



Legislation Text

File #: 20-0181, **Version:** 1

MOTION TO AWARD IFB # PSPW-19-14 "REBID OF ROOF REPLACEMENTS FOR THE HAZARD MITIGATION GRANT", IN THE BEST INTEREST OF THE CITY, TO PAUL BANGE ROOFING IN TOTAL AMOUNT NOT TO EXCEED \$1,073,903.52, WHICH INCLUDES A 10% OWNER'S CONTINGENCY IN THE AMOUNT OF \$95,035.71 AND A 3% PERMIT ALLOWANCE IN THE AMOUNT OF \$28,510.71, PURSUANT TO SECTION 35.18(C)(8) OF THE CITY'S CODE OF ORDINANCES.

PROCUREMENT PROCESS TAKEN:

- Chapter 35 of the City's Code of Ordinances is titled "PROCUREMENT PROCEDURES, PUBLIC FUNDS."
- Section 35.15 defines an Invitation for Bid as "A written solicitation for competitive sealed bids with the title, date and hour of the public bid opening designated therein and specifically defining the commodities or services for which bids are sought. The invitation for bid shall be used when the city is capable of specifically defining the scope of work for which a service is required or when the city is capable of establishing 15 precise specifications defining the actual commodities required. The invitation for bid shall include instructions to bidders, plans, drawings and specifications, if any, bid form and other required forms and documents to be submitted with the bid."
- Section 35.18(A) states, "A purchase of or contracts for commodities or services that is estimated by the Chief Procurement Officer to cost more than \$25,000 shall be based on sealed competitive solicitations as determined by the Chief Procurement Officer, except as specifically provided herein."
- Section 35.18(C)(8) states, "Best interest of the city. 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."
- Section 35.19(A) states, "All sealed competitive solicitations as defined in §35.18 shall be presented to the City Commission for their consideration prior to advertisement."
- Section 35.21(A)(1) states, "An initial purchase of, or contract for, commodities or services, in excess of \$25,000, shall require the approval of the City Commission, regardless of whether the competitive bidding or competitive proposal procedures were followed."

SUMMARY EXPLANATION AND BACKGROUND:

1. On April 17, 2019, the City Commission approved a motion to accept the Grant Agreement between the Federal Emergency Management Agency (FEMA), the Florida Division of Emergency Management (FDEM) and the City Of Pembroke Pines for a total of \$3,556,068 for the Hazard Mitigation Grant Program.
2. The Federal Emergency Management Agency (FEMA) awarded a grant to the Florida Division of Emergency Management (FDEM) as a part of the Hazard Mitigation Grant Program (HMGP). The HMGP provides funds to states, Federally-recognized tribes or territories, and local communities after a disaster declaration to protect public or private property through various mitigation measures, which includes implementation of critical upgrades and other measures that reduce the risk of loss of life and property from future disasters. This grant is being awarded to FDEM as a “pass-through” entity, providing the monies as a “subaward” to the City, which is considered a Sub-Recipient. As defined by 2 C.F.R. §200.92, “subaward” means “an award provided by a pass-through entity to a Sub-Recipient for the Sub-Recipient to carry out part of a Federal award received by the pass-through entity.” The total of the HMGP grant was \$3,556,068.
3. On October 2, 2019, the City Commission approved the advertisement of IFB # PSPW-19-09 "Roof Replacements for Hazard Mitigation Grant", which was advertised on October 8, 2019.
4. The purpose of this solicitation was to provide roof replacement services at various City buildings utilizing a hazard mitigation grant.
5. On December 4, 2019, the City Commission approved to reject all proposals to IFB # PSPW-19-09 "Roof Replacement for Hazard Mitigation Grant", and authorized the advertisement of IFB # PSPW-19-14 "Rebid of Roof Replacement for Hazard Mitigation Grant", which was advertised on December 10, 2019.
6. On January 21, 2020, the City opened five (5) proposals from the following vendors:

