

PALM BEACH COUNTY

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:June 18, 2019Consent [X]Regular []

Public Hearing []

Department:Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a Continuing Construction Contract (Contract) for the Lift Station Rehabilitation 2018 Project (Project) with Midas SouthEast, LLC formally known as T.V. Diversified, LLC (TVD), for a 24-month term in the amount of \$5,367,566.88 with the option of one (1) 12-month renewal.

Summary: On November 1, 2018, two (2) bids were received for the Water Utilities Department (WUD) Continuing Construction Contract for the Project. Midas SouthEast, LLC, was determined to be the lowest responsible and responsive bidder. The second lowest bidder, Hinterland Group Inc., (HGI) filed a Bid Protest on December 27, 2018, claiming, that the lowest responsive and responsible bid was submitted as an unbalanced bid. On March 19, 2019, the County Purchasing Director recommended the bid protest be denied and no further actions were taken by HGI. The Contract will be used to expedite utility capital improvement projects, facilitate the completion of much needed rehabilitation work and reduce response time for corrective action/repairs for any necessary emergency lift station projects. The Contract award is for the unit bid prices received and the overall bid dollar amount of \$5,367,566.88 was utilized to establish the unit prices for work to be undertaken under the Contract. The Contract does not guarantee nor authorize Midas SouthEast, LLC, to perform any work. Work will be assigned during the 24-month Contract period by Work Authorizations drawn against the Contract, subject to approval pursuant to the requirements of PPM CW-F-050. The unit prices contained in the Contract will be used to determine the amount of each Work Authorization. Any Supplements to Work Authorizations for changes that occur during construction will be subject to the change order limits for construction contracts as established under PPM CW-F-050. The Small Business Enterprise (SBE) participation goal established by the 2002 SBE Ordinance under which this Project was solicited is 15% overall participation. The Contract with TVD currently known as Midas SouthEast, LLC, provides for 16.23% SBE participation. Midas SouthEast, LLC, is a Palm Beach County Company. The requirements of the new Office of Economic Business Opportunity Ordinance will be added at the time of renewal. (WUD Project No.18-032R) Countywide (MJ)

Background and Justification: The Department owns and operates over 1,000 wastewater lift stations as part of the wastewater collection system. The Department's Capital Improvements Plan calls for the annual rehabilitation of up to 20 lift stations. The Contract will reduce the time needed to undertake the rehabilitation of infrastructure necessary to complete required utility repairs and improvements. This rehabilitation of existing wastewater lift stations will improve the service level and extend system reliability.

Attachments:

1. Four (4) Original Contracts for Midas SouthEast, LLC
2. Location Map
3. Revised Bid Tabulation Sheet
4. SBE Compliance Review from OEBO
5. Certificate of Liability Insurance

Recommended By:Jim Stiles6-11-19

Department DirectorDate

Approved By:Wesley Blum6/17/19

Assistant County AdministratorDate

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2019	2020	2021	2022	2023
Capital Expenditures	<u>\$1,500,000</u>	<u>\$2,000,000</u>	<u>\$1,867,567</u>	<u>0</u>	<u>0</u>
Operating Costs	<u>0</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 (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match County	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
NET FISCAL IMPACT	<u>\$1,500,000</u>	<u>\$2,000,000</u>	<u>\$1,867,567</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 <u>4011</u>	Dept <u>721</u>	Unit <u>W031</u>	Object <u>6546</u>	

Is Item Included in Current Budget? Yes X(*) No

(*) Amounts are not encumbered until work authorizations are issued.

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

Reporting Category N/A

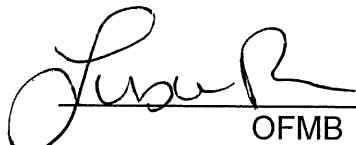
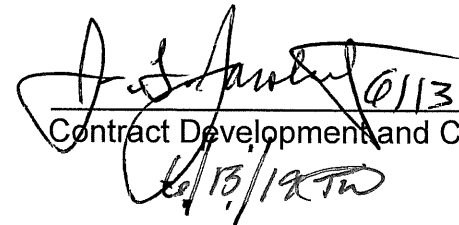
B. Recommended Sources of Funds/Summary of Fiscal Impact:

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

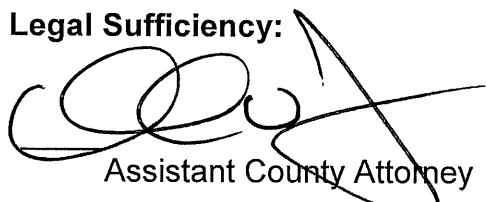
C. Department Fiscal Review: 

III. REVIEW COMMENTS

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

 6/12/19 OFMB  6/13/19 Contract Development and Control
6/12/19 6/13/19 6/13/19

B. Legal Sufficiency:

 6/14/19
Assistant County Attorney

C. Other Department Review:

Department Director

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