

Agenda Item is over 50 pages and can
be viewed in the Minutes Department

Agenda Item #: 3-C-2

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: April 2, 2013

☒ Consent

☐

Regular

☐ Workshop

☐

Public Hearing

Department:

Submitted By: Engineering & Public Works

Submitted For: Roadway Production Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: A contract with Johnson-Davis, Inc. (Johnson) in the amount of \$155,880 for the construction of Nautical Way (Hypoluxo Village) drainage improvements (Project).

SUMMARY: Approval of this contract will allow Palm Beach County to issue a notice to proceed to Johnson, a Palm Beach County company, to begin construction of the Project. The Small Business Enterprise (SBE) goal for the Project is 15%. The SBE participation proposed for the Project by Johnson is 15.55%. The award recommendation to Johnson, the second low bidder, is based on the 5% local preference requirement. Use of the local preference will increase the cost of the project by \$3,110.20.

District 3 (MRE)

Background and Justification: Bids for the Project were received by the Engineering Department on December 11, 2012. Johnson was the second lowest responsive, responsible bidder. The lowest responsive, responsible bidder is not a local business. Since Johnson is a local business and their bid was within 5% of the low bid, award to Johnson is recommended per the local preference in purchasing ordinance. The Office of Small Business Assistance issued its Compliance Review on January 28, 2013. Time to complete all work under this contract shall be no more than 90 calendar days.

Attachments:

1. Location Sketch
2. Contracts
3. Contract Pages C-1 and C-2
4. SBE Compliance Review
5. Bid Tabulation

Recommended by:

Ornelis A. Fernandez
Division Director

Date

3/19/13

Approved By:

S. J. Webb
County Engineer

Date

3/20/13

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures	<u>\$175,107</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>(\$ 6,855)</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>\$168,252</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE					
POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes X No

Budget Account No:

Fund 3900	Dept 364	Unit M120	Object 6551	\$168,252.00
Fund 3900	Dept 364	Unit M120	Object 8101	\$ 6,855.00

Recommended Sources of Funds/Summary of Fiscal Impact:

Capital Outlay Fund
Nautical Way Drainage Improvements

Construction Contract	\$ 155,880.00
Contingency	\$ 4,677.00
Testing Lab	\$ 2,500.00
Traffic Signalization & Striping	\$ 1,000.00
Staff Costs -	
Roadway Production	\$ 3,100.00
Survey	\$ 1,550.00
Construction Coordination	\$ 6,200.00
Traffic	\$ 200.00
Total Cost	\$ 175,107.00
Utility Reimbursement	\$ (6,855.00)
Total Fiscal Impact	\$ 168,252.00

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

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

OFMB *3/1/2013*
2/28/13

3/18/13
Contract Dev. and Control
3-18-13 B. [unclear]