Vendor	Cost
Assured Contracting LLC	\$ 727,983.40
Paul Bange Roofing	\$ 950,357.10
Fullcover Roofing Systems, Inc.	\$ 990,757.00
Therma Seal Roof Systems, LLC	\$1,009,301.22
Trusted Contrustion, Inc.	\$1,195,057.50

7. The costs above are comprised of the following locations:

- Fire Station 101
- Fire Station 99
- Fire Station 79
- Fire Station 33
- West PD Sub Station

8. The Procurement Department has deemed Assured Contracting LLC non-responsive for not

submitting the required 5 % bid bond. In addition, Assured Contracting LLC also did not submit a completed: Attachment A, Attachment B, Attachment C, Attachment F, Attachment G, Attachment I, Attachment J, Attachment M, and Standard Form LLL.

9. The Public Services Department is recommending to award the second lowest vendor, Paul Bange Roofing, pursuant to section 35.18(C)(8) "Best Interest of the City".

10. Below are the factual findings:

- This project previously went out to bid as IFB # PSPW-19-09 "Roof Replacements for Hazard Mitigation Grant", but only one bid was received and the vendor was found to be non-responsive. City Commission approved to reject all bids, and rebid the project as IFB # PSPW-19-14 "Rebid of Roof Replacements for Hazard Mitigation Grant".
- The second lowest vendor, Paul Bange Roofing, submitted all documents except for Attachment I. The vendor has submitted to the Procurement Department a completed Attachment I.
- There was no vendor who submitted all of the required forms.
- If this project is not awarded and required to be rebid, the Public Services Department will not be able to complete the project as anticipated before the rainy season.
- The City will run the risk of losing the grant funding for this project if it is not completed by October 31, 2020.

11. In addition, Paul Bange Roofing has also completed the Equal Benefits Certification Form and has stated that the "Contractor currently complies with the requirements of this section."

12. The City will be requesting for the Florida Division of Emergency Management (FDEM) to provide additional funding as the cost of the project exceeded the original estimate.

13. Request Commission to award IFB # PSPW-19-14 "Rebid of Roof Replacements for Hazard Mitigation Grant", in the Best Interest of the City, to Paul Bange Roofing in the total amount not to exceed \$1,073,903.52, which includes a 10% owner's contingency in the amount of \$95,035.71 and a 3% permit allowance in the amount of 28,510.71, pursuant to Section 35.18(C)(8) of the City's Code of Ordinances .

FINANCIAL IMPACT DETAIL:

a) Initial Cost: The total cost of this project is \$1,073,903.52. The 2019-20 Budget includes \$874,224 for the roof replacements, of which \$655,668 is provided by the FEMA Grant (75% of the budgeted funds).

b) Amount budgeted for this item in Account No: Funds are currently budgeted for this project in account #'s :

Project Location	Account Code	Total Cost
Fire Station 79	1-4003-4337-529-62009	\$ 161,280
Fire Station 99	1-4003-4337-529-62026	\$ 146,880
West PD Substation	1-3001-4337-529-62053	\$ 162,720
Fire Station 33	1-4003-4337-529-62012	\$ 160,560

Fire Station 101 1-4003-4337-529-62031 \$ 242,784

c) Source of funding for difference, if not fully budgeted: Upon Commission approval, a budget adjustment will be made to transfer \$199,680 from 1-519-800-30010 (Contingency)

To:

1-4003-4337-529-62009 (Fire Station 79 - Alhambra) \$32,571
1-4003-4337-529-62026 (Fire Station 99 - Pembroke Isles) \$26,349
1-3001-4337-529-62053 (West Police Substation) \$37,978
1-4003-4337-529-62012 (Fire Station 33 - 72nd Avenue) \$50,578
1-4003-4337-529-62031 (Fire Station 101 - Stirling Rd) \$52,205

If the Florida Division of Emergency Management (FDEM) approves to increase the funding to the City, the amount of Contingency funds to be utilized will be decreased accordingly. (75% of the additional \$199,680 necessary)

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

e) Detail of additional staff requirements: Not Applicable.