



MANATEE COUNTY FLORIDA

TO: **ALL BIDDERS**
FROM: **Melissa M. Wendel, CPPO, Purchasing Official**
DATE: **October 24, 2012**
RE: **BID NO. 12-2032OV, Master Lift Station 27A, RTU 138 / Lift Station Upgrades**
Rehabilitation / Comminutor Replacement / Project No: 404-6060782

Pursuant to the authority provided to the County by Florida Statutes § 255.20(11) (d) (1), Manatee County Code § 2-26-42, and the reservation of rights provided for in the bid documents (A.14: Reserved Rights), Manatee County hereby provides notice of its decision to reject all bids received in response to the referenced bid announcement. This decision is necessary for several reasons:

First, there exists a material error in the specifications affecting the accurate conveyance of the required quantity for Bid Item 7, Fiberglass Shapes, for fiberglass stairways and landings. The estimated quantities as stated on the Bid Form had been expressed in terms of weight. Stating the requirement as a unit based on weight of stair and landing to be repaired or replaced makes it impossible to determine an accurate price for this bid item. The bidder has no reasonable method available to determine the weight of the stair or the landing at the time he is putting together his bid offer. Bid items contained within an Invitation for Bid cannot be arbitrary.

In addition, Bid Item 2 for by-pass pumping was represented two ways in the bid, presenting a conflict in the documents. Referencing Item 2, Section 01150, Measurement and Payment, page 27 of the Technical Specifications dated May 2012, the bypass pumping specification required the following: "Payment for all work included in this Bid shall be made at the applicable Contract lump sum price bid for furnishing and installing the necessary by-pass pumping including, but not limited to, pumps, pipe, temporary lines, vacuum trucks, specialized equipment and other items implied, but not shown on the Contract Drawings and listed on the Bid Form. Payment will be lump sum and will represent full compensation for this Bid Item. Payment shall also include full payment for 24 live monitoring and appurtenances, including, but not limited to, barricades, fasteners, needed anchors, or other methods or restraint needed to secure the equipment and piping. Noise abatement procedures shall also be used and included in this pay item." Conversely, on the Bid Form, the Bidder was to enter a price based on a per day unit multiplied by a period of seven days of by-pass pumping. Absent is clear instruction as to whether to offer a lump sum price for the work, as indicated in the Measurement and Payment section or to divide the lump sum into seven equal parts, as indicated on the Bid Form. This conflict in the documents creates an ambiguity that could have a significant impact on how bidders or potential bidders interpreted and relied upon these terms.

Finance Management Department
Mailing Address: Purchasing Division: 1112 Manatee Avenue West, Suite 803, Bradenton, FL 34205
PHONE: 941-749-3014 * FAX: 941-749-3034
www.mymanatee.org

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District 1 *District 2* *District 3* *District 4* *District 5* *District 6* *District 7*

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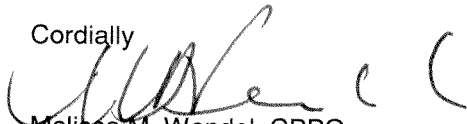
Further, the Public Works Department has recently determined emergency conditions are present due to the failing condition of the gravity line which necessitates emergency repair. As a direct result of the emergency repair, the scope of the work concerning by-pass pumping will be considerably revised.

I find the above noted reasons constitute good cause for the decision to reject all bids, and that this action is in the best interest of the County. In addition to this direct courtesy notice, and as required by Manatee County Code § 2-26-42, this notice will be published and posted in the same manner as notice of the initial solicitation.

The Public Works Department shall review, amend, update and establish bid specifications and applicable bid line items with quantities that reflect the bid specifications. Should an updated Invitation for Bid be re-issued, the contractors that participated in the original solicitation will be directly notified.

The Manatee County Purchasing Division is grateful for your participation and hopes that you excuse any inconvenience this decision has caused you and that you will continue to bid on this and similar future projects.

Cordially



Melissa M. Wendel, CPPO
Purchasing Official

Cc: Ed Hunzeker, County Administrator
Mitchell O. Palmer, County Attorney
Ron Schulhofer, Director of Public Works Department
Sia Mollanazar, Deputy Director Engineering Services, Public Works Department

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