

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: February 5, 2008

Consent ☒ [X]

Regular ☐ []

Public Hearing ☐ []

Submitted By: Water Utilities Department

Submitted For: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: **A)** a Contract with TLC Diversified, Inc. to construct the Wastewater Lift Station Rehabilitation Project in the amount of \$2,876,900, **B)** Change Order No.1 to the Contract in the deductive amount of \$518,600 deleting construction work and materials for Bid Items No. 2 (installation of new control panel, pumps and RTU at LS 243) and 7 (Installation of an Emergency Generator/electrical upgrades, water service relocation and fence replacement at LS 2543). **C)** a \$2,000,000 Budget Transfer in the Water Utilities Department Capital Improvement Fund (Fund 4011).

Summary: On November 7, 2007, four (4) construction bids were received for the Wastewater Lift Station Rehabilitation Project, with TLC Diversified, Inc. being the low bidder in the amount of \$2,876,900. This contract provides for the rehabilitation of seven (7) lift stations within the Department's wastewater collection system. The Department requests that the construction work and materials for Bid Items No. 2 and 7 be temporarily deleted from the Contract by Change Order due to budgetary constraints. Currently the Department's funding for fiscal year 2008 is limited. The Department will re-incorporate these two (2) deleted Bid Items by another Change Order during fiscal year 2009, when additional funding are available. The Contractor has agreed to hold the bid price. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. This contract provides for 16.06% SBE participation. (WUD Project No. 06-164A) Districts 2, 3, and 5 (JM).

Background and Justification: The Department owns and operates over 800 wastewater lift stations as part of the wastewater collection system. Many of these lift stations have been in service for over 25 years, reaching the end of their useful life. The Department's Capital Improvements Master Plan calls for the rehabilitation of approximately 10 to 15 pump stations annually. This project will provide for the conversion of three (3) lift stations (two which are master stations) from dry can (outdated technology) to submersible type (current minimum Department standard) and rehabilitation of four (4) submersible stations. In addition, as part of the upgrades each lift station will be equipped with a remote telemetry unit which will allow remote monitoring and operation along with a backup battery which will increase the reliability and extend operating time of each lift station during emergencies. Emergency generators will be included at master lift stations to further increase reliability of operation. The budget transfer is necessary because the scope of the project has increased from the original budget estimate. Monies are being transferred from projects which have been cancelled in FY 2008.

Attachments:

1. Two (2) Original Contracts
2. Two (2) Original Change Order No.1
3. Location Map
4. Engineer's Recommendation & Bid Tabulation Sheet
5. SBE Compliance Review
6. Budget Transfer Form

Recommended By: _____

Department Director

Date

Approved By: _____

Assistant County Administrator

Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	<u>\$ 2,358,300.00</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>\$ 2,358,300.00</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Budget Account No.:

Fund _____ Agency _____ Org. _____ Object _____

Is Item Included in Current Budget? Yes ☐ No ☒

Reporting Category N/A

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

One time expenditure to be funded from user fees and balance brought forward.

C. Department Fiscal Review: Alicia M. Vest

III. REVIEW COMMENTS

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

[Signature] 1-17-08
OFMB
[Signature] 1/16/08 CN 1/15/08

[Signature] 1/18/08
Contract Development and Control
[Signature] 1/18/08

B. Legal Sufficiency:

[Signature] 1/25/08
Assistant County Attorney

This Contract complies with our contract review requirements.

