

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

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Meeting Date: June 7, 2016 Consent Regular
 Workshop Public Hearing

Department

Submitted By: Environmental Resources Management
Submitted For: Environmental Resources Management

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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A) approve** Work Order No. 0650-3 to construct living shoreline projects along Currie and Osprey Parks in West Palm Beach at a cost not to exceed \$695,914.10 in accordance with Coston Marine Services, Inc. (Coston) Palm Beach County Artificial Reef & Breakwater Annual Contract, Project No. 2015ERM01 (R2015-0650);
- B) authorize** the County Administrator, or her designee, to sign Work Order No. 0650-3; and
- C) approve** Budget Amendment of \$391,175 in the Environmental Enhancement Non-Specific Fund (1225) to recognize revenues from Florida Inland Navigation District (FIND) Project Agreement No PB-15-186 (R-2016-0095).

Summary: On May 19, 2015, the Board of County Commissioners approved an annual construction contract with Coston, a Palm Beach County SBE Company, for the Palm Beach County Artificial Reef & Breakwater Annual Contract, Project No. 2015ERM01 (R2015-0650). Work Order No. 0650-3 will authorize the construction of living shoreline projects at a cost of \$695,914.10. Coston committed to an overall 100% Small Business Enterprise (SBE) participation in the Contract. Coston has achieved 83.79% SBE participation to-date. A Budget Amendment incorporates the FIND grant that will cover 50% of the projects costs that require a 100% match and are shared by Florida Department of Environmental Protection (FDEP) 42% and County 8%. Outside funding contributions will cover approximately 92% of the project costs. District 7 (DC)

Background and Justification: Work Order No. 0650-3 includes the placement of approximately 6,860 tons of limestone rock and 1,500 tons of sand along approximately 1,400 ft. of bulk-headed shoreline at Currie and Osprey Parks in West Palm Beach. The placement of rock and sand will create 10 intertidal planters along the seawalls, creating important wetland habitat and providing shoreline resilience against sea level rise. Upon completion, the intertidal areas will be planted with mangroves and spartina.

Attachments:

- 1. Contract
- 2. Bid Schedules for Work Order No. 0650-3
- 3. Contract History
- 4. Budget Amendment (1225)

Recommended by:	<i>[Signature]</i>
Department Director	5/23/16 Date

Approved by:	<i>[Signature]</i>
Deputy County Administrator	5-25-16 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	\$695,915	_____	_____	_____	_____
External Revenues	(\$638,585)	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
 NET FISCAL IMPACT	 \$57,330	 _____	 _____	 _____	 _____
 # ADDITIONAL FTE POSITIONS (Cumulative)	 _____	 _____	 _____	 _____	 _____

Is Item Included in Current Budget? (Match) Yes No
 Budget Account No.: Fund_ Department_ Unit_ Object

B. Recommended Sources of Funds/Summary of Fiscal Impact

Work Order # 0650-3	
FDEP R2014-1946	\$290,628
FIND R2016-0095	\$347,957
County Manatee Fund	<u>\$ 57,330</u>
	\$695,915

C. Department Fiscal Review: 

III. REVIEW COMMENTS

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

 OFMB <i>5/16</i> <i>5/14</i> <i>5/14</i> <i>5/14</i> <i>5/14</i>	 Contract Development and Control <i>5123116</i> <i>5/25/16</i> <i>FR</i>
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B. Legal Sufficiency:


Assistant County Attorney *5/25/16*

C. Other Department Review:

Department Director

ATTACHMENT 1

R2015-0650
CONTRACT

THIS CONTRACT, made and entered into this _____ day of MAY 19 2015, 20____, between PALM BEACH COUNTY, a political subdivision of the State of Florida, hereinafter referred to as the "County" and COSTON MARINE SERVICES, INC., hereinafter referred to as the "Contractor".

