



## Legislation Text

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MOTION TO REJECT ALL BIDS FOR IFB # PSUT-20-07 "WATER TREATMENT PLANT LIME FEED SYSTEM REFURBISHMENT, SCC VALVE INSERTION, AND MAGNETIC FLOWMETER INSERTION" AND TO AUTHORIZE THE ADVERTISEMENT OF IFB # PSUT-20-13 "WATER TREATMENT PLANT LIME FEED SYSTEM REFURBISHMENT, SCC VALVE INSERTION, AND MAGNETIC FLOWMETER INSERTION."

### 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 35.19(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 35.19(F) states, "Rejection of bids. The City Manager and City Commission may reject bids, parts of all bids or all bids for any one or more commodities or services included in the proposed contract when the public interest will be served thereby. The Chief Procurement Officer shall not accept a bid from a contractor who is in default on payment of taxes licenses or other moneys due the city."**

**- FS 255.0518 Public bids; bid opening states, "Notwithstanding s. 119.071(1)(b), the state or any county or municipality thereof or any department or agency of the state, county, or municipality or any other public body or institution shall:**

**(1) When opening sealed bids or the portion of any sealed bids that include the prices submitted that are received pursuant to a competitive solicitation for construction or repairs**

***on a public building or public work, open the sealed bids at a public meeting conducted in compliance with s. 286.011.***

***(2) Announce at that meeting the name of each bidder and the price submitted in the bid.***

***(3) Make available upon request the name of each bidder and the price submitted in the bid.***

## **SUMMARY EXPLANATION AND BACKGROUND:**

1. The Utilities Division required services from qualified firms to a) refurbish the existing Lime Feed System, b) install valves in the 30" Solids Contact Clarifiers (SCC) Effluent Lines, c) Install a Line Stop to facilitate the installation of the valves, d) add Access Ports/Cleanouts to the 30" SCC Effluent, and e) Install a Full Profile Insertion Electromagnetic Flowmeter in the 30" treated water line at the City's Water Treatment Facility located at 7960 Johnson Street, Pembroke Pines, FL 33025.

2. On June 17, 2020, the City Commission authorized the advertisement of PSUT-20-07 "Water Treatment Plant Lime Feed System Refurbishment, SCC Valve Insertion, and Magnetic Flowmeter Insertion", which was advertised on June 23, 2020.

3. On August 25, 2020, the City opened three (3) proposals from the following vendors:

<b>Description</b>	<b>RF Enviornmental</b>	<b>TLC Diversified</b>	<b>Florida Design Contractors</b>
Lime Feed System Refurbishment	\$ 2,149,000.00	\$ 2,646,750.00	\$ 2,540,000.00
SCC Valve Insertion	\$ 290,000.00	\$ 260,000.00	\$ 350,000.00
Magnetic Flowmeter Insertion	\$ 86,000.00	\$ 69,000.00	\$ 200,000.00
Cost to Provide P&P Bond	\$ 18,937.50	\$ 19,044.80	\$ 30,900.00
Total Cost	\$ 2,543,937.50	\$ 2,994,794.80	\$ 3,120,900.00

4. On July 9, 2020, the City issued Addendum # 2 which included a supplementary bid summary sheet. The supplementary bid summary sheet was to be incorporated into the bidding documents for the Lime Feed System Refurbishment Project component of the solicitation. The sheet was to be filled out in its entirety to be considered a responsive bid. Pursuant to the addendum, vendors were given an additional 24 hours from the bid closing to submit this sheet if not included with their bid submittal. Any vendor who did not submit this sheet in the required time frame would be considered non-responsive. The total value of the supplementary bid summary sheet was to match the total amount bid on BidSync line # PSUT-20-07-01-01 "Lime Feed System Refurbishment". Prospective vendors were asked to carefully review the contract documents (including the drawings and specifications) when submitting a bid. Any discrepancies between the prices would result in the higher of the bids being used in the calculation of the total # PSUT-20-07-01-01 "Lime Feed System Refurbishment" bid price. The City also informed the vendors that there was a \$35,000 Lead Paint Testing and Abatement Allowance included in the supplementary bid summary sheet.

5. There was a scrivener's error on the addendum, and it should have stated that if there were any discrepancies between the prices, the result would be using the lower amount, instead of the higher amount.

6. On August 26, 2020, the City opened three (3) supplementary bid summary sheets which breaks down the pricing for BidSync line # PSUT-20-07-01-01 "Lime Feed System Refurbishment" from the following vendors:

Vendor	Supplementary Bid Sheet	BidSync	Delta
RF Environmental	\$ 2,560,000.00	\$2,149,000.00	\$411,000.00
TLC Diversified	\$ 2,975,750.00	\$2,646,750.00	\$329,000.00
Florida Design Contractors	\$ 2,540,000.00	\$2,540,000.00	\$ -

8. The Procurement Department reached out to RF Environmental Services, Inc., the lowest priced vendor for clarification as to why the total cost for line # PSUT-20-07-01-01 "Lime Feed System Refurbishment" had increased from \$2,149,000 to the total amount stated on the supplementary bid summary sheet, which was \$2,560,000. The vendor explained that it was a misunderstanding, and he created the supplementary bid summary sheet so that its total would match his total bid price for PSUT-20-07 plus the \$35,000 Lead Paint Testing and Abatement Allowance.

9. Due to the discrepancies in the Bid Summary Sheets submitted by RF Environmental Services, Inc. and TLC Diversified, Inc., which reflected an increased total cost for line # PSUT-20-07-01-01 "Lime Feed System Refurbishment" than what had been submitted in the Bid Response on BidSync, the Utilities Division is requesting to reject and rebid the project without the supplementary bid summary sheet requirement.

10. Request City Commission to reject all bids for IFB # PSUT-20-07 "Water Treatment Plant Lime Feed System Refurbishment, SCC Valve Insertion, and Magnetic Flowmeter Insertion" and to authorize the advertisement of IFB # PSUT-20-13 "Water Treatment Plant Lime Feed System Refurbishment, SCC Valve Insertion, and Magnetic Flowmeter Insertion."

#### FINANCIAL IMPACT DETAIL:

- a) **Initial Cost:** The City anticipates the estimated cost to be \$2,500,000.
- b) **Amount budgeted for this item in Account No:** Funds are currently budgeted for this project in account # 471-535-6031-63000 (Improvement Other than Building). Upon Commission approval, a budget adjustment will be processed to fully fund the project if all the funds are not available.
- 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.

