




**THE CITY OF DAYTONA BEACH
OFFICE OF THE PURCHASING AGENT**

TO: James V. Chisholm, City Manager
FROM: Joanne Flick, Purchasing Agent 
DATE: December 11, 2018
SUBJECT: Non-Responsive Bid Submitted for Williamson Blvd. Dunn Ave to Mason Ave Reclaimed Water Improvements
ITB # 19083

REQUEST

Staff is requesting that **DB Civil Construction** be declared *non-responsive* due to the submittal of a bid that does not conform to the Bid Documents.

The bid documents require submittal of minimum qualifications evidencing sufficient experience to undertake this project. The bid from DB Civil did not provide such evidence.

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 qualifications that were missing the following requirements:

- o Reference Project No 1 did not include the pipeline length as required
- o Reference Project No. 2 and No. 4 did not provide the size of the pipeline as required.
- o Reference Project No. 3, has not been started and is not deemed to be "successfully completed" as required by the Bid Documents.
- o Reference Project No. 5 is 16" in diameter which is below the required minimum 20" pipeline diameter.

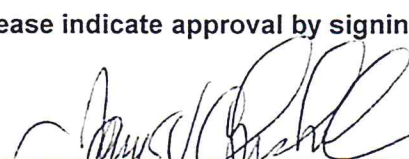
The Bid Documents contain the following clause regarding the Minimum Qualifications and compliance with bid requirements:

SI 1: "The Bid requires that the Bidder and certain subcontractors have sufficient experience in similar construction projects.

"This Special Instruction sets forth certain Minimum Construction Experience Qualifications ("Minimum Qualifications") **that must be met by the Bidder**, and in some instances, the Bidder's Significant Task Subcontractor, and describes the reference information that the Bidder must submit as part of the Bid to allow the City to confirm that these Minimum Qualifications are met.

General Conditions, "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.

 *Non Responsive bid!* _____ Date: _____

C: Shannon Ponitz, Utilities Director
Nicole Lloyd, Engineer II