**B. Approved as to Form
and Legal Sufficiency:**

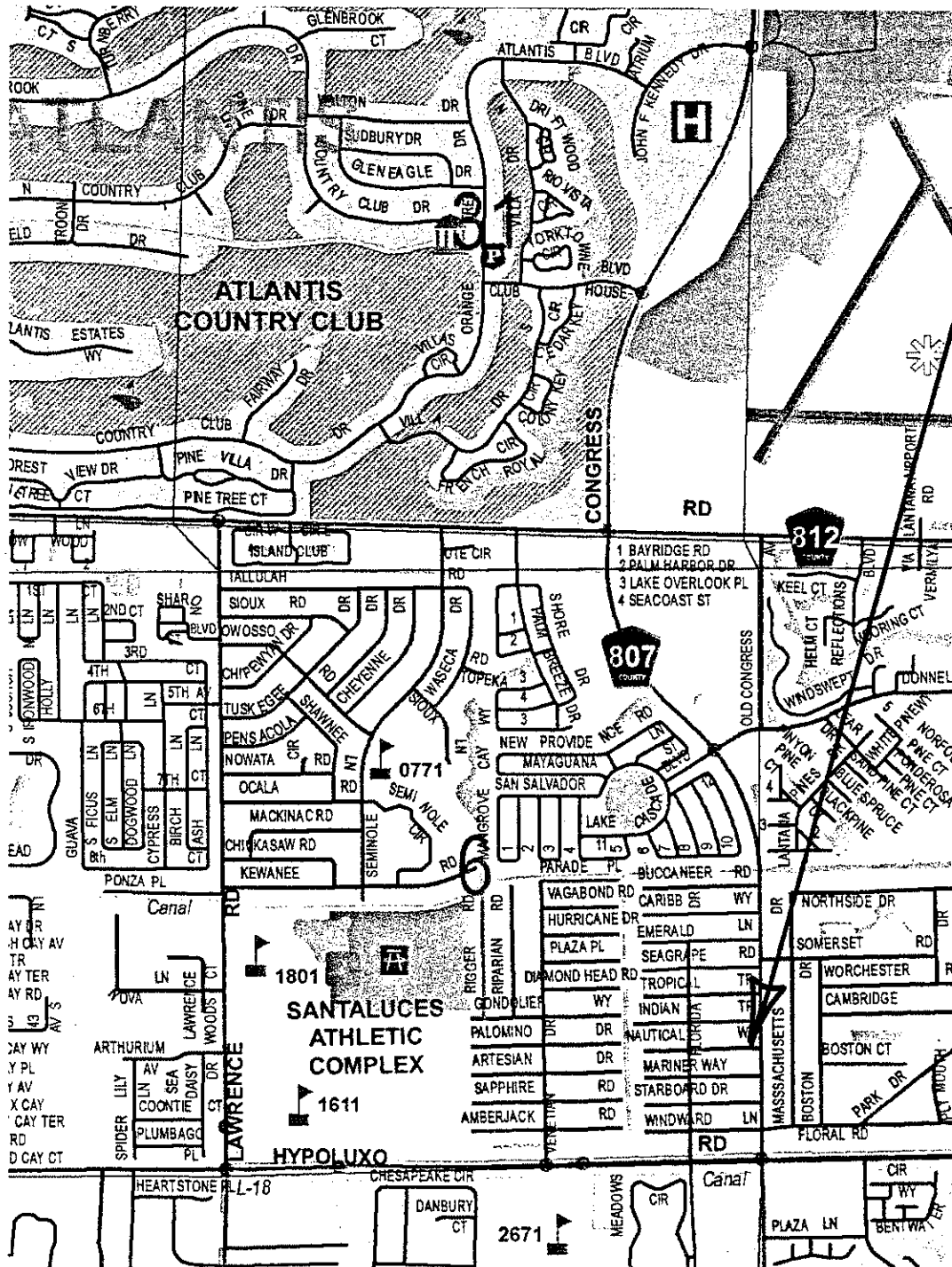
Marlene R. Pitt 2/19/13
Assistant County Attorney

C. Other Department Review:

Department Director

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

PROJECT LOCATION
NAUTICAL WAY (HYPOLUXO VILLAGE)
DRAINAGE IMPROVEMENTS
PALM BEACH COUNTY PROJECT NO. 2008056



LOCATION SKETCH

CONTRACT

STATE OF FLORIDA)

) SS

COUNTY OF PALM BEACH)

This Contract, made this ____ day of _____, A.D. 2013, by and between PALM BEACH COUNTY, a Political Subdivision of the State of Florida, (hereinafter called the party of the first part), and Johnson-Davis, Inc. of West Palm Beach, Florida, and their heirs, executors, administrators and assigns, (hereinafter called the party of the second part):

WITNESSETH: The party of the second part agrees with the said party of the first part, for the consideration herein mentioned at their own proper cost and expense to do all the work and furnish all necessary labor, materials, equipment, machinery, tools, apparatus, services, state workmen's compensation and unemployment compensation taxes incurred in the performance of the contract, and means of transportation for the complete construction of:

PROJECT NAME: NAUTICAL WAY (HYPOLUXO VILLAGE)
DRAINAGE IMPROVEMENTS

PROJECT NO.: 2008056

IN THE AMOUNT OF:

ONE HUNDRED FIFTY FIVE THOUSAND, EIGHT HUNDRED EIGHTY DOLLARS 00/100
(IN WORDS)

\$155,880.00
(IN FIGURES)

in Palm Beach County, Florida, in the manner and to the full extent as set forth in the Contract Documents therefore and the Contract Documents relative thereto, are made a part of this Agreement as completely as if set forth herein, to the satisfaction of the party of the first part, or its duly authorized representative.

