City of Jacksonville, Florida

Lenny Curry, Mayor

Procurement Division
Ed Ball Building
214 N. Hogan Street, Suite 800
Jacksonville, Florida 32202

ONE CITY. ONE JACKSONVILLE.

MEMORANDUM

TO: Professional Services Evaluation Committee

FROM: Gregory Pease, Chief Procurement

DATE: June 21, 2018

SUBJECT: **PROTEST – RFP No.: P-67-17**
Title: CEI Services for Fire Stations & Miscellaneous Vertical Construction Projects

The attached bid protest filed by **C&ES Consultants, Inc.,** is presented for action by the Professional Services Evaluation Committee, on Thursday, June 21, 2018 at 10:00 AM.

The Professional Services Evaluation Committee action is as follows:

UPHELD:	**DENIED:**
Chief of Procurement or Designee	Chief of Procurement or Designee
General Counsel or Designee	General Counsel or Designee
Finance Department or Designee	Finance Department or Designee

ACTION OF COMMITTEE
Date _____

_____ **Approved**

_____ **Disapproved**

Signature of Authentication _____

C&ES
CONSULTANTS, INC.

June 13, 2018

Attn: Gregory Pease
Chief of Procurement
214 North Hogan Street, Suite 899
Jacksonville, FL 32202

06/13/18 16:11:49
Procurement Division

RE: Notice of Protest
RFP # P-67-17 CEI Services for Fire Stations & Miscellaneous Vertical Construction

Dear Mr. Pease,

This letter is intended to be a formal Notice of Protest in response to the recent scoring and ranking of RFP# P-67-17 and is within the required 48-hour period of filing a timely Notice of Protest.

The rankings released Tuesday, 6/12/18, of the first, second, and third firms were designated as follows:

1. Via Consulting Services, Inc.
2. Construction & Engineering Services Consultants, Inc.
3. Keville Enterprises, Inc.

The following items speak to particulars that warrant this protest:

A. Competence – We feel we could have earned a higher score in this section based on the experience of the proposed staff, the number of projects we have completed, and the number of COJ vertical projects we have completed which include:

- Duval County Unified Courthouse
- State Attorney's Office
- Murray Hill Arts Center
- Fleet Management Facility – Phase 1 Renovations
- Fleet Management Facility Generator
- Animal Care & Protective Services HVAC
- CTC Accessibility Improvements
- Wallace Small Senior Center Renovations
- Riverview Senior Center Renovations
- Baymeadows Park

We have a strong experienced professional team assigned to this project with respect to facilities inspection, and construction management experience for example our Proposed Program Manager, Lynn Westbrook, P.E., is a former Public Works Director and was in charge of overseeing all the buildings in Jacksonville. His proposed assistant, Michael Bryd, AIA, oversaw much of the Construction of the New Duval Unified Courthouse and the State Attorney's Office.

C. Financial Responsibility – Our firm has a bonding capability of over $10 Million, and Steven J. Davis has a personal credit line of more than $1 Million. With such financial capabilities, we feel we could have earned a higher score in this section.

D. Ability to Observe Compliance with Plans - Please validate our score is so low in this section. Our ability to observe compliance with plans is evidenced through our previous project experience and our proposed personnel experience. We have inspected all types of facilities, such as:

- J. Wayne & Delores Barr Weaver Center
- Silver Street
- Operation New Hope Multi-Family Housing
- Clara White Mission Transitional Housing Renovation Phases I & II
- Northpoint Town Center Business/Retail Suites
- Emmett Reed Community Center Hurricane Damage Mitigation
- 5 New Construction Single Family Homes
- Hurricane Damage Mitigation at Bradham Brooks Library
- I.M. Sulzbacher Center for Homeless Men's Dormitory, Kitchen Renovations, Veteran's Center and Respite Center

G. Past & Present Commitment to Small & Minority Businesses - In this section, we feel we could have earned a higher score a 10 because no one has given back to the community more than C&ES and Steven J. Davis. In the past, we have received maximum points in this section. Also, we have designed and implemented an Inspector Trainee Program that we are funding and utilizing to help disadvantaged locals develop in the inspection trade.

H. Design Approach - Please validate why we scored so low in this category. Our team of engineers and inspectors visited majority of the proposed site locations and walked the project site in it's entirety. This was done on our part to gain an in depth understanding of COJ's individual needs of each location. We took photos, walked the site, observed various potential issues and concerns that may impede construction schedules, reviewed traffic control in each area. We also developed strategies to address each issue/concern that we observed.

