



Baldwin County Commission

Legislation Text

File #: 23-0553, Version: 2

Meeting Type: BCC Regular Meeting

Meeting Date: 1/17/2023

Item Status: **Replacement**

From: Wanda Gautney, Purchasing Director / Terri Graham, Solid Waste Director

Submitted by: Wanda Gautney, Purchasing Director

ITEM TITLE

*Request for Proposals (RFP) for Magnolia Material Recovery Facility Equipment Design, Procurement, and Installation for the Baldwin County Commission

STAFF RECOMMENDATION

Take the following actions:

- 1) Reject all the proposals received for the Request for Proposals (RFP) for the Engineering of Magnolia Material Recovery Facility Equipment Design, Procurement, and Installation; and
- 2) Authorize the Purchasing Director to advertise the competitive bid as required in Code of Alabama Title 39 Public Works Law, or Title 41 Competitive Bid Law, after final approval of the appropriate statute and bid documents by the Association of County Commissions of Alabama (ACCA) and the County Attorney.

Funding will be from the American Rescue Plan Act (ARPA) funds.

BACKGROUND INFORMATION

Background: Reason for replacement item: Staff recommendation revised to include Title 41 Competitive Bid Law at the recommendation of the County Attorney. The RFP proposals were received in the Purchasing Office on December 20, 2022, at 2:00 p.m. Three (3) proposals were received. After reviewing the proposals received, County staff, County Attorney, Brad Hicks, and the Association of County Commissions of Alabama (ACCA) Attorney, Katherine Jessip has determined that this project needs to be bid as a Public Works project. The Code of Alabama Title 39 requires all projects that involve construction, installation, repair, renovation, or maintenance of public buildings, structures, sewers, waterworks, roads, curbs, gutters, side walls, bridges, docks, underpasses, and viaducts as well as any other improvement to be constructed, installed, repaired, renovated, or maintained on public property be advertised as a competitive bid. The Public Works Law requires projects that are estimated to exceed the \$500,000.00 threshold be advertised once per week in three (3) newspapers of general circulation throughout the State. In order to comply with Title 39, the vendor packets received for the Request for Proposals must be rejected and a competitive bid prepared and advertised to meet the requirements of the Alabama bid law. The bid documents will be reviewed and approved by ACCA Attorney, Katherine Jessip and County Attorney, Brad Hicks

before the bid is advertised.

Staff recommendation is to reject the RFP proposals received and authorize the Purchasing Director to advertise the competitive bid as required by Code of Alabama Title 39 once the documents are approved by the ACCA and County Attorney.

Previous Commission action/date:

11/16/2022 meeting: Approved and authorized staff to advertise the Request for Proposals (RFP) for the Engineering of Magnolia Material Recovery Facility Equipment Design, Procurement, and Installation. (Funding will be from the American Rescue Plan Act (ARPA funds).

FINANCIAL IMPACT

Total cost of recommendation: N/A

Budget line item(s) to be used: N/A

If this is not a budgeted expenditure, does the recommendation create a need for funding?
N/A

LEGAL IMPACT

Is legal review necessary for this staff recommendation and related documents?
N/A

Reviewed/approved by: N/A

Additional comments: N/A

ADVERTISING REQUIREMENTS

..
Is advertising required for this recommendation? N/A

If the proof of publication affidavit is not attached, list the reason: N/A

FOLLOW UP IMPLEMENTATION

For time-sensitive follow up, select deadline date for follow up: 1/17/2023

Individual(s) responsible for follow up: Wanda Gautney, Purchasing Director

Action required (list contact persons/addresses if documents are to be mailed or emailed):
Letter to Vendors and Advertisement once documents are completed.

Additional instructions/notes: N/A