

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	2011	2012
Grant Expenditures	<u>\$163,652</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
NET FISCAL IMPACT	<u>\$163,652</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>

ADDITIONAL FTE
POSITIONS (Cumulative) _____

Is Item Included in Current Budget? Yes X No _____
Budget Acct No.: Fund 1106 Dept. 143 Unit 1442 Object 8201 Pgm Code/Period DRI025-G405
Program

B. Recommended Sources of Funds/Summary of Fiscal Impact:

Disaster Recovery Initiative Fund
Housing & Community Development
Pahokee-W 7th St Drainage Improvements

Construction Contract	\$146,037.00
Contingency	\$ 15,000.00
Testing Lab	\$ 500.00
Staff Costs-Eng Services	\$ 115.00
-Cons Coord	\$ 2,000.00
Fiscal Impact	<u>\$163,652.00</u>

C. Departmental Fiscal Review: R.D. Ward 12/13/07

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

Jan Ouel 1-10-08
OFMB
1/8/08
actn 1-8-08
SN 1/7/08 CN 1/3/08

J. J. [Signature] 1/11/08
Contract Dev. and Control
1/11/08

B. Approved as to Form and Legal Sufficiency:

Mark R. [Signature] 1/11/08
Assistant County Attorney

This Contract complies with our contract review requirements.

Engineering will obtain proof of auto insurance.

