

Agenda Item is over 50 pages; may be
viewed in the Minutes Department

Agenda Item #: 3-C-2

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

Meeting Date: May 6, 2014

☒ Consent

☐ Regular

☐ Workshop

☐ Public Hearing

Department:

Submitted By: Engineering & Public Works

Submitted For: Roadway Production Division

EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: A contract with Green Construction Technologies Inc. (Green) in the amount of \$248,398 for the construction of Loxahatchee River Road gravity wall repairs (Project).

SUMMARY: Approval of this contract will allow Palm Beach County to issue a notice to proceed to Green, a Broward County company, to begin construction of the Project. The Palm Beach County Small Business Enterprise (SBE) goal for all projects is 15% overall. The SBE participation proposed for the Project by Green is 1.61%. None of the other bidders met the SBE 15% goal.

District 1 (MRE)

Background and Justification: Bids for the Project were received by the Palm Beach County Engineering Department on February 11, 2014. Green was the lowest responsive, responsible bidder. The Office of Small Business Assistance issued its evaluation on February 27, 2014. Time to complete all work under this contract shall be no more than 60 calendar days.

Attachments:

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

Recommended by: 2074

Ormelio A. Fernandez
Division Director

3/26/14
Date

Approved By: S. T. Webb

County Engineer

4/15/14
Date

F:\ROADWAY\AIS\2013\2013605.AIS.DOC

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	<u>\$283,100</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>-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>\$283,100</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 3500 Dept 361 Unit 1001-11 Object 6551

Recommended Sources of Funds/Summary of Fiscal Impact:

Transportation Improvement Fund
Bridges and Crossings
Loxahatchee River Road Bridge Repairs

Construction Contract	\$ 248,398.00
Contingency	\$ 7,452.00
Testing Lab	\$ 10,000.00
Staff Costs -	
Roadway Production	\$ 4,900.00
Survey	\$ 2,450.00
Construction Coordination	\$ 9,900.00
Total Fiscal Impact	\$ 283,100.00

