

Jay G. Foy, Mayor  
Lawrence Gordon, Vice Mayor  
Jo Plyler, Council Member  
Mark C. Uptegraph, Council Member  
Remar M. Harvin, Council Member  
John Fenn Foster, Town Attorney  
Janice C. Rutan, Town Administrator



**TOWN OF HAVERHILL**  
**Regular Town Council Meeting**  
**Thursday, June 9, 2016**  
**Town Hall – 4585 Charlotte Street**  
**AGENDA**

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. COMMENTS FROM THE PUBLIC**
- V. APPROVAL OF AGENDA**
- VI. APPROVAL OF THE CONSENT AGENDA**
  - a. Approval of the minutes of the May 26, 2016 Regular Meeting
- VII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPT.**
- IX. PUBLIC HEARINGS AND SECOND READINGS**

None
- X. FIRST READINGS AND REGULAR AGENDA**
  - a. 2016/2017 Budget discussions
- XI. REPORTS**

Town Attorney  
Mayor  
Administrator's Report  
Committee/Delegate Report  
Treasurer's Report (included in packet)
- XII. UNFINISHED BUSINESS**
- XIII. NEW BUSINESS**
- XIV. ADJOURNMENT**

Notice: If any person decides to appeal any decision of the Town Council at this meeting, he/she will need a record of the proceedings and for this purpose; he/she needs to ensure that a verbatim record of the proceedings is made. The record must include the testimony and evidence upon which the appeal is to be based, pursuant to F.S. 286.0105. The Town of Haverhill does not prepare nor provide such verbatim record.

In accordance with the provisions of the American with disabilities Act (ADA), this document can be made available in an alternate format (large print) upon request. Special accommodations can be provided upon request with three (3) days advance notice of any meeting, by contacting Janice C. Rutan, CMC, Town Administrator at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida. Phone Number (561) 689-0370 Facsimile Number (561) 689-4317

**TOWN OF HAVERHILL**  
**Regular Town Council Meeting**  
**Thursday, June 9, 2016**  
**Town Hall – 4585 Charlotte Street**  
**OFFICIAL MINUTES**

Pursuant to the foregoing notice, a regular meeting of the Haverhill Town Council was held on Thursday, June 9, 2016 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were Jay G. Foy, Mayor; Lawrence Gordon, Vice Mayor; Remar M. Harvin, Council Member; Jo Plyler, Council Member and Mark Uptegraph, Council Member. Town Attorney Foster, Director of Public Services Joseph Roche and Town Administrator Janice C. Rutan were also present.

**CALL TO ORDER**

Mayor Foy called the meeting to order at 7:00 p.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Foy offered the Invocation. Mayor Foy then led the Pledge of Allegiance.

**ROLL CALL**

The Town Administrator recorded all members were present.

**COMMENTS FROM THE PUBLIC**

None.

**APPROVAL OF AGENDA**

**The Town Administrator requested the approval of the minutes be pulled from the agenda. A motion was made by Council Member Plyler, seconded by Council Member Harvin and unanimously passed (5-0) to approve the agenda as amended.**

**APPROVAL OF THE CONSENT AGENDA**

**~~Approval of the minutes of the May 26, 2016 Regular Meeting~~**

**COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPT.**

It was reported that there had been no major incidents in the Town for the previous two-week period. There had been two trespass complaints at Military and Haverhill Roads and 1 forgery.

The Town Council expressed their appreciation to the Palm Beach County Sheriff's office.

**PUBLIC HEARINGS AND SECOND READINGS**

**None**

**FIRST READINGS AND REGULAR AGENDA**

**2016/2017 Budget discussions**

The Town Administrator was seeking direction from Council with regard to the upcoming budget cycle. It was the general consensus to maintain the present millage rate at 4.5000. Because Council would like to see the drainage improvement project for Park and Cyprus Lanes move forward, it was agreed that a meeting would be scheduled with

the Mayor, Town Administrator, Director of Public Works and Town Engineer to discuss the proposed plan, probable cost estimates and timeframe for the project.

Joseph Roche, Director of Public Services expressed his desire to include the resurfacing of Charlotte and Concord Street in the upcoming budget. The repainting of speed humps was being considered as well.

The Mayor would like to see a minimum COLA raise for employees.

