

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

TO: Emilio T. González, Ph.D.
City Manager

DATE: January 22, 2019

FILE:

FROM: Annie Perez, CPPO, Director
Department of Procurement



SUBJECT: Recommendation for Award of Hadley Park Synthetic Turf and Park Improvements, D5 - Project No. B-173515

REFERENCES: Invitation to Bid ("ITB") No. 17-18-050

ENCLOSURES: Bid Security List, Contractor's Price Proposal, Award Rescission Memorandum

RECOMMENDATION:

Based on the findings below, the Department of Procurement ("Procurement") hereby recommends that the referenced Project be awarded to Hellas Construction, Inc. ("Hellas"), who has been determined to be the lowest responsive and responsible Bidder, for Invitation to Bid ("ITB") No. 17-18-050, Hadley Park Synthetic Turf and Park Improvements, D5 – Project No. B-173515 (the "Project").

BACKGROUND:

On September 18, 2018, Procurement issued a solicitation under full and open competition to obtain bids from qualified firms. On October 18, 2018, Procurement received four (4) bids in response to the solicitation (see attached Bid Security List).

Pursuant to the solicitation, Bidders were required to have: i) a current certified General Contractor License issued by the State of Florida or ii) a current license as a certified Building Contractor from the State of Florida; and a minimum of ten (10) years' experience under its current business name.

In addition, the Bidders were required to demonstrate that they have full-time key personnel with the necessary experience to perform the Project's Scope of Work by submitting details of at least three (3) Projects completed within the past five (5) years whose scope of work included the construction/renovation of athletic fields which were similar to the Project's Scope of Work. Furthermore, the Bidders or Bidders' Synthetic Turf Installer/Subcontractor were required to provide proof of completing at least three (3) synthetic turf athletic field Projects of at least one (1) acre within the past five (5) years.

The submitted reference Projects must have demonstrated that the Bidder: i) was the Prime Contractor for the Project; and ii) self-performed at least thirty percent (30%) of the Physical Labor Construction Work for the Project. The Selected Bidder shall be required to self-perform at least thirty percent (30%) of the Physical Labor Construction Work for the Project.

FINDINGS:

On November 26, 2018, after a thorough due diligence review of the bids received on October 18, 2018, and following the guidelines published in the solicitation, Procurement recommended the award of this contract to the then apparent lowest responsive and responsible bidder, Sports Turf One, Inc. ("Sports Turf"). Subsequently, on November 30, 2018, the second lowest bidder, Hellas, submitted a letter of Intent to Protest the award to Sports Turf, alleging multiple irregularities affecting Sports Turf's bid that had occurred after Procurement concluded its due diligence effort. Following a second review at the request of the City Attorney's Office, Procurement determined that Sports Turf was in fact non-responsive to the Minimum Requirements of the solicitation (please see attached Award Rescission Memorandum, dated January 2, 2019). As a result, the second lowest Bidder, Hellas, was found to be the lowest responsive and responsible Bidder. The local preference ordinance is not applicable since the sole Bidder who

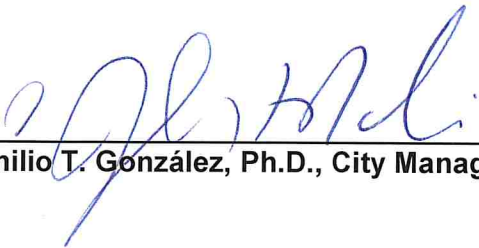
PR19040

maintains a “local office,” Waypoint Contracting, Inc., did not submit a bid within fifteen percent (15%) of the lowest responsive and responsible Bidder’s bid.

After determining that Hellas was a responsive and responsible Bidder, who met the minimum requirements specified in the solicitation, the Office of Capital Improvements (“OCI”) reviewed and compared Hellas bid to the design consultant’s construction cost estimate, and determined that Hellas bid was acceptable. Based on the above findings, Procurement hereby recommends that the Project be awarded to Hellas.

CONTRACT EXECUTION:

Accordingly, Procurement hereby requests authorization to prepare for execution a contract with Hellas. The total not-to-exceed contract amount of \$2,107,506.50 includes Hellas base bid of \$1,915,915.00 for the Scope of Work, plus an Owner’s Contingency Allowance in the amount of \$191,591.50. Your signature below indicates your approval of Procurement’s recommendation.

