

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER TO REJECT ALL BIDS RECEIVED, PURSUANT TO INVITATION TO BID 2018-029-ZD, FOR WATERWAY MAINTENANCE SERVICES; FURTHER, AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS (RFP), FOR WATERWAY MAINTENANCE SERVICES; AND FURTHER AUTHORIZING THE EXTENSION OF A MONTH-TO-MONTH AGREEMENT AND THE ADDITION OF A ONE (1) DAY OF SERVICE AT A FIXED MONTHLY PRICE OF \$4,833.32 WITH ADVENTURE ENVIRONMENTAL, INC., THE INCUMBENT VENDOR, FOR A TERM NOT TO EXCEED ONE (1) YEAR, FOR THE CONTINUATION OF CURRENT SERVICES, OR UNTIL SUCH TIME AS A NEW AGREEMENT IS EXECUTED, WHICHEVER OCCURS FIRST.

WHEREAS, on November 14, 2014, the Mayor and City Commission approved the award of Invitation to Bid No. 61-11/12, for waterway resource maintenance (the "Agreement"), to Adventure Environmental, Inc. ("Contractor") ; and

WHEREAS, the original scope of work for the Agreement included two (2) weekly service calls in a fixed amount of \$9,666.66 per month for a total of eight (8) monthly service calls; and

WHEREAS, during the course of the Agreement's term, the Administration and the Mayor's Blue Ribbon Panel on Flooding determined that an additional one (1) day of service per week would be in the best interest of the City; and

WHEREAS, pursuant to Section 2.15 of ITB 61 11/12, "Purchase of Items Not Listed within the Bid," the City may request a quote from the Contractor; and

WHEREAS, the Contractor provided a quote for an additional one (1) day of service at a fixed monthly price of \$4,833.32 for the required additional work; and

WHEREAS, prior to the expiration of the last term of the Agreement, the City Manager extended the Agreement on a month-to-month basis, including the additional day of service, until a replacement Agreement was executed or in a not-to-exceed amount of \$50,000, whichever occurred first; and

WHEREAS, on December 27, 2017, Invitation to Bid (ITB) 2018-029-ZD for Waterway Maintenance Resources was issued to establish a replacement contract; and

WHEREAS, on February 5, 2018, the City received two (2) bids, namely, from Adventure Environmental, Inc. ("Adventure Environmental"), and Neat Sand, Inc. ("Neat Sand"); and

WHEREAS, the bid submittal from Adventure Environmental, the contractor currently servicing the City's waterways; was deemed non-responsive for failure to submit Appendix A, Proposal Certification, Questionnaire & Requirements Affidavit, fully completed and executed as required in the ITB; therefore, its bid cannot be considered; and

WHEREAS, the sole remaining bid from Neat Sand has been reviewed and evaluated pursuant to Section 2-369 of the City of Miami Beach Code which requires that, in the award of contracts, the following be considered:

1. The ability, capacity and skill of the bidder to perform the contract, and
2. Whether the bidder can perform the contract within the time specified, without delay or interference, and
3. The character, integrity, reputation, judgment, experience and efficiency of the bidder, and
4. The quality of performance of previous contracts, and
5. The previous and existing compliance by the bidder with laws and ordinances relating to the contract.

WHEREAS, it is not possible to determine that Neat Sand is able to meet the requirements of the ITB as it has never performed work in the United States; and

WHEREAS, all references submitted by Neat Sand indicate that it has primarily done shoreline clean-up in Spain;

WHEREAS, the current contract includes service for the waterways, but not the shorelines; and

WHEREAS, waterways include canals, creeks, lakes, and any other open body of water that a boat can safely travel through, while shorelines are made up of mangroves, trees, and rip-rap, which requires different procedures to service, as compared to the waterways; and

WHEREAS, staff has attempted to confirm that Neat Sand has the necessary equipment, but has been unable to do so, as Neat Sand has advised that it currently does not have any such equipment locally; and

WHEREAS, nonetheless, Staff has conducted market research and verified that the proposed vessels listed on the bid submittal from Neat Sand are primarily for the cleaning of shallow waters of floating objects; based on the information reviewed on the manufacturers website, there is no indication that these vessels have the capabilities to remove large submerged debris from the City's waterways, as required by the ITB; and

WHEREAS, based on the foregoing, the City Manager recommends the rejection of the bid submitted by Neat Sand; and

WHEREAS, the City Manager also recommends that the Mayor and City Commission authorize the issuance of an RFP for acquiring the necessary maintenance services to our City's waterways; and

WHEREAS, the City Manager further recommends that the Mayor and City Commission authorize the extension of the current agreement for these services, including the additional day of service, with Adventure Environmental, Inc., the incumbent vendor, for a term not to exceed one (1) year or until such time as a new contract can be awarded, whichever occurs first.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby accept the recommendation of the City Manager to reject all bids received pursuant to Invitation to Bid No. 2018-029-ZD for Waterway Maintenance Services; further, authorize the issuance of a Request for Proposals (RFP), for Waterway Maintenance Services; and further authorize the extension of the current agreement and include an additional one (1) day of service at a fixed monthly price of \$4,833.32 with Adventure Environmental, Inc., the incumbent vendor, for a term not to exceed one (1) year, or until such time as a new contract can be awarded.

PASSED AND ADOPTED this _____ day of _____ 2018.

ATTEST:

RAFAEL E. GRANADO, CITY CLERK

DAN GELBER, MAYOR

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**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

Rafael E. Granado *5/29/18*

City Attorney *RAP* Date