



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

**#14-0657**

---

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

**FROM:** Lee R. Feldman, ICMA-CM, City Manager

**DATE:** June 3, 2014

**TITLE:** Motion to award a three-year contract for microsurfacing pavement  
installation – Invitation to Bid (ITB) 243-11386 - \$2,245,000 (Fiscal Year  
2014 total)

---

**Recommendation**

It is recommended that the City Commission award a three-year contract, utilizing the City's construction contract, for the installation of microsurfacing pavement to Asphalt Paving Systems, Inc. and authorize the City Manager to approve two, one-year renewal options, contingent upon the annual appropriation of funds. The three-year contract amount will be approximately \$3,600,000.00 with \$2,245,000.00 of that total to be expended this fiscal year.

**Background**

On December 3, 2013 the Commission approved the Citywide Pavement Management System for Road Resurfacing. This project was developed to use microsurfacing which is a sustainable paving practice for roadways with a Pavement Condition Index (PCI) in the critical range of 55-70. The streets were identified by the software provided as part of the Pavement Management System.

The work specified in the bid documents includes installation of approximately 333,000 square yards or approximately 25 miles of Type II microsurfacing pavement, thermoplastic pavement markings, symbol pavement markings, and other items quantified in the proposal pages of this contract. However, due to the favorable bid price received, staff requests that the Commission approve an increase of quantity to approximately 465,000 square yards, or approximately 36 miles of Type II microsurfacing pavement in order to utilize the appropriated budget of \$2,245,000.00.

The bid opening for this project was held on April 16, 2014 and five bids were received. The lowest bid price was received from Ny-Mac Enterprises, Inc. a Michigan corporation that is not registered to do business in the State of Florida. Additionally, the City's bid document states "*Contractor must have proper licensing prior to submitting bid and must submit evidence of same with bid*". Ny-Mac Enterprises, Inc. submitted a Palm Beach license that, upon review, was found to be inactive. Staff contacted the bidder informing them that the City did not receive the required appropriate documents. The

vendor responded with a claim that the license “was issued and effective on April 15, 2014” (which was a day before the City’s bid opening). Upon further review, City staff received confirmation from the Palm Beach County Contractor Certification Division that the referenced license has been in an inactive status since March 28, 2012. Staff has informed the vendor of our findings and of our intent to request a rejection of their bid. As a result, staff is requesting that Ny-Mac Enterprises, Inc. be deemed as a non-responsive bidder and therefore their bid be rejected. The second lowest cost bid was received from Asphalt Paving Systems, Inc. Their bid included a Florida Department of Transportation (FDOT) Certificate of Qualification which is acceptable for this project (See Exhibit 2).

The apparent low responsive and responsible bidder, Asphalt Paving Systems, Inc. submitted a bid of \$1,487,900.00. The bid is based upon various line item unit pricings and the resulting amount is only for comparison of the submitted bids. Actual costs will be assessed by task order for each individual scope of work. Specific line items will be used as they relate to the required projects throughout the term of the contract. This contract is developed to be a resource for any projects requiring the unit bid items for these services.

Staff requests that the City Commission reject the bid submitted by Ny-Mac Enterprises, Inc. and award the contract for annual microsurfacing pavement to Asphalt Paving Systems, Inc.

**Resource Impact**

There will be a fiscal impact to the City in the current fiscal year in the estimated amount of \$2,245,000 for the contract and \$224,000 for engineering fees, for a total of \$2,469,000 this fiscal year. Future expenditures are contingent upon appropriation of the annual budgets.

<i>Funds available as of May 13, 2014</i>					
ACCOUNT NUMBER	INDEX NAME (Program)	OBJECT CODE/ SUB-OBJECT NAME	AMENDED BUDGET (Object Code)	AVAILABLE BALANCE (Object Code)	PURCHASE AMOUNT
331-P11945.331-6599	ANNUAL ASPHALTIC CONCRETE RESURFACING	CAPITAL OUTLAY/ CONSTRUCTION	\$470,000	\$445,661	\$445,223
332-P11945.332-6599	ANNUAL ASPHALTIC CONCRETE RESURFACING	CAPITAL OUTLAY/ CONSTRUCTION	\$730,000	\$729,747	\$729,747
332-P11761.332-6599	ANNUAL ASPHALTIC CONCRETE RESURFACING 2012-2013	CAPITAL OUTLAY/ CONSTRUCTION	\$1,326,194	\$1,294,030	\$1,294,030
<b>PURCHASE TOTAL →</b>					<b>\$2,469,000</b>

**Strategic Connections:**

This item is a *Press Play Fort Lauderdale Strategic Plan* initiative, included within the Infrastructure Cylinder of Excellence, specifically advancing:

- Goal 1: Be a pedestrian friendly, multi-modal City.
- Objective 2: Improve transportation land use and planning to create a walkable and bikeable community.

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

**Attachments**

Exhibit 1 Bid Tabulation 243-11386

Exhibit 2 FDOT certification qualification confirmation letter

---

Prepared by: James Hemphill, Sr. Procurement Specialist  
Elizabeth Cohen, Administrative Assistant I

Department Director: Hardeep Anand, P.E., Public Works