

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: December 18, 2018                      Consent [X]                      Regular [ ]  
Public Hearing [ ]

Department: Water Utilities Department

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: a Contract with Insituform Technologies, LLC, (IT) for the Palm Beach County Sanitary Sewer Collection System Rehabilitation Project Phase 1 (Project) in the amount of \$3,713,242.30.

**Summary:** On April 4, 2018, three (3) bids were received for the Project, which provides for the rehabilitation of wastewater gravity pipelines, manholes and associated service laterals. The lowest bidder, Ric-Man Construction Florida, Inc. (RM), did not meet the minimum experience requirement specified in the bid document. As a result, RM's bid was determined to be non-responsible. As the second lowest bidder, IT was determined to be the lowest responsible and responsive bidder for the Project. RM subsequently filed a bid protest claiming that the experience requirements were properly met per the requirements of the solicitation. On June 26, 2018, the Director of Purchasing recommended the bid protest be denied. RM then proceeded with a Request for a Hearing before a Special Master. On October 9, 2018, the Special Master recommended the bid protest be denied. The Small Business Enterprise (SBE) participation goal established by the 2002 SBE Ordinance under which this Project was solicited, is 15% overall. The Contract with IT provides for 0.6% SBE participation, as one of the sub-contractors was found to not qualify as an SBE at the time of bid. IT is not a Palm Beach County Company. IT's headquarters are located in Chesterfield, Missouri. The Project is in the FY19 Water Utilities Department (WUD) budget. (WUD Project No. 15-098A) Countywide (MJ)

**Background and Justification:** WUD is currently undertaking the rehabilitation of aging wastewater gravity infrastructure throughout the WUD's service area as it is approaching its life expectancy. The work provided by the Project includes the rehabilitation of eight (8) lift station service basins. Approximately 50,000 linear feet of gravity sewer pipe, 150 manholes and 1,400 lateral services will be rehabilitated with Cure-In-Place lining and point repair. This rehabilitation of existing collection system infrastructure will improve the service level and extend system reliability.

**Attachments:**

- 1. Four (4) Original Contracts for Insituform Technologies, LLC
- 2. Location Map
- 3. Bid Tabulation Sheet
- 4. SBE Compliance Review from OSBA
- 5. ITS Insurance Certificate

Recommended By: Jim Stiles                      12-5-18  
Department Director                      Date

Approved By: Phil J. B. [Signature]                      12/14/18  
Assistant County Administrator                      Date

## II. FISCAL IMPACT ANALYSIS

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

Fiscal Years	2019	2020	2021	2022	2023
Capital Expenditures	\$3,713,243	0	0	0	0
Operating Costs	0	0	0	0	0
External Revenues	0	0	0	0	0
Program Income (County)	0	0	0	0	0
In-Kind Match County	0	0	0	0	0
NET FISCAL IMPACT	\$3,713,243	0	0	0	0
# ADDITIONAL FTE POSITIONS (Cumulative)	0	0	0	0	0

Budget Account No.: Fund 4011 Dept 721 Unit W031 Object 6547

Is Item Included in Current Budget? Yes X No     

Does this item include the use of federal funds? Yes      No X

Reporting Category N/A


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

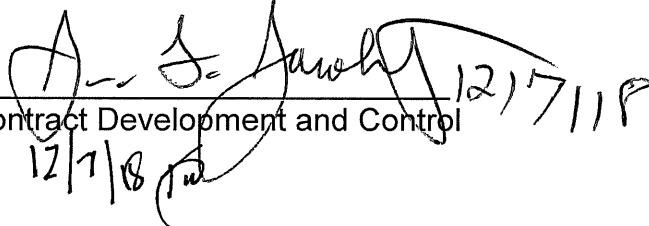
One (1) time expenditure from user fees, connection fees and balance brought forward.

