Agenda Item: 3L5

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:	September 18, 2018	(X) Consent () Workshop	()Regular ()Public Hearing
Department: Submitted By: Submitted For:	Environmental Resource Environmental Resource Environmental Resource	es Management	

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Annual Contracts with the below listed construction vendors, for Palm Beach County Dune and Beach Restoration Annual Contract (Federalized), Project No. 2018ERM01 for a period of two years:

- A) Eastman Aggregate Enterprises, LLC (Contractor A) not to exceed \$10,544,432.26; and
- **B)** Rio-Bak Corporation (Contractor B) not to exceed \$11,091,805.66.

Summary: These construction contracts are being pre-positioned to restore dunes and beaches damaged by storms. The County will authorize projects by contract work orders, when needed and adequately funded by the Public Assistance Program from the U.S. Department of Homeland Security/Federal Emergency Management Agency (FEMA). Federal rules prohibit local geographical preferences in procurements funded by FEMA. Therefore, the County's Small Business Enterprise (SBE) Program, Local Preference, Glades Local Preference, Glades Resident Incentive, and Apprentice Incentive were not included in this competitive solicitation. Another solicitation with these County programs was also advertised; award of the resulting contracts with SBE participation is requested in Agenda Item 3L6 in this Board of County Commissioner (BCC) meeting. Five bids were received for Project No. 2018ERM01. The Department of Environmental Resources Management (ERM) recommends award to two contractors to provide redundancy and capacity for multiple, concurrent projects. Eastman Aggregate Enterprises, LLC, a Palm Beach County company, was the lowest responsive, responsible bidder. Corporation, a Palm Beach County company, was the next lowest responsive, responsible bidder. The initial contract term is two years, which may be extended for an additional one year upon approval by the BCC. Districts 1, 4, 7 (DC)

Background and Justification continued on page 3

Attachments:

- 1. Location Map
- Contract with Eastman Aggregate Enterprises, LLC
- 3. Contract with Rio-Bak Corporation
- 4. Award Recommendation, Bid Evaluation Summary, Bid Tabulation

Recommended b		9/4/18
	Department Director	Date [/]
Approved by:	Po	a110118
•	Assistant County Administrator	Date

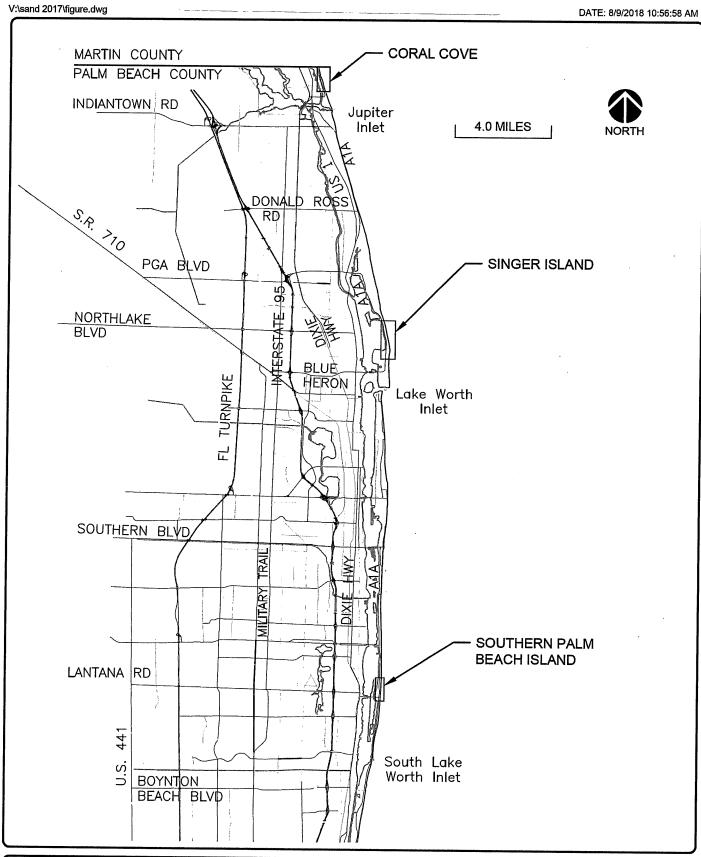
II. FISCAL IMPACT ANALYSIS

A.	Five Year Summa	ry of Fiscal I	mpact:			
Fisca	al Years	2018	2019	2020	2021	2022
Capi	tal Expenditures					
Oper	ating Costs			MMC-photosic designation in consequences		
Exte	rnal Revenues			***************************************		
Prog	ram Income (Count	y)				
In-Ki	nd Match (County)			Particular de la constantina del constantina de la constantina del constantina de la constantina del		
NET	FISCAL IMPACT	<u> </u>		· ·		
# AD	DITIONAL FTE ITIONS (Cumulative	e)	-			
Is Ite	m Included in Curre	ent Budget?	Yes _		No	
Does	this item include th	ne use of fed	eral funds?	Yes X	No	
Budg	et Account No.:					
Fund	l Department _	Unit	_Object	_ Program		
B. -} C.	Work under each Cois available in vari requested prior to o	ontract is auth ious capital r concurrent \	norized and fur project accou	nded on a worl nts, or a bud	k order basis. dget transfer	Budget will be
		III. REVI	EW COMMEN	<u>ITS</u>		
A.	OFMB Fiscal and /	or Contract I	January	trol Comment of the second of	Davio Jacob	acite
В.	Legal Sufficiency: Assistant County	M 9/7/Attorney	9/s	10/18 The		
C.	Other Department	Review:				
	Department Directo	or	_			

