

MIAMI BEACH

City Commission Meeting

ADDENDUM MATERIAL 1

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive

September 11, 2013

Mayor Matti Herrera Bower
Vice-Mayor Edward L. Tobin
Commissioner Jorge R. Exposito
Commissioner Michael Góngora
Commissioner Jerry Libbin
Commissioner Deede Weithorn
Commissioner Jonah Wolfson

City Manager Jimmy L. Morales
City Attorney Jose Smith
City Clerk Rafael E. Granado

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

ADDENDUM AGENDA

R2 - Competitive Bid Reports

- R2A Request For Approval To Award A Contract, Pursuant To Invitation To Bid No. 2013-380TC, For The Parkview Island Right-Of-Way Improvements.
(Public Works)

R9 - New Business and Commission Requests

- R9M Discussion To Add The Additional Pending Block Party Fees To The Already Approved Commission Waiver Fee For Miami Beach Gay Pride 2013 That Was Approved In March 2013.
(Requested by Commissioner Michael Góngora)
- R9N Discussion To Support A Barrier With Foliage Be Installed By FDOT In The Median On 41st Street, From Alton Road To Meridian Avenue, Within Two Years From The Completed FDOT Traffic Study.
(Requested by Commissioner Michael Góngora)
- R9O Discussion To Support Miami-Dade County Public Schools Spanish Foreign Language Initiative In Which All Miami Beach Feeder Schools Offer Spanish Foreign Language Tracks To Enable All Interested Miami Beach Students To Take Spanish For High School Credit In All Miami Beach Middle Schools And High Schools (Nautilus Middle, Feinberg Fisher K8, And Ruth K. Broad Bay Harbor K8).
(Requested by Commissioner Michael Góngora)
- R9P Discussion Regarding The Image Of The Miami Beach Police Department.
(Requested by Commissioner Michael Góngora)

Condensed Title:

Request for Approval to Award a Contract, Pursuant to Invitation to Bid No. 2013-380TC, Parkview Island Right-of-Way Improvements

Key Intended Outcome Supported:

Ensure well maintained facilities and ensure quality and timely delivery of capital projects.

Supporting Data (Surveys, Environmental Scan, etc): The 2009 Customer Satisfaction Survey indicated that 79% of businesses rated recently completed capital improvement projects as "excellent" or "good."

Item Summary/Recommendation:

According to the Water System Master Plan the enhanced system will provide more capability to deliver the required quantities of domestic water at proper pressures on a day-to-day basis to the community and will provide adequate water flows for fire suppression. Furthermore, the streetscape improvements will provide a better safety environment for pedestrian and traffic on the island. This project is funded primarily through the HUD Section 108 Loan. As a condition to the loan, the City must complete the project prior to the loan's expiration on May 1, 2014. The work for this project includes improvements within the Parkview Island Neighborhood consisting of the replacement of the 6" water main with an 8" water main and repaving the roadways. Contractor must produce final as-builts in CAD and all pay applications must include area photographs updated every month.

Invitation to Bid (ITB) 2013-380TC was issued on July 26, 2013, with an opening date of September 4, 2013. The pre-bid conference was held on August 7, 2013. During the pre-bid conference, prospective bidders were instructed on the procurement process and the information their respective proposals should contain. The Public Group and Florida Purchasing Group issued bid notices to 61 and 271 prospective bidders respectively of which 20 and 10 accessed the advertised solicitation respectively. In addition, 156 vendors were notified via email, which resulted in the receipt of nine (9) bids. Of those nine bids, only four (4) were deemed responsive after the Department of Procurement Management's review as noted in more detail in the attached memorandum.

RECOMMENDATION

After considering the review and recommendation of City staff, the City Manager exercised his due diligence and carefully considered the specifics of this ITB process. The low bidder, Ric-Man International, submitted a project cost of \$999,740.00. However, Section 2-369 of the Miami Beach City Code, states that, in addition to price, the following criteria shall be considered when making an award recommendation: the ability, capacity and skill of the bidder to perform the contract; whether the bidder can perform the contract within the time specified, without delay or interference; the character, integrity, reputation, judgment, experience and efficiency of the bidder; the quality of performance of previous contracts; and the previous and existing compliance by the bidder with applicable laws.