The said party of the second part further agrees for the consideration herein mentioned to commence the work with adequate forces and equipment within fourteen (14) calendar days of the date set forth in the "Notice to Proceed". The time limit for the completion of all work under this contract shall be (90) ninety calendar days, (see Special Provisions). The date fixing this period upon the calendar shall be established and stated in the "Notice to Proceed". After commencement of the work, it shall be properly dispatched toward completion, to the satisfaction of the Engineer, and shall be fully completed within the time limit. It is understood and agreed that the time limit for completion of said work is the essence of the contract and should the contractor fail to complete the work within the time limit, it is agreed that for such calendar day that any work provided for in these Contract Documents shall remain incomplete after the time limit has expired, including any official extension of the time limit; the sum per day given in the contained schedules shall be deducted from monies due the Contractor, not as a penalty, but as liquidated damages (in accordance with Section 8-10.2 of the Standard Specifications) and added expense for supervision.

The Contractor shall take into account all contingent work which has to be done by other parties arising from any cause whatsoever, and shall not plead his want of knowledge of such contingent work as an excuse for delay in his work, or for its non-performance.

IN WITNESS WHEREOF, the parties have caused this Contract to be executed and sealed the day and year first written above.

ATTEST:

SHARON R. BOCK,
Clerk & Comptroller

PALM BEACH COUNTY, FLORIDA, a
Political Subdivision of the
State of Florida

BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Steven L. Abrams, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

(witness signature)

CHRIS JOHNSON
(witness name printed)

(witness signature)

LARRY DICK PELLEY
(witness name printed)

By Ornel G. Fernandez
APPROVED AS TO TERMS
AND CONDITIONS

JOHNSON-DAVIS INC.
(Corporate Name)

a Florida corporation
(insert state of incorporation)

By [Signature]
(signature)

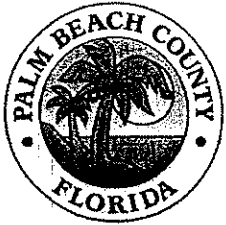
ROBERT R. BOHNER
(print signatory's name)

Its VICE PRESIDENT
(print title)

(date of execution)

(Corporate Seal)





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/sosba

**Palm Beach County
Board of County
Commissioners**

Steven L. Abranis, Chairman
Priscilla A. Taylor, Vice Chair
Hal R. Valeche
Paulette Burdick
Shelley Vana
Mary Lou Berger
Jess R. Santamaria

County Administrator
Robert Weisman

DATE: January 28, 2013
TO: David Young, P.E., Special Projects Manager
Roadway Production Division
Through: Allen Gray, Manager - Office of Small Business Assistance *Allen Gray*
FROM: Tanoy Williams, Compliance Specialist II *TW*
SUBJECT: Compliance Review on Project No. 2008056
Nautical Way (Hypoluxo Village) Drainage
Improvements

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

LOW BIDDER: EVERGLADES CONTRACTING, LLC
1000 West McNab Road
Fort Lauderdale, FL
954-788-9070
Phone:
Bid Opening: December 11, 2012
Bid Amount: \$145,914.80
Goal: 15% Overall
Goal Achieved: 15.07%

SBE Participation:

(SB) Perimeter Surveying	\$ 4,400.00	3.01%
(BL) Odums Sod, Inc.	\$ 3,805.20	2.61%
(HB) Tru Trucking	<u>\$13,795.00</u>	<u>9.45%</u>
	\$ 22,000.20	15.07%

2nd Low Bidder: **JOHNSON DAVIS, INC.**
 604 Hillbrath Dr.
 Lantana, FL 33462

Phone: 561-588-1170
 Bid Amount: \$152,480.00
 Goal: **15% Overall**
 Goal Achieved: **15.55%**

SBE Participation:

(WB) Birds Eye View	\$ 530.00	0.35%
(WB) Pathway	\$ 6,630.00	4.34%
(BL) Odums Sod	\$ 3,533.40	2.32%
(HB) Tru Trucking	\$10,750.00	7.05%
(SB) Michael B. Schorah	<u>\$ 2,280.00</u>	<u>1.49%</u>
	\$23,723.40	15.55%

3rd Low Bidder: **CHARLES S. WHITESIDE**
 250 Truck & Trailer Way
 West Palm Beach, FL 33413
 Phone: 561-471-7696
 Bid Amount: \$151,297.92
 Goal Achieved: **55.25%**

SBE Participation:

(SB) Charles S. Whiteside	\$ 76,968.00	50.87%
(WB) Pathway	<u>\$ 6,630.00</u>	<u>4.38%</u>
	\$ 83,598.00	55.25%

EVALUATION

The low bidder, **EVERGLADES CONTRACTING, LLC**,
 has met the SBE goal for this project.