Approved: 
Emilio T. González, Ph.D., City Manager

Date: 1/31/19

- c: Joseph F. Napoli, Deputy City Manager
- Nzeribe Ihekwebaba, Ph.D., P.E., Assistant City Manager
- Sandra Bridgeman, Assistant City Manager/Chief Financial Officer
- Rafael Suarez-Rivas, Chief Assistant City Attorney
- Steven C. Williamson, Director, OCI
- Hector Badia, Assistant Director, OCI
- Fernando V. Ponassi, MA Arch., MA PPA, LEED®AP, Assistant Director, Procurement

Form SU must be submitted with Bidder's Bid. The SU Form can be found posted on the webpage with the bid documents.

The Work consists of furnishing all materials, labor, and equipment necessary for the construction of a new multipurpose synthetic turf field, four (4) new bleachers with canopies, a new four (4) foot high chain-link fence around the field, relocation of the existing fire lane and existing water and sewer lines, reconfiguration of walkways, bike racks and trash receptacles, installation of a new scoreboard and scoreboard control platform, and installation of security lighting, security cameras, a PA system, a lightning sensor alarm system, and new irrigation and landscaping.

The full Scope of Work is detailed in the Contract Documents.

ITB No.: 17-18-050 – HADLEY PARK SYNTHETIC TURF AND PARK IMPROVEMENTS, D5

Bidders are bidding on Total Lump Sum prices:

A. Alternate for Scoreboard Equipment: \$ 50,915.00

B. Bid Amount: \$ 1,865,000.00

LUMP SUM TOTAL BID CONSTRUCTION COST (A + B) \$ 1,915,915.00

WRITTEN TOTAL BID CONSTRUCTION COST:

\$ One Million Nine Hundred Fifteen Thousand Nine Hundred Fifteen Dollars and Zero Cents.
(Total Bid A + B)

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

TO: Emilio T. González, Ph.D.
City Manager

DATE: January 2, 2019

FILE:

FROM: *Yardis Calderon for*
Annie Perez, CPPO, Director
Department of Procurement

SUBJECT: Rescinding Recommendation of Award for Invitation to Award ("ITB") No. 17-18-050 – Hadley Park Synthetic Turf and Park Improvements, D5 – Project No. B-173515

REFERENCES: Invitation to Bid ("ITB") No. 17-18-050

ENCLOSURES: ITB No. 17-18-50 Award Recommendation Memo, Non-responsiveness Letter, Bid Security List

Procurement is hereby requesting that the attached award recommendation memo be rescinded. This construction contract is highly specialized in nature, and the following concerns were raised by one of the Bidders regarding the awarded Bidder (Sports Turf One, Inc.): 1) the Qualifier for the General Contractor was replaced from the one submitted at bid submittal; and 2) changes to the key personnel and a business name change occurred after bid submittal without written notification to the City.

As these changes are considered material changes, Procurement, in consultation with the City Attorney's Office, has deemed it necessary for the award recommendation to be rescinded. It was agreed that it is in the best interest of the City to award to the next lowest responsive and responsible Bidder for this solicitation.

Background

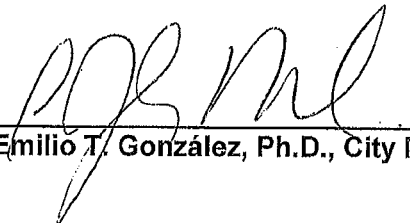
On September 18, 2018, Procurement issued ITB No. 17-18-050 under full and open competition, on behalf of the Office of Capital Improvements ("OCI"). Four (4) bids were received in response to the ITB. All bids were found to be responsive.

On November 28, 2018 the City Manager approved the award recommendation for ITB No. 17-18-050, Hadley Park Synthetic Turf and Park Improvements, D5 – Project No. B-173515, to Sports Turf One, Inc.

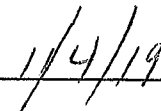
On December 18, 2018 a timely Protest was received from Hellas Construction, Inc., the second lowest, responsive and responsible Bidder, raising the aforementioned concerns.

Procurement respectfully requests your approval for the rescission of the Recommendation of Award Memo.

Approved:


Emilio T. González, Ph.D., City Manager

Date:



PR19039

- c: Joseph F. Napoli, Deputy City Manager
- Nzeribe Ihekweba, Ph.D., P.E., Assistant City Manager
- Sandra Bridgeman, Assistant City Manager/Chief Financial Officer
- Rafael Suarez-Rivas, Chief Assistant City Attorney
- Steven C. Williamson, Director, Office of Capital Improvements (“OCI”)
- Hector Badia, Assistant Director, OCI
- Fernando V. Ponassi, MA Arch., MA PPA, LEED®AP, Assistant Director, Procurement