



Broward County

Legislation Details (With Text)

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In control: FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

On agenda: 3/7/2024 **Final action:** 3/7/2024

Title: MOTION TO AWARD fixed contract to low responsive, responsible bidder, MBR Construction, Inc., for Hollywood North Beach Park Mooring Fields, Bid No. PNC2127029C1, for the Parks and Recreation Division in amount of \$5,926,882, which includes allowances in the amount of \$200,000; and authorize the Mayor and Clerk to execute same.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1 - Bid Tabulation, 2. Exhibit 2 - OESBD Goal Compliance Memorandum dated December 22, 2023, 3. Exhibit 3 - User Non-Concurrence Memorandum signed December 7, 2023, 4. Exhibit 4 - User Concurrence Memorandum signed January 17, 2024, 5. Exhibit 5 - Price Analysis PNC2127029C1, 6. Exhibit 6 - Agreement

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 fixed contract to low responsive, responsible bidder, MBR Construction, Inc., for Hollywood North Beach Park Mooring Fields, Bid No. PNC2127029C1, for the Parks and Recreation Division in amount of \$5,926,882, which includes allowances in the amount of \$200,000; and authorize the Mayor and Clerk to execute same.

Why Action is Necessary

In accordance with Broward County Procurement Code Section 21.47(a), Award and Execution Authority, the Board shall make all awards, and authorize the execution of the associated contracts, with a value of more than \$500,000, inclusive of the value of any renewals or extensions provided in the contract.

What Action Accomplishes

Provides all labor, materials, equipment, services, and incidentals necessary for permitting and construction of the Hollywood North Beach Park Mooring Fields project for the Parks and Recreation Division.

Goal Related Icon(s)

- ☐ County Commission
- ☐ Go Green

☐ MAP Broward

Previous Action Taken

None

Summary Explanation/Background

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

The Office of Economic and Small Business Development (OESBD) established a County Business Enterprise (CBE) goal of 10% for this contract. MBR Construction, Inc. (MBR), committed to 10% CBE participation, which has been reviewed and approved by OESBD (Exhibit 2).

The purpose of this fixed contract is to provide for all labor, materials, equipment, services, and incidentals for permitting and construction of the Hollywood North Beach Park Mooring Fields, including both marine construction and upland site construction at the Loggerhead Park site of Hollywood North Beach Park for the Parks and Recreation Division.

This fixed contract carries a 100% performance and payment guaranty. The Purchasing Division has confirmed with the surety company that MBR has the capacity to obtain the required guaranty.

The allowances in this fixed contract, in the amount of \$200,000, are designated for non-County building permits, inspections, utility fees and certificates of completion. Expenditures under these allowance items must be approved by the Contract Administrator prior to purchase and will be reimbursed at the contractor's actual incurred cost, without mark-up.

The Director of Purchasing rejected the bid submission from the apparent low bidder, Home Express, Corp., on the basis of non-responsiveness and non-responsibility. Regarding the determination of non-responsiveness, Home Express, Corp. was deemed non-compliant with the CBE requirements of the solicitation (Exhibit 2). Regarding the determination of non-responsibility, Home Express, Corp. did not demonstrate in its bid response or subsequent correspondence sufficient evidence of the required experience to perform the specified services. Additionally, Home Express, Corp. was issued a Notice of Termination for Cause related to a lack of progress of the work, lack of appropriate staffing, and construction deficiency issues on Broward County Contract No. PNC2122969C1, Central HAC Plumbing Renovations. Accordingly, the Parks and Recreation Division issued a non-concurrence to award Home Express, Corp. (Exhibit 3). The difference in the bid amount of the apparent low bidder and the recommended bidder is \$1,436,680 or 32%.

The Parks and Recreation Division has reviewed the bid submitted by MBR and concurs with the recommendation for award (Exhibit 4). Four vendor performance evaluations were completed for MBR; the firm has an overall performance rating of 3.83 out of possible rating of 5.0. Copies of the vendor performance evaluations are available upon request.

In accordance with Procurement Code Section 21.41(b), Procedures for ITBs, MBR offered a voluntary price reduction resulting in a savings of \$10,000, for a revised contract amount of \$5,926,882.

The Purchasing Division researched the prices submitted by the low responsive, responsible bidder, MBR, and determined that the prices submitted are fair and reasonable as compared to the estimate

(Exhibit 5).

The bid was advertised on October 6, 2023 and opened on November 17, 2023; three bids were received with no declinations (Exhibit 1).

The Recommendation for Award was posted on the Purchasing Division website from January 29, 2024 through February 2, 2024. There was no protest or appeal filed against this procurement.

The amounts referenced in this agenda item 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.

Source of Additional Information

Robert E. Gleason, Director, Purchasing Division, 954-357-6070

Fiscal Impact

Fiscal Impact/Cost Summary

Funds for this project, in the total amount of \$5,926,882, are allocated in the General Capital Outlay Fund, Broward Boating Improvement Fund, and FWC HNB Mooring Field Phase II Fund.

Requisition No.: PRA0007988