

Finance and Administration Services Department

## **PURCHASING DIVISION**

115 S Andrews Avenue, Room 212, Fort Lauderdale, Florida 33301 | 954-357-6066 | FAX 954-357-5835 | broward.org/Purchasing

## AWARD/REJECTION AUTHORITY MEMORANDUM

PNC2124420B1 Pavement Resurfaces and Repairs

☑ RECOMMENDATION FOR AWARD	☐ RECOMMENDATION TO REJECT [6]		
Vendor(s): Weekley Asphalt Paving, Inc. VC00020425	Vendor(s): [Insert Name(s), Supplier ID(s)]		
Contract Type:	REJECT JUSTIFICATION  Does not meet specifications: [Identify area] Single Bidder: pricing not fair/reasonable [Reference justification included] Non-responsive (did not conform to any/all material aspects of solicitation): [Identify area] Non-responsible: [Identify area] Other Reason: [Insert brief description, reference justification included]		
OPEN-END CONTRACT TERM(S) OR ⊠ N/A (Fixed Contract)  Initial Term [7]: One year - Number of Renewal Option(s): two annual renewals  Potential Contract Duration: 3 years		P-CARD Vendor(s) Accepts:	
Note: Term shall begin on [Insert, i.e., date of award, date after Contract]	☐ Yes ⊠ No		

<sup>&</sup>lt;sup>1</sup> In accordance with the Internal Control Handbook, Page 216, Chapter 10, Section G, Repairs, if a firm fixed price is not available for equipment repair, a unit must be taken to a repair shop for disassembly and determination of repair costs, and repair. (2006)

<sup>&</sup>lt;sup>2</sup> Award different line item or group to more than one Bidder.

<sup>&</sup>lt;sup>3</sup> Award same line item or group to more than one Bidder. (i.e., Primary, Secondary, Tertiary, etc.)

<sup>&</sup>lt;sup>4</sup> Sole Source/Sole Brand, Reasonable Source, Emergency, and Single Bids over \$100,000 must be added to the monthly activity report to the Board of County Commissioners, and a copy of this Award Rejection Authority Memorandum should be uploaded to your final PO or Procurement Contract.

<sup>&</sup>lt;sup>5</sup> Pursuant to Procurement Code, Section 21.37, a minor or non-substantive lack of conformity may be considered a technicality or irregularity and may be waived by the Director of Purchasing.

<sup>&</sup>lt;sup>6</sup> Pursuant to Procurement Code, Section 21.39, after all responses are open, any or all responses may be rejected by the Director of Purchasing, provided, however, that only the Board may reject all responses to a solicitation where the issuance of the solicitation was approved by the Board.

<sup>&</sup>lt;sup>7</sup> Dates (Initial Term and Final Expiration) are not known until the contract is awarded. Initial term here should be 'number of months or years of initial term'.

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## ADDITIONAL INFORMATION

The purpose of this open-end contract includes, but is not limited to furnish all labor, materials, equipment, supervision, and incidentals required to perform Pavement Resurfacing and Repair Services per Specifications and Requirements for the Broward County Highway and Bridge Maintenance Division (HWBD) and various other Broward County agencies that may have need of these services and products.

Bid No. PNC2124420B1 was advertised on June 30, 2022. At time of the bid deadline, 2:00 pm., August 3, 2022, there were two submittals. (Exhibit 1).

The Office of Economic and Small Business Development (OESBD) established a County Business Enterprise (CBE) goal of 35% for this solicitation. The OESBD Goal Compliance Memorandum dated August 22, 2022, determined Weekley Asphalt Paving, Inc. (Weekley), compliant with the CBE program requirements of the solicitation. (Exhibit 2).

HWBD has reviewed the bid submitted by Weekley and concurs with the recommendation for award. (Exhibit 3). There are eleven final vendor performance evaluations completed for Weekley with the County within the past five years, and the firm has an overall rating of 3.88 out of a possible rating of 5.0.

The prices submitted by the recommended bidder, Weekley, have been determined to be fair and reasonable based on the HWBD estimate. (Exhibit 4).

This procurement carries a 100% performance and payment guaranty. The Purchasing Agent confirmed with the surety company that Weekley has the capacity to obtain the required guaranty.