WITNESSETH:

That the said Contractor having been awarded the Contract for the:

PROJECT NAME: Palm Beach County Artificial Reef & Breakwater Annual Contract
(Secondary Contractor)
PROJECT NO.: 2015ERM01

in accordance with the Bid therefore and for and in consideration of the promises and of the covenants and agreements, and of the payments herein specified, to be made and performed by the Contractor and the County, the Contractor hereby covenants and agrees to and with the County to undertake and execute all of the said named work, in a good, substantial and workmanlike manner, and to furnish and pay for all materials, labor, supervision, equipment, supplies, fees, expertise, and services necessary to fully complete all work in accordance with all requirements of the Contract Documents and in accordance with all applicable codes and governing regulations, within the time limit specified in the Bid Form. The Contract Documents consist of the following documents which are incorporated herein by reference.

- A - Invitation for Bid, Instructions to Bidders, Bid Form and Attachments 1 through 15
- B - Completed Bonds and Insurance Forms
- C - General Conditions, Supplemental General Conditions and Appendices A, B
- D - Technical Specifications, including Figures, Tables, Attachments, Appendices
- E - Addenda
- F - Permits
- G - Drawings/Plans

The Contractor acknowledges that the Work described by this Agreement shall be authorized by Work Order(s) and no minimum number or dollar value of Work Order(s) is promised under this Contract. The Contractor agrees to perform each Work Order issued by the County hereunder for the fixed prices to be established in each Work Order, based on the unit prices set forth in the Contract Bid Schedule, up to a maximum amount for all Work Orders not to exceed One Million Four Hundred Fifteen Thousand One Hundred Ninety-Six Dollars and Thirty-Eight Cents (\$1,415,196.38), except as may be increased according to Articles 42 and 43 of the General Conditions. Each Work Order shall establish a fixed price, a time for completion and applicable Liquidated Damages for delay in Substantial and Final Completion.

This Contract is for a term not-to-exceed twelve (12) months from the date set forth above, with an optional extension not to exceed thirty-six (36) months total contract time.

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida, has made and executed this Contract on behalf of the said County and caused the seal of the said County to be affixed hereto, and the Contractor has hereunto set its hand and seal the day and year written. The Contractor represents that it is authorized to execute this contract on behalf of itself and its Surety.

R2015 40650 MAY 19 2015

ATTEST:
SHARON R. BOCK
CLERK & COMPTROLLER

Sharon R. Bock
Deputy Clerk



PALM BEACH COUNTY, FLORIDA, A
Political Subdivision of the State of Florida
BOARD OF COUNTY COMMISSIONERS

By: *Shelley Vana*
Shelley Vana, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

James C. Hines
Assistant County Attorney

(Corporate Seal)

APPROVED AS TO TERMS AND
CONDITIONS:

Daniel Bates
Daniel Bates, Deputy Director
Environmental Resources Management Department

CONTRACTOR:

Coston Marine Services, Inc.
(Corporate Name)

a Florida corporation
(insert state of corporation)

By: *Daniel L. Coston*
(signatory)

Daniel L. Coston President
(print signatory's name & title)

April 13, 2015
(Contractor's signature date)

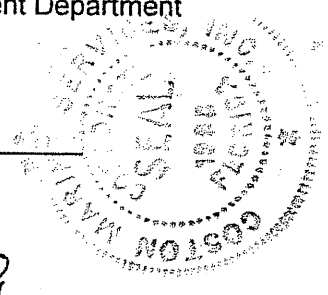
228 Hibiscus Street, Suite 4
(Contractor's Official Address)

Jupiter, FL 33458
(Contractor's City, State, Zip Code)

65-0850783
(Federal Tax No.)

COST0014
Palm Beach County Vendor #

Same as above
Payment Remittance Address



James C. Hines
(witness signature)

James C. Hines
(witness name printed)

**CERTIFICATE
(Corporation)**

The undersigned hereby certifies that the following are true and correct statements:

1. That he/she is the Secretary of Coston Marine Services, Inc. a corporation organized and existing in good standing under the laws of the State of FL hereinafter referred to as the "Corporation", and that the following Resolutions are true and correct copies of certain Resolutions adopted by the Board of Directors of the Corporation as the 13th day of April, 20 15, in accordance with the laws of the State of the state of incorporation of the Corporation, the Articles of Incorporation and the By-laws of the Corporation.