Page 3

Continued from Page 1

Background and Justification: ERM typically performs dune/beach restoration work between November and February due to sea turtle nesting season restrictions. The Invitation for Bid notified bidders that the County could award two contracts and assign work orders at its discretion. The Invitation for Bid also estimated quantities of bid items for each anticipated project; the contract price is based on those quantity projections for the first two years. The County developed an Engineer's Estimate using the closest approved sand mine source. This closest sand mine could not commit to the estimated sand quantities at the time of bidding. As such, the two lowest bids include sand mine sources located further than the source used in the County's estimate. This additional distance accounts for the two lowest bids exceeding the estimate by 12% and 18%. Staff recommend that the two lowest contractors' bid pricing be accepted. The County will assign a project to the contractor with the lowest work order price. The contractor may decline a work order prior to execution. Payment and Performance Bonds are required prior to the execution of the first work order. Each contract has an annual CPI-indexed price escalation clause capped at 3%.



COUNTYWIDE LOCATION MAP

AS NOTED

Date: 8/9/2017

PALM BEACH COUNTY
DEPARTMENT OF
ENVIRONMENTAL RESOURCES MANAGEMENT
2300 NORTH JOG ROAD, 4th FLOOR
WEST PALM BEACH, FL 33411-2743
(561) 233-2400

ATTACHMENT	- つ
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CONTRACT

THIS CONTR	ACT, made ai	nd entered into t	his day o	of		, 20_	, k	oetw	een
PALM BEACI	<u>l COUNTY</u> , a	a political subdiv	ision of the State	of Flori	da, hereinaf	ter referre	ed to	o as	the
"County" and	<u>EASTMAN</u>	AGGREGATE	ENTERPRISES,	LLC,	hereinafter	referred	to	as	the
"Contractor".									

WITNESSETH:

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

PROJECT NAME: Palm Beach County Dune and Beach Restoration Annual Contract (Federalized)
PROJECT NO.: 2018ERM01
Contractor A

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 and in accordance with all applicable codes and governing regulations, within the time limit specified in the Bid Form. The Contract consist of the following documents which are incorporated herein by reference.

- A Bidding Documents Invitation for Bid, Instructions to Bidders, Bid Form and Attachments, including Bid Bond
- B Contract Forms Guarantee, Insurance certificates, Public Construction Bond Forms
- C Contract Conditions General Conditions and Supplemental Conditions, if included
- D Appendices
- E Technical Specifications and attached Figures, Tables, Attachments, Appendices
- F Addenda
- G Sealed Bid
- H Permits, Submittals, Drawings, Plans, Shop Drawings, Change Orders, Field Orders, Work Order Directives, Written Amendments, Work Orders and Work Order Supplements when approved.

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 Ten million, five hundred forty-four thousand, four hundred thirty-two dollars and twenty-six cents (\$10,544,432.26) ("Contract Price"), 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 an initial term not-to-exceed two (2) years from the date set forth above, with an optional extension for an additional, not-to-exceed one (1) year.

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.

ATTEST: SHARON R. BOCK CLERK & COMPTROLLER	PALM BEACH COUNTY, FLORIDA, A Political Subdivision of the State of Florida BOARD OF COUNTY COMMISSIONERS
	By: Melissa McKinlay, Mayor
APPROVED AS TO FORM AND LEGAL SUFFICIENCY:	APPROVED AS TO TERMS AND CONDITIONS:
Assistant County Attorney	Deborah Drum, Director Environmental Resources Management Department
(Corporate Seal)	CONTRACTOR:
	EASTMAN AGGREGATE ENTERPRISES, LLC (Organization Name)
	a <u>Florida</u> limited liability company (insert state of organization)
(witness signature)	By: BDE Management Services, Inc., Managing Member By: (signatory)
(witness name printed)	Bernard D. Eastman, President (print signatory's name & title)
	(Contractor's signature date) 3705 Bellevue Avenue
	(Contractor's Official Address) Lake Worth , FL 33461
	(Contractor's City, State, Zip Code) 20-1556749
	(Federal Tax No.) VC0000107767
	Palm Beach County Vendor#

Same as above

Payment Remittance Address

CERTIFICATE (Limited Liability Company)

The <u>undersigned</u> hereby certifies that the following are true and correct statements:

