

WALK ON #1

Lee County Board Of County Commissioners

Blue Sheet No. 20051563

Agenda Item Summary

1. ACTION REQUESTED/PURPOSE: Award B-05-20 Disaster Debris Monitoring Services, for the Solid Waste Division, to the lowest average bidder, Solid Resources Inc., for the following hourly fees: Project Manager .95.00/hr; Field Coordinator \$80.00/hr; Field Monitoring/Staging Monitor/Crew Leader \$40.00/hr; Supervisor \$60.00/hr; and Data Entry \$35.00. Authorize Chairman to execute the Service Provider Agreement upon completion.

2. WHAT ACTION ACCOMPLISHES: Provide assistance to the Lee County Board of County Commissioners by providing Debris Removal Monitoring and Record-keeping services and shall include participation in meetings, workshops, and the establishment of data management and other integrated systems, as specified.

3. MANAGEMENT RECOMMENDATION: Staff recommends approval.

4. Departmental Category: 8.

WO #1

5. Meeting Date: 11-01-2005

6. Agenda:

- Consent
- Administrative
- Appeals
- Public
- Walk-On

7. Requirement/Purpose: (specify)

- Statute
- Ordinance
- Admin. Code AC-4-4
- Other

8. Request Initiated:

Commissioner _____
 Department Public Works
 Division Solid Waste
 By: Lindsey Sampson, Director

Lindsey Sampson

9. Background:

The Solid Waste Division submitted a request to Contracts Management to solicit bids for Disaster Debris Monitoring Services. The expected cost of the services required the use of the formal process.

On the bidding deadline of July 27, 2005 Contracts received four (4) bids. The bids were reviewed by the Solid Waste Division and a recommendation was received to award to the lowest average bidder, based on a comparative cost matrix, Solid Resources Inc. The chronology of events was as follows:

- September 7, 2005 Notice of Intent letters were faxed to all bidders indicating award to Solid Resources.
- September 10, 2005 a Notice of Intent to File a Protest was received from Engineered Resources.
- September 22, 2005 the Formal Written Protest was received from Engineered Resources.
- October 6, 2005, the "informal" protest hearing was held with the protester, Engineered Resources and the recommended awardee, Solid Resources". The Bid Dispute Committee consisted of the following staff members: Jim Lavender, Director of Public Works, as Chairman, Pete Winton, Assistant County Manager and Rick Diaz, Utilities Director. The invited participants: Lindsey Sampson, Solid Waste Director, Jason Fournier, Solid Waste and Scott Coovert, Legal Advisor.

--Continued on Page 2--

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
<i>J. Lavender</i> 10/27/05	<i>C. Diaz</i> 10/26/05	N/A		<i>S. Coovert</i> 10/27/05	Analyst <i>P.M.</i> 10/27/05	Risk <i>P. Winton</i> 10/27/05	Grants <i>P. Winton</i> 10/27/05	Mar. <i>P. Winton</i> 10/27/05	<i>J. Lavender</i> 10/27/05

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: *PM*

10-27-05

1:06

COUNTY ADMIN FORWARDED TO: *ML*

10/27

Rec. by CoAtty

Date: *10/27/05*

Time: *10:25 AM*

Forwarded To: *Co. Mar.*

10-27-05

9. Background (Continued):

After final deliberations it was the consensus of the Bid Dispute Committee to uphold the recommendation by the Solid Waste Division and recommend award to Solid Resources. Before the meeting adjourned the question was asked of the protester, Engineered Resources, if they'd like to consider withdrawing the protest based on the outcome of the Bid Dispute Committee meeting. At that time Engineered Resources advised the committee that the protest is withdraw and they had no intentions of going before the Board of County Commissioners.

Funds will be made available in account #OB5340840100

- Attachments:
1. Bid Tabulation
 2. Department Recommendation
 3. Comparative Matrix
 4. Formal Written Protest from Engineered Resources

From: Sampson, Lindsey J.
To: DeSalvo, Richard A.
Date: 10/28/05 3:03PM
Subject: Walk-On BS #20051563

Dear Richard,

The Solid Waste Division is requesting the subject Blue Sheet be walked on because:

This blue sheet item is requested as a walk on in order to provide timely monitoring services for hurricane debris collection efforts.

Lindsey J. Sampson

Lee County Solid Waste Division

sampsolj@leegov.com

Ph 239-338-3302

Fax 239-461-5871

CC: Logan, Cindy S., Covert, Scott S.