C. Other Department Review:

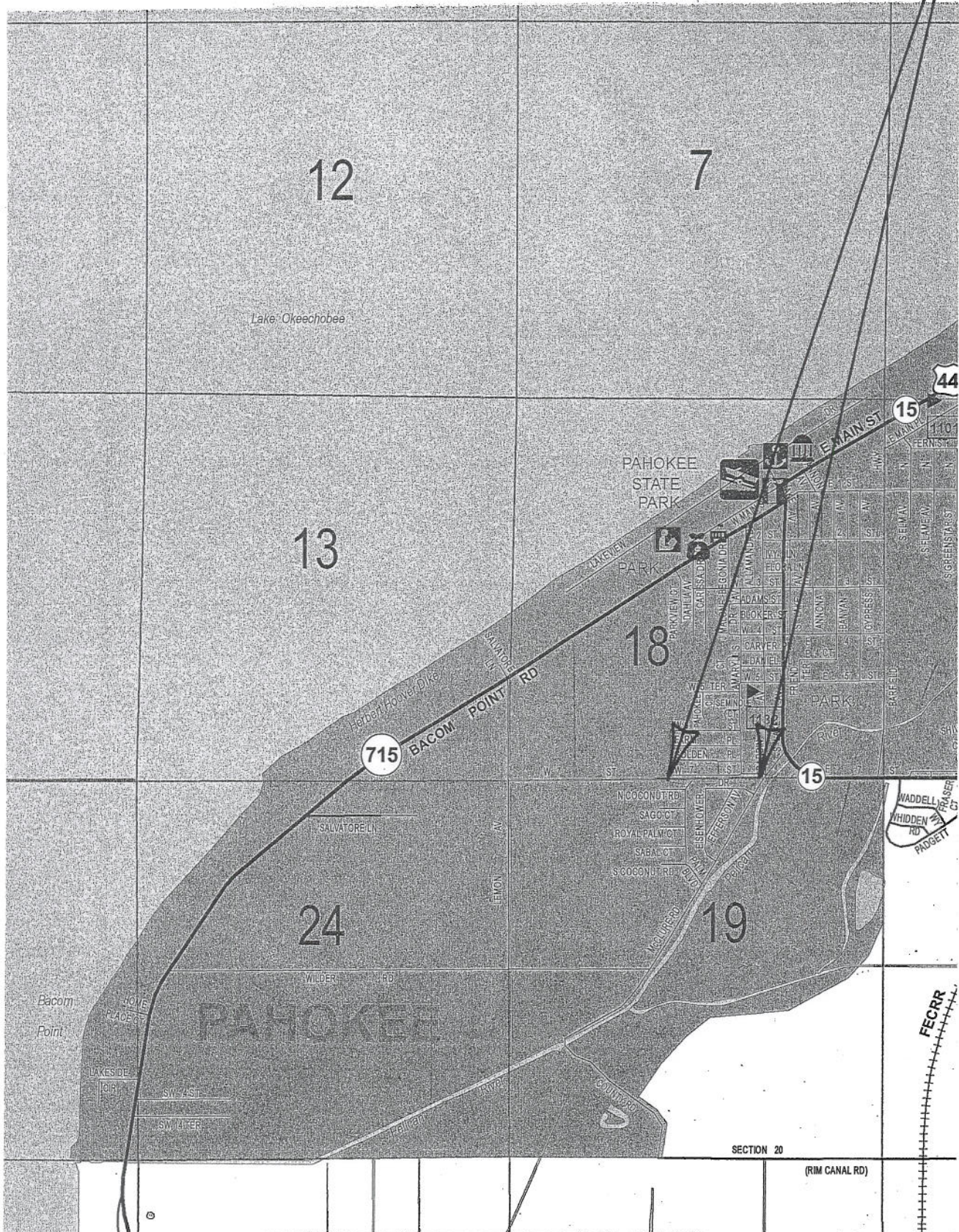
Department Director

This summary is not to be used as a basis for payment.

PROJECT LOCATION

WEST 7TH STREET DRAINAGE IMPROVEMENTS

PROJECT NO. 2007904



LOCATION SKETCH

CONTRACT

STATE OF FLORIDA)
) SS
COUNTY OF PALM BEACH)

This Contract, made this _____ day of _____ A.D. 20____, by and between PALM BEACH COUNTY, a Political Subdivision of the State of Florida, (hereinafter called the party of the first part), and ALMAZAN BROTHERS, INC., of WEST PALM BEACH, FL and (his) (its) (their) heirs, executors, administrators and assigns, (hereinafter called the part of the second part):

WITNESSETH: The party of the second part agrees with the said party of the first part, for the consideration herein mentioned at his, its or their own proper cost and expense to do all the work and furnish all necessary labor, materials, equipment, machinery, tools, apparatus, services, state workmen's compensation and unemployment compensation taxes incurred in the performance of the contract, and means of transportation for the complete construction of:

West 7th Street, Palm Beach County Project No. 2007904

IN THE AMOUNT OF:

One Hundred Forty Six Thousand Thirty-Seven Dollars and 00/100
(IN WORDS)

\$146,037.00
(IN FIGURES)

in Palm Beach County, Florida, in the manner and to the full extent as set forth in the Contract Documents therefore and the Contract Documents relative thereto, are made a part of this agreement as completely as if set forth herein, to the satisfaction of the party of the first part, or its duly authorized representative.

The said party of the second part further agrees for the consideration herein mentioned to commence the work adequate forces and equipment within fourteen (14) calendar days of the date set forth in the "Notice to Proceed". The time limit for the completion of all work under this contract shall be as set forth in the Proposal. The date fixing this period upon the calendar shall be established and stated in the "Notice to Proceed". After commencement of the work, it shall be properly dispatched toward completion, to the satisfaction of the Engineer, and shall be fully completed within the time limit. It is understood and agreed that the time limit for completion of said work is the essence of the contract and should the contractor fail to complete the work within the time limit, it is agreed that for such calendar day that any work provided for in these Contract Documents shall remain incomplete after the time limit has expired, including any official extension of the time limit; the sum per day given in the contained schedules shall be deducted from monies due the Contractor, not as a penalty, but as liquidated damages and added expense for supervision.

The Contractor shall take into account all contingent work which has to be done by other parties arising from any cause whatsoever, and shall not plead his want of knowledge of such contingent work as an excuse for delay in his work, or for its non-performance.

IN WITNESS WHEREOF, the parties have caused this Contract to be executed and sealed the day and year first written above.

