#### PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

#### **AGENDA ITEM SUMMARY**

Meeting Date:	March 12, 2019	(X) Consent ( ) Workshop	()Regular ()Public Hearing
Department: Submitted By: Submitted For:	Environmental Resou Environmental Resou Environmental Resou	irces Management	

#### I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to authorize:** Work Supplement No. 0649-5B to the Palm Beach County Artificial Reef & Breakwater Annual Contract, Project No. 2015ERM01 (R2015-0649) with The Vance Construction Co. (Vance) at a cost not to exceed \$315,000, for a term of 270 days.

**Summary:** On May 19, 2015, the Board of County Commissioners (BCC) approved the Contract (R2015-0649) with Vance, a Palm Beach County Small Business Enterprise (SBE). Work Supplement No. 0649-5B will authorize the construction of mangrove island revetments at Tarpon Cove Islands (Project). At the time of contracting, the SBE participation goal established by the SBE Ordinance (R2002-0064) was 15% overall. The SBE participation for this Work Supplement is 100%. Vance committed to an overall 54.94% SBE participation, but will achieve 91.85% SBE participation including this work supplement. The Project costs are shared by the Florida Department of Environmental Protection (FDEP) 49% and the County 51%. Funds will come from the Manatee Protection Fund and FDEP Agreement No. LP50202 (R2017-0082). <u>Districts 2 & 7</u> (DC)

Background and Justification: The Project in Lake Worth Lagoon within the City of West Palm Beach has been designed to leverage beneficial reuse sand sources from non-County projects to offset the cost to purchase, transport, and place sand. Work Order No. 0649-5 commenced on May 18, 2018, with the understanding the Project was to receive up to 70,000 cubic yards from Rybovich Superyacht Marina (Rybovich). A schedule change at Rybovich limited the project to only acquiring a portion of the committed sand prior to the substantial completion deadline of March 14, 2019. The remaining Rybovich material is scheduled to be delivered by September, 2019. The County has received an additional commitment from the Florida Inland Navigation District (FIND) to donate up to 90,000 cubic yards of sand from maintenance dredging of the Intracoastal Waterway (ICWW) that will begin in February and be completed by May, 2019. Receipt of these two beneficial reuse sand sources provides an estimated \$8.48 million cost savings to the County's Project. Authorizing Work Supplement No. 0649-5B for the additional time of 270 days will provide the needed time to acquire the donated sand and pay to load and install the sand brought by FIND's contractor from dredging the ICWW to create the Project's islands.

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1. Work Supplement No. 0649-5B

Recommended by:

Department Director

Approved by:

Assistant County Administrator

Date

#### II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County)	2019 \$315,000 (\$154,350) 	<u>2020</u> 	<u>2021</u> 	<u>2022</u> 	<u>2023</u> 
NET FISCAL IMPACT	<u>\$160,650</u>				-
# ADDITIONAL FTE POSITIONS (Cumulative)					
ls Item Included in Currer	nt Budget? (	Match)	Yes X	No	
Does this item include the	e use of fed	eral funds?	Yes	NoX	
	<u>vario</u>	<u>us</u> Department		3010 Object 3010 Object	
B. Recommende Work Order # FDEP R2017- Manatee Prote	0649-5B ·0082	of Funds/Su	\$ 154,350 \$ 160,650 \$ 315,000	scal Impact	
C. Department F	Fiscal Revie	w: L.16	hear	_	
	III. REVIE	EW COMME	NTS		
A. OFMB Fiscal	and /or Cor	ntract Dev. a	nd Control C	omments:	
OFMB RASSISTANT CON	Della .	3/4/9	ntract Develo	pment and C	2128/19 ontrol 9 Tw
C. Other Departs	ment Review	v:			
 Department D	Director				

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#### WORK SUPPLEMENT NO. 0649-5B