**LEE COUNTY BID TABULATION SHEET
FOR
DISASTER DEBRIS MONITORING SERVICES**

BID NO.: B-05-20

DATE: JULY 27, 2005

CONTRACTOR	\$2,500.00 BID BOND	PROJ MGR COST/HOUR	FIELD COORD COST/HOUR	FIELD MONITOR/ STAGING MONITOR CREW LEADER COST/HOUR	SUPERVISOR COST/HOUR	DATA ENTRY COST/HOUR
Solid Resources Inc. Ms. Michelle Harvey 4456 Friar Tuck Lane Sarasota FL 34232 941.342.1720 / 941.379.0946	\$2,500.00	\$95.00	\$80.00	\$40.00	\$60.00	\$35.00
Engineered Resources, LLC Mr. Bansi Patel 3949 Evans Ave, Suite 407A Ft Myers FL 33901 939.5840 / 939.5840	\$2,500.00	\$82.00	\$54.00	\$48.00	\$42.00	\$30.00
PBS&J Eric Tolbert 5300 Cypress St, Suite 200 Tampa FL 33607 919.431.5236 / 919.876.6848	\$2,500.00	\$120.00	\$85.00	\$50.00	\$70.00	\$40.00
Consul-Tech Construction Mgmt Ms. Kristina Clarke 3434 Hancock Bridge Pky, Ste 207 N Ft Myers FL 33903 656.6237 / 652.0776	\$2,500.00	\$150.00	\$130.00	\$75.00/\$85.00/\$95.00	\$95.00	\$55.00

Attachment # 1



Lee County
SOUTHWEST FLORIDA

**INTEROFFICE MEMORANDUM
FROM
SOLID WASTE DIVISION**
Phone: (239) 338-3302 Fax: (239) 338-3304

Attachment
#2

Date: August 15, 2005

TO: Cindy Logan

From: Lindsey J. Sampson, P.E.
Director

SUBJECT: Recommendation to award Bidder B-05-20 Disaster Debris Monitoring Services.

Cindy,

Lee County Solid Waste has reviewed the qualifications and bid tabulation. Based on qualifications and the debris monitoring comparative costs matrix supplied to your office. LCSW recommends the award go to Solid Resources Inc. as the lowest average bidder.

Please obtain signed agreements, complete acceptable bonding and the necessary insurance.

The account string we have established to fund this work is: OB5340840100

Thanks

Debris Monitoring Comparative Matrix

Position	Qty.	Hrs.	Days	Weekly Hrs.
A: Project Manager:	1	8	7	56
Field Coordinator	1	10	7	70
F/S Monitor Crew Leader	60	12	7	5040
Supervisor	1	12	7	84
Data Entry	2	8	6	96

Position	Qty.	Hrs.	Days	Weekly Hrs.
B: 1) Project Manager	1	4	7	28
2) Field Coordinator	1	10	7	70
3) F/S Monitor Crew Leader	30	12	7	2520
4) Supervisor	1	12	7	84
5) Data Entry	1	8	6	48

	1	2	3	4	5	Weekly Total
Solid Resources						
A:	\$95.00	\$80.00	\$40.00	\$60.00	\$35.00	\$220,920.00
B:	\$5,320.00	\$5,600.00	\$201,600.00	\$5,040.00	\$3,360.00	\$115,780.00
	\$2,660.00	\$5,600.00	\$100,800.00	\$5,040.00	\$1,680.00	

Engineered Resources, LLC						
A:	\$82.00	\$54.00	\$48.00	\$42.00	\$30.00	\$256,700.00
B:	\$4,592.00	\$3,780.00	\$241,920.00	\$3,528.00	\$2,880.00	\$132,004.00
	\$2,296.00	\$3,780.00	\$120,960.00	\$3,528.00	\$1,440.00	

PBS&J						
A:	\$120.00	\$85.00	\$50.00	\$70.00	\$40.00	\$274,390.00
B:	\$6,720.00	\$5,950.00	\$252,000.00	\$5,880.00	\$3,840.00	\$143,110.00
	\$3,360.00	\$5,950.00	\$126,000.00	\$5,880.00	\$1,920.00	

Consul-Tech Construction Mngmt						
A:	\$150.00	\$130.00	\$75.00	\$95.00	\$55.00	\$408,760.00
B:	\$8,400.00	\$9,100.00	\$378,000.00	\$7,980.00	\$5,280.00	\$459,160.00
	\$8,400.00	\$9,100.00	\$428,400.00	\$7,980.00	\$5,280.00	\$509,560.00
	\$8,400.00	\$9,100.00	\$478,800.00	\$7,980.00	\$5,280.00	

Engineered Resources, LLC						
A:	\$4,200.00	\$9,100.00	\$189,000.00	\$7,980.00	\$2,640.00	\$212,920.00
B:	\$4,200.00	\$9,100.00	\$214,200.00	\$7,980.00	\$2,640.00	\$238,120.00
	\$4,200.00	\$9,100.00	\$239,400.00	\$7,980.00	\$2,640.00	\$263,320.00



