

**From:** [Paul Smith](#)  
**To:** [Erick Martinez](#)  
**Subject:** [-EXTERNAL-] RE: Bid #12660-1023 – Fire Station 54 HVAC Retrofit (B&I Contractors 2nd Low Bidder)  
**Date:** Wednesday, October 12, 2022 10:06:34 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[B\\_I\\_Logo\\_2020\\_e1eebdb-52f4-4c2c-bbc8-33c6e1764565.png](#)

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Hi Erick,  
We cannot meet the timeline as directed in Article 5.

Thank you,



**Paul Smith**

**Design Build Engineer**

2701 Prince Street Fort Myers, Florida 33916

Office: 239-332-4646 | Fax: 239-332-5928

Direct: 239-344-2822 | Mobile: 239-338-8025

[www.bandiflorida.com](http://www.bandiflorida.com)



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**From:** Erick Martinez <EMartinez@fortlauderdale.gov>  
**Sent:** Tuesday, October 11, 2022 5:26 PM  
**To:** Paul Smith <psmith@bandiflorida.com>  
**Subject:** RE: Bid #12660-1023 – Fire Station 54 HVAC Retrofit (B&I Contractors 2nd Low Bidder)

Paul,

Please see my responses highlighted below:

- When do you expect will be the effective date of the notice to proceed? – I'm not able to provide a date. The effective date would be after our City Commission approves and all parties have signed that contract.
- Do you have a construction schedule and/or a draft of the notice to proceed so we know when these dates will be? We do not have a construction schedule yet, but it will follow the timeline that is stated in Article 5.
  - “within seven (7) calendar days after the date when the Contract Time commences to run as provided in the Notice to Proceed.” - Contract time commencement will depend on when the Notice to Proceed is issued by the City. Note, substantial completion is within 7 days after the NTP is issued per Article 5.2.
  - Final Completion Date – This is defined in Article 5.3

Thank you,

**Erick Martinez**

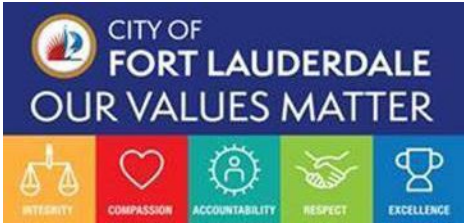
Senior Procurement Specialist

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**From:** Paul Smith <[psmith@bandiflorida.com](mailto:psmith@bandiflorida.com)>

**Sent:** Tuesday, October 11, 2022 4:28 PM

**To:** Erick Martinez <[EMartinez@fortlauderdale.gov](mailto:EMartinez@fortlauderdale.gov)>

**Subject:** [-EXTERNAL-] RE: Bid #12660-1023 – Fire Station 54 HVAC Retrofit (B&I Contractors 2nd Low Bidder)

Thank you, I got it. I'm going to have my supervisor review the contract. A few questions:

- When do you expect will be the effective date of the notice to proceed?
- Do you have a construction schedule and/or a draft of the notice to proceed so we know when these dates will be?
  - “within seven (7) calendar days after the date when the Contract Time commences to run as provided in the Notice to Proceed.”
  - Final Completion Date



**Paul Smith**

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**From:** Erick Martinez <[EMartinez@fortlauderdale.gov](mailto:EMartinez@fortlauderdale.gov)>  
**Sent:** Tuesday, October 11, 2022 3:21 PM  
**To:** Paul Smith <[psmith@bandiflorida.com](mailto:psmith@bandiflorida.com)>  
**Subject:** RE: Bid #12660-1023 – Fire Station 54 HVAC Retrofit (B&I Contractors 2nd Low Bidder)

Paul,

I'm sending you the original solicitation which contains the draft Agreement. It is a large file, so you will be getting a link from our Serv-U service.

Thank you,

**Erick Martinez**

Senior Procurement Specialist

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**From:** Paul Smith <[psmith@bandiflorida.com](mailto:psmith@bandiflorida.com)>  
**Sent:** Tuesday, October 11, 2022 1:47 PM  
**To:** Erick Martinez <[EMartinez@fortlauderdale.gov](mailto:EMartinez@fortlauderdale.gov)>  
**Subject:** [-EXTERNAL-] RE: Bid #12660-1023 – Fire Station 54 HVAC Retrofit (B&I Contractors 2nd Low Bidder)

Can you send me a copy of the contract? I might have it, but I want to make sure I have the most updated information.

Thanks,



**Paul Smith**

**Design Build Engineer**

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**From:** Paul Smith <[psmith@bandiflorida.com](mailto:psmith@bandiflorida.com)>

**Sent:** Tuesday, October 11, 2022 1:44 PM

**To:** Erick Martinez <[EMartinez@fortlauderdale.gov](mailto:EMartinez@fortlauderdale.gov)>

**Subject:** RE: Bid #12660-1023 – Fire Station 54 HVAC Retrofit (B&I Contractors 2nd Low Bidder)

Hi Erick,

Good to hear from you. I will review the contract terms with my office and get back to you soon.

Thank you,



**Paul Smith**

**Design Build Engineer**

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**From:** Erick Martinez <[EMartinez@fortlauderdale.gov](mailto:EMartinez@fortlauderdale.gov)>

**Sent:** Tuesday, October 11, 2022 12:30 PM

**To:** Paul Smith <[psmith@bandiflorida.com](mailto:psmith@bandiflorida.com)>

**Subject:** Bid #12660-1023 – Fire Station 54 HVAC Retrofit (B&I Contractors 2nd Low Bidder)

**Importance:** High

Good afternoon Mr. Smith,

We are contacting you in response to your submission for Bid #12660-1023 – Fire Station 54 HVAC Retrofit. An award was previously made to Koldaire, Inc. and is being rescinded since this firm did not want to proceed with the resultant Contract.

Therefore, we are reaching out to you, the second lowest bidder, to verify that you will be able to complete the work as stated in the solicitation.

Please see **Article 5 – Contract Time** below:

5.1 The Contractor recognizes that **TIME IS OF THE ESSENCE**. The Work shall commence within seven (7) calendar days of the date of the Notice to Proceed.

5.2 The Work shall be Substantially Completed within seven (7) calendar days after the date when the Contract Time commences to run as provided in the Notice to Proceed.

5.3 The Work shall be finally completed on the Final Completion Date and ready for final payment in accordance with this Agreement within seven (7) days of receipt of the last major HVAC component as provided in the Notice to Proceed.

The above mentioned timelines were a concern to other industry expert and low bidder, Koldaire, Inc. Should your firm agree to proceed with a Contract, the City would not allow for a Change Order to meet these time requirements.

Please confirm whether your firm will be able to meet the timeline stated in Article 5 above. Kindly provide a response by Wednesday, October 12, 2022 at 10:00AM.

If you do not respond by the above stipulated deadline, then the City will interpret this to mean that your firm is unable to meet the time requirements.

Thank you,

**Erick Martinez**

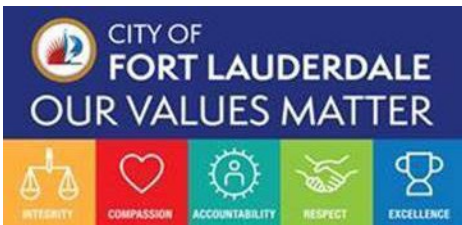
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