X Owner Initiated F Differing Site Conditions Zoning/Code/Ordinance Changes	Quantity Overruns/Underruns Request By Another Agency/Outside Party A. Reimbursable B. Non-Reimbursable Other
PROJECT NAME: Palm Beach County Artificial Reproject No.: 2015ERM01 WORK ORDER NOWORK ORDER PROJECT NAME: Tarpon Cove Is (Contractor Name): The Vance Construction Co.	O.: <u>0649-5</u>
You are directed to make the following change(s)  1) Increase Work Order Time by 270 days due to d build habitat islands, as explained in Attachment 1.  2) Add line item #18 for Load/Install Sand in the attached Bid Schedule dated 1-17-2019. See "Re-INOT VALID UNTIL SIGNED BY COUNTY. SIGNATURE.	lifficulty in securing materials of opportunity to amount of \$315,000.00, as identified in the Use Placement Area" Sheet 1.
AGREEMENT HEREWITH INCLUDING ANY ADJU- WORK TIME, AND NO ADDITIONAL COST OR THE TO THIS CHANGE	USTMENT IN THE WORK ORDER SUM OR
The Original Work Order was Net Change by previous Supplements The Work Order Sum prior to this Supplement was The Work Order Sum will be increased/decreased I The New Work Order Sum including this Supplem The Work Order Time will be increased by The Date of Substantial Completion including this	ent will be \$ <u>1,187,837.50</u> <u>270 days</u>

Execution of this Work Supplement acknowledges final settlement of, and releases, all claims for costs and time associated, directly or indirectly, with the above stated modification(s), including all claims for cumulative delays or disruptions resulting from, caused by, or incident to such modification(s), and including any claim that the above stated modification(s) constitutes, in whole or part, a cardinal change to the Work Order.

To Be Specified in Punchlist

The Date of Final Completion including this Supplement

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

ATTEST: SHARON R. BOCK CLERK & COMPTROLLER	FOR: PALM BEACH COUNTY, FLORIDA, A Political Subdivision of the State of Florida By and Through Its BOARD OF COUNTY COMMISSIONERS
Deputy Clerk	BY: Mack Bernard, Mayor
(Seal)	DATE:
APPROVED AS TO FORM AND LEGAL SUFFICIENCY:	APPROVED AS TO TERMS AND CONDITIONS:
Assistant County Attorney	Deborah Drum, Director Dept. of Environmental Resources Mgmt.
The Vance Construction Co. Contractor	
225 Southern Blvd., Ste. 201 West Palm Beach, FL 33405-2768 Address BY	
James E. Vance, Jr. Name	

President Title

#### **OEBO SCHEDULE 1**

#### LIST OF PROPOSED CONTRACTOR/CONSULTANT AND SUBCONTRACTOR/SUBCONSULTANT PARTICIPATION

DLICITATION/PROJECT/BID NAME: Palm Beach County Artificial Reef & Breakwater Project  AME OF PRIME RESPONDENT/BIDDER: The Vance Construction Co							M01 Work Supple	
					ADDRESS: 225 Southern Blvd, Suite 201, West Palm Beach FL 33405			
NTACT PERSON: James Vance					io.: <u>561-855-81</u>			structioncompany@gm
ICITATION OPENING/SUBMITTAL DATE	: May 19,20	15		DEPART	MENT: Environm	ental Resource	Management	
PLEASE LIST THE DOLLAR AMOU PLEASE ALSO LIST THE DOLLA	INT OR PER AR AMOUN	RCENTAGE OF V IT OR PERCENT	AGE OF WO	E COMPLETED TO ORK TO BE COM E PROJECT.	THE <u>PRIME COI</u> IPLETED BY ALI	NTRACTOR/CO L SUBCONTRAC	NSULTANT ON CTORS /SUBCO	I THIS PROJE NSULTANTS
	( Chec Non-SBE	k all Applicable Catego M/WBE	ries) <u>SBE</u>		DOLLAR AMO	OUNT OR PERCENTA	AGE OF WORK	
Name, Address and Phone Number		Minority/Women Business	Small Business	Black	Hispanic	Women	Caucasian	Other (Please Specify)
The Vance Construction Co 225 Southern Blvd Suite 201 West Palm Beach FL 33405			$\checkmark$				315,000.0	0
								· · · · · · · · · · · · · · · · · · ·
					**************************************			
5.				-	***************************************			
ease use additional sheets if necessary)	k.	Т	otal				315,000.00	
al Bid Price \$ _315,000.00		Total :	SBE - M/WBE Par	ticipation_315,00	0.00			

