



Legislation Text

File #: 22-0519, Version: 1

MOTION TO RESCIND A PORTION OF THE AWARD OF IFB # PSPW-21-03 "PARKING LOT RENOVATIONS AND RESTORATION AT VARIOUS CHARTER SCHOOLS" RELATED TO THE ACADEMIC VILLAGE AND FSU CAMPUSES FROM KALEX CONSTRUCTION & DEVELOPMENT INC., AND TO APPROVE TO ADVERTISE IFB # PSPW-23-05 "ACADEMIC VILLAGE CAMPUS / FSU ELEMENTARY CAMPUS - PARKING LOT RENOVATIONS AND RESTORATION".

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 35.19 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(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."***

SUMMARY EXPLANATION AND BACKGROUND:

1. On June 16, 2021, the City Commission authorized the advertisement of IFB # PSPW-21-03 "Parking Lot Renovations and Restoration at Various Charter Schools", which was advertised on June 22, 2021.
2. The purpose of the solicitation was to seek proposals from qualified firms to renovate the parking lots and provide seal-coating and re-striping at the City's Charter Schools.
3. On December 15, 2021, the City Commission awarded IFB # PSPW-21-03 "Parking Lot Renovations and Restoration at Various Charter Schools" to Kalex Construction & Development Inc. in the amount not to exceed \$654,824.23, which included an owner's contingency in the amount of \$59,529.48.
4. During the course of the project, the Public Services Department encountered various issues with Kalex including unnecessary delays and failure of Kalex to communicate accurately and timely with City staff.
5. On April 19, 2022, the Public Services Department and the City Manager met with Jorge Diaz, President of Kalex Construction and Development, Inc., to agree on Kalex's proposed completion dates and other milestones for the Parking Lot Renovations and Restoration Projects at Various Charter Schools.
6. After multiple delays and failed attempts at meeting deadlines and milestones, Kalex communicated to the Public Services Department that they would no longer be able to complete the West Campus project within the agreed upon timeline.
7. On September 7, 2022, the City Commission approved to ratify the City Manager's approval to rescind a portion of the award of IFB # PSPW-21-03 "Parking Lot Renovations and Restoration at Various Charter Schools" related to the West Campus from Kalex Construction & Development Inc. and to award the remainder of the West Campus project to Weekley Asphalt and Paving Inc., in the amount not to exceed \$218,500, pursuant to Section 35.18(C)(1) of the City's code of ordinances.
8. The Public Services Department is now requesting to rescind the portion of the award IFB # PSPW-21-03 "Parking Lot Renovations and Restoration at Various Charter Schools" relating to the Academic Village and FSU Campuses, and to issue a new bid for those two locations.
9. Request Commission to rescind the a portion of the award of PSPW-21-03 "Parking Lot Renovations and Restoration at Various Charter Schools" related to the Academic Village and FSU Campuses from Kalex Construction & Development Inc., and to approve to advertise IFB # PSPW-23-05 "Academic Village Campus / FSU Elementary Campus Schools - Parking Lot Renovations and Restoration".

FINANCIAL IMPACT DETAIL:

- a) Initial Cost:** None at this time.

- b) Amount budgeted for this item in Account No:** Funds are available in account # 001-519-6001-663161-0000-000-0000- (Parking Lot)
- 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?** Not Applicable.
- b) If Yes, what is the total cost or total savings of utilizing Out-Sourcing vs. In-House Labor for this service?** Not Applicable.