

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: September 12, 2017

Consent ☒ Regular ☐
Public Hearing ☐

Department: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Contract with Hinterland Group, Inc., (Contract) for the Lift Station Rehabilitation Project A; Bid Package 1 (Project) in the amount of \$5,051,500.

Summary: On May 10, 2017, five (5) bids were received for the rehabilitation of 30 lift stations located throughout the Water Utilities Department (WUD) service area. The Project will provide for the lift station upgrades required to meet current WUD standards. The required work involves upgrading the mechanical, electrical, and civil components, including discharge piping, pumps, control panel, slabs, wet well, valve vaults, and putting all stations on the WUD Supervisory Control and Data Acquisition (SCADA) system. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract provides for SBE participation of 95% overall. Hinterland Group, Inc., is a Palm Beach County company. The Project is included in the FY 17-18 Capital Improvement Plan adopted by the Board of County Commissioners. (WUD Project No. 15-096) Districts 2, 5, 6, 7 (MJ)

Background and Justification: WUD currently operates and maintains over 900 lift stations. Some of these lift stations are operating with components that are past its expected service life. This Project will restore the life of the lift stations thus improve the long term operability and reliability of WUD's wastewater system.

Attachments:

1. Four (4) Original Contracts for Hinterland Group, Inc.
2. Location Map
3. Engineer's Recommendation
4. Bid Tabulation Sheet
5. SBE Compliance Review
6. ITS Insurance Certificate

Recommended By: Jim Stelbo 8-23-17
Department Director Date

Approved By: [Signature] 8/28/17
Deputy County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	<u>\$5,051,500</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	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
(County)					
In-Kind Match County	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
CCRT					
NET FISCAL IMPACT	<u>\$5,051,500</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE					
POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Budget Account No.: Fund 4011 Dept 721 Unit W031 Object 6546

Is Item Included in Current Budget? Yes X No

Reporting Category N/A

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

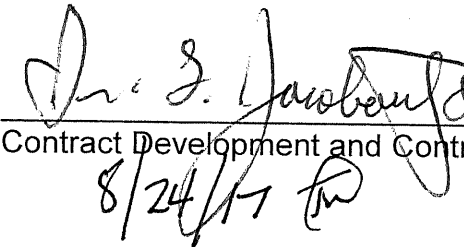
One (1) time capital expenditure from user fees with balances brought forward.

