



## Minutes

### Town of Lake Park, Florida Mandatory Pre-Bid Meeting Minutes

Bid 107-2012 Custodial Services

Friday October 19, 2012, 1:00 p.m.

Commission Chamber, Town Hall, 535 Park Avenue

The mandatory pre-bid meeting for bid 107-2012 Custodial Services was conducted on Friday, October 19, 2012 at 1:05 p.m. Present were Public Works Director Dave Hunt, Administrative Assistant to the Public Works Director Kim Alexander, Town Manager Dale Sugerman and Town Clerk Vivian Mendez Lemley.

Public Works Director Hunt explained that the bid is for custodial services term contract for Town Hall, Palm Beach County Sheriff Office (PBSO) District 10 Substation building, Public Works Department, Lake Park Harbor Marina, and Lake Shore Park Bathrooms. He stated that only those that are present at this mandatory pre-bid meeting could submit for this bid. He referred to the location map (page 6 of the bid document) of each location.

He explained that beginning on page 35 of the bid documents is the Technical Specifications Section, which provides all the information needed for each location. He explained that on page 47 is the bid sheet, which must be included. He reminded everyone that the bid is due by 11:00 a.m. on Tuesday, October 30, 2012. He stated that on page 48 is the schedule of bid items and on page 49 is the unit price.

He explained that PBSO has an Ordinance declaring it as a critical facility, which means that everyone that works within that building must be finger printed and a background check done prior to gaining access to the building.

A member of the audience asked who would be paying for the finger printing.

Public Works Director Hunt stated that the awarded company pays for the level 2 background checks. The information listed on last page of the appendix is incorrect and will be corrected as part of the addendum that will be distributed to everyone. He distributed a copy of the criminal history record check (see exhibit "A").

A member of the audience asked how long the finger printing would be valid.

Public Works Director Hunt explained that it would be valid for one year. He explained that PBSO allows services be conducted between 8:00 a.m. and 4:00 p.m. He began explaining the steps to the bid process.

A member of the audience asked for clarification on the bid bond.

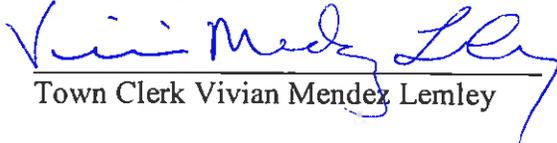
Public Works Director Hunt explained that the bid requires two different types of bonds. He stated that there is a bid bond to ensure that the lowest bidder signs the contract and begins

working for the Town. If the contractor does not sign the contract then the Town will keep the bid bond and use those funds to go back out for bid. Every bid bond will be returned to the contractors that are not awarded the bid. The awarded contractor will have their bid bond returned once the contract has been executed. The second type of bond is a janitorial services bond (Fidelity Bond), which will not be required during the bid submittal, but proof of being bondable in the required amount must be provided. This type of bond will need to be submitted by the awarded contractor. The bond needs to be for \$50,000.

He stated that the total budget for current services is approximately \$26,000 a year. The Town will provide all consumables. He took the attending bidders on a tour of each location and explained what was expected at each location.

**ADJOURNMENT:**

There being no further business to be discussed the pre-bid meeting adjourned at 2:00 p.m.

  
Town Clerk Vivian Mendez Lemley

## Exhibit "A"

### Palm Beach County, Florida, Code of Ordinances >> - PALM BEACH COUNTY CODE >> Chapter 2 - ADMINISTRATION >> ARTICLE IX. - CRIMINAL HISTORY RECORD CHECK >>

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#### ARTICLE IX. - CRIMINAL HISTORY RECORD CHECK

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Sec. 2-371. - Title.

Sec. 2-372. - Authority.

Sec. 2-373. - Definitions.

Sec. 2-374. - Critical facilities determination.

Sec. 2-375. - Criminal history record checks.

Sec. 2-376. - Alternative compliance.

Sec. 2-377. - Enforcement.

Secs. 2-378—2-390. - Reserved.

#### **Sec. 2-371. - Title.**

This article shall be known and may be cited as the "Palm Beach County Criminal History Record Check Ordinance."

(Ord. No. 03-030, § 1, 8-19-03)

#### **Sec. 2-372. - Authority.**

This article is enacted pursuant to the authority vested in the county by F.S. § 125.5801.

(Ord. No. 03-030, § 2, 8-19-03)

#### **Sec. 2-373. - Definitions.**

*Applicant* means the individual who applies for a criminal history record check.

*Contractor* means any person who is not employed by the county and provides or delivers goods or services for, to or on behalf of the county, which shall include, but shall not be limited to, employees and subcontractors of contractors, unpaid contractors or volunteers, vendors, repair persons and delivery persons. "Contractor" shall also mean any non-governmental tenant of a county-owned building, except tenants of county general aviation airports, including the employees and subcontractors of such tenants. The term "contractor" shall not include any local, state or federal employees, or any persons employed by any mail, courier, postal or other similar delivery services.