SOLICITATION METHOD		SOLICITATION INFORMATION		
	Invitation for Bid	☐ Request for Quote	Client Agency:	Highway and Bridge Maintenance Division
	Emergency [4]	☐ Piggyback [4] [Insert Piggyback Contract No.]	Requisition ID:	HWB0002293
	Sole Brand [4]	☐ Sole Source [4]	Folder No:	212420
	Most Reasonable Source [3]		Posted on:	June 30, 2022
	Date Notice posted: (*Applies to Sole Brand, Sole Source and/or Most Reasonable Source)	*[Insert Date]		
	Responses:	Yes 🗌 No 🗌		
		(If Yes, Director of Purchasing and/or Designee final Designation Date):		
		*[Insert Date]		
	Standardized by:		Opened on:	August 3, 2022
☐ Board: [Insert Date & Item No.]		Number of Responses:	2	
	☐ Director of Purchasi	ing: [Insert Date]	Number of Declinations:	0

04/2022) Page **3** of **4** OFFICE OF ECONOMIC AND SMALL BUSINESS DEVELOPMENT (OESBD) OESBD has reviewed this solicitation and determined:  $\square$  This firm is a certified [Small Business Enterprise  $\boxtimes$  This firm met the County Business Enterprise (CBE), (SBE)/County Business Enterprise (CBE)], and goal requirements, and therefore is considered a therefore is considered a responsive and responsible responsive and responsible bidder under the OESBD bidder under the OESBD provisions of this contract. provisions of this contract. ☐ This firm met the assigned Airport Concession ☐ This project has been designated a sole source/sole Disadvantaged Business Enterprise (ACDBE) brand, or reasonable sole source/brand, therefore, participation goal, and therefore is considered a this project is not subject to the OESBD requirements. responsive and responsible bidder under the OESBD provisions of this contract. ☐ It should be solicited to open market with no assigned ☐ Due to no responses received from SBE vendors during the original solicitation, this solicitation was regoals. bid to the open market. Per OESBD, no goals were applied to the re-solicitation. WHAT APPROVAL ACCOMPLISHES [8] In accordance with the Broward County Procurement Code, Section 21.47.(b)(1), the Director of Purchasing may award solicitations in an amount not exceeding \$500,000, inclusive of the value of any renewals or extensions. In accordance with the Broward County Procurement Code, Section 21.47.(b)(2), the Director of Purchasing may award bids in any amount over \$500,000, inclusive of any extensions or renewals, contingent upon no bidder has been determined to be non-responsive or non-responsible, no protests have been filed, and more than one bidder has submitted a response, and further provided that no Commissioner has expressed an objection within five (5) days after receiving notice of intended award from the Purchasing Division. In accordance with the Broward County Procurement Code, Section 21.37.(b), Waiver of Technicality, a lack of conformity as to an issue of responsiveness that is nonsubstantive in nature may be considered a technicality or irregularity that may be waived by the Director of Purchasing. ☐ In accordance with Broward County Procurement Code, Section 21.39 Rejection After Bid Opening, any or all responses may be rejected by the Purchasing Director or designee, including those bids in which there is only one (1) responsive vendor. This approval authority is for the Recommendation of Award posting only. Agenda will be submitted for award by the Board of Commissioners. Refer to Broward County Procurement Code, Section 21.47.(a). APPROVAL WORKFLOW **Purchasing Agent Purchasing Manager** Asst. Director of Purchasing **Director of Purchasing**  □ Required □ Required Required □ Required □ N/A □ N/A □ N/A □ N/A

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<sup>&</sup>lt;sup>8</sup> The Award Rejection Authority Memorandum must be signed by the appropriate authority prior to Recommendation for Award (RFA) posting in accordance with Memorandum Sequence No. 21-03.

[PNC2124420B1, Pavement Resurfaces and Repairs] – Award/Rejection Authority Memorandum Form 146 (Rev 04/2022) Page 4 of 4 **APPROVAL AUTHORITY Purchasing Agent: Purchasing Manager: DISAPPROVE** APPROVE DISAPPROVE Digitally signed by YOHANNA DE CONSTANCE S. MANGAN MANGAN YOHANNA DE FRANCISCO FRANCISCO Date: 2022.09.26 11:51:04 -04'00' Date: 2022.09.26 13:37:56 -04'00' Purchasing Agent (Signature & Date) Purchasing Manager (Signature & Date) Assistant Director of Purchasing: Director of Purchasing: □ APPROVE **DISAPPROVE** APPROVE ☐ DISAPPROVE Assistant Director of Purchasing (Signature & Date) Director of Purchasing (Signature & Date)

**Emergency Memo** 

ΑT	TACHMENTS			
$\boxtimes$	Bid Tab	○ OESBD Document	□ Using Agency Concurrence     □	Certificate of Insurance
$\boxtimes$	Price Analysis	☐ Sole Source	☐ Sole Brand	Purchasing Agent Report
	Board or County	Administrator Approved	Other	