C. Other Department Review:

Department Director

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

**WASTEWATER LIFT STATION REHABILITATION PROJECT
PROJECT NO. WUD 06-164(A)
CHANGE ORDER NO. 1**

Contractor:
TLC Diversified, Inc.
2719 17th Street East
Palmetto, FL 34221

WATER UTILITIES DEPARTMENT
CONTRACT NO. R2008-
CONTRACT DATE: February 5, 2008
NOTICE TO PROCEED:
BUDGET FUND#: 4011-721-W031-6546

DISTRICT: 2, 3 & 5

You are directed to make the following changes in this contract:

1. Deleting Bid Item No. 2 Wastewater Lift Station No. 243 Rehabilitation **\$253,000.00**
2. Deleting Bid Item No. 7 Wastewater Lift Station No. 5243 Emergency
Generator Installation **\$265,600.00**

Grand Total: (\$518,600.00)

NOT VALID UNTIL SIGNED BY BOTH OWNER AND ENGINEER. SIGNATURE OF THE CONTRACTOR INDICATES HIS AGREEMENT HERewith INCLUDING ANY ADJUSTMENT IN THE CONTRACT SUM OR CONTRACT TIME, AND NO ADDITIONAL COST OR TIME INDICATED HEREIN WILL BE RELATED TO THIS CHANGE

The original Contract Sum was.....	\$2,876,900.00
Net change by previous Change Orders	\$ 0.00
The Contract Sum prior to this Change Order was	\$2,876,900.00
The Contract Sum will be decreased by this Change Order.....	(\$518,600.00)
The new Contract Sum including this Change Order will be	\$2,358,300.00
The Contract time will be increased by.....	(0)days
The Date of Substantial Completion:.....	<u>390 days from NTP</u>
The Date of Final Completion:.....	<u>420 days from NTP</u>

EXECUTION OF THIS CHANGE ORDER ACKNOWLEDGES FINAL SETTLEMENT OF, AND RELEASES, ALL CLAIMS FOR COSTS AND TIME ASSOCIATED, DIRECTLY OR INDIRECTLY, WITH THE ABOVE-STATED MODIFICATION(S) INCLUDING ALL CLAIMS FOR CUMULATIVE DELAYS OR DISRUPTIONS RESULTING FROM, CAUSED BY, OR INCIDENT TO SUCH MODIFICATIONS AND INCLUDING ANY CLAIM THAT THE ABOVE STATED MODIFICATION(S) CONSTITUTES IN WHOLE OR PART, A CARDINAL CHANGE TO THE CONTRACT.

RECEIVED
DEC 18 2007
BY: **JW PAL**

WASTEWATER LIFT STATION REHABILITATION PROJECT
PROJECT NO. WUD 06-164(A)
CHANGE ORDER NO. 1

**Palm Beach County
Water Utilities Dept.**



ENGINEER

John E. Rich, P.E. Proj. Manager

ADDRESS

P.O. Box 16097

West Palm Beach, FL 33416

DATE 01/04/08

TLC Diversified, Inc.



CONTRACTOR

Thurston Lamberson, President

ADDRESS

2719 17th Street East

Palmetto, FL 34221

DATE 12/18/07

**Palm Beach County Board
of Commissioners**

OWNER

Addie L. Greene, Chairperson

ADDRESS

P.O. Box 16097

West Palm Beach, FL 33416

DATE _____

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

ATTEST:

Sharon R. Bock, Clerk
and Comptroller:

County Attorney

(Corporate Seal) _____

Deputy Clerk

WASTEWATER LIFT STATION REHABILITATION PROJECT
PROJECT NO. WUD 06-164(A)
CHANGE ORDER NO. 1

SCOPE OF WORK
(ALL AS LUMP SUM)

This Change Order is to delete construction work and materials for Bid Items No. 2 and 7 to this contract as follows:

Deleting Bid Item No. 2 Wastewater Lift Station No. 243 Rehabilitation	\$253,000.00
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Deleting Bid Item No. 7 Wastewater Lift Station No. 5243 Emergency Generator Installation	\$265,600.00
--	---------------------

Total:	\$518,600.00
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WASTEWATER LIFT STATION REHABILITATION PROJECT
PROJECT NO. WUD 06-164(A)
CHANGE ORDER NO. 1

