

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(O)(1)(A)  
02-20-07

OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA

RESOLUTION NO. \_\_\_\_\_ R-176-07 \_\_\_\_\_

RESOLUTION APPROVING AWARD OF CONTRACT NO. EPP6035-4/11 TO BIORESPONSE CORPORATION TO PROVIDE CLEANING OF BORNE PATHOGENS FOR THE MIAMI-DADE TRANSIT DEPARTMENT AND OTHER COUNTY DEPARTMENTS, WITH AUTHORITY TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER, AND AUTHORIZING THAT A PORTION OF THE CONTRACT USE PROCEEDS FROM THE CHARTER COUNTY TRANSIT SYSTEM SALES SURTAX FUNDS IN SUPPORT OF THE IMPLEMENTATION OF THE PEOPLE'S TRANSPORTATION PLAN (PTP)

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board approve the award of Contract No. EPP6035-4/11 to Bioresponse Corporation to provide cleaning of blood borne pathogens for the Miami-Dade Transit Department and other County Departments, with authority to exercise options-to-renew established thereunder, and authorizing that a portion of the contract use proceeds from the Charter County Transit System Sales Surtax funds.

The foregoing resolution was offered by Commissioner Barbara J. Jordan who moved its adoption. The motion was seconded by Commissioner Joe A. Martinez and upon being put to a vote, the vote was as follows:

	Bruno A. Barreiro, Chairman	absent	
	Barbara J. Jordan, Vice-Chairwoman	aye	
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	absent
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 20<sup>th</sup> day of February, 2006. This resolution shall become effective as follows: (1) ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board, and (2) either i) the Citizens' Independent Transportation Trust (CITT) has approved same, or ii) in response to the CITT's disapproval, the County Commission reaffirms its award by two-thirds (2/3) vote of the Commission's membership and such reaffirmation becomes final.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS



HARVEY RUVIN, CLERK.

By: **KAY SULLIVAN**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

Oren Rosenthal

# Memorandum

MIAMI-DADE  
COUNTY

**Date:** February 20, 2007

Agenda Item No. 8(O)(1)(A)

**To:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**From:** George M. Burgess,  
County Manager

**Subject:** Resolution Authorizing Award of Contract No. EPP6035-4/11: Cleaning of Blood Borne Pathogens

## **RECOMMENDATION**

It is recommended that the Board of County Commissioners uphold the County Manager's recommendation and authorize award of Contract No. EPP6035-4/11 to Bloresponse Corporation in the amount of \$400,000 to provide cleaning of blood borne pathogens for the Miami-Dade Transit (MDT) Department and other County departments. A bid protest was filed by International Protective Services (IPS) Inc. on December 20, 2006 and was heard by a Hearing Examiner on January 9, 2007. The Hearing Examiner's findings upheld the County Manager's recommendation.

## **BACKGROUND**

This solicitation was advertised by the Department of Procurement Management (DPM) on the County's website and in four local newspapers: Diario Las Americas; Miami Times; Daily Business Review; and Haiti En Marche on August 8, 2006. Two hundred and eighty-one vendors were notified. Twenty-one packages were downloaded from the County's website. Two proposals were received and opened on September 13, 2006, one from Bloresponse Corporation, and another from Housekeeping Headquarters, a certified Small Business Enterprise (SBE) firm. Subsequent to the evaluation of bids received from the two firms, the recommendation to award to Bloresponse Corporation was posted with the Clerk of the Board on December 14, 2006.

International Protective Services (IPS) Inc., the incumbent vendor, in response to a DPM participation survey, responded that they were not notified of the advertisement of the solicitation. Staff verified that a facsimile (Attachment 1) was sent to IPS announcing the advertisement on August 11, 2006. The County received confirmation of successful transmission of the facsimile document.

On October 13, 2006, IPS filed a bid protest with the Clerk of the Board, claiming they did not receive notice of the advertisement. On October 18, 2006, IPS was informed by the Clerk of the Board that their protest, with the filing fee, was being returned because a recommendation to award the bid had not yet been made.

On November 3, 2006, a publicly noticed meeting was held with IPS representatives to review the facts surrounding the notification. The vendor, IPS, expressed concerns that he did not receive notification. Staff explained the notification process and provided

Information regarding the protest procedures. On December 8, 2006, the vendor was sent a letter (Attachment 2) that staff would notify them once a recommendation to award was issued. On December 14, 2006, the recommendation to award was filed with the Clerk of the Board. On December 18, 2006, the vendor received a fax informing them that a recommendation had been made to award the contract to the Bloresponse Corporation.

On December 20, 2006 a protest was filed by IPS (Attachment 3), the incumbent vendor, alleging they did not receive notification of the solicitation until after the bid was closed. The Hearing Examiner heard the protest on January 9, 2007 and findings (Attachment 4) were received on January 16, 2007. The Hearing Examiner determined there was no wrongdoing by the County nor was there any evidence of exceptional circumstances which justified setting aside the bid process. The motion to dismiss filed by the County was granted and the filing of the protest, under the circumstances presented, lacked requisite standing. The Hearing Examiner's findings upheld the County Manager's recommendation to award to Bloresponse Corporation.

There are four County departments utilizing this contract for the cleaning of blood-borne pathogens – General Services, Housing, Police, and Transit. The Miami-Dade Transit Department's allocation may be funded with proceeds from the Charter County Transit System Sales Surtax to the extent justified by the allocation model that will charge the Surtax for the cost of any additional services implemented as a result of the approval of the sales tax or for items related to the Miscellaneous Capital Improvement Projects listing, as modified, by the Board of County Commissioners (BCC) on October 3, 2003 that are to be funded 100% by the Surtax.

  
Assistant County Manager

**RECOMMENDATION**

It is recommended that the Board of County Commissioners award a contract to provide cleaning of blood borne pathogens for the Department of Miami-Dade Transit and other County departments.

**Contract No:** EPP6035-4/11

**Contract Title:** Cleaning Blood Borne Pathogens

**Description:** This contract is established to provide for the cleaning of blood borne pathogens for various County departments.

**Term:** One year, with 4, one-year options-to-renew

**Contract Amount:** \$400,000 for the initial one-year term

**Using/Managing Agencies and Funding Sources:**

<u>Department Using PTP Funds</u>	<u>Allocation</u>	<u>Funding Source</u>
Transit	\$300,000	Operating and PTP

<u>Other Departments</u>	<u>Allocation</u>	<u>Funding Source</u>
GSA	\$ 1,313	General
Housing	\$ 7,500	Federal
Police	\$ 52,500	General
Unallocated	\$ 38,687	Various
Sub-total:	\$100,000	

**Previous Contract Allocation:** \$599,850 for an eighteen month period

**Method of Award:** To the responsive, responsible vendor who submits the lowest aggregate price.

<b>Vendor:</b>	<b>Address</b>	<b>Principal</b>
• Bloresponse Corporation Inc. (Local vendor)	6920 S.W. 42 <sup>nd</sup> Terr. Miami, FL 33155	Manuel Pozo

**Contract Measure:** Small Business Enterprise (SBE) 10% bid preference was applied in accordance with the ordinance, but did not affect the outcome of the award as the total price of the SBE firm was not within 10% of the non SBE firm.

**Review Committee Date:** May 3, 2006; Item #6-08

**Local Preference:** Applied in accordance with the Local Preference Ordinance.

**Living Wage:** The Living Wage Ordinance does not apply.

**User Access Program (UAP):** This contract includes the User Access Program (UAP) provision. The 2% discount will be collected.

**Contract Managers:**

- Drakus Wiggins, Department of Procurement Management
- Martin Dareff, General Services Administration
- Indria Rajkumar, Miami-Dade Housing Agency
- Judy Shepard, Miami-Dade Transit Department
- Laura Romano, Miami-Dade Police Department

**Contract Effective Date:** After approval by the Board of County Commissioners and expiration of the ten day mayoral veto period. MDT's allocation will become effective only after approval by the the Citizens' Independent Transportation Trust (CITT).



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**DATE:** February 20, 2007

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Agenda Item No. 8(O)(1)(A)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review.

\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO	1732	
CONNECTION TEL		9919549227009
CONNECTION ID		
ST. TIME	08/11 10:45	
USAGE T	01'30	
PGS. SENT	2	
RESULT	OK	

*International Protective Services*



**BID ANNOUNCEMENT**

Miami-Dade County, Florida, is announcing the availability of the following bid:

**BID NO.:** EPP6035-4/11-OTR    **PROCUREMENT AGENT/TECH.:** DW    **BID OPENING DATE:** WEDNESDAY, SEPTEMBER 6, 2006

**TITLE:** CLEANING BLOOD BORNE PATHOGENS

**SCOPE:** TO PROVIDE EQUIPMENT AND LABOR NECESSARY TO CLEAN, COLLECT AND DISPOSE OF PATHOGENS FOUND IN COUNTY PROPERTY.

This bid solicitation is subject to the "Cone of Silence" in accordance with County Ordinance No. 98-106

**Bid/Performance Bond:** N/A    **Insurance:** YES    **Pre-Bid Conference:** N/A

ATTENDANCE AT A  PRE-BID CONFERENCE  SITE VISIT  
IS  
 MANDATORY  RECOMMENDED  NOT APPLICABLE

A bid package can be obtained through the Department of Procurement Management (DPM), Purchasing Division. You may also obtain the solicitation package FREE of charge by downloading it from our website at [www.miamidade.gov/proc/solicit/search\\_solicitations.asp](http://www.miamidade.gov/proc/solicit/search_solicitations.asp) or contact the Vendor Assistance Unit to purchase a printed copy of the bid solicitation. There is a non-refundable minimum fee of \$10.00 for each bid package (exact change only) to partially offset the cost of printing and an additional \$5.00 fee for those vendors wishing to receive the bid package through the United States Postal Service. For your convenience we now accept VISA or MasterCard. To request the bid package through the United States Postal Service, complete the backside portion of this announcement and return along with your payment to:

DEPARTMENT OF PROCUREMENT MANAGEMENT  
VENDOR ASSISTANCE UNIT  
111 NW 1<sup>ST</sup> STREET, SUITE 1300  
MIAMI, FL 33128

8



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**AGENT/TECH.:** DW

**BID OPENING DATE:** WEDNESDAY,  
SEPTEMBER 6, 2006

**TITLE:**        **CLEANING BLOOD BORNE PATHOGENS**

**SCOPE:**        **TO PROVIDE EQUIPMENT AND LABOR NECESSARY TO CLEAN, COLLECT AND DISPOSE OF PATHOGENS FOUND IN COUNTY PROPERTY.**

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**Bid/Performance Bond:** N/A

**Insurance:** YES

**Pre-Bid Conference:** N/A

**ATTENDANCE AT A**  **PRE-BID CONFERENCE**  **SITE VISIT**  
**IS**  
 **MANDATORY**  **RECOMMENDED**  **NOT APPLICABLE**

A bid package can be obtained through the Department of Procurement Management (DPM), Purchasing Division. You may also obtain the solicitation package FREE of charge by downloading it from our website at [www.miamidade.gov/eproc/esolicit/search\\_solicitations.asp](http://www.miamidade.gov/eproc/esolicit/search_solicitations.asp) or contact the Vendor Assistance Unit to purchase a printed copy of the bid solicitation. There is a non-refundable minimum fee of \$10.00 for each bid package (exact change only) to partially offset the cost of printing and an additional \$5.00 fee for those vendors wishing to receive the bid package through the United States Postal Service. For your convenience we now accept VISA or MasterCard. To request the bid package through the United States Postal Service, complete the backside portion of this announcement and return along with your payment to:

**DEPARTMENT OF PROCUREMENT MANAGEMENT**  
**VENDOR ASSISTANCE UNIT**  
**111 NW 1<sup>st</sup> STREET, SUITE 1300**  
**MIAMI, FL 33128**  
**PHONE: 305-375-5773**

**ALL PACKAGES MUST BE PAID FOR PRIOR TO THE DOCUMENT BEING MAILED.**

Contact our Vendor Assistance Unit at (305) 375-5287 to update your company's information in our files to include your company's e-mail address and you could be automatically notified via e-mail about future bid solicitations for goods/services provided by your company.