ATTEST:

SHARON R. BOCK, Clerk and Comptroller

PALM BEACH COUNTY, a Political
Subdivision of the State of Florida
BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Addie L. Greene, Chairperson

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

COUNTY ATTORNEY

Charles Rich
ENGINEERING

ATTEST

Reynolds Olson

Almazan Brothers, Inc.
(Corporate Name)

a Florida corporation
(Insert state of corporation)

TITLE

V/P

By Jesus Almazan
(Signature)

Jesus Almazan
(Print signatory's name)


(CORPORATE SEAL)

It's Jesus Almazan
(Print title)

**PALM BEACH COUNTY
INTER-OFFICE MEMORANDUM**


DATE: October 25, 2007

TO: Mark Sinkhorn, Senior Professional Engineer
PBC Engineering Department

FROM:  Amin Houry, Manager
Housing and Capital Improvements, HCD

RE: 2004 Disaster Recovery Initiative Program
West 7th Street Drainage Improvements - Pahokee
Approval to Award Contract

RECEIVED
OCT 29 2007



The State of Florida Department of Community Affairs has approved the award of the construction contract for this project to Almazan Brothers, Inc., in the amount of \$146,037. In this regard, please note the requirements applicable to the above stated project as follows:

1. Project Funding We previously provided you with a signed Budget Availability Statement identifying the account with funds available for the project construction contract.
2. Contract: Please provide HCD with a copy of the executed construction contract and the payment and performance bond, as well as a copy of the approved Board of County Commissioners agenda item in connection with the award of the contract. Assure that the executed contract contains the previously transmitted "Requirements for Federally Funded Projects" (including the wage decision(s) applicable to this project).

Note 1: Please notify HCD at 233-3614 of the contract award date.

Note 2: The bid opening date for this project was on July 24, 2007. Since the contract will be awarded on a date more than 90 days after the bid opening date, and since the applicable wage decision previously transmitted to you has been changed, you must incorporate the change into the contract documents. Accordingly, the previously transmitted wage decision FL070032 Mod -0- is no longer in effect for this project.

Enclosed is the wage decision currently in effect: **FL070032 Mod -2-**

Please prepare a change order that deletes the original wage decision and replaces it with the enclosed, and provide this office with a copy of the executed change order.

Please note that HCD will monitor any further changes to the applicable wage decision. Should any more changes occur prior to the award date, we shall be required to incorporate all such changes into the contract. In order for HCD to be able to monitor any further changes effectively, your notification to us of the award date, as requested above, is material.

October 25, 2007

West 7th Street Drainage Improvements - Page 2

3. Pre-Construction Conference: Please invite HCD to the project pre-construction conference. Please notify HCD, at 233-3614, at least three working days before the pre-construction conference date.
4. Notice to Proceed: Please provide this office a copy of the Notice to Proceed in electronic form when it is issued by your department.
5. Subcontractor Required Forms: Please provide HCD with completed copies of the Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion - Lower Tier Participant (copy enclosed), for each subcontractor.
6. Construction Schedule: The State requires, within thirty (30) days from the execution of the construction contract, that the prime contractor submit a schedule for the completion of the construction work under the contract. Please obtain such a schedule from the contractor and provide a copy to HCD.
7. Engineer's Certification: The State requires the submission of a written certification from the project engineer upon completion of the project. Please provide HCD such certification indicating that the project has met the specifications of the design (as amended by change order), and indicating the date of completion of construction.
8. Contractual Obligations and MBE Report: Please note that the "Requirements for Federally Funded Projects" included in the construction contract require the prime contractor to submit the enclosed Contractual Obligations and MBE Report each March 31st and each September 30th. The information collected in this report is in turn sent to the State as part of the County's reporting requirements. Please assure that the contractor submits this report in a timely manner to enable us to meet our reporting obligations in a timely manner as well.

In the initial report, the prime contractor must provide information for the prime contractor and all known sub-contractors at that time, then the prime contractor must re-submit this report on the above schedule to provide updated subcontract award information for the project including all additional sub-contractors not known at the time of prior reports.

