

RESOLUTION REGARDING BID PROTEST FILED BY  
GULF COAST UNDERGROUND

WHEREAS, The City of Vicksburg received three (3) bids on its Continuing Sewer Assessment Program - Year 2 on October 10, 2016. One bid was from Suncoast Infrastructure, Inc. in the amount of \$421,767.70, one bid was from Gulf Coast Underground (GCU) in the amount of \$534,352.65 and one bid was from CES in the amount of \$1,227,182.50. The bids were submitted as unit prices based on the engineer's estimate of various quantities of items of work, such as dye tracing, light cleaning and mainline CCTV inspection of various sizes of pipe, heavy cleaning of various sizes of pipe and CCTV & Sonar Inspection of various sizes of pipe. A copy of the engineer's bid tabulation sheet is attached hereto as Exhibit "A".

WHEREAS, by letter dated October 12, 2016, the City received a letter from Gulf Coast Underground protesting the bid of Suncoast Infrastructure, Inc. A copy of the letter is attached as Exhibit "B". The basis of GCU's protest is that Suncoast's bid is unbalanced because Suncoast's prices per various bid items do not reflect the actual cost of performing the work and that the unbalanced bidding was designed to "skew their total bid amount to appear to be much lower than what would be the actual cost of performance of the contract." GCU points out three (3) bid prices in Suncoast's bid to demonstrate the unbalanced nature of the bid: Light Cleaning & Mainline Inspection 22" pipe at \$.10 per LF (GCU bid \$8.00/LF); CCTV & Sonar Inspection of 22" pipe at \$1.00 per LF (GCU bid \$8.00/LF) ; and Heavy Cleaning of 22" pipe at \$4.50 per LF (GCU bid \$8.00/LF). .

WHEREAS, upon receipt of the protest letter, the engineer requested a response from Suncoast. Suncoast affirmed that its unit bid prices were prepared based on the compensation for completing the required scope of work. A copy of Suncoast's letter dated October 18, 2016 is attached as Exhibit "C".

WHEREAS, according to the bid tabulation sheet, there does not appear to be a manipulation of the unit prices which would be detrimental to the City of Vicksburg and increase the contract price. The estimated quantities were derived from the existing maps of the City's sewer system, so the estimated quantities are fairly accurate. Suncoast's and GCU's bids are lower than the engineer's estimate for the project. Even if Suncoast had bid the same unit price as GCU for the items GCU references in Exhibit "B", Suncoast would still have the lowest bid. It should also be noted that GCU also had unit prices for items that do not appear to reflect the actual cost of the work; for example, GCU bid \$.01/ LF for light cleaning of unknown diameter pipe and heavy cleaning of unknown diameter pipe. For the unit price of heavy cleaning of 15" diameter pipe, GCU bid \$4.50/LF which is less than half of the \$10.00/LF bid of Suncoast and almost one-third of the bid of CES at \$12.00/LF. The unit bid prices vary among all three bidders.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Vicksburg that it finds the protest of GCU regarding Suncoast's bid and GCU's request for City to reject Suncoast's bid and award to the next responsive bidder, is not well taken and is

not in the best interests of the City of Vicksburg, and is therefore denied.

SO RESOLVED this the 25<sup>th</sup> day of October, 2016.

  
George Flagg, Jr., Mayor

  
Michael A. Mayfield, Sr., Alderman

  
Willis T. Thompson, Alderman

# **CERTIFICATE**

**I, Tasha W. Jordan, the duly appointed, qualified and acting Deputy City Clerk and lawful custodian of the Minutes of The Mayor and Aldermen of the City of Vicksburg and Seal of said City, Certify that the foregoing is a true and exact copy of a Resolution Adopted by the Mayor and Aldermen of the City of Vicksburg at an Adjourned Regular Board Meeting held on Tuesday, October 25, 2016.**

