

Agenda Item #:

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: October 7, 2008

Consent

Regular

Workshop

Public Hearing

Department: Facilities Development and Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve:

A) Contract with West Construction, Inc., for the construction of Phil Foster Park Multi-Purpose Building in the amount of \$1,042,000, and

B) Change Order No. 1 to the Contract with West Construction for the Palm Beach County Sheriff's Office (PBSO) Marine Unit Building in the amount of \$451,570.

Summary: The contract for Phil Foster Multi-Purpose Building will authorize construction of a two story building to provide concession space, a multi-purpose meeting room, and public restrooms. This project was originally bid with a second floor shell space for a future tenant buildout. Subsequently, the Board approved a transfer of funds for the buildout of the second floor for PBSO Marine Unit. Approval of Change Order No. 1 will authorize the buildout. The SBE goal for this project is 15%. West Construction, Inc.'s base bid includes a participation of 22% and including this Change Order a total of 22.5%. The contract time is 365 days to substantial completion. (Capital Improvements Division) District 1 (JM)

Background and Justification: Improvements to Phil Foster Park were completed in 2007, including new public pavilions, a restroom/life guard building, an equipment maintenance building and a two story restroom building. This building will provide supplementary facilities including space for a concession for water sport activities, restrooms, and a public meeting room for educational purposes in close proximity to the existing docks. This project was bid with a second floor shell space for a future tenant build out. Subsequently, an agreement between Parks & PBSO was reached to allow the Marine Unit to relocate to Phil Foster Park and on May 20, 2008, the Board approved a transfer of funds for the design and construction changes for the PBSO Marine Unit. Approval of this Change Order will authorize the construction changes. Bids for this project were opened on July 16, 2008, with West Construction, Inc., being the lowest responsive bidder. This project will be covered under the County's Master Builder's Risk insurance policy.

Attachments:

- 1. Location Map
- 2. Budget Availability Statement
- 3. Bid Tabulation
- 4. Contract
- 5. SBE Compliance Report
- 6. Change Order No. 1

Contract is more than 50 pages;
may be viewed in Administration.

Contract Available in County Administrator's Office

Recommended by:

