Agenda	Item	#3K-1

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

Meeting Date: January 14, 2014 Consent [X]

Water Utilities Department

Public Hearing []

Regular []

Department:

### I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to approve:** a Contract with All Webbs Enterprises, Inc. for the Water Treatment Plant No. 11 Floridan Aquifer Production Wells PW-9 & PW-10 Contract in the amount of \$2,576,190.

**Summary:** On October 17, 2013, two (2) bids were received for Project No. WUD 11-101 to construct two (2) production wells, PW-9 & PW-10. The low bidder, All Webbs Enterprises, Inc., is the lowest responsive, responsible bidder in the amount of \$2,576,190. The two (2) additional wells are necessary to maintain adequate wellfield capacity as the existing well pumps were decreased from 1500 gpm to 900 gpm to prevent further decline in raw water quality. Rehabilitation of four (4) existing wells is included in the Contract to maintain wellfield capacity and to reduce well drawdown. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. All Webbs Enterprises, Inc. has met the SBE goal with a participation of 99.99% overall. All Webbs Enterprises, Inc. is a local company. (WUD Project No. 11-101) <u>District 6</u> (JM)

**Background and Justification:** On June 21, 2011, the Palm Beach County Board of County Commissioners approved a comprehensive plan to stabilize the declining raw water quality at the Lake Region Water Treatment Plant. On October 3, 2012, the Contract Review Committee approved Consultant Services Authorization (CSA) No. 31 for Mathews Consulting, Inc. in the amount of \$80,492.15 to provide surveying and hydrogeological consulting services for two (2) new production wells to serve Water Treatment Plant 11. On October 17, 2012, the Department Director approved CSA No. 16 in the amount of \$39,572.00 with Hillers Electrical Engineering, Inc. to provide design services for the new control panels and Remote Telemetry Units for the two (2) production wells. The list of bid irregularities identified with the bid documents is detailed in Attachment 5. The irregularities provide no competitive advantage. There is no protest associated with this item.

### Attachments:

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

12/31/13 Date Department Director Recommended By: Approved By: Assistant County Administr

### II. FISCAL IMPACT ANALYSIS

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

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures External Revenues Program Income (County) In-Kind Match County	<u>\$2,576,190.00</u> 0 0 0				0 0 0 0
NET FISCAL IMPACT	<u>\$2,576,190.00</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.: F	und <u>4011</u> Dept	<u>721</u> Unit	<u>W026</u>	Object <u>6541</u>	

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 capital expenditure from user fees with balances brought forward.

MNAT 11An **Department Fiscal Review:** C.

### III. REVIEW COMMENTS

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

B. Legal Sufficiency: Assistant County Atto

C. Other Department Review:

Purchasing Department Director

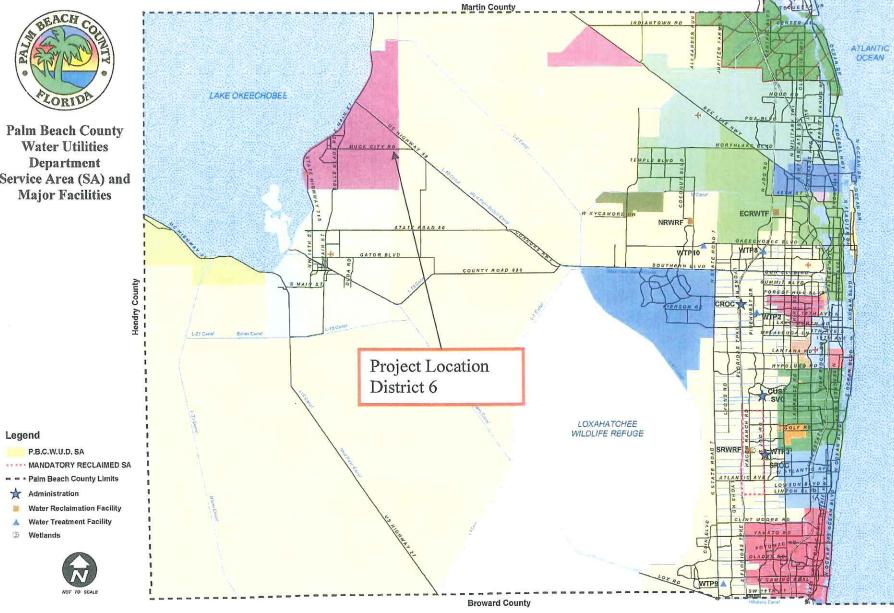
This summary is not to be used as a basis for payment.

