize the Director of Purchasing to add two additional vendors upon receipt and acceptance of required documentation and authorize the Director of Purchasing to renew the contract for two one-year periods, for a potential five-year estimated amount of \$10,443,285. The initial contract period shall begin on the expiration of the current contract and will terminate three years from that date.		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Exhibit 1 - Bid Tabulation, 2. Exhibit 2 - Goal Memorandum dated November 2, 2020, 3. Exhibit 3 - User NonConcurrence / Concurrence Memoranda signed April 29, 2021 / May 12, 2021, 4. Exhibit 4 - Price Analysis, 5. Additional Material - Information		

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 contracts to two low responsive, responsible bidders, Custom Tree Care, Inc. (Primary Vendor) and DRC Emergency Services, LLC (Secondary Vendor), for Disaster Debris Clearing and Removal Services, Bid No. OPN2122158B1, for Solid Waste and Recycling Services Division, in the initial three-year estimated amount of \$6,265,971, and authorize the Director of Purchasing to add two additional vendors upon receipt and acceptance of required documentation and authorize the Director of Purchasing to renew the contract for two one-year periods, for a potential five-year estimated amount of \$10,443,285. The initial contract period shall begin on the expiration of the current contract and will terminate three years from that date.

#### Why Action is Necessary

In accordance with the Broward County Procurement Code, Section 21.47(a), Award and Execution Authority, Board approval is required for awards exceeding \$500,000 inclusive of the value of any renewals or extensions provided for in the contract.

#### What Action Accomplishes

Provides an open-end contract with two low responsive, responsible vendors, for all labor, materials, and equipment required to perform debris clearing and removal services in anticipation of, and after,

a declared disaster event in accordance with Federal, State, and other regulatory requirements.

**Is this Action Goal Related**

No

**Previous Action Taken**

None.

**Summary Explanation/Background**

THE PURCHASING DIVISION AND THE PUBLIC WORKS DEPARTMENT/SOLID WASTE AND RECYCLING SERVICES DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTION.

The Office of Economic and Small Business Development did not reserve this project for Small Business Enterprises under the Sheltered Market Program or assign County Business Enterprise participation goals to this solicitation based upon the potential costs of services provided under these contracts to be eligible for reimbursement from the Federal Emergency Management Agency (FEMA). Title 2, Code of Federal Regulations, Chapter II, Part 200, Subsection 200.319, requires a non-Federal entity (Broward County) to conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals (Exhibit 2).

The purpose of this contract is to provide labor, materials, and equipment required for cost-effective and efficient legal clearing and removal services of eligible debris in anticipation of, and after, the declaration of a disaster in accordance with Federal, State, and other regulatory requirements for Solid Waste and Recycling Services Division and other County agencies in need of these FEMA-compliant services. The services may be reimbursed by FEMA following a declared emergency. Estimated quantities, per historical disaster events (i.e., one event per year), are for bid comparison purposes only, and are used to determine the unit prices for all services to be provided under this contract.

The solicitation specified a basis of award of Multiple Awards, which provided for awards to be made to a maximum of four responsive, responsible Vendors. The low, responsive, responsible Vendor will be designated as the Primary Vendor; the next low, responsive, responsible Vendor will be designated as the Secondary Vendor; the third low, responsive, responsible Vendor will be designated as the Tertiary Vendor; and the fourth low, responsive, responsible Vendor will be designated as the Quaternary Vendor. The Primary contract will be awarded to the low responsive, responsible Vendor (Primary Vendor). The Secondary, Tertiary, and Quaternary contracts (if applicable) will be awarded to the second lowest, responsive, responsible Vendor (Secondary Vendor); third lowest, responsive, responsible Vendor (Tertiary Vendor); and fourth lowest, responsive, responsible Vendor (Quaternary Vendor) (if applicable), based upon the same unit prices as those submitted by the Primary Vendor for each line item. Work will be issued to the Secondary, Tertiary or Quaternary Vendor(s) when the Primary Vendor is unable to perform, or when the County determines that the Primary Vendor's maximum service capacity has been reached and additional service capacity is still needed by the County.

In accordance with the solicitation requirements, Vendor Questionnaire No. 32, bidders were required to provide references of at least three individuals, corporations, agencies, or institutions for which the firm had completed work of a similar nature in the past three years. The apparent low bidder, Miami

Quick Cleaning LLC, did not demonstrate in its bid response the required experience, capacity, or resources to perform the tasks associated with the size and scope of this solicitation. Solid Waste Recycling Services Division issued a Non-Concurrence to Award the apparent low bidder, Miami Quick Cleaning LLC, based on the bidder's failure to demonstrate historical experience of work performed of a similar nature within the past three years as required in the solicitation (Exhibit 3). The Director of Purchasing determined that the apparent low bidder, Miami Quick Cleaning LLC, is non-responsible to the bid requirements and is rejected for failure to provide evidence of experience in work of a similar nature over the past three years.

Solid Waste and Recycling Services Division has reviewed the bids submitted by the two low responsive, responsible bidders, Custom Tree Care, Inc. (Primary Vendor) and DRC Emergency Services, LLC (Secondary Vendor), and concurs with the recommendations for award (Exhibit 3). There have been no vendor performance evaluations completed for Custom Tree Care, Inc. (Primary Vendor) or DRC Emergency Services, LLC (Secondary Vendor).

The Purchasing Division has analyzed the prices submitted by the two recommended bidders (Exhibit 4). In accordance with the terms and conditions of the solicitation, DRC Emergency Services, LLC (Secondary Vendor) accepted an amendment to the solicitation which matches the unit prices for each of the line items, in each of the groups, including the total amount to the submittal by the Primary Vendor, Custom Tree Care, Inc., and to ensure compliance with Federal, State, and other regulatory requirements.

Upon determination of at least two low responsive, responsible Vendors and in accordance with the solicitation's Multiple Awards basis of award procedure, the contracts for award to the Primary and Secondary Vendors are based upon the same unit prices as those of the Primary Vendor for each line item. Upon determination that two additional low Vendors are responsive and responsible, the Director of Purchasing is authorized to award to the Tertiary and Quaternary Vendors based upon the same unit prices as those of the Primary Vendor for each line item.

Incumbents: Ceres Environmental, Inc. and DRC Emergency Services LLC, Contract Number and Title: T2111251B1, Disaster Debris Clearing and Removal Services. Contract Term: October 4, 2016 through June 28, 2021. Expenditures to date: \$2,177,664 and \$0, respectively.

The Award of these contracts is conditioned upon there being no protest or appeal filed regarding this procurement. The Recommendation for Award was posted on the Purchasing Division website from June 1 - 7, 2021 at which time any aggrieved vendor could have protested the results.

The bid posted on March 15, 2021 and opened on March 31, 2021; 12 bids were received, including a partial bid with no declinations (Exhibit 1).

### **Source of Additional Information**

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

### **Fiscal Impact**

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

The exact needs and costs for these services cannot be pre-determined because the size and cost of services are unique to each declared emergency event. Therefore, purchase orders or notices to proceed will establish not-to-exceed limits for each emergency event.

Requisition No. SWR0001169