3. Modification of this form is not permitted and will be rejected upon submittal.

#### **OEBO LETTER OF INTENT - SCHEDULE 2**

A comple	eted Schedule 2 is a bir	iding document between the P	rime Contra	ctor/consultan	t and a Subcontract	tor/subconsultant (for
any tier)	and should be treated	as such. The Schedule 2 shall	contain bol	ded language i	ndicating that by si	igning the Schedule 2,
		Schedule as a binding docu				
subcontr the bid/p		must properly execute this doc	cument. Eac	h properly exec	cuted Schedule 2 m	ust be submitted with
	TION/PROJECT NUMBE		Supplemer			<del></del>
SOLICITA	TION/PROJECT NAME:	Palm Beach County Artificial Reef	& Breakwater	Annual Constrac	t. Tarpon Cove Island	<u>s</u>
Name of	Prime: The Vance (	Construction Co				
(Check be	ox(s) that apply)					
SBE [	JWBE □MBE □N	I/WBE □Non-S/M/WBE D	ate of Palm B	each County Co	ertification (if applic	able): <del>4/25/17</del>
The unde		e the following (select one from Column 2	each colum	n):		
✓Male [	] 	☐African-American/Black ☐	Asian Ameri	can ☑Cauca	sian American	
,	<b></b>		Native Ame			
S/M/WBE	PARTICIPATION - S/M/V	VBE Primes must document all wor	k to be perfor	med by their ow	n work force on this f	orm. Failure to submit a
properly e	xecuted Schedule 2 for an	y <b>S/M/WBE</b> participation may resu	It in that parti	cipation not bein	g counted. Specify in	detail, the scope of work
		with the dollar amount and/or perce				be given for the areas in
which the	S/M/WBE is certified. A c	letailed proposal may be attached t	to a properly e	xecuted Schedul	le 2.	
Line	l lèor	n Description	Unit Price	Qty./Units	Contingencies/	Total Price/Percentage
Item	11.01	ii oestription	Oint Fince	Qcy., omes	Allowances	TOTAL TELEFORE CITE INCOME
18	load/install sar	 nd	9.00	35,000 ton	-	315,000.00
	***************************************					
		And the Arministration of the Arministration				
The under	signed Subcontractor/sub	consultant is prepared to self-perfo	rm the above-	described work i	n conjunction with the	aforementioned project
at the follo	owing total price or perce	ntage: 315,000.00			Control of the Contro	
		ntract any portion of this work to a		ontractor/subcor	nsultant, please list th	e business name and the
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			Drien 4	or Percentage:		
Na	me of 2 <sup>nd</sup> /3 <sup>rd</sup> tier Subcon	tractor/subconsultant	rne	or reicentage: _		
_	The Vance Const	ruction Co				
-	Print name of Prime			Print name	of Subcontractor/subc	consultant
	By John E.	huel	Ву:			
1	Autho	rized Signature	υγ, <u></u>	Au	thorized Signature	
	James E. Vance	-				
Ī	Print name		Print	name		

Title

President

Date: <u>02-01-2019</u>

Title

Date:

#### 1/17/19 BID SCHEDULE - Vance Construction Work Supplement #0649-5B

# Palm Beach County Annual Artificial Reef & Breakwater Project Project No. 2015ERM01

#### Tarpon Cove Islands

Bid Item	Description	Units	Unit Price	Total Amount	Total Price
	General				
1	Turbidity Monitoring/Reporting	Day	\$ 90.00		
2	Turbidity Curtain	Foot	\$ 6.50		
3	Mobilization & Demobilization (1)	Work Order	\$ 9,000.00		
	Materials Supply				
4	Supply Limestone Rock (3' to 4' diameter)	Ton	\$ 45.00		
5	Supply Limestone Rock (2' to 3' diameter)	Ton	\$ 50.00		·
6	Supply Bedding Stone	Ton	\$ 40.00		-
7	Supply Sand	Ton	\$ 9.90		
8	Supply Filter Fabric	SY	\$ 4.50	·	
8A	Supply Tailings	Ton	\$ 35.36		
	Offshore Limestone Reef Construction				
9	Load/Install Rock	Ton	\$ 22.00		
10	Transport Rocks (2)	Ton-Mile	\$ 0.31		
	Donated Reef Materials				
- 11	Load/Install Reef Materials	Ton	\$ 45.00		
12	Load/Install Reef Materials with Crane and Diver	Ton	\$ 45.00		
13	Transport Reef Materials (2)	Ton-Mile	\$ 0.75		
	Inshore Breakwater/Reef Construction				
14	Load/Install Filter Fabric	SY	\$ 4.50	· -	
15	Load/Install Bedding Stone	Ton	\$ 35.00	·-	
15A	Load/Install Tailings	Ton	\$ 45.00		
16	Load/Install Armor Stone	Ton	\$ 50.00	-	
17	Transport All Materials (2)	Ton-Mile	\$ 0.75	-	
	Miscellaneous Inshore Construction				
18	Load/Install Sand	Ton	\$ 9.00	35,000.00	\$315,000.00
19	Transport Sand	Ton-Mile	\$ 1.50		
	Pilings				
20	Supply Prestressed 14" Square Concrete Piling	LF	\$ 17.00		
21	Load/Install Concrete Piling in Sand Substrate including 1 sign provided by County	Unit	\$ 2,500.00		
22	Load/Install Concrete Piling in Rock Substrate including 1 sign provided by County	Unit	\$ 3,500.00		
		G	RAND TOTAL:		\$315,000.00

