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

Meeting Date: App Department:	ril 21, 2015 [X] Consent [ ] Workshop	[ ] Regular [ ] Public Hearing
Submitted By: Submitted For:	Engineering & Public Works Roadway Production Division	-

#### **EXECUTIVE BRIEF**

Motion and Title: Staff recommends motion to:

- A) Approve a contract with Shoreline Foundation, Inc. (Shoreline) in the amount of \$4,064,012.40 for the construction of County Road 880 Twenty Mile Bend Slope Protection (Project);
- B) Adopt a resolution to approve the Local Agency Program Supplemental Agreement Number One (Supplement) with the State of Florida Department of Transportation (FDOT) to add \$1,051,065 of grant funding for the construction and construction engineering inspection of the Project; and
- C) Approve a Budget Amendment of \$1,051,065 in the Transportation Improvement Fund to recognize the Supplement with FDOT and appropriate it to the Project.

SUMMARY: Approval of this contract will allow Palm Beach County to issue a notice to proceed to Shoreline, a Broward County company, to begin construction of the Project. The Palm Beach County Small Business Enterprise (SBE) goal for all projects is 15%, but the responsive bidders cannot be ranked for SBE compliance for this Project due to federal funding restrictions. However, they will be using four Palm Beach County companies as subcontractors on this project. Adoption of the Supplement will allow Palm Beach County to receive a total of \$3,282,283 in grant funding for the Project. Approval of the Budget Amendment will recognize the Supplement and appropriate it to the Project. The County will be responsible for all costs above the grant amount.

District 6 (MRE)

**Background and Justification:** Bids for the Project were received by the Engineering Department on January 13, 2015. Shoreline was the lowest responsive, responsible bidder. This is a federally funded project, and the responsive bidders cannot be ranked for SBE compliance due to federal funding restrictions. Time to complete all work under this contract shall be no more than 150 calendar days.

#### Attachments:

- 1. Location Sketch
- 2. Contracts
- 3. Contract Pages C-1 and C-2
- 4. Bid Tabulation
- 5. Supplemental Agreement (7 Originals)
- 6. Resolution (7 Originals)
- 7. Budget Amendment

Recommended by:	Omels at Division Director	mander 4/8/15 MM
Approved By:	County Engineer	4/10/15 Date

#### II. FISCAL IMPACT ANALYSIS

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

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	<u>\$4,471,833</u>	-0-			
<b>Operating Costs</b>		-0-			<u>-0-</u>
<b>Grant Revenues</b>	(\$3,282,283)	-0-			
Program Income (County)	0-	-0-			
In-Kind Match (County)	-0-	-0-			<u>-0-</u>
NET FISCAL IMPACT	<b>\$1,189,550</b>	-0-		-0-	<u> </u>
# ADDITIONAL FTE					
<b>POSITIONS (Cumulative)</b>	**************************************				·

Is Item Included in Current Budget?

es No X

Budget Account No:

Fund 3500 Dept 361

Unit 1448

Object 6551

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

Transportation Improvement Fund

CR880 Embankment Repairs Near 20 Mile Bend

Construction Contract	\$4,064,012.40
Contingency	\$ 121,920.60
Testing Lab	\$ 1,500.00
Staff Costs -	
Roadway Production	\$ 81,300.00
Roadway Production (Survey)	\$ 40,600.00
Construction Coordination	\$ 162,500.00
Total Project Costs	\$4,471,833.00
Federal LAP Funding FM#433961-1-58-01	(\$2,231,218.00)
Federal LAP Funding Supplemental Agreement	(\$1,051,065.00)
Fiscal Impact	\$1,189,550.00

Federal LAP Funding FM#433961-1-58-01 \$2,231,218 recognized July 22, 2014 R-2014-1018. This Federal LAP Grant does not have a required match.