C. Department Fiscal Review: 

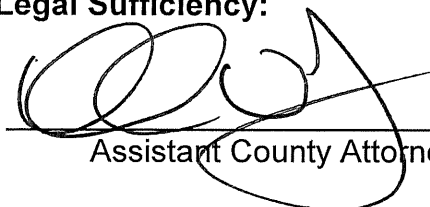
## III. REVIEW COMMENTS

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

 12/6/18  
OFMB *am 12/5* *g/12/18*

 12/7/18  
Contract Development and Control

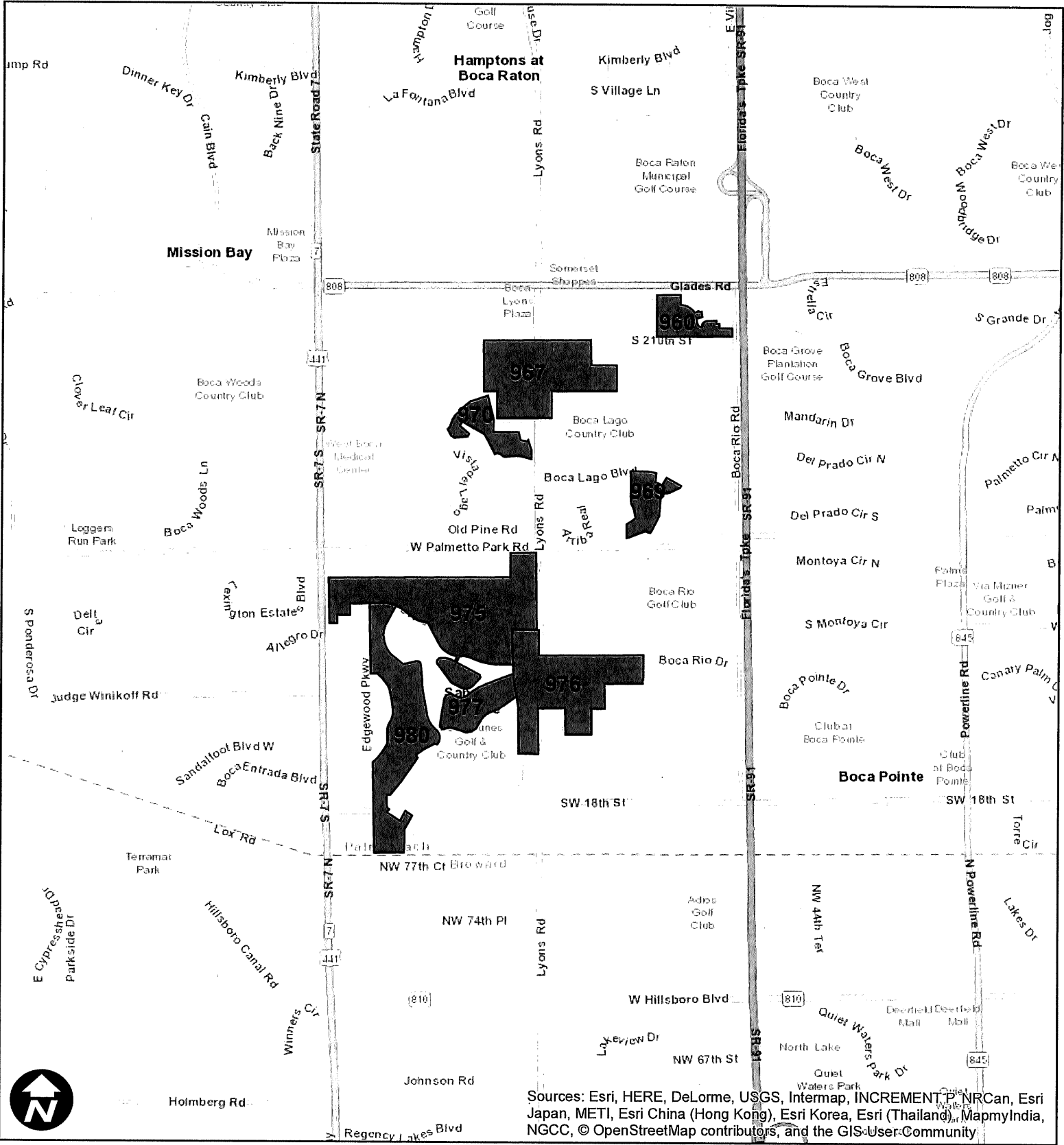
### B. Legal Sufficiency:

 12/11/18  
Assistant County Attorney

### C. Other Department Review:

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

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




**Palm Beach County**  
**Water Utilities**  
**Department**  
8100 Forest Hill Blvd.  
West Palm Beach, FL 33416  
(561) 740-4600

## Project Location Map

### PBC Sanitary Sewer Collection System Rehabilitation

### Project Phase 1 - WUD No. 15-098A

#### Legend

 Lift Station Basin Lining Project

# BID TABULATION SHEET

## Palm Beach County Sanitary Sewer Collection System Rehabilitation Project Phase 1

TITLE

BID#

**15-098A**

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

(calculation Error on  
Schedule of value by  
bidders per 5/1/19

	Hinterland Group, Inc.		Insituform Technologies, LLC		Ric-Man Construction Florida, Inc.					
	(3)		⊕ ②		①					
<b>BASE BID</b>	<del>\$ 4,768,125.00</del> \$ 4,904,825.00		<del>\$ 3,774,492.30</del> \$ 3,713,242.30		\$ 3,500,104.00		\$		\$	
Addendum #1	(Y)	N	(Y)	N	(Y)	N	Y	N	Y	N
<b>Attachment #1 BID BOND</b>	(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 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
Attachment #6 Minimum Experience Requirements	(Y)	N	(Y)	N	(Y)	N	Y	N	Y	N