Ric-Man International, Inc. was among the contractors named in the Affidavit in Support of Arrest Warrant (of former Procurement Director Gus Lopez). Notwithstanding that the company has not been charged at this time with any criminal offense by the State Attorney's Office, the City has concerns regarding its character, integrity, reputation, and judgment, and any further potential consequence resulting from this ongoing investigation that may limit the company's ability to perform the contract requirements. Also, upon reviewing the Ric-Man International's financial capacity, through the required Dun & Bradstreet Supplier Qualifier Report (SQR), it has been noted that the firm is identified a "high risk" firm. The SQR provides information and evaluates suppliers according to risk, financial stability and credit information. Accordingly, pursuant to the criteria to be considered in determination of award pursuant to Section 2-369 of the City Code, Ric-Man International, Inc. has been deemed non-responsive and it is recommended that the City not consider its bid submitted in response to this ITB.

As a result, the City Manager recommends to the Mayor and City Commission to award the construction contract to Metro Equipment Service, Inc. as the lowest responsive, responsible bidder and authorize the Administration to engage in value engineering to further reduce the cost and time for completion of said project.

Advisory Board Recommendation:

NA

Financial Information:

Source of Funds:	Amount	Account
1	\$971,292	115-2322-069357 - HUD Section 108 Loan
2	\$355,236	424-2322-069357 - Water & Sewer Bonds 2000S
Total	\$1,326,528	

Financial Impact Summary:

City Clerk's Office Legislative Tracking:

Eric Carpenter, Extension 6641

Sign-Offs:

Department Director	Assistant City Manager	City Manager
AD <i>[Signature]</i> EC <i>[Signature]</i>	MT KGB <i>[Signature]</i>	JLM <i>[Signature]</i>

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MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: September 11, 2013

SUBJECT: **REQUEST FOR APPROVAL TO AWARD A CONTRACT, PURSUANT TO INVITATION TO BID NO. 2013-380TC, PARKVIEW ISLAND RIGHT-OF-WAY IMPROVEMENTS.**

ADMINISTRATION RECOMMENDATION

Approve the award of contract.

KEY INTENDED OUTCOME SUPPORTED

Ensure well maintained facilities and ensure quality and timely delivery of capital projects.

FUNDING

\$971,292	115-2322-069357 – HUD Section 108 Loan
\$355,236	424-2322-069357 – Water & Sewer Bonds 2000S
\$1,326,528	Total

BACKGROUND

According to the Water System Master Plan the enhanced system will provide more capability to deliver the required quantities of domestic water at proper pressures on a day-to-day basis to the community and will provide adequate water flows for fire suppression. Furthermore, the streetscape improvements will provide a better safety environment for pedestrian and traffic on the island.

This project is funded primarily through the HUD Section 108 Loan. As a condition to the loan, the City must complete the project prior to the loan's expiration on May 1, 2014.

SCOPE OF SERVICES

The work for this project includes improvements within the Parkview Island Neighborhood consisting of the replacement of the 6" water main with an 8" water main and repaving the roadways. Contractor must produce final as-builts in CAD and all pay applications must include area photographs updated every month.

ITB PROCESS

Invitation to Bid (ITB) 2013-380TC was issued on July 26, 2013, with an opening date of September 4, 2013. The pre-bid conference was held on August 7, 2013. During the pre-bid conference, prospective bidders were instructed on the procurement process and the information their respective proposals should contain.

The Public Group and Florida Purchasing Group issued bid notices to 61 and 271 prospective bidders respectively of which 20 and 10 accessed the advertised solicitation respectively. In addition, 156 vendors were notified via email, which resulted in the receipt of the following nine (9) bids:

- Central Florida Equipment Rentals, Inc.
- David Mancini & Sons, Inc.
- Inland Construction & Engineering, Inc.
- Lanzo Construction Co. Florida
- Metro Equipment Service, Inc.
- Ric-Man Construction Florida, Inc.
- Ric-Man International, Inc.
- Team Contracting, Inc.
- Williams Paving Co. Inc.

Through the Department of Procurement Management's review of each bid for responsiveness, David Mancini & Sons, Inc. was deemed nonresponsive for failing to the minimum ten (10) year experience requirement noted in the ITB. Williams Paving Co., Inc., Ric-Man Construction Florida, Inc., Central Florida Equipment Rentals, Inc., and Team Contracting, Inc. were also deemed nonresponsive for failing to submit omitted information as requested by the Department of Procurement Management.

As a result, the following table provides the proposed total base bid prices, with and without alternates, of the four (4) responsive bids:

- | | |
|---|-------------|
| • Ric-Man International, Inc. | \$999,740 |
| • Metro Equipment Service, Inc. | \$1,205,934 |
| • Lanzo Construction Co. Florida | \$1,659,125 |
| • Inland Construction & Engineering, Inc. | \$1,818,075 |

CITY MANAGER'S DUE DILIGENCE

After considering the review and recommendation of City staff, the City Manager exercised his due diligence and carefully considered the specifics of this ITB process.