Anthony Wolf

Department Director

9/18/08

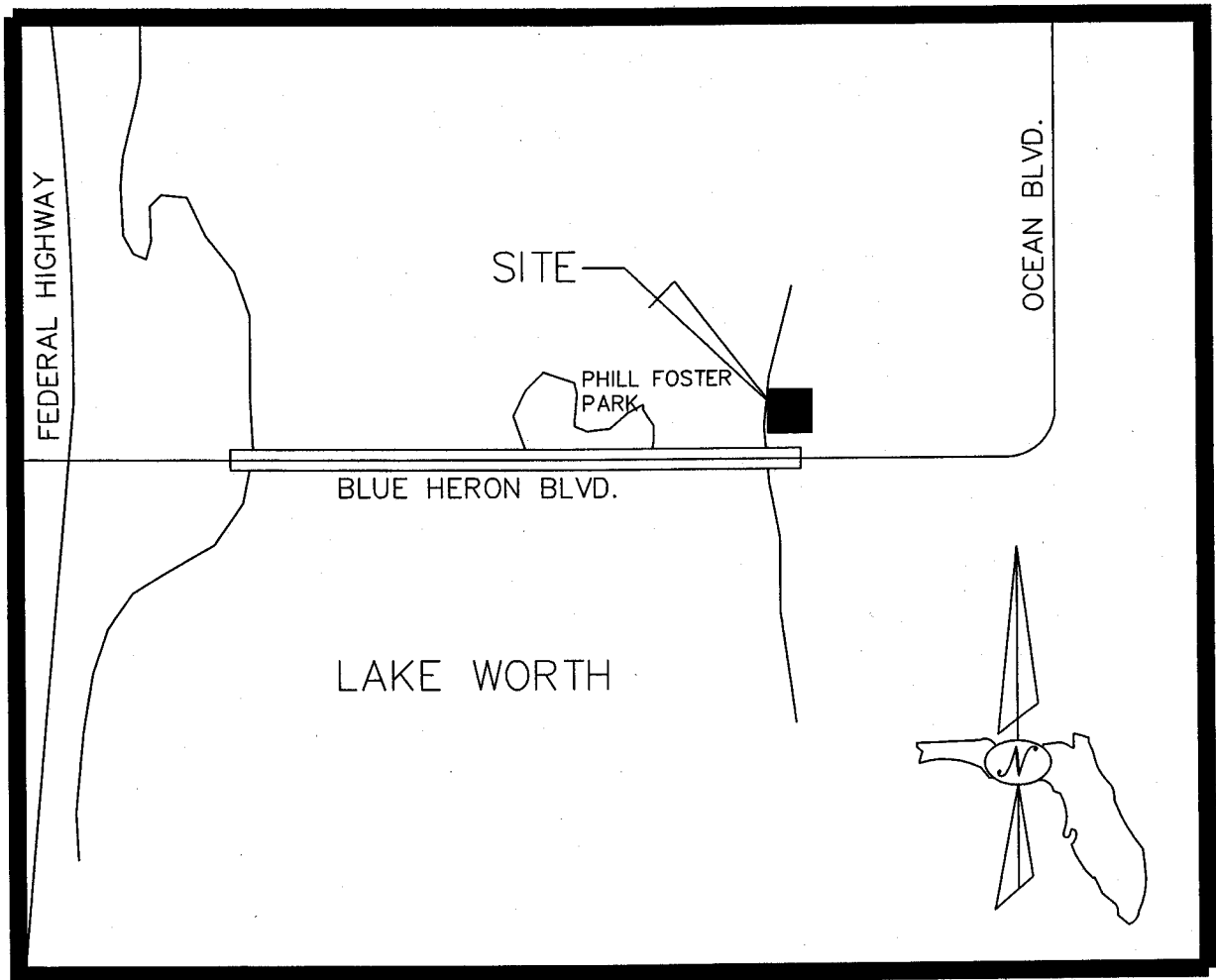
Date

Recommended by:

County Administrator

9/18/08

Date



LOCATION MAP
N.T.S.

ATT.# 1

FACILITIES DEVELOPMENT & OPERATIONS BUDGET AVAILABILITY STATEMENT

REQUEST DATE: 8/20/08

REQUESTED BY: Anil Patel

PHONE: 233-0271
FAX: 233-0270

PROJECT TITLE: Phil Foster Park Marina Building

PROJECT NO.: 06205

ORIGINAL CONTRACT AMOUNT:

BCC RESOLUTION#: _____
DATE: _____

REQUESTED AMOUNT: \$1,042,000.00

CSA or CHANGE ORDER NUMBER:

CONSULTANT/CONTRACTOR: West Construction, Inc.

PROVIDE A BRIEF STATEMENT OF THE SCOPE OF SERVICES TO BE PROVIDED BY THE CONSULTANT/CONTRACTOR:

Contract Award

CONSTRUCTION	\$1,042,000
PROFESSIONAL SERVICES	
STAFF COSTS** (Design/Constr. Phase)	97,000
MISC. (permits, prints, advertising, etcetera)	
TOTAL	\$1,139,000

*** By signing this BAS your department agrees to these staff costs and your account will be charged upon receipt of this BAS by FD&O. Unless there is a change in the scope of work, no additional staff charges will be billed.*

BUDGET ACCOUNT NUMBER (IF KNOWN)

FUND: 3038 DEPT: 581 UNIT: P613 OBJ: 6502

FUNDING SOURCE (CHECK ALL THAT APPLY):
 AD VALOREM OTHER
 FEDERAL/DAVIS BACON

WAPW
BAS APPROVED BY: *[Signature]* DATE: _____

ENCUMBRANCE NUMBER: _____

Revised 03/30/04

FUNDING SOURCE(S)	
<input checked="" type="checkbox"/>	Bond
<input type="checkbox"/>	Impact Fees
<input type="checkbox"/>	Park Improvement Fund
<input type="checkbox"/>	Ad Valorem
<input type="checkbox"/>	Other

BAS APPROVAL	
<input checked="" type="checkbox"/>	FULLY FUNDED WITHIN CURRENT BUDGET <u><i>OK</i></u>
<input type="checkbox"/>	FULLY FUNDED PENDING BUDGET TRANSFER _____

