

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: December 17, 2013

Consent [X]
Public Hearing []

Regular []

Department: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a Contract with Anatom Construction Company for the Northern Region Operations Center (NROC) Initial Operations & Maintenance (O&M) Building in the amount of \$1,683,729.

Summary: On August 6, 2013, seven (7) bids were received for Project No. WUD 11-012 to construct the initial O&M Building. The O&M building will replace the temporary office trailer currently on the site and serve as a base for the field crews and customer service necessary to serve the Northern Region area. The low bidder, Anatom Construction Company, is the lowest responsive, responsible bidder in the amount of \$1,683,729. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. Anatom Construction Company has met the SBE goal with a participation of 36.82% overall. Anatom Construction Company is a local company. This project is included in the FY12-13 Capital Improvement plan adopted by the Board of County Commissioners. (WUD Project No. 11-012) District 6 (JM)

Background and Justification: In order to better serve the northwestern service area, an Operation & Maintenance Complex facility is required at the NROC Plant Site which is being improved in accordance with the Village of Royal Palm Beach Purchase Agreement (R2006-0410). The Department submitted a site plan modification and architectural approval to the Village of Royal Palm Beach (VRPB) which was approved on April 19, 2012, (Application No. 06-03) - VRPB Resolution No. 12-06. On October 16, 2012 the Board approved the NROC Site Civil and Landscape construction contract (R2012-1552) with Rio-Bak in the amount of \$1,598,226.70. On August 6, 2013 seven (7) bids were received with Anatom Construction Company being the lowest responsive, responsible bidder. The Office of Small Business Assistance determined that Anatom Construction Company has met the SBE goal. Staff has reviewed the bids and recommends award to Anatom Construction Company in the amount of \$1,683,729. The list of bid irregularities identified with the bid documents is detailed in Attachment 5. The irregularities provide no competitive advantage. There is no bid protest associated with this item. The contractor, Anatom Construction Company, will provide builders risk insurance prior to commencement of construction.

Attachments:

1. Two (2) Original Contracts
2. Location Map
3. Engineer's Recommendation & Bid Tabulation Sheet
4. SBE Compliance Review
5. Bid Review Comments

Recommended By:  11/25/13
Department Director Date

Approved By:  12/12/13
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2014 | 2015 | 2016 | 2017 | 2018 |
|---|-----------------------|----------|----------|----------|----------|
| Capital Expenditures | <u>\$1,683,729.00</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> |
| External Revenues | <u>0</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>\$1,683,729.00</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 W000 Object 6502

Is Item Included in Current Budget? Yes X No

Reporting Category N/A

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

One (1) time operating expenditure from the user fees and balance brought forward

C. Department Fiscal Review: K. Eate 11/21/13 FNDW

III. REVIEW COMMENTS

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

 Susan Neary 11/25/13
OFMB KW
 11/25
 11/25

 Mr. J. [Signature] 12/12/13
Contract Development and Control
 12-11-13 B W Kecker

