



ITB #:	<u>19-155C</u>	Tentative Board Meeting Date*:	<u>TBD</u>
Hard Bid Title:	<u>OAKLAND PARK ELEMENTARY SCHOOL</u> <u>SMART PROGRAM RENOVATIONS</u>	# Notified:	<u>3421</u> # Downloaded: <u>55</u>
		# of Responses Rec'd:	<u>6</u> # of "No Bids": <u>0</u>
For:	<u>OFFICE OF FACILITIES AND CONSTRUCTION</u> (School/Department)	ITB Bid Opening Date:	<u>SEPTEMBER 12, 2019</u>
Fund:	<u>SMART</u>	Advertised Date:	<u>July 16, 2019</u>

POSTING OF ITB RECOMMENDATION/TABULATION: ITB Recommendations and Tabulations will be posted in the Procurement & Warehousing Services and www.Demandstar.com on October 10, 2019 @ **08:30 AM** and will remain posted for 72 hours. Any person who is adversely affected by the decision or intended decision shall file a notice of protest, in writing, within 72 hours after the posting of the notice of decision or intended decision. The formal written protest shall be filed within ten (10) days after the date the notice of protest is filed. Failure to file a notice of protest or failure to file a formal written protest shall constitute a waiver of proceedings under this chapter. Section 120.57(3) (b), Florida Statutes, states that "The formal written protest shall state with particularity the facts and law upon which the protest is based." Saturdays, Sundays, state holidays and days during which the District is closed shall be excluded in the computation of the 72-hour time period provided. Filings shall be at the office of the Director of Procurement & Warehousing Services, 7720 West Oakland Park Boulevard, Suite 323, Sunrise, Florida 33351. Any person who files an action protesting an intended decision shall post with the School Board, at the time of filing the formal written protest, a bond, payable to The School Board of Broward County, Florida, (SBBC), in an amount equal to one percent (1%) of the estimated value of the contract. Failure to post the bond required by SBBC Policy 3320, Part VIII, Purchasing Policies, Section N, within the time allowed for filing a bond shall constitute a waiver of the right to protest.

(*) The Cone of Silence, as stated in the ITB / RFP / RFQ / HARD BID, is in effect until it is approved by SBBC. The Board meeting date stated above is tentative. Confirm with the Purchasing Agent of record for the actual date the Cone of Silence has concluded.

REVISED RECOMMENDATION TABULATION

THIS POSTING REPLACES AND SUPERCEDES THE POSTING MADE SEPTEMBER 19, 2019

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA ADVERTISED THE BID 19-155C OAKLAND PARK ELEMENTARY SCHOOL SMART PROGRAM RENOVATIONS ON JULY 16, 2019 WITH THE PARTICIPATION SUMMARY BELOW:

POTENTIAL PREQUALIFIED PLANHOLDERS	POTENTIAL PREQUALIFIED M/WBE PLANHOLDERS	PROPOSALS RECEIVED	PROPOSALS RECEIVED FROM M/WBE PLANHOLDERS
13	6	6	3

PROPOSALS RECEIVED:

BIDDER	M/WBE CERTIFICATION
LUNACON CONSTRUCTION GROUP, CORP.	MWBE-HA
WEST CONSTRUCTION, INC.	NONE
LEGO CONSTRUCTION CO.	S/MBE-H-A
OVERHOLT CONSTRUCTION CORP	SBE
BURKE CONSTRUCTION GROUP, INC.	NONE
THORNTON CONSTRUCTION COMPANY, INC.	NONE

IT IS RECOMMENDED THE AWARD BE MADE TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER THAT MET THE SPECIFICATIONS, TERMS, AND CONDITIONS OF THE BID, WHO IS LISTED BELOW:

LUNACON CONSTRUCTION GROUP, CORP.

THIS AWARD SHALL BE CONTINGENT UPON SUCCESSFUL COMPLETION OF A WRITTEN AGREEMENT.

By:

Luis E. Perez

(Purchasing Agent)

Date: October 10, 2019

The School Board of Broward County, Florida, prohibits any policy or procedure which results in discrimination on the basis of age, color, disability, gender expression, national origin, marital status, race, religion, sex or sexual orientation. Individuals who wish to file a discrimination complaint, may call the Executive Director, Benefits & EEO Compliance at 754-321-2150 or Teletype Machine (TTY) at 754-321-2158.

Individuals with disabilities requesting accommodations under the Americans with Disabilities Act (ADA) may call the Equal Educational Opportunities (EEO) at 754-321-2150 or Teletype Machine (TTY) at 754-321-2158.