C. Departmental Fiscal Review:

Aliu Kovalainen

III. REVIEW COMMENTS

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

OFMB AK 4/14/14

Contract Dev. and Control 4/24/14

B. Approved as to Form and Legal Sufficiency:

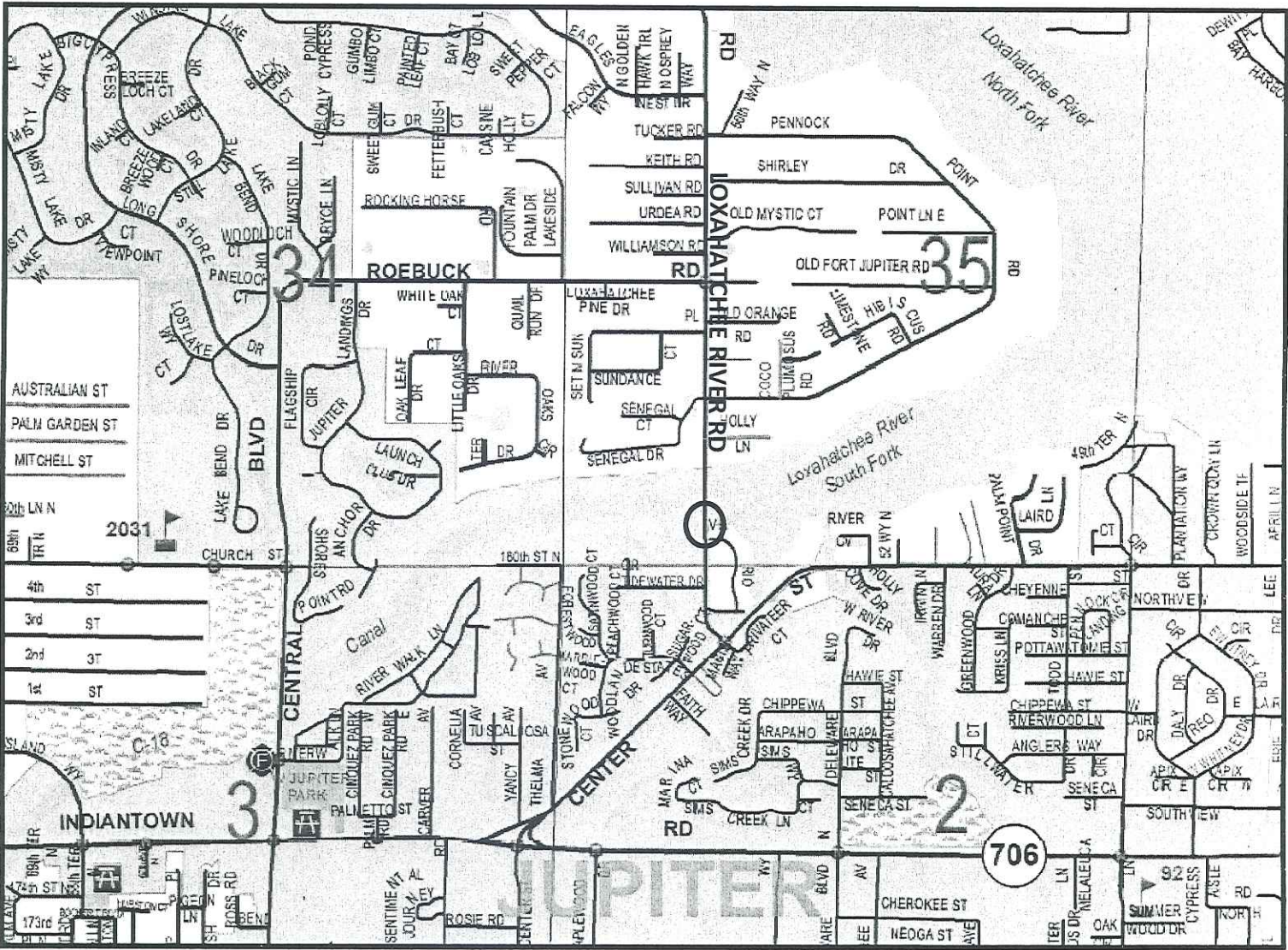
Assistant County Attorney

C. Other Department Review:

Department Director

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

PROJECT LOCATION
LOXAHATCHEE RIVER ROAD GRAVITY WALL REPAIRS
PALM BEACH COUNTY
PROJECT NO. 2013605



LOCATION MAP

CONTRACT

STATE OF FLORIDA)
) SS
COUNTY OF PALM BEACH)

This Contract, made this ____ day of _____, A.D. 2014, by and between PALM BEACH COUNTY, a Political Subdivision of the State of Florida, (hereinafter called the party of the first part), and Green Construction Technologies Inc. of Wilton Manors, 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: LOXAHATCHEE RIVER ROAD GRAVITY WALL REPAIRS

PROJECT NO.: 2013605

IN THE AMOUNT OF:
TWO HUNDRED FORTY EIGHT THOUSAND, THREE HUNDRED NINETY EIGHT DOLLARS
00/100

(IN WORDS)
\$248,398.00
(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 (60) 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: _____
Priscilla A. Taylor, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


APPROVED AS TO TERMS
AND CONDITIONS

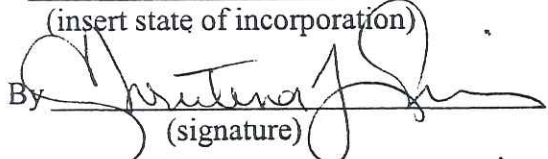
(witness signature)

Green Construction Technologies Inc.
(Corporate Name)

(witness name printed)

a Florida corporation
(insert state of incorporation)

(witness signature)

By: 
(signature)

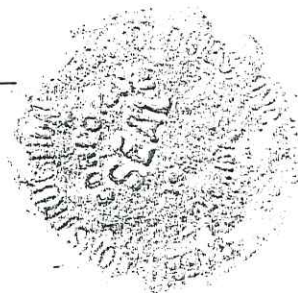
Patrick J. Erwin
(witness name printed)

Christina L. Erwin
(print signatory's name)

Its President
(print title)

March 25, 2014
(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/osba

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

County Administrator
Robert Weisman

"An Equal Opportunity
Affirmative Action Employer"

DATE: February 27, 2014
TO: David Young, P.E., Special Projects Manager
Roadway Production Division
Through: Allen Gray, Manager, Office of Small Business
Assistance *A. Gray*
FROM: Tanoy Williams, Compliance Specialist *TW*
SUBJECT: ¹Corrected Compliance Review on Project No.
2013605
Loxahatchee River Road Gravity Wall Repairs

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

LOW BIDDER: **GREEN CONSTRUCTION TECHNOLOGIES, INC.**
2130 NE 15 Terrace
Wilton Manors, FL 33305
Phone: 954-563-3379
Bid Opening: February 11, 2014
Bid Amount: \$248,398.00
Goal: **15% Overall**
Goal Achieved: **1.61**

SBE Participation:

(SB)	Engenuity Group	\$ 4000.00	1.61%
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2ND LOW BIDDER: **WEST CONSTRUCTION, INC.**
318 South Dixie Highway, Suite 4-5
Lake Worth, FL 33460
Phone: 561-588-2027
Bid Amount: \$262,990.00
Goal: 15% Overall
Goal Achieved: 0.00%

SBE Participation:
None Listed \$0.00 0.00%

3RD LOW BIDDER: **THE MURPHY CONSTRUCTION, CO.**
1615 Clare Avenue
West Palm Beach, FL 33401
Phone: 561-655-3634
Bid Amount: \$313,076.00
Goal: 15% Overall
Goal Achieved: 3.58%

SBE Participation:

(WB) Southeast Atten.	\$ 5,505.06	1.76%
(SB) Treecycle Land	\$ 1,836.00	0.59%
(SB) Eastman Aggreg	\$ 1,643.52	0.52%
(SB) Coral Steel	\$ 2,234.58	0.71%
	\$11,219.16	3.58%

EVALUATION

The low bidder, **GREEN CONSTRUCTION TECHNOLOGIES, INC.**, has not met the SBE goal for this project.