9. Construction Retainage and Davis-Bacon Act Compliance: Please apply a retainage of at least 5% to all construction draws. Retainages shall be released in conjunction with the final draw upon satisfactory completion of the project. Also, please do not release such retainages until you have obtained approval from the HCD that the contractor and subcontractors have complied with the requirements of the Davis-Bacon Act.

If you have any questions regarding the above, please contact me at 233-3625.



October 30, 2007

Department of Engineering and Public Works
P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
www.pbcgov.com

Almazan Brothers, Inc.
357 Kelly Drive
West Palm Beach, FL 33411
ATTN: Mr. Sam Almazan

RE: NOTICE OF INTENT TO AWARD
WEST 7TH STREET DRAINAGE IMPROVEMENTS
PALM BEACH COUNTY PROJECT NO. 2007904

Dear Mr. Almazan:

You are hereby advised that you are the apparent lowest responsive, responsible bidder for the construction of the above referenced project, Palm Beach County, Florida, resulting from a bid of \$146,037, submitted by you to the Board of County Commissioners on July 24, 2007.

Please be further advised that this notice of intent to award in no way obligates the County and, until approved by the Board of County Commissioners through formal resolution, this intent shall not be binding nor create any legal remedies on behalf of your company. Also, in accordance with page A of the specification, the Contractor shall perform, with his own organization, a minimum of 50% of the total contract amount, less specialty work. Specialty work is further outlined in Section 8-1.2 of the FDOT Standard Specifications for Road and Bridge Construction.

Attached are two copies of the Contract Documents for your execution. Each contains a Contract and Contract Bond which should not be removed from the folders. Execute both copies of the Contract and Contract Bond making sure all blanks and signatures are filled in.

YOU ARE TO SUBMIT THE CERTIFICATE OF INSURANCE FORM IN ACCORDANCE WITH FORM CI-1, INCLUDING, THEREON POLICY NUMBERS, EXPIRATION DATES AND A THIRTY (30) DAY CANCELLATION NOTICE.

Upon completion, return both copies to the Engineering Services Division for final execution by the Board of County Commissioners.

- Palm Beach County Board of County Commissioners
Addie L. Greene, Chairperson
Jeff Koons, Vice Chair
Karen T. Marcus
Warren H. Newell
Mary McCarty
Burt Aaronson
Jess R. Santamaria

County Administrator
Robert Weisman

An Equal Opportunity Affirmative Action Employer



Notice of Intent to Award
Palm Beach County Project No. 2007904
October 30, 2007
Page 2

Your attention is directed to the provision whereby your proposal guaranty may be forfeited in the event the Contract and Contract Bond are not executed, returned and received by Palm Beach County within fourteen (14) consecutive working days.

Almazan Brothers, Inc. agrees to hold their bid prices through January 31, 2008, to allow for approval by the Board of County Commissioners. ja
Initial Here

Sincerely,

A handwritten signature in cursive script that reads "Charles W. Rich".

Charles W. Rich, P.E., Director
Engineering Services Division

CWR:jc

Enclosure: 2 Copies of Contract Documents

cc: George T. Webb, P.E., County Engineer
Tanya N. McConnell, P.E., Deputy County Engineer
Steven B. Carrier, P.E., Assistant County Engineer
Ellis Ross, Director, Construction Coordination Division
Marlene Everitt, Esq., Assistant County Attorney
Kathleen M. Scarlett, Director, Purchasing Department
James D. Vaughn, City of Pahokee, Department of Public Services
Amin Houry, Manager, Housing and Rehabilitation, HCD



Office of
Small Business Assistance
50 South Military Trail, Suite 209
West Palm Beach, FL 33415
(561) 616-6840
FAX: (561) 616-6850
www.pbcgov.com

Palm Beach County
Board of County
Commissioners
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County Administrator
Robert Weisman

"An Equal Opportunity
Affirmative Action Employer"

 printed on recycled paper

DATE: September 12, 2007
TO: Charles W. Rich, P.E., Director
Engineering Services Division
THROUGH: Allen Gray, Manager *A. Gray*
Office of Small Business Assistance
FROM: Tanoy Williams, Compliance Specialist *TW*
SUBJECT: Revised Compliance Review on Project No. 2007904
West 7th Street Drainage Improvements

The following is a Compliance Review of SBE participation on the above-mentioned project.