1. That <u>BDE Management Services</u> , <u>Inc.</u> is the <u>Manager</u> of <u>Eastman Aggregate Enterprises</u> , <u>LLC</u> , a limited liability company organized and existing in good standing under the laws of the State of <u>Florida</u> hereinafter referred to as the "LLC", and that the following Resolutions are true and correct copies of certain Resolutions adopted by the Managers of the LLC as the day of
RESOLVED, that the LLC shall enter into that certain Agreement between Palm Beach County, a political subdivision of the State of Florida and the LLC, a copy of which is attached hereto, and be it
FURTHER RESOLVED, that <u>Bernard D. Eastman</u> (name), the <u>President</u> (title) of the LLC's Manager, is hereby authorized and instructed to execute such Agreement and such other instruments as may be necessary and appropriate for the LLC to fulfill its obligations under the Agreement.
2. That the foregoing resolutions were passed with the required LLC 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 LLC is in good standing under the laws of the State of Florida or its state of organization, 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 the day of August, 2018.
Eastman Aggregate Enterprises, LLC By: BDE Management Services, Inc., Managing Member By: Bernard D. Eastman, President
SWORN TO AND SUBSCRIBED before me this day of, 20_\overline{\chi}, by the President of the Manager of the aforesaid LLC, who is personally known to me OR who produced as identification and who did take an oath.
MICHELLE L. PELLETIER Notary Public - State of Florida Commission & FF 919323 My Comm. Expires Sep 18, 2019 Bonded through National Notary Assn. Michelle L. Pelletter (Print Notary's Name) NOTARY PUBLIC State of Florida at Large My Commission Expires: September 19, 2019

END OF SECTION

1 0	
ACORD	

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 8/6/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policles may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s). CONTACT

Gateway-Acentria Insurance, LLC 2430 W. Oakland Park Blvd. Fort Lauderdale FL 33311				NAME: Certificate Team PHONE IAVC No. Ext): 954-735-5500 E-MAIL ADDRESS: Certificates@gatewayins.com					
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	INSURED FLORSOI-VC					. Co.	-	2.001-1	
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Enterprises, LLC, BEL Equipment Leas Fluidized Rock Systems, BDE Manager	ing LLC	, viona Ina			aicia mucmi.	ity Company of America		25000	
3705 Bellevue Avenue	Hell Jei	vices inc	INSURER D			Francisco (Control Control Con			
Lake Worth FL 33461			INSURER E			to the second of			
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RE: PBC Dune and Beach Restoration Annu The Board of County Commissioners, Palm	Beach Co	unty Florida (a nolitical sul	hdivision d	of the state o	2018ERM01 of Florida) th	pair officers directors and	ante and	d amployees	
are named as additional insured with respec	t to gener	al liability only as required I	by written	contract.	or r iorida), a	ion omocra, directora, age	siita, aiit	employees	
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Palm Beach County c/o ERI	VI	L							
2300 N. Jog Rd, 4th Fl West Palm Beach FL 33411	-2743			D REPRESENT					

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	(727) 938-5562		(Insurers Affording Cov	/erage	NAIC #
			. I Insurer A:	Lion Insurance Company		11075
Insured:	South East Personnel Leasing, 2739 U.S. Highway 19 N.	inc. & Subsidi	aries Insurer B:		<u> </u>	
	Holiday, FL 34691		Insurer C:			######################################
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			Insurer E:			
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escriptions	s of Operations/Locations/Vehicles/E	Example of the second second second				
•	applies to active employee(s) of South East Pe		•		Client ID: 37-65 Client Company":	D-001
	applies to injuries incurred by South East Pers	onnel Leasing, Inc. 8		nployee(s), while working	in: FL. DECE	IVE
-	not apply to statutory employee(s) or indeper rive employee(s) leased to the Client Company PBC DUNE AND BEACH RESTORATION	can be obtained by	faxing a request to (72	7) 937-2138 or by calling	· · · · · · · · · · · · · · · · · · ·	9 2018
SSUE 08-06-1			, , , , , , , , , , , , , , , , , , , ,	,	ENVIRONMENTAL RESO	URCES MANACO
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CERTIFICATE	tion of the first transfer the first transfer to the first transfer to the first transfer transfer to the first transfer to the first transfer to the first transfer to the first transfer transfer to the first transfer t		CANCELLATION Should any of the abo	ve described policies he con-	elled before the expiration date thereo	
	PALM BEACH COUNTY C/O INSURANCE TRACKING SERVICE	s	Insurer will endeavor t	o mail 30 days written notice t	elled before the expiration date thereto to the certificate holder named to the I and upon the insurer, Its agents or repi	eft, but failure to
	P.O. BOX 20270 LONG BEACH, CA 90801			2	f a	
		CONTRACTOR AND ASSESSMENT OF THE PROPERTY OF T	en Maria i antare i maria de la compania de la comp	and the same of th		nia and a Citiza is any distribution and the City

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CONTRACT

THIS C	ONTRACT, made and enter	ed into this	da	y of _			, 20	, betw	een/
PALM I	BEACH COUNTY, a politica	l subdivision	of the Sta	te of F	Florida,	hereinafter	referred	to as	the
"County	" and RIO-BAK CORPORA	TION, hereina	ıfter referre	ed to a	s the "C	Contractor".			

WITNESSETH:

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

PROJECT NAME: Palm Beach County Dune and Beach Restoration Annual Contract (Federalized)
PROJECT NO.: 2018ERM01
Contractor B

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 and in accordance with all applicable codes and governing regulations, within the time limit specified in the Bid Form. The Contract consist of the following documents which are incorporated herein by reference.

