

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: October 19, 2010 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 Contract with Energy Efficient Electric, Inc. for the Glades Utility Authority (GUA) Pahokee Wastewater Treatment Plant Overhead Electric Replacement Project in the amount of \$336,900.


Summary: On May 12, 2010, two (2) construction bids were received for the GUA's Pahokee Wastewater Treatment Plant Overhead Electric Replacement, with Energy Efficient Electric, Inc. being the lowest responsive and responsible bidder in the amount of \$336,900. Funding for this project has been allocated by Palm Beach County Department Housing & Community Development (HCD) under Community Development Block Grant Disaster Recovery Initiative (CDBG DRI) Program. WUD will manage the project for GUA and receive reimbursement from the grant. This Contract is federally funded and has participation goals of 22.4% MBE and 6.9% WBE. The Contract with Energy Efficient Electric, Inc. includes 14.84% WBE participation and the overall project including engineering services achieved 10.53% MBE and 12.46% WBE participation. Energy Efficient Electric, Inc. is a local Palm Beach County Company. **These are Federal CDBG DRI funds that require no local match.** (WUD Project No. 09-073) District 6 (JM)

Background and Justification: The Glade Utility Authority owns and operates the Pahokee wastewater treatment plant. The existing overhead electric cables and conduits were damaged during Hurricane Wilma. Emergency repairs were made in 2009 to the electrical system. This project will provide new hurricane rated supports, conduits, electrical cables, light poles and a grounding system. The Federal Minority Business Enterprise (MBE) goal is 22.4% and the Women's Business Enterprise (WBE) goal is 6.9%. The Contract with Energy Efficient Electric, Inc. includes 14.84% WBE participation. The State of Florida has reviewed the contract and approved staff's recommendation for award.

Attachments:

- 1. Two (2) Original Contracts
- 2. Location Map
- 3. Engineer's Recommendation & Bid Tabulation Sheet
- 4. Budget Availability Statement from HCD

Recommended By:  9/27/10
Department Director Date

Approved By: 
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2011	2012	2013	2014	2015
Capital Expenditures	<u>\$336,900.00</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>(336,900.00)</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>\$ 0 * See below</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 1101 Agency 143 Org. 143 Object 8101 Cat. DR1232-GY06

Is Item Included in Current Budget? Yes No

Reporting Category N/A

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

* Adequate funds are available from the Housing and Community Development Department CDBG DRI program.

C. Department Fiscal Review:

Selma M. West

III. REVIEW COMMENTS

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

[Signature]
OFMB
10/4
10/4/10
10/11/10

[Signature]
Contract Development and Control
10/8/10
10/7/10
This Contract complies with our contract review requirements.

