

**INDIAN RIVER COUNTY
OFFICE OF MANAGEMENT AND BUDGET
PURCHASING DIVISION**

DATE: September 1, 2020

TO: BOARD OF COUNTY COMMISSIONERS

THROUGH: Jason E. Brown, County Administrator
Kristin Daniels, Director, Office of Management and Budget

FROM: Jennifer Hyde, Purchasing Manager

SUBJECT: Award of Bid 2020049 for Data Flow System Antenna and Tower Replacement

BACKGROUND:

On behalf of the Department of Utility Services, bids were solicited for the replacement of the communications tower and antenna at the West Regional Wastewater Treatment Facility, which were constructed in 1996, and require replacement. The antenna is one of three Forwarding Terminal Units (FTU) for the Data Flow Systems communication system, which monitors and controls 350 sewage lift stations in the county’s system.

RFP RESULTS:

Advertising Date: June 18, 2020
 Bid Opening Date: July 14, 2020
 Solicitation Broadcast to: 242 Subscribers
 Bid Documents Requested by: 11 Firms
 Replies: 3 Firms

Bidders Name	Location	Total Bid
Expert Construction Managers, Inc.	Brandon, FL	\$108,000
Boromei Construction, Inc.	Okeechobee, FL	\$109,663
Allstate Tower (DQ - bid form not signed)	Henderson, KY	DQ

ANALYSIS:

The department has reviewed the two responsive bids and is recommending award to Boromei Construction, Inc. (“Boromei”), as their construction schedule is more responsible in relation to the requirements of the bid.

The sample agreement included with the bid documents anticipated a 45-day construction schedule, with the existing tower needing to remain in service until the new tower is 100% operational. The project completion time on the bid form submitted by Boromei was 60 days,

while Expert Construction Managers, Inc. (“Expert”) submitted a completion time of 150 days. The condition of the existing tower continues to deteriorate and has made replacement urgent. Therefore, award of the bid with the shorter project schedule is preferred to ensure connectivity to lift stations.

Section 105.02 of the Code of Ordinances says “The county commission may enter into contracts... based on the recommendations of the county administrator, bidding procedures, or such other methods that the commission determines are in the best interest of the county,” and Paragraph 4.3 of the Purchasing Manual and the Award paragraph in the bid documents both state “the Board is authorized to waive technicalities and irregularities and to reject any and all bids, or any portion of a bid.”

On August 11, 2020, Expert submitted a complaint that Boromei’s submitted schedule does not comply with the specifications and indicates a lack of basic tower construction knowledge and protocol. After researching the complaint and review with the County Attorney and Department, the Purchasing Manager found no evidence the statement that Boromei schedule does not comply with specifications. Both bidders had been determined to be responsible by the department, and no evidence was provided to indicate Boromei is not qualified to perform the work. Expert was informed of the denial of their protest and their right to appeal on August 20, 2020. They have not provided notice of intent to appeal the denial of their protest.

FUNDING:

Funds for the antenna and tower replacement are available in the Wastewater Collection Replacement and Renewal (“R&R”) account.

Fund	Description	Amount
47126836-044699-19547	Data Flow Antenna Replacement	\$110,000

RECOMMENDATION:

Staff recommends the Board award bid 2020049 to Boromei Construction, Inc. Staff also recommends the Board approve the Sample Agreement and authorize the Chairman to sign it after receipt and approval of the required bond and insurance, the County Attorney’s approval of the agreement as to form and legal sufficiency, and after the contractor has become registered with the Building Division.

ATTACHMENT:

- Expert Protest Memo
- Response to Expert Protest
- Sample Agreement