



THE CITY OF KEY WEST

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MEMORANDUM

TO: Jim Scholl, City Manager

FROM: Greg Veliz, Community Services Director

VIA: David Fernandez, Assistant City Manager- Operations
Mark Finigan, Assistant City Manager- Administration

DATE: January 6, 2012

SUBJECT: Rejecting the bid in response to Invitation to Bid# 12-013 Cemetery Landscaping Services

ACTION STATEMENT: Resolution rejecting the bid in response to Invitation to Bid# 12-013 Cemetery Landscaping Services due to budgetary reasons as per the provisions of the bid documents.

BACKGROUND: The City of Key West entered into an agreement with the Monroe Association of ReMARCable Citizens, Inc. (M.A.R.C.) on October 5, 1995, Resolution No. 95-391, for landscaping and maintenance services at the Key West Historic Cemetery for the amount of \$39,489.84, with a waiver of competitive bidding. This exemption was granted under the provisions of City of Key West Code of Ordinances, Section 2-797 Exemptions, Paragraph 4(b) where if in the opinion of the city manager exceptional circumstances exist to exempt a purchase from the competitive bid requirements of this subdivision for the best interests of the city, he shall place a resolution before the city commission for approval of such exemption. Provisions for Consumer Price Index increases over approximately 17 years have adjusted the annual cost to \$54,432 for cemetery landscaping services.

M.A.R.C. provides numerous services such as client training and support that enhances individual abilities to understand daily community routines and learn social, self-care, vocational skills. M.A.R.C. clients performing landscaping services at the Historic Cemetery presented a good opportunity which has been mutually beneficial for the City and M.A.R.C. for many years. Over time fewer clients have worked at the cemetery due to client safety concerns and degradation in level of service. M.A.R.C. still honors its agreement with the city to provide landscaping services through the use of non-client employee labor; however, the premise of agreement, particularly the exemption to the competitive procurement process is in question. Thus, a formal Invitation to Bid was issued.

PURPOSE & JUSTIFICATION: Four vendors participated in the mandatory *Key to the Caribbean* – Average yearly temperature 77° F.

pre-bid meeting on December 21, 2011. One week later the City received one (1) bid in response to Invitation to Bid# 12-013 Cemetery Landscaping Services from the Monroe Association of ReMARCable Citizens, Inc.(M.A.R.C.). The bid provided of \$129,750 exceeds the budgeted amount of \$54,432 for cemetery landscaping services.

OPTIONS:

1. Reject the bid for Invitation to Bid# 12-013 Cemetery Landscaping Services due to budgetary reasons. Aside from expending more resources in repeating the formal bid process, staff is exploring a landscaping solution of increasing city staff by two maintenance workers.
2. Accept the bid Invitation to Bid# 12-013 Cemetery Landscaping Services and direct appropriate budget amendments.

FINANCIAL IMPACT: This item is listed in the General Fund under the Public Works Account 001-1905-519-34. The budgeted amount in FY 11-12 for this line item is \$54,432. Given the one responsive bid of \$129,750 a shortfall of \$75,318 exists.

RECOMMENDATION: Staff recommends approval of Option #1.