C. Department Fiscal Review: 

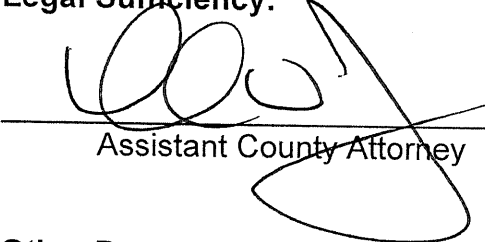
III. REVIEW COMMENTS

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

 8/18/17
OFMB 8/18/17

 8/24/17
Contract Development and Control

B. Legal Sufficiency:

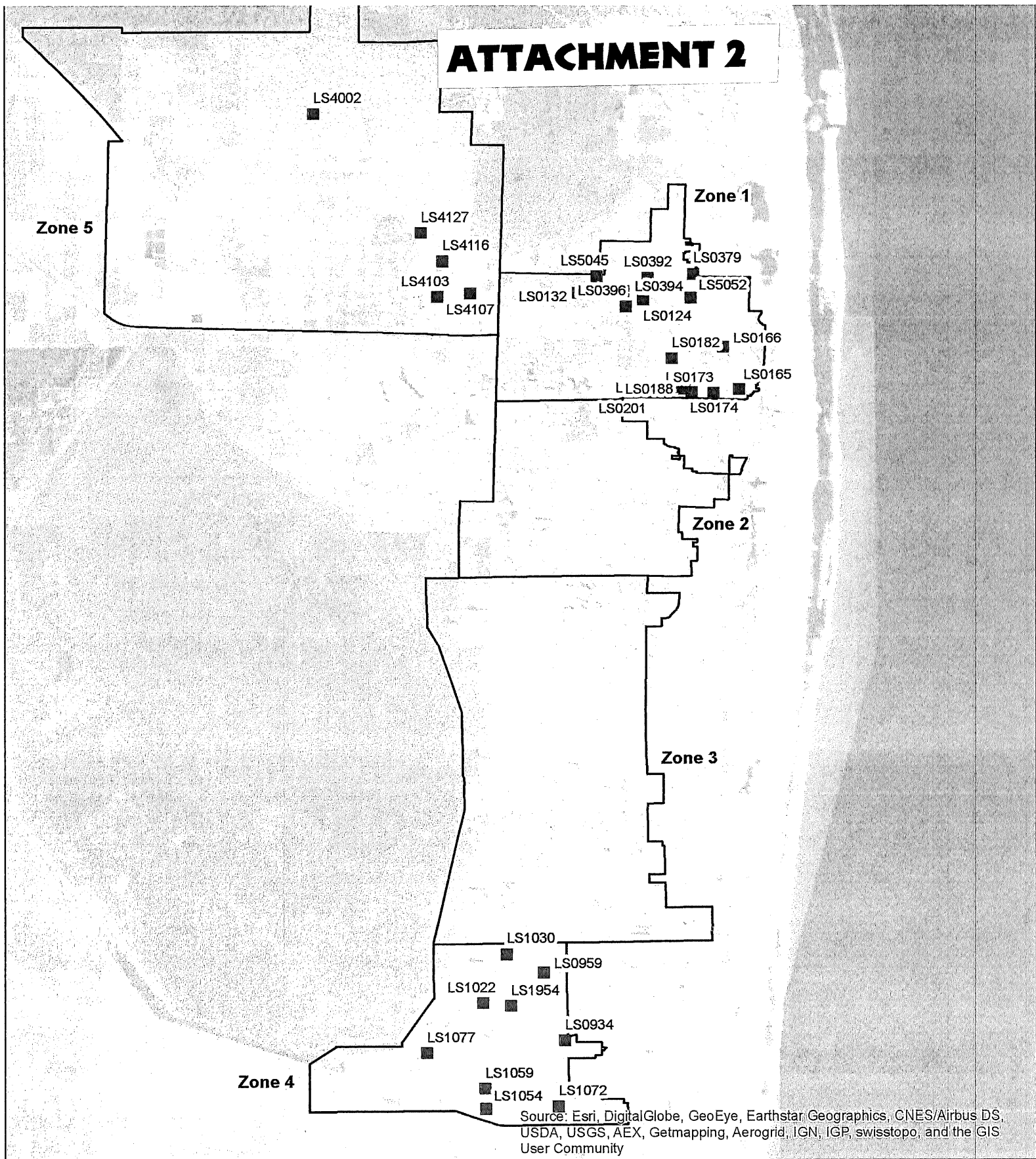
 8/28/17
Assistant County Attorney

C. Other Department Review:

Department Director

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

ATTACHMENT 2



**Palm Beach County
Water Utilities
Department**

8100 Forest Hill Blvd.
West Palm Beach, FL 33416
(561) 493-6251

**Lift Station Rehabilitation
Project A; Bid Package 1**

WUD Project No. 15-096

Location Map



1 in = 20,000 ft

Legend

Zones

Lift Stations in Project

ATTACHMENT 3

Inter-Office Memorandum

Palm Beach County




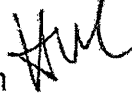
Water Utilities Department

JUN 1 17 11:06AM

DATE: June 01, 2017

TO: Jim Stiles
PBCWUD Director

THRU: Hassan Hadjimiry, P.E.
 PBCWUD Assistant Director

FROM: Henry Melendez, P.E. 
PBCWUD Manager of Pipeline Design

RE: Notice of Award Recommendation
Lift Station Rehabilitation Project A; Bid Package 1
CD08; WUD Project No.15-096

The bid opening for the above referenced project was held on Wednesday, May 10, 2017. Proposals were received from five (5) contractors. The complete Bid Tabulation is attached. The Engineer's opinion of probable construction cost was \$5,500,000.00. The low bidder is Hinterland Group, Inc. with a construction cost of \$5,051,500.00 for the bid.