**ENDOR NUMBER:** 592321576    **INTERNATIONAL PROTECTIVE SERVICES INC**  
**ENDOR SUFFIX:** 01    **CREATE DATE:** 02/11/1993  
**AIL CODE :** PO    **PURCHASE ORDER**    **CREATED BY :** CONV  
**HEADER STATUS:** A    **DETAIL STATUS:** A    **DPM REGISTER:** A    **UPDATE DATE:** 12/30/2006  
**TTN LINE 1 :**    **UPDATED BY :** ECARDEN  
**TTN LINE 2 :**  
**TTN LINE 3 :**  
**STREET :** 2231 HOLLYWOOD BLVD.  
**CITY :** HOLLYWOOD    **STATE:** FL    **ZIP:** 33020-6707  
**COUNTRY :** US    **UNITED STATES**  
**REGION :**  
**COUNTY :**    **LAST BID :**  
**CONTACT NAME :** MR. WALTER PHILBRICK    **LAST PO :** 08/10/2006  
**-MAIL :**  
**PHONE :** 954 895-4641    **FED TAX/SSN:** 592321576  
**FAX :** 954 922-7009    **FED TAX IND:** F  
**800FREE :** 800 510-0820

F1-HELP    F2-SELECT    F4-PRIOR    F5-NEXT    F6-HEADER  
 F7-DETAIL    F8-NEXT PG    F9-LINK



CLERK OF THE BOARD

2006 DEC 12 PM 3: 24

miamidade.gov

CLERK, CIRCUIT & COUNTY COURTS  
DADE COUNTY, FLA.  
#1

December 8, 2006

Walter Philbrick  
International Protection Services, Inc.  
2231 Hollywood Blvd  
Hollywood, FL 33020

Re: Bid No. EPP6035-4/11, Cleaning Blood Borne Pathogens

Dear Mr. Philbrick:

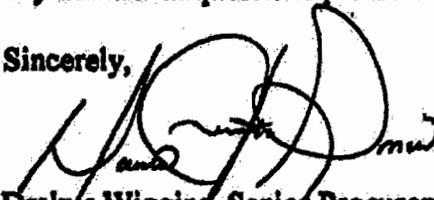
The Department of Procurement Management (DPM) received a premature bid protest in regard to the reference solicitation on October 13, 2006. Your document indicates that International Protection Services, Inc. (IPS) was not notified of the availability of this solicitation.

The notification of the opportunity to compete was faxed to you on August 11, 2006, to your company's fax number. DPM has a fax receipt confirming successful transmission of the document. This fax transmission as well as the vendor notification process, in general, was discussed with you and Perla Sicard at a publicly noted meeting held on November 3, 2006.

The evaluation of the offers received on or before the bid opening date has been completed and an award recommendation will be made in the near future. We will forward you a copy of the recommendation upon completion.

I appreciate your interest in doing business with Miami-Dade County and look forward to receiving proposals from your firm in the future. Should you have any additional questions please call me at 305-375-4435.

Sincerely,

  
For  
Drakas Wiggins  
Drakas Wiggins, Senior Procurement Contracting Agent  
Department of Procurement Management

cc Clerk of the Board  
Amos Roundtree, Purchasing Division Director  
Department of Procurement Management

- ADA Coordination
- Agenda Coordination
- Animal Services
- Art in Public Places
- Audit and Management Services
- Aviation
- Building
- Building Code Compliance
- Business Development
- Capital Improvements
- Citizens' Independent Transportation Trust
- Commission on Ethics and Public Trust
- Communications
- Community Action Agency
- Community & Economic Development
- Community Relations
- Consumer Services
- Corrections & Rehabilitation
- Cultural Affairs
- Elections
- Emergency Management
- Employee Relations
- Empowerment Trust
- Enterprise Technology Services
- Environmental Resources Management
- Fair Employment Practices
- Finance
- Fire Rescue
- General Services Administration
- Historic Preservation
- Homeless Trust
- Housing Agency
- Housing Finance Authority
- Human Services
- Independent Review Panel
- International Trade Consortium
- Juvenile Services
- Medical Examiner
- Metro-Miami Action Plan
- Metropolitan Planning Organization
- Park and Recreation
- Planning and Zoning
- Police
- Procurement Management
- Property Appraisal
- Public Library System
- Public Works
- Safe Neighborhood Parks
- Seaport
- Solid Waste Management
- Strategic Business Management
- Team Metro
- Transit
- Trustee on Urban Economic Revitalization
- Vizcaya Museum And Gardens
- Water & Sewer



MEMORANDUM

TO: Hugo Benitez  
Assistant County Attorney

DATE: December 20, 2006

FROM: Kay Sullivan, Director  
Clerk of the Board Division

SUBJECT: Bid Protest  
Bid No. EPP6035-4/11  
Cleaning Bloodborne Pathogens for  
Various County Departments

Pursuant to Section 2-8.4 of the Code and Administrative Order 3-21, Bid Protest Procedures, a bid protest was filed in the Clerk of the Board's office on Wednesday, December 20, 2006. The protest was filed by Walter Philbrick, President, IPS - International Protective Services, Inc.

A filing fee in the amount of \$1,000.00 was submitted with the protest.

A copy of the bid protest and the Department of Procurement Management's award recommendation letter are attached for your review. Upon your direction, I will begin the bid protest procedure.

Thank you for your attention to this matter. If you have any questions pertaining to this protest, please contact Fara C. Diaz at Ext. 1293.

KS:fed  
Attachments

RECEIVED  
DEPARTMENT OF  
PROCUREMENT MANAGEMENT  
06 DEC 20 PM 2:22  
MIAMI-DADE COUNTY  
FLORIDA

CLERK OF THE BOARD

**IPS**

2006 DEC 20 PM 2: 14

**International Protective Services**

**2231 Hollywood Boulevard**

**Hollywood, Florida 33020**

**Phone: (954) 922-9258 Fax: (954) 922-7009**

CLERK, CIRCUIT & COUNTY COURTS  
DADE COUNTY, FLA.  
#1

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**Bloodborne Pathogen -- Crime Scenes -- Biohazard Decontamination**

December 19, 2006

**Miami-Dade County**

**Clerk of the Board**

**111 NW 1<sup>st</sup> Street, Suite 17-202**

**Miami, Fl. 33128**

**Phone: (305) 375-5126**

**Fax: (305) 375-2484**

**Attention: Fara C. Diaz**

**Clerk of the Board Division**

**REF: Bid Protest for Bid No: EPP6035-4/11**

**Cleaning Bloodborne Pathogens for Various County Depts.**

**IPS-Providing Miami-Dade County Service for over 12 Years**

**International Protective Services (IPS) has provided the Cleaning of Bloodborne Pathogen Services to Miami-Dade County's various departments for over twelve (12) years. The original bid specifications were written by this company. IPS has been the only company Miami-Dade County has used for the Cleaning of Bloodborne Pathogens for all of the county buses, trains, metro-rail stations and police departments. We were the sole provider for this service at one time.**

**IPS awarded OTR**

**In August of this year Miami-Dade County decided to award IPS the Cleaning of Bloodborne Pathogens through the Option to Renew Program (OTR) in which we renewed our contract without going out for bid.**

**Page 2**

**Bid Protest of Cleaning of Bloodborne Pathogens  
International Protective Services, Inc.**

Recently thereafter Miami-Dade County went out for bid and this company was never notified. In fact we had just supplied Miami Dade County with all our insurance requirements such as workman's compensation, vehicle insurance, liability and the pollution insurance. During this time not one person told me that the bid I was providing the information for was currently out for bid again. I was told the OTR was for one year.

Throughout the month of August, 2006, IPS was in constant contact with Mauricio Valdez from the Miami- Dade County Procurement Department and Francisco Fajardo from the Risk Management division. At this time we updated our records by sending renewals for our General liability insurance, Automobile Insurance and Worker's Compensation Insurance. Not once was IPS informed that there was a new contract up for bidding on the services that we were renewing insurance for the upcoming year.

**Informed of Bid after the Fact**

I was informed that the Cleaning of Bloodborne Pathogens, Bid No. EPP6035-4/11 was out for bid, when Miami Dade County sent out a Purchasing Division Questionnaire asking why IPS did not bid on the contract. Understandable, if I would have known about the bid I would have most certainly bid on the contract.

**Change of Management-Problems**

For the past twelve years I have never had a problem with Miami-Dade County advertising the Cleaning of Bloodborne Pathogens Bid. It was always mailed to me.

Now, under new management I am allegedly notified of a \$250,000 contractual bid by fax and nothing else. That is not professional business. What is funny is that I received the questionnaire asking why I did not bid on the contract and the next day I received the originals in the mail from Mr. Wiggins. This policy was not followed when the county advertised the Bloodborne Pathogen bid. I never received the advertisement through my fax and I never received anything in the mail. How can the current vendor bid on an existing contract when they are not notified of the bid.

**Page 3**

**Bid Protest of Cleaning of Bloodborne Pathogens  
International Protective Services, Inc.**

International Protective Services in the past has always received the bid notification through the mail. I never received any notification of the bid through the mail, email, fax or over the telephone. I will under oath in the court of law swear that I was never notified.

**Professional Service**

Over the past twelve years IPS has provided the county with exceptional service. Not once during the twelve (12) years has there ever been a complaint about our service, response time or professionalism. You would think that Miami-Dade County would want to retain or at least give that company a chance to be competitive during the bid process.

Here is a sequence of events up to this date:

**Monday, October 2, 2006**

I receive a faxed letter and questionnaire from Miami-Dade County Department of Procurement Management, Agent Drakus Wiggins. The fax is asking why I did not bid on the Cleaning of Bloodborne Pathogens Bid No: EPP6035-4/11.

**Monday, October 2, 2006**

I complete the questionnaire and immediately fax it back to him stating I never received the announcement of the bid.

**Monday, October 2, 2006**

At 4:10 PM this same day I send Mr. Wiggins an email stating that we are the current vendor for Miami-Dade County and we just completed the OTR which I understood was an extension for one more year.

I asked Mr. Wiggins if these two bids were the same. My exact wording was, "I have a very important question. Is the bid EPP6035 different from the bid the county just extended to my company?" I am thinking the two bids are similar but different.