cc: Tammy Fields, Chief Assistant County Attorney
 File

**NAUTICAL WAY (HYPOLUXO VILLAGE)
DRAINAGE IMPROVEMENTS
P.B.C. PROJECT # 2008056**

Attachment 5

EVERGLADES CONTRACTING, LLC						JOHNSON-DAVIS INC.		CHARLES S. WHITESIDE, INC.		AVERAGE OF BID ITEMS	ENGINEERS ESTIMATE	
	ITEM DESCRIPTION	QTY	UNITS	UNIT PRICE	AMOUNT		UNIT PRICE	AMOUNT				
	REGULAR ROADWAY ITEMS											
1	MOBILIZATION	1	LS	\$22,300.00	\$22,300.00		\$4,900.00	\$4,900.00		\$1,500.00	\$1,500.00	\$9,569.37 \$13,500.00
2	MAINTENANCE OF TRAFFIC (INCL. PEDESTRIAN M.O.T.)	1	LS	\$2,100.00	\$2,100.00		\$2,000.00	\$2,000.00		\$1,400.00	\$1,400.00	\$3,266.21 \$5,800.00
3	CLEARING AND GRUBBING	1	LS	\$1,950.00	\$1,950.00		\$5,000.00	\$5,000.00		\$27,000.00	\$27,000.00	\$8,820.58 \$7,500.00
4	GRADING	1	LS	\$9,000.00	\$9,000.00		\$5,000.00	\$5,000.00		\$18,627.00	\$18,627.00	\$8,049.42 \$3,500.00
5	MILL EXISTING ASPHALT PAVEMENT (1.00")	1,380	SY	\$5.15	\$7,107.00		\$5.00	\$6,900.00		\$6.95	\$9,591.00	\$6.33 \$3.00
6	TYPE S-I ASPHALTIC CONCRETE (1 .50") (INCL. TACK COAT)	125.0	TN	\$136.50	\$17,062.50		\$140.00	\$17,500.00		\$139.00	\$17,375.00	\$164.53 \$150.00
7	TYPE S ASPHALTIC CONCRETE OVERBUILD (1.50 " AVG.)(INCL. TACK	25.0	TN	\$136.50	\$3,412.50		\$170.00	\$4,250.00		\$175.00	\$4,375.00	\$198.85 \$129.00
8	CONCRETE DRIVEWAY (VARIES 6" to 8" THICK)	170	SY	\$45.55	\$7,743.50		\$60.00	\$10,200.00		\$39.00	\$6,630.00	\$54.21 \$41.00
9	A2000 (PVC PIPE) (18")	175	LF	\$54.60	\$9,555.00		\$80.00	\$14,000.00		\$46.00	\$8,050.00	\$68.91 \$35.00
10	A2000 (PVC PIPE) (24")	582	LF	\$70.40	\$40,972.80		\$90.00	\$52,380.00		\$52.56	\$30,589.92	\$75.31 \$42.00
11	BIT. COATED CORR. STEEL PIPE CULVERT (24")	20	LF	\$180.00	\$3,600.00		\$90.00	\$1,800.00		\$148.00	\$2,960.00	\$168.78 \$45.00
12	SODDING	1,510	SY	\$2.65	\$4,001.50		\$5.00	\$7,550.00		\$2.50	\$3,775.00	\$3.76 \$3.50
13	INLETS (DITCH BOTTOM) (TYPE C)	5	EA	\$1,880.00	\$9,400.00		\$2,400.00	\$12,000.00		\$2,240.00	\$11,200.00	\$2,393.07 \$5,200.00
14	INLETS (DITCH BOTTOM) (TYPE D)	2	EA	\$2,360.00	\$4,720.00		\$3,000.00	\$6,000.00		\$2,600.00	\$5,200.00	\$2,847.18 \$5,300.00
15	INLET (GUTTER) (TYPE V)	1	EA	\$2,990.00	\$2,990.00		\$3,000.00	\$3,000.00		\$3,025.00	\$3,025.00	\$3,016.64 \$5,400.00
	TOTAL REGULAR ROADWAY ITEMS				\$145,914.80			\$152,480.00		\$151,297.92		
	CONTINGENCY PAY ITEMS											
16	SUPPORT & PROTECT UTILITY 4" WATER MAIN	30	LF	\$21.00	\$630.00		\$10.00	\$300.00		\$30.00	\$900.00	\$37.44 \$15.00
17	SUPPORT & PROTECT UTILITY 6" WATER MAIN	40	LF	\$45.00	\$1,800.00		\$10.00	\$400.00		\$30.00	\$1,200.00	\$41.12 \$20.00
18	SUPPORT & PROTECT UTILITY 8" WATER MAIN	20	LF	\$96.00	\$1,920.00		\$20.00	\$400.00		\$30.00	\$600.00	\$64.52 \$25.00
19	DEFLECT WATER SERVICE CONNECTION	3	EA	\$135.00	\$405.00		\$500.00	\$1,500.00		\$30.00	\$90.00	\$1,134.24 \$150.00
20	SUPPORT & PROTECT UTILITY SERVICES	100	LF	\$21.00	\$2,100.00		\$8.00	\$800.00		\$20.00	\$2,000.00	\$26.70 \$10.00
	TOTAL CONTINGENCY ITEMS				\$6,855.00			\$3,400.00		\$4,790.00	+	
	TOTAL BID				\$152,769.80			\$155,880.00		\$156,087.92	+	

