



Public Works Department
HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION
1 N. University Drive, Suite 300 • Plantation, Florida 33324-2038 • 954-577-4555 • FAX 954-577-2338

DATE: October 6, 2009
TO: Shannon Graham, Purchasing Division
FROM: George Robertson, Highway Construction and Engineering Division
RE: Bid No. Q0724809C1, Greenways Cypress Creek Corridor

CONCURRENCE:

X The **Broward County Highway Construction and Engineering Division** has reviewed the bid submitted by Tran Construction, Inc. for specification compliance and vendor responsibility. I have reviewed all documents including the Supplement to Bid/Tender Form (Bidder's Questionnaire) and after careful evaluation, I concur with award to: Tran Construction, Inc in the amount of **\$2,172,627.75**.

Please provide D&B Report (X Yes/ No)


- X I have reviewed the D&B Report and am satisfied with the Vendor's rating and payment performance.
 - Not applicable
- I have reviewed the response to the Vendor/Bidder's Questionnaire in regards to litigation history and there is no issue of concern.
- X A particular issue of concern was identified justifying additional information from the County Attorney's Office as attached.
 - Not applicable – Give Reason _____
- I have reviewed the Vendor's Past Performance Evaluations and the Vendor received an overall rating above 2.59 on all evaluations.
- X No Past Performance Evaluations found in PMIS; verification and comments pertaining to Vendor's prior work history, as indicated in the Vendor/Bidder's Questionnaire, is attached.

NON-CONCURRENCE:

I do not concur.
Reason for rejection/non-concurrence: _____

TYPED NAME OF SIGNER: Richard C. Tornese, P.E.

TITLE: Director

SIGNATURE: 

DATE: 10/06/2009

Jeffrey J. Newton
County Attorney



OFFICE OF THE COUNTY ATTORNEY
115 S. Andrews Avenue, Suite 423
Fort Lauderdale, Florida 33301

954-357-7600 • FAX 954-357-7641

October 2, 2009

Our File: 09-088.02

MEMORANDUM

TO: George Robertson, Engineer III
Highway Construction and Engineering Division

FROM: Al A. DiCalvo
Assistant County Attorney

A handwritten signature in black ink, appearing to read "Al A. DiCalvo".

RE: Cypress Creek Greenway - Bid No. Q0724809C1

At your request, I have reviewed Tran Construction Inc.'s bid submittal regarding the litigation history for the above-referenced matter. Attached is a litigation history summary restating any open suit(s) or judgment(s) disclosed in the D&B Reports, the results of a name-search in the Clerk of Courts website for Broward, Miami-Dade, and Palm Beach counties, the results of a similar search in the Pacer Federal Court database, and any litigation information disclosed by the vendor.

If you have any questions or comments, please do not hesitate to contact me.

AAD:slw

Enclosure

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10/2/09 10:01 AM

10/2/09 10:01 AM

LITIGATION HISTORY SUMMARY
CYPRESS CREEK GREENWAY
BID # Q0724809C1

1. TRAN CONSTRUCTION, INC.

A. Public Filings in D&B Reports: A check of D&B's public records database indicates no litigation related filings.

B. Suits listed on Clerk of Courts websites:

1. Broward County: None

2. Miami-Dade County:

Plaintiff: Gold Coast Windows & Doors, Inc.
Defendant: Tran Construction, Inc. & Others
Filed: Miami-Dade County
Date Filed: 03/02/2006
Status: Order of Dismissal
Case Type: Contract & Indebtedness

Plaintiff: Med Properties of Miami Beach, Inc.
Defendant: Tran Construction, Inc.
Filed: Miami-Dade County
Date Filed: 11/28/2006
Status: Order of Dismissal
Case Type: Contract & Indebtedness

Plaintiff: Southern Electric Supply Co.
Defendant: Tran Construction, Inc. & Others
Filed: Miami-Dade County
Date Filed: 03/02/2007
Status: Voluntary Dismissal
Case Type: Contract & Indebtedness

Plaintiff: Bay Harbor Island Assoc & Others
Defendant: Tran Construction
Filed: Miami-Dade County
Date Filed: 04/13/2007
Status: Order of Dismissal
Case Type: Contract & Indebtedness

Plaintiff: Tran Construction, Inc.
Defendant: Bussell Family Holdings Co. & Switzenbaum & Assoc
Filed: Miami-Dade County
Date Filed: 10/24/2007
Status: Pending
Case Type: Contract & Indebtedness

Plaintiff: Tran Construction, Inc.
Defendant: Bay Harbor Island Assoc & Others
Filed: Miami-Dade County
Date Filed: 10/26/2007
Status: Order of Dismissal
Case Type: Contract & Indebtedness

Plaintiff: Claudio DePersia
Defendant: Tran Construction, Inc. & Others
Filed: Miami-Dade County
Date Filed: 11/07/2007
Status: Pending
Case Type: Other Negligence

Plaintiff: Electrical Professionals, Inc.
Defendant: Tran Construction, Inc. & Others
Filed: Miami-Dade County
Date Filed: 12/20/2007
Status: Pending
Case Type: Construction Lien Foreclosure

Plaintiff: Lexzon Ins. Co. & Bond Safeguard Ins. Co.
Defendant: Tran Construction, Inc. & Others
Filed: Miami-Dade County
Date Filed: 01/14/2008
Status: Pending
Case Type: Contract & Indebtedness

Plaintiff: Tran Construction, Inc.
Defendant: Hector Castro & Others
Filed: Miami-Dade County
Date Filed: 02/15/2008
Status: Pending
Case Type: Other Civil Complaint

Plaintiff: Tran Construction, Inc.
Defendant: Miami Dade County
Filed: Miami-Dade County
Date Filed: 10/30/2008
Status: Pending
Case Type: Other Civil Complaint

Plaintiff: Stock Building Supply of Florida (LLC)
Defendant: Tran Construction, Inc. and Others
Filed: Miami Dade County
Date Filed: 09/02/2009
Status: Pending
Case Type: Contract & Indebtedness

3. Palm Beach County: None
- C. Suits listed on the Pacer Federal Court database: A search of the Pacer database for Tran Construction, Inc. for cases filed between January, 1, 2006 and September 29, 2009, showed the following: No cases found.
- D. Suits disclosed by Vendor: Except for the suit filed on 9/2/09 (Stock Building Supply of Florida v. Tran Construction, Inc.), which is after the bid opening date, Vendor disclosed all of the suits this office found in Miami-Dade County, listed above.

AAD:dmv
10/2/09
LitigationHistory(Q0724809C1)-CypressCreekGreenway.doc

MEMORANDUM

Date: October 7, 2009

To: Shannon Graham, Purchasing Division

From: George W. Robertson, P.E.

Re: Bid No. Q0724809C1, Greenways Cypress Creek Corridor

I attempted to call eight references but was able to actually talk to only four.

1. Port Everglades (Ahn Ton) – The construction recently started but to date their construction has been above average and on schedule. They would award them another contract.
2. City of Pembroke Pines (Joe McLaughlin) – Project is not complete. Asphalt paving work has been below average and unacceptable but all other work has been above average. Would use them again if contract did not include asphalt paving.
3. Town of Bay Harbor Island (Randy Daniels) – Their work is above average but they are slightly behind schedule because of rain. Would use again.
4. City of North Miami Beach (Luis Mendoza) – Their construction work was average but their landscape subcontractor performed below average. Would use again.

If you have any questions, you may call me at 954-577- 4569.