An evaluation of the low bid by Hinterland Group, Inc. is as follows:

JUN 8 17 3:04PM

1. The first low bidder, Hinterland Group, Inc., provided properly executed Bid Forms in the Contract Documents.
2. Bid security equal to 5% of the total base bid was enclosed with the bid.
3. SBE-M/WBE Schedules #1 and #2 were properly filled out. Hinterland Group, Inc. has met the 15% SBE goal established under the SBE Ordinance. The Compliance Review completed by the Office of Small Business Assistance states that Hinterland Group, Inc. has met the SBE goal with 15% SBE participation for this project (See attached review letter from Patricia Wilhelm dated May 22, 2017.).
4. The County Attorney (CAO) has reviewed the bid and Bid Review Comments for the three (3) lowest bids. For Hinterland Group, Inc., no major irregularities were identified. (See attached Bid Review Comments and email from CAO's Michael Jones dated May 31, 2017).
5. There was one addendum issued for this project. Hinterland Group, Inc. acknowledged the addendum.

6. Hinterland Group, Inc. holds valid general contractor and occupational licenses. Hinterland Group, Inc. had a valid Palm Beach County business tax receipt at the time of the bid submittal (See attached Palm Beach County Tax Collector receipt.).
7. The first low bidder, Hinterland Group, Inc., holds a principal place of business in Palm Beach County. The contractor holds a valid state contractor's license (See attached license information.).

Contract award is recommended to the lowest responsive bidder, Hinterland Group, Inc., in the amount not to exceed \$5,051,500.00 for the bid, subject to formal approval by the PBC Board of County Commissioners. A copy of this notice has been emailed to all bidders and posted at the bid opening location and will be left there for a minimum of five (5) business days.

AM/am

Attachments

1. Bid Tabulation Sheet
2. Compliance Review by OSBA
3. Bid Review Comments
4. CAO Bid Review Email
5. Palm Beach County Tax Collector Receipt
6. Contractor's License

cc: File

Craig C. Williams, PBCWUD Assistant Director of Finance & Administration
Ali Bayat, P.E., PBCWUD Capital Improvements Program, WUD Engineering Director

BID TABULATION SHEET

CD08
15-096
7.7
SCANNED
MM

TITLE

Lift Station Rehabilitation Project A

BID#

15-096

PAGE 1 OF 1

	Felix Associates of Florida, Inc.		Foster Marine Contractors, Inc.		Hinterland Group, Inc.		Murray Logan Construction, Inc.		TLC Diversified, Inc.	
			\$5,793,600 ⁰⁰							
BASE BID	\$5,101,951.00		\$5,794,400.00		\$5,051,500.00		\$6,980,000.00		\$5,777,777.00	
Addendum #1	(Y)	N	(Y)	N	(Y)	N	(Y)	N	(Y)	N
Attachment #1 BID BOND	(Y)	N	(Y)	N	(Y)	N	(Y)	N	(Y)	N
Attachment #2 SBE-M/WBE Schedules	(Y)	N	(Y)	N	(Y)	N	(Y)	N	(Y)	N
Attachment #3-#3a Certification of Business Location	(Y)	N	(Y)	N	(Y)	N	(Y)	N	(Y)	N
Attachment #4 List of Subcontractors	(Y)	N	(Y)	N	(Y)	N	(Y)	N	(Y)	N
Attachment #5 Trench Safety	(Y)	N	(Y)	N	(Y)	N	(Y)	N	(Y)	N

BIDS PICKED UP BY

[Signature]

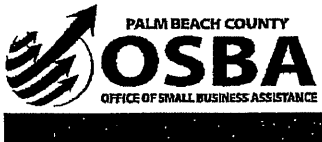
ENGINEER

DATE

5/10/17



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

Paulette Burdick, Mayor
Melissa McKinlay, Vice Mayor

Hal R. Valeche
Dave Kerner
Steven L. Abrams
Mary Lou Berger
Mack Bernard

County Administrator
Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"

printed on recycled paper

DATE: May 22, 2017

TO: Henry Melendez, P.E.
Pipeline Design Section
WUD Engineering Division

THROUGH: Allen F. Gray, Manager
Office of Small Business Assistance

FROM: Patricia Wilhelm, Small Business Development
Specialist II

SUBJECT: Compliance Review on Project No. WUD 15-096
Lift Station Rehabilitation Project A;
Bid Package 1

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

Low Bidder: Hinterland Group, Inc.
992 W. 15th St.
Riviera Beach, FL 33404
Phone: 561-640-3503
Bid Opening: May 10, 2017
Bid Amount: \$5,051,500.00
Goal: 15% Overall

