



OFFICE OF INSPECTOR GENERAL PALM BEACH COUNTY

CONTRACT OVERSIGHT NOTIFICATION (2011-N-0001)

Sheryl G. Steckler
Inspector General

"Enhancing Public Trust in Government"

Loxahatchee Groves RFP Notification 2011-05, Hurricane Debris Management

ISSUES

In response to a report of an alleged violation, we reviewed the above procurement and attended the June 21, 2011, Town Council meeting where we observed and found the following:

1. A Request for Proposal (RFP) Notification for Hurricane Debris Management was posted to the Town's website in May 2011. However, nowhere on the website or in the RFP Notification was there a link to an actual RFP document. In addition, the Town Clerk indicated if there was an RFP, it would be on the website. We could find no RFP.
2. Despite having a link identified as the Specification (Spec) Sheet for Debris Management that directed users to a portion of the Town's 2009 Disaster Debris Management Plan, the Plan did not contain the required elements of a Spec sheet nor the required RFP elements outlined in the Town's Ordinance (2008-09).
3. The one company that responded was evaluated as responsive based on a non-existent RFP.
4. The Town Manager recommended the award of the single proposal to the Town Council.
5. The Town Council approved the award based on activities that conflict with its own procurement policy. The Town's competitive bid procedures were not followed.

RECOMMENDATION

We recommend the contract award be voided. In addition, we recommend you review the two RFQs (2011-03 and 2011-04) that were approved as your needs may already be included in those proposals.

RESPONSE FROM MANAGEMENT

David Browning, Mayor, Loxahatchee Groves provided the attached response to this Notification, wherein he concurred with the OIG recommendation.



Town of Loxahatchee Groves

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VIA FACSIMILE (561-233-2370)
And U.S. Mail

July 8, 2011

Sheryl G. Steckler, Inspector General
Office of the Inspector General, Palm Beach County
PO Box 16568
West Palm Beach, FL 33416

RE: Town of Loxahatchee Groves/Contract Oversight Notification 2011-N-0001

Dear Ms. Steckler:

The Town is in receipt of the July 1, 2011 Contract Oversight Notification 2011-N-0001, relating to the Request for Proposals (RFP) for Hurricane Debris Management Services, and the award of the agreement to GRD Solutions.

At its July 5, 2011, meeting, the Town Council voted to issue a new RFP for Disaster Management Services. The revised RFP will be reviewed by the Town's Financial and Audit Advisory Committee at its meeting later this month, and issued in early August. The Town Council also voted to proceed, in the meantime, with a contract with GRD Solutions, pursuant to Section (C)(2)(e) of Ordinance 2008-09, which exempts disaster preparedness contracts from the Town's procurement code where time or availability rather than price is the controlling factor. As you know, we are currently in hurricane season, and the Town Council believes it is prudent to have a contract in place while it proceeds through the new procurement process given the uncertainties of hurricane season and the timing of the procurement process. That contract will contain a termination for convenience clause per FEMA contract requirements, so the Town Council will be able to implement a change in contractors once it completes the new RFP process.

Please contact the Town Manager, Frank Spence, should you require any additional information or have any questions.

Sincerely,

David Browning
Mayor, Loxahatchee Groves

CC: Members of the Town Council
Frank R. Spence, Town Manager
Michael D. Cirullo, Jr., Town Attorney
Alan Russell, Director of Contract Oversight OIG