A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

Office of the Ombudsman
214 N. Hogan Street, 8th floor
Jacksonville, FL 32202
(904) 255-8715
www.coj.net

July 25, 2024

(Certified Mail 9489 0090 0027 6275 0866 53)

Rafael Smith
Planet Holding, Inc dba Planet Cellular
2114 N. Flamingo Rd
Pembroke Pines. Florida 33028

Re: Recommendation For Probation
JFRD Monitors and Accessories: Purchase Order. 672717-24/ITQ-15191-24

Dear Mr. Smith:

This matter arises from the Office of the Ombudsman's receipt of a written complaint from the Jacksonville Fire Rescue Department ("JFRD"), Emergency Preparedness Division against Planet Holding, Inc. dba Planet Cellular regarding Purchase Order 672717-24/ITQ-15191-24.

After a complete review of correspondence, it is the recommendation of this office that Planet Holding, Inc., be placed on probation for the period of twelve (12) months without the option to participate in the City's procurement process in accordance with the Jacksonville Ordinance Code, Chapter 126, for reasons including but are not limited to:

- *Sec.126.201(l)(i) – is more than 60 calendar days in default or breach of a contract with the City;*

- *Sec. 126.201(1)(l)(ii) - failure to perform or the unsatisfactory performance of the terms and conditions of one or more contracts with the City, which failure to perform or unsatisfactory performance was the result of circumstances within the contractor or vendor's control*

According to Solicitation # ITQ 15191-24 terms and conditions, Planet Holding is contractually obligated to deliver and install seven (7) monitors at 515 North Julia Street, 4th floor, Jacksonville, FL 32202 prior to March 30, 2024. Although Planet Holding was given multiple opportunities to complete the installation of the monitors they were never installed.

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In a good faith effort, the Office of the Ombudsman contacted Planet Holding in June 2024 to confirm an installation date and time that would be feasible and possibly address the concerns of both parties. However, Planet Holding was unsuccessful in meeting the established deadline and indicated that its distributor was facing challenges in providing the equipment in a timely manner. Therefore, they would be unable to meet the demands of JFRD's purchase order. At that time, Planet Holding agreed to issue JFRD a Return Manufacturers Authorization (RMA) and send mailing labels to return the equipment. As of today, the labels have not been received. To prevent further delays, JFRD has agreed to pay to ship the monitors via FedEx to Planet Holding, excluding any other fees. Upon receipt of the shipping address, JFRD will return the monitors.

Planet Holding, Inc. will be placed on probation without the option to participate in the city's procurement process for the period of twelve (12) months upon the expiration date of this contract. Additionally, Planet Holding, Inc. will be placed on the City of Jacksonville's Disqualified Vendor's List, per the Jacksonville Ordinance Code §126.201(l).

Please know that, if within ten (10) calendar days after the date of the notice, you have not provided the Chief of Procurement a formal written Notice of Protest that states, in detail, the grounds you are protesting, the action contained herein will become final without further notice. It will represent the final administrative action pursuant to the Jacksonville Ordinance Code Section 126.201 (1)(2). The Notice of Protest should be mailed to *Dustin Freeman, Chief of Procurement, 214 N. Hogan Street, 8th floor, Jacksonville, FL 32202.*

As support for the above recommendation, I have attached for your consideration: (i) a copy of the email between Planet Holdings and JFRD **(Exhibit 1)**; (ii) a copy of the email between Planet Holdings and the Office of the Ombudsman **(Exhibit 2)**; (iii) a copy of the case management intake form **(Exhibit 3)**; and (iv) a copy of the Purchase Order **(Exhibit 4).** If you have any questions, please feel free to let me know.

Sincerely,

Angie Dixon

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Office of the Ombudsman
214 N. Hogan Street, 8th floor
Jacksonville, FL 32202
(904) 255-8715
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cc:
Richard Reichard, Director of Administrative Services
Dustin Freeman, Chief of Procurement
Tammy J. Hertlein, JFRD Assistant Manager
Sharyn Conway, JFRD Staff Manager
Raj Maharaj, Assistant Ombudsman
Adrian Brown, Planet Holding, Inc
Rafael Smith, Planet Holding, Inc
Trevor Blemont, Planet Holding, Inc