**WITNESS my signature and official seal of office this 25<sup>th</sup> day of October, 2016.**

  
**Tasha W. Jordan, Deputy City Clerk**





CONTINUING SEWER ASSESSMENT PROGRAM - YEAR TWO  
FOR  
VICKSBURG, MISSISSIPPI

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	SUNCOAST INFRASTRUCTURE		GULF COAST UNDERGROUND		CES	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
02532-5-01	Manhole Lid Adjustment to Grade	85	EA	\$ 300.00	\$ 25,500.00	\$ 1,000.00	\$ 85,000.00	\$ 1,000.00	\$ 85,000.00
02736-6-01	GPS Coordinates of Manhole Cover	340	EA	\$ 6.50	\$ 2,210.00	\$ 20.00	\$ 6,800.00	\$ 30.00	\$ 10,200.00
02736-6-02	MACP Level 1 Lamphole Inspections	5	EA	\$ 21.00	\$ 105.00	\$ 60.00	\$ 300.00	\$ 90.00	\$ 450.00
02736-6-03	MACP Level 2 Manhole Inspections	340	EA	\$ 132.00	\$ 44,880.00	\$ 80.00	\$ 27,200.00	\$ 125.00	\$ 42,500.00
02737-6-01	Smoke Testing	122805	LF	\$ 0.64	\$ 78,467.20	\$ 0.57	\$ 69,884.85	\$ 0.50	\$ 61,302.50
02737-6-02.1	Dye Tracing Type 1	20	EA	\$ 75.00	\$ 1,500.00	\$ 175.00	\$ 3,500.00	\$ 150.00	\$ 3,000.00
02737-6-02.2	Dye Tracing Type 2	20	EA	\$ 50.00	\$ 1,000.00	\$ 175.00	\$ 3,500.00	\$ 250.00	\$ 5,000.00
02737-6-02.3	Dye Tracing Type 3	20	EA	\$ 75.00	\$ 1,500.00	\$ 175.00	\$ 3,500.00	\$ 350.00	\$ 7,000.00
02737-6-02.1	Dye Tracing Type 1	50	MH	\$ 25.00	\$ 1,250.00	\$ 25.00	\$ 1,250.00	\$ 150.00	\$ 7,500.00
02737-6-02.2	Dye Tracing Type 2	50	MH	\$ 25.00	\$ 1,250.00	\$ 25.00	\$ 1,250.00	\$ 250.00	\$ 12,500.00
02737-6-02.3	Dye Tracing Type 3	50	MH	\$ 25.00	\$ 1,250.00	\$ 25.00	\$ 1,250.00	\$ 350.00	\$ 17,500.00
02738-6-0.1	Light Cleaning & Mainline CCTV Inspection Unknown Diameter Pipe	27980	LF	\$ 0.10	\$ 2,798.00	\$ 0.01	\$ 279.80	\$ 10.00	\$ 279,800.00
02738-6-0.1	Light Cleaning & Mainline CCTV Inspection 6" Pipe	20670	LF	\$ 2.30	\$ 47,541.00	\$ 2.25	\$ 46,507.50	\$ 3.00	\$ 62,010.00
02738-6-0.1	Light Cleaning & Mainline CCTV Inspection 8" Pipe	58520	LF	\$ 2.70	\$ 158,004.00	\$ 2.25	\$ 131,670.00	\$ 4.00	\$ 234,080.00
02738-6-0.1	Light Cleaning & Mainline CCTV Inspection 10" Pipe	360	LF	\$ 2.70	\$ 972.00	\$ 3.50	\$ 1,260.00	\$ 6.00	\$ 2,160.00
02738-6-0.1	Light Cleaning & Mainline CCTV Inspection 12" Pipe	3560	LF	\$ 2.70	\$ 9,612.00	\$ 3.50	\$ 12,460.00	\$ 7.00	\$ 24,920.00