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ATTACHMENT 2



Water Utilities Department Service Area (SA) and Major Facilities



11-10-13P02:45 RUVD

# Inter-Office Memorandum

Palm Beach County



Water Utilities Department

DATE: November 15, 2013

TO: Bevin A. Beaudet, P.E. Director of Engineering

FROM: Maurice Tobon, P.E. Manager of Plant Design 11-27-13403:56 RCYD

RE: Notice of Award Recommendation WTP 11 Production Wells PW-9 & PW-10 Project No. WUD 11-101

The bid opening for the above referenced project was held on Thursday, October 17, 2013. Proposals were received from two (2) contractors. The complete Bid Tabulation is attached. The engineer's opinion of probable construction cost was \$2,700,000 for Bid Item Numbers 1 through 48. An evaluation of the low bid is as follows:

- The Bid Form provided in the Contract Documents was complete, however the total bid amount shown on the Bid Form-2 (\$2,364,710.00) is different than the remaining pages of the Bid Form (\$2,576,190.00). This irregularity was reviewed by the County Attorney's Office and it was found that the intent was to bid \$2,576,190 even though the Bid Form - 2 states otherwise. See the attached email from the CAO.
- 2. Bid security equal to 5% of the total base bid was enclosed with the bid.
- 3. The contractor holds a valid state contractor's license. A copy of the license information is included.
- 4. All Webbs Enterprises, Inc. has Local Preference and has submitted the required documentation. (see attached Palm Beach County Tax Collector receipt).
- 5. SBE-M/WBE Schedules #1 and #2 were provided. The low bid submitted has met the 15% SBE goal established under the SBE Ordinance, (see attached SBE-M/WBE compliance review stating All Webbs Enterprises, Inc. has 99.9% SBE participation).
- 6. The second low bidder has met the SBE goal for this project, but does not fall within the range for ranking of responsive bidders, (see attached SBE-M/WBE compliance review stating Florida Design Contractors, Inc. has 63.9% SBE participation).
- 7. The County Attorney has reviewed the bid and Bid Review Comments for All Webbs Enterprises, Inc. and determined that the bid is responsive (see attached Bid Review Comments and email).

As a result of this evaluation we recommend All Webbs Enterprises, Inc. as the successful, responsive, low bidder. Contract award is recommended to the lowest responsive bidder in the amount not to exceed \$2,576,190.00 subject to formal approval by the Board of County Commissioners. A copy of this notice has been emailed to all bidders and is posted at the bid opening location and will be left there for a minimum of five (5) business days.

c: Brian Shields, P.E. Deputy Director Stephen McGrew, P.E. Plant Design Manager

Maurice Tobon, P.E. Director of Engineering Craig C. Williams, Assistant Director of Finance & Administration

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# **BID TABULATION SHEET**

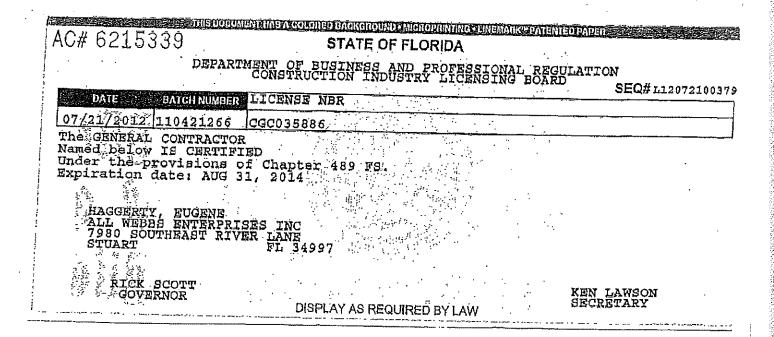
TITLE PRODUCTION WELLS PW 9 & PW 10

BID# **11-101** POSTED

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PAGE <u>1</u> OF <u>1</u>

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Addendum #1 & 2	Y	N	Y	N	Ŷ	N	Y			N
Attachment #2 SBE-M/WBE Schedules	Ŷ	N	Ŷ	N	Y	N	Y	N	Y	N
Attachment #3 Certification of Business Location	Ŷ	N	Y	N	Y	N	Y	N	Y	N
Attachment #4 List of Subcontractors	Ŷ	N	Y	N	Y	N	Y		Y	N
Attachment #5 Trench Safety	Y	N	Y	N	Υ·	 N	Y		Y	N