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

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

B. Approved as to Form and Legal Sufficiency:

The state of the s

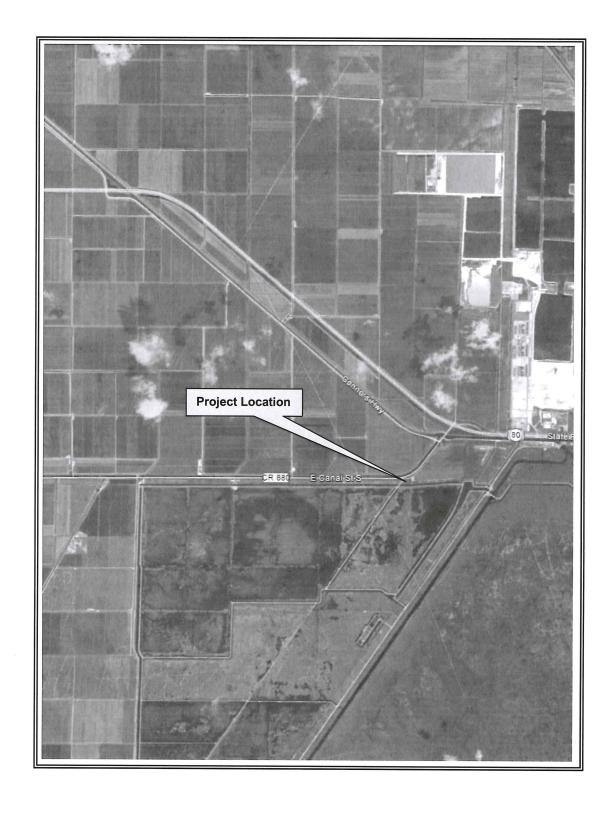
C. Other Department Review:

**Department Director** 

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

2

# PROJECT LOCATION COUNTY ROAD 880 20 MILE BEND SLOPE PROTECTION PALM BEACH COUNTY PROJECT #2013619



#### **CONTRACT**

STATE OF FLORIDA	)
	) SS
COUNTY OF PALM BEAC	CH)
COUNTY, a Political Subd	day of, A.D. 2015, by and between PALM BEACH livision of the State of Florida, (hereinafter "County"), and Shoreline ke Park, Florida, and their heirs, executors, administrators and assigns,
their own proper cost and equipment, machinery, tools	actor agrees with the County, for the consideration herein mentioned at expense to do all the work and furnish all necessary labor, materials, apparatus, services, state workmen's compensation and unemployment in the performance of the contract, and means of transportation for the
PROJECT NAME: COUN	TY ROAD 880 TWENTY MILE BEND SLOPE PROTECTION
PROJECT NO.: 2013619	2
FEDERALLY FUNDED FM	NO. 433961-1-58/68-01
IN THE AMOUNT OF: FOUR MILLION, SIXTY FO	OUR THOUSAND TWELVE DOLLARS & 40/100
	(IN WORDS)
\$4,064,012.40 (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 County, or its duly authorized representative.

The Contractor 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 One-Hundred Fifty (150) calendar days. 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.

u ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' '	
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:Shelley Vana, Mayor
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	APPROVED AS TO TERMS AND CONDITIONS
(witness signature)	Shoreline Foundation, Inc. (Corporate Name)
Joseph Stanton (witness name printed)	a Florida corporation (insert state of incorporation)
(witness signature)  Thomas Pearse (witness name printed)	(print signatory's name)
	Its (print tifle)
	(date of execution)

(Corporate Seal)