SCHEDULE 1

PARTICIPATION OF SBE/MWBE CONTRACTORS

PROJECT NAME: Wastewater Lift Station Rehabilitation
PROJECT NO. WUD 06-164(A)
NAME OF PRIME CONTRACTOR: TLC Diversified, Inc.
CHANGE ORDER NO. 1
CONTACT PERSON: Thurston Lamberson, President
PHONE NO: 941/722-0621
FAX NO: 941/722-1382
CONTRACT DATE: February 5, 2008
DEPARTMENT: Water Utilities

Name, Address and Phone Number of M/WBE	Type of Work To Be Performed	Contract Amount			
		Black	Hispanic	Women	Other(Please Specify)

1.		\$____	\$____	\$____	\$__0
2.		\$____	\$____	\$____	\$__0
3.		\$____	\$____	\$____	\$__0
4.		\$____	\$____	\$____	\$__0
5.		\$____	\$____	\$____	\$__0
TOTALS		\$__0	\$__0	\$__0	\$__0

PRIME CONTRACTOR TO COMPLETE:
ORIGINAL CONTRACT PRICE: \$2,876,900.00 ORIGINAL PARTICIPATION: 16.06% overall SBE
ADJUSTED CONTRACT PRICE: \$2,358,300.00 ADJUSTED PARTICIPATION: 16.06% overall SBE

**WASTEWATER LIFT STATION REHABILITATION PROJECT
PROJECT NO. WUD 06-164(A)
CHANGE ORDER NO. 1**

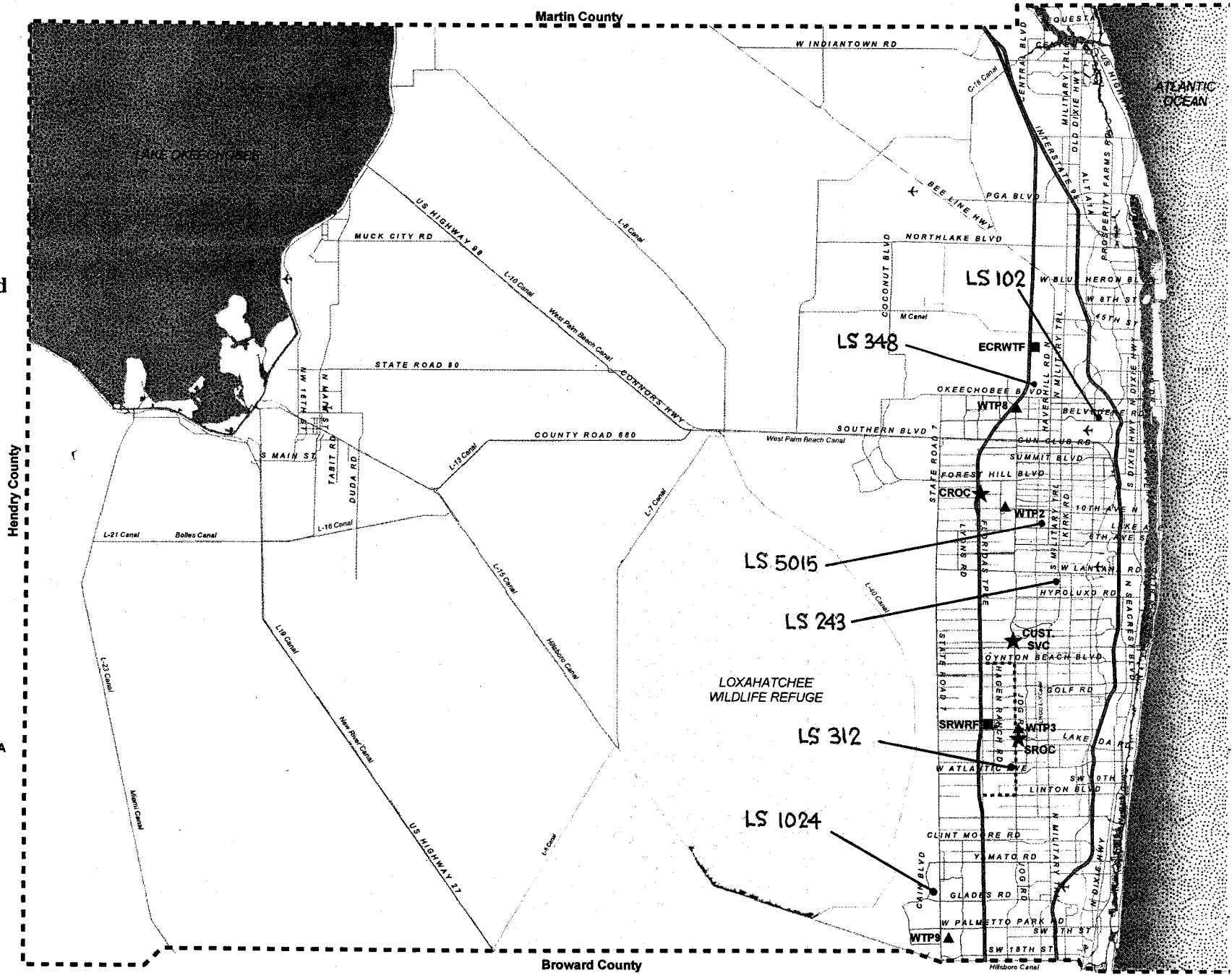
- **SBE/MWBE participation will not be adjusted for Change Order No.1 because the bid items deleted under this CO will be added back to the Contract in Fiscal Year 2008/2009 (after October 1, 2008). The Bid Prices for this contract will be held for at least 12 months.**