ATT. #2

BID SUMMARY
PHIL FOSTER PARK MULTI-PURPOSE BUILDING

Project Number: 06205

Bid Opening: July 16, 2008

INFORMATION ON THIS SHEET IS RECORDED FROM DAY ONE BID DOCUMENTS

Contractor	All-Site Construction, Inc.	Brang Co. Inc. of Fl.	Carrick Contracting Corp.	Cedars Electro- Mechanical, Inc.	Coastal Contracting & Dev., Inc.	David Brooks Enterprises	GC Works General Construction
BID PROPOSAL	\$1,297,875.55	\$1,221,900	\$1,275,000	\$1,193,735	\$1,234,000	\$1,187,830	\$1,369,000
ADDENDA 1, 2,3,4,5 ACKNOWLEDGED	✓	✓	✓	✓	✓	✓	✓
ATTACHMENT 1 (BID BOND)	✓	✓	✓	✓	✓	✓	✓
ATTACHMENT 2 (SBE SCHEDULE 1)	✓	<i>Submitted with day 2</i>	<i>Submitted with day 2</i>	✓	✓	✓	✓
ATTACHMENT 2 (SBE SCHEDULE 2)	✓	"	"	✓	✓	✓	✓
ATTACHMENT 3 (LIST OF SUB- CONTRACTORS)	✓	"	"	✓	✓	✓	✓
ATTACHMENT 4 (TRENCH SAFETY AFFIDAVIT)	✓	"	"	✓	✓	✓	✓
ATTACHMENT 5 (CERTIFICATION OF BUSINESS LOCATION)	✓	"	"	✓	✓	✓	✓

Note: Tabulation is not official until checked and certified by Capital Improvements Division

Bid Documents Opened By: Anil Patel

Bid Documents Recorded By: Morine Haslam

ATT.#3

BID SUMMARY
PHIL FOSTER PARK MULTI-PURPOSE BUILDING

Project Number: 06205

Bid Opening: July 16, 2008

INFORMATION ON THIS SHEET IS RECORDED FROM DAY ONE BID DOCUMENTS

Contractor	H.A. Contracting Corp.	Homestead Concrete & Drainage, Inc.	JMW Construction Corp.	Ocean Gate General Contractors	Ralph Della-Pietra, Inc.	West Construction, Inc.
BID PROPOSAL	\$1,543,000	\$1,332,666	\$1,298,500	\$1,149,000	\$1,206,329	\$1,042,000
ADDENDA 1, 2,3,4,5 ACKNOWLEDGED	✓	1,2,3,4	✓	✓	✓	✓
ATTACHMENT 1 (BID BOND)	✓	✓	✓	✓	✓	✓
ATTACHMENT 2 (SBE SCHEDULE 1)	✓	✓	<i>Submitted with day 2</i>	<i>Submitted with day 2</i>	✓	✓
ATTACHMENT 2 (SBE SCHEDULE 2)	✓	✓	"	"	✓	✓
ATTACHMENT 3 (LIST OF SUB-CONTRACTORS)	✓	✓	"	"	✓	✓
ATTACHMENT 4 (TRENCH SAFETY AFFIDAVIT)	✓	✓	✓	✓	✓	✓
ATTACHMENT 5 (CERTIFICATION OF BUSINESS LOCATION)	✓	✓	✓	✓	✓	✓

Note: Tabulation is not official until checked and certified by Capital Improvements Division

Bid Documents Opened By: Anil Patel

Bid Documents Recorded By: Morine Haslam

BID SUMMARY
PHIL FOSTER PARK MULTI-PURPOSE BUILDING
Project Number: 06205

Bid Opening: July 16, 2008

INFORMATION ON THIS SHEET IS RECORDED FROM DAY TWO BID DOCUMENTS

Contractor	All-Site Construction, Inc.	Brang Co. Inc. of Fl.	Carrick Contracting Corp.	Cedars Electro-Mechanical, Inc.	Coastal Contracting & Dev., Inc.	David Brooks Enterprises	GC Works General Construction
ATTACHMENT 2 (SBE SCHEDULE 1)	Submitted with day 1	✓	✓	Submitted with day 1	Submitted with day 1	✓	Submitted with day 1
ATTACHMENT 2 (SBE SCHEDULE 2)	"	✓	✓	"	"	✓	"
ATTACHMENT 3 (LIST OF SUB-CONTRACTORS)	"	✓	✓	"	"	✓	"
ATTACHMENT 4 (TRENCH SAFETY AFFIDAVIT)	"	✓	✓	"	"	✓	"
ATTACHMENT 5 (CERTIFICATION OF BUSINESS LOCATION)	"	✓	✓	"	"	✓	"