### **SOLID WASTE AND RECYCLING SERVICES**

The Town Administrator reported that she had met with Professor McCue and the Procurement Director from the City of Fort Meyers Beach while at her conference. After discussion of the content of the Solid Waste and Recycling Invitation to Bid being proposed by the Town, they advised strongly that instead of an Invitation to Bid, the Town consider putting out a Request for Proposal. They explained that an Invitation to Bid is a rigid document with no room for negotiation. A Request for Proposal would allow the proposer to offer alternatives for Council consideration.

Discussion ensued. Because the Town's Ordinances allow for an automatic extension of up to 3 years at the expiration of a contract, it was agreed to offer the following options for the Request for Proposal:

- **Section 1 to include schedule as presented and to include emergency debris removal (Mandatory)**
- Section 2 to include schedule as presented and emergency debris removal (Optional)
- Section 3 to include schedule as presented and emergency debris removal (Optional)
- Section 1 only (w/o Emergency Debris)
- Section 2 only (w/o Emergency Debris)
- Section 3 only (w/o Emergency Debris)
- Emergency Debris Removal Only

Staff would proceed and prepare the Request for Proposal.

### **REPORTS**

**Town Attorney**

**None.**

**Mayor**

Mayor Foy reported on the FEMA flood maps.

He reported that at the Palm Beach League of Cities District 2 and 3 luncheons, it was announced that Lake Clarke Shores Council Member Freehold had withdrawn from the race for County Commission.

Mayor Foy discussed the minimum lot size requirements imposed by the County for used car lots.

**Administrator's Report**

The Town Administrator reported that the coil for the A/C units had failed and the Town had received a proposal from Summit A/C in the amount of \$4,725. She explained that under normal circumstances she would have received three quotes or an expenditure of this amount, this was an emergency repair and Summit has the contract for maintenance of the equipment.

**A motion was then made by Council Member Plyler, seconded by Council Member Uptegraph and unanimously passed (5-0) to approved the proposal for emergency A/C repair as submitted by Summit A/C in the amount of \$4,725.00.**

**Committee/Delegate Report**

Mayor Foy reported that a Code and Ordinance Committee meeting would need to be scheduled to discuss swimming pool setbacks.

**Treasurer's Report**

Included in packet.

**UNFINISHED BUSINESS**

Director of Public Services reported on the Woodland Avenue drainage repair project, the Woodland Avenue drainage improvement project and the DR Horton Haverhill Pointe pre-construction meeting being scheduled. The Town Administrator reported the Haverhill Pointe Plat was being review by staff for final signature.


**NEW BUSINESS**

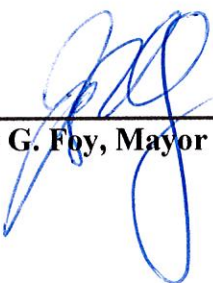
None.

**ADJOURNMENT:**

**With no further business to come before the Town Council, the meeting adjourned at 8:30 p.m.**

Approved: June 23, 2016

  
\_\_\_\_\_  
**Janice C. Rutan, Town Administrator**

  
\_\_\_\_\_  
**Jay G. Foy, Mayor**

**TOWN OF HAVERHILL  
Garbage, Recyclables, Bulk Waste and  
Yard Debris Collection and Disposal/Marketing  
INVITATION TO BID (ITB)**

**TERMS**

**I. PROPOSAL**

**Definitions:**

- “Town” - is Town of Haverhill, Florida
- “Proposer” “Bidder” - an individual or business submitting a bid to the Town of Haverhill.
- “Contractor” - one who contracts to perform work or furnish materials in accordance with a contract.

**Purpose of Invitation to Bid (ITB):**

Town of Haverhill, Florida is accepting bids for the following services:

**Section 1: Solid waste collection and disposal service including Yard waste and Bulk waste and Recycling collection.**

The Term of the Contract shall be for a three-year period beginning October 1, 2016 and terminating September 30, 2019 with two 2 year contract term extension options to renew based upon mutual consent of the parties.

The Town of Haverhill encourages the proposer to offer alternative terms as follows:

**Section 2.**

The term of the contract would be for a five-year period beginning October 1, 2016 and terminating September 30, 2021 with one 2 year contract term extension option to renew based open mutual consent of the parties

**Section 3.**

The term of the contract would be for a seven-year period beginning October 1, 2016 and terminating September 30, 2023.

