

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

Meeting Date: June 5, 2012

Consent ☐Public Hearing ☐Regular ☒

Department: Water Utilities Department

**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to approve: a Contract with Inland Waters Pollution Control, Inc. (IWPC) for the Wastewater Infrastructure Collection Project - City of Belle Glade in an amount of \$1,892,948.

**Summary:** On February 15, 2012, four (4) bids were received for the Wastewater Infrastructure Collection Project – City of Belle Glade. IWPC was the lowest responsive, responsible bidder in the amount of \$1,892,948. The second low bid was received by the Hinterland Group, Inc. in the amount of \$1,918,320 which is less than 1% above the first low bid. Due to the fact that this project is being funded through EDA, the County may not apply our Local Preference Ordinance in this case. Hinterland is a Palm Beach County business. Hinterland filed a bid protest for several reasons. In accordance with the County Purchasing Ordinance, the protest was heard by a Special Master. The Protest Hearing occurred on April 26, 2012, with the Special Master recommending the bid protest be denied. The project is funded through a U.S. Department of Commerce Economic Development Administration (EDA) grant. On August 18, 2009, (R-2009-1345) the Board of County Commissioners approved a Special Agreement with the GUA for Operations, Maintenance and Management of the GUA Utility system. The Water Utilities Department (WUD) will administer this project under the terms of that Agreement. The project is subject to a 22.4% minority participation best efforts goal and a 6.9% female participation best efforts goal for trades, which percentages were calculated based on Federal criteria. Due to the fact that the project is Federally funded, the County SBE goals are not applicable. This contract with IWPC has zero minority participation and 64.1% SBE participation. Staff is recommending approval based on the fact that IWPC was responsive and the protest denial recommendation by the Special Master. IWPC is a Detroit, Michigan based company. **These are Federal EDA funds requiring no local match.** (WUD Project No. 10-062) District 6 (JM)

**Background and Justification:** On April 7, 2010, a grant from the EDA was awarded to Glades Utility Authority and Palm Beach County. On September 8, 2010, Consultant Service Authorization No. 7 for \$98,155 was approved by the Contract Review Committee with AECOM for the preparation of plans and technical specifications for improvements including lift station rehabilitation work in the City of Belle Glade. This project involves repairs required to comply with a consent order from DEP issued to the Glades Utility Authority regarding the infiltration and inflow improvements within the City of Belle Glade. The completion date regarding the consent order is November 1, 2012. **Continues on Page 3**

**Attachments:**

1. Two (2) Original Contracts
2. Location Map
3. Engineer's Recommendation & Bid Tabulation Sheet
4. Approval by the U.S. Department of Commerce EDA

Recommended By: \_\_\_\_\_

Department Director

5/23/12  
Date

Approved By: \_\_\_\_\_

Assistant County Administrator

6/4/12  
Date

## II. FISCAL IMPACT ANALYSIS

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures	\$1,892,948.00	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	(\$1,892,948.00)	<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</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 4011 Dept 721 Unit W026 Object 6547**

Is Item Included in Current Budget?      Yes   **X**      No

Reporting Category N/A

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

The Water Utilities Department (WUD) will manage the project for the Glades Utility Authority (GUA). The project will be funded from WUD's Capital Improvement Fund. The GUA will be reimbursed by EDA for the project costs and repay WUD from these funds.

C. Department Fiscal Review: Delma m West


### III. REVIEW COMMENTS

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

OFMB 5/29/2012  
5/13/12 5/22/12

Legal Sufficiency:

**B. Legal Sufficiency:**

 6/1/12  
Assistant County Attorney

**C. Other Department Review:**

Department Director

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

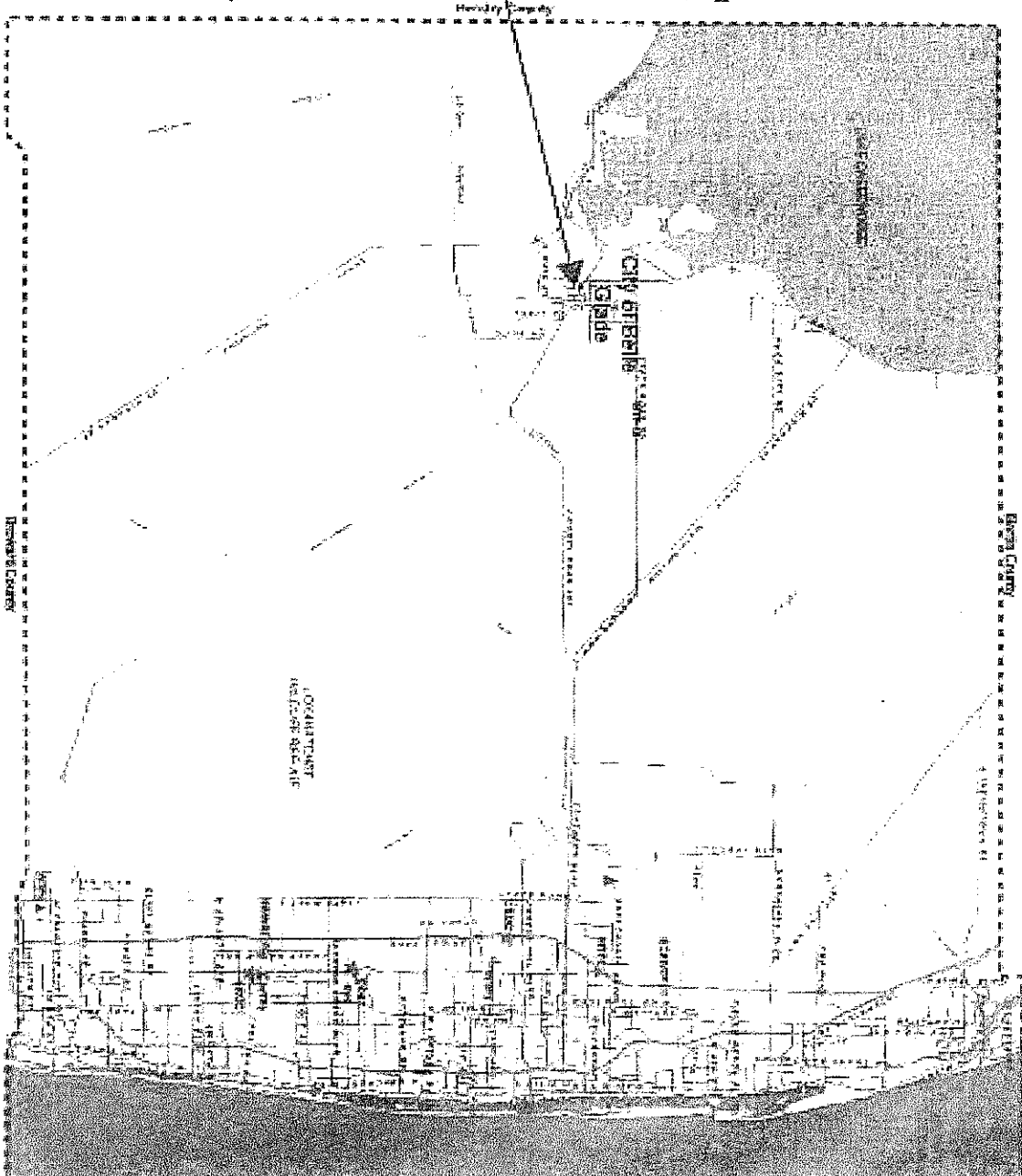
**Continues from Page 1**

On February 15, 2012, four (4) bids were received with Inland Waters Pollution Control, Inc. submitting the lowest responsive, responsible bid in the amount of \$1,892,948. Water Utilities Department staff reviewed the bids and determined that Inland Waters Pollution Control, Inc. made good faith efforts toward the M/WBE goal. A bid protest was filed and heard by a special master on April 26, 2012. The Special Master recommended that the bid protest be denied. Staff recommends award to Inland Waters Pollution Control, Inc. in the amount of \$1,892,948.

