

MORE THAN 50 PAGES  
AVAILABLE FOR REVIEW AT  
COUNTY ADMINISTRATION

Agenda Item #: 3L3

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM SUMMARY**

**Meeting Date:** June 19, 2012

☒ (X) Consent

☐ ( ) Regular

☐ ( ) Workshop

☐ ( ) Public Hearing

**Department**

**Submitted By:**

Environmental Resources Management

**Submitted For:**

Environmental Resources Management

**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to approve: Contract with Arbor Tree and Land, Inc. in the amount of \$4,431,641 for construction of the FDOT & County Wetland Mitigation Project, Project No. 2012ERM02 for a period of 365 calendar days.

**Summary:** This Project will provide for excavation, trucking, barging and placement of an estimated 180,000 cubic yards of sand and 7,000 tons of rock to create 13 acres of wetlands as mitigation within a portion of Lake Worth Lagoon. Six (6) bids were received for this Project. Arbor Tree and Land, Inc. (ATL), a Palm Beach County company, was the lowest responsive, responsible bidder with 14.92% Small Business Enterprise (SBE) participation. However, the second low bid falls outside the range for the ranking of responsive bidder consideration. ATL has committed to increasing its SBE participation to 17%. Funding for this Project includes \$3,674,983 from Joint Participation Agreement APJ-29 (R2009-0864) with the Florida Department of Transportation (FDOT), \$340,000 from Palm Beach County Engineering Bridges and Crossings Mitigation Project, and \$416,658 from the South Lake Worth Inlet Dredging Project. Districts 3, 7 (JM)

**Background and Justification:** Bids were received through the Department of Environmental Resources Management (ERM) by the Board of County Commissioners on March 20, 2012. The Project consists of filling two (2) dredged holes with clean sand to create mangrove islands and seagrass habitat at Snook Islands and Bryant Park. Rock will be installed to create oyster reefs and stabilize the islands.

**Attachments:**

1. Location Map
2. Contract
3. Bid Evaluation Summary & Bid Tabulation Sheet
4. SBE Compliance Review
5. Budget Availability Statement

**Recommended by:**

  
Department Director

5/30/12  
Date

**Approved by:**

  
County Administrator

6/12/12  
Date

## II. FISCAL IMPACT ANALYSIS

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

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	\$4,431,641	_____	_____	_____	_____
External Revenues	(3,674,983)	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<b>\$756,658</b>	_____	_____	_____	_____
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes X No \_\_\_\_\_

Budget Account No.: Fund 3654 Department 381 Unit E459 Object 3401  
Fund 3500 Department 361 Unit 1001-04 Object 6505  
Fund 3653 Department 381 Unit M703 Object 4630

Program \_\_\_\_\_

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

Florida Department of Transportation \$3,674,983  
Engineering Bridges & Crossings Mitigation \$340,000  
South Lake Worth Inlet Dredging Project \$416,658

### C. Department Fiscal Review:

*JP*

## III. REVIEW COMMENTS

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

*[Signature]* *[Signature]* 6/14/12  
OFMB *JB 5/13* 9/20/12 Contract Development and Control  
6-14-12 *B. Wheeler*