BIDS PICKED UP BY Frank Frank ENGINEER

DATE 4/25/2018



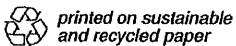
Office of  
Small Business Assistance  
50 South Military Trail, Suite 202  
West Palm Beach, FL 33415  
(561) 616-6840  
Fax: (561) 616-6850  
www.pbcgov.com/osba



Palm Beach County  
Board of County  
Commissioners  
  
Melissa McKinlay, Mayor  
Mack Bernard, Vice Mayor  
  
Hal R. Valeche  
Paulette Burdick  
Dave Kerner  
Steven L. Abrams  
Mary Lou Berger

County Administrator  
Verdenia C. Baker

"An Equal Opportunity  
Affirmative Action Employer"



**DATE:** July 9, 2018  
  
**TO:** Pollop Phonpornwithoon, E.I., Pipeline Design  
WUD Engineering Division  
  
**FROM:** Allen F. Gray, Manager *A. Gray*  
Office of Small Business Assistance  
  
**SUBJECT:** Compliance Review on Project No. WUD 15-098a  
Sanitary Sewer Collection System Rehabilitation

This is a revision to the April 14, 2018 Compliance Review.

The following is a Compliance Review of the 15% SBE goal established on the above-mentioned project, which opened April 25, 2018. SBE participation was calculated on the bid amounts listed on the Bid Tabulation sheets.

**Low Bidder:** Ric-man Construction Florida, Inc.  
3100 SW 15<sup>th</sup> Street  
Deerfield Beach, FL 33442  
Phone: (954) 426-1221  
Bid Amount: \$3,500,104.00  
**SBE Commitment:** 0%

TV Diversified <sup>2</sup>	\$0.00	0%
Bon's Barricades <sup>1</sup>	\$0.00	

**2<sup>nd</sup> Low Bidder:** Insituform Technologies, LLC  
17988 Edison Avenue  
Chesterfield, MO 63005  
Phone: (636) 530-8000  
Bid Amount: \$3,713,242.30  
**SBE Commitment:** 0.6%

(WB) Bird's Eye View	\$ 23,723.38	0.6%
TV Diversified <sup>2</sup>	\$0.00	0%



Page 2.

**3<sup>rd</sup> Low Bidder:** **Hinterland Group, Inc.**  
**992 West 15<sup>th</sup> Street**  
**Riviera Beach, FL 33404**  
Phone: (561) 640-3503  
Bid Amount: \$4,904,825.00  
**SBE Commitment:** **76.9%**

(SB) Hinterland Group \$ \$3,774,425.00<sup>3</sup> 76.9%

**EVALUATION:**

The low bidder, **Ric-Man Construction Florida, Inc.**, failed to meet the SBE goal for this project. The second low bidder, **Insituform Technologies, LLC** also failed to meet the SBE goal. The third low bidder, Hinterland Group, Inc., has met the goal, but is outside the limit for ranking of responsive bidder's consideration.

c: Helene Hvizd, Senior Assistant County Attorney

<sup>1</sup> Not certified with Palm Beach County as an SBE.

<sup>2</sup> Not a certified SBE. Company decertified for failure to notify office of substantial change in ownership.

<sup>3</sup> SBE dollar amount listed on schedule 1 was modified to eliminate scopes of work the contractor is not certified to perform as an SBE.

Summary of Certificates

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

Thursday, October 25, 2018

Simple View

Certificate Images

Documents

Insured: Insituform Technologies, LLC

Insured ID: 15-098A-PBC

Status: Compliant

ITS Account Number: PLC3417

Project(s): Palm Beach County - Water Utilities - (Active)

Insurance Policy	Required	Provided	Override
<u>General Liability</u>			
Expiration: 7/1/2019			
General Aggregate:	\$1,000,000	\$4,000,000	
Products - Completed Operations Aggregate:	\$0	\$0	
Personal And Advertising Injury:	\$0	\$0	
Each Occurrence:	\$1,000,000	\$2,000,000	
Fire Damage:	\$0	\$0	
Medical Expense:	\$0	\$0	
<u>Automobile Liability</u>			
Expiration: 7/1/2019			
	All Owned Autos	Any Auto not provided	X
	Hired Autos	not provided	X
	Non-Owned Autos	not provided	X
Combined Single Limit:	\$1,000,000	\$5,000,000	
<u>Workers Compensation/Employers Liability</u>			
Expiration: 7/1/2019			
Each Accident:	\$100,000	\$1,000,000	
Disease - Policy Limit:	\$500,000	\$1,000,000	
Disease - Each Employee:	\$100,000	\$1,000,000	
<u>Inland Marine/Transit Coverage</u>			
Expiration: 7/1/2019			
	Loss Payee project.	Loss Payee project.	

Notifications

There were no deficiency letters issued.

Do you have an updated Certificate? Click the button below to submit a Certificate.

Certificate Submittal