Attachment #4

ENGINEERED RESOURCES, LLC
11595 KELLY ROAD, SUITE 105A
FORT MYERS, FLORIDA 33908
TELEPHONE: 239.939.5840
FAX: 239.939.5840
CELL: 706.495.0323
EMAIL: BANSI.PATEL@WORLDNET.ATT.NET

September 17, 2005`

Mr. Jim Lavender
Public Works Director
Lee County Public Works
1500 Monroe Street
Fort Myers, FL 33901

FORMAL WRITTEN PROTEST FOR SOLICITATION B-05-20, DISASTER DEBRIS MONITORING SERVICES

- Reference: 1. Engineering Resources, LLC letter, Bansi Patel to Jim Lavender, Notice of Intent to File a Protest for Solicitation B-05-20, Disaster Debris Monitoring Services, dated September 10, 2005.
2. Lee County Contracts Management letter, Cindy Logan to Bansi Patel, "Disaster Debris Monitoring Services", dated September 7, 2005.

Dear Mr. Lavender,

As required in your Contracts Management Procedure Manual, Administrative Code, AC-4-2 Bid Protest Hearing Guide, Section 12: "Bid/Proposal Protest Procedure", the following information is provided.

According to the 12.1 Bid/Proposal Protest Procedure, 7 indicates that any firm submitting the County's standard bond form (CMO:001) along with the bid is not required to submit an additional bond with the filing of the Formal Written Protest. Upon submission of the Engineered Resources, L.L.C. (ERLLC) bid for Solicitation B-05-20, Disaster Debris Monitoring Services, on July 27, 2005, a cash bond for \$2,500.00 along with Lee County's Standard Bond Form (CMO:001) was included.

The disputed issues are stated below:

1. ERLLC is unclear as to the criteria used to award this contract. It appears that other objectives and criteria were applied that were not clearly identified in the Solicitation.
2. It is suspect that Solid Resources, Inc. is the "average lower bidder" overall and the most qualified to perform the required scope of work.
3. The matrix used by Contract Management was not provided in the original solicitation nor was this information shared with ERLLC. The matrix for Position A and B should have been available prior to the award, but when we posed the price structure question to Contractor Management we never received a response. Also, it is unclear where the Committee got its figures from or whether they are representative of the work.

Mr. Jim Lavender, Public Works Director, Lee County Public Works
Formal Written Protest for Solicitation B-05-20, *Disaster Debris Monitoring Services*
September 17, 2005
Page 2 of 2

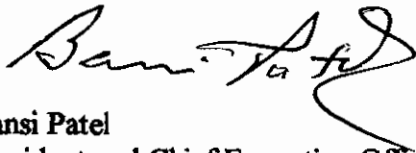
4. It appears that one category was arbitrarily singled out to make the "average lower bidder" determination. ERLLC was overall the lowest bidder with the experience to back up the cost figures and man-hours necessary to complete the job. Nowhere in Solicitation No. B-05-20 was it explained how these cost figures would be evaluated and weighed by the Committee.

In light of the issues raised concerning the fair evaluation practices used to determine the "lowest average bidder", ERLLC requests that Contract Management re-bid the contract after first adding the matrix they intend to use to award the contract.

Also, we would like a clarification of, "Discrepancies in the multiplication of units of Work and unit prices will be resolved in favor of the unit price. Discrepancies between the indicated sum of any column of figures and the correct sum thereof will be resolved in favor of the correct sum".

Our pricing structure was based on other successful projects that came in well below budget and without injuries to our workers or the community. ERLLC is the *best choice* for this contract due to our expertise in municipal solid waste removal, emergency preparedness activities, and environmental/engineering experience.

Sincerely,



Bansi Patel
President and Chief Executive Officer
Engineered Resources, LLC

BP/drs

Attachment



BOARD OF COUNTY COMMISSIONERS

(239) 335-2183

Writer's Direct Dial Number: _____

Bob James
District One

Douglas R. St. Conny
District Two

Ray Judah
District Three

Tommy Hall
District Four

John E. Altman
District Five

Donald D. Stowell
County Manager

David M. Owen
County Attorney

Olivia M. Parker
County Hearing Examiner

September 7, 2005
SOLICITATION NO.: B-05-20

Engineered Resources, LLC
Mr. Bansi Patel
3040 Evans Ave, Suite 407A
Ft Myers FL 33901
Fax: 939.5840

SUBJECT: DISASTER DEBRIS MONITORING SERVICES

ENCLOSURE: (1) BID TABULATION & COMPARATIVE MATRIX

Dear Mr. Patel:

Please be advised that after reviewing all bids submitted on July 27, 2005, and all pertinent data, it is Contracts Management's intent to recommend award, pending Board of County Commissioners approval, of B-05-20 Disaster Debris Monitoring Services to the lowest average bidder, Solid Resources, Inc. for the amounts shown on the Lee County Bid Tabulation.