**NAUTICAL WAY (HYPOLUXO VILLAGE)
DRAINAGE IMPROVEMENTS
P.B.C. PROJECT # 2008056**

Attachment 5

				ROSSO PAVING & GRADING INC.		FOSTER MARINE CONTRACTORS, INC.		SOUTHERN UNDERGROUND INDUSTRIES, INC.		F. H. PASCHEN, S N NIELSEN & ASSOCIATES	
	ITEM DESCRIPTION	QTY	UNITS								
	REGULAR ROADWAY ITEMS										
1	MOBILIZATION	1	LS	\$5,320.00	\$5,320.00	\$12,015.00	\$12,015.00	\$11,500.00	\$11,500.00	\$9,450.62	\$9,450.62
2	MAINTENANCE OF TRAFFIC (INCL. PEDESTRIAN M.O.T.)	1	LS	\$2,271.11	\$2,271.11	\$9,200.00	\$9,200.00	\$1,894.00	\$1,894.00	\$3,998.34	\$3,998.34
3	CLEARING AND GRUBBING	1	LS	\$9,011.35	\$9,011.35	\$3,300.00	\$3,300.00	\$8,213.00	\$8,213.00	\$7,269.71	\$7,269.71
4	GRADING	1	LS	\$8,412.30	\$8,412.30	\$3,800.00	\$3,800.00	\$7,266.00	\$7,266.00	\$4,240.66	\$4,240.66
5	MILL EXISTING ASPHALT PAVEMENT (1.00")	1,380	SY	\$8.38	\$11,564.40	\$8.10	\$11,178.00	\$6.00	\$8,280.00	\$4.73	\$6,527.40
6	TYPE S-I ASPHALTIC CONCRETE (1 .50") (INCL. TACK COAT)	125.0	TN	\$199.50	\$24,937.50	\$187.00	\$23,375.00	\$155.00	\$19,375.00	\$194.73	\$24,341.25
7	TYPE S ASPHALTIC CONCRETE OVERBUILD (1.50 " AVG.)(INCL. TACK	25.0	TN	\$252.70	\$6,317.50	\$308.00	\$7,700.00	\$155.00	\$3,875.00	\$194.73	\$4,868.25
8	CONCRETE DRIVEWAY (VARIES 6" to 8" THICK)	170	SY	\$51.87	\$8,817.90	\$75.00	\$12,750.00	\$63.00	\$10,710.00	\$45.04	\$7,656.80
9	A2000 (PVC PIPE) (18")	175	LF	\$58.05	\$10,158.75	\$70.00	\$12,250.00	\$77.00	\$13,475.00	\$96.70	\$16,922.50
10	A2000 (PVC PIPE) (24")	582	LF	\$73.48	\$42,765.36	\$71.00	\$41,322.00	\$85.00	\$49,470.00	\$84.70	\$49,295.40
11	BIT. COATED CORR. STEEL PIPE CULVERT (24")	20	LF	\$219.45	\$4,389.00	\$195.00	\$3,900.00	\$87.00	\$1,740.00	\$262.04	\$5,240.80
12	SODDING	1,510	SY	\$3.74	\$5,647.40	\$2.50	\$3,775.00	\$6.00	\$9,060.00	\$3.93	\$5,934.30
13	INLETS (DITCH BOTTOM) (TYPE C)	5	EA	\$2,480.45	\$12,402.25	\$2,230.00	\$11,150.00	\$2,307.00	\$11,535.00	\$3,214.06	\$16,070.30
14	INLETS (DITCH BOTTOM) (TYPE D)	2	EA	\$3,112.20	\$6,224.40	\$2,275.00	\$4,550.00	\$3,369.00	\$6,738.00	\$3,214.06	\$6,428.12
15	INLET (GUTTER) (TYPE V)	1	EA	\$3,710.70	\$3,710.70	\$2,320.00	\$2,320.00	\$3,420.00	\$3,420.00	\$2,650.75	\$2,650.75
	TOTAL REGULAR ROADWAY ITEMS				\$161,949.92		\$162,585.00		\$166,551.00		\$170,895.20
	CONTINGENCY PAY ITEMS										
16	SUPPORT & PROTECT UTILITY 4" WATER MAIN	30	LF	\$13.39	\$401.70	\$65.00	\$1,950.00	\$50.00	\$1,500.00	\$72.70	\$2,181.00
17	SUPPORT & PROTECT UTILITY 6" WATER MAIN	40	LF	\$16.28	\$651.20	\$69.00	\$2,760.00	\$60.00	\$2,400.00	\$57.55	\$2,302.00
18	SUPPORT & PROTECT UTILITY 8" WATER MAIN	20	LF	\$21.79	\$435.80	\$106.00	\$2,120.00	\$70.00	\$1,400.00	\$107.83	\$2,156.60
19	DEFLECT WATER SERVICE CONNECTION	3	EA	\$724.50	\$2,173.50	\$695.00	\$2,085.00	\$100.00	\$300.00	\$5,755.18	\$17,265.54
20	SUPPORT & PROTECT UTILITY SERVICES	100	LF	\$8.66	\$866.00	\$32.00	\$3,200.00	\$50.00	\$5,000.00	\$47.25	\$4,725.00
	TOTAL CONTINGENCY ITEMS				\$4,528.20		\$12,115.00		\$10,600.00		\$28,630.14
	TOTAL BID				\$166,478.12		\$174,700.00		\$177,151.00		\$199,525.34

