

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: February 11, 2020 Consent [X] Regular []
Public Hearing []

Department: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a 2019 Pipeline Continuing Construction Contract (Contract) with Johnson–Davis Incorporated (Contractor) for a three (3) year term in the amount of \$13,797,132.75.

Summary: On May 23, 2019, Water Utilities Department (WUD) received six (6) bids for the Contract. The Contractor was determined to be the lowest responsive and responsible bidder. The second lowest bidder, Centerline Utilities, Inc. (Centerline) filed a Bid Protest on August 12, 2019, claiming that the bid submitted by Contractor was an unbalanced bid and contesting that Centerline’s bid was non-responsive because a subcontractor was not certified at the time of bid opening. On November 18, 2019, the Assistant Director of Purchasing recommended the bid protest be denied and no further actions were taken by Centerline.

The Contract will provide the necessary services to expedite utility special assessment projects and other pipeline improvement projects throughout WUD's service area where timing is critical. The Contract award is for the unit bid prices received and overall bid dollar amount of \$13,797,132.75 was utilized to establish the unit prices for work under this Contract. The Contract does not guarantee or authorize Contractor to perform any work. Work will be assigned during a three (3) year 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. The Contract was presented to the Goal Setting Committee on April 3, 2019, and a minimum mandatory 20% SBE subcontracting goal was the Affirmative Procurement Initiative (API) applied to this Contract. The Contractor has met the established API for this Contract. The Contract provides for 20.07% SBE participation. Contractor is a Palm Beach County Company. (WUD Project No. 19-040) Countywide (MJ)

Background and Justification: WUD performs maintenance, repair and construction activities on water, wastewater and reclaimed water pipelines throughout its service area. The Contract will reduce the time needed to undertake the installation of infrastructure necessary to complete required utility repairs and improvements, help to improve the service level, and restore system reliability.

Attachments:

- 1. Four (4) Originals of Contract for Johnson–Davis Incorporated
- 2. Location Map
- 3. Revised Bid Tabulation Sheet
- 4. Compliance Review from OEBO
- 5. Certificate of Liability Insurance

Recommended By: Jim Stela Department Director Date: 1-22-2020

Approved By: Neil J. Ben Assistant County Administrator Date: 1/27/2020

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2020 | 2021 | 2022 | 2023 | 2024 |
|---|--------------------|--------------------|---------------------|-----------------------|----------|
| Capital Expenditures | \$3,000,000 | \$5,398,567 | \$5,398,566 | 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 | \$3,000,000 | \$5,398,567 | \$5,398,566 | 0 | 0 |
| # ADDITIONAL FTE POSITIONS (Cumulative) | 0 | 0 | 0 | 0 | 0 |
| Budget Account No.: | Fund 4011 | Dept 721 | Unit Various | Object Various | |

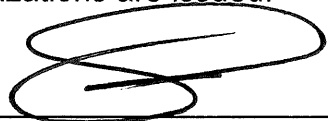
Is Item Included in Current Budget? Yes X(*) No

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

Reporting Category N/A

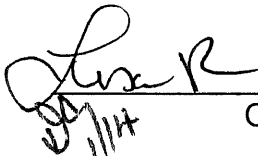
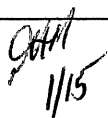
B. Recommended Sources of Funds/Summary of Fiscal Impact:

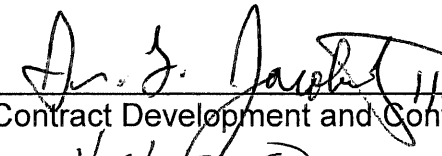

(*) There is no fiscal impact at the time the contract is awarded. Amounts are not encumbered until Work Authorizations are issued.

