

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

Agenda Item #: 3-C-6

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

Meeting Date: June 2, 2015

☒ 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 Foster Marine Contractors, Inc. (Foster) in the amount of \$339,217 for the construction of Clint Moore Road and Military Trail Intersection Drainage Improvements (Project).

SUMMARY: Approval of this contract will allow Palm Beach County to issue a notice to proceed to Foster, a Palm Beach 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 Foster is 16.95 %.

Districts 4&5 (MRE)

Background and Justification: Bids for the Project were received by the Engineering Department on March 12, 2015. Foster was the lowest responsive, responsible bidder. The Office of Small Business Assistance issued its evaluation on April 3, 2015. Time to complete all work under this contract shall be no more than 120 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:

Ornelis A. Fernandez
Division Director

4/27/15
Date

Approved By:

S. J. Webb
County Engineer

5/8/15
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	<u>\$376,444</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>\$376,444</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 1373 Object 6551/6555

Recommended Sources of Funds/Summary of Fiscal Impact:

Transportation Improvement Fund
Clint Moore Road and Military Trail Intersection

Construction Contract	\$ 339,217.00
Contingency	\$ 10,177.00
Testing Lab	\$ 2,000.00
Traffic Pavement Markings	\$ 1,500.00
Staff Costs -	
Roadway Production	\$ 6,700.00
Survey	\$ 3,350.00
Construction Coordination	\$ 13,500.00
Total Cost	<u>\$ 376,444.00</u>

C. Departmental Fiscal Review:

_____ *Alicia Kovalainen*

III. REVIEW COMMENTS

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

_____ *Sherry Br...*
OFMB
5/11 5/11

_____ *Dr. J. Jacobson* 5/20/15
Contract Dev. and Control
5-20-15 *Shedda*

B. Approved as to Form and Legal Sufficiency:

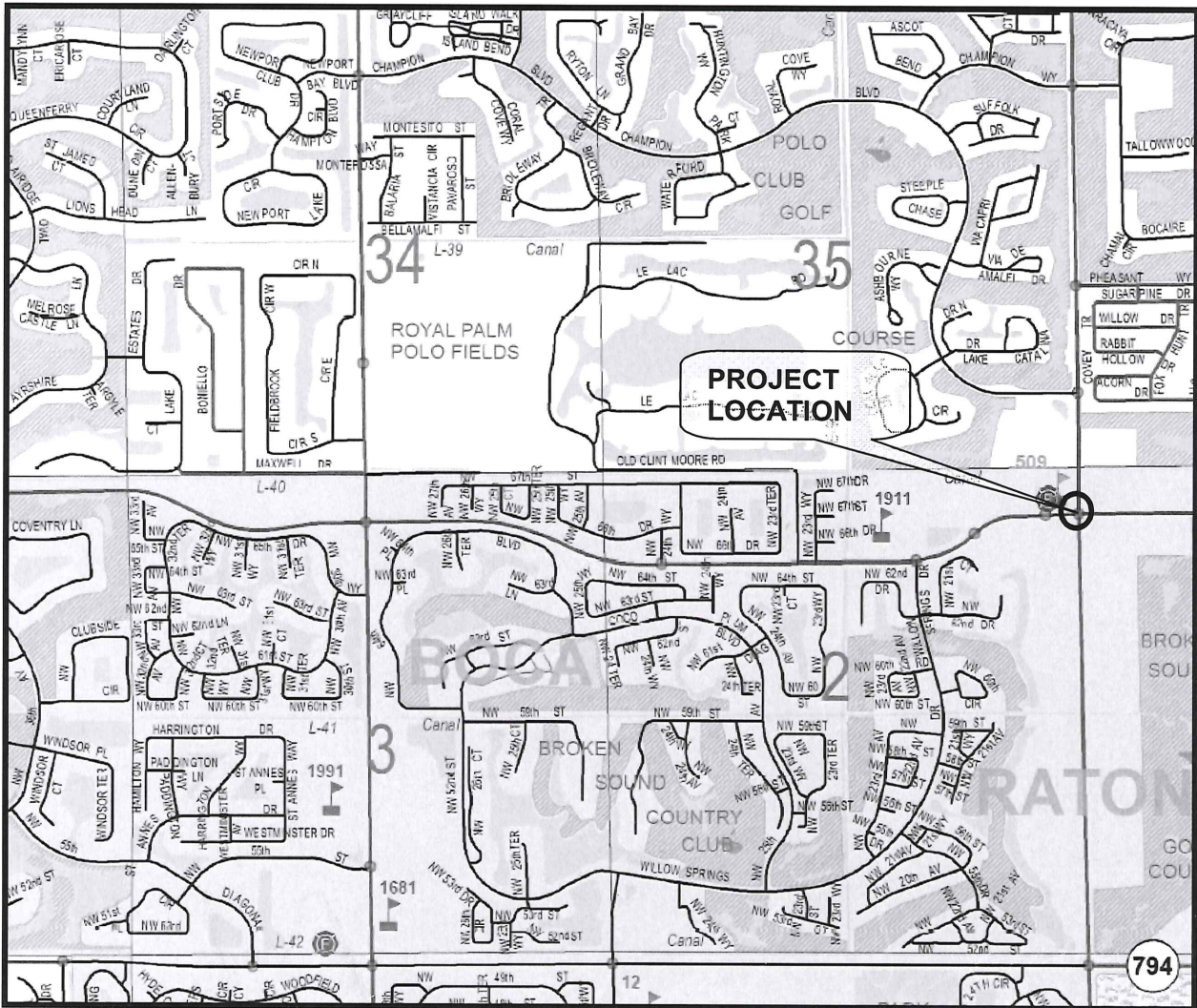
_____ *Mark R. ...* 5/21/15
Assistant County Attorney