- A Bidding Documents Invitation for Bid, Instructions to Bidders, Bid Form and Attachments, including Bid Bond
- B Contract Forms Guarantee, Insurance certificates, Public Construction Bond Forms
- C Contract Conditions General Conditions and Supplemental Conditions, if included
- D Appendices
- E Technical Specifications and attached Figures, Tables, Attachments, Appendices
- F Addenda
- G Sealed Bid
- H Permits, Submittals, Drawings, Plans, Shop Drawings, Change Orders, Field Orders, Work Order Directives, Written Amendments, Work Orders and Work Order Supplements when approved.

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 **Eleven million**, ninety-one thousand, eight hundred five dollars and sixty-six cents (\$11,091,805.66) ("Contract Price"), 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 an initial term not-to-exceed two (2) years from the date set forth above, with an optional extension for an additional, not-to-exceed one (1) year.

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.

ATTEST: SHARON R. BOCK CLERK & COMPTROLLER	PALM BEACH COUNTY, FLORIDA, A Political Subdivision of the State of Florida BOARD OF COUNTY COMMISSIONERS
	By: Melissa McKinlay, Mayor
APPROVED AS TO FORM AND LEGAL SUFFICIENCY:	APPROVED AS TO TERMS AND CONDITIONS:
Assistant County Attorney	Deborah Drum, Director Environmental Resources Management Department
(Corporate Seal)	CONTRACTOR:
	RIO-BAK CORPORATION (Corporate Name)
Tautedu A	a <u>Florida</u> corporation (insert state of corporation) By:
(witness signature) Carren L Overnero (witness name printed)	(signatory) Thomatking to the first signatory's name & title)
	(Contractor's signature date) 12773 W. Forest Hill Blvd., Suite 210 (Contractor's Official Address) Wellington, FL 33414 (Contractor's City, State, Zip Code) 65-0330616 (Federal Tax No.) RIOB0001 Palm Beach County Vendor # Same as above

Payment Remittance Address

CERTIFICATE (Corporation)

The <u>undersigned</u> hereby certifies that the following are true and correct statements:

and existing in good standing under the laws of the Sas the "Corporation", and that the following Research Resolutions adopted by the Board of Directors of	olutions are true and correct copies of certain the Corporation as the day of elaws of the State of the state of incorporation of						
RESOLVED , that the Corporation shall enter into County, a political subdivision of the State of Florida hereto, and be it	and the Corporation, a copy of which is attached .						
FURTHER RESOLVED, that Thomas King To (name), the VICE Problem & Grand (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 been modified, amended, rescinded, revoked or other as of the date hereof.							
3. That the Corporation is in good standing unde incorporation, if other, and has qualified, if legally re has the full power and authority to enter into such Ag	quired, to do business in the State of Florida and						
IN WITNESS WHEREOF, the undersigned has set Corporation the day of day of	his hand and affixed the Corporate Seal of the, 20						
SWORN TO AND SUBSCRIBED before me the 20, by the Secretary of the aforesaid Corp produced as identification.	Signature) Sfacie To Kinas Print Signatory's name) Its Secretary Inis						

END OF SECTION

ACORD	
ACCIRL	

Frank H. Furman, Inc.

P. O. Box 1927 Pompano Beach

INSURED S

1314 East Atlantic Blvd.

Rio-Bak Corporation 12773 W Forest Hill Blvd #210

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

23035

10701

FAX (A/C, No): (954) 942-6310

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s). CONTACT J.
NAME:
PHONE
(A/C, No. Ext):
E-MAIL
ADDRESS:
Je

FL 33061

Jerri Moor

INSURER D :

(954) 943-5050

INSURER B: Bridgefield Employers Ins Co

INSURER C: Liberty Insurance Corporation

jerri@furmaninsurance.com INSURER(S) AFFORDING COVERAGE
INSURER A: Liberty Mutual Fire Ins Co