 $<sup>\</sup>textbf{(1)}\ Mobilization/demobilization}\ costs\ shall\ be\ allowed\ \underline{once}\ for\ Work\ Orders\ with\ overlapping\ construction\ schedules.$ 

<sup>(2)</sup> Rock transport cost based on 6.5 miles distance from mouth of LW Inlet to Tarpon Cove project.



#### 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

Mack Bernard, Mayor

Dave Kerner, Vice Mayor

Hal R. Valeche

Gregg K. Weiss

Robert S. Weinroth

Mary Lou Berger

#### **County Administrator**

Melissa McKinlay

Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"

Official Electronic Letterhead

#### INTEROFFICE MEMORANDUM

TO:

File

THRU:

Juan Cueto, Technical Assistant III, Contract Manager

FROM:

Eric Anderson, Sr Environmental Analyst

DATE:

February 1, 2019

RE:

Work Supplement No 0649-5B – Justification for 270 day time extension and \$315,000 cost increase.

Palm Beach County Department of Environmental Resources Management (County) issued Work Order No. 0649-5 to Vance Construction Co. (Vance), which commenced on May 18, 2018, with an initial contract period of 210 days to achieve substantial completion by December 14, 2018. On December 5, 2018 Palm Beach County's Contract Review Committee approved a 90 day time extension to March 14, 2019.

The work was for the supply and placement of 8,180 tons of limestone rock at the County's Tarpon Cove Islands (Project). The rock was to be used to stabilize two mangrove islands upon the receipt of 70,000 cubic yards of donated sand from the Rybovich Superyacht Marina (Rybovich) expansion. Rybovich agreed to load/install the sand at no charge to the County. Using current annual contracts prices, receipt of beneficial reuse sand provides an estimated \$3.71 million cost savings to the County, had the sand been purchased.

The Project has been designed to leverage beneficial reuse sand sources from non-County projects to offset the cost to purchase, transport, and place sand in the marine environment. Work Order No. 0649-5 commenced with the expectation that the Project was to receive up to 70,000 cubic yards of donated sand from Rybovich, with load and installation of the sand provided by Rybovich free of charge to the County. However, as a result of changes in Rybovich's construction schedule, the Project only acquired an estimated 15,000 cubic yards of the previously committed sand. Not enough sand was placed at the Project to authorize the purchase, transport, and placement of limestone rock.

The Project has received additional sand commitment from the Florida Inland Navigation District (FIND), who are expected to donate up to 90,000 cubic yards of sand from maintenance dredging of the