ANNE M. GANNON CONSTITUTIONAL TAX COLLECTOR Serving Palm Beach County

P.O. Box 3353, West Palm Beach, FL 33402-3353 www.pbctax.com Tel: (561) 355-2264 Serving you.

\*\*LOCATED AT\*\*

309 COMMERCE WAY JUPITER, FL 33458-5527 ۰.

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ANNE M. GANNON CONSTITUTIONAL TAX COLLECTOR Serving Palm Beach County

Serving you.

P.O. Box 3353, West Palm Beach, FL 33402-3353 www.pbctax.com Tel; (561) 355-2264

\*\*LOCATED AT\*\*

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309 COMMERCE WAY JUPITER, FL 33458-5527

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ALL WEBBS ENTERPRISES INC ALL WEBBS ENTERPRISES INC 309 COMMERCE WAY ST JUPITER, FL 33458-5527

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STATE OF FLORIDA PALM BEACH COUNTY 2013/2014 LOCAL BUSINESS TAX RECEIPT

LBTR Number: 198233238 EXPIRES: SEPTEMBER 30, 2014

This receipt grants the privilege of engaging in or managing any business profession or occupation within its jurisdiction and MUST be conspicuously displayed at the place of business and in such a manner as to be open to the view of the public.



Town of Jupiter 210 Military Trail, Jupiter, FL 33458 Website: www.jupiter.fl.us E-Mail: TOJBTR@jupiter.fl.us

### LOCAL BUSINESS TAX RECEIPT

Business Name	Location	BTR No.
ALL WEBBS ENTERPRISES	309-COMMERCE WAY	14-00035255
	*Valid at this location ONLY	

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### Expires: September 30,2014

**DISPLAY IN PLACE OF BUSINESS** NON-TRANSFERABLE

#### Dear Business Owner:

This is your new Business Tax Receipt. Verify the information and display it conspicuously at your place of business, open to the view of the public.

This tax is in addition to and not in lieu of any other tax required by law or municipal ordinance and is subject to regulations of zoning, health, and any other lawful authority.

Tax receipts may be transferred to a new owner when evidence of a sale is provided; the original tax receipt is surrendered and a transfer fee is paid.

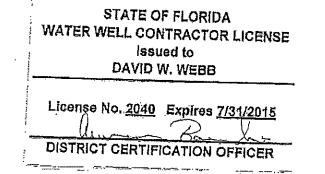
Tax receipts may be transferred to a new location when proof of zoning approval is provided; the original tax receipt is surrendered and a transfer fee is paid.

Business name changes require a new tax receipt to be issued. This tax receipt expires on September 30<sup>th</sup> of each year. Renewal notices are e-mailed between July and August. Make sure your email address is up to date on your account to ensure you receive your renewal reminder.

We hope you have a successful year, Town of Jupiter

ALL WEBBS ENTERPRISES 309 COMMERCE WAY

JUPITER FL 33458





DATE :

Goal Achieved:

(SB) Grid One

TO:

Office of 5mail Business Assistance 50 South Military Trail, Suite 202 West Paim Beach, FL 33415 (561) 616-6840 Fax: (561) 616-6850 www.pbcgov.com/osba

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Paim 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

**County Administrator** 

Robert Weisman

"An Equal Opportunity Affirmative Action Employer"

WUD Engineering Division THROUGH : Allen F. Gray, Manager Office of Small Business FROM: icia Wilhelm, Small Business Development cialíst II SUBJECT: Compliance Review on Project No. WUD 11-101 Water Treatment Plant No.11 Production Wells PW-9 and PW-10 The following is a compliance review of SBE participation on the above-mentioned project. Low Bidder: All Webbs Enterprises, Inc. 309 Commerce Way Jupiter, FL 33458 561-746-2079 Phone: October 17, 2013 Bid Opening: Bid Amount: \$2,576,190.00 Goal: 15% Overall

October 30, 2013

Diana Rivera, P.E.