C. Other Department Review:

Department Director

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

PROJECT LOCATION
CLINT MOORE ROAD & MILITARY TRAIL
INTERSECTION DRAINAGE IMPROVEMENTS
PALM BEACH COUNTY PROJECT NO. 2013513



LOCATION MAP

CONTRACT

STATE OF FLORIDA)

) SS

COUNTY OF PALM BEACH)

This Contract, made this ____ day of _____, A.D. 2015, by and between PALM BEACH COUNTY, a Political Subdivision of the State of Florida, (hereinafter "County"), and Foster Marine Contractors, Inc. of Wellington, Florida, and their heirs, executors, administrators and assigns, (hereinafter "Contractor"):

WITNESSETH: The Contractor agrees with the County, 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: CLINT MOORE ROAD & MILITARY TRAIL
DRAINAGE IMPROVEMENTS**

PROJECT NO.: 2012513

IN THE AMOUNT OF:

THREE HUNDRED THIRTY NINE THOUSAND TWO HUNDRED SEVENTEEN DOLLARS
00/100

(IN WORDS)

\$339,217.00

(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 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 (120) 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

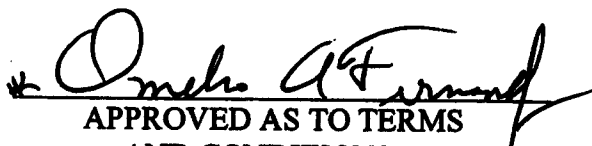
PALM BEACH COUNTY, FLORIDA, a
Political Subdivision of the
State of Florida

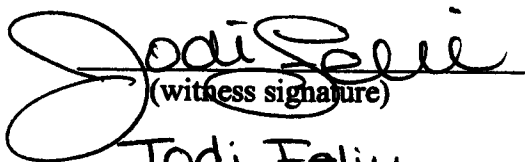
BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

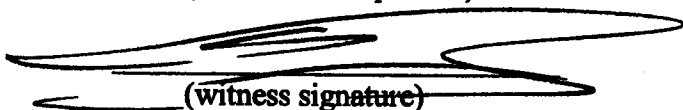
By: _____
Shelley Vana, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


APPROVED AS TO TERMS
AND CONDITIONS


(witness signature)