Note: Tabulation is not official until checked and certified by Capital Improvements Division

Bid Documents Opened By: Anil Patel

Bid Documents Recorded By: Morine Haslam

BID SUMMARY
PHIL FOSTER PARK MULTI-PURPOSE BUILDING

Project Number: 06205

Bid Opening: July 16, 2008

INFORMATION ON THIS SHEET IS RECORDED FROM DAY TWO BID DOCUMENTS

Contractor	H.a. Contracting Corp.	Homestead Concrete & Drainage, Inc.	JMW Construction Corp.	Ocean Gate General Contractors	Ralph Della-Pietra, Inc.	West Construction
ATTACHMENT 2 (SBE SCHEDULE 1)	<i>Submitted with day 1</i>	<i>Submitted with day 1</i>	✓	✓	<i>Submitted with day 1</i>	<i>Submitted with day 1</i>
ATTACHMENT 2 (SBE SCHEDULE 2)	"	"	✓	✓	"	"
ATTACHMENT 3 (LIST OF SUB-CONTRACTORS)	"	"	✓	✓	"	"
ATTACHMENT 4 (TRENCH SAFETY AFFIDAVIT)	"	"	✓	✓	"	"
ATTACHMENT 5 (CERTIFICATION OF BUSINESS LOCATION)	"	"	✓	✓	"	"

Note: Tabulation is not official until checked and certified by Capital Improvements Division

Bid Documents Opened By: Anil Patel

Bid Documents Recorded By: Morine Haslam



JUL 31 2008
FILE: 06205 - E
CC:

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/osba

DATE: July 28, 2008
TO: Anil Patel, Project Manager
Capital Improvements 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. 06205
Phil Foster Park Multi-Purpose Building

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

County Administrator

Robert Weisman, P.E.

"An Equal Opportunity
Affirmative Action Employer"

Low Bidder: West Construction, Inc.
318 South Dixie Highway, Suite 4 -5
Lake Worth, FL 33460
Phone: 561-588-2027
Bid Opening: July 16, 2008
Bid Amount: \$1,042,000.00
Goal: 15% Overall
Goal Achieved: 22.44%

<u>SBE Participation:</u>		
(WB)	West Construction	\$228,000.00 21.88%
(SB)	Baron Sign	\$ 5,916.34 .56%
		\$233,916.34 22.44%

2nd Low Bidder: Ocean Gate General Contractors
2854 SE Federal Highway
Stuart, FL 34994
Phone: 772-283-6744
Bid Amount: \$1,149,000.00
Goal: 15% Overall
Goal Achieved 13.67%

ATT.# 5



SBE Participation:

(SB) ¹ Fleischer's Inc.	\$ 0.00	0.00%
(HB) Air-O-Dynamics	\$36,500.00	3.17%
(SB) Renco	\$41,880.00	3.64%
(SB) Republic Construc.	\$39,364.00	3.43%
(WB) Sterling Steel	\$39,410.00	3.43%
	\$157,154.00	13.67%

3rd Low Bidder: David Brooks Enterprises, Inc.
9000 Burma Road, Suite 101
Palm Beach Gardens, FL 33403

Phone: 561-626-9960
Bid Amount: \$1,187,830.00
Goal: 15% Overall
Goal Achieved: 14.42

(SB) David Brooks	\$168,343.00	14.17%
(SB) Foliage Concepts	\$ 14,845.00	1.25%
	183,188.00	15.42%

EVALUATION

The Low Bidder, **West Construction, Inc.**, has met the SBE goal for this project.

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

¹ SBE credit not given because subcontractor did not indicate what service they were going to provide on their Schedule 2.

CHANGE ORDER BRIEF
Phil Foster Park Multi-Purpose Building
Project No 06205
September 3, 2008

Prime Contractor..... West Construction, Inc.

Change Order No. 01

Change Order Amount\$451,570.00

Changed Contract Time 0 calendar days

Description of CCP's:

1. CCP #01 Architectural, structural, mechanical, electrical and plumbing changes for the PBSO Marine Unit.....\$451,570.00

Explanation and Reason-for-Change Code:

1. Project was bid with the second floor as a shell for future tenant build out. Since then an agreement between Parks & PBSO was reached to allow the Marine Unit to relocate to Phil Foster Park. These changes are necessary to accommodate the PBSO Marine Unit.

