



Broward County

Legislation Text

File #: 21-789, Version: 1

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 four low responsive, responsible bidders: Ceres Environmental Services, Inc. (Primary Vendor); Custom Tree Care, Inc. (Secondary Vendor); AshBritt, Inc. (Tertiary Vendor); and Grubbs Emergency Services, LLC (Quaternary Vendor), for Temporary Debris Management Site Services, Bid No. OPN2122159B1, for Solid Waste and Recycling Services, in the total initial three-year estimated amount of \$310,966,500, which include allowances in the annual amount of \$9,003,000, and authorize the Director of Purchasing to renew the contracts for two one-year periods, for a total potential five-year estimated amount of \$518,277,500. 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 open-end contracts with four low responsive, responsible vendors, for all labor, materials, and equipment required to operate and manage one or more temporary debris sites before and after a declared disaster event in accordance with Federal, State, and any 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 these contracts is to provide labor, materials, and equipment required for cost-effective and efficient disaster debris management at one or more temporary locations prior to final disposal of eligible debris in accordance with Federal, State, and other regulatory requirements. 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 these contracts.

The allowances in these contracts in the annual amount of \$9,003,000 include: \$9,000,000 for final disposal of disaster debris, and \$3,000 for permit fees for agencies other than Broward County.

The solicitation specified a basis of award of Multiple Awards that 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 etc. 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, Graham County Land Company, LLC, provided three references of which only one of the references responded to the County's vendor reference verification process by stating they had not heard of Graham County Land Company, LLC. Solid Waste Recycling Services issued a Non-Concurrence to Award the apparent low bidder, Graham County Land Company, 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 the apparent low bidder, Graham County Land Company, 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 Recycling Services has reviewed the bid submitted by the four low responsive, responsible bidders: Ceres Environmental Services, Inc. (Primary Vendor); Custom Tree Care, Inc. (Secondary Vendor); AshBritt, Inc. (Tertiary Vendor); and Grubbs Emergency Services, LLC

(Quaternary Vendor); and concurs with the recommendations for award (Exhibit 3). Ceres Environmental Services, Inc. and AshBritt, Inc. each had one vendor performance evaluation completed over the past five years, with a rating of 4.11 out of 5.0 and 4.24 out of 5.0, respectively. There is no vendor performance evaluation for Custom Tree Care, Inc. or Grubbs Emergency Services, LLC. Copies of vendor performance evaluations are available upon request.

Upon determination of four low responsive, responsible vendors and in accordance with the solicitation's Multiple Awards basis of award procedure, the contracts for award to the Primary, Secondary, Tertiary, and Quaternary Vendors are based upon the same unit prices as those of the Primary Vendor for each line item (Exhibit 4).

Incumbents: AshBritt, Inc.; Bergeron Emergency Services, Inc.; and DRC Emergency Services, LLC, Contract Number and Title: C2111741B1, Temporary Debris Management Site Services. Contract Term: December 14, 2016 through June 28, 2021. Expenditures to date: \$6,168,224; \$0; 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; eight bids were received 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 event. Purchase orders or notices to proceed will establish not-to-exceed limits for each declared disaster.

Requisition No. SWR0001170