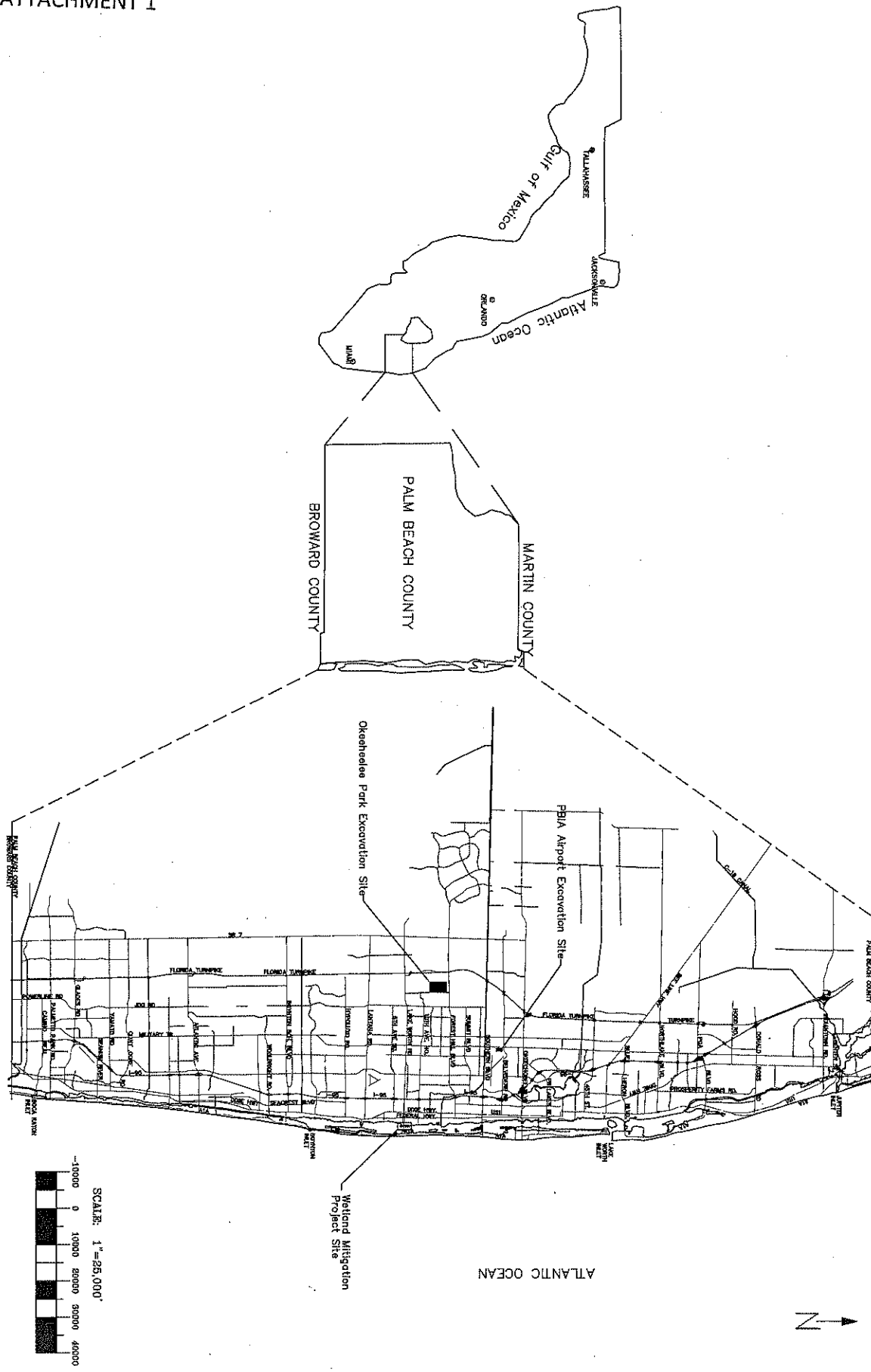
### B. Legal Sufficiency:

*[Signature]* 6/18/12  
Assistant County Attorney

### C. Other Department Review:

\_\_\_\_\_  
Department Director

ATTACHMENT 1



Scale 2 of 17	Project FDOT And Palm Beach County Wetland Mitigation	SEAL	Scale AS NOTED Drawn: DDC Checked: DNY Date: 1/12	Revision 1	By Date	Palm Beach County Florida	PALM BEACH COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT 2300 N. Jog Road, 4th Floor WEST PALM BEACH, FLORIDA (561) 233-2400
	Location and Vicinity Map						

ATTACHMENT 3

**Palm Beach County  
Department of Environmental Resources Management  
Construction Contract Bid Evaluation Summary**

**Project No.:** 2012ERM02

**Project Name:** FDOT & County Wetland Mitigation Project

**Bid Opening:** March 20, 2012

**I. Lowest responsive, responsible bidder:**

Arbor Tree & Land, Inc.