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BID NO. 19-155C OAKLAND PARK ELEMENTARY SCHOOL
SMART PROGRAM RENOVATIONS

BID REJECTION:

IN ACCORDANCE WITH THE BID DOCUMENT 00101: ADVERTISEMENT FOR BIDS, THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, IS COMMITTED TO ENSURING THE AWARDING OF CONSTRUCTION SUBCONTRACTS TO MINORITY AND WOMEN BUSINESSES. IN ACCORDANCE WITH FLORIDA STATUTE 1001.41(1) & (2) AND THE SCHOOL BOARD POLICY 3330, THE SUPPLIER DIVERSITY OUTREACH PROGRAM REQUIRES THAT ALL PROJECTS SHALL HAVE M/WBE SUBCONTRACTING GOALS AND THAT CONTRACTORS AWARDED WORK ON SUCH PROJECTS FULLY PARTICIPATE IN THE SUPPLIER DIVERSITY OUTREACH PROGRAM. COMPLIANCE WITH THE SUPPLIER DIVERSITY OUTREACH PROGRAM (SDOP) REQUIREMENTS IS MANDATORY. IN ADDITION, THE SBBC HAS IDENTIFIED A TWELVE PERCENT (12%) PARTICIPATION GOAL FOR ELEGIBLE M/WBE FIRMS, CERTIFIED BY SBBC, WHO SUBCONTRACT OR SELF-PERFORM AT LEAST TWELVE PERCENT (12%) OF THE TOTAL CONTRACT VALUE AND ARE HEADQUARTERED OR HAVE A SIGNIFICANT BUSINESS PRESENCE WITHIN BROWARD, MIAMI-DADE, AND PALM BEACH COUNTIES. IN THE ABSENCE OF A WAIVER GRANTED BY THE SDOP, FAILURE OF A RESPONDENT TO COMMIT AS REQUIRED IN THE SOLICITATION TO SATISFYING THE M/WBE SUBCONTRACTING GOAL, SHALL RENDER ITS RESPONSE NON-RESPONSIVE.

BURKE CONSTRUCTION GROUP, INC. (BURKE), AT THE TIME OF THE BID OPENING LISTED DODEC, INC.(DODEC) ON THE DOCUMENT 00470: STATEMENT OF INTENT TO PERFORM AS AN S/M/WBE SUBCONTRACTOR. DODEC IS A NON-SBBC CERTIFIED M/WBE FIRM. IN ADDITION, BURKE SUBMITTED A BLANK SIGNED DOCUMENT 00480: S/M/WBE PARTICIPATION GOOD FAITH EFFORT. SDOP REQUESTED ADDITIONAL SUPPORTING DOCUMENTATION BASED ONLY ON THE SIGNED GOOD FAITH EFFORT DOCUMENT IN ACCORDANCE WITH THE SUPPLIER DIVERSITY OUTREACH PROGRAM GUIDELINES, PAGE 6. SBBC ALLOWED THE THREE BUSINESS DAYS FOR THE FIRM TO PROVIDE SUPPORTING DOCUMENTATION SHOWING THE GOOD FAITH EFFORTS TAKEN BY THE FIRM TO FULFILL THE MWBE REQUIREMENTS. SDOP RECEIVED THE ADDITIONAL SUPPORTING DOCUMENTATION FROM BURKE INCLUDING A NEW DOCUMENT 00470: STATEMENT OF INTENT FOR INTEG MIAMI, LLC. A MBE-HA FIRM REPLACING DODEC.

IN ADDITION, BURKE SUBMITTED A SUBSTITUTION POST-BID AS PART OF THE SUPPORTING DOCUMENTATION. THIS ADDITION IS NOT ACCEPTABLE SHOW OF PROOF SINCE IT WAS PRESENTED AFTER THE BID OPENING.

FURTHERMORE, AFTER AN EXTENSIVE REVIEW OF THE SUPPORTING DOCUMENTATION SUBMITTED, BURKE SCORED 50 OUT OF 100 POSSIBLE POINTS. A SCORE OF 70 OR MORE IS REQUIRED IN ORDER TO BE GRANTED A GOOD FAITH EFFORT WAIVER. SDOP CONCLUDED THAT THE DOCUMENTATION SUBMITTED WAS NOT SUFFICIENT, AND THEREFORE DOES NOT SUBSTANTIATE BURKE'S GOOD FAITH EFFORT CLAIM. THEREFORE; BURKE CONSTRUCTION GROUP, INC. DID NOT MEET THE MWBE REQUIREMENTS AND IT IS RECOMMENDED TO BE DECLARED AS NON RESPONSIVE.

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