

**City of Coral Gables City Commission Meeting**  
**Agenda Item H-1**  
**November 12, 2024**  
**Police and Fire Headquarters**  
**2151 Salzedo Street, Coral Gables, FL 33134**

**City Commission**

**Mayor Vince Lago**

**Vice Mayor Rhonda Anderson**

**Commissioner Melissa Castro**

**Commissioner Ariel Fernandez**

**Commissioner Kirk Menendez**

**City Staff**

**City Attorney, Cristina Suárez**

**City Manager, Amos Rojas, Jr.**

**City Clerk, Billy Urquia**

**Chief Procurement Officer, Celeste Walker-Harmon**

**Public Speaker(s)**

**Jose Felix Diaz**

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Agenda Item H-1 [4:25 p.m.]

A Resolution of the City Commission accepting the recommendation of the Chief Procurement Officer to award the Tree Maintenance Services Citywide contract Group 1 - Tree Maintenance Services to SFM Landscape Services, Inc. (Primary) and Sherlock Tree Company (Secondary) and Group 2: Prequalification for New Tree Planting to SFM Landscape Services, Inc. and Sherlock Tree Company, the most responsive and responsible bidders, pursuant to Section 2-763 of the Procurement Code entitled “Contract Award” and Invitation for Bids (IFB) 2024-015.

Mayor Lago: Moving onto item H-1.

City Attorney Suarez: H-1 is a Resolution of the City Commission accepting the recommendation of the Chief Procurement Officer to award the Tree Maintenance Services Citywide contract Group 1 - Tree Maintenance Services to SFM Landscape Services, Inc. (Primary) and Sherlock Tree

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*Agenda Item H-1 – Resolution accepting the recommendation of the CPO to award Tree maintenance services citywide contract to SFM Landscape Services*

Company (Secondary) and Group 2: Prequalification for New Tree Planting to SFM Landscape Services, Inc. and Sherlock Tree Company, the most responsive and responsible bidders, pursuant to Section 2-763 of the Procurement Code entitled “Contract Award” and Invitation for Bids (IFB) 2024-015.

Chief Procurement Officer: Good afternoon, Celeste Walker-Harmon, Chief Procurement Officer. This is a recommendation to move forward with the most responsive, responsible bidder for the citywide tree trimming services. We had five bidders, and we are awarding to the most responsive bidder, which is SFM at this time. So, this is our recommendation that we are choosing to move forward with.

Mayor Lago: Any public comment?

City Clerk Urquia: Yes, Mr. Mayor. First speaker is Jose Felix Diaz.

Mr. Diaz: Jose Felix Diaz, 2 Alhambra Plaza, Coral Gables, Florida 33134 on behalf of SFM, which is the lowest responsible bidder. I think we might be the only ones here, but if we’re not, I know that there’s been some discussion about one of the bidders who is an incumbent that did not qualify for the bid, and as a lawyer that has been working in procurement law for 20 years, I just want to let you know that the reason that you do these processes, the reason you vet people, the reason there’s a process in the first place is to make sure that qualified bidders come out and that the process is respected. There is ample case law, and I don’t want to bore you with it, why that has been the case in Florida for the past three decades, we believe that those precedents are firm and that they should apply here. We know that we love all our current vendors in our cities, but the current vendor did not qualify and when they were asked to cure, they did not, and therefore, we are the lowest and best and responsible bidder. SFM is a current vendor for the city. They do great work for the city, and they look forward to working with you in the future. Thank you.

Mayor Lago: Thank you.

City Clerk Urquia: Elizabeth Peterson.

Mayor Lago: She yields. We good.

City Clerk Urquia: That’s it, Mr. Mayor.

Mayor Lago: Any comments from the Commission?

Commissioner Fernandez: My concern has been regarding the cost, the difference in cost of the contract. The current operators bid came in \$460,000 less, which is about a 33 percent difference. That has been my objection. I discussed it with staff regarding this contract. I don’t know if we’ve had any issues with the current vendor, but I understand your point that if they were not responsive

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and maybe for the record, would you be able to tell us about the process that was followed to get here and what was the lack of responsiveness, so that residents can understand the decision we are making today.

Chief Procurement Officer: Competitive solicitation was issued and at that time, with the scope of services we mandated that there is to be certain minimum qualifications that each bidder had to qualify for. After the process of receiving a solicitation, so after our review, we determined that at the time the lowest price bidder, which is Superior, the incumbent bidder, failed to provide certain information with regard to meeting the minimum qualifications. At that time, we reached out to them for them to provide the information, for them to cure that information. They failed to do that in the process, so we had to move forward with the information that was provided to us. So, at that time, they were determined non-responsive, as far as meeting the minimum qualifications that we have. So, in the procurement process, we have what is called, responsive and responsible bidders, so you have to meet both thresholds in order for us to move you forward, and at the time Superior failed to meet that first threshold which is the responsiveness determination. So, then we moved onto the next lowest price bidder, which happened to be SFM, so that's how we got to this point.

Commissioner Fernandez: And you also said there was a fifth bidder, but I see that it says no bid. So was there no bid.

Chief Procurement Officer: Well, that's considered still a bid, they just submitted information, so the paperwork that said no bid, so there technically were five.

Commissioner Fernandez: Right, so it was really not a bid.

Chief Procurement Officer: No. But its still considered a bid, because they offered a bid response, yes. So, we ask people even when they don't bid that they still submit a no-bid and we still count that as a response, because sometimes they give us reasons, or some information to tell us at the time why they chose not to participate.

Commissioner Fernandez: What were the requirements that changed from last year or the last when we went out to bid to this time?

Chief Procurement Officer: I can't tell you that specifically to go through the gamut of them, but they were pretty much similar, but at the time the user department chose to beef up some of the qualifications to make sure that some gaps were covered from the current contract and the one that we intend to award and implement for the new contract period. So, there were some changes. I can't tell you specifically what those changes are, but in the area, they are having a deficiency, it was the requirement of the two forepersons, the people who are going to be mainly responsible for caring for the project, being our lead in making sure that all of the services are implemented correctly.

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Commissioner Fernandez: Okay. That answers my question. Thank you.

Chief Procurement Officer: Okay.

Vice Mayor Anderson: Ms. Walker, one of the qualifications, if memory serves me correctly was that there was certified arborist that was also qualified to work near powerlines and that was one of the distinctive factors.

Chief Procurement Officer: Yes ma'am.

Vice Mayor Anderson: Okay. So that does cost more money, right.

Chief Procurement Officer: Yes.

Vice Mayor Anderson: And we do have a lot of powerlines and trees next to them.

Chief Procurement Officer: The foreperson's requirements were for them to be an arborist, for them to have ancillary certifications or training and also have five years of experience.

Vice Mayor Anderson: Okay.

Commissioner Castro: I'll go ahead and move it.

Vice Mayor Anderson: Second.

Commissioner Castro: Yes

Commissioner Fernandez: Yes

Commissioner Menendez: Yes

Vice Mayor Anderson: Yes

Mayor Lago: Before I vote, I just want to say one thing. SFM is probably one of the most exceptional companies in South Florida. They do incredible work across the board – janitorial, landscaping, tree-trimming in multiple different municipalities across the state. Being in the construction industry, I've witnessed them, and I consider the family an incredible Coral Gables family, but I have to vote no. Thank you.

(Vote: 4-1)