**Palm Beach County
Water Utilities
Department
Service Area (SA) and
Major Facilities**

Legend

- P.B.C.W.U.D. SA
- MANDATORY RECLAIMED SA
- - - COUNTY LIMITS
- ★ Administration
- Water Reclamation Plant
- ▲ Water Treatment Plant
- ④ Wetlands



CHANGE ORDER ADDITIONS/DELETIONS SUMMARY

PROJECT:	Wastewater Lift Station Rehabilitation Project – Part A	<u>APPROVAL LIMITS:</u>					
CONTRACTOR:	TLC Diversified, Inc.	DEPARTMENT HEAD		CONTRACT REVIEW COMMITTEE		DEPARTMENT HEAD PLUS CONTRACT REVIEW COMMITTEE	
PROJECT NO.:	06-164 (A)						
RESOLUTION NO.:		(Amount)	(Days)	(Amount)	(Days)	(Amount)	(Days)
DATE APPROVED:	February 5, 2008	INDIVIDUAL C.O.	\$50,000.00	30 Days	\$100,000.00	90 Days	\$100,000.00
CONTRACT AMOUNT:	\$2,876,900.00	CUMMULATIVE C.O.	\$100,000.00	Days	\$100,000.00	Days	\$200,000.00

C.O. #	DATE APPROVED	NET CHANGE	DEPARTMENT HEAD (ADDS PLUS DEDUCTS)		CONTRACT REVIEW COMMITTEE (ADDS PLUS DEDUCTS)		TOTAL DEPT. HEAD & CONTRACT REVIEW COMM. (ADDS PLUS DEDUCTS)		BOARD OF COUNTY COMMISSIONERS (ADDS PLUS DEDUCTS)		TOTALS	
			AMOUNT	DAYS	AMOUNT	DAYS	AMOUNT	DAYS	AMOUNT	DAYS		
001	Pending	(\$518,600.00)	0	0	0	0	0	0	(\$518,600.00)	0	(\$518,600.00)	
002												
003												
004												
005												
006												
007												
008												
009												
010												
TOTAL			(\$518,600.00)	\$ 0.00	0	\$ 0.00	0	\$ 0.00	0	(\$518,600.00)	0	(\$518,600.00)