Page 4

**Bid Protest of Cleaning of Bloodborne Pathogens  
International Protective Services, Inc.**

Tuesday, October 3, 2006

Response from Mr. Wiggins via email.

Mr. Philbrick, DPM records show the bid announcement for the bid was sent to the fax number for your company in the DPM database pm 08-11-06.

Also, the scope in the referenced bid is not changed from the current contract. The current contract was extended for six months, to expire 2/28/07.

Tuesday, October 3, 2006

Telephone Conversation with Mr. Wiggins:

I call Mr. Wiggins and he tells me the bids are one in the same. I tell him that we never received the announcement and to not award the bid until we have a chance to bid on the contract. He tells me that he must meet with management but will continue forward with the bid award."

Tuesday, October 3, 2006

Email response to Mr. Wiggins:

I give Mr. Wiggins official notice that International Protective Services will be contesting the bid. I also ask for the Bid Protest Procedure. I also requested the fax number that the county faxed the bid announcement to.

Second email sent minutes later again requesting the fax number that the bid was faxed to.

Mr. Wiggins fails to respond back to me regarding the fax number, the bid process information, or when he is meeting with management.

Wednesday, October 4, 2006

Email to Mr. Wiggins requesting a meeting with him to resolve the issue. I asked for a time and date to meet.

Mr. Wiggins fails to respond.

On this date I received the original questionnaire from Mr. Wiggins

**Page 5**

**Bid Protest of Cleaning of Bloodborne Pathogens  
International Protective Services, Inc.**

**Thursday, October 5, 2006**

**I called Mr. Wiggins and requested he call me.**

**He never called. I called back and left a message with his secretary.**

**He never called me.**

**Friday, October 6, 2006**

**I am not getting any response from Mr. Wiggins. I asked Perla Sicard our comptroller to call Mr. Wiggins. She does call and leaves a message asking him to call her.**

**He never calls, faxes or emails this company any information.**

**Monday, October 9, 2006**

**I email Mr. Wiggins again requesting he contact me so we can meet regarding the Bloodborne Cleaning contract. I try to copy email to Miami-Dade at MiamiDade.gov and it doesn't go through.**

**Mr. Wiggins fails to respond.**

**Tuesday, October 11, 2006**

**I called Mr. Wiggins and we speak on the phone. I asked for clarification as to why I have not had a response. He states, I got your email." I then again ask for the Bid Protest Procedure and he gives me the number of the Clerk.**

**After exhaustive efforts we receive the eighteen pages to the Bid Protest Procedures from the clerk. IPS proceeded to file the Protest with the Miami-Dade County Attorney.**

**Thursday, October 19, 2006**

**Perla Sicard called the County Attorney's Office and spoke to a county clerk regarding the return of the bid protest. She was informed that it was a "pre-mature" bid due to the absence of the recommendation of the contract by Contracting Agent Drakus Wiggins.**

**Perla Sicard called Mr. Wiggins and explained that our protest was rejected, and we needed to know what the correct procedure was since IPS had done**

Page 6

everything he had advised us to do. Mr. Wiggins then retracted his original instructions and stated that the bid had closed and that IPS would have to wait for the recommendation to be made. IPS asked for a meeting with Mr. Drakus.

Friday, October 27, 2006

Mr. Wiggins sent IPS an email granting us a meeting on October 31, 2006 at 11:00am, to discuss our contract.

Tuesday October 31, 2006

Perla Sicard and I, Walter Philbrick went to the Miami-Dade Procurement office and after waiting for 45 minutes we were told by Mr. Wiggins that the meeting was cancelled due to "formalities". Mr. Wiggins stated that all meetings must be advertised and had to be re-scheduled.

IPS later received an email re-scheduling the meeting for November 3, 2006 at 1:00pm.

Friday, November 3, 2006

Perla Sicard and I, Walter Philbrick attended the meeting with Mr. Wiggins and other Procurement representatives. We discussed our Companies concerns and the procurement representatives explained the process of the bid and that we would have to wait for a recommendation or a rejection of the contract. We were told we would be notified.

Friday, December 15, 2006

IPS received a letter by mail from Mr. Wiggins dated December 8, 2006 which stated that an award had not been made and that a copy of the recommendation would be sent to IPS.

Tuesday, December 19, 2006

IPS received a fax from Mr. Wiggins dated December 14, 2006. Fax transmission December 18, 2006 at 5:31pm. This stated that the contract was awarded to Bioresponse Corporation.

As of December 19, 2006 the recommendation has not been posted on the Miami-Dade website and we did not receive an email nor mail notification prior to this.

**Page 7**

**Closing Statement:**

**International Protective Services has been providing the county with Bloodborne Cleaning Services for years. We understand the bid process and the competitiveness of the system. All I ask as the owner is that we have a chance to be competitive and bid on the contract.**

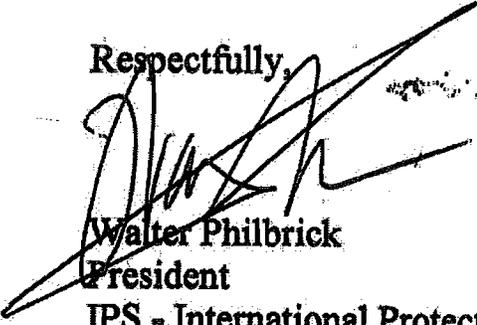
**Bid Protest of Cleaning of Bloodborne Pathogens  
International Protective Services, Inc.**

**Executive Summary:**

**The following was never done:**

- 1. IPS was never notified of the bid.**
- 2. IPS was never faxed the Bloodborne Pathogen Bid notice.**
- 3. If DPM showed it was faxed to IPS, we never received it.**
- 4. IPS was never emailed, faxed or sent the bid via mail.**
- 5. Suggestion: Bids to incumbent vendors should be sent registered mail-not faxed. This contract is worth over \$250,000.**
- 6. All Bids should be faxed, emailed and sent via US Mail.**
- 7. The county has all my contact information addresses and numbers.**
- 8. To announce a \$250,000 plus bid via fax only without any proof of acceptance or acknowledgement does not make sense.**
- 9. IPS received the questionnaire via fax-why not the bid?**
- 10. IPS received the mail original questionnaire the next day.**
- 11. If the questionnaire was faxed and then original mailed then why wasn't the bid announcement mailed also (which is so much more important).**
- 12. IPS should be given a chance to bid on the contract due to the fact we were never notified.**
- 13. IPS is the existing vendor and should have the chance to bid on a contract they have serviced for over twelve (12) years.**
- 14. If IPS would have received the bid we would have most certainly bid on the Bloodborne Cleaning contract.**

Respectfully,



Walter Philbrick

President

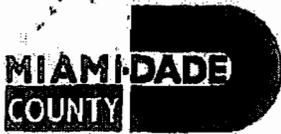
IPS - International Protective Services, Inc.

2231 Hollywood Boulevard

Hollywood, Fl. 33020

Phone: (954) 922-9258

Fax: (954) 922-7009



Procurement Management  
 Purchasing Division  
 111 NW 1st Street • Suite 1300  
 Miami, Florida 33128-1974  
 T 305-375-5289 F 305-375-4407 305-372-6128

miamidade.gov

CLERK OF THE BOARD

2006 DEC 20 PM 2:14

CLERK, CIRCUIT & COUNTY COURTS  
 DAVE COUNTY, FLA.  
 #1

October 2, 2006

Walter Philbrick  
 International Protective Services, Inc.  
 2231 Hollywood Blvd.  
 Hollywood, FL 33020

RE: Questionnaire  
 Bid No. EPP6035-4/11  
 Cleaning Blood Borne Pathogens for Various County Departments

Dear Mr. Philbrick:

The above-referenced bid was advertised and made available by the County on August 11, 2006 and opened September 13, 2006.

In efforts to improve upon the County's bid process and better understand the needs of Miami-Dade County providers for cleaning blood borne pathogens, we ask that you complete the questionnaire attached and forward to fax number (305) 375-4407 by close of business Tuesday, October 3, 2006.

Should you have any questions, please contact me at [dwiggin@miamidade.gov](mailto:dwiggin@miamidade.gov).

Your input is greatly appreciated.

Sincerely,

*Drakus Wiggins*  
 Drakus Wiggins

Senior Procurement Contracting Agent  
 Department of Procurement Management

cc: Clerk of the Board

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*20*

- ADA Coordination
- Agency Coordination
- Animal Services
- Art In Public Places
- Audit and Management Services
- Aviation
- Building
- Building Code Compliance
- Business Development
- Capital Improvements
- Citizens' Independent Transportation Trust
- Commission on Ethics and Public Trust
- Communications
- Community Action Agency
- Community & Economic Development
- Community Relations
- Consumer Services
- Corrections & Rehabilitation
- Cultural Affairs
- Elections
- Emergency Management
- Employee Relations
- Empowerment Trust
- Enterprise Technology Services
- Environmental Resources Management
- Fair Employment Practices
- Finance
- Fire Rescue
- General Services Administration
- Historic Preservation
- Homeless Trust
- Housing Agency
- Housing Finance Authority
- Human Services
- Independent Review Panel
- International Trade Consortium
- Juvenile Assessment Center
- Medical Examiner
- Metro-Miami Action Plan
- Metropolitan Planning Organization
- Park and Recreation
- Planning and Zoning
- Police
- Procurement Management
- Property Appraisal
- Public Library System
- Public Works
- Safe Neighborhood Parks
- Seaport
- Solid Waste Management
- Strategic Business Management
- Team Metro
- Transit
- Task Force on Urban Economic Revitalization
- Vizcaya Museum And Gardens
- Water & Sewer

Miami-Dade County Department of Procurement Management  
Purchasing Division Questionnaire  
Bid No. EPP6035-4/11  
Cleaning Blood Borne Pathogens for Various County Departments  
Agent: Drakus Wiggins

Respondent Information

Name: WALTER PHILBRICK  
Company Name: INTERNATIONAL PROTECTIVE SERVICES  
Address: 2231 HOLLYWOOD BLVD, HOLLYWOOD FL  
Phone: (954) 922 9258 33020  
Fax: (954) 922 7009  
Email: FL911 STORE @ AOL.COM

1. Did you receive an announcement for Bid No. EPP6035-4/11?  
Yes \_\_\_ No
2. Did you purchase or download a solicitation package for the bid?  
Yes \_\_\_ No

**FAXED** By: Walt  
Date: 10/3/06

If the answer to the above question is No, please respond to the statement: The reason I did not purchase or download the bid solicitation package was due to:

1. Did not meet bid requirements  
 2. Unable to provide Scope of Work  
 3. Unfamiliar with the bid process  
 4. Insufficient time to respond  
 5. Not sufficiently profitable  
 6. Not interested

Other I NEVER RECEIVED NOTIFICATION OF THE BID.

3. If you purchased or downloaded the bid package but did not respond, please provide the reason(s) for not responding.

N/A

4. Would you respond if the bid was re-issued?  
Yes  No \_\_\_

ABSOLUTELY - Please

If your response to the above question is No, please provide the reason below.

Please forward the completed questionnaire to fax number (305) 375-4407 by close of business Tuesday, October 3, 2006.