C. Department Fiscal Review: 

III. REVIEW COMMENTS

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

 1/16/2020
OFMB  1/15

 1/23/2020
Contract Development and Control  1/23/2020

B. Legal Sufficiency:

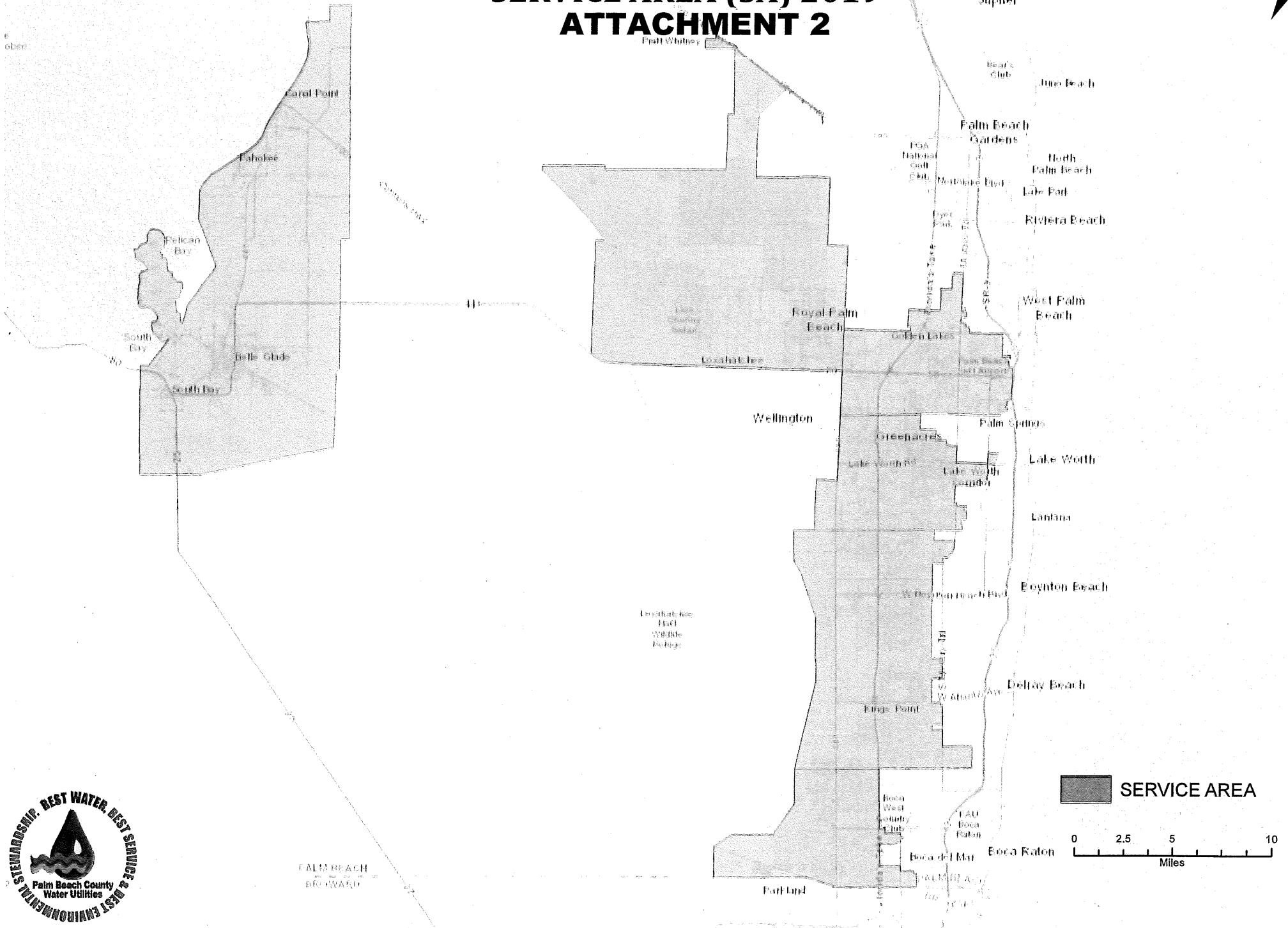
 1/27/2020
Assistant County Attorney

C. Other Department Review:

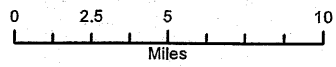
Department Director

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

SERVICE AREA (SA) 2019 ATTACHMENT 2



SERVICE AREA



PALM BEACH
BOWARD

ATTACHMENT 3

REVISED
2:54 pm, Jun 04, 2019

BID TABULATION SHEET

**2019 Pipeline
Continuing Construction Contract**

TITLE

BID# **19-040**

PAGE 1 OF 2

| | B&B Underground Construction, Inc. | | Centerline Utilities, Inc. | | DP Development, LLC | | Hinterland Group, Inc. | | Johnson-Davis Inc. | |
|--|------------------------------------|----------------------------|----------------------------|---|---------------------|----------------------------|----------------------------|---|----------------------------|---|
| BASE BID | R.E. | \$22,090,913.44 | | | R.E. | \$25,180,257.59 | | | | |
| | | \$22,094,410.79 | \$17,213,866.95 | | | \$25,182,606.58 | \$17,990,344.13 | | \$13,797,132.75 | |
| 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 OEBO 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 #3a Certification of Business Location - Glades Subcontractor | (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  ENGINEER