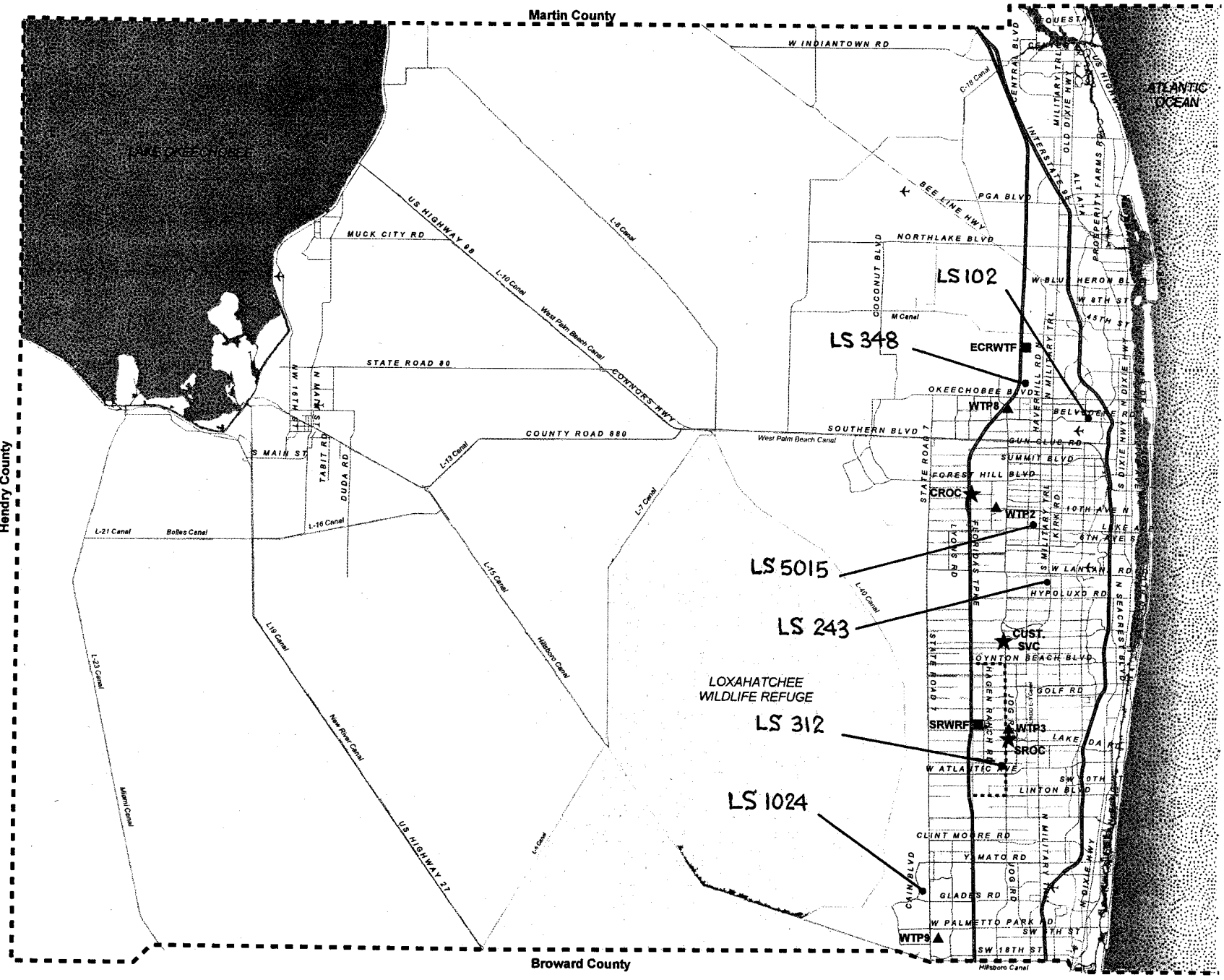
Notes:

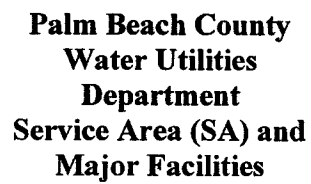
1. Net Change reflects the net amount of additions plus deductions.
2. Adds plus Deducts reflects the net value of unrelated changes for use in determining the approval authority for the Change Order.
3. Liquidated Damages = \$ 500 (Prior to Substantial Completion) and = \$ 250 (After Substantial Completion).