I. Willingness to Meet Time & Budget - Every vertical project that C&ES has worked on was completed on time. Our low score in this section is challenging for us to understand.

   Furthermore, we have been performing CEI services for all Jaxport Facilities Improvements (Blount Island, Talleyrand, and Cruise Terminal) since 2010. Every time we perform these inspections, we finish at least 1 month ahead of schedule.

J. Volume of Work - For this section, I'd like to request documentation in order to compare our workload dollar amount versus Via Consulting Services workload dollar amount.

In addition to the above concerns, I'd like to also point out that the firm ranked number 1, Via Consulting Services, has included a cover letter seemingly appears they are pursuing an FDOT project versus a vertical construction project. How could they have possibly scored higher than C&ES when their response doesn't properly address the specifics of the vertical projects. In some cases, they even address their experience as FDOT inspectors. This is all the more evident in their personnel resumes; all of C&ES' resumes exhibit detailed building and vertical construction experience.

There appears to be a bias with this evaluation. After reviewing Via's proposal that they submitted in response to this RFP, it seems that we are more qualified to perform the scope of services that were outlined in the RFP.

Thank you for your time in re-evaluating the proposals. We feel have strongly addressed all the issues and concerns in the RFP. Based on our team qualifications and a second review by our staff of professionals, our proposal appears to exceed Via's by far. We request that the City would take a second look at the proposals for re-evaluation. We also request an extension of 3 business days to provide supplemental protest documentation.

Sincerely,

Steven J. Davis

Steven J. Davis, President/CEO

C&ES CONSULTANTS, INC.

ATTACHMENT A-1
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VOLUME OF WORK FOR USING AGENCIES BY PRIME CONSULTANT
WITHIN THE LAST FIVE YEARS

Please list the original contract amounts in the Fiscal Year the contracts were executed and amendments to the contracts in the Fiscal Year that the amendments were executed. For Annual Contracts, show totals of Purchase Orders issued in each Fiscal Year.

PROJECT DESCRIPTION	FY12/13 Jul12-Jun13	FY13/14 Jul13-Jun14	FY14/15 Jul14-Jun15	FY15/16 Jul15-Jun16	FY16/17 Jul16-Jun17
Street Sweeping			$26 364	Amendment $26 364	Amendment $26,364
Various Projects City Wide	FY11/12 Original Contract *$1,000,000	Amendment $1,000,000		Amendment $1,000,000	Amendment **$500,000
ADA Inspection					Spent to Date $120,000
CM / Inspection JAXPORT			$5,673	$4,264	$89,000
YEARLY TOTALS:	$1,000,000	$1,000,000	$32,037	$1,030,628	$735,364

* The City required that we include the original contract amount, however this amount was not awarded within the last 5 years, but the City required that we include the original contract amount. We feel this information should not have a negative effect on our overall rating for Volume of Work.

**The amended amount for FY16/17 has not been used, a total of $464,357 remains and should not negatively effect C&ES.

ATTACHMENT A-1
(Page 1 of 1)

VOLUME OF WORK FOR USING AGENCIES BY PRIME CONSULTANT WITHIN THE LAST FIVE YEARS

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PROJECT DESCRIPTION	FY12/13 Jul12-Jun13	FY13/14 Jul13-Jun14	FY14/15 Jul14-Jun15	FY15/16 Jul15-Jun16	FY16/17 Jul16-Jun17
New World Avenue				$463,831.19 90% Complete	
South Dune Restoration Sand					$20,785.05 Completed
Replacement of Old Kings Road Bridge					$158,953.49 80% Complete
Crystal Springs Drainage					$281,130.36 95% Complete
EverBank Amphitheater and Covered Flex Field					$382,111.88 Completed
Alhambra Outfalls Repair					$85,947.65 Completed
Post Storm Dune Restoration Planting					$63,053.83 Completed
EverBank Stadium Renovations				$70,586.70 Completed	
Imeson Park Boulevard				$251,762.96	$79,349.99 Completed
St. James Building Entrance Upgrades				$55,439.78 Completed	
Valens Drive Low Impact Drainage Improvements				$88,237.36	$51,378.11 Completed
Bunche Drive Stormwater				$57,084.25 Completed	
YEARLY TOTALS:				$986,942.24	$1,122,710.36

VIA