*County* means the board of county commissioners of Palm Beach County and its authorized representatives.

*Criminal history record check* means a fingerprint-based state and national criminal history record check.

*Critical facility* means those facilities or areas owned, operated or leased by the county that have been determined by resolution of the board to be critical to security or public safety pursuant to

section 2-374 of this article.

*Disqualifying criminal offense* means a conviction of or a plea of nolo contendere or guilty to any of those criminal offenses listed in appendix A to this article in any jurisdiction during the ten (10) years prior to the date of the criminal history record check. Notwithstanding the foregoing, any conviction for which a full pardon has been granted or any adjudication of delinquency shall not be considered a disqualifying criminal offense.

*Existing contractor* means a contractor who required access to a critical facility prior to the effective date of this article and will continue to require access to the critical facility after the effective date of this article.

*New contractor* means a contractor who will require access to a critical facility for the first time on or after the effective date of this article.

(Ord. No. 03-030, § 3, 8-19-03; Ord. No. 08-007, § 1, 3-11-08)

### **Sec. 2-374. - Critical facilities determination.**

The board shall identify by resolution those facilities or areas owned, operated or leased by the county that the board determines to be critical to security or public safety, which resolution may be amended, replaced or supplemented by the board from time to time.

(Ord. No. 03-030, § 4, 8-19-03)

### **Sec. 2-375. - Criminal history record checks.**

- (a) All contractors shall be required to undergo a criminal history record check conducted by or on behalf of the county in order to retain or be granted unescorted access to any critical facility. Existing contractors shall be required to undergo a criminal history record check within thirty (30) days of the effective date of this article. New contractors shall be required to undergo a criminal history check prior to being granted unescorted access to any critical facility. Any contractor found to have a disqualifying criminal offense or who fails to provide the information necessary to complete a criminal history record check shall, when acting in his or her capacity as a contractor for or on behalf of the county, be denied access to critical facilities or be required to be accompanied by an escort designated by the county in critical facilities. The decision as to whether to deny access or require an escort in critical facilities shall be at the discretion of the county. Any contractor found to have an arrest for any offense involving juveniles shall, when acting in his or her capacity as a contractor for or on behalf of the county, be denied access to critical facilities where children are located including aquatic centers, Head Start facilities, community centers and the High Ridge Family Center. Any contractor found to have an arrest for any offense involving animals shall, when acting in his or her capacity as a contractor for or on behalf of the county, be denied access to critical facilities where animals are located including animal care and control facilities. The decision of whether to deny access or require an escort in critical facilities shall be at the discretion of the county.
- (b) Prior to submitting a request for a criminal history record check pursuant to this article, the county shall notify each applicant to be fingerprinted that his or her fingerprints will be sent to the state department of law enforcement for a state criminal history record check and to the Federal Bureau of Investigation for a national criminal history record check.
- (c) The county shall notify any applicant found to have a disqualifying criminal offense in writing that he or she has been found to have a disqualifying criminal offense and will be denied

access to critical facilities or be required to be accompanied by an escort designated by the county in critical facilities unless the contractor provides the county with verifiable evidence that he or she does not have a disqualifying criminal offense. The notification shall also state that the contractor has the right to:

- (1) Obtain a copy of his or her criminal history records;
- (2) To challenge the completeness and accuracy of the criminal history records pursuant to state and federal law; and
- (3) To request a correction, change or update to the criminal history records pursuant to state and federal law.

The written notification, sent by certified mail, shall not include specific information regarding the contractor's criminal history records or the nature of the disqualifying criminal offense. The county shall verify the identity of the contractor prior to releasing the criminal history records to the contractor.

- (d) The county shall notify any applicant found to have an outstanding warrant in writing by mail. The notification shall identify the jurisdiction of the outstanding warrant so that the applicant may make arrangements to address the outstanding warrant. The county shall also notify the jurisdiction which issued the warrant that the warrant appeared on the criminal history record check of the applicant.
- (e) The county shall notify in writing any applicant found to have a prior arrest, without a disposition on record, for the criminal offenses listed on appendix A to this article. If the arrest still has no disposition six (6) months after the date of the notice to the contractor, the contractor shall be denied access to critical facilities or be required to be accompanied by an escort designated by the county in critical facilities until the contractor provides the county with verifiable evidence that the prior arrest has been resolved without a conviction or plea of nolo contendere or guilty to any of the criminal offenses listed on appendix A to this article.
- (f) The county administrator may establish procedures for the implementation of this article, which may include, but shall not be limited to, procedures for obtaining and processing criminal history record check information, standardizing information to be included in solicitations issued by the county and notifying contractors of the requirements of this article.
- (g) Notwithstanding any provision of this article to the contrary, the access restrictions set forth in this article shall only apply when a person is acting in his or her capacity as a contractor for or on behalf of the county.
- (h) Nothing in this article shall be construed as prohibiting or preventing the county from conducting any other background screening that the county may lawfully undertake.