**Palm Beach County
Water Utilities
Department
Service Area (SA) and
Major Facilities**

- Legend**
- P.B.C.W.U.D. SA
 - MANDATORY RECLAIMED SA
 - - - COUNTY LIMITS
 - ★ Administration
 - Water Reclamation Plant
 - ▲ Water Treatment Plant
 - ④ Wetlands

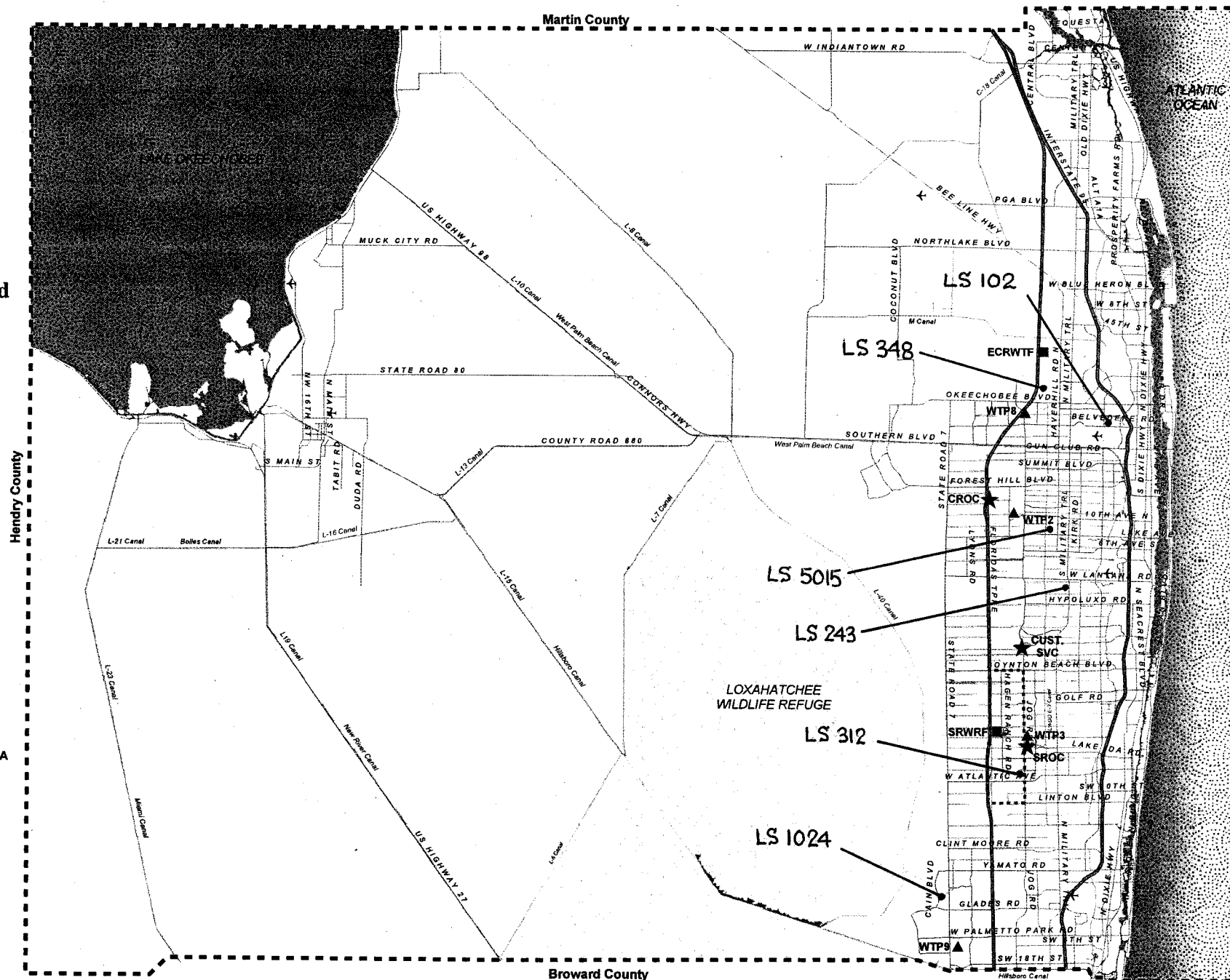




Attachment 3

Legend

- P.B.C.W.U.D. SA**
----- MANDATORY RECLAIMED SA
- - - COUNTY LIMITS
★ Administration
■ Water Reclamation Plant
▲ Water Treatment Plant
② Wetlands



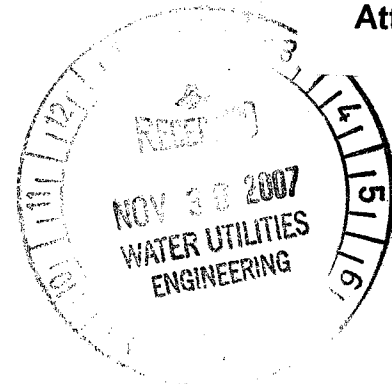
**PALM BEACH COUNTY
WASTEWATER LIFT STATION REHABILITATION PROJECT
WUD 06-164 (A)**

NOVEMBER 7, 2007

BID TABULATION SHEET

General					TLC Diversified, Inc.	Murray Logan Construction, Inc.	Ric-Man International, Inc.	AKA Services, Inc.
Item #	Description	Unit	Unit Price	Quantity	Price Bid	Price Bid	Price Bid	Price Bid
1	Wastewater Lift Station No. 102 Rehabilitation	LS	N/A	1	\$355,700.00	\$346,000.00	\$355,927.00	\$410,000.00
2	Wastewater Lift Station No. 243 Rehabilitation	LS	N/A	1	\$253,000.00	\$254,000.00	\$274,256.10	\$275,000.00
3	Wastewater Lift Station No. 312 Rehabilitation	LS	N/A	1	\$435,700.00	\$424,000.00	\$385,956.40	\$480,000.00