Walter Philbrick 10/3/06

Subj: **RE: Bid No: EPP6035-4/1, Cleaning Bloodborne Pathogens**  
Date: 10/3/2006 11:45:08 AM Eastern Standard Time  
From: [DWIGGIN@miamidade.gov](mailto:DWIGGIN@miamidade.gov)  
To: [FL911store@aol.com](mailto:FL911store@aol.com)  
CC: [CLERKBCC@miamidade.gov](mailto:CLERKBCC@miamidade.gov)

Mr. Philbrick, DPM records show the bid announcement for the bid was sent to the fax number for your company in the DPM database on 08/11/06. Also, the scope in the referenced bid is not changed from the current contract. The current contract was extended for six months, to expire 2/28/07.

Drakus Wiggins, Senior Procurement Contracting Agent  
Miami-Dade County Department of Procurement Management  
111 NW 1st Street, Suite 1300, Miami, Florida 33128  
305-375-4435 Phone  
305-375-4407 Fax  
[www.miamidade.gov/dpm](http://www.miamidade.gov/dpm)

*"Delivering Excellence Every Day"*

*Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.*

-----Original Message-----

From: [FL911store@aol.com](mailto:FL911store@aol.com) [mailto:[FL911store@aol.com](mailto:FL911store@aol.com)]  
Sent: Monday, October 02, 2006 4:10 PM  
To: Wiggins, Drakus (DPM)  
Subject: Cleaning Bloodborne Pathogen for Various Departments-Important

Mr. Wiggins,

My company, International Protective Services has provided Bloodborne Cleaning Services to the Miami Dade Police and Miami Dade Transit for the past twelve years. Currently we decontaminate buses, Metro rail stations, trains, vehicles and jail cells. This contract is very important to the survival of my small company. Our current contract is issued under contract No: 6035-2/06-2. The county just extended the contract for another two years. I never saw this new contract under the bid No: EPP6035-4/11 Cleaning Bloodborne Pathogens for Various Departments. If I would have received information on the bid I would most certainly bid on the contract. We already service the county-county wide.

I have a very important question. Is the bid EPP6035 different from the bid they just extended to my company? From my understanding the county was going to go out for bid again on the 6035-2/06-2 but decided just to extend my company another year (OTR). Please email me or call. Thanks, Walter Philbrick (954) 922-9258.

Subj: RE: Bid No: EPP6035-4/1, Cleaning Bloodborne Pathogens  
Date: 10/3/2006 11:45:08 AM Eastern Standard Time  
From: DWIGGIN@miamidade.gov  
To: FL911store@aol.com  
CC: CLERKBCC@miamidade.gov

Mr. Philbrick, DPM records show the bid announcement for the bid was sent to the fax number for your company in the DPM database on 08/11/06. Also, the scope in the referenced bid is not changed from the current contract. The current contract was extended for six months, to expire 2/28/07.

Drakus Wiggins, Senior Procurement Contracting Agent  
Miami-Dade County Department of Procurement Management  
111 NW 1st Street, Suite 1300, Miami, Florida 33128  
305-375-4435 Phone  
305-375-4407 Fax

[www.miamidade.gov/dpm](http://www.miamidade.gov/dpm)

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My company, International Protective Services has provided Bloodborne Cleaning Services to the Miami Dade Police and Miami Dade Transit for the past twelve years. Currently we decontaminate buses, Metro rail stations, trains, vehicles and jail cells. This contract is very important to the survival of my small company. Our current contract is issued under contract No: 6035-2/06-2. The county just extended the contract for another two years. I never saw this new contract under the bid No: EPP6035-4/11 Cleaning Bloodborne Pathogens for Various Departments. If I would have received information on the bid I would most certainly bid on the contract. We already service the county-county wide.

I have a very important question. Is the bid EPP6035 different from the bid they just extended to my company? From my understanding the county was going to go out for bid again on the 6035-2/06-2 but decided just to extend my company another year (OTR).

Please email me or call: Thanks, Walter Philbrick (954) 922-9258.

10/3/06  
12<sup>10</sup> PM  
Will Meet w/ mgmt.  
But continue forward w/ bid award."

**Subj:** Re: Bid No: EPP6035-4/1, Cleaning Bloodborne Pathogens  
**Date:** 10/3/2006 12:17:17 PM Eastern Standard Time  
**From:** FL911store  
**To:** DWIGGIN@miamidade.gov

Tuesday, October 3, 2006

Mr. Wiggins,

I just got off the phone with you and told you verbally that I never received the bid notice for Cleaning of Bloodborne Pathogens Bid No. EPP6035-4/11. Something that important should not be faxed. Faxes run out of ink, produce bad copies, and are generally unreliable. In the past, this bid has always been mailed to me. I am now informing you in writing that International Protective Services, the current bid/vendor for the Cleaning of Bloodborne Pathogens never saw or received any notification of the bid notice. I just submitted all insurance requirements recently for an extension of the existing contract. that I was told was OTR Option to Renew for one year.

Walter Philbrick  
President

Tuesday, October 03, 2006 America Online: FL911store

25

Subj: Fwd: Bid No: EPP6035-4/1, Cleaning Bloodborne Pathogens  
Date: 10/3/2006 12:26:58 PM Eastern Standard Time  
From: FL911store  
To: ClerkBCC@MiamiDade.gov

Forwarded Message:

Subj: Re: Bid No: EPP6035-4/1, Cleaning Bloodborne Pathogens  
Date: 10/3/2006 12:17:17 PM Eastern Standard Time  
From: FL911store  
To: DWIGGIN@miamidade.gov

Tuesday, October 3, 2006

Mr. Wiggins,

I just got off the phone with you and told you verbally that I never received the bid notice for Cleaning of Bloodborne Pathogens Bid No. EPP6035-4/11. Something that important should not be faxed. Faxes run out of ink, produce bad copies, and are generally unreliable. In the past, this bid has always been mailed to me. I am now informing you in writing that International Protective Services, the current bid/vendor for the Cleaning of Bloodborne Pathogens never saw or received any notification of the bid notice. I just submitted all insurance requirements recently for an extension of the existing contract. that I was told was OTR Option to Renew for one year.

Walter Philbrick  
President

**Subj: Cleaning of Bloodborne Pathogens Bid**  
**Date: 10/3/2006 12:37:26 PM Eastern Standard Time**  
**From: FL911store**  
**To: [dwlggin@miamidade.gov](mailto:dwlggin@miamidade.gov)**  
**CC: [ClerkBCC@MiamiDade.gov](mailto:ClerkBCC@MiamiDade.gov)**

**Mr. Wiggins,**

**I have provided the county with bloodborne pathogen cleaning services for the past twelve (12) years. I have also not raised my price in the past twelve years. The county has always worked with me and recently decided not to go out for bid but awarded me the OTR for one year. Now you tell me that the bid for Cleaning of Bloodborne Pathogens went out by fax, I never received it and now I have lost the contract/bid. This is not fair and I am giving you notice now that I want to contest the bid. Could you please inform me of the Bid Protest Procedure. Also can you provide me with the date and time the bid was faxed to my company and the fax number. Thank you.**  
**Walter Philbrick-President (954) 922-9258.**

Subj: **Re: Bid No: EPP6035-4/1, Cleaning Bloodborne Pathogens**  
Date: **10/3/2006 12:44:08 PM Eastern Standard Time**  
From: **FL911store**  
To: **DWIGGIN@miamidade.gov**

Can you confirm the fax number the bid was sent to? Walter Philbrick

*JP*

**Subj:** **Cleaning of Bloodborne Pathogens**  
**Date:** **10/4/2006 10:51:27 AM Eastern Standard Time**  
**From:** **FL911store**  
**To:** **dwiggins@miamidade.gov**  
**CC:** **Perlasicard**

Mr. Wiggins, I am very concerned that my company (current vendor for bloodborne pathogens)-International Protective Services, Inc. was not included in the new bid for the bloodborne cleaning services. I received no email, no faxes and nothing in the mail. I was never notified of the new bid. We are currently under a OTR for two years. I would like to come there and meet with you to resolve this issue. Please provide me with a time and date at your convenience. Walter Philbrick. (954) 922-9258

**From:** perlasticard@aol.com  
**To:** margot@miamidade.gov, dpmdept@miamidade.gov  
**Subject:** Fwd: Cleaning of Bloodborne Pathogens  
**Date:** Wed, 4 Oct 2006 10:57 AM

-----Original Message-----

**From:** FL911store@aol.com  
**To:** dwiggin@miamidade.gov  
**Cc:** Perlasticard@aol.com  
**Sent:** Wed, 4 Oct 2006 10:51 AM  
**Subject:** Cleaning of Bloodborne Pathogens

Mr. Wiggins, I am very concerned that my company (current vendor for bloodborne pathogens)-International Protective Services, Inc. was not included in the new bid for the bloodborne cleaning services. I received no mail, no faxes and nothing in the mail. I was never notified of the new bid. We are currently under a OTR or two years. I would like to come there and meet with you to resolve this issue. Please provide me with a time and date at your convenience. Walter Philbrick. (954) 922-9258

---

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30

**Subj:** Bloodborne Cleaning Bid  
**Date:** 10/5/2006 1:21:07 PM Eastern Standard Time  
**From:** FL911store  
**To:** [dwiggin@miamidade.gov](mailto:dwiggin@miamidade.gov)

Mr. Wiggins, I am giving the county notice today, October 5th that I will be contesting the bid and bid process concerning the awarding of the Cleaning of Bloodborne Pathogens for the Miami-Dade County. Being the sole vendor at one time and now the current vendor supplying the services for Miami Dade County I never received notification of the bid. Again, we just completed the process for the OTR which I was told that it was for one year. Regardless here are my recommended options:

1. Let International Protective Services bid on the existing contract.
2. Extend the bid for 30 days
3. Put the contract out for bid again.

Mr. Wiggins, this contract is extremely important to me, my company and my employees who assist me in the decontamination of buses and trains. I would really like to resolve this matter before any legal action is involved. Please call me or set up a meeting. Respectfully,  
Walter Philbrick-President-International Protective Services. (954) 922-9258

Subj: Fwd: Bid No: EPP6035-4/1, Cleaning Bloodborne Pathogens  
Date: 10/9/2006 1:11:08 PM Eastern Standard Time  
From: FL911store  
To: [dwwiggin@miamidade.gov](mailto:dwwiggin@miamidade.gov)

Monday, October 9, 2006  
1:05 PM

Mr. Wiggins, I have sent you emails and left messages on the procedures to contest the awarding of the Bloodborne Cleaning Services Bid No: EPP6035-4/11. My current contract with the county is extended until 02/28/07 through the OTR which again is for 2 years and not six (6) months. Please call me at (954) 922-9258 so we can set up a meeting to discuss the Bloodborne Cleaning Contract. Thank you. Walter Philbrick

Note: I tried email to [miamidade.gov/dpm](mailto:miamidade.gov/dpm) and my email stated it is not a known site.