					INSURER E :				
Wellington FL 33414					INSURER F:				
CO	/ERAGES CER	TIFIC	ATE I	NUMBER: 18-19GL/Auto/	FL WC		REVISION NUMBER:		
IN CE	THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.								
INSR LTR	TYPE OF INSURANCE	ADDL	SUBR	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	s 1,000	۵,000
	CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,0	000
							MED EXP (Any one person)	\$ 5,000	0
Α		Y	Y	TB2Z91454780018	06/30/2018	06/30/2019	PERSONAL & ADV INJURY	Ψ	0,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	Ψ	0,000
	POLICY X PRO- JECT LOC						PRODUCTS - COMP/OP AGG	\$ 2,000	
	OTHER:						Damage to Premises	\$ 100,0	000
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMITY (Ea accident)	\$ 1,000	0,000
	X ANY AUTO						BODILY INJURY (Per person)	\$	
А	OWNED SCHEDULED AUTOS ONLY	Y	Y	AS2Z91454780028	06/30/2018	06/30/2019	BODILY INJURY (Per accident)	\$	
	HIRED NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	\$	
							Medical payments	\$ 2,000	0
	WINDRELLA LIAB OCCUR						EACH OCCURRENCE	\$ 10,00	00,000
С	EXCESS LIAB CLAIMS-MADE	Y		TH7Z91454780048	06/30/2018	06/30/2019	AGGREGATE	\$ 10,00	00,000
	DED RETENTION \$							\$	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE ER		
В	ANY PROPRIETOR/PARTNER/EXECUTIVE	N/A	Υ	0830-19364	09/11/2017	09/11/2018	E.L. EACH ACCIDENT	\$ 1,000	0,000
5	OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	IN/A	,	0030-19304	03/11/2017		E.L. DISEASE - EA EMPLOYEE	\$ 1,000	0,000
	If yes, describe under DESCRIPTION OF OPERATIONS below					:	E.L. DISEASE - POLICY LIMIT	\$ 1,000	0,000
١ .							TEST	_	
DES	CRIPTION OF OPERATIONS / LOCATIONS / VEHICLE	S (AC	ORD 1	01, Additional Remarks Schedule,	may be attached if more s	pace is required)	MECSI	11///	EIN
	Project #2018ERM01 The Board of County							V I	5INI I
	ctors, agents and employees are included a				itten contract. Waiver o	of Subrogation			11 11
Auto	o and Workers Compensation as required by	/ Writte	en cor	ntract.		ı	JUL 05 :	2018	
						L	J U		U
						F	NVIRANIAENITAI DECAUDA	FA 8444	110
						`-	NVIRONMENTAL RESOURC	13 MAN	IAGEMENT
CEF	RTIFICATE HOLDER				CANCELLATION			****************	
	505		-			ACCOUNT OF THE PARTY OF THE PAR			
							SCRIBED POLICIES BE CAN) BEFORE
	Board of County Con	- D-!-		at County of The Dale	ACCORDANCE WI		F, NOTICE WILL BE DELIVER Y PROVISIONS.	ED IM	
1	Board of County Commissioners	s rain							

FL 33411-2743

AUTHORIZED REPRESENTATIVE

Diel D. D.

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2300 North Jog Road 4th Floor

West Palm Beach

ATTACHMENT 4

Posting Time: 3:30 pm



Department of Environmental Resources Management

2300 North Jog Road, 4th Floor West Palm Beach, FL 33411-2743 (561) 233-2400

> FAX: (561) 233-2414 www.pbcgov.com/erm

Palm Beach County Board of County Commissioners

Melissa McKinlav, Mayor

Mack Bernard, Vice Mayor

Hal R. Valeche

Paulette Burdick

Dave Kerner

Steven L. Abrams

Mary Lou Berger

County Administrator

Verdenia C. Baker

PALM BEACH COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT

*****FACSIMILE****

POSTING

DATE:

July 27, 2018

TO:

Eastman Aggregate Enterprises, LLC

Rio-Bak Corporation West Construction, Inc.

Southern Disaster Recovery, LLC

Phillips & Jordan, Inc.

FROM:

Deborah Drum, Director Distriction Department of Environmental Resources Management

RE:

AWARD RECOMMENDATION

Palm Beach County Dune and Beach Restoration Annual

Contract (Federalized)

PBC/ERM PROJECT NO. 2018ERM01

Based on bid results for the Base Bid combined with the Alternate Bid, the Department of Environmental Resources Management recommends award of the above referenced contracts to Eastman Aggregate Enterprises, LLC (Contractor A) and Rio-Bak Corporation (Contractor B).

This Award Recommendation will be posted at the Department of Environmental Resources Management on the 4th Floor at 2300 N. Jog Road, West Palm Beach, Florida. The Award Recommendation may be protested by addressing your protest to Ms. Kathleen M. Scarlett, Director, Palm Beach County Purchasing Department, 50 South Military Trail, West Palm Beach, Florida 33415. Failure to file a protest to the Director of Purchasing within five (5) business days after posting of the Award Recommendation, as prescribed in Section IV (D) of the County Purchasing Ordinance 96-17, shall constitute a waiver of proceedings under the referenced County Ordinance.

We thank you for your continued interest in bidding Palm Beach County projects.

Attachments: Bid Evaluation Summary

Bid Tabulation

DD:MS:JA

Kathleen M. Scarlett, Director, Purchasing Department

L. Denise Coffman, Assistant County Attorney, County Attorney's Office

"An Equal Opportunity Affirmative Action Employer

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

Project No.: 2018ERM01

Project Name: Palm Beach County Dune and Beach Restoration Annual Contract (Federalized)

Bid Opening: June 12, 2018

1. Lowest responsive, responsible bidder:

Eastman Aggregate Enterprises, LLC (Contractor A), Rio-Bak Corporation (Contractor B)

II. Bidders, ranked from lowest to highest:

Bidder	Evaluated Bid Amount	SBE Participation	Business Location	
Eastman Aggregate Enterprises, LLC	\$ 10,544,432.26	N/E	N/E (PBC)	
2. Rio-Bak Corporation	\$ 11,091,805.66	N/E	N/E (PBC)	
3. West Construction, Inc.	\$ 12,809,337.30	N/E	N/E (PBC)	
4. Southern Disaster Recovery, LLC	\$ 13,033,411.98	N/E	N/E (South Carolina)	
5. Phillips & Jordan, Inc.	\$ 13,505,035.50	N/E	N/E (Pasco County)	

N/E = Not Evaluated

III. Disqualified bidders:

a .	
Bidder	Reason
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?