B. Legal Sufficiency:

[Signature]
Assistant County Attorney
10/12/10

C. Other Department Review:

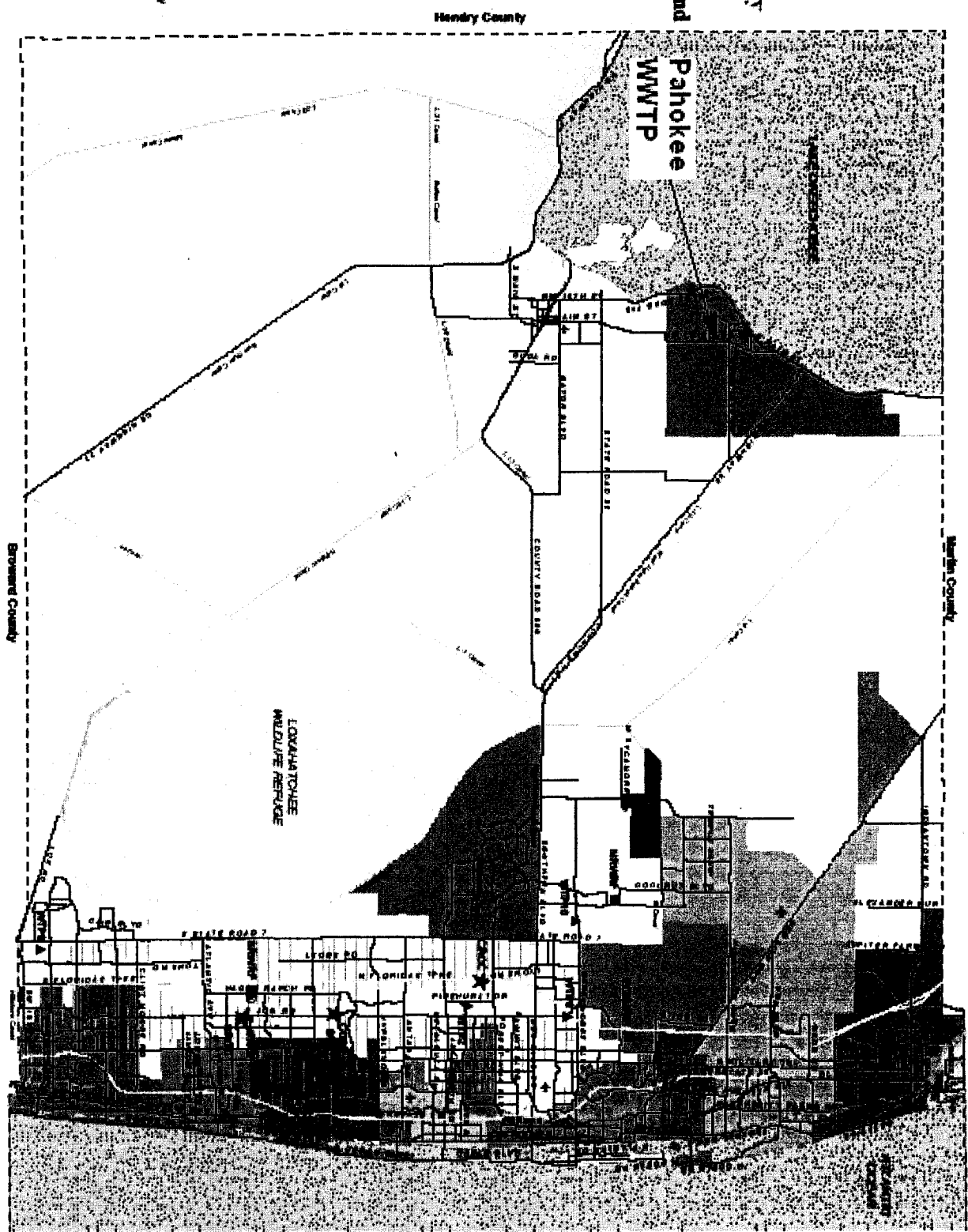
Department Director (HCD)

Attachment 2



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

- Legend**
- P.B.C. WULU SA
 - Secondary Paved Road SA
 - - - - - Palm Beach County Limits
 - ★ Administration
 - Water Production Facility
 - ▲ Water Treatment Facility
 - ⊙ Wastewater



Location Map

Inter-Office Memorandum

Palm Beach County



Water Utilities Department

DATE: June 28, 2010 06-28-10A08:30 RCVD
TO: Bevin A. Beaudet, P.E.
 Director
FROM: Maurice Tobon, P.E. *MT*
 Director of Engineering 07-06-10P01:11 RCVD
RE: Notice of Award Recommendation
 2005 Disaster Recovery Initiative Program
 Pahokee WWTP Electrical Improvements
 Project No. WUD 09-073

The bid opening for the above referenced project was held on Wednesday, May 12, 2010. Proposals were received from two (2) contractors. The complete Bid Tabulation is attached. The engineer's opinion of probable construction cost was \$400,000. An evaluation of the low bid is as follows:

- 1) The Proposal form provided in the Contract Documents was properly executed.
- 2) Bid security equal to 5% of the total base bid was enclosed with the bid.
- 3) MBE/WBE Goals (Executive Order 11246) contains goals for minority participation for each trade of 22.4% MBE participation and goals for women participation for each trade of 6.9% WBE. Both Energy Efficient Electric, Inc and Edwards Electric Corp. utilized suppliers which does not meet the definition of a trade and therefore neither bidder meet the MBE or WBE goal. (1)
- 4) Energy Efficient Electric submitted Good faith Efforts with their Post Bid Information which is attached to this memo. Both bidders planned to self perform the electrical construction work and sub-contract the auger cast pilings. There is lack of available MBE or WBE's to perform the auger cast pilings. Therefore it is recommended to accept the good faith effort by the low bidder.
- 5) The Energy Efficient Electric lowest responsive bidder acknowledged the three (3) addendums.
- 6) The contractor holds a valid state contractor's license. A copy of the license information is included.