**Forwarded Message:**

Subj: RE: Bid No: EPP6035-4/1, Cleaning Bloodborne Pathogens  
Date: 10/3/2006 11:45:08 AM Eastern Standard Time  
From: [DWIGGIN@miamidade.gov](mailto:DWIGGIN@miamidade.gov)  
To: [FL911store@aol.com](mailto:FL911store@aol.com)  
CC: [CLERKBCC@miamidade.gov](mailto:CLERKBCC@miamidade.gov)  
Sent from the Internet (Details)

Mr. Philbrick, DPM records show the bid announcement for the bid was sent to the fax number for your company in the DPM database on 08/11/06. Also, the scope in the referenced bid is not changed from the current contract. The current contract was extended for six months, to expire 2/28/07.

Drakus Wiggins, Senior Procurement Contracting Agent  
Miami-Dade County Department of Procurement Management  
111 NW 1st Street, Suite 1300, Miami, Florida 33128  
305-375-4435 Phone  
305-375-4407 Fax  
[www.miamidade.gov/dpm](http://www.miamidade.gov/dpm)

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-----Original Message-----

From: [FL911store@aol.com](mailto:FL911store@aol.com) [mailto:[FL911store@aol.com](mailto:FL911store@aol.com)]  
Sent: Monday, October 02, 2006 4:10 PM  
To: Wiggins, Drakus (DPM)  
Subject: Cleaning Bloodborne Pathogen for Various Departments-Important

Mr. Wiggins,

My company, International Protective Services has provided Bloodborne Cleaning Services to the Miami Dade Police and Miami Dade Transit for the past twelve years. Currently we decontaminate buses, Metro rail stations, trains, vehicles and jail cells. This contract is very important to the survival of my small company. Our current contract is issued under contract No: 6035-2/06-2. The county just extended the contract for another two years. I never saw this new contract under the bid No: EPP6035-4/11 Cleaning Bloodborne Pathogens for Various Departments. If I would have received information on the bid I would most certainly bid on the contract. We already service the county-county wide.

I have a very important question. Is the bid EPP6035 different from the bid they just extended to my company? From my understanding the county was going to go out for bid again on the 6035-2/06-2 but decided just to extend my company another year (OTR).

Please email me or call. Thanks, Walter Philbrick (954) 922-9258.

Subj: (no subject)  
Date: 10/20/2006 2:02:43 PM Eastern Standard Time  
From: Perlasicard  
To: DWIGGIN@miamidade.gov  
CC: FL911store

Good afternoon Drakus,

I am touching basis with you regarding our telephone conversation yesterday. I need to know if we are going to have the opportunity to bid on Contract No. EPP60365-4/11. International Protective Services currently has the Cleaning Blood Borne Pathogens contract and has maintained it during the last 12 years.

Please contact me regarding the meeting with your supervisor and the possibility of IPS being able to bid on the contract before your contract evaluation process is over.

Thank You,

Perla Sicard  
Controller  
International Protective Services  
2231 Hollywood Blvd.  
Hollywood, FL 33020  
Tel 954-922-9258 Fax 954-922-7009  
Mobile 954-732-9331

---

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Subj: **Contract EPP6035-4/11**  
Date: **10/20/2006 2:35:55 PM Eastern Standard Time**  
From: **Perlasicard**  
To: **FL911store**  
CC: **DWIGGIN@miamidade.gov**

Good Afternoon Walter,

Yesterday afternoon (Thursday 19, 2006) I called the Miami Dade County Attorney's office. I spoke to the Attorney's Clerk who informed me that our protest for the Cleaning Blood Borne Pathogens Contract No. EPP6035-4/11 had been returned to us due to it being a "pre-mature protest" the clerk stated that the contract has not been awarded to anyone and that the Miami Dade attorneys office does not have any record of submission for a managers recommendation from the contract agent.

I proceeded to contact Drakus Wiggins, the contract agent and he confirmed that the contract is under evaluation and that it is open (Contract closed for bidding). I asked him if any exceptions can be made to their evaluation process, since we never received a notification for this bid, we currently have the contract and we cannot protest because the contract has not yet been awarded. Mr. Wiggins said he would contact his supervisor regarding our situation, he said that his supervisor would most likely want to meet in person to discuss the problem, and that he would contact IPS.

Cordially,

Perla Sicard  
Controller  
International Protective Services  
2231 Hollywood Blvd.  
Hollywood, FL 33020  
Tel 954-922-9258 Fax 954-922-7009  
Mobile 954-732-9331

---

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34

**Subj:** Bloodborne Contract  
**Date:** 10/24/2006 7:16:46 PM Eastern Standard Time  
**From:** FL911store  
**To:** [dwiggin@miamidade.gov](mailto:dwiggin@miamidade.gov)  
**CC:** [Perlasicard](#)

October 24, 2006

Mr. Wiggins, I have done everything possible to get your attention in reference to the Bloodborne Contract Bid. I sent Miami Dade County the protest document with the \$1000 dollar fee and they returned it stating, "the contract has not been awarded."

Please tell me what I have to do to bid on the existing open Bloodborne Cleaning contract? I have followed all procedures and still I am not sure what is happening. Can you let me know what is going to happen on the bid. I am not making threats but I feel as though if I do not get a chance to bid on the contract then I will be forced to hire an attorney.

Please give me a call at (954) 922-9258

Walter Philbrick

International Protective Services

35



**Harvey Ruvin**  
**CLERK OF THE CIRCUIT AND COUNTY COURTS**  
Miami-Dade County, Florida

**CLERK OF THE BOARD OF COUNTY COMMISSIONERS**  
**STEPHEN P. CLARK MIAMI-DADE GOVERNMENT CENTER**  
**SUITE 17-202**  
111 N.W. 1st Street  
Miami, FL 33128-1983  
Telephone: (305) 375-5126

October 18, 2006

Mr. Walter Philbrick, President  
IPS - International Protective Services, Inc.  
2231 Hollywood Boulevard  
Hollywood, Florida 33020

Re: Bid No. EPP6035-4/11  
Cleaning Blood Borne Pathogens for Various County Departments

Dear Mr. Philbrick:

Pursuant to the County Attorney's advice, returned herewith is your check in the amount of \$1,000.00 submitted as the filing fee in connection with your bid protest.

The County Manager has not issued an award recommendation for the foregoing bid. Therefore, this bid protest is premature.

If you have any questions regarding this matter, do not hesitate to contact this office.

Sincerely,  
HARVEY RUVIN, Clerk  
Circuit and County Courts

By

Kay Sullivan, Director  
Clerk of the Board Division

KS:dc  
Attachment

cc: Hugo Benitez, Assistant County Attorney  
Oren Rosenthal, Assistant County Attorney  
Erica Zaron, Assistant County Attorney  
Miriam Singer, Director, DPM  
Drakus Wiggins, Senior Procurement Contracting Agent (DPM)

**Subj:** RE: Bloodborne Contract  
**Date:** 10/25/2006 12:21:59 PM Eastern Standard Time  
**From:** DWIGGIN@miamidade.gov  
**To:** FL911store@aol.com  
**CC:** Perlasicard@aol.com, CLERKBCC@miamidade.gov, DSmlth@miamidade.gov, alafarg@miamidade.gov

Mr. Philbrick,

1. Bids were accepted until 2:00 p.m. on Wednesday, September 6, 2006. After consulting with management, it is determined that the County will not make exceptions or vary its requirements of the bid.
2. The County is in the evaluation phase with the responses to the bid. Upon completion of the evaluation phase, the County will make a recommendation for award or rejection of award for this bid. As an interested vendor, you will receive a copy of the recommendation.

Regards,

Drakus Wiggins, Senior Procurement Contracting Agent  
Miami-Dade County Department of Procurement Management  
111 NW 1st Street, Suite 1300, Miami, Florida 33128  
305-375-4435 Phone  
305-375-4407 Fax  
[www.miamidade.gov/dpm](http://www.miamidade.gov/dpm)

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—Original Message—

**From:** FL911store@aol.com [mailto:FL911store@aol.com]  
**Sent:** Tuesday, October 24, 2006 7:17 PM  
**To:** Wiggins, Drakus (DPM)  
**Cc:** Perlasicard@aol.com  
**Subject:** Bloodborne Contract

October 24, 2006

Mr. Wiggins, I have done everything possible to get your attention in reference to the Bloodborne Contract Bid. I sent Miami Dade County the protest document with the \$1000 dollar fee and they returned it stating, "the contract has not been awarded."

<sup>1</sup> Please tell me what I have to do to bid on the existing open Bloodborne Cleaning contract?

I have followed all procedures and still I am not sure what is happening. <sup>2</sup> Can you let me know what is going to happen on the bid. I am not making threats but I feel as though if I do not get a chance to bid on the contract then I will be forced to hire an attorney.

Please give me a call at (954) 922-9258

Walter Philbrick

International Protective Services

37

Subj: RE: Contract EPP6035-4/11  
Date: 10/25/2006 12:09:31 PM Eastern Standard Time  
From: DWIGGIN@miamidade.gov  
To: perlasicard@aol.com, FL911store@aol.com  
CC: CLERKBCC@miamidade.gov, alafarg@miamidade.gov, DSmith@miamidade.gov

Perla, after consulting with management, it is determined that the County will not make exceptions or vary its requirements of the bid.

As an interested vendor, you will receive a copy of the recommendation for contract award or rejection of award.

Contact me if you have any further questions,

Regards,

Drakus Wiggins, Senior Procurement Contracting Agent  
Miami-Dade County Department of Procurement Management  
111 NW 1st Street, Suite 1300, Miami, Florida 33128  
305-375-4435 Phone  
305-375-4407 Fax

[www.miamidade.gov/dpm](http://www.miamidade.gov/dpm)

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-----Original Message-----

From: perlasicard@aol.com [mailto:perlasicard@aol.com]  
Sent: Friday, October 20, 2006 2:36 PM  
To: FL911store@aol.com  
Cc: Wiggins, Drakus (DPM)  
Subject: Contract EPP6035-4/11

Good Afternoon Walter,

Yesterday afternoon (Thursday 19, 2006) I called the Miami Dade County Attorney's office. I spoke to the Attorney's Clerk who informed me that our protest for the Cleaning Blood Borne Pathogens Contract No. EPP6035-4/11 had been returned to us due to it being a "pre-mature protest" the clerk stated that the contract has not been awarded to anyone and that the Miami Dade attorneys office does not have any record of submission for a managers recommendation from the contract agent.

I proceeded to contact Drakus Wiggins, the contract agent and he confirmed that the contract is under evaluation and that it is open (Contract closed for bidding). I asked him if any exceptions can be made to their evaluation process, since we never received a notification for this bid, we currently have the contract and we cannot protest because the contract has not yet been awarded. Mr. Wiggins said he would contact his supervisor regarding our situation, he said that his supervisor would most likely want to meet in person to discuss the problem, and that he would contact IPS.

Cordially,

Perla Sicard  
Controller  
International Protective Services

38

Wednesday, October 25, 2006 America Online: FL911store

Subj: Re: Contract EPP6035-4/11  
Date: 10/25/2006 1:13:47 PM Eastern Standard Time  
From: FL911store  
To: DWIGGIN@miamidade.gov  
CC: ClerkBCC@MiamiDade.gov, DSmith@miamidade.gov, alafarg@miamidade.gov, Perlascard

October 25, 2006

Mr. Wiggins and county managers,

I just received an email from Mr. Wiggins telling me that I will not have a chance to bid on the Bloodborne Pathogen Cleaning contract that I have serviced for the past 12 years. We never received advertisement on the bid. International Protective Services, Inc. did completed the Bid Protest package and the county sent the package back with the \$1000 required check to file the protest. They told our controller, Perla, that we cannot protest the bid until it is awarded. My first question is when will the county complete the evaluation phase of the existing bids?