Please be advised that the Town of Haverhill Ordinances Section 2-66 (c) allows for a renewal, extension and/or modification of the contract, once awarded, for an additional three (3) years from the date of expiration of the contract under review.

**The schedule shall be as follows:**

Garbage & Trash	Curbside Collection	2 x week (Tuesday/Friday)
Recyclable Materials	Curbside Collection	1 x week Tuesday
Containerized Yard Waste	Curbside Collection	1 x week (Tuesday)
Bulk Trash (Clamshell Req.)	Curbside Collection (Mech)	1 x week (Tuesday)

**Emergency debris removal:**

**Debris Removal:**

Please submit cost per yard

**Additional Optional Work:**

**Please submit cost per:**

Stump Removal (25-36 inch diameter base cuts)

Stump Removal (37-48 inch diameter base cuts)

Stump Removal (49 inch and larger base cuts)

**Invitation to Bid Response Options:**

1. Section 1 to include schedule as presented and to include emergency debris removal
2. Section 2 to include schedule as presented and emergency debris removal
3. Section 3 to include schedule as presented and emergency debris removal
4. Section 1 only
5. Section 2 only
6. Section 3 only
7. Emergency Debris Removal Only

No price increases will be accepted during the initial 3 year term of any of the above proposed terms (Section 1, Section 2 or Section 3). Bidder will need to include in their proposal their methodology for any proposed price increases for the remaining 2 year term past the initial three year term. In the event that services are scheduled to end due to the expiration of a contract term (Initial Term or an Option Term), the bidder will agree to continue services at the request of the Town for a period not to exceed 90 days at the current rate in effect.

**The present contract is based on 644+/- residential units and Multi-family units >4. Commercial units and rolloffs are responsible for contracting directly for their own garbage removal and disposal; there is no exclusivity clause in this Invitation to Bid. There is a pending plat approval of an additional 24 single family units to be constructed during the initial contract period.**

**Important Dates:**

June 12, 2016, June 19, 2016  
June 13, 2016  
June 23, 2016 @ noon  
June 30, 2016 @ 4:00 p.m.  
July 8, 2016 @ noon  
July 11, 2016 @ noon.

July 14, 2016 @ 7:00 p.m.

Advertising Date  
Release Date  
Mandatory Pre Bid Meeting  
Cut off for questions/inquiries  
Submittal due date and time  
Bids to be opened and  
evaluated by the Bid Review  
Committee  
Bids presented to Council for  
consideration and possible  
award

**II. PROPOSAL TERMS**

- A. Town of Haverhill reserves the right to reject any and all bids received for any or no reason as a result of this Invitation to Bid. If a bid is selected, it will be the best and most responsive bid regarding price, quality of service, the Contractor's qualifications and capabilities to provide the specified service and other factors that Town of Haverhill may consider. The Town does not intend to award a contract fully on the basis of any response made to the invitation to bid; the Town reserves the right to consider proposals for modifications at any time before a contract would be awarded, and negotiations would be undertaken with that provider whose bid proposal is deemed to best meet the Town's specifications and needs.
- B. The Town reserves the right to reject any or all bid proposals, to waive or not waive informalities or irregularities in proposals or procedures, and to accept or further negotiate cost, terms, or conditions of any proposal determined by the Town to be in the best interests of the Town even though not the lowest bid.
- C. All questions, interpretations, or clarifications relevant to this Invitation to Bid are required in writing to Jean Wible, Administrative Assistant, Town of Haverhill, 4585 Charlotte Street, Haverhill, FL 33417 or [jwible@townofhaverhill-fl.gov](mailto:jwible@townofhaverhill-fl.gov) prior to the date bids are due, as set forth above.
- D. The price quotations stated in the proposer's bid will not be subject to any price increase from the date on which the proposal is opened at the Town Hall to the mutually agreed-to date of Award.
- E. Proposals must be signed by an official authorized to bind the provider to its provisions for at least a period of 90 days. Failure of the successful

proposers to accept the obligation of the bid may result in the cancellation of any award.