**Public Beach Community  
Water Utilities  
Department  
Service Area (S.A.) and/or  
Major Facilities**

**Project Location**

1. **Background**  
 2. **Problem Statement**  
 3. **Objectives**  
 4. **Methodology**  
 5. **Results and Discussion**  
 6. **Conclusion**  
 7. **References**  
 8. **Appendix**  
 9. **Glossary**  
 10. **Index**



**Strategic Regional Wastewater Infrastructure Project - Sewerage  
Collection - City of Belle Glade, FL - Project No. WUDD 10-067**

# Inter-Office Memorandum

Palm Beach County



Water Utilities Department

**DATE:** March 1, 2012

**TO:** Bevin A. Beaudet, P.E.  
Director

**FROM:** Maurice Tobon, P.E.  
Director of Engineering *mt*

**RE:** Notice of Award Recommendation  
Wastewater Infrastructure Project  
Sewer Collection - City of Belle Glade *Sm*  
Project No. WUD 10-062

The bid opening for the above referenced project was held on Wednesday, February 15, 2012. Proposals were received from four (4) contractors. The complete Bid Tabulation is attached. The engineer's opinion of probable construction cost was \$2.3 million for the base bid comprising Bid Item Numbers 1 through 46. An evaluation of the low bid by Inland Waters Pollution Control, Inc. is as follows:

1. The Bid 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. M/WBE Schedules #1 and #2 were provided. The bid documents state a 22.4% minority participation goal and a 6.9% female participation goal established by the U.S. Department of Commerce - Economic Development Administration (EDA) grant. The goal is in terms of the Contractor's aggregate workforce in each trade on all construction work (see attached M/WBE-SBE Evaluation). Inland Waters Pollution Control, Inc. had 0% M/WBE participation utilizing workforce personnel and suppliers, and 64.10% SBE participation. Inland Waters Pollution Control, Inc. has provided a Good Faith Effort form, attached.
4. The lowest responsive bidder acknowledged the one (1) addendum.

5. The Contractor holds a valid state contractor's license. A copy of the license information is included. Although the Local Preference Ordinance is not applicable to this EDA funded project, the low bidder is not a local company and has estimated that 65% of the work will be performed by local Palm Beach County companies.
6. The lowest responsive bidder has over 6 years of experience with pipe rehabilitation and will be the prime for that portion of the Contract. The Contractor has listed T.V. Diversified as the subcontractor who will perform the work involving the rehabilitation of the lift stations. T.V. Diversified is a local company which has provided references. Each reference contacted was pleased with the quality of work done.

Based on their lowest bid results, the completeness of their bid package, and the responses of their references the Contract award is recommended to the lowest responsive bidder, Inland Waters Pollution Control, Inc., in the amount not to exceed \$1,892,948 for the base bid, subject to formal approval by the U.S. Department of Commerce - Economic Development Administration (EDA) and the PBC 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.

C: File

# BID TABULATION SHEET

TITLE **Strategic Wastewater Infrastructure Project Sewer Collection – City of Belle Glade**

BID# **10-062**

PAGE **1** OF **1**

02-15-12P03:42 RCVD

POSTED \_\_\_\_\_

02-28-12A11:05 RCVD

REMOVED \_\_\_\_\_

	AKA Services, Inc.		Foster Marine Contractors, Inc.		Hinterland Group, Inc.		Inland Waters Pollution Control			
<b>BASE BID</b>	\$ 2,210,045		\$ 3,134,640		\$ 1,918,320		\$ 1,892,948		\$	
Addendum #1	(Y)	N	(Y)	N	(Y)	N	(Y)	N	Y	N
<b>Attachment #1 BID BOND</b>	(Y)	N	(Y)	N	(Y)	N	(Y)	N	Y	N
Attachment #2 SBE-M/WBE Schedules	(Y)	N	(Y)	N	(Y)	N	(Y)	N	Y	N
Attachment #3 Certification of Business Location	(Y)	N	(Y)	N	(Y)	N	(Y)	N	Y	N
Attachment #4 List of Subcontractors	(Y)	N	(Y)	N	(Y)	N	(Y)	N	Y	N
Attachment #5 Trench Safety	(Y)	N	(Y)	N	(Y)	N	(Y)	N	Y	N