4	Wastewater Lift Station No. 348 Rehabilitation	LS	N/A	1	\$422,700.00	\$428,000.00	\$502,714.60	\$450,000.00
5	Wastewater Lift Station No. 1024 Rehabilitation	LS	N/A	1	\$244,600.00	\$238,000.00	\$239,159.90	\$240,000.00
6	Wastewater Lift Station No. 5015 Rehabilitation	LS	N/A	1	\$674,600.00	\$768,000.00	\$676,830.00	\$654,500.00
7	Wastewater Lift Station No. 5243 Emergency Generator Installation	LS	N/A	1	\$265,600.00	\$234,000.00	\$285,000.00	\$254,500.00
	Substantial Completion - Early Completion Incentive	Days	\$3,000.00	30	\$90,000.00	\$90,000.00	\$90,000.00	\$90,000.00
	Final completion - Early Completion Incentive	Days	\$1,000.00	30	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00
	Contract Allowances - Section 01020	LS	\$25,000.00	1	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00
	FPL Allowances, Section 01020	LS	\$80,000.00	1	\$80,000.00	\$80,000.00	\$80,000.00	\$80,000.00
Total Items 1-6					\$2,876,900.00	\$2,917,000.00	\$2,944,844.00	\$2,989,000.00
Addendum No. 1					Yes	Yes	Yes	Yes
Addendum No. 2					Yes	Yes	Yes	Yes
Addendum No. 3					Yes	Yes	Yes	Yes
Addendum No. 4					Yes	Yes	Yes	Yes
Addendum No. 5					Yes	Yes	Yes	Yes
Addendum No. 6					Yes	Yes	Yes	Yes
Bid Bond (5%)					Yes	Yes	Yes	Yes