- F. In the event it becomes necessary to revise any part of the Invitation to Bid, addenda will be provided. Deadlines for submission of the Invitation to Bid may be adjusted to allow for revisions. The entire proposal document with any amendments should be returned. To be considered, original bid proposal and ten (10) copies must be at the Town Hall on or before the date and time specified.
- G. Proposals should be prepared simply and economically providing a straight-forward, concise description of the Contractor's ability to meet the requirements of the Invitation to Bid. Bid Proposals shall be written in ink or typewritten. No erasures are permitted. Mistakes may be crossed out and corrected and must be initialed in ink by the person signing the proposal.
- H. All documents submitted to Town of Haverhill should be printed on recycled paper (with post-consumer content) and the proposals should be double-sided. This constitutes an expression of good faith in cooperating with the Town's goal of promoting markets for recycled materials.
- I. All proposals will become the property of Town of Haverhill. Information in the proposals will become public property and subject to disclosure laws and Town policies and procedures.

### III. CONTRACTOR INFORMATION

The bid proposal shall include all of the following information (failure to include all the information could result in disqualification):

- 1. **Qualifications:** Please list your company's years in business, staff profile and experience that qualify your company to provide the services required by Town of Haverhill. Please note the proximity of other service areas to the Town. **(Attach as Addendum A)**
- 2. **References:** List three (3) references from current customers receiving the same or similar service(s). Include name, contact name and phone number. **(Attach as Addendum B)**
- 3. **Statement:** of any recycling programs your company currently offers or would offer to the Town of Haverhill. **(Attach as Addendum C)**
- 4. **Description:** of how your company will collect recyclable material. For instance, do you collect recyclables and solid waste in separate containers, or are recyclables commingled with solid waste? Does your



company use separate trucks to collect recyclables vs. solid waste? Please provide all relevant collection details. **(Attach as Addendum D)**

5. **Reporting:** Town of Haverhill requires that tonnage and/or volumes be reported quarterly for recycling and solid waste collected. Please explain how your company will track, record and submit these data. **(Attach as Addendum E)**
6. **Bidding:** If applicable, please provide the name, address, and description of the facility where recyclables will be processed before being delivered to the Solid Waste Authority. The Town of Haverhill has an Interlocal Agreement with the Solid Waste Authority of Palm Beach County for the delivery of Municipal Solid Waste to designated facilities and for a municipal recycling program through September 30, 2018, a copy of which is attached hereto. **(Attach as Addendum F)**
7. **Miscellaneous:** Describe any additional tools your company can provide Town of Haverhill to assist in improving the Town's In-House Recycling Program: e.g., educational material, collection containers, employee incentives, etc. **(Attach as Addendum G)**
8. **Small Business Enterprise Program:** The Town of Haverhill encourages certified members of Palm Beach County's Small Business Enterprise Program (SBE/M/WBE) to submit proposals. **(Attach current certification as Addendum H)**
9. The Town of Haverhill has a Productive Work Environment/Anti-Harassment Policy, is an Equal Opportunity Employer and a Drug Free Work Place. Please attach your company's Anti-Harassment, EEO and Drug Free Work Place policies. **(Attach as Addendum I)**

#### **IV. TERMS AND CONDITIONS**

##### **Award:**

The Town of Haverhill will appoint a Bid Review Committee comprised of the Town Administrator, Director of Public Services, and the Town Engineer to review all of the received bid proposals for compliance with the Invitation to Bid and shall use the attached bid review forms to present its findings to the Town Council. The Bid Review Committee will follow the Cone of Silence requirement outlined within the RFP.

##### **Low Bidder:**

Low Bidder will be determined according to several factors including price, Collection, methodology, and responsiveness to the bid.

##### **Cone of Silence:**

A cone of silence is hereby imposed and made applicable to this Invitation to Bid and in accordance with the "Palm Beach County Lobbyist Registration Ordinance", a copy of which can be accessed at: [www.palmbeachcountyethics.com](http://www.palmbeachcountyethics.com), is in effect. The Proposer shall read and familiarize themselves with all of the provisions of said Ordinance, but for convenience the provisions relating to the Cone of Silence have been summarized here. "Cone of Silence" means a prohibition on any non-written communication regarding this Invitation to Bid between any Proposer or Bidder or Proposer's or Bidder's representative and any Town of Haverhill employee. The Cone of Silence is in effect as of the submittal deadline. The provisions of this Ordinance shall not apply to oral communications at any public proceeding, including pre-bid conferences, oral presentations before selection committees, and contract negotiations during any public meeting. The Cone of Silence shall terminate at the time that the Town of Haverhill Council awards or approves a contract, rejects all proposals or otherwise takes action which ends the solicitation process. A Proposer's representative shall include but not be limited to the Proposer's employee, partner, officer, director or consultant, lobbyist, or any, actual or potential subcontractor or consultant of the Proposer.