Since neither bidder met the Requirements for Federally Funded Projects we recommend award to the low bidder, Energy Efficient Electric, Inc. They have experience working on the Pahokee Wastewater Treatment Plant Electrical as a sub-contractor for Globaltech. The overall experience, qualifications, resources and references of the low bidder were carefully considered when evaluating the bids. As a result of this evaluation we recommend

Energy Efficient Electric, Inc. as the successful, responsive, low bidder for the project in the amount not to exceed \$336,900 subject to formal approval by the Board of County Commissioners. A copy of this notice has been posted at the bid opening location and will be left there for a minimum of five (5) business days.

(1) Palm Beach County's SBE program and 49 CFR26 allow a 60% credit for suppliers which if applied to this project neither bidder would meet the MBE participation goal.

PALM BEACH COUNTY WATER UTILITIES DEPARTMENT

**Pahokee WWTP Electrical Improvements
WUD No. 09-073**

Bid Item	Description	Edwards Electric Corp.	Energy Efficient Electric, Inc.
1	Furnish and Install the Pahokee Wastewater Treatment Plant Overhead Electrical. All items not included in Bid items 2 through 5 (Lump Sum)	\$334,000.00	\$265,000.00
2	Lightning Protection and Grounding System (Lump Sum)	\$23,000.00	\$25,000.00
3	Replace 12 light poles and 2 light fixtures (Lump Sum)	\$18,000.00	\$28,000.00
4	Replace Supports for Existing Electrical Panels (Lump Sum)	\$4,000.00	\$2,900.00
5	FP&L Allowance for Removal and Replacement of Pole and Installing Hand Hole and City of Pahokee Building Permit	\$16,000.00	\$16,000.00
	Total Base Bid (Items 1-5)	\$395,000.00	\$336,900.00

Inter-Office Memorandum

Palm Beach County



Water Utilities Department

DATE: September 28, 2010
TO: Maurice Tobon, P.E.
Director of Engineering
FROM: Stephen McGrew, P.E. *SM*
Manager of Plant Design
RE: MBE/WBE Participation
2005 Disaster Recovery Initiative Program
Pahokee WWTP Electrical Improvements
Project No. WUD 09-073

MBE/WBE Goals (Executive Order 11246) contains goals for minority participation for each trade of 22.4% MBE participation and goals for women participation for each trade of 6.9% WBE. Both Energy Efficient Electric, Inc and Edwards Electric Corp. did not meet the Federal goals. This memo is an updated analysis of the MBE/WBE project participation.

Energy Efficient Electric was the low bidder in the amount of \$336,900.00 and utilized Savannah Trims as a WBE metalwork fabricator.

WBE construction participation is $\$50,000/\$336,900 = 14.84\%$ WBE

The construction cost is \$336,900. The Engineer for the project is Hillers Electrical (MBE) and engineering services during design were \$39,691 and engineering during construction is \$24,395 for a total of \$64,086. Total construction and engineering services is \$400,986. The portion of the engineering services performed by Hillers Engineering that qualifies for MBE participation is \$22,841 during design and \$19,400 during construction for a total MBE participation of \$42,241.

MBE overall project participation is $\$42,241/\$400,986 = 10.53\%$ WBE

WBE overall project participation is $\$50,000/\$400,986 = 12.46\%$ WBE

SCHEDULE # 2
LETTER OF INTENT TO PERFORM AS AN MBE/WBE SUBCONTRACTOR

PROJECT NO. WUD 09-073 PROJECT NAME: Glades Utility Authority Pahokee Wastewater Treatment Plant

TO: ENERGY EFFICIENT ELECTRIC, INC.
 (Name of Prime Bidder)

The undersigned is certified by State of Florida or Palm Beach County as a(n) - (check one or more, as applicable):

Women Business Enterprise Minority Business Enterprise

Black Hispanic Women Other (Please Specify) _____

Date of State of Florida or Palm Beach County Certification: VC 0000010312

The undersigned is prepared to perform the following described work in connection with the above project (**Specify in detail, particular work items or parts thereof to be performed**):

Line Item No.	Item Description	Qty/Units	Unit Price	Total Price
<u>1</u>	<u>SUPPORT FABRICATION</u>	<u>76</u>	<u>L.S.</u>	<u>\$50,000</u>

at the following price \$ \$50,000
 (Subcontractor's quote)

and will enter into a formal agreement for work with you conditioned upon your execution of a contract with Palm Beach County.