Exhibit 1

515 North Julia Street
Jacksonville, FL 32202
Office: (904) 255-3275
Cell: (904) 603-5752
tamih@coj.net

From: Trevor Belmont <trevor@planetcellinc.com>
Sent: Monday, June 3, 2024 3:14 PM
To: Hertlein, Tami - FROD <TamiH@coj.net>
Cc: abrown@planetcellinc.com; Conway, Sharyn - FREP <SharynC@coj.net>; Rafael Smith <rafael@planetcellinc.com>; kyle@planetcellinc.com; Dixon, Angie - AFPS <ADixon@coj.net>; Lemon, Paul <PLemon@coj.net>; Pearson, Daniel - FROD <Pearson@coj.net>
Subject: Re: Purchase Order 672717-24 Final Delivery and Installation

EXTERNAL EMAIL: This email originated from a non-COJ email address. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hi Tamara,

I hope you are doing good,

Thank you for bringing this matter to my attention. Please rest assured that I have duly noted your concerns, and our team is actively working to expedite the installation process. I sincerely apologize for any inconvenience caused by the delay.

Your satisfaction is our top priority, and we are committed to ensuring that this issue is resolved promptly and to your utmost satisfaction. Your understanding and patience during this time are greatly appreciated.

Thank you once again for your understanding and cooperation.

On Mon, 3 Jun 2024 at 12:01, Hertlein, Tami - FROD <TamiH@coj.net> wrote:

> Adrian,
> Good afternoon. I have left a voicemail and am now following up with regards to the installation of the monitors for Purchase Order # 672717-24. At this time, the project installation has still not been completed after twice being told someone would be out to our site to complete the installation. Please arrange for pick-up of all items we have received to date. We are canceling this purchase order to Planet Holdings at this time for not fulfilling the delivery and installation of the equipment in a timely manner and lack of communication. We were previously told the installation would be completed by May 31, 2024 and no one arrived that day to complete installation. Please note we will need all equipment within 72 hours of this e-mail. We will not be held responsible for any payment for this equipment or for the return of this equipment. If you have any questions, please let me know. Thank you.
> Tami

Exhibit 2

Dixon, Angie - AFPS

From: abrown@planetcellinc.com
Sent: Wednesday, July 24, 2024 1:31 PM
To: Dixon, Angie - AFPS; ops@planetcellinc.com
Cc: portal@planetcellinc.com; kyle@planetcellinc.com; trevor@planetcellinc.com; 'Rafael Smith'
Subject: RE: Display Installation JFRD-EPD (515 N Julia Street)

EXTERNAL EMAIL: This email originated from a non-COJ email address. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good Day Angie,

We are still trying our best to get those shipping labels from our supplier in order to get the product back. Could you please elaborate about the procurement process bit more ?

If you are willing to re bid the entire order then can we please suggest to keep those original required units on the purchase order issued to us and re bid the remaining line items. As those units are already as per your department demand and specifications. We got selected as vendor for this order due to our competitive price and the department may not get the same price if proceed for re bid.

Your kind consideration in this matter will be highly obliged.

Thank You!
Adrian Brown |
Deputy Manager Purchasing & Invoicing
Email: abrown@planetcellinc.com
Phone: (909) 667-2423
WEB: www.planetcellinc.com

PLANET CELLULAR
AUTHORIZED PARTNERS

From: Dixon, Angie - AFPS <ADixon@coj.net>
Sent: Wednesday, 24 July 2024 9:35 pm
To: ops@planetcellinc.com; portal@planetcellinc.com; abrown@planetcellinc.com; kyle@planetcellinc.com; trevor@planetcellinc.com; bid@planetcellinc.com; itsales@planetcellinc.com
Subject: Display Installation JFRD-EPD (515 N Julia Street)
Importance: High

Greetings All,
After numerous unsuccessful attempts by the City of Jacksonville Fire and Rescue Division located on 515 N Julia Street to obtain the cable set, connector kits, and installation hardware AVT and schedule the installation, the City of Jacksonville is proceeding with the procurement process. If you should have any questions, please feel free to contact me.