I have one question though and that is how can you award the bid when the existing vendor never received the bid proposal. This is an error on your part and the Miami-Dade County. Mr. Wiggins you did fax me and also mailed me a hard copy of the notice on why we did not bid on the bloodborne contract. If that's the case then why didn't you mail me a hard copy of the bid proposal. Your notice on our failure to bid was the first notice I got advertising the bid itself.

I never received any faxes from you or a hard copy of the bid being advertised. Is it the policy of Miami-Dade County to advertise a \$200,000 bid by fax alone. I will testify in court, under oath that this corporation (IPS-Walter Philbrick) never received the Bloodborne Cleaning Bid via fax or US mail.

Last week you stated you would meet with management and get back to me. You never did. I sent you an email last night (10-24-06 at 7:17 PM) and you finally did respond back.

My question is what recourse do I have now? It appears that you are telling me I have no recourse. I have several recourses and one is to identify your failure to advertise the bid properly to the existing service vendor. You have failed to act responsibly. First, not notifying this corporation that the bid was being advertised. 2) Not faxing me the bid proposal, 3) not mailing me a hard copy of the Bloodborne Pathogen Cleaning Bid, 4) failure to answer my emails and or phone calls. I had to email you and call three times to get one response back from your office. 5) failure to accept my bid protest 6) delaying the entire process so you can award the bid to an unknown party.

I would appreciate a response back telling me when I can or cannot submit the bid protest package? I would also like to read and get a copy of the counties policy on bid acceptance, advertisement, rejection procedures and the bid protest procedure. You can call me or email me that information.

One more note, on your email it states that my company "is an interested vendor" that is in error. We are the current vendor until February of 2007 and have serviced the Bloodborne Cleaning Contract for the past 12 years. Please understand, the survival of my small company depends on the bloodborne cleaning contract. Thank you, Walter Philbrick, President of International Protection Services-Phone: (954) 922-9258.

39

Wednesday, October 25, 2006 America Online: FL911store

**From:** DWIGGIN@miamidade.gov  
**To:** alafarg@miamidade.gov, DSmith@miamidade.gov, ACR@miamidade.gov, FL911store@aol.com, Perlasicard@aol.com  
**Subject:** Cleaning Blood Borne Pathogens (Incumbent Vendor Meeting)  
**Date:** Fri, 27 Oct 2006 3:20 PM

When: Tuesday, October 31, 2006 11:00 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).  
 Where: 111 NW 1st Street, DPM-13th Floor, Director's Conference Room

Re: Contract EPP6035-4/11>>  
 The purpose of this meeting is to respond to Mr. Philbrick's attached email.  
 Markus Wiggins, Senior Procurement Contracting Agent  
 Miami-Dade County Department of Procurement Management  
 1 NW 1st Street, Suite 1300, Miami, Florida 33128  
 5-375-4435 Phone  
 5-375-4407 Fax  
 www.miamidade.gov/dpm

"Delivering Excellence Every Day"  
 Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.

**Attached Message**  
**From:** FL911store@aol.com  
**To:** DWIGGIN@miamidade.gov  
**Cc:** CLERKBCC@miamidade.gov; DSmith@miamidade.gov; alafarg@miamidade.gov; Perlasicard@aol.com  
**Subject:** Re: Contract EPP6035-4/11  
**Date:** Wed, 25 Oct 2006 1:13 PM

October 25, 2006

Mr. Wiggins and county managers,  
 I just received an email from Mr. Wiggins telling me that I will not have a chance to bid on the Bloodborne Pathogen Cleaning contract that I have serviced for the past 12 years. We never received advertisement on the bid. International Protective Services, Inc. did completed the Bid Protest package and the county sent the package back with the \$1000 required check to file the protest. They told our controller, Perla, that we cannot protest the bid until it is awarded. My first question is when will the county complete the evaluation phase of the existing bids?

I have one question though and that is how can you award the bid when the existing vendor never received the bid proposal. This is an error on your part and the Miami-Dade County. Mr. Wiggins you did fax me and also mailed me a hard copy of the notice on why we did not bid on the bloodborne contract. If that's the case then why didn't you mail me a hard copy of the bid proposal. Your notice on our failure to bid was the first notice I got advertising the bid itself.

I never received any faxes from you or a hard copy of the bid being advertised. Is it the policy of Miami-Dade County to advertise a \$200,000 bid by fax alone. I will testify in court, under oath that this corporation (IPS-Walter Philbrick) never received the Bloodborne Cleaning Bid via fax or US mail.

Last week you stated you would meet with management and get back to me. You never did. I sent you an email last night (10-24-06 at 7:17 PM) and you finally did respond back.  
 My question is what recourse do I have now? It appears that you are telling me I have no recourse. I have several recourses and one is to identify your failure to advertise the bid properly to the existing service vendor. You have failed to act responsibly. First, not notifying this corporation that the bid was being advertised. 2) Not faxing me the bid proposal, 3) not mailing me a hard copy of the Bloodborne Pathogen Cleaning Bid, 4) failure to answer my emails and or phone calls. I had to email you and call three times to get one response back from your office. 5) failure to accept my bid protest 6) delaying the entire process so you can award the bid to an unknown party.

40

I would appreciate a response back telling me when I can or cannot submit the bid protest package? I would also like to read and get a copy of the counties policy on bid acceptance, advertisement, rejection procedures and the bid protest procedure. You can call me or email me that information.

One more note, on your email it states that my company "is an interested vendor" that is in error. We are current vendor until February of 2007 and have serviced the Bloodborne Cleaning Contract for the past 12 years. Please understand, the survival of my small company depends on the bloodborne cleaning contract. Thank you, Walter Philbrick, President of International Protection Services-Phone: (954) 922-9258.

4/1

Reminder: AOL will never ask you to send us your password or credit card number in an email.

This message has been scanned for known viruses.

From: perlasicard@aol.com  
To: DWIGGIN@miamidade.gov  
Subject: Bloodborne Contract  
Date: Fri, 27 Oct 2006 11:45 AM

Goodmorning Drakus,

Thank you for replying to my email. Can you please notify me when the contract is awarded or rejected. Since IPS did not bid I do not think we will receive any notice.

Thank You,

Perla

---

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Subj: Updated: Cleaning Blood Borne Pathogens (Incumbent Vendor Meeting)  
Date: 10/31/2006 11:21:20 AM Eastern Standard Time  
From: DWIGGIN@miamidade.gov  
To: alafarg@miamidade.gov, DSmith@miamidade.gov, ACR@miamidade.gov, FL911store@aol.com, Perlasicard@aol.com

When: Friday, November 03, 2006 1:00 PM-2:00 PM (GMT-05:00) Eastern Time (US & Canada).  
Where: 111 NW 1st Street, DPM-13th Floor, Conference Room A

\*~\*~\*~\*~\*~\*~\*~\*~\*~\*

<<Re: Contract EPP6035-4/11>>  
The meeting is re-scheduled for Friday, November 3, 2006, 1:00 PM.

The purpose of this meeting is to respond to Mr. Philbrick's attached email.

Drakus Wiggins, Senior Procurement Contracting Agent

Miami-Dade County Department of Procurement Management

111 NW 1st Street, Suite 1300, Miami, Florida 33128

305-375-4435 Phone

305-375-4407 Fax

[www.miamidade.gov/dpm](http://www.miamidade.gov/dpm)

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X-MimeOLE: Produced By Microsoft Exchange V8.5

Received: from S0141023.miamidade.gov ([10.254.236.37]) by s0141137.miamidade.gov with Microsoft SMTPSVC(6.0.3790.1830); Wed, 25 Oct 2006 13:13:53 -0400

MIME-Version: 1.0

Content-Type: multipart/alternative;

boundary="====\_NextPart\_003\_01C6F858.F2259E60"

Received: from symscan2.miamidade.gov ([65.87.110.41]) by S0141023.miamidade.gov with Microsoft SMTPSVC(6.0.3790.1830); Wed, 25 Oct 2006 13:13:52 -0400

Received: from lmo-m28.mx.aol.com (lmo-m28.mx.aol.com [64.12.137.9]) by symscan2.miamidade.gov (Symantec Mail Security) with ESMTMP id 41808450004; Wed, 25 Oct 2006 13:13:52 -0400 (EDT)

Received: from FL911store@aol.com by lmo-m28.mx.aol.com (mail\_out\_v38\_r7.6.) id e.c78.34b63a2 (57317); Wed, 25 Oct 2006 13:13:48 -0400 (EDT)

Content-class: urn:content-classes:message

Subject: Re: Contract EPP6035-4/11

Date: Wed, 25 Oct 2006 12:13:47 -0500

Message-ID: <c78.34b63a2.3270f54b@aol.com>

X-MS-Has-Attach:

X-MS-TNEF-Correlator:

Thread-Topic: Contract EPP6035-4/11

43

Tuesday, October 31, 2006 America Online: FL911store

**Subj:** **Re: Updated: Cleaning Blood Borne Pathogens (Incumbent Vendor Meeting)**  
**Date:** **10/31/2006 3:39:52 PM Eastern Standard Time**  
**From:** **FL911store**  
**To:** **DWGGIN@miamidade.gov**  
**CC:** **Perlasicard**

Mr. Wiggins, it was a pleasure to meet you briefly this morning. It is my understanding that you canceled today's meeting at 11:00 AM due to not advertising the meeting. You stated it was just a formality. I just received this email and will attend the rescheduled meeting for this Friday at 1:00 PM. Thank you. Walter Philbrick

**Subj:** UPDATED - NEW Bid Protest Policy  
**Date:** 11/1/2006 10:48:33 AM Eastern Standard Time  
**From:** [epetest@miamidade.gov](mailto:epetest@miamidade.gov)

Dear Miami-Dade County Vendors:

The Department of Procurement Management is pleased to announce enhancements to its bid protest process. On September 12, 2006, the Miami-Dade Board of County Commissioners adopted Ordinance No. 06-124, officially changing the bid protest period to 3 County workdays for all solicitations valued over \$25,000.

The process requires that a written intent to protest be filed with the Clerk of the Board and mailed to all participants in the competitive process and to the County Attorney within three (3) workdays of the filing of the Manager's recommendation. Such written intent to protest shall state the particular grounds on which it is based and shall be accompanied by the appropriate filing fee. The protester shall then file all pertinent documents and supporting evidence with the Clerk of the Board and mail copies to all participants in the competitive process, and the County Attorney, within 3 work days after the filing of a written intent to protest.

The Ordinance amends the bid protest procedure in Section 2-8.4 of the Code of Miami-Dade County.

The amended bid protest procedure will apply to all competitive solicitations opening on or after November 1, 2006.

Note: This change does not apply to solicitations processed under the Expedited Purchasing Pilot Program.

Should you have any questions, please contact Ms. Robin Webb at 305-375-1620; Ms. Mari Betancourt at 305-375-4512; Ms. Alicia LaFarga at 305-375-1403 or via e-mail to [dpmdept@miamidade.gov](mailto:dpmdept@miamidade.gov).



