

CITY OF MIAMI, FLORIDA  
INTER-OFFICE MEMORANDUM

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TO: Carlos A. Migoya,  
City Manager

DATE: June 7, 2010 FILE:

SUBJECT: Recommendation of Award-  
NW 14 Street Multimedia  
Entertainment District  
Streetscape Improvements  
Project

FROM: *AWB* Alice N. Bravo, P.E., Director  
Capital Improvements Program

REFERENCES: Bid No. 09-10-010  
ENCLOSURES: Ordinance 13045  
Bid Security List

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### Recommendation

Based on the review and findings stated below, Capital Improvements Program (CIP) is making a recommendation to reject the bids of the lowest bidder and award the Project to the second lowest bidder, Solution Construction.

### Background

CIP received 16 bids on March 29, 2010, in response to Invitation to Bid (ITB) No. 09-10-010 for the NW 14 Street Multimedia Entertainment District Streetscape Improvements Project.

Bidders were required to hold a current valid certified license as a General Contractor from the State of Florida and/or a Miami-Dade County General Engineering License and have a minimum of five (5) years experience, under its current business name, in the construction of similar projects, within the past five (5) years, including five (5) separate projects of similar size, scope, and complexity, supported by references. The Bidder must self-perform at least thirty percent (30%) of the physical construction work.

This project is a Streetscape project that includes the installation of a new storm water system, roadway reconstruction, new sidewalks, new landscape and hardscape, as well as signage and pavement marking.

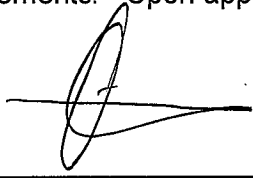
The attached Bid Security List reflects that Link Construction Group, Inc., ("Link") as the lowest bidder. CIP conducted its due diligence to determine if Link is the lowest responsive and responsible bidder. While Link possesses a General Contractor's license they do not meet the minimum experience requirements. All of the projects they have identified in their bid submission are for vertical (building) projects that included site improvement work.

Site improvement work for building construction is substantially different than roadway work or Right of Way "ROW." Link's lack of ROW experience is further highlighted in their bid submission, wherein they identify that their subcontractor, Aper Construction, who possesses a Miami-Dade County Certificate of Competency for Paving Engineering, will perform the site work, drainage, water & sewer work, and paving. Link will only be responsible for the barrier walls, concrete removal, sidewalks, cleaning, and general labor. As the Bidder, Link cannot rely on the license or experience of its subcontractors to meet the minimum requirements. Link must have completed projects within the ROW to meet the minimum requirements and their bid submission does not include any projects for ROW work. Based on the aforementioned, Link is non-responsive as they do not possess the requisite experience.

The second low bidder is Solution Construction, whose bid is within one percent of Link's bid price. Solution Construction possesses both the required license and project experience required by the bid.

### Contract Execution

The City Commission delegated to the City Manager the authority to execute a Contract for this project in accordance with the current "Attachment A" of Ordinance 13045, "Economic Stimulus Awards and Agreements." Upon approval, we will commence the process required for award of a contract.

Approved by:  \_\_\_\_\_  
Carlos A. Migoya,  
City Manager

Date: 6/14/10

- C: Gary Fabrikant, Assistant Director, CIP
- Joseph Goudie, Sr. Project Manager (Horizontal Construction), CIP
- Manuel Mejido, Project Manager, CIP
- Valentine Onuigbo, Construction Manager, CIP