

**CITY OF MIAMI, FLORIDA
INTER-OFFICE MEMORANDUM**

TO: Arthur Noriega V.
City Manager
Digitally signed by Perez,
Annie
Date: 2020.04.28
11:11:50 -04'00'
Perez, Annie

DATE: April 27, 2020

FILE:

FROM: Annie Perez, CPPO, Director
Department of Procurement

SUBJECT: Recommendation to Reject All Bids Received for Invitation to Bid ("ITB") No. 18-19-038 - Brickell Avenue Road Improvements from SE 8th Street to SE 15th Road – D2, Project No.: B-30874

REFERENCES: Invitation to Bid ("ITB") No. 18-19-038

ENCLOSURES: Bid Security List, Deficiency Notices on Ongoing City Projects

RECOMMENDATION:

Based on the background below, the Department of Procurement ("Procurement") hereby requests authorization to reject all bids received for ITB No. 18-19-038, Brickell Avenue Road Improvements from SE 8th Street to SE 15th Road - D2, Project No.: B-30874 ("Project"), and further proceed to cancel the solicitation.

BACKGROUND:

On July 19, 2019, Procurement advertised the Project on behalf of the City's Office of Capital Improvements ("OCI"). On August 21, 2019, Procurement received two (2) bids for the Project (see attached Bid Security List). Procurement staff completed the due diligence review of the bid submitted by V Engineering & Consulting Corp. ("V Engineering"), the lowest Bidder. After determining that V Engineering's bid met the minimum qualification requirements and was otherwise responsive to the ITB, Procurement staff proceeded with preparation of the City Manager's award memorandum and other documents required for award of the Project by the City Commission. However, when seeking OCI concurrence for awarding the Project to V Engineering, Procurement was advised of non-performance issues in connection with V Engineering's two ongoing construction projects for the City.

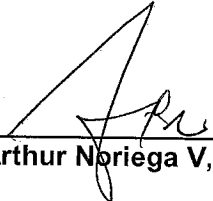
On November 5, 2019, and based on documented V Engineering's non-performance issues, OCI requested that Procurement hold in abeyance the award of ITB No.18-19-038 to V Engineering. Simultaneously, OCI project managers attempted to resolve the non-performance issues by engaging directly with V Engineering to define and implement all necessary corrective measures. During the five-month abeyance period, OCI project managers conducted several meetings and numerous email discussions with V Engineering in attempts to resolve the various issues, chiefly completion of the projects within the stated contractual time periods and compliance with the City's Small Business Enterprise (SBE), Local Workforce and Responsible Wages and Benefits provisions. However, despite OCI staff's efforts to resolve the project issues, and V Engineering's repeated assurances, the non-performance issues have continued unabated, and have resulted in OCI's issuance of multiple notices of deficiency, violation and default to the Company (see attached supporting documentation).

As a result of V Engineering's inability to resolve its compliance issues concerning ongoing City projects throughout the entire abeyance period, which overlapped the Company's effective bid bond validity period, Procurement recommended OCI to obtain the City Manager's approval to reject all bids and cancel the solicitation, to which OCI agreed.

Accordingly, pursuant to Section 18-91 of the City Code, as amended, Procurement hereby requests your approval below authorizing the rejection of all bids received for ITB No. 18-19-038, and the cancelation of the solicitation. A new ITB may be advertised in the future.



Approved:



Arthur Noriega V, City Manager

Date:

4/30/20

- c: Nzeribe Ihekweba, P.E., PhD., Assistant City Manager
- Sandra Bridgeman, Assistant City Manager/Chief Financial Officer
- Pablo Velez, Sr. Assistant City Attorney
- Hector Badia, Interim Director, OCI
- Jorge Mora, Assistant Director, OCI
- Fernando V. Ponassi, MA Arch., MA PPA, LEED®AP, Assistant Director, Procurement



**CITY OF MIAMI
DOCUMENT ROUTING FORM**

#219

4/29

ORIGINATING DEPARTMENT: Procurement
 DEPT. CONTACT PERSON: Anthony Rolle/Luis Caseres EXT. 1903
 NAME OF OTHER CONTRACTUAL PARTY/ENTITY: _____

IS THIS AGREEMENT AS A RESULT OF A COMPETITIVE PROCUREMENT PROCESS? YES NO
 TOTAL CONTRACT AMOUNT: _____ FUNDING INVOLVED? YES NO

TYPE OF AGREEMENT:

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> MANAGEMENT AGREEMENT
<input type="checkbox"/> PROFESSIONAL SERVICES AGREEMENT
<input type="checkbox"/> GRANT AGREEMENT
<input type="checkbox"/> EXPERT CONSULTANT AGREEMENT
<input type="checkbox"/> LICENSE AGREEMENT | <input type="checkbox"/> PUBLIC WORKS AGREEMENT
<input type="checkbox"/> MAINTENANCE AGREEMENT
<input type="checkbox"/> INTER-LOCAL AGREEMENT
<input type="checkbox"/> LEASE AGREEMENT
<input type="checkbox"/> PURCHASE OR SALE AGREEMENT |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

OTHER: (PLEASE SPECIFY) City Manager Memo

PURPOSE OF ITEM (BRIEF SUMMARY) Recommendation to Reject All Bids Received for ITB No. 18-19-038
- Brickell Avenue Road Improvements from SE 8th Street to SE 15th Road – D2, Project No.: B-30874

COMMISSION APPROVAL DATE: _____ FILE ID: _____ ENACTMENT NO.: _____

IF THIS DOES NOT REQUIRE COMMISSION APPROVAL, PLEASE EXPLAIN: _____

OK to proceed in view of he inability to resolve its compliance issues with firm. SB

ROUTING INFORMATION	Date	Signature/Print
APPROVAL BY DEPARTMENTAL DIRECTOR	4/28/2020	Annie Perez Perez, Annie <small>Digitally signed by Perez, Annie Date: 2020.04.28 11:07:55 -04'00'</small>
SUBMITTED TO RISK MANAGEMENT	N/A	Ann-Marie Sharpe
SUBMITTED TO CITY ATTORNEY	N/A	Victoria Méndez
APPROVAL BY BUDGET OFFICE	N/A	Chris Rose
APPROVAL BY ASSISTANT CITY MANAGER	04/29/2020	Sandra Bridgeman Sandra <small>Digitally signed by Bridgeman, Sandra Date: 2020.04.29 12:53:00 -04'00'</small>
APPROVAL BY ASSISTANT CITY MANAGER		Nzeribe Ihekweba
RECEIVED BY CITY MANAGER	4/30	Arthur Moriga V
SUBMITTED TO AND ATTESTED BY CITY CLERK		Todd Hannon
1) ONE ORIGINAL TO CITY CLERK 2) ONE COPY TO CITY ATTORNEY'S OFFICE 3) REMAINING ORIGINAL(S) TO ORIGINATING DEPARTMENT		