



Legislation Text

File #: 19-1000, **Version:** 1

MOTION TO REJECT THE SOLE BID FOR PSPW-19-07 "CONSTRUCTION OF RAINTREE PARK" AND TO APPROVE THE NEGOTIATED AGREEMENT BETWEEN THE CITY OF PEMBROKE PINES AND THE SOLE BIDDER, WEEKLEY ASPHALT PAVING INC., IN THE AMOUNT NOT TO EXCEED \$495,000, WHICH INCLUDES A 10% OWNER'S CONTINGENCY IN THE AMOUNT OF \$45,000, IN THE BEST INTEREST OF THE CITY, PURSUANT TO SECTION 35.18(C)(8) OF THE CITY'S CODE OF ORDINANCES.

SUMMARY EXPLANATION AND BACKGROUND:

1. On June 19, 2019, the City Commission authorized the advertisement of PSPW-19-07 "Construction of Raintree Park", which was advertised on June 25, 2019.

2. The purpose of this solicitation was to find a qualified firm to make improvements to the linear park inside of the Raintree property generally located North Of Pembroke Road And West Of Hiatus Road.

3. On July 23, 2019, the City opened one (1) proposal from the following vendor:

Vendor Name	Total Cost
Weekley Asphalt Paving Inc.	\$478,949.00

4. The Public Services Department has reviewed the proposal and has deemed Weekley Asphalt Paving Inc. to be a responsive/responsible bidder.

5. In addition, Weekley Asphalt Paving Inc. has also completed the Equal Benefits Certification Form and has stated that the "Contractor currently complies with the requirements of this section."

6. On December 21, 2011, the City Commission approved the Hoyer Homes LLC Agreement to purchase 32.9 Acres of the Raintree Property for a purchase price of \$3,100,000. As part of this sale agreement, \$450,000 was contributed by the developer (Hoyer Homes LLC) for the linear park improvements at the Raintree Property.

7. Pursuant to Section 35.15 "Definitions" of the City's Code of Ordinances, Request for Letters of Interest, Request for Proposals and Request for Qualifications allow for the City to engage in competitive negotiations with responsible offerors determined to be reasonably susceptible of being selected for award.

8. The definition for an Invitation to Bid does not contemplate any competitive negotiations.

9. As the bid which was submitted by Weekley Asphalt Paving Inc. came in over the budgeted \$450,000, the Public Services Department was able to negotiate the cost of the project down from the proposed \$478,949 to the budgeted \$450,000 in the Best Interest of the City.

10. Section 35.18(C)(8) of the City's Code of Ordinances, entitled Best Interest of the City states that "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 may be placed on the City Commission consent agenda."

11. Below are the factual findings:

- Weekley Asphalt Paving Inc. was the sole bidder, so no other vendor was negatively affected by the negotiations.
- Weekley Asphalt Paving Inc. was able to bring down the cost of the project by \$28,949, which will allow the City to move forward with the project.
- Weekley Asphalt Paving Inc. has successfully completed several projects for the City in the past.

12. The Public Services Department would like to add a 10% owner's contingency to the project to cover any additional services needed, which will increase the total cost from \$450,000 to \$495,000.

13. Request Commission to reject the sole bid for PSPW-19-07 "Construction of Raintree Park" and to approve the negotiated agreement between the City of Pembroke Pines and the sole bidder, Weekley Asphalt Paving Inc., in the amount not to exceed \$495,000, which includes a 10% owner's contingency in the amount of \$45,000, in the Best Interest of the City, Pursuant to Section 35.18(C) (8) of the City's Code of Ordinances.

Item has been reviewed and approved by the Commission Auditor.

FINANCIAL IMPACT DETAIL:

a) Initial Cost: \$495,000

b) Amount budgeted for this item in Account No: On 12/21/2011, Commission approved the Hoyer Homes LLC Agreement to purchase 32.9 Acres of the Raintree Property for a purchase price of \$3,100,000. As part of this sale agreement, \$450,000 was contributed by the developer (Hoyer Homes LLC) for the linear park improvements at the Raintree Property. A budget adjustment will need to be made to move the available project funds that have been contributed by the developer to account # 320-572-7001-63056 (Linear Park).

\$444,100 is available in the municipal construction fund contributed by the developer. The remaining \$50,900 will come from available funds. Upon commission approval, a budget adjustment will be created to increase the municipal construction fund as follows:

Dr: 320-572-7001-63056 -Linear Park

Dr: 320-389940 - Beginning Surplus

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.