*(Ord. No. 03-030, § 5, 8-19-03; Ord. No. 08-007, § 2, 3-11-08)*

### **Sec. 2-376. - Alternative compliance.**

A contractor shall be exempt from the requirements of this article if the contractor is subject to and in compliance with the criminal history record check requirements of:

- (1) Title 49 Code of Federal Regulations Parts 1500 et al., as may be amended from time to time or any successor regulation or other federal regulation establishing criminal history record check requirements for public-use airports; or
- (2) Any other federal, state or local law, which are equal to or more stringent than the requirements of this article.

*(Ord. No. 03-030, § 6, 8-19-03)*

### **Sec. 2-377. - Enforcement.**

This article shall be enforceable by all remedies available at law, but shall not be enforced as a misdemeanor in accordance with F.S. § 125.69(1).

(03-030, § 7, 8-19-03)

#### APPENDIX A. DISQUALIFYING CRIMINAL OFFENSES

1. Carrying a weapon or explosive into building where same is posted as prohibited.
2. Destruction or vandalism to a public buildings or property.
3. Conveying false information and threats.
4. Murder.
5. Assault with the intent to murder.
6. Espionage.
7. Sedition.
8. Kidnapping or hostage taking.
9. Treason.
10. Rape or aggravated sexual abuse.
11. Unlawful possession, use, sale, distribution or manufacture of an explosive, weapon or weapon of mass destruction.
12. Terrorism.
13. Hate crimes.
14. Extortion.
15. Armed or felony unarmed robbery.
16. Distribution of, or intent to distribute, a controlled substance.
17. Felony arson.
18. Felony involving a threat.
19. Felony involving:
  - A. Willful destruction of property.
  - B. Importation or manufacture of a controlled substance.
  - C. Burglary.
  - D. Theft.
  - E. Dishonesty, fraud or misrepresentation.
  - F. Possession or distribution of stolen property.
  - G. Aggravated assault.
  - H. Bribery.
  - I. Illegal possession of a controlled substance punishable by a maximum term of imprisonment of more than one year.
  - J. Violence at any public airport.
  - K. Information technology crimes including, but not limited to, unlawful use of protected information or hacking.
20. Conspiracy or attempt to commit any of the criminal acts listed in this Appendix A.
21. Any offense involving animals when the access requirement is a critical facility/area within an animal care and control facility.
22. Any offense involving juveniles when the access requirement is an aquatic center, gymnasium HeadStart facility, community center or High Ridge Family Center.
23. Any felony involving violence.

(Ord. No. 03-030, 8-19-03; Ord. No. 08-007, § 3, 3-11-08)



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## MEMORANDUM

Date: October 25, 2012  
To: Vivian Lemley, Town Clerk  
From: David Hunt, Public Works Director  
Subject: **Field Notes from the Custodial Services Pre-bid meeting, 10/19/12**

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The following are items discussed among all five contractors and myself during the mandatory tour of the facilities after adjourning from the Town Hall Commission Chambers:

- Are pressure cleaning services being requested as part of this bid package? It was suggested that pressure cleaning could be used on the bathroom floors.

RESPONSE: Pressure cleaning services have not been requested. If pressure cleaning of floors is recommended, the contractor(s) should make a note in the Clarifications /Exceptions section of the bid submittal package.

- Do the specifications for Town Hall wood floor "sealing" require the use of a urethane product?

RESPONSE: No, a wood sealer (NOT urethane) shall be used after a thorough finish stripping and cleaning.

- May the contractor have access to the PBSO sub-station on the weekend for the initial, heavy cleaning?

RESPONSE: Yes. The Sheriff will make arrangements for this one time cleaning event.

- PBSO District 10 sub-station: It was stressed to all of the contractors the importance of the initial cleaning. This cleaning event is a part of the Indoor Air Quality remediation protocol. The contractors should keep this in mind when submitting their quote for this line item.

- Does the contractor have to pay for parking when cleaning the Lake Shore Park bathrooms?

RESPONSE: No. A parking pass or similar arrangement shall be made so that the attendant does not pay to park.

- What are the acceptable cleaning methods for the Lake Shore Park?

RESPONSE: Hose down the walls and floors, apply disinfectant, rinse, and squeegee water to the floor drains. Scrub toilets and sinks with disinfectant.

- What holidays do not require cleaning services at the Lake Park Marina?

RESPONSE: Custodial services do not have to be provided on New Year's Day, Easter, Thanksgiving, and Christmas Day.

- If the Marina requires occasional cleaning services, what rates shall apply?

RESPONSE: The "Schedule of Bid Items" sheet in the bid submittal package has two line items that may be used for "as needed" services depending upon the size of the task: 'Hourly Labor Rate, Heavy Cleaning' and 'Hourly Labor Rate, Porter Service'.

The Contractors in attendance agreed that they understood the foregoing clarifications and did not require an Addendum to address any of the issues.