



CITY OF PUNTA GORDA, FLORIDA

PHONE: (941) 575-3348
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PROCUREMENT DIVISION
326 West Marion Avenue
Punta Gorda, Florida, 33950

August 7, 2017

RE: NOTICE OF INTENT TO AWARD; SOLICITATION #R2016105/MAT-UTILITY/1718

NOTICE OF INTENT

This notice is to inform all bidders to the above referenced solicitation of the City of Punta Gorda's intent to submit award recommendation of HD Supply Waterworks of Fort Myers, FL to the City Council for approval on August 23, 2017.

Please find attached a copy of the City's protest procedures.

Sincerely,
CITY OF PUNTA GORDA

-S-

Marian H. Pace, CPPO, CPPB
Procurement Manager

NOTICE CONTACT PROHIBITION IS STILL IN EFFECT

All prospective Bidders are prohibited from indirectly or directly communicating with any member of the City of Punta Gorda, City Council, City Manager, or City of Punta Gorda staff member other than the Authorized City Contact Person identified in this Solicitation, or their designated Procurement staff member, regarding this solicitation package, or their submittal package, City's Intent to Award, or City's Intent to Reject (if applicable) at any time prior to the **FORMAL AWARD** for this project. **FORMAL AWARD** is defined as the issuance of a NOTICE OF AWARD document or the issuance of a PURCHASE ORDER to the awarded bidder. Any such contact prior to the formal award shall be cause for rejection of your submittal.



SOLICITATION PROTESTS

1.1. SOLICITATION PROTEST POLICY

Any person whose submittal package is rejected, in whole or in part, or who submits a submittal package but is not awarded the contract may protest such decision, but only in strict compliance with this Section.

1.2. SOLICITATION PROTEST PROCEDURE

1.2.1 **WRITTEN NOTICE; TIME.** Any person who wishes to file a solicitation protest hereunder must file a notice of intent to do so, in writing, with the City Manager within twenty-four (24) hours, excluding Saturday, Sunday, and City observed holidays, after receipt of the notice of rejection, for rejected submittal packages, or, for contract awards, within twenty-four (24) hours after the City's declaration of its intention with regard to such award.

1.2.2 **WRITTEN PROTEST; TIME; CONTENTS.** Within five (5) City business days after filing the written notice of intent to protest, a formal written protest must be filed with the City Manager, explaining in detail the nature of the protest and the grounds upon which it is based.

1.2.3 **PROTEST BOND.** Each written protest must be accompanied by a solicitation protest bond in the form of a certified check, cashier's check or money order made payable to the City of Punta Gorda, in an amount not less than:

1.2.3.1 Five percent (5%) of the protester's bid, proposal or quote amount; or

1.2.3.2 In the case of submission of a "no-bid" by the protestor in the amount not less than five percent (5%) of the lowest responsive, responsible submittal package received by the City or in the case of a request for proposals or invitation to negotiate in the amount of not less than five percent (5%) of the intended contract to be awarded or awarded by the City; or

1.2.3.3 In the case of Request for Qualifications in the amount of two thousand dollars (\$2,000.00); or

1.2.3.4 In the case of a term contract, which is absent of "annual estimated volume/usage", in the amount of two thousand dollars (\$2,000.00).

1.2.4 **FORFEIT OF BOND.** The condition of the protest bond shall be that, should the protest be determined to be without merit and non-valid, the bond shall be forfeited to the City in its entirety.

1.3. SOLICITATION PROTEST CONSIDERATION

1.3.1 **PROTEST DECISION.** Upon receipt of a formal written protest, the City Attorney or designee shall act as the bid protest officer, and who shall be provided all applicable documents and files by the Procurement Manager. The City Attorney or designee shall decide the protest, provide written findings of fact and a conclusion as to the validity or non-validity of the protest to the City Manager within ten (10) City business days after receipt by the City of the formal written protest.

1.3.2 **NOTICE OF DECISION.** Within twenty-four (24) hours after decision on a protest the City Manager shall mail a copy thereof to the protestor.