BIDS PICKED UP BY

*[Signature]*

ENGINEER

DATE

2-15-12

BID TABULATION SHEET

### Inland Waters Pollution Control

M/WBE Company Name	Type of Work	SBE	Minority	Women	Supplier	Workforce	Dollar Amount	Count toward M/WBE Goal	Count toward SBE Goal	Percent Participation
Dennis J. Leavy & Assoc.	land surveying	x				x	\$59,960.00		\$59,960.00	
Rangeline	survey services	x				x	\$6,885.00		\$6,885.00	
T.V. Diversified, Inc.	lift stations	x				x	\$1,136,473.00		\$1,136,473.00	
Total Dollar Amount of Contract							\$1,892,948.00			
Total Certified Minority Workforce Participation							\$0.00			0.00%
Total Certified Female Workforce Participation							\$0.00			0.00%
Total M/WBE Supplier Participation										0.00%
Total SBE Workforce							\$1,213,318.00			64.10%
Total SBE Supplier										

### Hinterland

M/WBE Company Name	Type of Work	SBE	Minority	Women	Supplier	Workforce	Dollar Amount	Count toward M/WBE Goal	Count toward SBE Goal	Percent Participation
Adelmy	concrete slabs & misc	x				x	\$24,000		\$24,000	
Lawrence Fence	fencing	x		x		x	\$23,625	\$23,625	\$23,625	
Corcel Corp	line repairs - lift station piping		x	x		x	\$87,500	\$87,500		
L&L Worldwide	lift station materials			x	x		\$400,000			
Total Dollar Amount of Contract							\$1,918,320			
Total Certified Minority Workforce Participation							\$87,500			4.56%
Total Certified Female Workforce Participation							\$111,125			5.79%
Total M/WBE Supplier Participation							\$400,000			20.85%
Total SBE Workforce							\$47,625			2.48%
Total SBE Supplier							\$0			0.00%

### AKA

M/WBE Company Name	Type of Work	SBE	Minority	Women	Supplier	Workforce	Dollar Amount	Count toward M/WBE Goal	Count toward SBE Goal	Percent Participation
All Lake Elect	Electrical	x				x	\$90,849		\$90,849	
Dennis J. Leavy	Surveying	x				x	\$69,960		\$69,960	
Total Dollar Amount of Contract							\$2,210,045			
Total Certified Minority Workforce Participation							\$0			0.00%
Total Certified Female Workforce Participation							\$0			0.00%
Total M/WBE Supplier Participation							\$0			0.00%
Total SBE Workforce							\$160,809			7.28%
Total SBE Supplier										0.00%

### Foster Marine

M/WBE Company Name	Type of Work	SBE	Minority	Women	Supplier	Workforce	Dollar Amount	Count toward M/WBE Goal	Count toward SBE Goal	Percent Participation
E&N Construction	Lift Station	x	x	x		x	\$664,883	\$664,883	\$664,883	
Concrete Experts	concrete	x	x			x	\$45,670	\$45,670	\$45,670	
L&L Worldwide	piping, misc., generator			x		x	\$223,550	\$223,550		
Total Dollar Amount of Contract							\$3,134,640			
Total Certified Minority Workforce Participation							\$710,553			22.67%
Total Certified Female Workforce Participation							\$223,550			7.13%
Total M/WBE Supplier Participation							\$0			0.00%
Total SBE Workforce							\$710,553			22.67%
Total SBE Supplier										0.00%



**ATTACHMENT NO. 3 TO BID FORM**

**MBE/WBE Good Faith Efforts**

**PROJECT NUMBER: 10-062**

**PROJECT NAME: Strategic Wastewater Infrastructure Project  
Sewer Collection - City of Belle Glade**

In accordance with the requirements for federally funded projects Requirements the Federal regulation 41CFR 60-4 refers to contracting with small and minority firms, women's business enterprise and labor surplus area firms. The goal for minority participation for each trade is 22.4%. The goal for female participation in each trade is 6.9%. If the goal is not met the contractor shall list the affirmative steps taken to utilize minority firms, women's business enterprises, and labor surplus area firms. Please answer the questions below and attach all documentation

1. Were qualified small and minority businesses and women's business enterprises included on solicitation lists?

*Yes*

2. List actions taken to solicit small and minority businesses, and women's business:

*Phone calls*

3. Was dividing the work and/or supplies into smaller tasks or quantities to permit maximum participation by small and minority business, and women's business enterprises considered?

