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Agenda Item #: 3L2

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

**Meeting Date:** November 22, 2016      ☒ Consent      ☐ Regular  
   ☐ Workshop      ☐ Public Hearing

Department

**Submitted By:** Environmental Resources Management

**Submitted For:** Environmental Resources Management

## I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to:**

**A) approve** a Contract with Kelly Brothers, Inc. in the amount not to exceed \$1,154,957.12 for the construction of the Pahokee Marina Re-Configuration and Fisheries Enhancement Project No. 2016ERM02 for a period of 185 calendar days;

**B) adopt** a Resolution authorizing the Clerk of the Board to disburse \$154,958 from the Vessel Registration Fee Trust Fund to cover a portion of the project costs; and

**C) approve** a Budget Transfer of \$154,958 in the Environmental Enhancement Freshwater Fund (1223) from reserves for a total of \$1,154,958 in project funding.

**Summary:** This project will re-configure the Pahokee Marina entrance to provide wave attenuation and improve fisheries habitat with the installation of a new breakwater and placement of armor and bedding stone. Five (5) bids were received for this project located in Lake Okeechobee, City of Pahokee. Kelly Brothers, Inc., a Lee County company, was the lowest responsive, responsible bidder. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. Florida Statute 255.0991 provides that a competitive solicitation for construction services in which 50% or more of the cost will be paid from state-appropriated funds cannot include a local ordinance that provides a preference based on a contractor's maintaining an office or place of business within a particular local jurisdiction. The County's SBE Ordinance (R2002-0064 as amended) includes such a requirement  
(Continued on Page 3)

**Attachments:**

1. Location Map
2. Contract
3. Bid Evaluation Summary and Bid Tabulation
4. Resolution
5. Budget Transfer

Recommended by: [Signature] 10-26-16  
Department Director Date

Approved by: [Signature] 11-7-16  
Deputy County Administrator Date

## II. FISCAL IMPACT ANALYSIS

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

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	\$1,154,958	_____	_____	_____	_____
External Revenues	(\$1,000,000)	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	\$154,958	_____	_____	_____	_____
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes \_\_\_\_\_ No X  
 Budget Account No.: Fund \_\_\_\_\_ Department \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_  
 Program \_\_\_\_\_

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

DEO Grant HL056 \$1,000,000.00 (1223-380-3009-3401)  
 Vessel Registration Fees \$ 154,958.00

### C. Department Fiscal Review:

*S. Neung*

## III. REVIEW COMMENTS

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

*[Signature]* 10/28/16  
 OFMB 10/27/16

*[Signature]* 11/2/16  
 Contract Development and Control

### B. Legal Sufficiency:

*[Signature]* 4/4/16  
 Assistant County Attorney

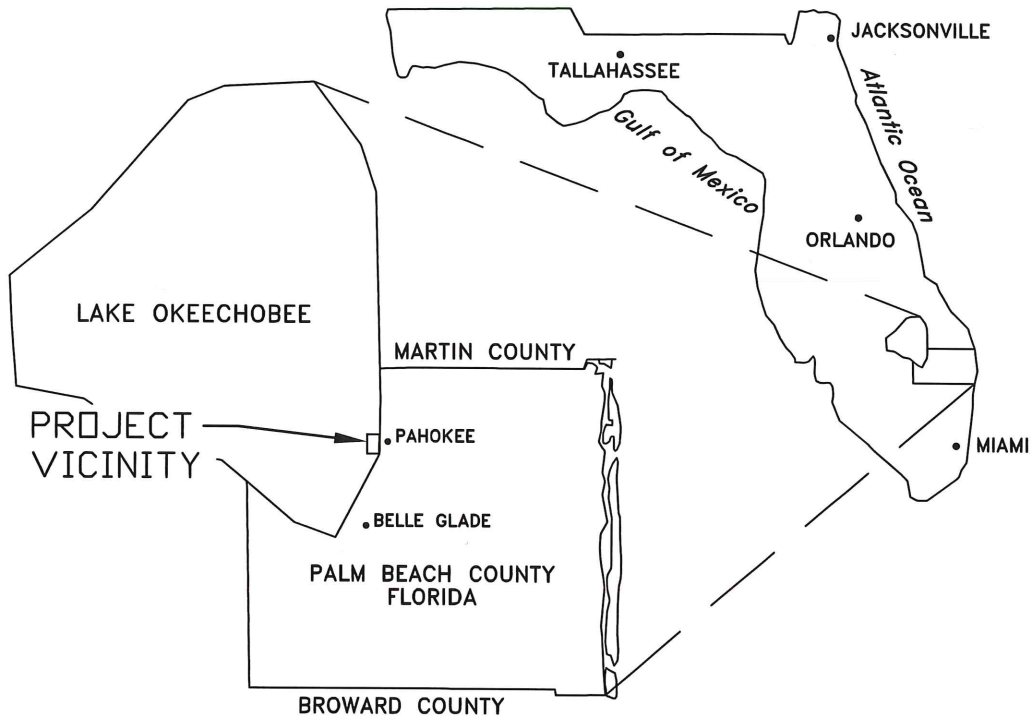
### C. Other Department Review:

\_\_\_\_\_  
 Department Director

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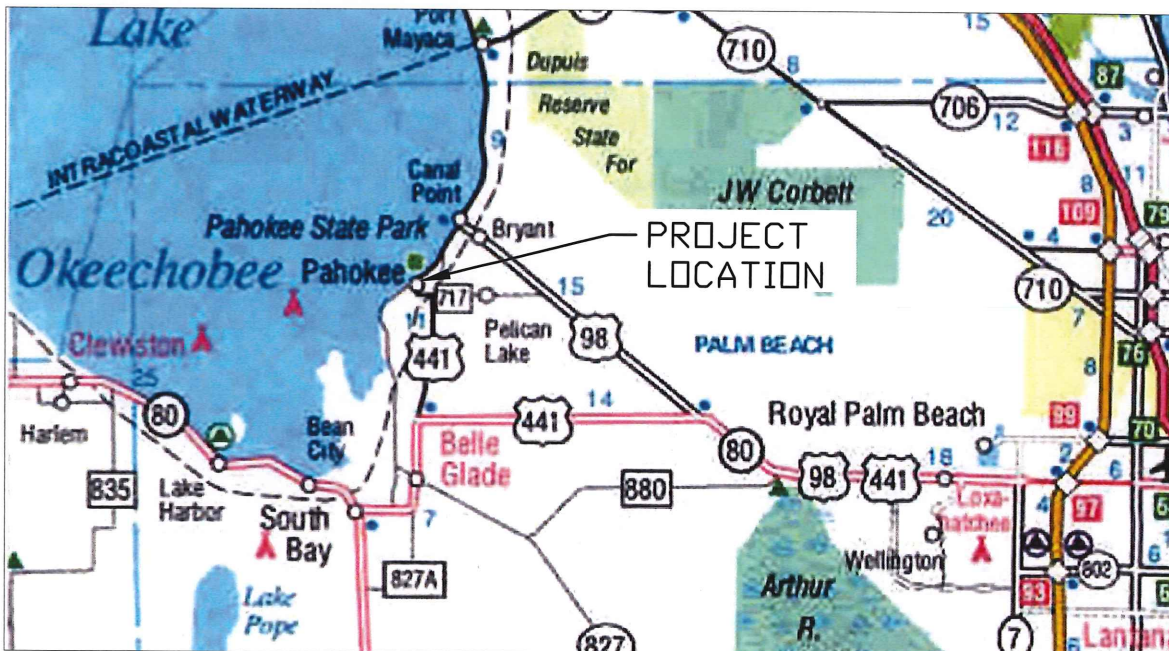
Because 87% of this project is funded by a grant from the Department of Economic Opportunity (R2016-1000), an SBE goal could not be part of the competitive solicitation. District 6 (DC)

**Background and Justification:** Bids were received through the Department of Environmental Resources Management by the Board of County Commissioners on September 27, 2016. Grant Agreement No. HL056 from the Department of Economic Opportunity will reimburse the County \$1,000,000. The remaining funding of \$154,958 will come from Palm Beach County Vessel Registration fees.



VICINITY MAP

N.T.S.



LOCATION MAP

N.T.S.