Thanks,

Angie Dixon, City of Jacksonville Ombudsman
Finance and Administration | Office of the Ombudsman
214 N. Hogan Street, 8th Floor, Jacksonville, FL 32202
904-255-8713 office | 904-568-5506 cell | 904-255-8284 fax
ADixon@coj.net | coj.net

Office of the Ombudsm

Exhibit 3

Case Management Intake

COMPLAINANT			RESPONDENT		
PARTY MAKING INQUIRY IS A: ___CITIZEN __X_ AGENCY/DEPT. ___BUSINESS ___OTHER (SPECIFY):			ISSUE IS AGAINST: ___CITIZEN ___AGENCY/DEPT. _X_ BUSINESS ___OTHER (SPECIFY):		
YOUR NAME OR NAME OF AGENCY, ASSOCIATION OR BUSINESS JFRD- EPD			NAME OF AGENCY, ASSOCIATION, BUSINESS OR NEIGHBOR Planet Holding Inc DBA Planet Cellular		
CONTACT PERSON Sharyn Conway			CONTACT PERSON Rafael Smith		
MAILING ADDRESS 515 N. Julia St., 4th floor			MAILING ADDRESS 2114 N. Flamingo Rd		
CITY Jacksonville	ST FL	ZIP CODE 32202	CITY Pembroke Pines	STATE FL	ZIP CODE 33028
PHONE 904 255 3249	EMAIL ADDRESS sharynce coj.net		PHONE 909-667-2423	EMAIL ADDRESS portal@planetcellinc.com	

Have you brought this issue to any other review body? Yes or No (circle)

Please provide details if you have presented this issue to another review body. Also, attach documentation of any rulings or recommendations levied by that body.

JFRD Procurement & COJ Ombudsman office

Privacy Statement

A copy of this form and relevant accompanying documentation may be sent to the respondent for their response. If there are reasons why this should not be done, please set them out below:

Summary of complaint:

Please outline the issues of the complaint. Be as specific as possible. Provide relevant dates and the names of individuals you have contacted. If there is not enough space to describe your complaint you may attach an extra sheet(s) or a separate statement.

Office of the Ombudsman

Please include any documents such as letters, emails, or reports that are relevant to your complaint.

Please see attached correspondence along with ITQ 1519-24 & PO.

Outcomes

What outcome do you wish to achieve by submitting this issue to the Office of the Ombudsman?

Please check all that apply. ___ Mediation ✓ Apology (written/verbal) ___ Adequate Service ___ Disciplinary Action ___ Change in Policy or Procedure ___ Explanation ✓ Other (please specify): Cancel contract and award to new Vendor

Attach a copy of the following items, if applicable:

1. Written contract
2. Invoice and/or credit agreement
3. Billing to respondent
4. Payments from respondent to date
5. Notice to Owner/Notice of Non-payment
6. Any relevant documents or correspondence

Upon receipt of a complaint, the Office of the Ombudsman will conduct a case review. The information submitted by both parties will be reviewed and then this office will proceed accordingly.

Signature Mary Conway Date 06/07/2024

How did you hear about the Ombudsman's Office?

Please check all that apply.

___ Word of Mouth	___ Brochure
___ Using Agency (specify):	___ News Paper
___ Event (specify):	___ Television
___ Other (specify):	___ Used Office Previously

Exhibit 4

Purchase Order 672717-24

Purchase Order	672717-24
Order Date	20-FEB-2024
Change Order	0
Change Order Date	20-FEB-2024
Revision	0
Ordered	6,476.20 USD
Requisition Number	FREP-500161-24
Solicitation Number	ITQ-15191-24
All packing slips, invoices, and correspondence must reference the purchase order number	

Sold To
City of Jacksonville
117 West Duval Street
JACKSONVILLE, FL 32202

Supplier
PLANET HOLDING INC
DBA Planet Cellular
2114 N Flamingo Road
PEMBROKE PINES, FL 33028

Bill To
City of Jacksonville
117 West Duval Street, Suite 375
JACKSONVILLE, FL 32202

Ship To
JFRD Headquarters 4th Floor
515 North Julia Street
4th Floor
JACKSONVILLE, FL 32202 US

Notes

Supplier Number	Payment Terms	Freight Terms	FOB	Shipping Method
40207	**Net 45**	**Freight Prepaid**	**FOB Destination**	**Best Way**

Buyer	Deliver To Contact
Pearl Mitchell Email: **pearlm@coj.net** Phone: **904-2558812**	**Sharaad Christopher** E-mail: **sharaadc@coj.net**

Line	Item	Price	Quantity	UOM	Ordered	Taxable
1	4K UHD Display with Integrated ATSC/NTSC Tuner NEC - E438 11409.122015.552160.010848.00000000.00000.0000000	665.00		Each		

Attachments

Type	File Name or URL	Title	Description
File	FREP-500161-24_FEDProvisions.pdf	FREP-500161-24_FEDProvisions.p	
File	672717-24_1_NOTES_TO_SUPP.rtf	Notes to suppliers	Notes to suppliers

Ship To	Promised	7	Each	4,655.00
JFRD Headquarters 4th Floor 515 North Julia Street 4th Floor JACKSONVILLE, FL 32202	2/22/24 **Requested** 1/29/24			

Requested Date correspond to the date of arrival at the Ship-to Location.