Attachment 4



**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

DATE: November 26, 2007

TO: Dimitrios J. Scarlatos, Pipeline Design Section
Water Utilities Department, Engineering Division

THROUGH: Allen Gray, Manager *A. Gray*
Office of Small Business Assistance

FROM: Tanoy Williams, Compliance Specialist II *TW*

SUBJECT: Compliance Review on Project No. WUD 06-164(A)
Wastewater Lift Station Rehabilitation Project

**Palm Beach County
Board of County
Commissioners**

Addie L. Greene, Chairperson

Jeff Koons, Vice Chair

Karen T. Marcus

Robert J. Kanjian

Mary McCarty

Burt Aaronson

Jess R. Santamaria

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

Low Bidder: TLC Diversified, Inc.
2719 17th Street, E
Palmetto, FL 34221
Phone: 941-722-0621
Bid Opening: October 30, 2007
Bid Amount: \$2,876,900.00
Goal: 15% Overall
Goal Achieved: 16.06%

SBE Participation:

(WB)	L & L Worldwide	\$279,818.70	
		x .60	
		\$167,891.22	5.84%
(WB)	Lawrence Fence	\$ 30,465.00	1.06%
(SB)	Electron Corp	\$255,350.00	8.88%
(WB)	Bird's Eye View	\$ 2,236.50	.07%
(SB)	Sunnyland	\$ 6,241.00	.21%
		\$462,183.72	16.06%

2nd Low Bidder: Murray Logan Construction, Inc.
313 65th Trail
West Palm Beach, FL 33413
Phone: 561-686-3948
Bid Amount: \$2,917,000.00
Goal: 15% Overall
Goal Achieved: 15.04

"An Equal Opportunity
Affirmative Action Employer"

printed on recycled paper

SBE Participation:

(SB) C.R. Dunn \$439,000.00 15.04%

3rd Low Bidder: Ric-Man International
2601 NW 48th Street
Pompano Beach, FL
Phone: 954-426-1042
Bid Amount: \$2,944,844.00
Goal: 15% Overall
Goal Achieved: 15.00%

SBE Participation:

(WB) E & N Construction \$441,726.60 15.00%

EVALUATION

The Low Bidder, *TLC Diversified, Inc.*, has met the SBE requirement for this project.

c: Hazel Oxendine, Director - OSBA
Tammy Fields, Assistant County Attorney

**BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET: TRANSFER**

FUND 4011: Water Utilities Department Capital Improvement Fund

Use this form for items not anticipated in the budget

Account		Original Budget	Current Budget	Increase	Decrease	Adjusted Budget	Encumbered As of 11/30/02007	Remaining Balance
Number	Name							
<u>Capital Improvement Fund (BGEX 720 010708-2006)</u>								
<u>Expenditures and Reserves</u>								
4011721W006-6502	Improvements other than buildings	10,800,000	11,800,000		500,000	11,300,000	2,528,153	8,771,847
4011721W006-6547	Sewer Force Mains	2,700,000	2,700,000		1,500,000	1,200,000	653,812	546,188
4011721W031-6546	Sewage Lift Stations	4,450,000	3,850,000	2,000,000		5,850,000	2,994,688	2,855,312
Total expenditures and reserves		<u>17,950,000</u>	<u>18,350,000</u>	<u>2,000,000</u>	<u>2,000,000</u>	<u>18,350,000</u>	<u>6,176,653</u>	<u>12,173,347</u>

Water Utilities Department

Initiating Department/Division

Administration/Budget Department Approval

OFMB and Budget Department - Posted

Signatures

Date

By Board of County Commissioners

At Meeting of _____

Deputy Clerk to the

Board of County Commissioners

Debra M. West

1/10/08