

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20041449

1. REQUESTED MOTION:

ACTION REQUESTED: Rescind previous award to James Kennedy Lawn Service for Formal Quotation Q-030680, Landscape Maintenance of Medians for Various Locations-D.O.T. for the Department of Transportation. Effective date of termination was November 1, 2004.

WHY ACTION IS NECESSARY: Board approval is required to rescind formal level quotation.

WHAT ACTION ACCOMPLISHES: Allows D.O.T. to terminate contract with vendor failing to perform in a satisfactory manner.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #

C9C

3. MEETING DATE:

11-23-2004

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

AC-4-1

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER**
- B. DEPARTMENT** Transportation
- C. DIVISION** Operations

BY: Scott Gilbertson

BACKGROUND: On October 28, 2003, the Board approved award of Quote # Q-030680 to P & T Lawn and Tractor Service and James Kennedy Lawn Service as the low quoters per sections where they were deemed the low quoters. Recently James Kennedy Lawn Service has received several vendor complaints concerning their contractual obligations. After repeated attempts to resolve these problems with the vendor the Department of Transportation-Operations has determined it is time to terminate the contract with this vendor.

Please see attachments:

- (1) Bluesheet #20031135
- (2) Vendor Complaint Forms and Supporting Documentation
- (3) Department Recommendation

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
<i>11/2/04</i>	<i>Joint Section 11-1-04</i>			<i>James</i>	<i>OA</i>	<i>OM</i>	<i>Risk</i>	<i>GC</i>	<i>11-2-04</i>
					<i>11/4/04</i>	<i>11/4/04</i>	<i>11/2</i>	<i>11/2/04</i>	<i>11-2-04</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 11/2/04
Time: 10:17
Forwarded To:

RECEIVED BY COUNTY ADMIN. <i>[Signature]</i>
11/2/04
5:00 pm 207
COUNTY ADMIN. FORWARDED TO: <i>[Signature]</i>
11-4-04
30m

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20031135

1. REQUESTED MOTION:

ACTION REQUESTED: Approve award of Quote # Q-030680, Landscape Maintenance of Medians for Various Locations - DOT for the Department of Transportation-Operations to the low quoters per sections meeting all specification requirements P & T Lawn and Tractor Service and James Kennedy Lawn Service. The initial contract period will be until January 31, 2005. Also request authority to renew this quote for four additional one-year periods upon mutual agreement of all parties. Additionally request of the Board the authority in the event that one of the parties is unable to comply with our specifications that the entire award can be given to the party that is in compliance with our requirements.

WHY ACTION IS NECESSARY: Formal quote projects that exceed \$50,000 require Board approval.

WHAT ACTION ACCOMPLISHES: Provides a competitive, fair market price for median maintenance for DOT.

**2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #**

C9A

3. MEETING DATE:

10-28-2003

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:
(Specify)**

- STATUTE
- ORDINANCE
- ADMIN. AC-4-1
- CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
- B. DEPARTMENT Transportation
- C. DIVISION Operations

BY: Scott Gilbertson

7. BACKGROUND:

On September 2, 2003 Purchasing received seal quotations for this project. On that date seven responses were received, of which five were "No Bids".

Account String: PC5410517500.503490

Attachments: (1) Tab Sheet (4) Specification

(2) Departments Recommendation

(3) Awarded Vendor's Quotes

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services			G County Manager
<i>10/2/03</i>	<i>10-29-03</i>			<i>Debra</i>	<i>OA</i>	<i>OM</i>	<i>Risk</i>	<i>GC</i>
<i>10/2/03</i>	<i>10-29-03</i>			<i>Debra</i>	<i>RK</i>	<i>10/10</i>	<i>10/10/03</i>	<i>10/10/03</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: *10/10/03*
Time: *2:45*
Forwarded to:
Budget
10/10/03 3:30pm

RECEIVED BY
COUNTY ADMIN *RK*
10/10/03
3:20 PM GET
COUNTY ADMIN
FORWARDED TO:
10/10/03

TO: JACK

APPROVED: 7/9/02

LEE COUNTY
VENDOR COMPLAINT REPORT

VENDOR: JAMES KENNEDY LAWN SERVICE DEPARTMENT DOT. Op's

ADDRESS: 515 EVERGREEN RD

COMPLAINANT'S NAME: JACK KLIPFEL

CITY: N. H. MYERS

COMPLAINANT'S TITLE: LANDSCAPE SUPV.

PHONE: 239 656 1328

COMPLAINANT'S PHONE#: 684 3334

DATE: 10/28/04

QUOTE#: Q 030680

CONTACT: JAMES KENNEDY

QUOTE TITLE: LANDSCAPE MAINTENANCE

NATURE OF COMPLAINT

- | | | | |
|----------------------------------------|--------------------------------------|----------------------------------------|--------------------------------------------|
| <input type="checkbox"/> 01 | Late Delivery | <input type="checkbox"/> 10 | Goods Delivered Damaged |
| <input type="checkbox"/> 02 | Unauthorized Substitute | <input type="checkbox"/> 11 | Request to Cancel Due to Bid Error |
| <input checked="" type="checkbox"/> 03 | Poor Quality | <input type="checkbox"/> 12 | Problem w/vendor Personnel |
| <input type="checkbox"/> 04 | Failure to Respond to Letter or Call | <input type="checkbox"/> 13 | Failure to Replace Damaged Goods |
| <input checked="" type="checkbox"/> 05 | Poor Service | <input type="checkbox"/> 14 | Repair Parts Not Available |
| <input type="checkbox"/> 06 | Failure to Respond to Service Call | <input checked="" type="checkbox"/> 15 | Poor Workmanship |
| <input type="checkbox"/> 07 | Incorrect Items Delivered | <input type="checkbox"/> 16 | Failure to Provide Warranty, Manuals, etc. |
| <input checked="" type="checkbox"/> 08 | Failure to Meet Specifications | <input type="checkbox"/> 17 | Short Weight or Overshipment |
| <input type="checkbox"/> 09 | Failure to Identify Shipment | | |