B. Legal Sufficiency:

 [Signature] 12/12/13
Assistant County Attorney

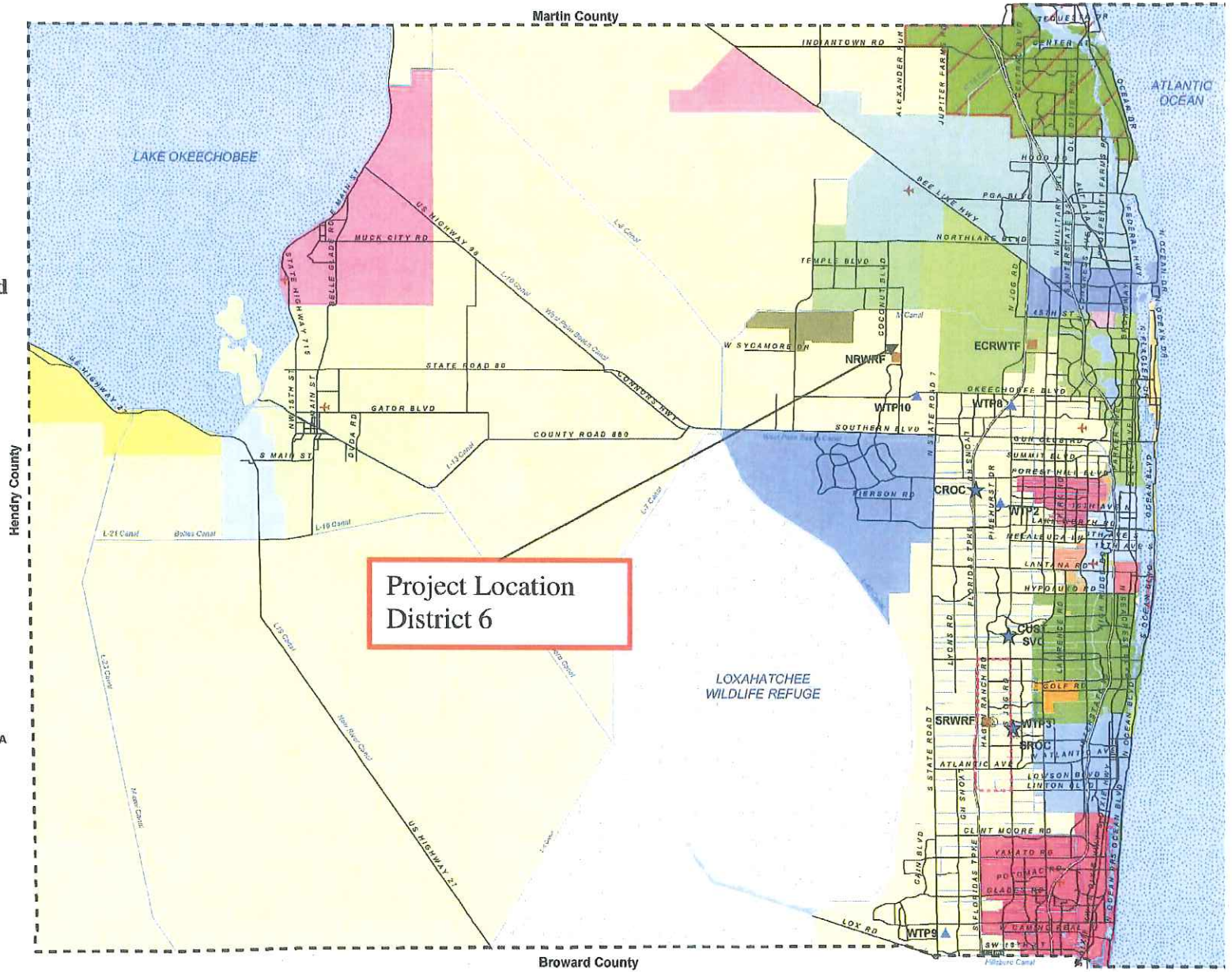
C. Other Department Review:

Purchasing Department Director

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



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



**Project Location
District 6**

Legend

- P.B.C.W.U.D. SA
- MANDATORY RECLAIMED SA
- Palm Beach County Limits
- Administration
- Water Reclamation Facility
- Water Treatment Facility
- Wetlands



NOT TO SCALE

Inter-Office Memorandum

Palm Beach County



Water Utilities Department

DATE: August 15, 2013

TO: Michael W. Jones, Assistant County Attorney
Palm Beach County Attorney

FROM: Tish Fox, *TA*
Water Utilities Dept., Engineering Division

RE: Northern Region Operations Center
Initial O&M Building

FILE: Project No. WUD 11-012

We have reviewed the three (3) lowest bids received for Northern Region Operations Center Initial O&M Building. Please review the errors, omissions and/or irregularities that have been noted on the Bid Review Comments and provide your recommendations.

The following items are attached:

1. Formal Bid Checklist
2. Bid Review Comments
3. Bid Tabulation
4. Bid Documents for the three (3) lowest bidders
5. Contract documents

If you need additional information, please call me at (561) 493-6118.