Yes, error in Multiplier (Sand Mine Mileage) resulted in higher Contract Price for Rio-Bak Corporation.

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

Project No.: 2018ERM01

Project Name: Palm Beach County Dune and Beach Restoration Annual Contract (Federalized)

Bid Opening: June 12, 2018

Co	ntract Time: <u>Initial 2 years; not to exceed 3 year total Contract Ter</u>	m		*				Con	tractor A	Contractor B		
				FRA I	Estimate		Average of	Eastman Aggr	egate Enterprises,	Die Bek Con	Corporation	
province:				Cetter	.stylllete		All Bids		rrc	NIO-BBR CON	poration	
-		QUANTITY				Г	:					
_	BASE BID ITEMS	(2 YEARS)	UNIT	UNIT COST	TOTAL COST		UNIT COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	
-	SUPPLY SAND	347,034	TON	\$ 10.36	\$ 3,595,272.24	\$	10.88	\$ 8.83	\$ 3,064,310.22	\$ 10.50	\$ 3,643,857.00	
2	TRANSPORT AND DELIVERY OF MATERIAL (FIRST TON-MILE) ¹	355,034	TON-MILE	1.40	497,047.60		1.35	1.36	482,846.24	1.20	426,040.80	
-	TRANSPORT AND DELIVERY OF MATERIAL (ADDITIONAL TON-MILE		TON-MILE	0.16	3,997,831.68		0.20	0.18	5,247,154.08	0.18	5,315,866.81	
-	CONVEYING OF MATERIAL (INITIAL 300' WITH HOPPER/UNLOADE		TON	1.49	146,765.00		3.29	2.00	197,000.00	1.85	182,225.00	
Esserin	ADDITIONAL 100' OF CONVEYOR	26,000	TON	2.30	59,800.00		2.33	2.23	57,980.00	2.15	55,900.00	
8	BEACH PLACE AND GRADE (<1000' FROM ACCESS)	194,820	TON	2.09	407,173.80		3.39	2.95	574,719.00	3.03	590,304.60	
2	BEACH PLACE AND GRADE (1000'-2000' FROM ACCESS)	107,068	TON	3.26	349,041.68		3.95	3.65	390,798.20	3.56	381,162.08	
Sec.	BEACH PLACE AND GRADE (2000'-3000' FROM ACCESS)	40,445	TON	3.95	159,761.70	L	4.83	4.41	178,366.86	4.55	184,029.30	
9	BEACH PLACE AND GRADE (>3000' FROM ACCESS)	3,000	TON	4.64	13,920.00	L	6.24	8.00	24,000.00	4.55	13,650.00	
1.	CITE BRER & RATION & RESTORATION	42	CONSTRUCTION	9								
3	SITE PREPARATION & RESTORATION	13	ACCESS	1,360.00	17,680.00	 	3,999.61	1,317.47	17,127.11	2,500.00	32,500.00	
	SUPPLY, DELIVERY, AND INSTALLATION OF SOD	3,850	SY	2.30	8,855.00	_	3.98	6.75	25,987.50	3.17	12,204.50	
5	REPAIR/REPLACE IRRIGATION	200	LF	2.30	460.00		14.87	5.00	1,000.00	15.86	3,172.00	
-	SCARP MANAGEMENT	7,500	LF	0.46	3,450.00	_	1.30	0.45	3,375.00	0.85	6,375.00	
9	COMPACTION MANAGEMENT	3,400	SY	0.11	374.00	IL	1.04	0.11	374.00	1.00	3,400.00	
-	DEBRIS REMOVAL	239	TON	52.00	12,428.00	I	56.50	50.24	12,007.36	60.00	14,340.00	
16	MAINTENANCE OF VEHICULAR AND PEDESTRIAN TRAFFIC	5	WORK ORDER	1,360.00	6,800.00	<u> </u>	7,526.54	2,500.00	12,500.00	15,000.00	75,000.00	
1			SAMPLING				1					
-	CERTIFIED SAND QUALITY TESTING	141	EVENT	350.00	49,350.00	I	384.66	323.79	45,654.39	422.97	59,638.77	
-	EXCAVATION TO GRADE AND LOAD FOR ONSITE TRANSPORT	6,250	CY (IN-BANK)		10,750.00	I	1.90	2.25	14,062.50	1.06	6,625.00	
2	LOAD FOR OFFSITE TRANSPORT	8,000	TON	0.87	6,960.00		1.28	0.84	6,720.00	1.06	8,480.00	
-	MATERIAL GRADING	2,000	CY (IN-BANK)	0.87	1,740.00	<u> </u>	1.06	0.84	1,680.00	2.23	4,460.00	
21	TURBIDITY CONTROL AND MONITORING	105	DAY	210.00	22,050.00		628.47	650.00	68,250.00	150.00	15,750.00	
į .			BASE BID				12,075,349.30		\$ 10,425,912.46		\$ 11,034,980.85	
	ALTERNATE BID ITEMS	QUANTITY	TINU	UNIT COST	TOTAL COST		UNIT COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	
Same	HAUL ROAD CONSTRUCTION	340	LF	\$ 16.00	\$ 5,440.00	\$	15.14	\$ 18.00	\$ 6,120.00	\$ 15.00	\$ 5,100.00	
2A	HAUL ROAD REMOVAL	340	LF	5.00	1,700.00		13.74	4.47	1,519.80	15.00	5,100.00	
			10									
3A	TEMPORARY ROAD MAT SYSTEM	6	MATS/WEEK	400.00	2,400.00		1,123.57	1,000.00	6,000.00	600.00	3,600.00	
4Α	SAND SCREENER	8,000	TON	2.00	16,000.00		4.38	9.50	76,000.00	2.00	16,000.00	
5A	SUPPLY/INSTALL SILT FENCE	140	LF	1.40	196.00		3.91	2.00	280.00	7.32	1,024.80	
6A	PRE-/POST-CONSTRUCTION SURVEY	26	TRANSECT	400.00	10,400.00		2,666.99	1,100.00	28,600.00	1,000.00	26,000.00	
Ceremen			ALTERNATE BID		\$ 36,136.00	\$	121,455.24		\$ 118,519,80		\$ 56,824.80	
		BASE BID +	ALTERNATE BID		\$ 9,403,646.70	\$	12,196,804.54		\$ 10,544,432.26		\$ 11,091,805.66	
					, .,		,,		+ +0,077,702,2U		4 TT/02T'003'00	