Sheet:

1  
OF 1

Project:

PAHOKEE MARINA  
RE-CONFIGURATION

LOCATION MAP

Scale: AS NOTED

Date: 10/18/16

Project No.: 2016ERM02



PALM BEACH COUNTY  
DEPARTMENT OF  
ENVIRONMENTAL RESOURCES MANAGEMENT  
2300 NORTH JOG ROAD, 4th FLOOR  
WEST PALM BEACH, FLORIDA  
(561) 233-2400

ATTACHMENT 3

**Palm Beach County**  
**Department of Environmental Resources Management**  
**Construction Contract Bid Evaluation Summary**

**Project No.:** 2016ERM02  
**Project Name:** Pahokee Marina Re-Configuration and Fisheries Enhancement  
**Bid Opening:** September 27, 2016

**I. Lowest responsive, responsible bidder:**  
Kelly Brothers, Inc.

**II. Bidders, ranked from lowest to highest:**

Bidder	Evaluated Bid Amount	SBE Participation	Business Location
1. Kelly Brothers, Inc.	\$ 1,154,957.12	N/A	N/A
2. Ferreira Construction Southern Division Co., Inc.	\$ 1,215,850.00	N/A	N/A
3. Shoreline Foundation, Inc.	\$ 1,645,057.00	N/A	N/A
4. Murray Logan Construction, Inc.	\$ 1,648,000.00	N/A	N/A
5. Custom Built Marine Construction, Inc.	\$ 2,163,663.56	N/A	N/A

N/A = Not Applicable  
N/E = Not Evaluated

**III. Disqualified bidders:**

Bidder	Reason
1. NONE	N/A

**IV. Alternate Bid Items used to determine Evaluated Bid Amount:**  
All items were used.

**V. Did SBE Participation affect bid ranking?**  
Not Applicable.

**VI. Did Local Preference affect bid ranking?**  
Not Applicable.

**VII. Will Contract Award Amount differ from Evaluated Bid Amount?**  
No.

**Palm Beach County**  
**Department of Environmental Resources Management**  
**Construction Contract Bid Tabulation**

Project No.: 2016ERM02  
Project Name: Pahokee Marina Re-Configuration and Fisheries Enhancement Project  
Bid Opening: September 27, 2016  
Contract Time 185 calendar days

				ERM Estimate		Average of All Bids	Kelly Brothers, Inc.		Ferreira Construction Southern Division Co., Inc.	
	BASE BID ITEMS	QUANTITY	UNIT	UNIT COST	TOTAL COST	UNIT COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
1	Remove and Dispose of Existing Breakwater	1	Lump Sum	\$ 250,000.00	\$ 250,000.00	\$ 234,321.18	\$ 225,029.72	\$ 225,029.72	\$ 96,550.00	\$ 96,550.00
2	Construct Steel Sheet Pile Breakwater	480	Linear Feet	1,562.50	750,000.00	1,295.70	977.93	\$ 469,406.40	1,310.00	628,800.00
BASE BID					\$ 1,000,000.00	\$ 839,605.14	\$ 694,436.12		\$ 725,350.00	

	ALTERNATE BID ITEMS	QUANTITY	UNIT	UNIT COST	TOTAL COST	UNIT COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
3	Supply and Install Armor Stone	4,500	ton	\$ 100.00	\$ 450,000.00	\$ 121.29	\$ 84.45	\$ 380,025.00	\$ 90.00	\$ 405,000.00
4	Supply and Install Bedding Stone	900	ton	100.00	90,000.00	200.10	89.44	\$ 80,496.00	95.00	85,500.00
ALTERNATE BID					\$ 540,000.00	\$ 725,900.40	\$ 460,521.00		\$ 490,500.00	
BASE BID + ALTERNATE BID					\$ 1,540,000.00	\$ 1,565,505.54	\$ 1,154,957.12		\$ 1,215,850.00	

This tabulation is not a recommendation for award. All bids are subject to compliance review and approval.  
Numbers in ***bold italic*** indicate a calculation correction.

**Palm Beach County**  
**Department of Environmental Resources Management**  
**Construction Contract Bid Tabulation**

**Project No.:** 2016ERM02  
**Project Name:** Pahokee Marina Re-Configuration and Fisheries Enhancement Project  
**Bid Opening:** September 27, 2016  
**Contract Time** 185 calendar days

				ERM Estimate		Shoreline Foundation, Inc.		Murray Logan Construction, Inc.		Custom Built Marine Construction, Inc.	
	BASE BID ITEMS	QUANTITY	UNIT	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
1	Remove and Dispose of Existing Breakwater	1	Lump Sum	\$ 250,000.00	\$ 250,000.00	\$231,757.00	\$ 231,757.00	\$ 428,065.00	\$ 428,065.00	\$ 190,204.16	\$ 190,204.16
2	Construct Steel Sheet Pile Breakwater	480	Linear Feet	1,562.50	750,000.00	1,525.00	732,000.00	1,365.00	571,935.00*	1,300.58	624,278.40
BASE BID					\$ 1,000,000.00	\$ 963,757.00		\$ 1,000,000.00		\$ 814,482.56	