Reason-for-change codes

D = Differing Site Conditions

E = Errors/Omissions in Design

O = Owner-Initiated

Q = Quantity Adjustments

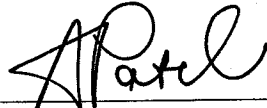
R = Request by another Agency/Outside Party

X = Other (Specify:)

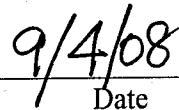
Z = Zoning/Code/Ordinance Change

Estimated premium value of errors/omissions for this change order: N/A

SUBMITTED:



Anil Patel, Project Manager
Capital Improvements Division



ATT.# 4

PALM BEACH COUNTY

CHANGE ORDER

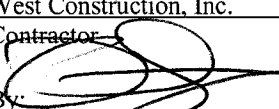
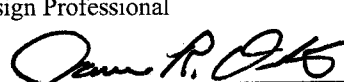

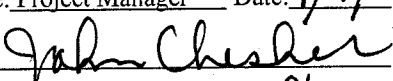
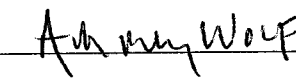
ISSUED TO:	West Construction, Inc. 318 S. Dixie Highway #4-5 Lake Worth, FL 33460	CHANGE ORDER NO.:	01
PROJECT:	Phil Foster Park Multi-Purpose Facility	REFERENCE CCP NO.:	01
PROJECT NO.	06205	RESOLUTION NO.:	TBD
		DISTRICT NO.:	07

The completion date, contract price, and all terms, covenants, and conditions of the above referenced contract, except as duly modified by this and previous Change Orders, if any, shall remain in full force and effect.

DESCRIPTION OF CHANGE:

CCP #01 – Architectural, structural, mechanical, electrical and plumbing changes for the PBSO Marine Unit.....\$451,570.00

CONTRACT PRICE	COMPLETION DATE
Original Contract Price: <u>\$1,042,000.00</u>	Contract Completion Date will be increased by <u>N/A</u> calendar days.
Previous CO # <u> </u> through <u> </u> : <u>\$0.00</u>	Contract Notice to Proceed Date: <u>TBD</u>
This Change Order No. <u>1</u> : <u>\$451,570.00</u>	Contract Substantial Completion Date: <u>TBD</u>
ADJUSTED Contract Price: <u>1,493,570.00</u>	ADJUSTED Substantial Completion Date: <u>N/A</u>

<p>CONTRACTOR 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(s), and including any claim that the above stated modification(s) constitutes, in whole or part, a cardinal change to the contract. The above changes are accepted:</p> <p>West Construction, Inc. Contractor By:  Title: <u>Corp Sec</u> Date: <u>9/02/08</u></p>	<p>DESIGN PROFESSIONAL The above changes are recommended for approval by the Owner:</p> <p>Boyle Engineering Design Professional By:  Title: <u>SSM</u> Date: <u>9/4/08</u></p>	<p>PALM BEACH COUNTY Recommended By:</p> <p>By:  Title: <u>Project Manager</u> Date: <u>9/4/08</u></p> <p>By:  Title: <u>Director - CID</u> Date: <u>9/5/08</u></p> <p>By:  Title: <u>Director, FD&O</u> Date: <u>9/5/08</u></p> <p>By: _____ Legal Sufficiency – CAO Date: _____</p> <p>Approved By: By: _____ Addie L. Greene Title: <u>Chairperson, BCC</u> Date: _____</p>
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PALM BEACH COUNTY

CONSTRUCTION CHANGE PROPOSAL (CCP)

TO: Palm Beach County C.I.D.
3200 Belvedere Road, Bldg. 1169
West Palm Beach, FL 33406
CCP NUMBER: 01
DATE: August 26, 2008
ATTN: Anil Patel
561-233-0271
PROJECT NAME: PFP Multipurpose
PROJECT NUMBER: 06205
REFERENCE: **PBSO Marine Unit Changes**
CONTRACT NUMBER: TBD

We propose to accomplish the MODIFICATIONS identified in FIELD BULLETIN FB # N/A and as described herein. Except as modified below, the original contract and all prior amendments shall remain in full force and effect.