¹⁸ is expected that COUNTY-supplied sand shall be used to augment the sand quantity for various projects at the COUNTY's discretion. For bidding purposes, the COUNTY has included an additional 4,000 tons of COUNTY-supplied sand, within 1 mile of the project, in Line Item 2 for Various Dune Projects in each year.

VITTNAUD	CALCULATION	FOR BASE BI	DITEM 3
----------	-------------	-------------	---------

- 1		The second second	4
1	ADDISTANCE FROM BIDDER'S SAND SOURCE TO PBC VISTA CTR, 2300 N JOG ROAD, WPB, FL 33411-2743	73	MILES
- }		/5/	**********
ı	QUANTITY FOR BASE BID ITEM 3 = (A - 1 MILES) * 347.034 TONS	24.986,448	TON-MILES
1		2.750071.0	7011 1111000

VULCAN 85 MILES 29,150,856 TON-MILES Jahna/Ortana (85) 86.1 MILES 29,532,593.4 TON-MILES

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

Project No.: 2018ERM01

Project Name: Palm Beach County Dune and Beach Restoration Annual Contract (Federalized)

Bid Opening: June 12, 2018

Contract Time: Initial 2 years; not to exceed 3 year total Contract Term

			ERM E	stimate		West Con	struction, inc.	Southern Disaster	Recovery, LLC	Phillips 8	lordan, Inc.
	QUANTITY										
BASE BID ITEMS	(2 YEARS)	UNIT	UNIT COST	TOTAL COST	U	NIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
1 SUPPLY SAND	347,034	TON	\$ 10.36	\$ 3,595,272.24	\$	12.47	\$ 4,327,513.98	\$ 12.30	\$ 4,268,518.20	\$ 10.29	\$ 3,570,979.86
2 TRANSPORT AND DELIVERY OF MATERIAL (FIRST TON-MILE) ¹	355,034	TON-MILE	1.40	497,047.60		1.74	617,759,16	0.60	213,020.40	1.83	649,712.22
3 TRANSPORT AND DELIVERY OF MATERIAL (ADDITIONAL TON-MILE	SEE "A" BELOW	TON-MILE	0.16	3,997,831.68		0.21	6,121,679.76	0.23	6,792,496.48	0.20	5,830,171.20
4 CONVEYING OF MATERIAL (INITIAL 300' WITH HOPPER/UNLOADE	98,500	TON	1.49	146,765.00		1.62	159,570.00	1.20	118,200.00	9.79	964,315.00
5 ADDITIONAL 100' OF CONVEYOR	26,000	TON	2.30	59,800.00		2.75	71,500.00	1.20	31,200.00	3.34	86,840.00
6 BEACH PLACE AND GRADE (<1000' FROM ACCESS)	194,820	TON	2.09	407,173.80		2.46	479,257.20	3.60	701,352.00	4.89	952,669.80
7 BEACH PLACE AND GRADE (1000'-2000' FROM ACCESS)	107,068	TON	3.26	349,041.68		3.66	391,868.88	4.00	428,272.00	4.90	524,633.20
B BEACH PLACE AND GRADE (2000'-3000' FROM ACCESS)	40,446	TON	3.95	159,761.70		4.82	194,949.72	4.60	186,051.60	5.75	232,564.50
9 BEACH PLACE AND GRADE (>3000' FROM ACCESS)	3,000	TON	4.64	13,920.00		6.54	19,620.00	5.50	16,500.00	6.59	19,770.00
ADDITE PREDADATION & RECTORATION	4.7	CONSTRUCTION	4 250 00	47.600.00	H						
10 SITE PREPARATION & RESTORATION	13	ACCESS	1,360.00	17,680.00	II —	1,800.00	23,400.00	6,750.00	87,750.00	7,630.59	99,197.67
11 SUPPLY, DELIVERY, AND INSTALLATION OF SOD	3,850	SY	2.30	8,855.00	<u> </u>	2.64	10,164.00	4.50	17,325.00	2.82	10,857.00
12 REPAIR/REPLACE IRRIGATION	200	LF	2.30	460.00	l	3.04	608.00	1.20	240.00	49.27	9,854.00
13 SCARP MANAGEMENT	7,500	LF SY	0.46	3,450.00		1.10	8,250.00	3.40	25,500.00	0.71	5,325.00
