



## Legislation Text

**File #:** 18-0606, **Version:** 2

MOTION TO AWARD RE-18-06 "PARKS SEASONAL PALM SERVICE" TO DYNASERV FLORIDA LLC IN THE AMOUNT OF \$31,993.95, IN THE BEST INTEREST OF THE CITY PURSUANT TO SECTION 35.18(C) (8) OF THE PROCUREMENT CODE.

### **SUMMARY EXPLANATION AND BACKGROUND:**

1. On March 21, 2018, the City Commission authorized the advertisement of RE-18-06 "Parks Seasonal Palm Service", which was advertised on March 29, 2018.
2. The purpose of this solicitation was to perform a seasonal Palm trimming service throughout the Parks system.
3. On April 24, 2018, the City opened four (4) proposals from the following vendors:

<b>Vendor Name</b>	<b>Total Cost</b>
Superior Landscaping & Lawn Service, Inc.	\$29,960.00
ADFS, LLC	\$30,245.00
DynaServ	\$31,993.95
Rangeley Lawn & Property Maintenance, INC.	\$34,852.00
4. The Recreation and Cultural Arts Department has reviewed the proposals and is recommending the contract to be awarded to the third lowest vendor, DynaServ, pursuant to section 35.18(C)(8) "Best interest of the City" of the City's Procurement Code.
5. Section 35.18(C)(8) Best interest of the City states "Purchases of and contracts for commodities or services are exempt from this section when the City Commission declares by a simple majority affirmative vote that the process of competitive bidding and competitive proposals is not in the best interest of the city. The City Commission shall make specific factual findings that support its determination, and such contracts shall not be placed on the City Commission consent agenda."

### 6. Below are the factual findings:

1. DynaServ is the prime subcontractor of the Parks Maintenance Agreement with Calvin Giordano & Associates.
2. The Parks Maintenance Agreement with Calvin Giordano specifically excludes the maintenance of trees over 10 feet.
3. The Director of Recreation solicited pricing to accomplish this work.
4. DynaServ bid on the project and their cost is \$2,033.95 more than the lowest vendor.
5. Having contractors in the parks other than the prime contractor has challenges. Challenges that include scheduling of work to avoid interruption of service and damage to irrigation as a result of not knowing where things are in the park.

6. Having the prime contractor conduct the tree trimming work will allow for an efficient scheduling of the regular maintenance and the tree trimming work while avoiding or eliminating the potential for damage to the irrigation system from the heavy equipment being used in the park.

7. The \$2,033.95 difference in cost is justified in order to have the same contractor that conducts the daily maintenance also provide the tree trimming service.

7. The Recreation and Cultural Arts Director will work on an amendment for future Commission consideration to add this tree trimming work in the scope of work for the Calvin, Giordano & Associates Parks Maintenance Agreement.

8. DynaServ has also completed the Equal Benefits Certification Form and has stated that the "Contractor currently complies with the requirements of this section."

9. However, DynaServ did not select any answer on Attachment D "Sworn Statement on Public Entity Crimes". Per § 35.19 (E)(7) of the City's Procurement Procedures, "The City reserves the right to waive any irregularities in the bids, as determined by the Chief Procurement Officer and approved by the City Manager."

10. Per section 35.19(E)(7), DynaServ submitted a completed Attachment D, in which they selected that "neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor any affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989."

11. Request Commission to award RE-18-06 "Parks Seasonal Palm Service", to DynaServ Florida LLC in the amount of \$31,993.95, in the best interest of the City pursuant to section 35.18(C)(8) of the procurement code.

#### **FINANCIAL IMPACT DETAIL:**

**a) Initial Cost:** \$31,993.95

**b) Amount budgeted for this item in Account No:** Funds are currently budgeted for this project in account # 1-572-7001-46150 (R&M land, building & improvements).

**c) Source of funding for difference, if not fully budgeted:** Not Applicable.

**d) 5 year projection of the operational cost of the project:** Not Applicable.

**e) Detail of additional staff requirements:** Not Applicable.