TWENTY MILE BEND SLOPE PROTECTION PBC PROJECT #2013619		SHORELINE FOUNDATION, INC.		RANGER CONSTRUCTION, INC.		TRIPLE R PAVING, INC.		AVERAGE OF BID ITEMS	ENGINEERS ESTIMATE		
ITEM#	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	UNIT PRICE
	REGULAR ROADWAY PAY ITEMS	and the states of the state of	<b>建筑建筑</b>				and the second second				
1	Mobilization REGULAR ROADWAY FAT HEWS		LS	\$394,817.00	\$394,817.00	\$532,600.00		\$402,500.00	\$402,500.00	\$443,305.67	
2	Maintenance of Traffic	1	LS	\$22,755.00	\$22,755.00	\$22,200.00	\$22,200.00	\$132,825.00	\$132,825.00	\$59,260.00	
3	Variable Message Board	28		\$52.00	\$1,456.00	\$20.00	\$560.00	\$30.00	\$840.00	\$39,260.00	\$30,000.00
4	Off Duty Police Officer (Non-MOT)	24		\$79.00	\$1,896.00	\$60.00	\$1,440.00	\$46.00	\$1,104.00	\$61.67	\$15.5.
5	Clearing & Grubbing	1	LS	\$77,646.00	\$77,646.00	\$130,000.00	\$130,000.00	\$211,600.00	\$211,600.00	\$139,748.67	\$30.00
6	Channel Excavation	40,558		\$18.50	\$750,323.00		\$1,013,950.00		\$1,460,088.00	\$139,748.67	\$33.25
7	Miscellaneous Asphalt Pavement	109.7	TN	\$547.00	\$60,005.90	\$330.00	\$36,201.00	\$288.00	\$31,593.60	\$388.33	\$169.13
8	Filter Fabric, Plastic, Stabilization	11,703		\$17.00	\$198,951.00	\$10.00	\$117,030.00	\$15.00	\$175,545.00	\$14.00	\$15.20
9	Guardrail, Roadway, W-Beam	500	LF	\$20.50	\$10,250.00	\$20.00	\$10,000.00	\$20.00	\$10,000.00	\$20.17	\$25.00
10	Guardrail - Reset	2,633		\$11.00	\$28,963.00	\$10.00	\$26,330.00	\$11.00	\$28,963.00	\$10.67	\$20.00
ing Mengalan ing Make Jose	ALTERNATE 1 PAY ITEMS	TOTAL BASE BID AM			\$1,547,062.90	•	\$1,890,311.00	-	\$2,455,058.60		
11	Riprap - Articulating Block (See TSP's)	11,703	SY	\$180.00	\$2,106,540.00	\$162.00	\$1,895,886.00	\$97.00	\$1,135,191.00	\$146.33	\$219.50
12	Sand & 57 Stone (50-50) Mix	42,669	TN	\$35.00	\$1,493,415.00		\$1,216,066.50		\$1,322,739.00	\$31.50	\$25.25
and the second	ALTERNATE 2 PAY ITEMS	TAL ALTERNATE 1 PAY	en a sin en c	gelines our einsterreitstellen geben.		े हे विक्तिपुर्वे (१४० - १० विकास स्थापना	\$3,111,952.50	•	\$2,457,930.00	स्थानक क्रिकेट के क्षेत्र के क्ष	akturi produktiki katoki a
13	Riprap - Rubble, Bank & Shore (See TSP's)	11,703			\$1,012,309.50		\$1,287,330.00		\$1,029,864.00	\$94.83	\$118.75
14	Bedding Stone	5,638			\$231,158.00	\$93.00	\$524,334.00		\$417,212.00	\$69.33	\$25.25
15	Sand & 57 Stone (50-50) Mix	29,652			\$1,215,732.00	\$28.50	\$845,082.00	\$34.00	\$1,008,168.00	\$34.50	\$25.25
oren jestek;	TO' ALTERNATE 3 PAY ITEMS	TAL ALTERNATE 2 PAY I	ITEMS	The second secon	\$2,459,199.50	•	\$2,656,746.00	१४९ <mark>-४-४</mark> स्टान स्टब्स ४ स्टब्स्ट्रेस १,०४८	\$2,455,244.00	propried to the propried of the control of the cont	وريم مريعات والمتادة
16	Regular Excavation	3,300	CY	\$17.50	\$57,750.00	\$25.00	\$82,500.00	\$52.00	\$171,600.00	\$31.50	\$15.00
		TAL ALTERNATE 3 PAY	ITEMS		\$57,750.00	<i>φ</i> 23.00	\$82,500.00	<del>\$32.00</del>	\$171,600.00	\$31.50	\$15.00
	TOTAL BASE I	BID + ALTERNATE 1 AM	OUNT		\$5,147,017.90	[	\$5,002,263.50	[	\$4,912,988.60		
TOTAL BASE BID + ALTERNATE 2 AMOUNT			\$4,006,262.40		\$4,547,057.00		\$4,910,302.60				
	TOTAL BASE BID + ALTERNAT	E 1 + ALTERNATE 3 AM	OUNT		\$5,204,767.90		\$5,084,763.50		\$5,084,588.60		
	TOTAL BASE BID + ALTERNAT	T 2 . ALTERNIATE 2 AAA	A	Г	\$4,064,012.40	r	\$4,629,557.00	-	\$5,081,902.60		

### COUNTY ROAD 880 TWENTY MILE BEND SLOPE PROTECTION PBC PROJECT #2013619

THE ITEMS AND QUANTITIES SHOWN, SHALL GOVERN OVER THE PLANS.

PAY ITEM FOOTNOTES IN CONSTRUCTION PLANS SHALL ALSO BE INCLUDED IN ITEM UNIT PRICE.

#### PAY ITEM FOOTNOTES:

Mobilization - Includes NPDES Erosion Control Measures.

Maintenance of Traffic - Includes all provision and maintenance of necessary signs, advanced warning, variable message boards, all detour signs and barricades at each end of CR880 and detour route for the duration of the project. MOT shall include the cost of any temporary pavement, temporary conc. Barriers, temporary wire faced wall, etc. as required.

