



Legislation Text

File #: 21-0957, Version: 1

MOTION TO REJECT THE SOLE BID FOR IFB # PSPW-21-04 "RESURFACING OF COURTS AT VARIOUS CHARTER SCHOOLS" AND TO APPROVE THE AGREEMENT WITH SPORT SURFACES, LLC. UTILIZING PRICING ESTABLISHED BY THE SOUTHEAST FLORIDA GOVERNMENTAL COOPERATIVE PURCHASING GROUP (CO-OP) CONTRACT ITB # 2018-5PW FOR AN AMOUNT NOT TO EXCEED \$64,287.80, WHICH INCLUDES A 10% OWNER'S CONTINGENCY OF \$5,844.35, PURSUANT TO SECTION 35.18(C)(6) 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 of the City's Code of Ordinances is titled "COMPETITIVE BIDDING OR COMPETITIVE PROPOSALS REQUIRED; EXCEPTIONS."***
- ***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) states, "Only the following situations are exempt from the competitive bid and competitive proposal requirements of this section:"***
- ***Section 35.18(C)(6) states, "Cooperative purchasing plans are exempt from this section."***
- ***Section 35.19 of the City's Code of Ordinances is titled "SEALED COMPETITIVE BIDDING PROCEDURE."***
- ***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 of the City's Code of Ordinances is titled "AWARD OF CONTRACT."**
- **Section 35.21(A) of the City's Code of Ordinances is titled "City Commission approval."**
- **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 June 16, 2021, the City Commission authorized the advertisement of IFB # PSPW-21-04 "Resurfacing of Courts at Various Charter Schools", which was advertised on June 23, 2021.

2. The purpose of this solicitation was to resurface courts to cure areas with major water depressions, repair/level cracks and any depressions greater than 1/16", paint, and other court resurfacing needs at various charter schools.

3. On July 20, 2021, the City opened one (1) bid from the following vendor:

Vendor Name	Total Cost
Cunano Builders Corp.	\$56,131.00

4. After reviewing the proposal submitted by Cunano Builders Corp., the vendor did not submit any references with a similar scope of work. None of the reference provided were for court resurfacing projects. The vendor also stated in their submittal that they would not hire a subcontractor. The Procurement Department reached out to the vendor to request additional references which would show the completion of projects with a similar scope of work. The vendor provided an email stating they would not be able to provide the additional references requested as all of their records had been lost years prior because of a technical issue with their servers. In addition, in the email the vendor also stated that the cost for the project would have to be increased by 15% because of an increase in the cost of materials.

5. As a result, the Public Services Department would like to reject the sole bid for IFB # PSPW-21-04 "Resurfacing of Courts at Various Charter Schools".

6. The Public Services Department has obtained a quote from Sport Surfaces, LLC utilizing the Southeast Florida Governmental Cooperative Purchasing Group (Co-Op) contract ITB # 2018-5PW in the amount of \$58,443.45.

7. 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 cost from \$58,443.45 to \$64,287.80.

8. Request Commission to reject the sole bid for IFB # PSPW-21-04 "Resurfacing of Courts at Various Charter" and approve the agreement with Sport Surfaces, LLC., utilizing pricing established by the Southeast Florida Governmental Cooperative Purchasing Group (Co-Op) contract ITB # 2018-5PW for an amount not to exceed of \$64,287.80, which includes a 10% owner's contingency of \$5,844.35.

FINANCIAL IMPACT DETAIL:

a) Initial Cost: \$64,287.80

b) Amount budgeted for this item in Account No: Funds are currently budgeted for this project in the following accounts:

\$53,967.98 budgeted under account # 172-569-5053-546150-7900-350-0000- (R&M Land Building & Improvement [Academic Village]); and,

\$10,319.82 budgeted under account #173-569-5061-546150-7900-350-0000- (R&M Land Building & Improvement [FSU]).

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: None.