	ALTERNATE BID ITEMS	QUANTITY	UNIT	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
3	Supply and Install Armor Stone	4,500	ton	\$ 100.00	\$ 450,000.00	\$ 128.00	\$ 576,000.00	\$ 120.00	\$ 540,000.00	\$ 184.01	\$ 828,045.00
4	Supply and Install Bedding Stone	900	ton	100.00	90,000.00	117.00	105,300.00	120.00	108,000.00	579.04	521,136.00
ALTERNATE BID					\$ 540,000.00	\$ 681,300.00		\$ 648,000.00		\$ 1,349,181.00	
BASE BID + ALTERNATE BID					\$ 1,540,000.00	\$ 1,645,057.00		\$ 1,648,000.00		\$ 2,163,663.56	

\*Based on 419 Linear Feet of Steel Sheet Pile Breakwater

ATTACHMENT 4

**RESOLUTION NO. R-2016\_\_\_\_\_**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA TO UTILIZE A PORTION OF THE COUNTY VESSEL REGISTRATION FEES FOR THE CONSTRUCTION OF A BREAKWATER AT THE PAHOKEE MARINA.**

WHEREAS, Palm Beach County enacted the Vessel Registration Fee Ordinance, No. 88-40 which began collecting fees June 1, 1989; and

WHEREAS, the Vessel Registration Fee Ordinance provides that monies collected from vessel registration fees be utilized to protect coastal marine and estuarine habitats, maintain and enhance fisheries and other salt and freshwater habitats, and construct artificial reefs; and

WHEREAS, the Pahokee Marina Reconfiguration and Fisheries Enhancement Project has received the necessary environmental permits; and

WHEREAS, the Project involves the construction of four hundred and eighty feet (480') of sheetpile breakwater and placement of limestone boulders at the base of the breakwater at Pahokee Marina; and

WHEREAS, the County's portion of the work will include using \$154,958 from the County's Vessel Registration Fee Trust Fund to place limestone boulders as fisheries habitat; and

WHEREAS, the Director of Environmental Resources Management recommends the Board of County Commissioners authorize the Clerk of the Court to disburse Vessel Registration Fee monies in the amount of \$154,958 to cover a portion of project funds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY FLORIDA, that the following be established:

1. The recitations set forth herein above are true, accurate and correct, and are incorporated herein.
2. The Board hereby authorizes the Clerk to disburse funds of \$154,958 for fisheries enhancement at Pahokee Marina.



The foregoing Resolution was offered by Commissioner

\_\_\_\_\_, who moved its adoption. The motion was seconded by  
Commissioner \_\_\_\_\_, and upon being put to a vote, was as follows:

District 1:	_____
District 2: Paulette Burdick	_____
District 3:	_____
District 4: Steven L. Abrams	_____
District 5:	_____
District 6: Melissa McKinlay	_____
District 7:	_____

The Mayor thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_  
day of \_\_\_\_\_, 2016.

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By \_\_\_\_\_  
Assistant County Attorney

PALM BEACH COUNTY, FLORIDA BY ITS  
BOARD OF COUNTY COMMISSIONERS

Sharon R. Bock, Clerk & Comptroller

By \_\_\_\_\_  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY, FLORIDA

BUDGET TRANSFER  
FUND 1223 Environmental Enhancement - Freshwater

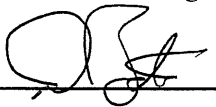
ACCOUNT NAME AND NUMBER		ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	ENC/EXP 11/21/2013	REMAINING BALANCE
<u>Appropriations</u>								
<u>Lake Okeechobee Shoreline Optimization</u>								
380-3009	3401 Other Contractual Services	1,000,000	1,000,000	154,958	0	1,154,958	0	1,154,958
<u>Reserves - Freshwater Projects</u>								
380-3892	9902 Operating Reserves	518,024	518,024		154,958	363,066		
				154,958	154,958			

Environmental Resources  
Management

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

Signatures & Dates

 10-20-15

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BY BOARD OF COUNTY COMMISSIONERS

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AT MEETING OF  
November 22, 2016

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Deputy Clerk to the  
Board of County Commissioners