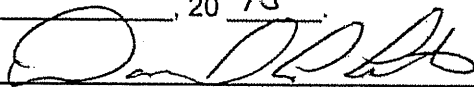
RESOLVED, that the Corporation shall enter into that certain Agreement between Palm Beach County, a political subdivision of the State of Florida and the Corporation, a copy of which is attached hereto, and be it

FURTHER RESOLVED, that Daniel L. Coston (name), the President (title) of the Corporation, is hereby authorized and instructed to execute such Agreement and such other instruments as may be necessary and appropriate for the Corporation to fulfill its obligations under the Agreement.

2. That the foregoing resolutions were passed with the required corporate formalities and have not been modified, amended, rescinded, revoked or otherwise changed and remain in full force and effect as of the date hereof.

3. That the Corporation is in good standing under the laws of the State of Florida or its state of incorporation, if other, and has qualified, if legally required, to do business in the State of Florida and has the full power and authority to enter into such Agreement.

IN WITNESS WHEREOF, the undersigned has set his hand and affixed the Corporate Seal of the Corporation the 13th day of April, 20 15.




(Signature)

(CORPORATE SEAL)

Daniel L. Coston

(Print Signatory's name)
Its Secretary

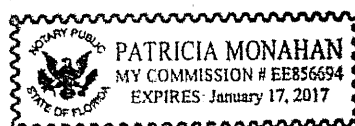
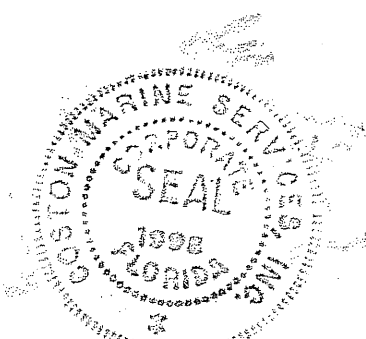
SWORN TO AND SUBSCRIBED before me this 13th day of April, 20 15, by the Secretary of the aforesaid Corporation, who is personally known to me OR who produced N/A as identification and who did NOT take an oath.



(Notary Signature)

(Print Notary's Name) **NOTARY PUBLIC**
State of Florida at Large
My Commission Expires: _____

END OF SECTION



ATTACHMENT 2

Project No.: 2015ERM01
Work Order No.: 0650-3
Project Name: Palm Beach County Artificial Reef & Breakwater Annual Contract
Site Name: West Palm Beach Living Shoreline Currie and Osprey Park

Phase 1: Currie Park Living Shoreline		QUANTITY	UNIT	UNIT COST	TOTAL COST
General					
1	Turbidity Monitoring/Reporting	60	Day	\$ 275.26	\$ 16,515.60
2	Turbidity Curtain	1,800	Foot	18.53	33,354.00
3	Mobilization & Demobilization ¹	0	Work Order	28,000.00	-
Materials Supply					
5	Supply Limestone Rock (2' to 3' diameter)	4,800	Ton	44.30	212,640.00
6	Supply Bedding Stone	960	Ton	30.63	29,404.80
7	Supply Sand	1,200	Ton	18.69	22,428.00
8	Supply Filter Fabric	3,100	SY	2.25	6,975.00
Inshore Breakwater/Reef Construction					
14	Load/Install Filter Fabric	3,100	SY	4.50	13,950.00
15	Load/Install Bedding Stone	960	Ton	33.70	32,352.00
16	Load/Install Armor Stone	4,800	Ton	40.16	192,768.00
17	Transport All Materials ²	0	Ton-Mile	1.00	-
Miscellaneous Inshore Construction					
18	Load/Install Sand	1,200	Ton	17.39	20,868.00
19	Transport Sand ²	0	Ton-Mile	0.94	-
BASE BID PHASE 1:					\$ 581,255.40