DETAILS OF COMPLAINT: (Attach additional pages if necessary)

JAMES WAS GIVEN 30 DAYS TO COMPLETE HIS LANDSCAPE CONTRACT RESPONSIBILITIES AND AFTER INSPECTION REPORTS, HE HAS FAILED TO DO SO.
J. Klipfel

ACTION TAKEN BY BUYER & OUTCOME: (Attach additional pages if necessary)

Buyer: _____ Date: _____

Has complaint been resolved? Yes No Date resolved: _____

Revision Date: 8/8/02

CHRIS JEFFCOAT

APPROVED: 7/9/02

LEE COUNTY
VENDOR COMPLAINT REPORT

VENDOR: KENNEDY LAWN SERVICE DEPARTMENT DOT OPERATIONS

ADDRESS: 516 EVERGREEN RD

COMPLAINANT'S
NAME: JACK KLIPFEL

CITY: North Ft. Myers 33903

COMPLAINANT'S
TITLE: LANDSCAPE SUPV.

PHONE: 656 1328

COMPLAINANT'S
PHONE#: 694 3334 EXT 330

DATE: 9/9/04

QUOTE#: 030680

CONTACT: JAMES KENNEDY

QUOTE TITLE: _____

NATURE OF COMPLAINT

- | | | | |
|-------------|--------------------------------------|-------------|--------------------------------------------|
| _____ 01 | Late Delivery | _____ 10 | Goods Delivered Damaged |
| _____ 02 | Unauthorized Substitute | _____ 11 | Request to Cancel Due to Bid Error |
| <u>X</u> 03 | Poor Quality | _____ 12 | Problem w/vendor Personnel |
| _____ 04 | Failure to Respond to Letter or Call | _____ 13 | Failure to Replace Damaged Goods |
| <u>X</u> 05 | Poor Service | _____ 14 | Repair Parts Not Available |
| _____ 06 | Failure to Respond to Service Call | <u>X</u> 15 | Poor Workmanship |
| _____ 07 | Incorrect Items Delivered | _____ 16 | Failure to Provide Warranty, Manuals, etc. |
| <u>X</u> 08 | Failure to Meet Specifications | _____ 17 | Short Weight or Overshipment |
| _____ 09 | Failure to Identify Shipment | | |

DETAILS OF COMPLAINT: (Attach additional pages if necessary) VENDOR CANNOT GET ALL PHASES OF SPECIFICATIONS DONE EACH MONTH. WEED CONTROL IS NOT FINISHED ANY MONTH. TRIMMING NEVER GETS CAUGHT UP MONTHLY, AND IS POOR QUALITY.

ACTION TAKEN BY BUYER & OUTCOME: (Attach additional pages if necessary)
9/22 Vendor given photos showing problems and was given verbal description of situation. Vendor states situation will be fixed up within 30 days.

Buyer: _____ Date: _____

Has complaint been resolved? _____ Yes _____ No Date resolved: _____

From: Sheryle Dell
To: Klipfel, Jack
Date: 10/26/04 5:08PM
Subject: 10-25-04 Veterans Inspection

I have not received a report from Kennedy since 07-16-04
Prune seagrape at a 45 degree angle away from roadway

3 dead EP Hollies need to be removed
Mahogany's need to be pruned they are hazards. One needs to be removed from median at Chiquitia
Quit pruning the wax myrtles and privots it is killing them.
Round-up over spray is killing and damaging plants.
Staking material is not supporting the trees.

Trees need water

From: Sheryle Dell
To: Klipfel, Jack
Date: 10/26/04 4:59PM
Subject: Edison inspection 10-25-04

I have not received a report since 08-06-04

One sabal leaning
Pick-up trash
need to remulch site
water
Round-up over spray killing muhley grasses - missing 817
11 firebush missing
3 sabals missing

CC: Faust, Bobby

From: Sheryle Dell
To: Klipfel, Jack
Date: 10/26/04 4:55PM
Subject: Inspection Report Palm beach 10-25

I have received no reports from Kennedy on this road since 08-05-04.

Ruella needs to be pruned to 18"

Oleander are in very poor condition, they are constantly infected with scale. Due the way they were pruned they are top heavy causing the branches to break.

there are scale in the ruella

clean up the crinum lilies

Hand pull weeds from coontie and under other plants. Roundup over spray the cause of death of 36 coontie.

Pick up fronds

Weeds that get greater than 6" high need to be hand pulled not sprayed.

Newly planted crape myrtles need to be watered.

Staking on palms and trees not supporting the trees.

Need to remove sucker growth

CC: Faust, Bobby

From: Jack Klipfel
To: Jeffcoat, Christopher
Date: 10/28/04 5:15PM
Subject: James Kennedy

James Kennedy Lawn Service was given 30 days to rectify a vendor complaint and according to our inspector, he has failed to fulfill his contract obligations. Please proceed to terminate his contract, Roadway Landscape Maintenance Q-030860, effective November 1st, 2004. Attached is the inspection reports the vendor complaint.

Jack Klipfel
Landscape Supervisor
DOT Operations
Jack@Leegov.com
239 694 3334
Fax 694 3332
Cell 707 8653

CC: Chamblee, Donald; Faust, Bobby