14 COMPACTION MANAGEMENT	3,400 239	TON	0.11	374.00	 	0.16	544.00	0.35	1,190.00	3.57	12,138.00
15 DEBRIS REMOVAL	239 5		52.00	12,428.00	I	92.40	22,083.60	26.70	6,381.30	53.14	12,700.46
16 MAINTENANCE OF VEHICULAR AND PEDESTRIAN TRAFFIC	3	WORK ORDER SAMPLING	1,360.00	6,800.00	 - -	1,932.00	9,660.00	4,200.00	21,000.00	14,000.70	70,003.50
AT CERTIFIED CAMP OF THE TECTION	1.84		250.00	40.750.00		474.00	55.004.00				
17 CERTIFIED SAND QUALITY TESTING 18 EXCAVATION TO GRADE AND LOAD FOR ONSITE TRANSPORT	141 6,250	EVENT	350.00	49,350.00	 	474.00	66,834.00	335.00	47,235.00	367.52	51,820.32
19 LOAD FOR OFFSITE TRANSPORT	8.000	CY (IN-BANK)	1.72 0.87	10,750.00	 	2.28	14,250.00	1.20	7,500.00	2.69	16,812.50
20 MATERIAL GRADING	2,000	CY (IN-BANK)	0.87	6,960.00	!	1.07	8,560.00	1.00	8,000.00	2.41	19,280.00
21 TURBIDITY CONTROL AND MONITORING	105	DAY	210.00	1,740.00 22,050.00	{}—	1.32 270.00	2,640.00	0.40	800.00	0.51	1,020.00
21 TORDIDITY CONTROL AND INDISTRICTION	103	BASE BID	210.00	\$ 9,367,510.70	<u> </u>		28,350.00	1.40	147.00	2,070.93	217,447.65
ALTERNATE BID ITEMS	QUANTITY	UNIT	UNIT COST	TOTAL COST	11	NIT COST	\$ 12,579,062.30	1111000000	\$ 12,978,678.98	The state of the s	\$ 13,358,111.88
			CONTRACTOR CONTRACTOR	-	3		TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
1A HAUL ROAD CONSTRUCTION	340	LF	\$ 16.00	\$ 5,440.00	\$	20.40	\$ 6,936.00			\$ 11.08	\$ 3,767.20
2A HAUL ROAD REMOVAL	340	LF 10	5.00	1,700.00	 	6.07	2,063.80	17.80	6,052.00	25.34	8,615.60
	_	10					1				
3A TEMPORARY ROAD MAT SYSTEM	6	MATS/WEEK	400.00	2,400.00	 	600.00	3,600.00	2,200.00	13,200.00	1,217.83	7,306.98
4A SAND SCREENER	8,000	TON .	2.00	16,000.00	 	6.90	55,200.00	1,40	11,200.00	2.08	16,640.00
5A SUPPLY/INSTALL SILT FENCE	140	LF	1.40	196.00		1.68	235.20	1.75	245.00	6.81	953.40
6A PRE-/POST-CONSTRUCTION SURVEY	26	TRANSECT	400.00	10,400.00		6,240.00	162,240.00	778.00	20,228.00	4,216.94	109,640.44
		ALTERNATE BID		\$ 36,136.00			\$ 230,275.00		\$ 54,733.00		\$ 146,923.62
	BASE BID +	ALTERNATE BID		\$ 9,403,646.70			\$ 12,809,337.30		\$ 13,033,411.98		\$ 13,505,035.50

³It is expected that COUNTY-supplied sand shall be used to augment the sand quantity for various projects at the COUNTY's discretion. For bidding purpos included an additional 4,000 tons of COUNTY-supplied sand, within 1 mile of the project, in Line Item 2 for Various Dune Projects in each year.

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QUANTITY	CALCULAI	HUH FUH	BASE B	UHENS

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Ā	A DISTANCE FROM BIDDER'S SAND SOURCE TO PBC VISTA CTR, 2300 N JOG ROAD, WPB, FL 33411-274	1 73	MILES
-16_	A PERIANCE FROM DISPERSONAL POORCE TO THE VISIA CITY, ESSENTED ROLL, VITE, TESSATE ET	, , , ,	WILL
-11	The state of the s	D 4 000 400	
ï	OUANTITY FOR BASE BID ITEM 3 = (A - 1 MILES) * 347.034 TONS	24,986,448	I ION-MILES
ĕ.,.			

VULCAN (72)	
85	MILES
29,150,856	TON-MILE

JAHNA/ORTANA (92)

86.1

29,532,593.4

TON-MILES

VULCAN	
85	MILES
29,150,856	TON-MILES