Phase 2: Osprey Park Living Shoreline		QUANTITY	UNIT	UNIT COST	TOTAL COST
General					
1	Turbidity Monitoring/Reporting	20	Day	\$ 275.26	\$ 5,505.20
2	Turbidity Curtain	350	Foot	18.53	6,485.50
3	Mobilization & Demobilization ¹	0	Work Order	28,000.00	-
Materials Supply					
4	Supply Limestone Rock (3' to 4' diameter)	0	Ton	64.88	-
5	Supply Limestone Rock (2' to 3' diameter)	950	Ton	44.30	42,085.00
6	Supply Bedding Stone	150	Ton	30.63	4,594.50
7	Supply Sand	300	Ton	18.69	5,607.00
8	Supply Filter Fabric	290	SY	2.25	652.50
Inshore Breakwater/Reef Construction					
14	Load/Install Filter Fabric	290	SY	4.50	1,305.00
15	Load/Install Bedding Stone	150	Ton	33.70	5,055.00
16	Load/Install Armor Stone	950	Ton	40.16	38,152.00
17	Transport All Materials ²	0	Ton-Mile	1.00	-
Miscellaneous Inshore Construction					
18	Load/Install Sand	300	Ton	17.39	5,217.00
19	Transport Sand ²	0	Ton-Mile	0.94	-
BASE BID PHASE 2:					\$ 114,658.70

¹ Mobilization/demobilization costs shall be allowed once for Work Orders with overlapping construction schedules

TOTAL \$ 695,914.10

ATTACHMENT 3

CONTRACT HISTORY

Palm Beach County Artificial Reef & Breakwater Annual Contract (Secondary Contractor)

Project Number 2015ERM01

Coston Marine Services, Inc.

Contract R2015-0650 dated May 19, 2015 for initial 1 year Term expires on May 18, 2016 for \$1,415,196.38

Amendment No. 1 (R2016-xxxx) increases Contract for 2nd Year by \$1,415,196.38.

Amendment No. 1 (R2016-xxxx) extends the Contract for 1 year, expiring on May 18, 2017.

Contract Not To Exceed: \$2,830,392.76

SBE Goal: 100%

Work Order Summary:

WORK ORDER NUMBER	TOTAL/ SBE AMOUNT	ACTUAL* TOTAL/SBE AMOUNT	WORK ORDER DESCRIPTION	DATE / APPROVED BY	COMMENCEMENT DATE
0650-1	\$159,719.87	\$159,719.87	Juno Pier Step Reef & Red Harris Foundation Reef	8/5/2015 CRC	8/5/2015
	\$119,219.87	\$119,219.87			
0650-2	\$326,027.33		Jewell Cove Shoreline Restoration Project	3/1/2016 BCC	3/14/2016
	\$287,823.83				
Amendment No. 1			Increase Contract by \$1,415,196.38 and Extend Contract by 1 Year	BCC	

Total: \$485,747.20
 SBE: \$407,043.70
 SBE Participation: 83.79%

Contract Balance: \$2,344,645.56
 Report Date: 4/28/2016

* Actual amount expended for completed Work Orders and approved for closeout by Contract Review Committee.

2016-0818

ATTACHMENT 4

BGEX - 380 - 041116*1205

BGRV - 380 - 041116*460

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA

BUDGET AMENDMENT

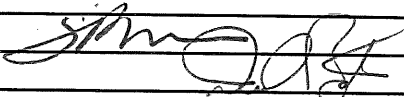
Fund 1225 Environmental Enhancement-Nonspec

ACCOUNT NAME AND NUMBER	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	ENCUMBERED / Expended	REMAINING BALANCE
<u>REVENUES</u>							
380-3095 West Palm Beach Living Shorelin 6694-Grant from oth Non-Govt	0	0	391,175	0	391,175	0	391,175
TOTAL RECEIPTS & BALANCES	4,814,055	5,081,425	391,175	0	5,472,600		
<u>EXPENDITURES</u>							
380-3095 West Palm Beach Living Shorelin 3401 Other Contractual Services	0	0	391,175		391,175	0	391,175
TOTAL APPROPRIATIONS & EXPENDITURES	4,814,055	5,081,425	391,175	0	5,472,600		

Environmental Resources
Management

INITIATING DEPARTMENT/DIVISION
Administration/Budget Department Approval
OFMB Department - Posted

Signatures & Dates



BY BOARD OF COUNTY COMMISSIONERS
AT MEETING OF

June 7, 2016

Deputy Clerk to the
Board of County Commissioners