Goal Achieved:

SBE Participation:

(SB)Hinterland Group, Inc. \$4,798,925.00 95%

2nd Low Bidder: Felix Associates of Fla., Inc.
8526 SW Kansas Avenue
Stuart, FL 33497
Phone: 772-220-2722
Bid Amount: \$5,101,951.00
Goal: 15% Overall
Goal Achieved: 17.8307%

SBE Participation:

(SB)Coats Concrete	\$145,935.89	2.8604 %
(SB)All Lake Electrical	\$763,777.00	14.9703 %
	\$909,712.89	17.8307 %



Page 2.

3rd Low Bidder: TLC Diversified, Inc.
 2719 17th St. East
 Palmetto, FL. 34221
Phone: 941-722-0621
Bid Amount: \$5,777,777.00
Goal: 15% Overall
Goal Achieved: 10.8217%

SBE Participation:

(SB)Powerline of S. Fla.	\$617,230.00	10.6828%
(WB)Bird's Eye	\$8,025.00	.1389%
	\$625,255.00	10.8217%

EVALUATION:

The low bidder, Hinterland Group, Inc. has met the SBE goal for this project.

The second low bidder, Felix Associates of Florida, Inc. has met the SBE goal for this project, but is outside the range of ranking of responsive bidders.

The third low bidder, TLC Diversified, Inc. did not meet the SBE goal.

C: Allen Gray, Manager OSBA
Helene Hvizd, Senior Assistant County Attorney

Bid Review Comments
Project No. WUD 15-096
Lift Station Rehabilitation Project A; Bid Package 1

The bids received for the **Lift Station Rehabilitation Project A; Bid Package 1** Project has been reviewed. The errors, omissions or irregularities found in the bid are noted below.

Hinterland Group, Inc.

According to Instructions to Bidders, Section 2.3, Bidders are required to identify, in the Bid Documents (Attachment No. 4 to the Bid Form, List of Major Subcontractors), the major subcontractors which Bidder, as the contractor, intends to use to perform the contract. Hinterland listed multiple vendors (Barneys Pumps, Xylem, Kaman, and WILO) to provide submersible pumps and control panel upgrades.

May 2017

Andre McBarnette

From: Michael W. Jones <MJones@pbcgov.org>
Sent: Wednesday, May 31, 2017 10:46 AM
To: Andre McBarnette
Cc: Henry Melendez; Ali Bayat; Lisa Koeper
Subject: RE: SEEKING COUNTY ATTORNEY RECOMMENDATIONS FOR AWARD: WUD Project No. 15-096; Lift Station Rehabilitation Project A; Bid Package 1

Andre, as we discussed, it was a mistake for the County to answer question 10 as we did without modifying the language in Attachment 4 to change the statement that "suppliers and off-site fabricators are not to be listed". Basically, we provided conflicting answers. As the Q&A Section is part of the Addenda, it could arguably be held to take precedence over the Bid Forms since the Bid Forms are not specifically listed under the Order of Precedence set forth in Section 4.2.4 of the Instructions to Bidders (therefore they would be considered part of the Bid Documents.)

In reviewing the bid of the lowest bidder, they did provide us with information on three companies for the submersible pumps and control panel package. I'm not sure if their intention was to use one of these companies or all three. Even if their intention was to only use one of the three, I don't think that they are nonresponsive to the bid, given that (a) Attachment 4 doesn't even require this information; and (b) even if we interpret the Question 10 answer in the addendum to require this information, nowhere in the answer to question 10 does it specify that they can only include one manufacturer. Given that the County's stated policy on Attachment 4 is to discourage sub-shopping in the professional trades, I think multiple subs listed for the professional trades would be nonresponsive. However, that isn't the issue here, as the multiple subs were listed for the suppliers.

Another issue to consider is whether the County's mistake here was of such a material nature to necessitate rejection of all bids. Factors to consider are whether the bidders were misled, and whether any bidders gained an economic advantage over others because of the mistake. While it is arguable whether any bidders were misled (it does appear that the low three bidders interpreted the direction in different manners), I don't see how any of the bidders gained an economic advantage here. A bidder could gain an economic advantage from a mistake in our documents if the bidder knew of the mistake and bid in a way to take advantage of the mistake. Here, the mistake just concerned the type of information that the bidders were required to provide. I am OK with the positing of the award to Hinterland.