#### **Public Records**

Any questions regarding the application of Chapter 119, Florida Statutes, to the proposer/bidder/applicant/contractor's duty to provide public records relating to this Invitation to Bid Contact, Janice Rutan, Custodian of Public Records for the Town of Haverhill at 561-689-0370, ext. 24; [JRUTAN@TOWNOFHAVERHILL-FL.GOV](mailto:JRUTAN@TOWNOFHAVERHILL-FL.GOV); or via mail at 4585 Charlotte Street, Haverhill, FL, 33417.

## BID EVALUATION FORM

Bidder's Name: \_\_\_\_\_

Date Received: \_\_\_\_\_ Time Received: \_\_\_\_\_ By: \_\_\_\_\_

	Three year w/ 2 two year renewal option	Five Year w/ 1 two year renewal option	Seven Year
Section 1 and Emergency			
Section 2 and Emergency			
Section 3 and Emergency			
Section 1 Only			
Section 2 only			
Section 3 Only			
Emergency Only			

**ADDENDUMS**

A	YES	NO	N/A
B	YES	NO	N/A
C	YES	NO	N/A
D	YES	NO	N/A
E	YES	NO	N/A
F	YES	NO	N/A
G	YES	NO	N/A
H	YES	NO	N/A
I	YES	NO	N/A

NOTES:

NAME:

DATE

## PURCHASING

### E. Various competitive purchasing methods.

1. The competitive process may take several forms, either because it is mandated to occur through the use of a particular procurement vehicle, or through choice of the local jurisdiction. In all instances, however, the procurement vehicle must provide a basis for a meaningful comparison of the submissions. Caber Sys. v. DGS, 530 So. 2d 325, 339 (Fla. 1st DCA 1988) (DGS practice of having "unwritten specifications" violated basic concepts of competitive bidding). Aurora Pump Div. of Gen. Signal Corp. v. Goulds Pumps, Inc., 424 So. 2d 70, 75 (Fla. 1st DCA 1982) (public authorities have a duty to prepare "clear and precise bidding instructions").
2. The invitation for bids.

An invitation for bids (IFB) is typically rigid and identifies the resolution to the problem. It defines the scope of the work required by soliciting bids responsive to detailed plans and specifications set forth. See System Dev. Corp. v. Department of Health and Rehabilitative Servs., 423 So. 2d 433 (Fla. 1st DCA 1982).
3. The request for proposals.
  - a. In contrast to invitations for bids, the request for proposals (RFP) is used when the public authority is incapable of completely defining the scope of work required, when the service may be provided in several different ways, when the qualifications and quality of service are considered the primary factors instead of price, or when responses contain varying levels of service which may require subsequent negotiation and specificity. System Dev. Corp., 423 So. 2d at 434 ("Implicit in the definition of an RFP is the underlying rationale that, in some types of competitive procurement, the agency may desire an ultimate goal but cannot specifically tell the offerors how to perform toward achieving that goal...")
  - b. An RFP includes, but is not limited to, applicable laws, rules, scope of services, proposer's qualifications, proposal instructions and evaluations/selection criteria. Award of contracts are generally not based solely upon price; rather, there is an extensive evaluation which includes which criteria, qualifications and experience of principals and staff; methodology and management approach; understanding of the project and the local government's objectives; technical superiority, financial stability, experience and history; responsiveness to the RFP; and references.
4. The request for qualifications.
  - a. A request for qualifications (RFQ) is used to obtain statements of qualifications from proposers when the scope of services or the service to be purchased can be completely defined by the public authority, and where specific qualifications are needed in order to be considered for contract award.
  - b. A typical RFQ includes a brief explanation of the purpose of the RFQ, a description of the service to be purchased, the necessary qualifications, and the evaluation/selection criteria. Award of the contract is generally not based on price, rather, award is based on the qualifications and experience of the principals and staff, technical superiority, financial stability and experience and history of the proposer.