*Yes*

4. Were the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce utilized?

*No*



STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

CONSTRUCTION INDUSTRY LICENSING BOARD  
1940 NORTH MONROE STREET  
TALLAHASSEE FL 32399-0783

(850) 487-1395

OSZUST, DENNIS  
INLAND WATERS POLLUTION CONTROL INC  
4086 MICHIGAN AVE  
DETROIT MI 48210

AC# 5059426

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
CONSTRUCTION INDUSTRY LICENSING BOARD

SEQ# L10072901394

DATE	BATCH NUMBER	LICENSE NBR
07/29/2010	1070040450	GGG025991

The GENERAL CONTRACTOR  
Named below IS CERTIFIED

Under the provisions of Chapter 489, FS  
Expiration date: AUG 31, 2012

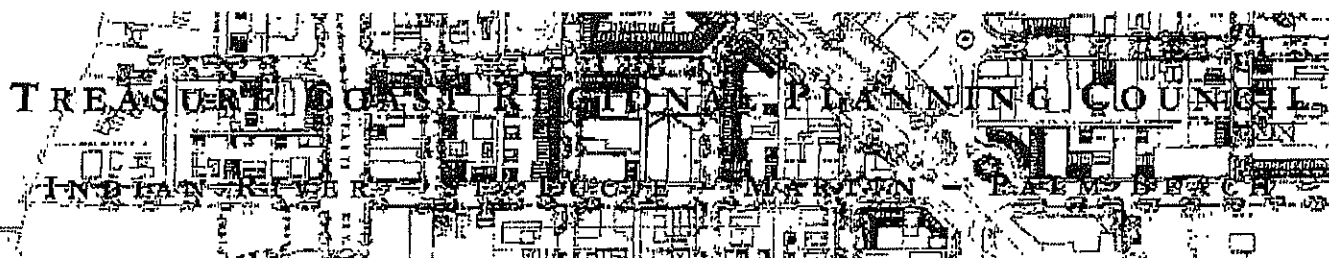
OSZUST, DENNIS  
INLAND WATERS POLLUTION CONTROL INC  
277 GRATIOT AVENUE  
3RD FLOOR  
DETROIT MI 48226



CHARLIE CRIST  
GOVERNOR

CHARLIE LIEM  
SECRETARY

DISPLAY AS REQUIRED BY LAW



Date: March 5, 2012

Asa R. William, E.I., Civil Engineer/Project Manager  
U.S. Department of Commerce  
Economic Development Administration  
Atlanta Regional Office  
401 West Peachtree Street, N.W., suite 1820  
Atlanta, Georgia 30308-3510

RECEIVED

MAR - 7 2012

TREASURE COAST  
REGIONAL PLANNING COUNCIL

Re: EDA Award Number: 04-79-06327  
West Palm Beach, Florida

Subject: **RECOMMENDED AWARD**

Dear Mr. Williams:

On February 15, 2012, sealed bids for the Wastewater Infrastructure Project Sewer Collection - City of Belle Glade portion of the subject-referenced project were opened in public in the presence of the duly authorized representative. Enclosed please find items requested by the EDA Bid Opening Checklist. The proposed recommended contract is

Project Description	Contractor Name	Contract Amount	A/E Estimate
Sewer Collection City of Belle Glade	Inland Waters Pollution Control, Inc.	\$1,892,948	\$2,300,000

We have reviewed the website <http://epls.arnet.gov/> and the recommended firm does not appear on the Federal list of debarred contractors.

Please review the documents, sign below indicating EDA's acceptance, and email a copy of this letter for our records to our project manager, Tish Fox at [tfox@pbewater.com](mailto:tfox@pbewater.com).

Should you require additional information please contact me at (772) 221-4060.

Sincerely,

Greg Vaday, AICP  
Economic Development Coordinator

EDA Concurrence:

Asa R. Williams

Date: 3/7/12

"Regionalism One Neighborhood At A Time" - Est. 1976

421 SW Camden Avenue - Stuart, Florida 34994  
Phone (772) 221-4060 - Fax (772) 221-4067 - [www.tcra.org](http://www.tcra.org)