



Legislation Text

File #: 23-0248, Version: 1

MOTION TO AWARD IFB # PSPW-23-09 "CHARTER SCHOOLS - STAIRWAY REPLACEMENTS" TO THE MOST RESPONSIVE/RESPONSIBLE BIDDER, BEJAR CONSTRUCTION, INC., IN THE AMOUNT NOT TO EXCEED \$525,261.45, WHICH INCLUDES A 5% OWNER'S CONTINGENCY IN THE AMOUNT OF \$25,012.45.

- 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 35.21 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 March 1, 2023, the City Commission authorized the advertisement of IFB # PSPW-23-09 "Charter Schools - Stairway Replacements", which was advertised on March 7, 2023.

2. The purpose of this solicitation was to replace metal stairways with concrete stairways at Academic Village charter school.

3. On April 4, 2023, the City opened four (4) bids from the following vendors, listed in order from lowest to highest price, including the cost to provide payment and performance bonds:

Vendor	Total Cost
LGI Construction	\$255,440.00
IES Investments, LLC	\$375,401.29
Bejar Construction, Inc	\$500,249.00
Techgroupone, Inc	\$627,432.92

4. The Public Services Department and the Procurement Department met with the lowest priced bidder, LGI Construction, and they have elected not to accept the contract award stating, "we have determined that the timeline constraints and availability of material in a timely manner are not aligned with the project's requirements". As a result, the Procurement Department deemed LGI Construction to be non-responsive.

5. The Public Services Department and the Procurement Department met with the second lowest priced bidder, IES Investments, LLC., to discuss their submittal. IES Investments, LLC., informed the City that they would not be able to obtain the payment and performance bond as required in the bid documents and by Florida Statute. As a result, the Procurement Department deemed IES Investments, LLC. to be non-responsive.

6. The Public Services Department and the Procurement Department reviewed the next lowest price bid submitted by Bejar Construction, Inc. and has deemed them to be the most responsive/responsible bidder.

7. Bejar Construction, Inc., has completed the Equal Benefits Certification Form and has stated that the "Contractor currently complies with the requirements of this section."

8. Request Commission to award IFB # PSPW-23-09 Charter Schools - Stairway Replacements", to the most responsive/responsible bidder, Bejar Construction, Inc., in an amount not to exceed \$525,261.45, which includes a 5% owner's contingency in the amount of \$25,012.45.

Reviewed by Commission Auditor.

FINANCIAL IMPACT DETAIL:

a) Initial Cost: \$525,261.45

b) Amount budgeted for this item in Account No: The City anticipates on utilizing the American Rescue Plan Act (ARPA). As a result this project followed federal procurement guidelines. Funds are available in account # 001-519-6001-546152-0000-000-6107-ARPA1 (R&M Land Bldg - Major Projects)

- 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.