Variable Message Board and Off Duty Police Officer (Non-MOT) - Shall be in accordance with the General Provisions (Section 102).

Channel Excavation - Includes clearing, grubbing, vegetation removal and disposal.

Filter Fabric, Plastic, Stabilization - Includes 3 foot minimum overlap, end burial, staking and wrapping at termination locations.

Guardrail Roadway, W-Beam - Includes removal and disposal of the existing guardrail.

Guardrail Reset - Includes replacement of damaged posts, offset blocks, guardrail panel, hardware and reflectors.

Riprap Articulating Block - Includes sideslope termination material, excavation and installation.

Riprap Rubble, Bank & Shore - Includes Keystone excavation wrapping and placement at the toe of slope.

Bedding Stone - 50:50 Mixture of sand and #57 Stone or larger as fill.

Regular Excavation - Includes clearing, grubbing, vegetation removal and disposal.

Working days to complete project: 150 calendar days

Bids as read at opening on Tuesday, January 13, 2015 at 2:00 PM

Prepared by: Toni Sharp, Technical Assistant I

Checked by: Holly B. Knight, P.E., Contracts Section Manager

Page 1 of 3

		raye i oi o
SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT	FPN 433961-1-58/68-01 CONTRACT NO. ARK-66

The <u>Department of Transportation</u> desires to supplement the original Agreement entered into and executed on <u>8/20/14</u> as identified above. All provisions in the original Agreement and supplements, if any, remain in effect except as expressly modified by this supplement.					
The changes to the Agreement and supplements, if any, are described as	s follows:				
PROJECT DESCRIPTION					
Name CR-880 Eastern Most 1.5 Miles	Length 1.855 Miles				
Termini Sugar Farms Coop to CR 700					
Description of Work: Embankment Permanent Repair for Tropical Storm Isaac					

Reason for Supplement and supporting engineering and/or cost analysis:

This Supplemental Agreement is adding funds for phase 58 in the amount of \$824,159.00 for construction and phase 68 in the amount of \$226,906.00 for CEI. Additional funds are needed because the bids came in higher than the original Detailed Damage Inspection Report estimate.

This Supplemental Agreement changes fund type from ER-13 to ACER.

Exhibit B attached hereto replaces Exhibit B of the original Agreement.

#### ADJUSTED EXHIBIT B SCHEDULE OF FUNDING

ADJUSTED EXHIBIT B SCHEDULE OF FUNDING Page					
SUPPLEMENTAL NO.	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION	FPN			
1	LOCAL AGENCY PROGRAM SUPPLEMENTAL	433961-1-58/68-01			
DUNS NO.	AGREEMENT	CONTRACT NO.			
80-939-7102		ARK-66			

	T		FUNDING		
TYPE OF WORK By Fiscal Year	(1) PREVIOUS TOTAL	(2) ADDITIONAL	(3) CURRENT TOTAL	(4) TOTAL AGENCY	(5) TOTAL STATE &
Planning	PROJECT FUNDS	PROJECT FUNDS	PROJECT FUNDS	FUNDS	FEDERAL FUNDS
FY:		***************************************			
FY:					
Total Planning Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Project Development & Environment (PD&E)					
FY:		******			
Total PD&E Cost  Design	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
FY:					
Total Design Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Right-of-Way					
FY:					
rr:					
FY: FY:					
FY:					
T. (18) 14 (14) 0					
Total Right-of-Way Cost Construction	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
FY: 2014 - 2015 ER-13	\$2,030,000.00	(\$2,030,000.00)			
FY: 2014 - 2015 ACER		\$2,030,000.00	\$2,030,000.00		\$2,030,000.00
FY: <u>2014 - 2015 ACER</u> FY:		\$824,159.00	\$824,159.00		\$824,159.00
FY:					
FY:					
Total Construction Cost	\$2,030,000.00	\$824,159.00	\$2,854,159.00	\$0.00	\$2,854,159.00
Construction Engineering and Inspection (CEI)					
FY: 2014 - 2015 ER-13	\$201,218.00	(\$201,218.00)			
FY: 2014 - 2015 ACER		\$201,218.00	\$201,218.00		\$201,218.00
FY: <u>2014 - 2015 ACER</u> FY:		\$226,906.00	\$226,906.00		\$226,906.00
FY:					
FY:					
Total CEI Cost	\$201,218.00	\$226,906.00	\$428,124.00	\$0.00	\$428,124.00
Total Construction & CEI Costs	\$2,231,218.00	\$1,051,065.00	\$3,282,283.00	\$0.00	\$3,282,283.00
TOTAL COST OF THE PROJECT	\$2,231,218.00	\$1,051,065.00	\$3,282,283.00	\$0.00	\$3,282,283.00
INOVECT					