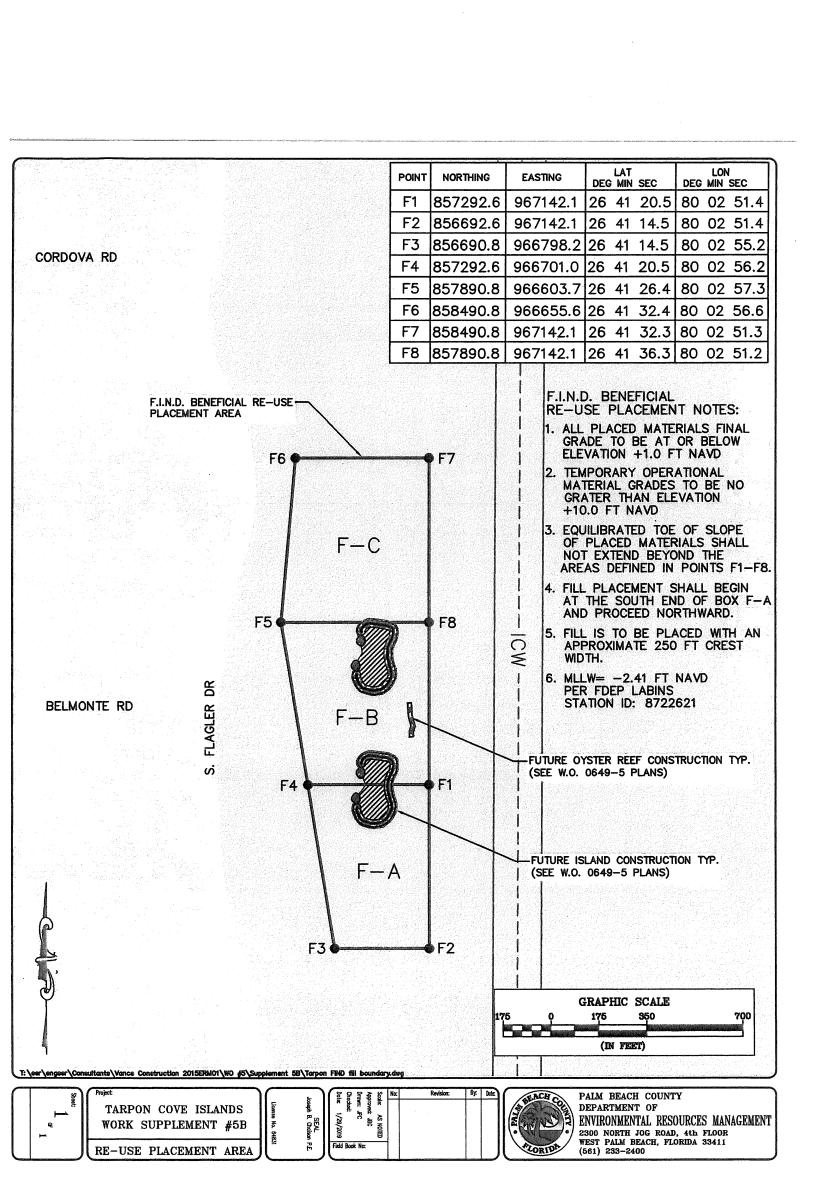


Intracoastal Waterway (ICWW) that will begin in mid-February and be completed in May 2019. An additional 55,000 cubic yards of donated sand from Ryobvich is scheduled to be delivered by September 2019. Receipt of these two beneficial reuse sand sources totaling 160,000 cubic yards provides an estimated \$8.48 million cost savings to the County's Project.

It should be noted that this current Work Order has a substantial completion deadline of March 14, 2019. Authorizing the Work Supplement for the additional time of 270 days will provide time to acquire the donated sand and the additional cost will pay Vance to load and install the sand brought by FIND's contractor from dredging the ICWW to create the Project's islands.

Vance has agreed to honor the 2015 contract prices which are significantly lower (18%) than the 2019 Annual Artificial Reef prices, a \$196,635 cost savings to the County.

Project costs are shared by Florida Department of Environmental Protection (FDEP) 49% and the County 51%. Funds will come from the Manatee Protection Fund and FDEP Agreement No. LP50202 (R2017-0082) which expires June 2020.





## BUDGET AVAILABILITY STATEMENT Palm Beach County Environmental Resources Management

**REQUEST DATE:** 01/31/2019

**REQUESTED BY:** Eric Anderson

PHONE: 233-2514

PROJECT TITLE: Artificial Reef & Breakwater Annual Contracts

PROJECT: 2015ERM01

SITE: Tarpon Cove Islands

**ACTIVITY**: Contruction

CONTRACTOR/CONSULTANT NAME: Vance Construction Company

SCOPE OF SERVICES: Work Supplement 0649-5B; Tarpon Cove \$315,000

#### **BUDGET ACCOUNT NUMBER(S):**

<u>Fund</u>	Dept	<u>Unit</u>	<u>Obj</u>	SObj	Program	<u>(Proj)</u> <u>Task</u>	(Site) Sub Task	(Activity) Task Ord	
1226	380	3010	3401	:		E194	ILWL	012	\$160,650
1229	380	3010	3401			E194	ILWL .	012	\$154,350

BAS APPROVED BY:	J.S. 1	Meany	DATE:	1/31/19	
ENCUMBRANCE NUM	4BER:		***************************************		

#### **CONTRACT HISTORY**

### Palm Beach County Artificial Reef & Breakwater Annual Contract (Primary Contractor) Project Number 2015ERM01 The Vance Construction Co.