Jodi Feliu
(witness name printed)


(witness signature)

Kevin E. Schaeffer
(witness name printed)

Foster Marine Contractors, Inc.
(Corporate Name)

a Florida corporation
(insert state of incorporation)

By _____
(signature)

R. Howard Wight
(print signatory's name)

Its President
(print title)

(date of execution)





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

Shelley Vana, Mayor

Mary Lou Berger, Vice Mayor

Hal R. Valeche
Paulette Burdick
Steven L. Abrams
Melissa McKinlay
Priscilla A. Taylor

County Administrator
Robert Weisman
(SB)
(SB)
(MWBE)

DATE: April 3, 2015

TO: Holly B. Knight, P.E., Contracts Section
Manager - Roadway Production Division

Through: Allen Gray, Manager - Office of Small Business
Assistance

FROM: Tanoy Williams, Small Business Development
Specialist II

SUBJECT: Compliance Review on Project No. 2012513
Clint Moore Road and Military Trail
Intersection Drainage Improvements

The following is Compliance Review of SBE participation
on the above-mentioned project. (Amount - less
contingency)

LOW BIDDER: FOSTER MARINE CONTRACTORS, INC.
3180 Fairline Farms Rd, Suite 1
Wellington, FL 33414
Phone: 561-683-0034
Bid Opening: March 10, 2015
Bid Amount: \$334,617.00
Goal: 15% Overall
Goal Achieved: 16.95%

SBE Participation:
Dennis J. Leavy \$ 4,100.00 1.22%
Pathway Enterprises \$18,761.25 5.60%
E & N Construction \$33,883.25 10.13%
\$56,744.50 16.95%



2ND LOW BIDDER:

JOHNSON-DAVIS, INC.

604 Hillbrath Drive
Lantana, FL 33462

Phone: 561-588-1170
Bid Amount: \$390,770.00
Goal: **15% Overall**
Goal Achieved: **18.73%**

SBE Participation:

(SB) Pathway Enterprise	\$18,611.25	4.76%
(WB) R & D PAVING	\$49,828.00	12.75%
(SB) DENNIS LEAVY	\$ 4,100.00	1.05%
(WB) BIRD'S EYE VIEW	\$ 680.00	0.17%
	\$73,219.25	18.73%

3RD LOW BIDDER:

**DP DEVELOPMENT OF THE TREASURE COAST,
LLC**

605 Belvedere Road, #13
West Palm Beach, FL 33405

Phone: 561-650-1333
Bid Amount: \$402,404.52
Goal: **15% Overall**
Goal Achieved: **86.90**

SBE Participation:

(SB) DP Development	\$347,748.56	86.41%
(SB) Caulfield & Wheeler	\$ 1,980.00	0.49%
	\$349,728.56	86.90%

EVALUATION

The low bidder **FOSTER MARINE CONTRACTORS, INC.**
has met the SBE goal for this project.