The second low bidder, **WEST CONSTRUCTION, INC.**, has **not** met the SBE goal for this project.

The third low bidder, **THE MURPHY CONSTRUCTION, CO.**, has not met the SBE goal for this project.

cc: Tammy Fields, Chief Assistant County Attorney
File

¹ A calculation error was made on the initial compliance review.

ATTACHMENT #5

LOXAHATCHEE RIVER ROAD
GRAVITY WALL REPAIRS
P.B.C. PROJECT NO. 2013605

				GREEN CONSTRUCTION TECHNOLOGIES, INC.		WEST CONSTRUCTION INC.		MURPHY CONSTRUCTION CO.		AVERAGE OF BID ITEMS	ENGINEERS ESTIMATE	
	ITEM DESCRIPTION	QTY	UNITS	UNIT PRICE	AMOUNT		UNIT PRICE	AMOUNT		UNIT PRICE	AMOUNT	
	REGULAR ROADWAY PAY ITEMS											
1	MOBILIZATION	1	LS	\$8,000.00	\$8,000.00		\$5,985.00	\$5,985.00		\$45,150.00	\$45,150.00	\$21,327.00 \$15,000.00
2	MAINTENANCE OF TRAFFIC (INCLUDES PEDESTRIAN M.O.T.)	1	LS	\$17,500.00	\$17,500.00		\$9,000.00	\$9,000.00		\$31,000.00	\$31,000.00	\$22,700.00 \$10,000.00
3	TEMPORARY HANDRAIL AND FACILITIES	1	LS	\$12,500.00	\$12,500.00		\$16,000.00	\$16,000.00		\$12,500.00	\$12,500.00	\$12,200.00 \$5,000.00
4	HELICAL ANCHORS	56	EA	\$3,250.00	\$182,000.00 *		\$3,036.00	\$170,016.00		\$2,700.00	\$151,200.00	\$3,047.20 \$3,000.00
5	REMOVE CURBS & HANDRAIL PAD	245	LF	\$8.20	\$2,009.00		\$93.00	\$22,785.00		\$73.00	\$17,885.00	\$57.24 \$4.00
6	REMOVE, RESTORE, REINSTALL RAILING	418	LF	\$23.00	\$9,614.00		\$29.00	\$12,122.00		\$17.00	\$7,106.00	\$37.80 \$25.00
7	SIDEWALK CORES	32	EA	\$100.00	\$3,200.00		\$31.00	\$992.00		\$180.00	\$5,760.00	\$411.20 \$36.00
8	HANDRAIL PAD FOUNDATION	245	LF	\$35.00	\$8,575.00		\$82.00	\$20,090.00		\$130.00	\$31,850.00	\$102.60 \$45.00
9	FLOWABLE FILL (UNDER SIDEWALK & RETAINING WALL)	25.0	CY	\$200.00	\$5,000.00		\$240.00	\$6,000.00		\$425.00	\$10,625.00	\$261.00 \$215.00
	TOTAL BID				\$248,398.00			\$262,990.00			\$313,076.00	

ATTACHMENT #5

LOXAHATCHEE RIVER ROAD
GRAVITY WALL REPAIRS
P.B.C. PROJECT NO. 2013605

		SAINC CORP.				ENGECON CONSTRUCTION INC.			
	ITEM DESCRIPTION	QTY	UNITS	UNIT PRICE	AMOUNT		UNIT PRICE	AMOUNT	
	REGULAR ROADWAY PAY ITEMS								
1	MOBILIZATION	1	LS	\$12,000.00	\$12,000.00		\$35,500.00	\$35,500.00	
2	MAINTENANCE OF TRAFFIC (INCLUDES PEDESTRIAN M.O.T.)	1	LS	\$6,000.00	\$6,000.00		\$50,000.00	\$50,000.00	
3	TEMPORARY HANDRAIL AND FACILITIES	1	LS	\$10,000.00	\$10,000.00		\$10,000.00	\$10,000.00	
4	HELICAL ANCHORS	56	EA	\$3,700.00	\$207,200.00		\$2,550.00	\$142,800.00	
5	REMOVE CURBS & HANDRAIL PAD	245	LF	\$17.00	\$4,165.00		\$95.00	\$23,275.00	
6	REMOVE, RESTORE, REINSTALL RAILING	418	LF	\$100.00	\$41,800.00		\$20.00	\$8,360.00	
7	SEWAGE COVERS	32	EA	\$850.00	\$27,200.00		\$895.00	\$28,640.00	
8	HANDRAIL PAD FOUNDATION	245	LF	\$51.00	\$12,495.00		\$215.00	\$52,675.00	
9	FLOWABLE FILL (UNDER SIDEWALK & RETAINING WALL)	25.0	CY	\$220.00	\$5,500.00		\$220.00	\$5,500.00	
	TOTAL BID				\$326,360.00			\$356,750.00	

* Indicates a discrepancy/error in the item.

Working days to complete project: 60 calendar days (See Special Provisions)

Bids as read at opening of Tuesday, February 11, 2014; 2PM

All bids subject to OSBA SBE compliance and Board Approval.

Prepared by: Joseph M. Totino, Project Coordinator II

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