DATE 5/23/2019

BID TABULATION SHEET


**2019 Pipeline
Continuing Construction Contract**

TITLE

BID# 19-040

PAGE 2 OF 2

| | Southern Underground Industries | | | | | | | | | |
|---|----------------------------------|---|---|---|---|---|---|---|---|---|
| BASE BID | \$ 17,358,608.78 \$ | | | | | | | | | |
| Addendum #1 | <input checked="" type="radio"/> | N | Y | N | Y | N | Y | N | Y | N |
| Attachment #1 BID BOND | <input checked="" type="radio"/> | N | Y | N | Y | N | Y | N | Y | N |
| Attachment #2 OEBO Schedules | <input checked="" type="radio"/> | N | Y | N | Y | N | Y | N | Y | N |
| Attachment #3 Certification of Business Location | <input checked="" type="radio"/> | N | Y | N | Y | N | Y | N | Y | N |
| Attachment #3a Certification of Business Location - Glades Subcontractor | <input checked="" type="radio"/> | N | Y | N | Y | N | Y | N | Y | N |
| Attachment #4 List of Subcontractors | <input checked="" type="radio"/> | N | Y | N | Y | N | Y | N | Y | N |
| Attachment #5 Trench Safety | <input checked="" type="radio"/> | N | Y | N | Y | N | Y | N | Y | N |

BIDS PICKED UP BY  ENGINEER

DATE 5/23/2019

ATTACHMENT 4

Revised 07/16/2019



Office of
Equal Business Opportunity
50 South Military Trail, Suite 202
West Palm Beach, FL 33415
(561) 616-6840
www.pbcgov.com/oebo



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

Melissa McKinlay

County Administrator

Verdenia C. Baker

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Date: July 16, 2019

TO: Ralph Estime, Pipeline Design Section
Water Utilities Dept. Engineering Division

Through: Allen Gray, Manager, PBC OEBO

FROM: Angie Whitaker, Small Bus. Dev. Specialist II

SUBJECT: Compliance Review on Project #WUD 19-040
2019 Pipeline Continuing Construction Contract

The following is a compliance evaluation of the 20% SBE participation goal established on the above-mentioned project.

Low Bidder: **Johnson-Davis, Inc.**
604 Hillbroth Dr.
Lantana, FL 33462
Phone: (561) 588-1170
Bid Opening: **May 23, 2019**
Bid Amount: **\$13,797,132.75**
Goal: **20% Overall**
Goal Achieved: **20.0762%**

SBE Participation:

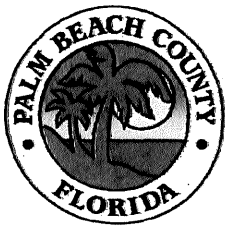
| | | |
|------------------------------------|-----------------|----------|
| Utility Supply Associates, Inc. | \$ 1,546,880.10 | 11.2116% |
| 1R & D Paving | \$ 932,000.00 | 6.7550% |
| Rangeline Tapping Services, Inc. | \$ 31,667.00 | .2295% |
| Nutting Engineers of Florida, Inc. | \$ 27,000.00 | .1956% |
| Adeimy Concrete | \$ 232,400.00 | 1.6844% |

2nd Low Bidder: **Centerline Utilities, Inc.**
2180 Poma Dr.
Palm City, FL 34990
Phone: (561) 689-3917
Bid Opening: **May 23, 2019**
Bid Amount: **\$ 17,213,866.95.00**
Goal: **20% Overall**
Goal Achieved: **19.4958%**

SBE Participation:

| | | |
|---|----------------|----------|
| 2Pathway Enterprises, Inc | \$ 234,300.00 | 0% |
| Palmwood Corp., Inc. | \$2,735,000.00 | 15.8883% |
| Agricultural Land Svc. | \$ 102,000.00 | .5925% |
| 3Janice Riley Inc. dba The Paving Lady, Inc. | \$ 519,000.00 | 3.0150% |

Page 1 of 2
WUD #19-040



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3rd Low Bidder:

Southern Underground Industries, Inc.
 5979 NW 151 St. Suite #223
 Miami Lakes, FL 33014
 (954) 650-4699