Page 3 of 3 STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION LOCAL AGENCY PROGRAM SUPPLEMENTAL SUPPLEMENTAL NO. 433961-1-58/68-01 CONTRACT NO. DUNS NO. **AGREEMENT** 80-939-7102 ARK-66

IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

	•
AGENCY PALM BEACH COUNTY	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA BOARD OF COUNTY COMMISSIONERS	By: Name: GERRY O'REILLY, P.E. Title:
BY:	Attest: Name: Title:
NAME: SHELLEY VANA	Date:
TITLE: MAYOR	Legal Review:
21 <sup>st</sup> day of <u>April</u> , 20 <u>15</u>	
APPROVED AS TO FORM AND LEGAL SUFFICIENCY  BY:	
COUNTY ATTORNEY	
ATTEST: SHARON R. BOCK	;
•	
CLERK & COMPTROLLER (SEAL)	
APPROVED AS TO TERMS AND CONDITIONS:	
BY: N Complex (1 Firm	-

See attached Encumbrance Form for date of funding approval by Comptroller.

#### **RESOLUTION NO. R-2015-**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA; AUTHORIZING THE MAYOR TO EXECUTE THE LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT NUMBER ONE WITH THE FLORIDA DEPARTMENT OF TRANSPORATION CONCERNING THE COUNTY ROAD 880 TWENTY MILE BEND SLOPE PROTECTION PROJECT.

WHEREAS, the Florida Department of Transportation (FDOT) has awarded a Local Agency Program (LAP) Grant to help finance the County Road 880 20 mile bend slope protection; and

WHEREAS, the FDOT has requested that Palm Beach County (County) enter into a LAP Supplemental Agreement Number One (Agreement) outlining the responsibilities of each party with respect to the LAP grant for the County Road 880 20 mile bend slope protection project; and

WHEREAS, through this Agreement, the FDOT will grant funding for construction and construction engineering inspection; and

WHEREAS, the Board of County Commissioners has determined execution of the Agreement to be in the best interest of the citizens and residents of the County.

(Intentionally Left Blank)

NOW, THEREFORE be it resolved by the Board of County Commissioners of Palm Beach County, Florida, that the Mayor is hereby authorized to execute the Agreement. 1. The recitations set forth herein above are true, accurate and correct and are incorporated herein. 2. This Resolution will take effect upon its adoption. The foregoing resolution was offered by Commissioner \_\_\_\_\_ who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows: Commissioner Shelley Vana, Mayor Commissioner Mary Lou Berger, Vice Mayor Commissioner Hal R. Valeche Commissioner Paulette Burdick Commissioner Steven L. Abrams Commissioner Melissa McKinlay Commissioner Priscilla A. Taylor The Mayor thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2015. APPROVED AS TO FORM PALM BEACH COUNTY, FLORIDA BY AND LEGAL SUFFICIENCY ITS BOARD OF COUNTY COMMISSIONERS SHARON BOCK, CLERK AND COMPTROLLER

Deputy Clerk

**Assistant County Attorney** 

<b>2015-</b>	 :
CHMENT	

Page	_1_	of _	1	_
------	-----	------	---	---

## BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY BUDGET <u>Amendment</u>

#### FUND Transportation Improvement

BGRV 031715-505 BGEX 031715-1052

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED AS OF 03/17/15	REMAINING BALANCE
REVENUES								
CR880 EMBANKMNT REF 3500-361-1448-3104 Fed C TOTAL RECEIPTS & BAL EXPENDITURES	• •	<u>2,231,218</u> 197,575,694	<u>2,231,218</u> 195,001,757	<u>1,051,065</u> 1,051,065	<u>0</u> 0	<u>3,282,283</u> 196,052,822		
CR880 EMBANKMNT REF 3500-361-1448-6551 Road TOTAL APPROPRIATION		<u>2,256,218</u> 197,575,694	4,805,114 195,001,757	<u>1,051,065</u> 1,051,065	<u>0</u> 0	<u>5,856,179</u> 196,052,822	14,800	5,841,379
Engineering & Public Works  Administration / Budget Approval  OFMB Department – Posted		SIGNATURE Alliepovalainen DATE 3/18/15		By Board of County Commissioners At Meeting of				
							Clerk to the County Commissio	ners