



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#24-0676

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Susan Grant, Acting City Manager

DATE: July 2, 2024

TITLE: Motion Approving Agreement for the Purchase of Waterway Cleaning and Algal Controls - Aquatic Control Group Inc - \$4,557,000 - (**Commission Districts 1, 2, 3 and 4**)

Recommendation

Staff recommends the City Commission approve an agreement, in substantially the form attached, for Waterway Cleaning and Algal Controls to Aquatic Control Group Inc (ACG) for an initial three (3)-year term in the amount of \$4,557,000 and authorize the City Manager to approve two (2) additional one (1)-year renewal options, in the estimated renewal annual amount of \$1,519,000, for a potential total contract amount of \$7,595,000, contingent upon appropriation of funds.

Background

The City has 165 miles of winding navigable waterways, highlighting what makes Fort Lauderdale unique and why it lives up to its designation as the “Venice of America.” The regular maintenance and cleaning of these critical waterways, including lakes, canals, and the Intracoastal Waterway, is a large commitment and requires specialized equipment.

The debris to be removed can be floating, submerged, intertwined within vegetation, or stuck under docks adjacent to a waterbody. These items may be sizable including trees and dock pilings as well as animal carcasses. The vessels and equipment required for cleaning these waterways must be capable of accessing and removing debris from wide bodies of water, narrow or shallow canals, canal ends, and other areas of concern.

Additionally included in this agreement are both chemical and mechanical controls to address potential needs related to the safety and health of our waterways in the event of a waterway spill, algal bloom, or proliferation of aquatic weed or vegetation that negatively impacts our valued aquatic ecosystems. Such services would be event-based and requested only should they be needed following an incident.

On April 29, 2024, the Procurement Services Division issued an Invitation to Bid, Event No. 296-1, for the purchase of Waterway Cleaning and Algal Controls. On May 16, 2024, the event closed and a total of one (1) bid submission was received.

In accordance with the Code of Ordinances of the City of Fort Lauderdale, Section 2-178 (c) (9), which allows the City to negotiate reasonable prices, terms, and conditions for any procurement where only one (1) responsive and responsible bid or proposal is received, staff met with ACG on May 20, 2024, to negotiate their best and final offer. It resulted in an annual reduction of \$169,943.60 yielding cost savings totaling \$509,830.80 for the initial 3-year term of the contract and an additional \$339,887.20, if the two (2) additional one-year renewal options are exercised.

The bidder indicated they are not a Disadvantaged Business Enterprise (DBE).

ACG has met all specifications of the bid and has been deemed the lowest, responsive, and responsible bidder.

During the June 18th Commission Meeting this item was pulled from the agenda for further staff analysis to determine whether sufficient outreach was conducted based on an email received by a potential bidder, Neat Sand, Inc. (Neat Sand). Neat Sand is a registered supplier with the City but claims it never received an electronic notice of the Invitation to Bid (ITB). The commodity codes selected by Neat Sand for notification purposes of solicitations issued were not the ones selected by the City. The ITB was posted on the City's website and two different strategic sourcing modules were used to notify bidders. Furthermore, at the bid due date, the Procurement Services Division reached out to at least 10 suppliers via email to see if they would be responding. Procurement received seven (7) no bid responses. The no bid reasons varied as follows: not bidding on government jobs; do not have all the resources to adequately provide the service; require a subcontractor or two to perform the required services; not able to submit a bid for the project due to current workload; missed the cutoff date; scheduled with another public agency to work through August; do not remove trees, floating docks, and pilings; and unable to provide a performance and payment bond. Even with the outreach efforts and deadline being extended by another three (3) days only a sole bidder submitted a bid.

Resource Impact

There will be a fiscal impact to the City in the amount of \$213,500 for this agreement in FY 2024. Funds in the amount of \$213,500 are available in the FY 2024 Operating Budget in the accounts listed below. Future years' expenditures are contingent upon approval and appropriation of the annual budgets.

Funds available as of June 25, 2024					
ACCOUNT NUMBER	COST CENTER NAME(Program)	CHARACTER/ ACCOUNT NAME	AMENDED BUDGET (Character)	AVAILABLE BALANCE (Character)	AMOUNT
10-470-7340-538-30-3199	Stormwater	Services/Materials/ Other Professional Services	\$2,600,603	\$937,277	\$213,500
TOTAL AMOUNT ►					\$213,500

Strategic Connections

This item is a FY 2024 Commission Priority, advancing the Public Places initiative.

This item supports the *Press Play Fort Lauderdale 2029* Strategic Plan, specifically advancing:

- The Public Places Focus Area, Goal 5: Build a beautiful and welcoming community.

This item advances the *Fast Forward Fort Lauderdale 2035* Vision Plan: We Are Here.

This item supports the *Advance Fort Lauderdale 2040* Comprehensive Plan specifically advancing:

- The Infrastructure Focus Area
- The Solid Waste Management Element
- Goal 1: The City of Fort Lauderdale shall provide or maintain solid waste management and collection programs to serve current and future needs; and
- The Neighborhood Enhancement Focus Area
- The Conservation Element
- Goal 1: Protect and monitor water resources to improve quality and quantity.
- Goal 3: Conserve, protect, and appropriately utilize the City’s terrestrial and marine habitats.

Attachments

Exhibit 1 - Solicitation

Exhibit 2 - Tabulation and BAFO

Exhibit 3 - CoFL - Aquatics Control Group Inc Agreement

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