**II. Bidders, ranked from lowest to highest:**

Bidder	Evaluated Bid Amount	SBE Participation	Business Location
1. Arbor Tree & Land, Inc.	\$ 4,431,641.00	14.92%	PBC
2. Eastman Aggregate Enterprises, LLC	\$ 5,454,176.83	15.05%	PBC
3. Shoreline Foundation, Inc.	\$ 5,454,545.99	14.88%	N/E
4. Florida Dredge & Dock, LLC	\$ 6,551,116.30	N/E	N/E

N/E = Not Evaluated

**III. Disqualified bidders:**

Bidder	Reason
1. Center Marine Contracting, LLC	Non-responsible – Lack of appropriate experience
2. Byrd Brothers Emergency Services, LLC	Non-responsible – Lack of appropriate experience

**IV. Alternate Bid Items used to determine Evaluated Bid Amount:**

There are no Alternate Bid items.

**V. Did SBE Participation affect bid ranking?**

No.

**VI. Did Local Preference affect bid ranking?**

No.

**VII. Will Contract Award Amount differ from Evaluated Bid Amount?**

No.

# Palm Beach County

## Department of Environmental Resources Management

### Construction Contract Bid Tabulation

Project No.: 2012ERM02  
 Project Name: FDOT & County Wetland Mitigation Project  
 Bid Opening: March 20, 2012  
 Contract Time: 365 Days

				ERM Estimate		Average of All Bids	Center Marine Contracting, LLC		Arbor Tree & Land, Inc.		Byrd Brothers Emergency Services, LLC	
	BASE BID ITEMS	QUANTITY	UNIT	UNIT COST	TOTAL COST		UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
1	Mobilization / Demobilization	1	LS	\$ 75,000.00	\$ 75,000.00	\$ 347,181.99	\$ 373,160.00	\$ 373,160.00	\$ 287,598.00	\$ 287,598.00	\$ 94,811.76	\$ 94,811.76
2	Contractor Staging Area	1	LS	65,000.00	65,000.00	159,021.56	213,100.00	213,100.00	65,000.00	65,000.00	258,823.53	258,823.53
3	Construction of Haul Roads at Okeeheelee Park South	5,300	LF	7.50	39,750.00	21.02	12.72	67,416.00	43.87	232,511.00	18.87	100,011.00
4	Construction Surveys & As-Built Drawings	1	LS	80,000.00	80,000.00	127,037.73	53,000.00	53,000.00	50,000.00	50,000.00	232,352.94	232,352.94
5	Excavate Fill (from Airport PBA)/Transport/Place Fill	75,000	CY	17.00	1,275,000.00	15.46	9.49	711,750.00	16.00	<b>1,200,000.00</b>	15.04	1,128,000.00
6	Excavate Fill (from Okeeheelee)/Transport/Place Fill	105,000	CY	17.00	1,785,000.00	16.60	9.67	1,015,350.00	16.00	<b>1,680,000.00</b>	15.04	1,579,200.00
7	Final Grading at Fill Sites	180,000	CY	4.00	720,000.00	3.48	1.33	239,400.00	0.50	90,000.00	0.59	106,200.00
8	Armor Stone (1'-3' Diameter Stone)	2,232	TONS	90.00	200,880.00	95.64	72.56	161,953.92	112.00	249,984.00	147.06	328,237.92
9	Armor Stone (0.5'-1.5' Diameter Stone)	4,429	TONS	90.00	398,610.00	86.40	72.56	321,368.24	112.00	496,048.00	135.29	599,199.41
10	Bedding Stone	825	TONS	100.00	82,500.00	68.87	72.56	59,862.00	72.00	59,400.00	111.76	92,202.00
11	12" Pressure-Treated Wood Pilings	2	EA	1,500.00	3,000.00	3,848.87	795.00	1,590.00	2,000.00	4,000.00	5,882.35	11,764.70
12	Spartina	3,000	EA	3.00	9,000.00	4.55	1.59	4,770.00	5.70	17,100.00	12.94	38,820.00
BASE BID				\$4,733,740.00			\$ 3,222,720.16		\$ 4,431,641.00		\$ 4,569,623.26	

