



City of Naples

OFFICE OF THE CITY MANAGER
PURCHASING DIVISION

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DECLARATION OF INTENT TO AWARD

Invitation to Bid Number: 22-040

Bid Title: Gulf Shore Boulevard North Outlot "E" Seawall Replacement

Issued by: City of Naples, Florida
Date: 08/25/2022
Time: 4:00 PM Local Time

This is Formal Notice of the City's Intent to Award the above Project to the Second Low Bidder:

NAME: Kelly Brothers, Inc.
ADDRESS: 15775 Pine Ridge Rd. Fort Myers, FL 33908
FEI/EIN NUMBER: 59-2069592

Felix Gomez, CPPB / NIGP-CP
Interim Purchasing & Contracts Manager, City of Naples

Pursuant to 7-2 Bid Protests of City Policy: The following procedures establish the City of Naples Bid Protest procurement policy. In any case where a bidder or interested bidder wishes to protest either the results of or intended disposition of any bid, the bidder or interested bidder must: **1.** File a written notice to the Purchasing Manager, explaining in detail the nature of the protest and the grounds on which it is based. This notice must be received by the Purchasing Manager no later than 48 hours (two business days) after the City's Declaration of Intent to Award the Bid. At that time the bid process shall be suspended until the protest procedure, herein described, has been completed. **2. Protest Bond.** Each written protest must be accompanied by a bid protest bond in the form of a certified check, cashier's check or money order made payable to the City of Naples, in the amount not less than five percent (5%) of the lowest responsible bid, but not to exceed \$7,500. **3.** Upon timely receipt of the formal written protest, the City Purchasing Manager may take up to two (2) business days to attempt to resolve any protest. If mutually resolved at this level, the bid protest bond shall be returned in its entirety. **4.** If there is no mutual solution, the Purchasing Manager shall forward the formal written protest with any action taken to the City Attorney who shall act as the bid Protest Officer. The City Manager will also be copied on any formal bid protest. The City Attorney shall hand down a formal finding of fact and a written decision with regard to the validity or non-validity of the protest within twelve (12) business days of the City's receipt of the formal written protest. **5.** Within twenty-four (24) hours of the receipt of the formal findings of fact and written decision, the City shall notify the protesting bidder or protesting interested bidder of the decision of the bid protest officer. Such notification may be transmitted via facsimile machine with an acknowledged receipt by the bidder; by email with an email receipt required by the bidder or certified return receipt required mail. **6. Forfeit of Bond.** Should the protest be determined by the Protest Officer to be without merit or non-valid, the bond shall be forfeited to the City.