



City of Coral Gables

Procurement Division

Responsiveness, Responsibility and Evaluation Factors

Below you will find a general outline on the process utilized to determine responsiveness to a solicitation, the responsibility review process for each bidder and some other general factors that may assist in determining the successful bidder for a solicitation. Please read the information below as it will assist you in preparing your responses accordingly.

Review of Responses for Responsiveness

Each submittal will be reviewed to determine if it is responsive to the submission requirements outlined in the solicitation. A "responsive" Response is one which meets the requirements of the solicitation, is submitted in the format outlined in the solicitation, is of timely submission, and has appropriate signatures as required on each document.

A. Rejection of Responses:

Responses may be rejected for any of , **but not limited to** the following reasons:

- 1) Bidder fails to acknowledge receipt of addenda;
- 2) Bidder misstates or conceals any material fact in the Solicitation;
- 3) Response does not conform to the requirements of the Formal Solicitation;
- 4) Response requires a conditional award that conflicts with the method of award;
- 5) Response does not include required samples, certificates, licenses as required; and,
- 6) Response was not executed by the Bidder's (s) authorized agent.
- 7) Evidence of collusion with other Bidders.
- 8) Submission of more than one response for the same Contract under the same or different names, in which case all such duplicated responses shall be rejected.

The foregoing is not an all-inclusive list of reasons for which a submittal may be rejected. The City may reject and re-advertise for all or any part of the Formal Solicitation whenever it is deemed in the best interest of the City.

Review of Responses for Responsibility

Each response will be reviewed to determine if the bidder can be deemed responsible. *Responsible* bidder or offeror means a person who is deemed to possess the capability, as determined by the city, in all respects to perform fully the contract requirements, and the experience, capacity, facilities, equipment, credit, integrity and reliability, which will assure good faith performance.

A. Elimination from Consideration

- 1) A contract shall not be awarded to any person or firm which is in arrears to the City upon any debt or contract, or which is a defaulter as surety or otherwise upon any obligation to the City. Principal, officer, or stockholder of Bidder shall not be in arrears or in default of any debt or contract involving the City, (as a party to a contract, or otherwise); nor have failed to perform faithfully on any previous contract with the City.
- 2) A contract may not be awarded to any person or firm which has failed to perform under the terms and conditions of any previous contract with the City or deliver on time contracts of a similar nature.

- 3) A contract may not be awarded to any person or firm which has been debarred by the City in accordance with the City's Debarment and Suspension Ordinance.
- 4) A contract may not be awarded to any person or firm with any record of judgments, bankruptcies, pending lawsuits against the City or criminal activities involving moral turpitude, and not have any conflicts of interest that have not been waived by the City Commission.

Evaluation of Bids

The evaluation of a submittal to determine responsiveness and responsibility may also include the following:

A. Errors or Mistakes

- 1) Mathematical errors - Errors in extension of unit prices or mathematical calculations may be corrected by the Procurement Specialist or staff assigned to handle the project.
- 2) The correction will be reflected on the final bid tabulation for the project. At no time during the correction of the final tally shall the unit prices be changed.
- 3) If determined by the Chief Procurement Officer, some minor clerical, non-judgmental mistakes of fact may be corrected by a responsive bidder. This determination will be communicated in writing with specific perimeters on the acceptance of an updated response.

B. Voluntary Price Reductions

- 1) The City may accept voluntary price reductions from a low bidder after bid opening, if such reduction is not conditioned on, nor results in, the modification or deletion of any condition contained in the invitation for bids.
- 2) A voluntary price reduction may NOT be used to ascertain the lowest responsive bidder. This feature may only be utilized after the lowest, responsive, and reasonable bidder determination has been made.

C. Tie Bids

Low tie bids are low responsive bids from responsible bidders that are identical in price and that meet all the requirements and criteria set forth in the solicitation.

Award shall not be made by drawing lots, except as set forth below, or by dividing business among identical bidders. Low tie bids shall be evaluated based upon the following criteria in order of precedence:

- 1) If the City Manager determines that selection of a particular bidder or bidders is in the best interests of the city because of product, service, delivery, qualifications or past performance;
- 2) If the bidder has a drug-free workplace program as defined in Florida Statutes Section 287.087;
- 3) If the bidder is a minority business enterprise, certified in accordance with Florida Statutes Section 287.0943;
- 4) If the tied bidders include a bidder or bidders whose principal place of business is located in the City of Coral Gables, the local bidder shall be given preference;
- 5) If the tied bidders include a bidder or bidders whose principal place of business is located in Miami-Dade County, the bidder located in Miami-Dade County shall be given preference; or
- 6) By drawing lots.