Section 2-369 of the Miami Beach City Code, states that the following criteria shall be considered when making an award recommendation:

- The ability, capacity and skill of the bidder to perform the contract.
- Whether the bidder can perform the contract within the time specified, without delay or interference.
- The character, integrity, reputation, judgment, experience and efficiency of the bidder.
- The quality of performance of previous contracts.
- The previous and existing compliance by the bidder with Applicable Laws relating to the contract.

Ric-Man International, Inc. was among the contractors named in the Affidavit in Support of Arrest Warrant (of former Procurement Director Gus Lopez). Notwithstanding that the company has not been charged at this time with any criminal offense by the State Attorney's Office, the City has concerns regarding its character, integrity, reputation, and judgment, and any further potential consequence resulting from this ongoing investigation that may limit the company's

ability to perform the contract requirements. Also, upon reviewing the supplier qualifier report on Ric-Man International, Inc. provided by Dun & Bradstreet, the company was found to be a “high risk” and it is in the best interest of the City to avoid entering into agreements with companies considered to be such a potential risk. Accordingly, pursuant to the criteria to be considered in determination of award, as stated above, Ric-Man International, Inc. has been deemed non-responsible and the City will not consider its bid submitted in response to this ITB.

As a result, the City Manager recommends to the Mayor and City Commission to award the construction contract to Metro Equipment Service, Inc. as the lowest responsive, responsible bidder and authorize the Administration to engage in value engineering to further reduce the cost and time for completion of said project. Although Metro Equipment Service, Inc. was the second-lowest bidder at \$1,205,934, their bid, including 10% contingency meets the estimated budget for this project.

Metro Equipment Service, Inc. has been providing general construction services to South Florida since 1987. Metro has extensive experience in stormwater drainage, underground utility, and roadway construction serving Miami-Dade, Broward, and Monroe Counties, along with several local municipalities. The following are similar ongoing and recently completed projects:

- Key Largo South Transmission Lane, \$3,790,000
- Miami-Dade Water & Sewer W-813 Yard Piping, \$8,967,000
- Town of Golden Beach A1A Roadway Enhancements, \$2,409,893
- Town of Davie Water & Waste Water System Expansion, \$1,387,192

CONCLUSION

The Administration recommends the award of the contract to Metro Equipment Service, Inc., the lowest responsive, responsible bidder pursuant to Invitation to Bid (ITB) 2013-380TC, for the Parkview Island right-of-way improvements, in the amount of \$1,205,934; plus approve a project contingency of 10% for a not-to-exceed grand total of \$1,326,528; further authorizing the Administration to engage in value engineering to further reduce the cost and time for completion of said project.

JLM/MT/KGB/EC/AD

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MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: Jimmy Morales, City Manager

FROM: Michael Góngora, Commissioner

DATE: September 6, 2013

SUBJECT: Discussion Item for September 11 Commission Meeting

Please place on the September 11 Commission meeting agenda a discussion to add the additional pending block party fees to the already approved Commission waiver fee for Miami Beach Gay Pride 2013 that was approved in March 2013. If you have any questions please feel free to contact my aide Diana Fontani at ext 6087.

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MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: Jimmy Morales, City Manager

FROM: Michael Góngora, Commissioner

DATE: September 6, 2013

SUBJECT: Discussion Item for September 11 Commission Meeting

Please place on the September 11 Commission meeting agenda a discussion to support a barrier with foliage be installed by FDOT in the median on 41st Street from Alton Road to Meridian Avenue within two 2 years from the completed FDOT traffic study of June 2013. If you have any questions please feel free to contact my aide Diana Fontani at ext 6087.

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OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: Jimmy Morales, City Manager

FROM: Michael Góngora, Commissioner

DATE: September 6, 2013

SUBJECT: Discussion Item for September 11 Commission Meeting

Please place on the September 11 Commission meeting agenda a discussion to support Miami Dade County Public Schools Spanish foreign language initiative in which all Miami Beach feeder schools offer Spanish foreign language tracks which will enable all interested Miami Beach students to take Spanish for high school credit in all Miami Beach middle schools and high schools (Nautilus Middle, Feinberg Fisher K8, and Ruth K. Broad Bay Harbor K8.) If you have any questions please feel free to contact my aide Diana Fontani at ext 6087.

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MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: Jimmy Morales, City Manager

FROM: Michael Góngora, Commissioner

DATE: September 6, 2013

SUBJECT: Discussion Item Commission Meeting

Please place on the Commission meeting agenda a discussion item regarding the image of the Miami Beach Police Department. If you have any questions please feel free to contact my aide Diana Fontani at ext 6087.

MG/df

Agenda Item R9P
Date 9-11-13

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