SBE Participation: (SB)All Webbs Enterprises \$2,035,190.00 79.0% (SB) Globaltech \$540,800.00 20.9% \$2,575,990.00 99.9% 2nd Low Bidder: Fl.Design Contractors, Inc. 1326 S. Killian Dr. Lake Park, Fl 33403 Phone: 561-845-1233 Bid Opening: October 17, 2013 \$2,663,537.00 Bid Amount; Goal: 15% Overall Goal Achieved: 63.9% SBE Participation: (SB)Fl. Design Drilling \$1,578.500.00 59,20% (SB) Dennis Leavy Ś 14,400.00 ,54% (SB) Anything in Fence \$ 10,852.00 .41%

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3.75%

63.9%

99.9 %

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<u>Page 2.</u>

### EVALUATION:

The low bidder, All Webbs Enterprises, Inc. has met the SBE goal for this project

The second low bidder, Fl Design Contractors, Inc. has met the SBE goal for this project, but does not fall within the range for ranking of responsive bidders.

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

# Bid Review Comments 11-04-13 Water Treatment Plant 11 Production Wells PW-9 & PW-10 Project WUD 11-101

The two (2) bids received for the Water Treatment Plant 11 Production Wells PW-9 & PW-10 project have been reviewed. The errors, omissions or irregularities found in the two bids have been noted below.

### All Webbs Enterprises, Inc.

- 1. Bid is complete however the total bid amount shown on the Bid Form-2 (\$2,364,710.00) is different than the remaining pages of the bid form (\$2,576,190.00). At the bid opening the contractor stated that the amount shown on Bid Form-2 is in error and that the amount shown on the remaining pages of the bid form is correct.
- 2. The SBE goal was achieved (99.9%). See SBE Compliance Review dated: October 30, 2013.

## Florida Design Contractors, Inc.

- Bid is complete however the amount shown on Bid Form-9 <u>Discount on Total Bid amount if</u> <u>Floridan aquifer production well PW-9 & PW-10 project and acid treatment of up to (4) existing</u> <u>production wells are awarded together – Total Discounted Amount (\$2,663,537.00)</u> appears to be incorrect because this is equal to the total bid amount.
- 2. The SBE goal was achieved (63.9%). See SBE Compliance Review dated: October 30, 2013.

WUD 11-101

Page 1 of 1

### Diana Rivera

From:	Michael W. Jones [MJones@pbcgov.org]
Sent:	Wednesday, November 06, 2013 2:38 PM
To:	Diana Rivera; Barbara Wheeler
Cc:	Brian Shields; Steve McGrew; Maurice Tobon
Subject:	RE: Bid Review - WTP 11 Production Wells PW-9 & PW-10 (WUD 11-101)

From my review of the Bid Review Comments memo and the bid, it appears that they changed the total price from \$2,364,720 to \$2,576,190 in every location *except* on Bid Form-2. For the following reasons, it appears that the intent was to bid \$2,576,190 even though the Bid-Form-2 states otherwise:

-The total bid price on Bid Form-8, the total of the breakdown on Bid Form-9, and Bid Form-13 (OSBA Schedule 1) all contain an initialed strikethrough of an original price of \$2,364,720 to \$2,576,190.

-the bid bond (Bid Form-10) is for \$128,810, which equates to 5% of \$2,576,190.

-Bid Form 14 (OSBA Schedule 2) has an initialed strikethrough increasing the percentage to be performed by All Webbs from 75% to 79%, and the percentage to be performed by the Sub, Globaltech, from 25% to 21%. The new percentages equate to Globaltech performing \$540,800 and a total project cost of \$2,576,190.

-While not 100% on point, Section 5.1.3 of the Instruction to Bidders states that unit prices govern and we will correct accordingly. Here, a calculation based on unit prices results in a total of \$2,576,190. Based on this language, I would assume that in other instances where there are mistakes in the calculation of a unit price bid, that the number set forth on Bid Form-2 is incorrect, but we still determine the total bid amount to be based on the extension of the unit prices, and not the Bid Form-2 amount.