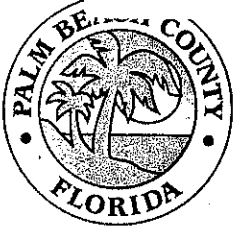
**Palm Beach County**  
**Department of Environmental Resources Management**  
**Construction Contract Bid Tabulation**

**Project No.:** 2012ERM02  
**Project Name:** FDOT & County Wetland Mitigation Project  
**Bid Opening:** March 20, 2012  
**Contract Time:** 365 Days

				Eastman Aggregate Enterprises, LLC		Shoreline Foundation, Inc.		Florida Dredge & Dock, LLC	
	BASE BID ITEMS	QUANTITY	UNIT	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
1	Mobilization / Demobilization	1	LS	\$164,462.50	\$ 164,462.50	\$255,270.00	\$ 255,270.00	\$907,789.68	\$ 907,789.68
2	Contractor Staging Area	1	LS	89,478.75	89,478.75	204,967.06	204,967.06	122,760.00	122,760.00
3	Construction of Haul Roads at Okeeheelee Park South	5,300	LF	10.50	<b>55,650.00</b>	20.11	106,583.00	20.06	106,318.00
4	Construction Surveys & As-Built Drawings	1	LS	103,695.00	103,695.00	161,178.42	161,178.42	162,000.00	162,000.00
5	Excavate Fill (from Airport PBI A)/Transport/Place Fill	75,000	CY	23.10	<b>1,732,500.00</b>	21.14	1,585,500.00	7.99	599,250.00
6	Excavate Fill (from Okeeheelee)/Transport/Place Fill	105,000	CY	23.18	<b>2,433,900.00</b>	26.21	2,752,050.00	9.52	999,600.00
7	Final Grading at Fill Sites	180,000	CY	1.66	<b>298,800.00</b>	0.11	19,800.00	16.66	2,998,800.00
8	Armor Stone (1'-3' Diameter Stone)	2,232	TONS	71.56	<b>159,721.92</b>	53.79	120,059.28	116.87	260,853.84
9	Armor Stone (0.5'-1.5' Diameter Stone)	4,429	TONS	73.92	<b>327,391.68</b>	46.82	207,365.78	77.82	344,664.78
10	Bedding Stone	825	TONS	80.62	<b>66,511.50</b>	29.45	24,296.25	46.80	38,610.00
11	12" Pressure-Treated Wood Pilings	2	EA	9,067.74	18,135.48	4,148.10	8,296.20	1,200.00	2,400.00
12	Spartina	3,000	EA	1.31	<b>3,930.00</b>	3.06	9,180.00	2.69	8,070.00
<b>BASE BID</b>				<b>\$ 5,454,176.83</b>		<b>\$ 5,454,545.99</b>		<b>\$ 6,551,116.30</b>	

This tabulation is not a recommendation for award. All bids are subject to compliance review and approval.  
 Numbers in ***bold italic*** indicate a calculation correction.

Attachment 4



Office of  
Small Business Assistance  
50 South Military Trail, Suite 202  
West Palm Beach, FL 33415  
(561) 616-6840  
Fax: (561) 616-6850  
www.pbcgov.com/osba

**Palm Beach County  
Board of County  
Commissioners**

Shelley Vana, Chair

Steven L. Abrams, Vice Chairman

Karen T. Marcus

Paulette Burdick

Burt Aaronson

Jess R. Santamaria

Priscilla A. Taylor

**County Administrator**

Robert Weisman

ENV. RES. MGMT.  
Env. Res. & Restoration  
Natural Resources Stewardship  
Resources Protection  
Mosquito Control  
Finance & Support Services  
Director  
Deputy Director  
Office

**DATE:** April 18, 2012  
**TO:** Daniel Bates - Deputy Director  
Department of Environmental Resource Management  
**THROUGH:** Tonya Davis Johnson - Director, Palm Beach  
County Office of Small Business Assistance  
**FROM:** Tanoy Williams, Compliance Specialist II  
**SUBJECT:** <sup>1</sup>Revised Compliance Review on Project No.  
2012ERM02 FDOT & County Wetland Mitigation

