

CITY OF MIAMI, FLORIDA
INTER-OFFICE MEMORANDUM

TO: Pedro G. Hernandez, P.E.
City Manager

DATE: September 14, 2009 FILE:

SUBJECT: Recommendation of Award,
Job Order Contract for
Vertical Projects

FROM: Ola O. Aluko
Director
Capital Improvements Program

REFERENCES: ITB 08-09-043

ENCLOSURES: Bid Security List,
Expedite Resolution

Recommendation

CIP recommends that the lowest bidders for the vertical contracts be rejected as non-responsive and that contracts be awarded to the next four (4) lowest responsive and responsible Bidders for vertical projects.

Background

Capital Improvements Program (CIP) received forty one (41) bids on June 24, 2009, in response to the solicitation for the Job Order Contracts for Horizontal and Vertical Projects ("JOC"). Twenty two (22) firms submitted for Horizontal; nineteen firms (19) firms submitted for Vertical and among these firms, twelve (12) firms submitted for both Contracts, which are reflected on the attached Bid Submittal List.

The Scope of Work for the vertical JOC projects to be awarded are as follows:

Vertical Projects include, but are not limited to: new construction, alteration, renovation and rehabilitation of City property and facilities; capital maintenance; expansion of park and recreational facilities, community and day care centers, administrative offices and facilities, fire stations and support facilities, police facilities, marinas, etc.

To be considered responsive Bidders must have five (5) years experience, perform at least twenty percent (20%) of vertical construction, and possess one of the following licenses or certifications prior to award:

Vertical – Certified General Contractor's License or Miami-Dade County General Engineering Certificate of Competency

The Invitation To Bid (ITB) required that Bidders submit an Adjustment Factor, which will apply to all Work performed under the contracts. The Adjustment Factor is based on Work being performed during normal construction work hours as stipulated in the City Code. For Work performed outside normal working hours the contract will stipulate a mark-up on the Adjustment Factor that the City will pay.

Bidders were able to bid on either the horizontal or vertical projects or on both. However, Bidders were required to submit separate Adjustment Factors for Horizontal Work and Vertical Work if they were bidding on both types of Work.

The method of award stipulated that Adjustment Factors of the four lowest responsive bidders will be average to determine the factor to be paid by the City for all Work under the JOC Contracts. The type of Contract, Horizontal and Vertical, will have its own average factors.

Subsequent to approval of the recommendation for award each of the lowest responsive and responsible bidders, will be offered the opportunity to accept the average factor and enter into a contract with the City. Should a Bidder decline, then the CIP will offer the opportunity to the next lowest responsive and responsible bidder(s).

CIP anticipated awarding up to four (4) contracts for vertical construction, each with an estimated annual value of \$4,000,000. The ITB allows the City to award additional Contracts should CIP determine there is an increased need.

Findings

CIP has completed its review of the bid packages of the five (5) lowest Vertical Bidders.

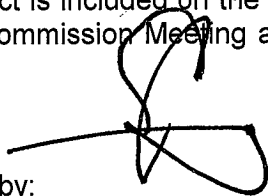
The Adjustment Factors we received under this ITB are substantially less than those we paying under the current contracts.

In the Vertical category the lowest Bidder, Soares Da Costa, was determined to be non-responsive as their bid bond was in the amount of \$200,000, which is less than the \$250,000, which is clearly stated in the bid documents.

With the low Bidder disqualified, the four lowest responsive and responsible Bidders in consecutive order; BMA Construction, GEC Associates Inc., FH Paschen - SN Nielsen & Associates, Inc., and Tran Construction, These Bidders have been determined to be responsive and responsible and CIP recommends awarding the Vertical Contracts to these firms. The average Adjustment Factor will be 0.8816.

Contract Execution

This Project is included on the Economic Stimulus Program List that was approved at the April 2, 2009 Commission Meeting and therefore, does not require further Commission approval for award.

Approved by: 
Pedro G. Hernandez, P.E.
City Manager

Date: 9/15/09

Attachments

- C Gary Fabrikant, Assistant Director, Contracts Section, CIP
- David J. Mendez, P.E., Assistant Director Design and Construction, CIP