DESCRIPTION: **Modify Building for PBSO Buildout in accordance with
95% Construction Documents revision dated 8/15/08
100% Construction Documents dated 8/22/08
Changes to bid Specifications dated 8/1/08 & 8/22/08
Modify Building \$410,518.00
Overhead, Profit, @ 10% \$41,052.00**

PROPOSED CONTRACT PRICE CHANGE increases \$451,570.00

PROPOSED CONTRACT TIME CHANGE (increases) TBD
(unchanged)

PROPOSED NEW SUBSTANTIAL COMPLETION TBD

FROM: WEST CONSTRUCTION
CONTRACTOR

SIGNED:  _____

DATE: 08/26/08

Phil Foster Park Marina Estimate Spreadsheet			
365 DAY CONSTRUCTION SCHEDULE			
	Revised Bid	Original Bid	Net Change
DIVISION 1- GENERAL CONDITIONS	\$134,053.00	\$100,540.00	\$33,513.00
DIVISION 2- SITEWORK	\$98,232.75	\$80,316.00	\$17,916.75
DIVISION 3- CONCRETE	\$179,450.25	\$118,441.00	\$61,009.25
DIVISION 4-MASONRY	\$43,749.30	\$32,000.00	\$11,749.30
DIVISION 5-METALS	\$78,750.00	\$97,780.00	-\$19,030.00
DIVISION 6- WOOD AND PLASTICS	\$73,057.95	\$62,198.00	\$10,859.95
DIVISION 7- ROOFING AND WPROOFING	\$75,285.00	\$61,837.00	\$13,448.00
DIVISION 8- DOORS AND WINDOWS	\$121,222.50	\$73,560.00	\$47,662.50
DIVISION 9- FINISHES	\$101,230.50	\$51,964.00	\$49,266.50
DIVISION 10 -SPECIALTIES	\$45,990.00	\$21,012.00	\$24,978.00
DIVISION 11	\$0.00	\$0.00	\$0.00
DIVISION 12	\$0.00	\$0.00	\$0.00
DIVISION 13	\$0.00	\$0.00	\$0.00
DIVISION 14	\$46,200.00	\$46,200.00	\$0.00
DIVISION 15 - MECHANICAL	\$119,070.00	\$79,445.00	\$39,625.00
DIVISION 16 - ELECTRICAL	\$241,500.00	\$121,980.00	\$119,520.00
SUBTOTAL	\$1,357,791.25	\$947,273.00	\$410,518.25
Overhead and Profit 10%	\$135,779.13	\$94,727.30	\$41,051.83
TOTAL	\$1,493,570.38	\$1,042,000.30	\$451,570.08

**SCHEDULE 1
LIST OF PROPOSED SBE-M/ WBE SUBCONTRACTORS**

Project Name: Phil Foster Park Multipurpose Building

PROJECT NO. 06205

NAME OF PRIME BIDDER: WEST CONSTRUCTION, INC.

CONTACT PERSON: MARTHA A. MORGAN PHONE NO: 561-588-2027 FAX NO: 561-582-9419

CO DATE: August 26, 2008 DEPARTMENT: GENERAL

Name, Address and Phone Number	(check one or both Categories)		Dollar Amount					
	Minority Business	Small Business	Small	Black	Hispanic	Women	Other (Please Specify)	
1. West Construction, Inc.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	\$	\$	\$	\$102,161.00	\$	
2.	<input type="checkbox"/>	<input type="checkbox"/>		\$	\$	\$	\$	
3.	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$	\$	\$	\$	
4.	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$	\$	\$	\$	
5.	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$	\$	\$	\$	
6.	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$	\$	\$	\$	
(Please use additional sheets if necessary)			Total	\$	\$	\$	\$102,161.00	\$

Total CO Price \$ \$ 451,570.00

Total Value of SBE Participation \$ 102,161.00

- Note:**
1. The amounts listed on this form must be supported by the Subcontractors price included on Schedule 2 in order to be counted toward goal attainment.
 2. Firms may be certified by Palm Beach County as an SBE and/or M/ WBE. If firms are certified as both an SBE and M/WBE, please indicate the dollar amount under the appropriate category.
 3. M/WBE Information is being collected for tracking purposes only.