



Legislation Text

File #: 20-0549, Version: 1

MOTION TO APPROVE THE FINDINGS AND RECOMMENDATIONS OF THE EVALUATION COMMITTEE AND TO AWARD RFQ #PSUT-20-03 "DESIGN & POST DESIGN SERVICES: WWTP WEST & EAST SURGE TANK REHABILITATION" TO LAKDAS YOHALEM ENGINEERING, INC., AND TO DIRECT THE CITY MANAGER TO NEGOTIATE A CONTRACT FOR SERVICES, IN ACCORDANCE WITH FLORIDA STATUTE 287.055, CONSULTANTS COMPETITIVE NEGOTIATIONS ACT (CCNA).

PROCUREMENT PROCESS TAKEN:

- *Chapter 35 of the City's Code of Ordinance is titled "PROCUREMENT PROCEDURES, PUBLIC FUNDS."*
- *Section 35.15 defines a Request for Qualifications as "A written solicitation for competitive sealed offers with the title, date and hour of the public opening designated. A request for qualifications shall include, but is not limited to, general information, functional or general specifications, statement of work, instructions for offer and evaluation criteria. All requests for qualifications shall state the relative importance of the evaluation criteria. The city may engage in competitive negotiations with responsible offerors determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of and conformance to the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of offers, and such revisions may be permitted after submissions and prior to award for the purpose of obtaining the best and final offer."*
- *Florida Statute (F.S.) 287.055 is known as the "Consultant's Competitive Negotiation Act" (CCNA).*
- *F.S. Section 287.055(2)(a) defines Professional services as "those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by the laws of the state, or those performed by any architect, professional engineer, landscape architect, or registered surveyor and mapper in connection with his or her professional employment or practice."*
- *F.S. Section 287.055(2)(f) states "Project" means that fixed capital outlay study or planning activity described in the public notice of the state or a state agency under paragraph (3)(a). A project may include:*
 - 1. A grouping of minor construction, rehabilitation, or renovation activities.*
 - 2. A grouping of substantially similar construction, rehabilitation, or renovation activities.*
- *F.S. Section 287.055(3)(a)(1) states "Each agency shall publicly announce, in a uniform and*

consistent manner, each occasion when professional services must be purchased for a project the basic construction cost of which is estimated by the agency to exceed the threshold amount provided in s.287.017 for CATEGORY FIVE (\$325,000) or for a planning or study activity when the fee for professional services exceeds the threshold amount provided in s.287.017 for CATEGORY TWO (\$35,000), except in cases of valid public emergencies certified by the agency head. The public notice must include a general description of the project and must indicate how interested consultants may apply for consideration."

- 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 February 5, 2020, the City Commission authorized the advertisement of RFQ #PSUT-20-03 "Design & Post Design Services: WWTP West & East Surge Tank Rehabilitation."

2. The purpose of this solicitation is to seek qualification statements from qualified firms to provide design and post design services for the repair of the structural steel, where required, and dome connections (bearing plates) at both the West and East Surge Tanks at the Waste Water Treatment Plant located at 13955 Pembroke Road, Pembroke Pines, FL 33029.

3. On March 10, 2020, the City opened two (2) proposals from the following vendors:

Vendor Name

- SLM Engineers LLC
- Lakdas Yohalem Engineering, Inc.

4. On May 12, 2020, the City convened an evaluation committee that was tasked with selecting, in order of preference, no less than three firms deemed to be the most highly qualified to perform the required services. In determining whether a firm is qualified, the evaluation committee evaluated the qualifications of the proposers based on the weighted criteria below:

- 1) Adequacy of Personnel/Ability of Professional Personnel (25%)
- 2) Whether a firm is a Certified Minority Business Enterprise (5%)
- 3) Past Record/Past Performance (25%)
- 4) Capabilities (25%)
- 5) Experience (of the firm or individual) (20%)

In the event a score, for an individual evaluator, resulted in a tie, the ranking for the tied vendors would have been broken based on the volume of work previously awarded to each firm by the City (the least amount of previously awarded work would result in the most favorable ranking) as outlined in Florida Statute 287.055(4)(b). In the event the results were still a tie, the score would have been broken by giving preference to a business that certified that it has implemented a drug-free workplace program on the Vendor Drug-Free Workplace Certification Form, as outlined in Florida Statute 287.087. In the event the results were still a tie, the score would have been broken by publicly drawing lots, as outlined in Chapter 35 of the City's Code of Ordinances. The same procedures

would also be used in the event the aggregate scores of the overall committee resulted in a tie.

5. At the May 12, 2020 meeting, the evaluation committee made a motion, which passed unanimously, to deem all responding firms, SLM Engineers LLC and Lakdas Yohalem Engineering, Inc., qualified and to schedule a second meeting for questions and answers, allowing for 15 minutes for each firm to have discussions with the Committee.

6. On June 3, 2020, the City re-convened the evaluation committee. The evaluation committee had discussions with each of the firms regarding their: (1) Qualifications; (2) Approach to the project; and (3) Ability to furnish the required services.

7. After having discussions with the firms, the evaluation committee eventually scored and ranked the firms based on the weighted criteria provided for in the solicitation documents and listed below:

- Adequacy of Personnel/Ability of Professional Personnel (25%)
- Whether a firm is a Certified Minority Business Enterprise (5%)
- Past Record/Past Performance (25%)
- Willingness to meet time and budget requirements (20%)
- Recent, current, and projected workloads of the firms (15%)
- Location (5%)
- Local Vendor Preference/Veteran Owned Small Business Preference (5%)

8. At the June 3, 2020 meeting, the evaluation committee ranked the vendors as shown below:

Rank	Vendor Name
1	Lakdas Yohalem Engineering, Inc.
2	SLM Engineers LLC

9. Based on the scoring results, the evaluation committee unanimously approved a motion to recommend the City Commission to award RFQ #PSUT-20-03 "Design & Post Design Services: WWTP West & East Surge Tank Rehabilitation" to the first ranked vendor, Lakdas Yohalem Engineering, Inc., and to direct the City Manager to negotiate a contract for services.

10. An agenda item will be brought back to present the Commission the negotiated contract executed by the vendor.

11. Should the City be unable to negotiate a satisfactory contract with the firm considered to be the most qualified at a price the agency determines to be fair, competitive, and reasonable, negotiations with that firm will be formally terminated and the City will undertake negotiations with the next most highly qualified firm.

12. Lakdas Yohalem Engineering, Inc., has also completed the Equal Benefits Certification Form and has stated that the "Contractor currently complies with the requirements of this section."

13. Request City Commission to approve the findings and recommendations of the evaluation committee and to award RFQ #PSUT-20-03 "Design & Post Design Services: WWTP West & East Surge Tank Rehabilitation" to Lakdas Yohalem Engineering, Inc., and to direct the City Manager to

negotiate a contract for services, in accordance with Florida Statute 287.055, Consultants Competitive Negotiations Act (CCNA).

FINANCIAL IMPACT DETAIL:

- a) **Initial Cost:** None at this time. A negotiated contract will be brought back to the Commission, and executed by the vendor.
- b) **Amount budgeted for this item in Account No:** Funds are not currently budgeted for this project.
- c) **Source of funding for difference, if not fully budgeted:** After a contract is negotiated, an agenda item will be brought to Commission for approval with a request for funding.
- d) **5 year projection of the operational cost of the project:** Not Applicable.
- e) **Detail of additional staff requirements:** Not Applicable.