Sole Responsive Bidder: Almazan Brothers, Inc.
Phone: 561-793-1799
Bid Amount: \$146,037.00
Goal: 15% Overall
Goal Achieved: 75.53%

SBE Participation:

(HB) Almazan Brothers \$110,307.00 75.53%

EVALUATION

The Sole Responsive Bidder, *Almazan Brothers, Inc.*, has met the SBE requirement for this project.

c: Vordenia Baker, Deputy County Administrator
Hazel Oxendine, Director - OSBA
Tammy Fields, Assistant County Attorney

PROJECT NAME: WEST 7TH STREET DRAINAGE IMPROVEMENTS

PROJECT NUMBER: 2007904

BID OPENING DATE: JULY 24, 2007

CONTRACT DAYS: THIRTY (30) CALENDAR DAYS

ALMAZAN BROTHERS, INC.

FLORIDA BLACKTOP, INC.

ITEM	QTY	UNITS	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	AVERAGE UNIT PRICE
1 MOBILIZATION	1	LS	\$45,000.00	\$45,000.00	\$7,500.00	\$7,500.00	\$26,250.00
2 MAINTENANCE OF TRAFFIC (INCLUDES PEDESTRIAN MOT)	1	LS	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
3 RECORD DRAWINGS	1	LS	\$2,200.00	\$2,200.00	\$1,500.00	\$1,500.00	\$1,850.00
4 NPDES COMPLIANCE (SEE SP PAGES)	1	LS	\$3,000.00	\$3,000.00	\$2,000.00	\$2,000.00	\$2,500.00
5 UTILITY RELOCATION	1	LS	\$5,000.00	\$5,000.00	\$2,000.00	\$2,000.00	\$3,500.00
6 CLEARING & GRUBBING	0.9	AC	\$20,000.00	\$18,000.00 *	\$5,000.00	\$4,500.00	\$12,500.00
7 EXCAVATION	847	CY	\$25.00	\$21,175.00	\$20.00	\$16,940.00	\$22.50
8 EMBANKMENT	290	CY	\$15.00	\$4,350.00	\$30.00	\$8,700.00	\$22.50
9 6" CONCRETE PATHWAY (OR DRIVEWAY) 35 SY OR GREATER	86	SY	\$55.00	\$4,730.00	\$65.00	\$5,590.00	\$60.00
10 SODDING (TO MATCH EXISTING) (SEE NOTES)	4,667	SY	\$6.00	\$28,002.00	\$6.00	\$28,002.00	\$6.00
11 24" RCP	16	LF	\$190.00	\$3,040.00	\$175.00	\$2,800.00	\$182.50
12 30" RCP	16	LF	\$190.00	\$3,040.00	\$253.00	\$4,048.00	\$221.50
13 24" CONCRETE MITERED END SECTION	2	EA	\$1,000.00	\$2,000.00	\$4,255.00	\$8,510.00	\$2,627.50
14 30" CONCRETE MITERED END SECTION	2	EA	\$1,000.00	\$2,000.00	\$4,830.00	\$9,660.00	\$2,915.00
15 SPECIAL GUARDRAIL POST	10	EA	\$250.00	\$2,500.00	\$850.00	\$8,500.00	\$550.00
TOTAL BASE BID	****	****	*****	\$146,037.00	*****	\$112,250.00	** *****

***DENOTES CORRECTED FIGURE**

BIDS RECEIVED BY: MARK A. SINKHORN, P.E.

BIDS RECORDED BY: JAYNE CANALE, TECHNICAL AIDE

**** The low bidder did not include the Addendum as required by contract, thus is considered non-responsive**