Contract R2015-0649 dated May 19, 2015 for initial 1 year Term expires on May 18, 2016 for \$1,178,684.50

Amendment No. 1 (R2016-0641) increases Contract for 2nd Year by \$1,178,684.50.

Amendment No. 1 (R2016-0641) extends the Contract for 1 year, expiring on May 18, 2017.

Change Order No. 1 increases Contract for 2nd Year by \$22,260.00.

Amendment No. 2 (R2017-0648) increases Contract for 3rd Year by \$1,200,944.50.

Amendment No. 2 (R2017-0648) extends the Contract for 1 year, expiring on May 18, 2018.

Change Order No. 2 increases Contract for 3rd Year by \$69,196.60.

Contract Not To Exceed: \$3,649,770.10 SBE Goal: 54.94%

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#### Work Order Summary:

WORK ORDER NUMBER	TOTAL/SBE AMOUNT	ACTUAL* TOTAL/SBE AMOUNT	WORK ORDER DESCRIPTION	DATE / APPROVED BY	COMMENCE- MENT DATE
Amendment No. 1		7HVICOTVI	Increase Contract by \$1,178,684.50 and Extend Contract by 1 Year	5/17/2016 BCC	
0649-1	\$117,498.00 \$99,498.00	\$116,269.00 \$112,219.00	Peanut Island Park	6/8/2016 CRC	6/8/2016
0649-2	\$1,004,073.38 \$812,483.38	\$944,255.46 \$922,335.46	I Arry Island and Pahokee Marina Artificial Reats	8/16/2016 BCC	10/19/2016
0649-3	\$149,988.82 \$131,000.82	\$137,488.82 \$125,257.53	Phil Foster and Sugar Sands Reefs	11/9/2016 CRC	11/16/2016
0649-3A	-\$71.08 \$474.20	-71.08 474.20	Phil Foster and Sugar Sands Reefs / 21 day Work Time Extension	2/16/2017 ERM	11/16/2016
0649-2A	\$19,080.00 -\$61,966.90	\$19,080.00 \$19,080.00	Torry Island and Pahokee Marina Artificial Reefs / 30 day Work Time Extension, Replace USACE Permit, and Add Pilings	3/8/2017 ERM	10/19/2016
0649-3B	\$17,500.00 -\$10,475.71	17,500.00 -10,475.71	Phil Foster and Sugar Sands Reefs / 9 day Work Time Extension and Piling Rock Installation	3/6/2017 ERM	11/16/2016
Change Order No. 1			Increase Contract by \$22,260.00 for Steel Piling Line Items and Revise Contract Bid Form and Technical Specifications	4/5/2017 ERM	
0649-2B	\$0.00 \$0.00	\$0.00 \$0.00	Torry Island and Pahokee Marina Artificial Reefs / Replace Concrete Pilings with Steel Pilings	4/5/2017 ERM	10/19/2016
Amendment No. 2			Increase Contract by \$1,200,944.50 and Extend Contract by 1 Year	5/16/2017 BCC	·
Change Order No. 2			Increase Contract by \$69,196.60 for Tailings and #57 Limestone Line Items, Revise Contract Bid Form and Technical Specifications	1/3/2018 CRC	
0649-4	\$473,489.10 \$423,199.10	290,818.49 290,818.49	Grassy Flats Islands/Bryant Park Islands/Snook Islands II	2/6/2018 BCC	2/7/2018
0649-5	\$872,837.50 \$717,417.50		Tarpon Cove Islands; BCC Delegation 5/1/18	5/18/2018 ERM	5/18/2018
0649-5A	\$0.00 \$0.00		Tarpon Cove Islands / 90 day Work Time Extension	12/5/2018 CRC	5/18/2018
0649-5B	\$315,000.00 \$315,000.00		Tarpon Cove Islands / 270 day Work Time Extension and Price Increase	ВСС	5/18/2018
				-	

Total: SBE: \$2,713,178.19

SBE Participation:

\$2,492,126.47 91.85%

SEE Farucipation:

\$936,591.91

Contract Balance: Report Date:

1/29/2019

<sup>\*</sup> Actual amount expended for completed Work Orders and approved for closeout by Contract Review Committee.