From: Andre McBarnette [mailto:AMcBarnette@pbcwater.com]
Sent: Tuesday, May 23, 2017 1:31 PM
To: Michael W. Jones <MJones@pbcgov.org>
Cc: Henry Melendez <hmelendez@pbcwater.com>; Ali Bayat <ABayat@pbcwater.com>; Lisa Koeper <LKoeper@pbcwater.com>
Subject: SEEKING COUNTY ATTORNEY RECOMMENDATIONS FOR AWARD: WUD Project No. 15-096; Lift Station Rehabilitation Project A; Bid Package 1

Mike,

We have reviewed the lowest three (3) bids for the above referenced project. Please review the errors, omissions and/or irregularities that have been noted on the Formal Bid Checklist/Bid Review Comments and provide your recommendations.

Given the number and size of the available reference documents, I have posted the following items on our FTP site under the folder named "15-096 Docs for County Attorney" for you:

The following items are attached:

1. Formal Bid Checklist
2. Bid Review Comments
3. List of "Scrutinized Companies" Quarterly Report – March 14, 2017
4. Suspended Vendor List - Revised March 15, 2016
5. Bid Tabulation
6. Bid Documents for the lowest three (3) bidders
7. Instructions to Bidders
8. Compliance Review Memo from OSBA

If you need additional information, please call me at (561) 493-6104 or e-mail me at amcbarnette@pbcwater.com.

Best Regards,
André



André McBarnette, P.E., P.M.P.
MWH Program Project Manager
PBCWUD Capital Improvements Program
8100 Forest Hill Blvd.
West Palm Beach, FL 33413
Work: 561-493-6104
Mobile: 561-315-5814

AMcBarnette@pbcwater.com
www.stantec.com

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

This receipt grants the privilege of engaging in or managing any business profession or occupation within its jurisdiction and **MUST** be conspicuously displayed at the place of business and in such a manner as to be open to the view of the public.



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

CONSTRUCTION INDUSTRY LICENSING BOARD
2601 BLAIR STONE ROAD
TALLAHASSEE FL 32399-0783

(850) 487-1395

DUKE, DANIEL AMOS III
HINTERLAND GROUP INC
992 W 15TH STREET
RIVIERA BEACH FL 33404

Congratulations! With this license you become one of the nearly one million Floridians licensed by the Department of Business and Professional Regulation. Our professionals and businesses range from architects to yacht brokers, from boxers to barbecue restaurants, and they keep Florida's economy strong.

Every day we work to improve the way we do business in order to serve you better. For information about our services, please log onto www.myfloridalicense.com. There you can find more information about our divisions and the regulations that impact you, subscribe to department newsletters and learn more about the Department's initiatives.

Our mission at the Department is: License Efficiently, Regulate Fairly. We constantly strive to serve you better so that you can serve your customers. Thank you for doing business in Florida, and congratulations on your new license!



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

CGC1520354

ISSUED: 07/25/2016

CERTIFIED GENERAL CONTRACTOR
DUKE, DANIEL AMOS III
HINTERLAND GROUP INC

IS CERTIFIED under the provisions of Ch. 489 FS.
Expiration date: AUG 31, 2018 L1607250001029

DETACH HERE

RICK SCOTT, GOVERNOR

KEN LAWSON, SECRETARY

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
CONSTRUCTION INDUSTRY LICENSING BOARD

LICENSE NUMBER

CGC1520354

The GENERAL CONTRACTOR
Named below IS CERTIFIED
Under the provisions of Chapter 489 FS.
Expiration date: AUG 31, 2018



