



THE CITY OF DAYTONA BEACH

INTEROFFICE MEMORANDUM

TO: James V. Chisholm, City Manager

FROM: Kirk Zimmerman, Buyer

DATE: January 29, 2018

SUBJECT: **Non-Responsive Bid Submitted for Planter Maintenance Term Contract
Invitation to Bid # 0118-0100**

REQUEST

Staff is requesting that Mark Solomon Properties, Inc. be declared *non-responsive* due to the submittal of a bid that does not conform to the Bid Documents.

We asked for a **Monthly** Unit Price per Planter and the bidder provided a unit price per visit and their extended pricing didn't concur with what the bid was asking for. They based a month on 4 weeks (48 weeks/year) not the 52 weeks that was stipulated in the bid.

CONSIDERATIONS

The Purchasing Code provides that a bid award be made to the responsible bidder submitting the lowest responsive bid. The Daytona Beach Purchasing Code Section 30-28 defines a responsive bid as a bid that is conforming in all aspects to the invitation to bid or request for proposals except minor irregularities. The bidder submitted a bid that didn't include the correct unit price.

The Bid Documents contain the following clause regarding bids:

2.F. If this solicitation requires unit prices and there is a conflict between the unit prices and the extended totals, the unit price will take precedence. Likewise, discrepancies between the indicated sum of any column of figures and the correct sum thereof will be resolved in favor of the correct sum.

22. RIGHT TO ACCEPT OR REJECT BIDS. The City will reject bids which contain modifications, or which are incomplete, unbalanced, conditional, obscure, or which contain additions not requested, or irregularities of any kind, or which do not comply in every respect with these Instructions to Bidders and the Contract Documents, unless the City in its sole discretion that the non-compliance is minor.

Please indicate approval by signing below.

_____ Date: 2-12-18

C: David Waller, Deputy Public Works Director
File 0118-0100