Procurement Management  
111 NW 1st Street • Suite 1300  
Miami, Florida 33128-1974  
T 305-375-5289 F 305-375-4407 305-372-6128

miamidade.gov

*12/15/06  
Received*

- ADA Coordination
- Agenda Coordination
- Animal Services
- Art in Public Places
- Audit and Management Services
- Aviation
- Building
- Building Code Compliance
- Business Development
- Capital Improvements
- Citizens' Independent Transportation Trust
- Commission on Ethics and Public Trust
- Communications
- Community Action Agency
- Community & Economic Development
- Community Relations
- Consumer Services
- Corrections & Rehabilitation
- Cultural Affairs
- Elections
- Emergency Management
- Employee Relations
- Empowerment Trust
- Enterprise Technology Services
- Environmental Resources Management
- Fair Employment Practices
- Finance
- Fire Rescue
- General Services Administration
- Historic Preservation
- Homeless Trust
- Housing Agency
- Housing Finance Authority
- Human Services
- Independent Review Panel
- International Trade Consortium
- Juvenile Services
- Medical Examiner
- Metro-Miami Action Plan
- Metropolitan Planning Organization
- Park and Recreation
- Planning and Zoning
- Police
- Procurement Management
- Property Appraisal
- Public Library System
- Public Works
- Safe Neighborhood Parks
- Seaport
- Solid Waste Management
- Strategic Business Management
- Team Metro
- Transit
- Force on Urban Economic Revitalization
- Vizcaya Museum And Gardens
- Water & Sewer

December 8, 2006

Walter Philbrick  
International Protection Services, Inc.  
2231 Hollywood Blvd  
Hollywood, FL 33020

Re: Bid No. EPP6035-4/11, Cleaning Blood Borne Pathogens

Dear Mr. Philbrick:

The Department of Procurement Management (DPM) received a premature bid protest in regard to the reference solicitation on October 13, 2006. Your document indicates that International Protection Services, Inc. (IPS) was not notified of the availability of this solicitation.

The notification of the opportunity to compete was faxed to you on August 11, 2006, to your company's fax number. DPM has a fax receipt confirming successful transmission of the document. This fax transmission as well as the vendor notification process, in general, was discussed with you and Perla Sicard at a publicly noted meeting held on November 3, 2006.

The evaluation of the offers received on or before the bid opening date has been completed and an award recommendation will be made in the near future. We will forward you a copy of the recommendation upon completion.

I appreciate your interest in doing business with Miami-Dade County and look forward to receiving proposals from your firm in the future. Should you have any additional questions please call me at 305-375-4435.

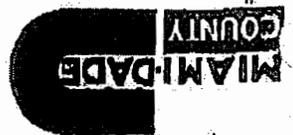
Sincerely,

*[Signature]*  
Drakus Wiggins, Senior Procurement Contracting Agent  
Department of Procurement Management

cc Clerk of the Board  
Amos Roundtree, Purchasing Division Director  
Department of Procurement Management

*Delivering Excellence Every Day*

*46*



DEC. 18. 2006 5:31PM

PROCUREMENT MANAGEMENT

NO. 2421 P. 1

Procurement Management  
111 NW 1st Street - Suite 1300  
Miami, Florida 33128-1924  
T 305-375-5289 F 305-375-4407 305-372-6128  
miamidade.gov

CLERK OF THE BOARD  
COUNTY COURTS  
MAY 2006

3:23 PM DEC 14 2006

- ADA Coordination
- Agency Coordination
- Animal Services
- Art in Public Places
- Audit and Management Services
- Aviation
- Building
- Building Code Compliance
- Business Development
- Capital Improvement
- Charter, Independent Transportation Trust
- Commission on Ethics and Public Trust
- Community Action Agency
- Community & Economic Development
- Community Relations
- Consumer Services
- Corrections & Rehabilitation
- Cultural Affairs
- Elections
- Emergency Management
- Employee Relations
- Employment Trust
- Enterprise Technology Services
- Environmental Resources Management
- Fair Employment Practices
- Finance
- Fire Rescue
- Florida State Administration
- Historic Preservation
- Homeless Trust
- Housing Agency
- Housing Finance Authority
- Human Services
- Independent Review Panel
- International Trade Consortium
- Investigative Services
- Medical Examiners
- Metropolitan Planning Organization
- Park and Recreation
- Planning and Zoning
- Pollution
- Procurement Management
- Property Appraisal
- Public Library System
- Public Works
- Safe Neighborhood Parks
- Seaport
- Solid Waste Management
- Strategic Business Management
- Team Metro
- Traffic
- Urban Economic Revitalization
- Veterans Museum and Gardens
- Water & Sewer

All Responding Vendors (See Distribution List)

SUBJECT: Bid No. EPP6035-4/11-OTR

Cleaning Blood Borne Pathogens for Various County Departments

Dear Vendors:

In accordance with Section 1.12 of the above referenced solicitation, and Section 2-8.4 of the Code of Miami-Dade County, you are hereby notified that the County Manager or designee recommends award of this contract to:

Bioresponse Corporation

Note 1: The above responsive, responsible vendor(s) has been recommended for award based on the lowest price for a single item.

Note 2: Offers not considered for award.

Housekeeping Headquarters, higher than lowest bidder.

This contract shall commence on March 1, 2007, unless otherwise stipulated and contingent upon the completion and submittal of all required bid documents.

If you have questions, please contact me at 305-375-4435 or email:

[dwtg@miamidade.gov](mailto:dwtg@miamidade.gov)

Sincerely,

MIAMI-DADE COUNTY, FLORIDA

*Dr. H. Wiggins, Jr.*  
Drakus Wiggins

Senior Procurement Contracting Agent

Distribution List:

Bioresponse Corporation  
Housekeeping Headquarters

Clerk of the Board  
Bid File

(305) 375-4942

Tues 12/19/06  
Director Sid  
Marty (305) 375-5289

1/20 AM



Procurement Management  
 111 NW 1st Street • Suite 1300  
 Miami, Florida 33128-1974  
 T 305-375-5289 F 305-375-4407 305-372-6121

miamidade.gov

CLERK OF THE BOARD

2006 DEC 14 PM 3: 23

CLERK, CIRCUIT & COUNTY COURTS  
 DADE COUNTY, FLA.  
 #1

- ADA Coordination
- Agenda Coordination
- Animal Services
- Art in Public Places
- Audit and Management Services
- Aviation
- Building
- Building Code Compliance
- Business Development
- Capital Improvements
- Citizens' Independent Transportation Trust
- Commission on Ethics and Public Trust
- Communications
- Community Action Agency
- Community & Economic Development
- Community Relations
- Consumer Services
- Corrections & Rehabilitation
- Cultural Affairs
- Elections
- Emergency Management
- Employee Relations
- Empowerment Trust
- Enterprise Technology Services
- Environmental Resources Management
- Fair Employment Practices
- Finance
- Fire Rescue
- General Services Administration
- Historic Preservation
- Homeless Trust
- Housing Agency
- Housing Finance Authority
- Human Services
- Independent Review Panel
- International Trade Consortium
- Juvenile Services
- Medical Examiner
- Metro-Miami Action Plan
- Metropolitan Planning Organization
- Park and Recreation
- Planning and Zoning
- Police
- Procurement Management
- Property Appraisal
- Public Library System
- Public Works
- Safe Neighborhood Parks
- Seaport
- Solid Waste Management
- Strategic Business Management
- Team Metro
- Transit
- Urban Economic Revitalization
- Vizcaya Museum And Gardens
- Water & Sewer

December 14, 2006

All Responding Vendors (See Distribution List)

**SUBJECT: Bid No. EPP6035-4/11-OTR  
 Cleaning Blood Borne Pathogens for Various County Departments**

Dear Vendors:

In accordance with Section 1.12 of the above referenced solicitation, and Section 2-8.4 of the Code of Miami-Dade County, you are hereby notified that the County Manager or designee recommends award of this contract to:

**Bioresponse Corporation**

**Note 1:** The above responsive, responsible vendor(s) has been recommended for award based on the lowest price for a single item.

**Note 2:** Offers not considered for award:  
 Housekeeping Headquarters; higher than lowest bidder.

This contract shall commence on March 1, 2007, unless otherwise stipulated and contingent upon the completion and submittal of all required bid documents.

If you have questions, please contact me at 305-375-4435 or email: [dwiggin@miamidade.gov](mailto:dwiggin@miamidade.gov).

Sincerely,

MIAMI-DADE COUNTY, FLORIDA

*Drakus Wiggins*

**Drakus Wiggins  
 Senior Procurement Contracting Agent**

**Distribution List: Bioresponse Corporation  
 Housekeeping Headquarters**

**cc: Clerk of the Board  
 Bid File**

48



**SECTION # 1**  
**AWARD OF COMPETITIVE CONTRACTS**

**CONTRACT #:** EPP6035-4/11      **AGENT/OFFICER:** Drakus Wiggins      **DATE:** 12/05/06

**TITLE:** Cleaning Blood Borne Pathogens for Various County Departments  
**DESCRIPTION:** Cleaning of blood borne pathogens for various County departments  
**PURPOSE:** To provide cleaning of blood borne pathogens for various County departments on an as needed basis.  
**CONSOLIDATION OF CONTRACTS:**  YES  NO If yes, how many? (List on separate page)

Department(s):	Allocation(s):	Funding Source	Project Manager
GSA	\$1,312.50	General Funds	Martin Dareff
Housing	\$7,500.00	General Funds	Indira Rajkumar
Transit	\$300,000.00	Federal Funds	Judy Shepard
MDPD	\$52,500.00	Operating & PTP	Laura Romano
Unallocated	\$38,687.50		
*	\$		
*	\$		
*	\$		
*	\$		

**Term of Contract :** 12 months      **Term:** 03/01/07 through 02/28/08  
**Option to Renew:**  NO  YES 4 OTR(s) each having a term of 12 Month(s) Other OTR Terms:  
**Number of Vendors Notified:** 281      **Number of Solicitations Downloaded:** 21  
**Number of Solicitations Sold:** 0      **Number of Offers Received:** 2

**Special Conditions:**  Insurance Type 11     Performance/Payment Bond    **Living Wage:**  YES  NO  
**Method of Award:** lowest priced responsive, responsible bidder in the aggregate     Other Method of Award:

<b>SBE Measures:</b>	<input type="checkbox"/> None	<input checked="" type="checkbox"/> SBE <input type="checkbox"/> Micro Enterprise	<b>Previous Award Based on Measure*:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If yes, specify type:  * Not Applicable to RFP actions
	<input checked="" type="checkbox"/> Preference		
	<input type="checkbox"/> Set Aside		
	<input type="checkbox"/> Goal		
<input type="checkbox"/> Selection Factor	<input type="checkbox"/> SBE <input type="checkbox"/> Micro Enterprise		

**Did SBE Preference Affect the Outcome of the Award:**  YES  NO (If yes, provide detail in comments)  
**Did Local Preference Affect the Outcome of the Award:**  YES  NO (If yes, provide detail in comments)  
**Were any of the offers withdrawn, or determined to be non-responsive or non-responsible:**  
 YES  NO If yes, provide a detailed explanation in the comments section  
**Awarded to Lowest Responsive and Responsible Vendor:**  YES  NO (If not, provide detail in comments)  
**Was the Incumbent(s) Notified:**  YES  NO (If not, provide detail in comments)  
**Can Additional Vendors Be Added During Contract Period:**  YES  NO  
**UAP Included:**  YES  NO  
 • Will CITT Funds be used?  YES  NO  
 • Will Federal Funds be used?  YES  NO  
 • If UAP is not included, Attach written approval to waive UAP and provide an explanation in the "Comments" section.