Phone:
 Bid Opening: **May 23, 2019**
 Bid Amount: **\$17,358,608.78**
 Goal: **20% Overall**
 Goal Achieved: **.8294%**

SBE Participation:

| | | |
|----------------------------------|-----------------|--------|
| 4Utility Supply Associates, Inc. | \$ 3,145,800.00 | 0% |
| Nutting Engineers of FL | \$ 41,125.00 | .2369% |
| Agricultural Land Svc. | \$ 102,000.00 | .5925% |
| sLINE-TEC, Inc. | \$ 200,000.00 | 0% |

EVALUATION

The low bidder, Johnson-Davis, Inc., has met the API, (20% minimum mandatory SBE participation) set for this project.

cc: David Behar, Assistant County Attorney I
 File

- 1R&D Paving - Not Certified for Milling
- 2Pathway Enterprises - Not Recertified at time of bid opening
- 3Janice M. Riley, Inc. dba The Paving Lady - Not Certified for Milling
- 4Utility Supply Associates, Inc. - Did not supply list of bid item #s for pricing details (can't evaluate "various")
- 5Line-Tec, Inc. - Did not supply list of bid item #s for pricing details (can't evaluate "various")

Page 2 of 2
 WUD #19-040

ATTACHMENT 5



JOHNINC-02

SMAJESKI

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/12/2019

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).

| | | |
|---|---|---------------------------------------|
| PRODUCER Johnson Insurance Racine 1103 Hunter Dr Ste 100 Mount Pleasant, WI 53406 | CONTACT NAME: Sharon Majeski, ARM | |
| | PHONE (A.C. No. Ex): (920) 433-7107 | FAX (A.C. No.): (877) 254-8586 |
| | E-MAIL ADDRESS: smajeski@johnsonfinancialgroup.com | |
| INSURED Johnson-Davis Incorporated 604 Hillbrath Drive Lantana, FL 33462 | INSURER(S) AFFORDING COVERAGE | |
| | INSURER A: Zurich North America | |
| | INSURER B: American Guarantee & Liability Insurance Co | |
| | INSURER C: Homeland Insurance Co of NY | |
| | INSURER D: | |
| | INSURER E: | |
| | INSURER F: | |
| | NAIC # | |

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

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 INSD | SUBR VVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|--|-----------|----------|----------------|-------------------------|-------------------------|---|
| A | X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GENL AGGREGATE LIMIT APPLIES PER: POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER: | | X | GLO 9813382-01 | 7/1/2019 | 7/1/2020 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 |
| A | X AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY X HIRED AUTOS ONLY SCHEDULED AUTOS X NON-OWNED AUTOS ONLY | | | BAP 9813380-01 | 7/1/2019 | 7/1/2020 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ |
| B | X UMBRELLA LIAB X EXCESS LIAB DED <input checked="" type="checkbox"/> RETENTIONS \$ 0 | | X | AUC 5676415-01 | 7/1/2019 | 7/1/2020 | EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 |
| B | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N <input checked="" type="checkbox"/> N If yes, describe under DESCRIPTION OF OPERATIONS below | | X | WC3066378-01 | 7/1/2019 | 7/1/2020 | X PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000 |
| A | Equipment Floater | | | CPP 4289118-01 | 7/1/2019 | 7/1/2020 | Leased Rented \$ 300,000 |
| C | Pollution | | | 7930030920004 | 7/1/2019 | 7/1/2020 | Occ/Aggregate \$ 1,000,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Project No: WUD 19-040/2019 Pipeline Continuing Construction Contract

Palm Beach County, Board of County Commissioners, a political subdivision of the State of Florida are hereby named as additional insured under the terms of this policy. In addition, Palm Beach County Water Utilities Department, its officers, directors, agents and employees are hereby named as additional insured under the terms of this policy for the 2019 Pipeline Continuing Construction Project No. WUD 19-040. Workers Compensation includes a waiver of subrogation in favor of the additional insured. Palm Beach County, Board of County Commissioners, a political subdivision of the State of Florida are named additional insured and loss payee with respect to the Inland Marine/Transit.
 Cancellation: Thirty (30) day's notice except for Ten (10) day's notice for non-payment of premium.

| | |
|--|--|
| CERTIFICATE HOLDER Palm Beach County Water Utilities Department Director Utilities Engineering 8100 Forest Hill Blvd West Palm Beach, FL 33413 | CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE |
|--|--|