02738-6-0.1	Light Cleaning & Mainline CCTV Inspection 15" Pipe	970	LF	\$ 4.00	\$ 3,880.00	\$ 4.50	\$ 4,365.00	\$ 9.00	\$ 8,730.00
02738-6-0.1	Light Cleaning & Mainline CCTV Inspection 18" Pipe	580	LF	\$ 4.05	\$ 2,349.00	\$ 5.50	\$ 3,190.00	\$ 12.00	\$ 6,960.00
02738-6-0.1	Light Cleaning & Mainline CCTV Inspection 20" Pipe	100	LF	\$ 8.00	\$ 800.00	\$ 8.00	\$ 800.00	\$ 14.00	\$ 1,400.00
02738-6-0.1	Light Cleaning & Mainline CCTV Inspection 22" Pipe	8880	LF	\$ 0.10	\$ 888.00	\$ 8.00	\$ 71,040.00	\$ 18.00	\$ 159,840.00
02738-6-0.1	Light Cleaning & Mainline CCTV Inspection 24" Pipe	1010	LF	\$ 8.00	\$ 8,080.00	\$ 9.00	\$ 9,090.00	\$ 20.00	\$ 20,200.00
02738-6-0.2	Heavy Cleaning - Unknown Diameter Pipe	2800	LF	\$ 0.10	\$ 280.00	\$ 0.01	\$ 28.00	\$ 30.00	\$ 84,000.00
02738-6-0.2	Heavy Cleaning 6" Diameter Pipe	2070	LF	\$ 0.25	\$ 517.50	\$ 2.25	\$ 4,657.50	\$ 5.00	\$ 10,350.00
02738-6-0.2	Heavy Cleaning 8" Diameter Pipe	5860	LF	\$ 2.15	\$ 12,599.00	\$ 2.25	\$ 13,185.00	\$ 6.00	\$ 35,160.00
02738-6-0.2	Heavy Cleaning 10" Diameter Pipe	360	LF	\$ 2.15	\$ 774.00	\$ 3.50	\$ 1,260.00	\$ 8.00	\$ 2,880.00
02738-6-0.2	Heavy Cleaning 12" Diameter Pipe	360	LF	\$ 2.10	\$ 756.00	\$ 3.50	\$ 1,260.00	\$ 10.00	\$ 3,600.00
02738-6-0.2	Heavy Cleaning 15" Diameter Pipe	70	LF	\$ 10.00	\$ 700.00	\$ 4.50	\$ 315.00	\$ 12.00	\$ 840.00
02738-6-0.2	Heavy Cleaning 18" Diameter Pipe	60	LF	\$ 10.00	\$ 600.00	\$ 5.50	\$ 330.00	\$ 15.00	\$ 900.00
02738-6-0.2	Heavy Cleaning 20" Diameter Pipe	100	LF	\$ 10.00	\$ 1,000.00	\$ 8.00	\$ 800.00	\$ 18.00	\$ 1,800.00
02738-6-0.2	Heavy Cleaning 22" Diameter Pipe	890	LF	\$ 4.50	\$ 4,005.00	\$ 8.00	\$ 7,120.00	\$ 20.00	\$ 17,800.00
02738-6-0.2	Heavy Cleaning 24" Diameter Pipe	100	LF	\$ 10.00	\$ 1,000.00	\$ 9.00	\$ 900.00	\$ 25.00	\$ 2,500.00
02739-6-0.1	CCTV & SONAR Inspection 20" Diameter Pipe	100	LF	\$ 10.00	\$ 1,000.00	\$ 8.00	\$ 800.00	\$ 6.00	\$ 600.00
02739-6-0.1	CCTV & SONAR Inspection 22" Diameter Pipe	2200	LF	\$ 1.00	\$ 2,200.00	\$ 8.00	\$ 17,600.00	\$ 6.00	\$ 13,200.00
02739-6-0.1	CCTV & SONAR Inspection 24" Diameter Pipe	250	LF	\$ 10.00	\$ 2,500.00	\$ 8.00	\$ 2,000.00	\$ 6.00	\$ 1,500.00
TOTAL BID PRICE, ITEMS 1 through 0239-6-01					\$ 421,767.70		\$ 534,352.65		\$ 1,227,182.50