FAILURE TO FOLLOW THE BID PROTEST PROCEDURE REQUIREMENTS WITHIN THE TIME FRAMES PRESCRIBED AND ESTABLISHED BY THE LEE COUNTY BOARD OF COUNTY COMMISSIONER'S, SHALL CONSTITUTE A WAIVER OF ANY PROTEST AND RESULTING CLAIMS.

Thank you for your interest in Lee County construction projects. If I can be of any assistance in the future, please call me.

Sincerely,

CONTRACTS MANAGEMENT


Cindy Logan
Contracts Manager

Position	Qty.	Hrs.	Days	Weekly Hrs.
A: Project Manager	1	8	7	68
Field Coordinator	1	10	7	70
F/S Monitor Crew Leader	60	12	7	6040
Supervisor	1	12	7	84
Data Entry	2	8	6	96

Position	Qty.	Hrs.	Days	Weekly Hrs.
B: 1) Project Manager	1	6	7	28
2) Field Coordinator	1	10	7	70
3) F/S Monitor Crew Leader	50	12	7	2520
4) Supervisor	1	12	7	84
5) Data Entry	1	8	6	48

	1	2	3	4	5	Weekly Total
Solid Resources	\$925.00	\$800.00	\$400.00	\$980.00	\$260.00	
A:	\$5,320.00	\$5,800.00	\$201,000.00	\$5,040.00	\$3,200.00	\$220,920.00
B:	\$2,650.00	\$2,600.00	\$100,000.00	\$5,040.00	\$1,890.00	\$116,780.00
Engineered Resources, LLC	\$82.00	\$14.00	\$48.00	\$42.00	\$30.00	
A:	\$4,592.00	\$3,780.00	\$241,020.00	\$3,528.00	\$2,880.00	\$256,700.00
B:	\$2,206.00	\$3,780.00	\$120,000.00	\$3,528.00	\$1,440.00	\$132,004.00
PR&J	\$128.00	\$65.00	\$50.00	\$76.00	\$40.00	
A:	\$8,720.00	\$3,950.00	\$282,000.00	\$5,980.00	\$3,940.00	\$274,390.00
B:	\$3,360.00	\$5,950.00	\$128,000.00	\$5,880.00	\$1,920.00	\$143,110.00
Consult-Tech Construction Mgmt	\$158.00	\$190.00	\$75.00	\$85.00	\$55.00	
A:	\$8,400.00	\$9,100.00	\$378,000.00	\$7,980.00	\$5,280.00	\$408,760.00
B:	\$4,200.00	\$9,100.00	\$214,200.00	\$7,980.00	\$5,280.00	\$269,560.00
Total	\$14,206.00	\$14,100.00	\$528,400.00	\$14,000.00	\$10,400.00	\$622,520.00
Subtotal	\$14,206.00	\$14,100.00	\$528,400.00	\$14,000.00	\$10,400.00	\$622,520.00

**LEE COUNTY BID TABULATION SHEET
 FOR
 DISASTER DEBRIS MONITORING SERVICES**

BID NO.: B-05-20 **DATE: JULY 27, 2006**

CONTRACTOR	\$2,500.00 BID BOND	PROJ MGR COST/HOUR	FIELD COORD COST/HOUR	FIELD MONITOR/ STAGING MONITOR CREW LEADER COST/HOUR	SUPERVISOR COST/HOUR	DATA ENTRY COST/HOUR
Solid Resources Inc. Ms. Michelle Harvey 4460 Pfler Truck Lane Sarasota FL 34232 941.342.1720 / 941.379.0846	\$2,500.00	\$96.00	\$80.00	\$40.00	\$60.00	\$35.00
Engineered Resources, LLC Mr. Bahai Patel 3949 Esters Ave, Suite 407A Ft Myers FL 33901 939.5940 / 939.5940	\$2,500.00	\$62.00	\$54.00	\$48.00	\$42.00	\$30.00
FRS&J Eric Tolbert 6300 Cypress St, Suite 200 Tampa FL 33607 919.431.6256 / 919.679.8946	\$2,500.00	\$120.00	\$65.00	\$30.00	\$70.00	\$40.00
Consult-Tech Construction Mgmt Ms. Kaitlyn Clarie 3484 Hancock Bridge Pkwy, Ste 207 N Ft Myers FL 33903 689.6237 / 689.0776	\$2,500.00	\$160.00	\$150.00	\$75.00/\$85.00/\$95.00	\$65.00	\$55.00