Thank you.
Attachments

c: Brian Shields, P.E. Deputy Director, WUD
Maurice Tobon, P.E., Director of Engineering, WUD

PROJECT: NROC Initial O&M Building
 PROJECT No.: WUD 11-012
 PROJECT MANAGER: Tish Fox
 DATE: 8/6/2013

Anatom Construction
 Company
 \$1,683,729.00

Cedars Electro-
 Mechanical, Inc.
 \$1,686,000.00

Trillium Construcion,
 Inc.
 \$1,734,458.00

Bid Tabulation

Is the Bid Tabulation correct

| Yes | No | N/A | Yes | No | N/A | Yes | No | N/A |
|-----|----|-----|-----|----|-----|-----|----|-----|
| X | | | X | | | X | | |

Bid Evaluation

Is the bid unbalanced

| | | | | | | | | |
|--|---|--|--|---|--|--|---|--|
| | X | | | X | | | X | |
|--|---|--|--|---|--|--|---|--|

Is the Bidder Responsive

Was the bid received, opened and accepted at the time and place set forth in the invitation for bids

| | | | | | | | | |
|---|--|--|---|--|--|---|--|--|
| X | | | X | | | X | | |
|---|--|--|---|--|--|---|--|--|

Bid package contains all required Attachments and Correct Bid Forms used

| | | | | | | | | |
|---|--|--|---|--|--|---|--|--|
| X | | | X | | | X | | |
|---|--|--|---|--|--|---|--|--|

Acknowledge receipt of all addenda

| | | | | | | | | |
|---|--|--|---|--|--|---|--|--|
| X | | | X | | | X | | |
|---|--|--|---|--|--|---|--|--|

Palm Beach County Contractor's Registration/License numbers or State of Florida Contractor's Certification/Registration listed on the bid form

| | | | | | | | | |
|---|--|--|---|--|--|---|--|--|
| X | | | X | | | X | | |
|---|--|--|---|--|--|---|--|--|

Bid amount(s) match and free of computational errors (any such errors must be noted) requires any clarifications (any such clarifications must be noted)

| | | | | | | | | |
|---|--|--|---|--|--|---|--|--|
| X | | | X | | | X | | |
|---|--|--|---|--|--|---|--|--|

Is the Bidder Responsible:

The bidder must have adequate financial resources to perform the contract, or the ability to obtain them, necessary to indicate its capability to meet all contractual requirements.

Bid used PBC Bid Bond Form

| | | | | | | | | |
|---|--|--|---|--|--|---|--|--|
| X | | | X | | | X | | |
|---|--|--|---|--|--|---|--|--|

Bid Security Amount 5%

| | | | | | | | | |
|---|--|--|---|--|--|---|--|--|
| X | | | X | | | X | | |
|---|--|--|---|--|--|---|--|--|

Certified Power of Attorney with Bid Bond

| | | | | | | | | |
|---|--|--|---|--|--|---|--|--|
| X | | | X | | | X | | |
|---|--|--|---|--|--|---|--|--|

Surety licensed to operate in FL & bonding limit acceptable

| | | | | | | | | |
|---|--|--|---|--|--|---|--|--|
| X | | | X | | | X | | |
|---|--|--|---|--|--|---|--|--|

The bidder must have a satisfactory record of integrity and business ethics including satisfactory compliance with laws related to taxes, labor and employment, environment, antitrust, and consumer protection

GC is suspended from doing business with State of FL

| | | | | | | | | |
|--|---|--|--|---|--|--|---|--|
| | X | | | X | | | X | |
|--|---|--|--|---|--|--|---|--|

Subs suspended from doing business with State of FL

| | | | | | | | | |
|--|---|--|--|---|--|--|---|--|
| | X | | | X | | | X | |
|--|---|--|--|---|--|--|---|--|

GC Delinquent on Local PBC Business Tax (See PPM CW-F-056 pg 3 #38)

