



Legislation Text

File #: 21-1021, **Version:** 2

MOTION TO APPROVE THE ASSIGNMENT OF THE AGREEMENT WITH DBI SERVICES LLC. FOR THE OPERATION, MAINTENANCE, AND MANAGEMENT OF THE CITY'S RIGHT OF WAY'S TO DEANGELO CONTRACTING SERVICES (DCS).

SUMMARY EXPLANATION AND BACKGROUND:

1. On September 18, 2013, the City Commission approved the agreement negotiated by the City Manager awarding RFQ # PSPW-13-10 "Operation, Maintenance and Management of Municipal Public Rights of Way (ROW)" to DBi Services, LLC. in the amount of \$887,550, for an initial 5 year period commencing on November 1, 2013 through October 30, 2018.
2. On March 15, 2016, the City executed the First Amendment of the agreement which revised Article 6 of the Original Agreement to increase the Annual Fee to \$1,041,550 for the increased scope of work and also added a \$200,000 Owner's Contingency for as needed work not covered as part of the original scope of work.
3. On February 21, 2018, the City Commission approved the Second Amendment which extended the agreement for a five (5) year term, commencing on November 1, 2018, and expiring October 31, 2023.
4. On October 22, 2021, at 5:30 pm the Director of Public Services received a call from DBi's project manager stating that he had just been notified that DBi was closing its doors effective immediately.
5. The Public Services Director was able to confirm those statements the next day via several news articles (Article Attached).
6. The following week, the Public Services Department started working on a solution by hiring the unemployed DBi staff on a temporary basis until the services could be put out for bid and a new contract could be eventually put in place.
7. As the Public Services Department was coordinating this effort, the Public Services Director was contacted by Mark Robinson, a representative for Paul DeAngelo. Mr. DeAngelo started DBi in 1978 and sold the business in 2016.
8. Mr. DeAngelo had started a new company called DeAngelo Contracting Services (DCS), and they were very interested in assuming DBi's contract and hiring the former employees.
9. Mr. Robinson met with the City Manager and the Director of Human Resources & Risk Management the week of November 1st, after which the City Manager gave direction to the Public Service Director to work with the City Attorney's Office, DBi, and DCS in order to get the contract

reassigned.

10. By November 8, 2021, DeAngelo Contracting Services (DCS) hired staff and started providing services for the City of Pembroke Pines at the Contractor's own risk.

11. The City's Administration presented a motion to approve the assignment of the agreement with DBi Services LLC. for the Operation, Maintenance, and Management of the City's Right of Way's to DeAngelo Contracting Services (DCS) at the November 17, 2021 Commission meeting.

12. At the November 17, 2021 Commission meeting, the City Commission asked the City's Administration and DeAngelo Contracting Services (DCS) several questions and made a motion to defer the item to the December 1, 2021 Commission meeting.

13. DeAngelo Contracting Services (DCS) will be providing a presentation, at the December 1, 2021 Commission meeting, to address the City Commission's questions and concerns.

14. Request Commission to approve the assignment of the agreement with DBi Services LLC. for the Operation, Maintenance, and Management of the City's Right of Way's to DeAngelo Contracting Services (DCS), retroactively effective on November 8, 2021.

FINANCIAL IMPACT DETAIL:

a) Initial Cost: \$1,250,230 for 11 months (The annual cost of the agreement is \$1,145,705 plus an Owner's Contingency of \$200,000 for a total amount of \$1,345,705)

b) Amount budgeted for this item in Account No: 100-541-6002-534983-0000-000-0000
(Function sourcing- Rights of Way)

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.

	Current FY	Year 2	Year 3	Year 4	Year 5
Revenues	\$0	\$0	\$0	\$0	\$0
Expenditures	\$1,250,230	\$1,345,705	\$112,142	\$0	\$0
Net Cost	\$1,250,230	\$1,345,705	\$112,142	\$0	\$0

e) Detail of additional staff requirements: Not Applicable.