NAUTICAL WAY (HYPOLUXO VILLAGE)
DRAINAGE IMPROVEMENTS
P.B.C. PROJECT # 2008056

THE ITEMS AND QUANTITIES ABOVE, SHALL GOVERN OVER THE PLANS.
PAY ITEM FOOTNOTES IN CONSTRUCTION PLANS SHALL ALSO BE INCLUDED IN ITEM UNIT PRICE.
MOT SHALL INCLUDE THE COST OF ANY TEMPORARY PAVEMENT, TEMPORARY CONC. BARRIERS, TEMPORARY WIRE FACED WALL, ETC. AS REQUIRED.
12" COMPACTED SUBGRADE SHALL BE INCIDENTAL TO THE COST OF DRIVEWAY CONSTRUCTION .
ALL STRUCTURE BOXES ARE 10 FEET OR LESS IN DEPTH, UNLESS OTHERWISE NOTED.
CONTRACTOR IS RESPONSIBLE FOR "TRENCH SAFETY COMPLIANCE" IN ACCORDANCE WITH THE SPECIAL PROVISIONS.
SODDING - SHALL BE IN ACCORDANCE WITH THE GENERAL PROVISIONS OF THESE SPECIFICATIONS (SECT. 575)
HEDGE REMOVAL & DISPOSAL (AS REQUIRED) SHALL BE INCLUDED IN THE COST OF "CLEARING & GRUBBING", LS.
ITEM NO. 3, CLEARING AND GRUBBING; REMOVAL, STORAGE AND RESETTING OF EXISTING FENCES, POSTS AND GATES SHALLBE INCIDENTAL TO THE PAY ITEM.
ITEM NO. 4 "GRADING" INCLUDES THE GRADING OF SWALES, ROADWAYS, DRIVEWAYS, ANY EXCAVATION AND EMBANKMENT, AND FINAL GRADING ON THE PROJECT AS INDICATED ON THE PLANS.
ITEM NO. 8, "CONCRETE DRIVEWAYS" INCLUDES 12" COMPACTED SUBGRADE (AS RQD).
ITEM NO. 9 & 10, INCLUDES RESTORATION OF FLEXIBLE PAVEMENT FOR PAVEMENT CUT.
ITEM NO. 11, INCLUDES CONCRETE JACKET FOR DISSIMILAR PIPE MATERIALS, FDOT INDEX 280.

+

Indicates a discrepancy/error in the item quantity/amount.

Indicates a NON-LOCAL bidder.

Days to Complete: NINETY (90) calendar days.

Bids as read at opening of Tuesday,December 11,2012; 2PM

All bids subject to OSBA SBE compliance and Board Approval.

Opened & Prepared by: Joseph M. Totino, Project Coordinator II

Checked by: David Young, P.E., Special Project Program Manager