| | | | | | | | | |
|--|---|--|--|---|--|--|---|--|
| | X | | | X | | | X | |
|--|---|--|--|---|--|--|---|--|

GC is a Scrutinized Company with State of FL

| | | | | | | | | |
|--|---|--|--|---|--|--|---|--|
| | X | | | X | | | X | |
|--|---|--|--|---|--|--|---|--|

Subs are a Scrutinized Company with State of FL

| | | | | | | | | |
|--|---|--|--|---|--|--|---|--|
| | X | | | X | | | X | |
|--|---|--|--|---|--|--|---|--|

The capacity to legally contract with the County

Properly signed and notarized by the person or persons legally authorized to bind the Bidder to a contract

| | | | | | | | | |
|---|--|--|---|--|--|---|--|--|
| X | | | X | | | X | | |
|---|--|--|---|--|--|---|--|--|

GC registered as a vendor with PBC

| | | | | | | | | |
|---|--|--|---|--|--|---|--|--|
| X | | | X | | | X | | |
|---|--|--|---|--|--|---|--|--|

Contractor's FEIN

Is Contractor's FEIN active

State License #

Supplied all necessary information in connection with the inquiry concerning responsibility, including but not limited to any licenses, permits, or organization papers required.

Vendor #

| | | |
|--------------|--------------|--------------|
| VC0000133668 | VC0000014140 | VC0000138334 |
| 42-1685649 | 65-0213904 | 45-3774621 |
| X | X | X |
| CGC1510494 | CGC058543 | CGC1510089 |

License Check

Each bidder, and all identified subcontractors, must be properly certified and licensed in the State of Florida and/or Palm Beach County, as applicable, for the purpose of performing the specified work.

GC properly licensed with State of FL

| Yes | No | N/A | Yes | No | N/A | Yes | No | N/A |
|-----|----|-----|-----|----|-----|-----|----|-----|
| X | | | X | | | X | | |

GC registered/enrolled with PBC/PZ&B Contractor Certifications

| | | | | | | | | |
|---|--|--|---|--|--|---|--|--|
| X | | | X | | | X | | |
|---|--|--|---|--|--|---|--|--|

Major Subs Licensed/Certified

| | | | | | | | | |
|---|--|--|---|--|--|---|--|--|
| X | | | X | | | X | | |
|---|--|--|---|--|--|---|--|--|

SBE-M/WBE Participation

Is there SBE participation

SBE participation amount (\$)

SBE participation %*

| | | | | | | | | |
|--------------|--|--|--------------|--|--|--------------|--|--|
| X | | | X | | | | | |
| \$734,510.00 | | | \$464,260.00 | | | \$258,444.00 | | |
| 43.62% | | | 27.53% | | | 14.90% | | |

Local Preference

Certification of Business Location - Is bidder eligible for Local Preference?

Has Business/Contractor submitted a valid business tax receipt with bid?

Adjusted Bid Based on Local Preference

| | | | | | | | | |
|----------------|---|--|----------------|--|--|----------------|--|--|
| X | | | X | | | X | | |
| | X | | X | | | X | | |
| \$1,599,542.55 | | | \$1,601,700.00 | | | \$1,647,735.10 | | |

* Dollar amounts and percentage participation to be review and verified by OSB/

WUD 11-012

NROC Initial O&M Building

Bid Review Comments

The three (3) lowest bids received for the NROC Initial O&M Building have been reviewed. The errors, omissions or irregularities found have been noted below.

Anatom Construction Company

1. OSBA Schedule 1 - List of Proposed SBE-M/WBE has '100%' written for Anatom Construction but lists 3 other subcontractors with no percentage or dollar amount specified.
2. OSBA Schedule 2 for Sportslighter has incorrectly filled in part of the form regarding the portion of work they intended to subcontract.
3. OSBA Schedule 2 for Electric and Absolute Plumbing has left blank part of the form regarding the portion of work they intended to subcontract.
4. Attachment No. 3 - Certification of Business Location did not include a copy of the bidders PBC business tax receipt.

Cedars Electro-Mechanical, Inc.

1. Bid Form -2 - the numeric bid amount was not filled in correctly
2. OSBA Schedule 1 - total participation amount and percentage are not correct
3. OSBA Schedule 2 for Cedars Electro-Mechanical has incorrectly filled in part of the form regarding the portion of work they intended to subcontract.
4. OSBA Schedule 2 for Cherokee Glass has incorrectly filled in part of the form regarding the portion of work they intended to subcontract.
5. OSBA Schedule 2 for Renco Plumbing, Inc. has incorrectly filled in part of the form regarding the portion of work they intended to subcontract.

