

Meeting Date  
**July 11, 2017**



AGENDA	
Section	Consent
Item No.	<i>II.C.3</i>

**AGENDA REPORT**  
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

<b>SUBJECT:</b>	Request Approval of Final Payment to Emergency Purchase Order #44500091744 to Consolidated Resource Recovery, Inc. for the Grinding and Screening of Yard Trash and Vegetative Waste at the Sarno Landfill and Request Permission for the County Attorney to File a Breach of Contract Against Jimmie Crowder Excavating & Landclearing, Inc.
<b>DEPT/OFFICE:</b>	Central Services/Purchasing Services for Solid Waste Management Department

**Requested Action:**

It is requested that the Board of County Commissioners approve a final payment to emergency purchase order #4500091744, in the amount of approximately \$102,687 to Consolidated Resource Recovery, Inc. for their emergency assistance with the mulching and screening of yard trash and vegetative waste at the Sarno landfill. This final payment will bring the amount of the purchase order to approximately \$452,690.

It is also requested that the Board grant permission for the County Attorney to file a breach of contract against the awarded bidder, Jimmie Crowder Excavating & Landclearing, Inc., for lack of performance and equipment needed to properly perform the contract.

**Summary Explanation & Background:**

On May 24, 2017 the Board approved the ratification of this emergency purchase order in the amount of \$350,000 to Consolidated Resource Recovery, Inc.

Consolidated Resource Recovery Inc. was contacted after the awarded bidder, Jimmie Crowder Excavating & Land Clearing, Inc., for Bid #B-5-15-67/Mulching & Disposal Services for Yard Trash & Vegetative Waste (On Site) began to have continual problems with their equipment (grinders) breaking down. The excessive downtime of their equipment resulted in them falling behind with the grinding of the yard trash and vegetative waste. The Sarno landfill suffered greatly with excess material and began to run out of space for the public to drop off their vegetative waste.

With Hurricane Matthew approaching and the Sarno landfill permit coming into possible violation, the second lowest bidder, Consolidated Resource Recovery, Inc. was contacted to assist us with the mulching and screening of yard trash and vegetative waste at the Sarno landfill. They agreed to do the work for the price that they bid, Option 1 at \$8.90/ton to mulch and load and Option 2 at \$10.55/ton to mulch, screen and load, plus \$1 per ton more for both options. In fairness we agreed to honor the same price increase of \$1 per ton more for both options, as that was given to Jimmie Crowder Excavating & Land Clearing, Inc. when their bid was renewed for an additional one year prior in May of 2016.

These additional funds are needed to finalize payment on this purchase order with Consolidated Resource Recovery, Inc. for their services through June 8, 2017.

The County Attorney is requesting permission to file a breach of contract against Jimmie Crowder Excavating & Landclearing, Inc. to retain compensation for the additional costs incurred by the County as listed below.

**Fiscal Impact:**

The cost differential for having to grind and screen approximately 40,808 tons of yard trash and vegetative waste using Consolidated Resource Recovery, Inc. rather than Jimmie Crowder Excavating & Landclearing, Inc. has resulted in an additional cost of approximately \$85,470.

	<u>Consolidated Resource Recovery</u>	<u>Jimmie Crowder Excavating</u>	<u>Additional Costs</u>
Option 1 (20,858 tons)	\$206,494 @ \$ 9.90/ton	\$167,907 @ \$8.05/ton	\$38,587
Option 2 (19,950 tons)	\$230,423 @ \$11.55/ton	\$183,540 @ \$9.20/ton	\$46,883
			\$85,470

**Contact:** Euripides Rodriguez, Solid Waste Director  
**Phone:** (321) 633-2042

Clerk to the Board Instructions:

Exhibits Attached:

<b>Contract /Agreement (If attached):</b>		<b>Reviewed by County</b>		<b>Yes</b>	<input type="checkbox"/>	<b>No</b>	<input type="checkbox"/>	<b>PR</b>	<input type="checkbox"/>
<b>Attorney</b>									
Interim County Manager	Interim Assistant County Manager	John Denninghoff				Department Director / Extension			
Frank Abbate	Assistant County Manager					Euripides Rodriguez, Director, Solid Waste (x52042)			
						Teresa Camarata, Director, Central Services (55492)			



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Tammy.Rowe@brevardclerk.us

July 12, 2017

**M E M O R A N D U M**

**TO:** Teresa Camarata, Central Services Department Director

**RE:** Item II.C.3., Request for Approval of Final Payment to Emergency Purchase Order No: 44500091744 to Consolidated Resource Recovery, Inc. for Grinding and Screening of Yard Trash and Vegetative Waste at Sarno Landfill; and Request Permission for the County Attorney to File a Breach of Contract Against Jimmie Crowder Excavating and Landclearing, Inc.

The Board of County Commissioners, in regular session on July 11, 2017, approved final payment to Emergency Purchase Order No: 44500091744, in the amount of approximately \$102,687, to Consolidated Resource Recovery Inc. for grinding and screening of yard trash and vegetative waste at the Sarno Landfill; and granted permission for the County Attorney to file a breach of contract against Jimmie Crowder Excavating and Landscaping, Inc. for the lack of performance and equipment needed to properly perform the contract.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*Tammy Rowe*

Tammy Rowe, Deputy Clerk

/kp

cc: Solid Waste Director  
Finance  
Budget