cc: Helene Hvizd, Assistant County Attorney
File

CLINT MOORE ROAD AND MILITARY TRAIL
INTERSECTION DRAINAGE IMPROVEMENTS
PBC PROJECT #2012513

				AVERAGE OF BID ITEMS	ENGINEERS ESTIMATE	FOSTER MARINE CONTRACTORS, INC.		JOHNSON-DAVIS INC.		DP DEVELOPMENT OF THE TREASURE COAST, LLC.	
ITEM #	DESCRIPTION	QTY	UNIT	UNIT PRICE	UNIT PRICE	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
REGULAR ROADWAY PAY ITEMS											
1	MOBILIZATION	1	LS	\$ 25,103.33	\$ 12,630.00	\$ 20,000.00	\$ 20,000.00	\$ 18,000.00	\$ 18,000.00	\$ 37,310.00	\$ 37,310.00
2	MAINTENANCE OF TRAFFIC	1	LS	\$ 19,333.33	\$ 12,630.00	\$ 7,000.00	\$ 7,000.00	\$ 18,000.00	\$ 18,000.00	\$ 33,000.00	\$ 33,000.00
3	CLEARING AND GRUBBING	1	LS	\$ 26,666.67	\$ 10,000.00	\$ 17,000.00	\$ 17,000.00	\$ 23,000.00	\$ 23,000.00	\$ 40,000.00	\$ 40,000.00
4	TYPE S-III ASPHALTIC CONCRETE (1" THICK)	67	TN	\$ 202.00	\$ 108.00	\$ 171.00	\$ 11,457.00	\$ 210.00	\$ 14,070.00	\$ 225.00	\$ 15,075.00
5	TYPE S-1 ASPHALTIC CONCRETE (1 1/2" THICK)	101	TN	\$ 209.00	\$ 102.00	\$ 162.00	\$ 16,362.00	\$ 215.00	\$ 21,715.00	\$ 250.00	\$ 25,250.00
6	MILL EXISTING ASPHALT PAVEMENT	560	SY	\$ 13.17	\$ 4.30	\$ 17.50	\$ 9,800.00	\$ 12.00	\$ 6,720.00	\$ 10.00	\$ 5,600.00
7	BASEROCK (16") (3 LIFTS)	650	SY	\$ 40.50	\$ 25.00	\$ 31.50	\$ 20,475.00	\$ 60.00	\$ 39,000.00	\$ 30.00	\$ 19,500.00
8	4" THICK CONCRETE SIDEWALK	210	SY	\$ 50.67	\$ 24.00	\$ 54.00	\$ 11,340.00	\$ 55.00	\$ 11,550.00	\$ 43.00	\$ 9,030.00
9	6" THICK CONCRETE SIDEWALK	85	SY	\$ 57.67	\$ 34.00	\$ 56.00	\$ 4,760.00	\$ 65.00	\$ 5,525.00	\$ 52.00	\$ 4,420.00
10	F CURB & GUTTER	410	LF	\$ 21.67	\$ 45.00	\$ 23.00	\$ 9,430.00	\$ 20.00	\$ 8,200.00	\$ 22.00	\$ 9,020.00
11	CORE EXIST. INLET	1	EA	\$ 1,851.67	\$ 1,500.00	\$ 1,800.00	\$ 1,800.00	\$ 2,000.00	\$ 2,000.00	\$ 1,755.00	\$ 1,755.00
12	CONCRETE PIPE CULVERT (24") (RCP)	298	LF	\$ 131.00	\$ 57.00	\$ 110.00	\$ 32,780.00	\$ 180.00	\$ 53,640.00	\$ 103.00	\$ 30,694.00
13	CONCRETE PIPE CULVERT (42") (RCP)	229	LF	\$ 172.33	\$ 115.00	\$ 132.00	\$ 30,228.00	\$ 210.00	\$ 48,090.00	\$ 175.00	\$ 40,075.00
14	CONCRETE PIPE CULVERT (24") (RCP) REMOVE & REPLACE SEE SP'S	1	LS	\$ 77,491.67	NA	\$ 85,000.00	\$ 85,000.00	\$ 75,000.00	\$ 75,000.00	\$ 72,475.00	\$ 72,475.00
15	DRAINAGE STRUCTURE (MANHOLE P-8)	2	EA	\$ 5,568.42	\$ 5,000.00	\$ 5,500.00	\$ 11,000.00	\$ 6,000.00	\$ 12,000.00	\$ 5,205.26	\$ 10,410.52
16	DRAINAGE STRUCTURE (MANHOLE J-8)	2	EA	\$ 10,203.33	\$ 5,200.00	\$ 13,500.00	\$ 27,000.00	\$ 8,000.00	\$ 16,000.00	\$ 9,110.00	\$ 18,220.00
17	DRAINAGE CONFLICT STRUCTURE (CUSTOM 8' DIAMETER TYPE J)	1	EA	\$ 16,651.67	\$ 7,500.00	\$ 16,000.00	\$ 16,000.00	\$ 13,500.00	\$ 13,500.00	\$ 20,455.00	\$ 20,455.00