Ex. A.



October 12, 2016

Mayor George Flaggs, Jr.  
Alderman Michael Mayfield  
Alderman Willis Thompson  
City of Vicksburg  
PO Box 150  
Vicksburg, MS 39181

Re: Unbalanced Bid Protest  
Continuing Sewer Assessment Program – Year Two

Honorable Mayor and Aldermen of the City of Vicksburg:

Please accept this letter as an official bid protest by Gulf Coast Underground, LLC (GCU) of the unbalanced bid submitted by Suncoast Infrastructure, Inc. (Suncoast) for the Continuing Sewer Assessment Program – Year Two project that bid on October 10, 2016.

Upon review of the bid tabulation for the above referenced project, it is evident that Suncoast manipulated its bid by unbalancing the pricing of certain pay items. Multiple pay items in Suncoast's bid are significantly understated, whereas others are overstated; this creates a high risk of unreasonably high prices for contract performance.

Specifically, Suncoast bid the pay item '02738-6.0.1 Light Cleaning & Mainline CCTV Inspection 22" pipe' at \$0.10 per linear foot (LF), while its prices for the same type of work for pipe diameters of 20" and 24" were bid at \$8.00 per LF. Other responsive bidders quoted their prices for the 22" pipe at \$8.00 and \$18.00. It is unrealistic to believe that Suncoast could perform the work at \$0.10 per LF.

Additionally, Suncoast bid the pay item '02739-6.01 CCTV & Sonar Inspection 22" Diameter Pipe' at \$1.00 per LF, whereas its 20" and 24" prices were \$10.00 per LF. The other responsive bidders quoted their price for the 22" pip at \$8.00 and \$6.00 respectively. Again, here it is unrealistic that Suncoast could perform the work for the 22" pipe at such low margins, while its margins for the 22" and 24" pipe are abnormally high.

A similar unbalancing occurred for bid item '02738-6.02 Heavy Cleaning 22" Diameter Pipe.'

This unbalanced bidding was designed to skew their total bid amount to appear to be much lower than what would be the actual cost of performance of the contract. In actuality, it is much more likely that Suncoast, if awarded the contract, would manipulate its billing to reflect that minimal work was performed on pipe diameters quoted at these low, unbalanced rates; and instead, bill for pipe diameters with the higher rates. This would lead to a much higher contract amount owed than anticipated by the City based on the submitted bid. The only way to prevent this, should Suncoast be awarded the contract, would be to engage City personnel to physically verify all pipe measurements, which would require confined spaced entry procedures for every manhole on the project.

The project specifications state, "Owner reserves... the right to disregard all non-conforming, non-responsive, **unbalanced**, or conditional Bids." [Emphasis added.]

GCU respectfully requests that the City of Vicksburg reject Suncoast's clearly unbalanced bid and award the project to the next responsive and responsible bidder per the requirements in the specifications.

Sincerely,

A handwritten signature in black ink, appearing to read "Sonya Gomel". The signature is fluid and cursive, with the first name "Sonya" and last name "Gomel" clearly distinguishable.

Sonya Gomel, In-house Counsel  
Gulf Coast Underground, LLC

CC: Nancy Thomas, City Attorney, City of Vicksburg  
Allen & Hoshall, project engineer

Enclosure:  
Bid Tab



CONTINUING SEWER ASSESSMENT PROGRAM - YEAR TWO  
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02739-6.01	CCTV & SONAR Inspection 20" Diameter Pipe	100	LF	\$ 10.00	\$ 1,000.00	\$ 8.00	\$ 800.00	\$ 6.00	\$ 600.00
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TOTAL BID PRICE, ITEMS 1 through 0239-6.01					\$ 421,767.70		\$ 534,352.65		\$ 1,227,182.50

P.O. Box 397  
Florence, MS 39073



Phone: 601-420-9682  
Fax: 601-420-9300

October 18, 2016

Honorable George Flaggs, Jr.  
City of Vicksburg  
1401 Walnut Street  
Vicksburg, MS 39180

Reference: Continuing Sewer Assessment Program – Year Two  
City of Vicksburg, Mississippi

Dear Mayor Flaggs:

With regard to the referenced project, Suncoast Infrastructure has prepared our bid in accordance with the bid documents and the 'Instructions to Bidders'. Our bid Unit Prices were prepared based on the compensation for completing the require scope of work for each Bid Proposal item. Suncoast is satisfied with the unit prices indicated on the Bid Proposal and will perform the Scope of Work required in the Documents with these Unit Prices.

Please give me a call to discuss any matters of concern or if you need any additional information.

Sincerely

SUNCOAST INFRASTRUCTURE, INC.

John T. Sparks  
Project Manager

CC: Ms. Nancy Thomas, City of Vicksburg  
Mr. Garnet VanNorman, City of Vicksburg  
Mr. Charles Bunniran, Allen & Hoshall