Trillium Construction, Inc.

1. Bid Form - 2 - the written and numeric total for the Base Bid did not include the allowance.
 2. Attachment No. 1 - Bid Bond - the bottom portion of the Bid Bond Form has been cut off and the signature page is not part of the original form.
 3. OSBA Schedule 1 - total bid price and percentage are not correct
 4. OSBA Schedule 2 for Lidberg Land Surveying, Inc. has incorrectly filled in part of the form regarding the portion of work they intended to subcontract.
-

BID TABULATION SHEET

TITLE **NORTHERN REGION OPERATIONS CENTER (NROC) INITIAL O&M BUILDING**

BID# **11-012**

PAGE **1** OF **2**

POSTED _____

REMOVED _____

| | VENDOR 1 | | VENDOR 2 | | VENDOR 3 | | VENDOR 4 | | VENDOR 5 | |
|---|-----------------------------|---|-----------------|---|---------------------------------|---|------------------|---|-----------------------------------|---|
| | ANATOM CONSTRUCTION COMPANY | | CAM GROUP, LLC | | CEDARS ELECTRO-MECHANICAL, INC. | | HINTERLAND GROUP | | ROBLING ARCHITECTURE CONSTRUCTION | |
| BASE BID | \$ 1,683,729.00 | | \$ 1,840,404.00 | | \$ 1,686,000.00 | | \$ 2,109,623.00 | | \$ 1,817,000.00 | |
| ALTERNATE BID | \$ | | \$ | | \$ | | \$ | | \$ | |
| Attachment #1 BID BOND | (Y) | N | (Y) | N | (Y) | N | (Y) | N | (Y) | N |
| Addendum #1 | (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 |

Attachment 3

BIDS PICKED UP BY

[Handwritten Signature]

ENGINEER

DATE

8-6-13

BID TABULATION SHEET

TITLE **NORTHERN REGION OPERATIONS CENTER (NROC) INITIAL O&M BUILDING**

BID# **11-012**

PAGE 2 OF 2

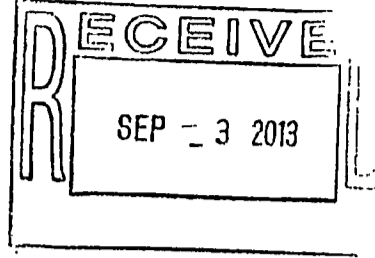
POSTED _____

REMOVED _____

| | VENDOR 6 | | VENDOR 7 | | VENDOR 8 | | VENDOR 9 | | VENDOR 10 | |
|--|-----------------------------------|---|-------------------------------|---|----------|---|----------|---|-----------|---|
| | TRILLIUM CONSTRUCTION, INC. | | WEST CONSTRUCTION, INC. | | | | | | | |
| BASE BID | \$ 1,709,458.00 | | \$ 1,836,924.00 | | \$ _____ | | \$ _____ | | \$ _____ | |
| ALTERNATE BID | \$ _____ | | \$ _____ | | \$ _____ | | \$ _____ | | \$ _____ | |
| Attachment #1 BID BOND | (Y) | N | (Y) | N | Y | N | Y | N | Y | N |
| Addendum #1 | (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 W M ENGINEER

DATE 8-6-13



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

DATE: August 29, 2013
TO: Tish Fox,
WUD Engineering Division
THROUGH: Allen Gray, Manager
Office of Small Business Assistance
FROM: Patricia Wilhelm, Small Business Development
Specialist II
SUBJECT: Compliance Review on Project No. WUD 11-012
Northern Region Operations Center Initial
O&M Building

Palm Beach County Board of County Commissioners
Steven L. Abrams, Mayor
Priscilla A. Taylor, Vice Mayor
Hal R. Valeche
Paulette Burdick
Shelley Vana
Mary Lou Berger
Jess R. Santamaria

