



Finance and Administrative Services Department

PURCHASING DIVISION

115 S. Andrews Avenue, Room 212 • Fort Lauderdale, Florida 33301 • 954-357-6066 • FAX 954-357-8535

Via Email Transmittal

December 20, 2022

Joshua Freeman
LSN Partners, LLC
1512 East Broward Blvd., Suite 101
Fort Lauderdale, FL 33301

Re: Objection to Proposed Ranking - Request for Proposals (RFP) PNC2124755P1,
2023 Port Everglades Master/Vision Plan Update

Dear Mr. Freeman:

The Broward County Purchasing Division ("Purchasing") is in receipt of your firm's timely objection letter dated and received on November 28, 2022, on behalf of your client, Jacobs Engineering Group, Inc. ("Jacobs"), in objection to the Proposed Recommendation of Ranking for RFP No. PNC2124755P1. The Proposed Recommendation of Ranking was posted from November 21 - 28, 2022. This response letter includes the asserted objection and the County's corresponding response as follows:

Objection:

The proposed recommended rankings must be rejected and a new Evaluation Committee ("EC") with no fewer than three voting members must be convened.

Your objection letter asserts that "Broward County Code Section 21.42(c) requires that ECs for all RFPs be in accordance with Section 21.45. Specifically, Code Section 21.45(a)(1) states, "The Evaluation Committee shall have no fewer than three (3) voting members". [Objection letter, page 1]". The letter of objection to proposed ranking further alleges that "The County's procedure requires that the EC include at least three voting members. This is a mandatory provision of the Code." [Objection letter, page 2].

Response:

Section 21.45(a)(1) of the Broward County Administrative Code ("Procurement Code") requires the County Administrator to establish an Evaluation Committee for each RFP, RLI, and RFQ in accordance with the following: "The Evaluation Committee shall have no fewer than three (3) voting members". The County Administrator appointed three voting members to the Evaluation Committee for this procurement, RFP No. PNC2124755P1.

However, Section 21.45(d) of the Procurement Code further establishes "...the physical presence of a majority of the voting members of the Evaluation Committee shall constitute a quorum. Once a quorum is established, an Evaluation Committee meeting may proceed without regard to the absence of any other members". In this case, the majority (two) of the appointed and voting Evaluation Committee members were physically present in the room - during the meeting that involved vendor presentations and scoring and ranking by Evaluation Committee members - as required by Section 21.45(e) of the Procurement Code which specifies: "...only Evaluation Committee members who are physically present at all meetings that involve presentations by vendors or the scoring or ranking of vendors may cast a vote regarding such scoring or ranking." As outlined above, the Evaluation Committee meeting was conducted in accordance with the Procurement Code.

Broward County Board of County Commissioners


Mark D. Bogen • Lamar P. Fisher • Beam Furr • Steve Geller • Robert McKinzie • Nan H. Rich • Hazelle P. Rogers • Tim Ryan • Michael Udine
www.broward.org

Joshua Freeman, LSN Partners, LLC
Objection to Proposed Ranking - RFP No. PNC2124755P1, Port Everglades Master/Vision Plan Update
December 20, 2022
Page 2 of 2

In review of the procurement record, statements by parties to the objection, and the proceedings of the Evaluation Committee, I find that the issue raised in the objection is not of sufficient merit to rescind or otherwise alter (reject) the proposed recommendation of ranking that resulted from the scoring and ranking by the Evaluation Committee members. No new substantive information was presented to warrant the reconvening of the Evaluation Committee. The meeting and the Evaluation Committee members' scoring and ranking of firms was conducted appropriately and within the established guidelines, practices, and procedures set forth in the Broward County Procurement Code, Ordinances, and existing written guidelines. As such, the objection is denied.

Respectfully,

Robert
Gleason

 Digitally signed by Robert
Gleason
Date: 2022.12.20
14:09:30 -05'00'

Robert E. Gleason, Director
Purchasing Division

Attachment

REG/ccs/mml/sl

c: Dr. Natacha Yacinthe, Seaport Planning Manager, Port Everglades Department
Christine Shorey, Purchasing Manager, Purchasing Division
Michelle Lemire, Purchasing Agent Senior, Purchasing Division
Fernando Amuchastegui, Senior Assistant County Attorney, Office of the County Attorney