If undersigned intends to sub-subcontract any portion of this subcontract to a non-certified MBE/WBE subcontractor, the amount of any such subcontract must be stated: \$ 0

The undersigned subcontractor understands that the provision of this form to prime bidder does not prevent subcontractor from providing quotations to other bidders

SAVANNAH TRIAS INC
 (Print name of MBE/WBE Subcontractor)

By: Denny Dudash
 (Signature)

Denny Dudash
 (Print name/title of person executing on behalf of MBE/WBE Subcontractor)

Date: 5-7-2010

Steve McGrew

From: Bill Scott [Bill@energyeff.com]
Sent: Tuesday, September 28, 2010 11:23 AM
To: Steve McGrew
Cc: Tammy Fields K.
Subject: RE: Pahokee Overhead Electric WUD 09-073

Steve,

Savannah Trims will be supplying and also doing fabrication of all aluminum and stainless steel electrical supports as detailed on drawings S-1 & S-2 of the contract drawings.

Regards,

Bill Scott
Vice President
Energy Efficient Electric
1600 Mercer Ave. Suite 6
West Palm Beach, FL. 33401
Phone [561] 655-7211
Fax [561] 655-9661
Cell [561] 722-1383
bill@energyeff.com

From: Steve McGrew [mailto:smcgrew@pbcwater.com]
Sent: Tuesday, September 28, 2010 11:00 AM
To: Bill Scott
Cc: Tammy Fields K.
Subject: Pahokee Overhead Electric WUD 09-073

Please detail the scope of services of your SBE/WBE Savannah Trims. You stated during our conversation today that they were fulfilling a manufacturing role rather than just as a supplier.

Bidding Information and Contractor Eligibility

Local Government: Palm Beach County

CDBG Contract #: 07DB-3V-10-60-01-Z07

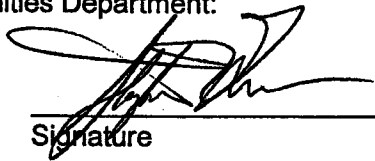
A contract is expected to be awarded to the contractor(s) listed below. Please advise whether any contractor is identified on the List of Parties Excluded From Federal Procurement Programs.

Project Name: <u>Pahokee WWTP Electrical Improvements</u>				
Prime Contractor	Bid Amount	Bid Date	Wage Decision Information	
			Number	Modification#
<u>ENERGY EFFICIENT ELECTRICAL</u>	<u>\$ 336,900-</u>	<u>5/19/10</u>	<u>FL100272</u>	<u>0</u>
////////////////////////////////////	////////////////////////////////////	////////////////////////////////////	-	-
Briefly describe work in contract:				
List subcontractors below:				
Name: <u>SAVANNAH TRIMS</u>	Name:	Name:		
Name:	Name:	Name:		

1. There is additional work to be bid. Yes* No
2. Is contract award to the apparent low bidder? Yes No*
3. After bid opening, was any bidder allowed to modify his bid, or was the project changed in any way? Yes* No
4. Was any bidder rejected or allowed to withdraw after bid opening? Yes* No
5. If there is only one bid, is it within the estimate or do the files document the bid is reasonable? Yes No* **N/A**
6. Has the prime contractor documented efforts to obtain minority and women subcontractors as required by 24 CFR 85.36(e) (2) (vi)? Yes No*
7. Did any party (bidder, sub, supplier) file a protest? Yes* No

* For these situations, please provide details on a separate sheet. Discussion with DCA before contract award is advised to ensure compliance with procurement regulations.

For Palm Beach County Water Utilities Department:

Steve McGrew  7/9/10
 Name Signature Date

For Palm Beach County Housing and Community Development:

 Name Signature Date