Purchase Order 672717-24

Line	Item	Price	Quantity	UOM	Ordered	Taxable
			Line Total		4,655.00	

2 Medium Fit Tilt Display Wall Mount Chief - RMT3 — 119.00 — Each
11409.122015.552160.010848.00000000.00000.0000000

Attachments

Type	File Name or URL	Title	Description
File	FREP-500161-24_FEDProvisions.pdf	FREP-500161-24_FEDProvisions.p	
File	672717-24_2_NOTES_TO_SUPP.rtf	Notes to suppliers	Notes to suppliers

Ship To	Promised	7	Each	833.00
JFRD Headquarters 4th Floor 515 North Julia Street 4th Floor JACKSONVILLE, FL 32202	2/22/24 **Requested** 1/29/24			

Requested Date correspond to the date of arrival at the Ship-to Location.

Line Total **833.00**

3 Custom Plenum Cable Set & Connectors AVT - Cable Kit — 345.50 — Each
11409.122015.552160.010848.00000000.00000.0000000

Attachments

Type	File Name or URL	Title	Description
File	FREP-500161-24_FEDProvisions.pdf	FREP-500161-24_FEDProvisions.p	
File	672717-24_3_NOTES_TO_SUPP.rtf	Notes to suppliers	Notes to suppliers

Ship To	Promised	1	Each	345.50
JFRD Headquarters 4th Floor 515 North Julia Street 4th Floor JACKSONVILLE, FL 32202	2/22/24 **Requested** 1/29/24			

Requested Date correspond to the date of arrival at the Ship-to Location.

Line Total **345.50**

4 Custom Installation Hardware AVT - Installation Hardware — 642.50 — Each
11409.122015.552160.010848.00000000.00000.0000000

Attachments

Type	File Name or URL	Title	Description
File	FREP-500161-24_FEDProvisions.pdf	FREP-500161-24_FEDProvisions.p	
File	672717-24_4_NOTES_TO_SUPP.rtf	Notes to suppliers	Notes to suppliers

Ship To	Promised	1	Each	642.50
JFRD Headquarters 4th Floor	2/22/24			

Purchase Order 672717-24

Line	Item	Price	Quantity	UOM	Ordered	Taxable

515 North Julia Street
4th Floor
JACKSONVILLE, FL 32202

Requested
1/29/24

Requested Date correspond to the date of arrival at the Ship-to Location.

Line Total **642.50**

5 Install Labor Services AVT - Installation 0.10
11409.122015.552160.010848.00000000.00000.0000000

Attachments

Type	File Name or URL	Title	Description
File	FREP-500161-24_FEDProvisions.pdf	FREP-500161-24_FEDProvisions.p	
File	672717-24_5_NOTES_TO_SUPP.rtf	Notes to suppliers	Notes to suppliers

Ship To
JFRD Headquarters 4th Floor
515 North Julia Street
4th Floor
JACKSONVILLE, FL 32202

Promised
2/22/24

Requested
1/29/24

0.10

Requested Date correspond to the date of arrival at the Ship-to Location.

Line Total **0.10**

6 Shipping & Freight Charges AVT - Ground Shipping 0.10
11409.122015.552160.010848.00000000.00000.0000000

Attachments

Type	File Name or URL	Title	Description
File	FREP-500161-24_FEDProvisions.pdf	FREP-500161-24_FEDProvisions.p	
File	672717-24_6_NOTES_TO_SUPP.rtf	Notes to suppliers	Notes to suppliers

Ship To
JFRD Headquarters 4th Floor
515 North Julia Street
4th Floor
JACKSONVILLE, FL 32202

Promised
1/23/24

Requested
1/29/24

0.10

Requested Date correspond to the date of arrival at the Ship-to Location.

Line Total **0.10**

Total **6,476.20**

Purchase Order 672717-24

This Order is subject to the General Conditions attached here to. Manufacturer's Federal excise tax exempt no. 59-89-0120K. Florida State sales and use tax exemption no. 85-8012621607C-8 All original invoices shall be submitted to: COJ1CloudInvoices@coj.net Email Subject: inv_300000008806179	Approved by Dustin L. Freeman, Chief of Procurement Division