DUKE, DANIEL AMOS III
HINTERLAND GROUP INC
992 W 15TH STREET
RIVIERA BEACH FL 33404



ISSUED 07/25/2016

DISPLAY AS REQUIRED BY LAW

SEQ # L1607250001029

ATTACHMENT 4

BID TABULATION SHEET

Lift Station Rehabilitation Project A

SCANNED
MM

CD08
15-096
7.7

TITLE

BID# **15-096**

PAGE **1** OF **1**

Handwritten: 5/10/17

	Felix Associates of Florida, Inc.		Foster Marine Contractors, Inc.		Hinterland Group, Inc.		Murray Logan Construction, Inc.		TLC Diversified, Inc.	
BASE BID	\$5,101,951.00		\$5,794,400.00		\$5,051,500.00		\$6,980,000.00		\$5,777,777.00	
Addendum #1	(Y)	N	(Y)	N	(Y)	N	(Y)	N	(Y)	N
Attachment #1 BID BOND	(Y)	N	(Y)	N	(Y)	N	(Y)	N	(Y)	N
Attachment #2 SBE-M/WBE Schedules	(Y)	N	(Y)	N	(Y)	N	(Y)	N	(Y)	N
Attachment #3-#3a Certification of Business Location	(Y)	N	(Y)	N	(Y)	N	(Y)	N	(Y)	N
Attachment #4 List of Subcontractors	(Y)	N	(Y)	N	(Y)	N	(Y)	N	(Y)	N
Attachment #5 Trench Safety	(Y)	N	(Y)	N	(Y)	N	(Y)	N	(Y)	N

BIDS PICKED UP BY

Handwritten signature

ENGINEER

DATE

Handwritten: 5/10/17



ATTACHMENT 5

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



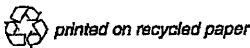
Palm Beach County
Board of County
Commissioners

Paulette Burdick, Mayor
Melissa McKinlay, Vice Mayor

Hal R. Valeche
Dave Kerner
Steven L. Abrams
Mary Lou Berger
Mack Bernard

County Administrator
Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"



DATE: May 22, 2017

TO: Henry Melendez, P.E.
Pipeline Design Section
WUD Engineering Division

THROUGH: Allen F. Gray, Manager
Office of Small Business Assistance

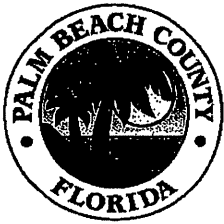
FROM: Patricia Wilhelm, Small Business Development
Specialist II

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Lift Station Rehabilitation Project A;
Bid Package 1

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Goal Achieved: 17.8307%
SBE Participation:
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(SB)All Lake Electrical \$763,777.00 14.9703 %
\$909,712.89 17.8307 %



Page 2.

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 Palmetto, FL. 34221
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	<hr/>	
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C: Allen Gray, Manager OSBA
Helene Hvizd, Senior Assistant County Attorney

ATTACHMENT 6

Summary of Certificates

This report displays detailed Certificate of Insurance information for a selected Insured. Any items shown in red are deficient.

Wednesday, June 21, 2017

Simple View

Certificate Images

Documents

Call Log

Insured:	Hinterland Group, Inc.	Insured ID:	15-096-PBC_2
Status:	Compliant		
ITS Account Number:	PLC2713		
Project(s):	Palm Beach County - Water Utilities		
Insurance Policy	Required	Provided	Override
<u>General Liability</u>			
Expiration: 1/31/2018			
General Aggregate:	\$1,000,000	\$2,000,000	
Products - Completed Operations Aggregate:	\$1,000,000	\$2,000,000	
Personal And Advertising Injury:	\$0	\$0	
Each Occurrence:	\$1,000,000	\$1,000,000	
Fire Damage:	\$0	\$0	
Medical Expense:	\$0	\$0	
<u>Automobile Liability</u>		Any Auto	
Expiration: 1/31/2018	All Owned Autos	not provided	X
	Hired Autos	not provided	X
	Non-Owned Autos	not provided	X
Combined Single Limit:	\$1,000,000	\$1,000,000	
<u>Workers Compensation/Employers Liability</u>	WC Stat. Limits	WC Stat. Limits	
Expiration: 1/31/2018			
Each Accident:	\$100,000	\$1,000,000	
Disease - Policy Limit:	\$500,000	\$1,000,000	
Disease - Each Employee:	\$100,000	\$1,000,000	
<u>Builders Risk</u>	All Risk, Replacement Cost	All Risk, Replacement Cost	
Expiration: 6/20/2018	Completed Value Form Basis	Completed Value Form Basis	
	Loss Payee	Loss Payee	
<u>Inland Marine/Transit Coverage</u>	Additional Insured	Additional Insured	
Expiration: 1/31/2018	Loss Payee	Loss Payee	
Notifications			
There were no deficiency letters issued.			