18	PLUG EXIST. 24" STORM PIPE	2	EA	\$ 1,146.67	\$ 1,500.00	\$ 650.00	\$ 1,300.00	\$ 1,000.00	\$ 2,000.00	\$ 1,790.00	\$ 3,580.00
19	STORM SEWER PUMPING (EXIST. 24" OR LESS) (SEE SP'S)	235	LF	\$ 6.67	\$ 4.70	\$ 4.00	\$ 940.00	\$ 6.00	\$ 1,410.00	\$ 10.00	\$ 2,350.00
20	STORM SEWER PUMPING (EXIST. >48") (SEE SP'S)	135	LF	\$ 16.00	\$ 4.70	\$ 7.00	\$ 945.00	\$ 10.00	\$ 1,350.00	\$ 31.00	\$ 4,185.00
TOTAL REGULAR ROADWAY PAY ITEMS							\$ 334,617.00		\$ 390,770.00		\$ 402,404.52
CONTINGENCY PAY ITEMS											
21	SUPPORT & PROTECT EXISTING AT&T UTILITIES	500	LF	\$ 6.60	\$ 7.00	\$ 3.00	\$ 1,500.00	\$ 12.00	\$ 6,000.00	\$ 4.80	\$ 2,400.00
22	ADJUST EXISTING AT&T UTILITIES	50	LF	\$ 20.33	\$ 10.00	\$ 10.00	\$ 500.00	\$ 15.00	\$ 750.00	\$ 36.00	\$ 1,800.00
23	SUPPORT EXISTING AT&T CABINETS	3	EA	\$ 433.33	\$ 500.00	\$ 100.00	\$ 300.00	\$ 500.00	\$ 1,500.00	\$ 700.00	\$ 2,100.00
24	HOLD EXISTING TRAFFIC SIGNAL POLE (BOCA RATON TRAFFIC)	1	EA	\$ 1,166.67	\$ 1,500.00	\$ 500.00	\$ 500.00	\$ 1,800.00	\$ 1,800.00	\$ 1,200.00	\$ 1,200.00
25	SUPPORT & PROTECT EXISTING COMCAST UTILITIES	500	LF	\$ 5.73	\$ 7.00	\$ 3.00	\$ 1,500.00	\$ 10.00	\$ 5,000.00	\$ 4.20	\$ 2,100.00
26	DEFLECT EXISTING COMCAST UTILITIES (AS NEEDED)	30	LF	\$ 23.33	\$ 100.00	\$ 10.00	\$ 300.00	\$ 10.00	\$ 300.00	\$ 50.00	\$ 1,500.00
TOTAL CONTINGENCY PAY ITEMS							\$ 4,600.00		\$ 15,350.00		\$ 11,100.00
TOTAL BID AMOUNT							\$ 339,217.00		\$ 406,120.00		\$ 413,504.52

 Yellow highlight indicates a discrepancy/error in the item amount.

CLINT MOORE ROAD AND MILITARY TRAIL
INTERSECTION DRAINAGE IMPROVEMENTS
PBC PROJECT #2012513

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	
MOT	shall include the cost of any temporary pavement, temporary conc. Barriers, temporary wire faced wall, etc. as required.
Baserock & Asphaltic Concrete	items include Bituminous Material & Tack Coat as required.
All structure boxes	are 10 feet or less in depth, unless otherwise noted.
The cost of breaking into existing structures	is incidental to the cost of pipe.
"Saw Cut & Butt Joint", as required.	The cost shall be incidental to the related asphalt item.
Contractor is responsible for "Trench Safety Compliance"	in accordance with the Special Provisions.
Drainage conflict structure	shall include any costs to deflect the existing 16" water main into the structure with a steel casing.

Working days to complete project: 120 calendar days (See Special Provisions)
Bids as read at opening on Thursday, March 12, 2015; 2:00 PM
All bids subject to OSBA SBE compliance and Board Approval.
Prepared by: Toni Sharp, Technical Assistant I
Checked by: Holly B. Knight, P.E., Contracts Section Manager