



Legislation Text

File #: 22-0451, Version: 1

MOTION TO AWARD IFB # PSPW-22-03 "EXTERIOR PAINTING OF VARIOUS CITY BUILDINGS" TO THE MOST RESPONSIVE/RESPONSIBLE BIDDER, MTD PAINTING AND CONSTRUCTION CORP. IN THE AMOUNT NOT TO EXCEED \$109,923.75, WHICH INCLUDES A 5% COST IN THE AMOUNT OF \$3,948.75 TO PROVIDE A PAYMENT AND PERFORMANCE BOND, AND AN ALLOWANCE FOR ADDITIONAL WORK IN THE AMOUNT OF \$27,000 TO BE USED FOR EXPANSION JOINTS AND STUCCO REPAIR.

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."*
- *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 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 35.19(E) is titled "Bid Opening Procedure"*
- *Section 35.19(E)(5) states, "The city reserves the right to waive any irregularities in the bids, as determined by the Chief Procurement Officer and approved by the City Manager."*
- *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 February 16, 2022, the City Commission authorized the advertisement of IFB # PSPW-22-03 "Exterior Painting of Various City Buildings", which was advertised on February 22, 2022.

2. The purpose of this solicitation was to waterproof and paint the exterior of City Hall located at 601 City Center Way and Fire Station 101 located at 6057 SW 198 Terrace, with the intent of preventing stucco damage, water infiltration and maintain the aesthetic appearance of such.

3. On March 29, 2022, the City opened ten (10) proposals from the following vendors:

Vendor Name	Total Cost
MTD	\$ 82,923.75
Quick Painting Group Corp.	\$ 162,543.00
Five12 Painting & Remodeling LLC	\$ 169,994.29
People's Choice PC & Painting	\$ 179,955.00
JAG Painting	\$ 189,800.00
J. Mori Painting, Inc.	\$ 456,691.13
Mario's Painting and Services, Inc.	\$ 819,783,151.75
Landmark & Reina 107 LLC d/b/a Bald	\$ 5,462,800,410.00
Cunano Builders Corporation	\$ 6,939,472,694.90
Supreme Builders Group LLC	\$ 6,959,167,040.93

*Please note that it appears that the four highest priced bidders submitted their cost for a Payment and Performance Bond as a dollar figure instead of a percent as requested throughout the bid document and bid proposal sheet. As a result, their total cost with Payment and Performance Bonds looks extremely large since the system calculates their total based on the information being entered in as a percent. Please see attached pricing tabulation for additional notes on each bidder's submission. Regardless, the four bidders base pricing was higher than the vendors pricing as like Since this project is considered a public works project, the prices were read aloud during the bid opening process, therefore Administration felt that it would be unfair to have all of the firms submit a Best and Final Offer, to clarify their proposals, as all of the firms would have access to the other bidders pricing, including the bidders that submitted their pricing correctly in compliance with the instructions in the bid document and bid proposal sheet.

4. The bid package stated, "minimum experience required as a licensed Contractor is five (5) years for this project". MTD Painting and Construction Corp. would not meet this requirement until February of 2023, however, they have been a registered business in Florida since 2012 and prior to obtaining their license, their work was qualified by a licensed contractor.

5. The Public Services Department is requesting to waive this irregularity, pursuant to Section 35.19 (E)(5) of the City's Code of Ordinances.

6. The Public Services Department has reviewed the proposals and has deemed MTD Painting and Construction Corp. to be the most responsive/responsible bidder.

7. The Public Services Department has also determined that a \$27,000 allowance for additional work will be necessary to be used on an as needed basis for expansion joints and stucco repair that may arise.

8. In addition, Vendor has completed the Equal Benefits certification form and has stated that the "Contractor currently complies with the requirements of this section."

9. Request Commission to award IFB # PSPW-22-03 "Exterior Painting of Various City Buildings" to the most responsive/responsible bidder, MTD Painting and Construction Corp. in the amount not to exceed \$109,923.75, which includes a 5% cost in the amount of \$3,948.75 to provide a payment and performance bond, and an allowance for additional work in the amount of \$27,000 to be used for expansion joints and stucco repair.

Reviewed by Commission Auditor.

FINANCIAL IMPACT DETAIL:

a) Initial Cost: \$109,923.75

b) Amount budgeted for this item in Account No:

\$85,078.75 for City Hall is available in account # 001-519-6001-546150-0000-000-0000-00345 (R&M Land Bldg & Improvement)

\$24,845 for Fire Station 101 is available in account # 001-529-4003-546150-0000-000-0000 (R&M Land Bldg & Improvement)

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.

FEASIBILITY REVIEW:

A feasibility review is required for the award, renewal and/or expiration of all function sourcing contracts. This analysis is to determine the financial effectiveness of function sourcing services.

a) Was a Feasibility Review/Cost Analysis of Out-Sourcing vs. In-House Labor Conducted for this service? This project is too large for our current in house staff to complete.

b) If Yes, what is the total cost or total savings of utilizing Out-Sourcing vs. In-House Labor for this service? Not Applicable.