From a procurement standpoint, it does not appear to even matter if we held them to the higher or lower number, as All Webbs would still be the low bidder, and has met the SBE goal and is local. Unless the department wishes to attempt to hold them to the lower price, I would recommend waiving the irregularity and moving forward with the posting.

From: Diana Rivera [<u>mailto:drivera@pbcwater.com</u>] Sent: Tuesday, November 05, 2013 4:34 PM To: Michael W. Jones; Barbara Wheeler Cc: Brian Shields; Steve McGrew; Maurice Tobon Subject: Bid Review - WTP 11 Production Wells PW-9 & PW-10 (WUD 11-101)

### Michael and Barbara,

Please see the attached files for the bid review of project WUD 11-101 - WTP 11 Production Wells PW-9 & PW-10. I'll send the bid proposals in a separate emails because of the size of the files.

1

Diana Rivera, P.E. Palm Beach County Water Utilities Department 8100 Forest Hill Boulevard West Palm Beach, FL 33413

Phone: (561) 493-6117 Fax: (561) 493-6113 Email: <u>drivera@pbcwater.com</u>

## **ATTACHMENT 4**



FLORIDA	DATE :	October 30, 2	2013		,
	<b>TO</b> -				
	TO:	Diana Rivera,		an	
Office of		WUD Engineeri	ng Divisi		
Small Business Assistance	THROUGH :	Allen F. Gray	Managor	1.9	•
0 South Military Trail, Suite 202	Inkoogn.	Office of Sma			Tra
West Palm Beach, FL 33415		$\sim M$	TT DODTIC		100
(561) 616-6840	FROM:	Parricia Will	elm. Smal	l Business	Development
Fax: (561) 616-6850	(	Specialist II			£ ,
www.pbcgov.com/osba		,			
	SUBJECT :	Compliance Re	view on H	roject No.	WUD 11-101
		Water Treatme		No.11 Produ	<u>iction Wells</u>
<b>20</b>	r	PW-9 and PW-1	.0		
Palm Beach County		wing is a comp ove-mentioned		eview of SBE	E participation
Board of County					
Commissioners	Low Bidde			iterprises,	Inc.
Steven L. Abrams, Mayor			Commerce		
Priscilla A. Taylor, Vice Mayor	Dhanas		iter, FL -746-2079		
	Phone: Bid Openi		ober 17,		
Hal R. Valeche	Bid Amour	<u> </u>	576,190.0		
Paulette Burdick	Goal:		overall		
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Mary Lou Berger					
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Office of Small Business Assistant 50 South Military Trail, Suite West Palm Beach, FL 3341 (561) 616-6840 Fax: (561) 616-6850 www.pbcgov.com/osba

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# ATTACHMENT 5

# Bid Review Comments 11-04-13 Water Treatment Plant 11 Production Wells PW-9 & PW-10 Project WUD 11-101

The two (2) bids received for the Water Treatment Plant 11 Production Wells PW-9 & PW-10 project have been reviewed. The errors, omissions or irregularities found in the two bids have been noted below.

### All Webbs Enterprises, Inc.

- 1. Bid is complete however the total bid amount shown on the Bid Form-2 (\$2,364,710.00) is different than the remaining pages of the bid form (\$2,576,190.00). At the bid opening the contractor stated that the amount shown on Bid Form-2 is in error and that the amount shown on the remaining pages of the bid form is correct.
- 2. The SBE goal was achieved (99.9%). See SBE Compliance Review dated: October 30, 2013.

#### Florida Design Contractors, Inc.

- Bid is complete however the amount shown on Bid Form-9 <u>Discount on Total Bid amount if</u> <u>Floridan aquifer production well PW-9 & PW-10 project and acid treatment of up to (4) existing</u> <u>production wells are awarded together - Total Discounted Amount (\$2,663,537.00)</u> appears to be incorrect because this is equal to the total bid amount.
- 2. The SBE goal was achieved (63.9%). See SBE Compliance Review dated: October 30, 2013.

WUD 11-101

Page 1 of 1