



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

#13-1640

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

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

DATE: December 17, 2013

TITLE: Motion to waive minor irregularity – Solid Waste Collection Services
Contract No. 643-11289

Recommendation

It is recommended that the City Commission waive a minor irregularity, effective as of the date of the contract award, in the bids submitted by Republic Services of Florida, Limited Partnership d/b/a All Service Refuse (“Republic”), and Progressive Waste Solutions of FL, Inc., (“Progressive”), Contract No. 643-11289, as further explained below.

Background

At its November 19, 2013 Regular Meeting (CAM 13-1449, Pur-11) the City Commission awarded a five-year contract for solid waste collection services to Republic Services of Florida, Limited Partnership d/b/a All Service Refuse.

The Item Response Form associated with the Invitation to Bid (“ITB”) directed bidders to “[e]nter a monthly price for twice weekly 35, 65 or 95 gallon cart yard waste collection for 37,088 units” for one bid item, and “[e]nter a monthly price for once weekly 35, 65 or 95 gallon cart yard waste collection for 37,088 units” for the other bid item. Republic and Progressive each entered monthly amounts without multiplying them by 37,088 units. Republic entered \$7.07 and \$3.81, and Progressive entered \$7.86 and \$3.93 as their monthly amounts instead of \$262,212.16 and \$141,305.28, and \$ 291,511.68 and \$ 145,755.84, respectively. A copy of the Item Response Form (Exhibit 4), which was not set up as a unit-price-times-the-number-of-units-equals-extension form, is attached. It is recommended that, in the interest of fairness, the City Commission deem the submitted unit price without multiplying the monthly amount by 37,088, to be a minor irregularity pursuant to Section 3.17 of the ITB’s General Conditions, which provides in part, as follows: “The City reserves the right to accept or reject any or all bids, part of bids, and to waive minor irregularities or variations to specifications contained in bids, and minor irregularities in the bidding process,” and waive the minor irregularity.

Inasmuch as Republic was not the recommended bidder, this minor irregularity was not communicated in the December 3, 2013, Commission Agenda Memo. That Commission Memo had recommended a contract award to Red River Waste Solutions LP. Instead, the City Commission awarded the contract to Republic.

For further review, Exhibit 2 is the corrected bid tab after staff completed the multiplication. Exhibit 3 is the original bid tab showing Republic's unit price prior to multiplication.

Resource Impact

There is no fiscal impact to the City.

Attachments

Exhibit 1 – CAM 13-1449

Exhibit 2 - Bid Tabulation 643-11289

Exhibit 3 – Original Bid Tabulation 643-11289 with Republic's original submittal price

Exhibit 4 – Item Response Form, Bid 643-11289

Prepared by: Kirk W. Buffington, Deputy Director of Finance
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