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

Low Bidder: Anatom Construction, Co.
3125 Fortune Way #13
Wellington, FL 33414
Phone: 561-221-0226
Bid Opening: August 6, 2013
Bid Amount: \$1,683,729.00
Goal: 15% Overall
Goal Achieved: 36.82%

County Administrator
Robert Welsman

SBE Participation:

| | | | |
|--|----|------------|--------|
| (HI)Anatom Construction, Co. | \$ | 201,000.00 | 11.94% |
| ¹ (HI)WBI Contracting & Ser, Inc. | \$ | | 0.00% |
| (SB)Sportslighter Electric, Inc. | \$ | 360,000.00 | 21.38% |
| (SB)Absolute Plumbing | \$ | 59,000.00 | 3.50% |

\$620,000.00 36.82%

"An Equal Opportunity
Affirmative Action Employer"



Page 2.

2nd Low Bidder: Cedars Electro-Mechanical, Inc.
1712 S. Dixie Hwy.
Lake Worth, FL 33460
Phone: 561-588-4088
Bid Amount: \$1,686,000.00
Goal: 15% Overall
Goal Achieved: 25.8 %

SBE Participation:

| | | | |
|----------------------------------|---------------|---------------|--------|
| (SB) Cedars Electro-Mechanical | \$ 375,000.00 | 22.2 | % |
| (SB) Renco Plumbing | \$ 61,360.00 | 3.6 | % |
| ² (SB) Cherokee Glass | \$ 0 | 0 | % |
| | | \$ 436,360.00 | 25.8 % |

3rd Low Bidder: Trillium Construction, Inc.
1450-B Kenetic Road
Lake Park, Fl. 33403
Phone: 561-296-0700
Bid Amount: \$1,734,458.00
Goal: 15% Overall
Goal Achieved: 14.9 %

SBE Participation:

| | | | |
|---------------------------|---------------|---------------|-------|
| (HI) KMI International | \$ 27,525.00 | 1.59% | |
| (SB) Hi Tech Roofing | \$ 147,815.00 | 8.52% | |
| (SB) Palm Beach Glass | \$ 17,310.00 | .99% | |
| (SB) K & S Interiors, Inc | \$ 42,975.00 | 2.48% | |
| (SB) Brian's Carpet | \$ 15,439.00 | .89% | |
| (SB) Lidberg Land Surv. | \$ 7,380.00 | .43% | |
| | | \$ 258,444.00 | 14.9% |



Page 3.

EVALUATION:

The Low Bidder, Anatom Construction Co., has met the SBE requirement for this project.

The second low bidder, Cedars Electro-Mechanical, Inc., has met the SBE requirement for this project.

The third low bidder did not meet the SBE requirement for this project.

c: Allen Gray, Manager OSBA
Tammy Fields, Sr. Assistant County Attorney

¹ WBI Contracting & Services, Inc. was not certified at bid opening.

² Cherokee Glass was not certified at bid opening.

Attachment 5

**WUD 11-012
NROC Initial O&M Building
Bid Irregularities**

The three (3) lowest bids received for the NROC Initial O&M Building have been reviewed. The errors, omissions or irregularities found have been noted below.

Anatom Construction Company

1. OSBA Schedule 1 - List of Proposed SBE-M/WBE has '100%' written for Anatom Construction but lists 3 other subcontractors with no percentage or dollar amount specified.
2. OSBA Schedule 2 for Sportslighter has incorrectly filled in part of the form regarding the portion of work they intended to subcontract.
3. OSBA Schedule 2 for Electric and Absolute Plumbing has left blank part of the form regarding the portion of work they intended to subcontract.
4. Attachment No. 3 - Certification of Business Location did not include a copy of the bidders PBC business tax receipt.
5. Attachment No. 4 - There is no license number listed on Attachment No. 4 for Dixie Landscaping

Cedars Electro-Mechanical, Inc.

1. Bid Form -2 - the numeric bid amount was not filled in correctly
2. OSBA Schedule 1 - total participation amount and percentage are not correct
3. OSBA Schedule 2 for Cedars Electro-Mechanical has incorrectly filled in part of the form regarding the portion of work they intended to subcontract.
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-