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

**LOW BIDDER:** ARBOR TREE AND LAND, INC.  
5796 WESTERN WAY  
LAKE WORTH, FL 33463  
**Bid Amount:** \$4,431,641.00  
**Goal:** 15% Overall  
**Goal Achieved:** 14.92%

**SBE Participation:**

(SB) <sup>2</sup> Avirom	\$ 41,150.00	0.92%
(HB) Southern Trans.	\$620,429.74	14.00%
	<u>\$661,579.75</u>	<u>14.92%</u>

**2<sup>ND</sup> LOW BIDDER:** EASTMAN AGGREGATE ENTERPRISES, LLC  
3705 Bellevue Avenue  
Lake Worth, FL 33461  
561-969-7147  
**Bid Amount:** \$5,453,280.36  
**Goal:** 15% Overall  
**Goal Achieved:** 15.05%



(SB)

**SBE Participation:**

Eastman \$820,869.00 15.05%

**3<sup>RD</sup> LOW BIDDER:**

**SHORELINE FOUNDATION, INC.**

2781 SW 56<sup>th</sup> Avenue  
Pembroke Park, FL 33023  
954-985-0460

Bid Amount: \$5,454,545.99

Goal: 15% Overall

Goal Achieved: 14.88%

**SBE Participation:**

(BL)	OC Unlimited	\$693,131.90	12.70%
(SB)	Sea Diversified	\$119,000.00	2.18%
(WB)	<sup>3</sup> Scheda Ecological	\$ 0.00	0.00%
		<b>\$812,131.90</b>	<b>14.88%</b>

**EVALUATION**

The low bidder **ARBOR TREE AND LAND, INC.** has not met the SBE goal for this project.

The second low bidder, **EASTMAN AGGREGATE ENTERPRISES, LLC** has met the SBE goal for this project but falls outside the range for ranking of responsive bidders.

c: Tammy Fields, Assistant County Attorney  
File

<sup>1</sup> Center Marine Contracting, LLC and Byrd Brothers Emergency Services, LLC have been deemed non-responsible by Environmental Resource Management.

<sup>2</sup> Prime on its revised Schedule 1 said it subcontractor Avirom would be doing 1% of the work. However, on Avirom's Schedule 2, the dollar amount of \$41,150 came to 0.92%. The County does not round up.

<sup>3</sup> Scheda Ecological is not SBE certified for the services listed on its Schedule 2 so I cannot utilize the dollar amount for SBE participation.



Attachment 5

**INTEROFFICE COMMUNICATION  
PALM BEACH COUNTY  
BUDGET AVAILABILITY STATEMENT**

**DATE:** May 21, 2012

**TO:** Robert Robbins, Director  
Environmental Resources Management

**FROM:** Alexis T. Willhite, Director  
Administrative Services  
Engineering & Public Works *A. Willhite*

**CC:** Kristine A. Frazell-Smith, Project Engineer  
Roadway Production  
Engineering & Public Works

**RE:** Palm Beach County Intracoastal Waterway Crossing  
Project # N/A  
Environmental Resources Management  
Seagrass and Mangrove Mitigation  
Phase III - Construction \$340,000.00

**BOARD MEETING DATE:** June 19, 2012

**FISCAL IMPACT LOCATION:** F:\COMMON\WP\AgendaPage2\ N/A,

**FUNDING STATUS:** FULLY FUNDED

---

Is Item Included in Current Budget? Yes ☒ No

**Budget Account No:**

Fund 3500 Dept 361 Unit 1001-04 Object 6509

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

Transportation Improvement Fund  
Intracoastal Waterway Crossing  
ERM Seagrass and Mangrove Mitigation

Phase III - Construction \$340,000.00

Please submit billing to Kristine A. Frazell-Smith, Project Engineer, in Roadway Production for signature before processing charge off documents.