<b>Vendor:</b> BioResponse, Corp.	<b>Competency of Vendor Visit Required</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <b>Filing Date:</b> 10/27/06 <b>Meeting Date:</b> 10/27/06
<b>Vendor:</b>	<b>Competency of Vendor Visit Required</b> <input type="checkbox"/> YES <input type="checkbox"/> NO <b>Filing Date:</b> <b>Meeting Date:</b>
<b>Vendor:</b>	<b>Competency of Vendor Visit Required</b> <input type="checkbox"/> YES <input type="checkbox"/> NO <b>Filing Date:</b> <b>Meeting Date:</b>

Note: A Competency of Vendor Visit must be conducted on all local vendors doing business with the County for the first time

49

**SECTION # 1**  
**AWARD OF COMPETITIVE CONTRACTS**

<b>New Contract Value:</b>	<b>\$ 400,000.00 for 1 Year(s)</b>
<b>Previous Contract Value:</b>	<b>\$ 599,850.00 for 18 Month(s)</b>
<b>Background/Need to Know:</b>	None
<b>Potential Issues:</b>	When the incumbent vendor, International Protective Services, Inc. was contacted as to why the company did not submit a bid, Walter Philbrick, President insisted the company did not receive notice of the solicitation. The bid file has a successful fax receipt of the bid announcement to the company's registered and confirmed fax number.

Provide a detailed explanation in the "comments" section if:

- (1) Any of the responses received were withdrawn or determined to be non-responsive or non-responsible
- (2) Award was not made to the lowest priced responsive and responsible vendor
- (3) Fewer than four (4) responses were received
- (4) Ten (10%) percent or more difference from previous contract due to:  TIME  PRICING  USAGE  OTHER
- (5) The incumbent(s) was not notified
- (6) SBE preference affected outcome of award
- (7) Local Preference affected outcome of award. Include Best & Final information, if applicable.
- (8) UAP was not included

**Comments:** (3) Fewer than four responses were received due to the limited number of service providers licensed to clean possible pathological waste and preferred to participate. (4) Departments' allocation is based on 75% of each department's requested amount after comparison to released amounts on the current contract. The contract value is based on the total department allocations (\$361,312.50) plus 9.7% contingency (\$38,687.50 unallocated).

**Attach Award Recommendation - To Be Filed with Clerk of Board (over \$100K) or Posted with Vendor Assistance Unit (\$25K-\$100K)**

<b>Milestone Tracker</b>	<b>Date</b>
Solicitation Issued on the Web	08/11/06
Due Date for Vendor Responses	09/13/06
Selection Committee Memo Issued (Applies to RFP Process)	N/A
Bid Evaluation Form Forwarded to Department	N/A
Bid Evaluation Form Returned by Department	N/A
Award Recommendation Issued by Agent for Management Approval	12/05/06
Award Recommendation approved by DPM Management	
Award Recommendation approved by CMO	
Award Recommendation Filed with the Clerk of the Board or Posted with Vendor Assistance	
BCC Committee Date (for contracts over \$1M)	
BCC Date (for contracts over \$1M)	
Award Compliance (Insurance, Registration, Bonds, AAP) Completed	
P.O. Issued	
Solicitation Canceled/ All Responses Rejected	

<b>Contract Approval Record</b>	
Contract #: <u>EPP6035-4/11-OTR</u>	
<u>[Signature]</u> Procurement Agent	<u>12/5/06</u> Date
<u>[Signature]</u> Contracting Officer	<u>12/5/06</u> Date
<u>[Signature]</u> Procurement Supervisor/ Senior Contracting Officer	<u>12/5/06</u> Date
<b>Other Required Approvals (check applicable blocks)</b>	
<input type="checkbox"/> Procurement Manager:	<u>[Signature]</u> Date: <u>12/5/06</u>
<input type="checkbox"/> Division Director:	<u>[Signature]</u> Date: <u>12/6/06</u>
<input type="checkbox"/> DPM Deputy Director:	Date: _____
<input checked="" type="checkbox"/> DPM Director:	<u>[Signature]</u> Date: <u>12/8/06</u>
<input type="checkbox"/> County Manager Approval Date:	_____
(attach a copy of CMO approval document)	

Vendor Assistance Unit: \_\_\_\_\_ Date \_\_\_\_\_  
County Attorney (if required) \_\_\_\_\_ Date \_\_\_\_\_

**Hold Bid Deposit for Vendor(s):**

50





Procurement Management  
111 NW 1st Street • Suite 1300  
Miami, Florida 33128-1974  
T 305-375-5289 F 305-375-4407 305-372-6126

CLERK OF THE BOARD

2006 DEC 12 PM 3:24

miamidade.gov

CLERK, CIRCUIT & COUNTY COURTS  
DADE COUNTY, FLA.  
#1

December 8, 2006

Walter Philbrick  
International Protection Services, Inc.  
2231 Hollywood Blvd  
Hollywood, FL 33020

Re: Bid No. EPP6035-4/11, Cleaning Blood Borne Pathogens

Dear Mr. Philbrick:

The Department of Procurement Management (DPM) received a premature bid protest in regard to the reference solicitation on October 13, 2006. Your document indicates that International Protection Services, Inc. (IPS) was not notified of the availability of this solicitation.

The notification of the opportunity to compete was faxed to you on August 11, 2006, to your company's fax number. DPM has a fax receipt confirming successful transmission of the document. This fax transmission as well as the vendor notification process, in general, was discussed with you and Perla Sicard at a publicly noted meeting held on November 3, 2006.

The evaluation of the offers received on or before the bid opening date has been completed and an award recommendation will be made in the near future. We will forward you a copy of the recommendation upon completion.

I appreciate your interest in doing business with Miami-Dade County and look forward to receiving proposals from your firm in the future. Should you have any additional questions please call me at 305-375-4435.

Sincerely,

Drakus Wiggins, Senior Procurement Contracting Agent  
Department of Procurement Management

cc Clerk of the Board  
Amos Roundtree, Purchasing Division Director  
Department of Procurement Management

*Delivering Excellence Every Day*

52

- ADA Coordination
- Agenda Coordination
- Animal Services
- Art in Public Places
- Audit and Management Services
- Aviation
- Building
- Building Code Compliance
- Business Development
- Capital Improvements
- Citizens' Independent Transportation Trust
- Commission on Ethics and Public Trust
- Communications
- Community Action Agency
- Community & Economic Development
- Community Relations
- Consumer Services
- Corrections & Rehabilitation
- Cultural Affairs
- Elections
- Emergency Management
- Employee Relations
- Empowerment Trust
- Enterprise Technology Services
- Environmental Resources Management
- Fair Employment Practices
- Finance
- Fire Rescue
- General Services Administration
- Historic Preservation
- Homeless Trust
- Housing Agency
- Housing Finance Authority
- Human Services
- Independent Review Panel
- International Trade Consortium
- Juvenile Services
- Medical Examiner
- Metro-Miami Action Plan
- Metropolitan Planning Organization
- Park and Recreation
- Planning and Zoning
- Police
- Procurement Management
- Property Appraisal
- Public Library System
- Public Works
- Safe Neighborhood Parks
- Seaport
- Solid Waste Management
- Strategic Business Management
- Team Metro
- Transit
- Office on Urban Economic Revitalization
- Vicaya Museum And Gardens
- Water & Sewer

Attachment 4



Harvey Ruvin  
CLERK OF THE CIRCUIT AND COUNTY COURTS  
Miami-Dade County, Florida

CLERK OF THE BOARD OF COUNTY COMMISSIONERS  
STEPHEN P. CLARK MIAMI-DADE GOVERNMENT CENTER  
SUITE 17-202  
111 N.W. 1st Street  
Miami, FL 33128-1983  
Telephone: (305) 375-5126  
Fax: (305) 375-2484

January 16, 2007

Mr. Walter Philbrick, President  
IPS - International Protective Services, Inc.  
2231 Hollywood Boulevard  
Hollywood, Florida 33030

Re: Bid Protest No. EPP6035-4/11  
Cleaning Bloodborne Pathogens for Various County Departments

Dear Mr. Philbrick:

Pursuant to Section 2-8.4 of the Code and Administrative Order 3-21, forwarded for your information is a copy of the Findings and Recommendations filed by the hearing examiner in connection with the foregoing bid protest which was held on January 9, 2007.

Should you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,  
HARVEY RUVIN, Clerk  
Circuit and County Courts

By:   
Kay Sullivan, Director  
Clerk of the Board Division

KS:fed  
Attachment

- cc: George Burgess, County Manager (via facsimile)
- Hugo Dentus, Assistant County Attorney (via facsimile)
- Orva Rosenthal, Assistant County Attorney (via facsimile)
- Miriam Singer, Acting Director, DPM (via facsimile)
- Drakus Wiggins, Sr. Procurement Contracting Agent, DPM (via facsimile)
- Amos Rosendree, Purchasing Division Director, DPM (via facsimile)
- Walter Fogarty, DPM (via facsimile)
- Wendi Norris, Director, GSA (via facsimile)
- Kris Warren, Director, MDHA (via facsimile)
- Roosevelt Bradley, Director MDT (via facsimile)
- Robert Packer, Director, MDPD (via facsimile)
- Microspore Corporation (via mail)
- Housekeeping Headquarters (via mail)

53

Submitted to:  
Miami-Dade County, Florida  
Board of County Commissioners

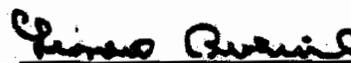
Report and Recommendation of Hearing Examiner

In Re: Cleaning of Bloodborne Pathogens for Various County Departments.  
Bid Number: EPP6035-4/11.

A hearing was held before the undersigned hearing examiner, with reference to a bid protest, on Tuesday, January 9, 2007. The bid protest was filed by a non-bidder, International Protective Services, Inc. The non-bidder was represented by its President, Walter Philbrick.<sup>1</sup>

The main thrust of the non-bidder's position was that the corporation never received the fax notice (it was properly sent to International Protective Services, Inc. by the County) and in the past 12 years a notice letter was sent by the County and received by the corporation. No letter, just the fax, was sent by the County in this particular instance. There was no evidence of any wrongdoing by the County nor was there any evidence of exceptional circumstances which would justify setting aside the within bid process. The motion to dismiss filed by the County is granted and the filing of the protest by the non-bidder, under the circumstances presented, lacks the requisite standing to submit a bid protest. Therefore, the hearing examiner recommends that the award be granted to the successful bidder.

Respectfully submitted this 16 day of January, 2007.



Leonard Rivkind  
Hearing Examiner

<sup>1</sup> No member of The Florida Bar represented the non-bidder. The question of whether a corporation can be represented in these proceedings by its president has not been addressed in this report.