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Agenda Item: <u>3L-1</u>

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS <u>AGENDA ITEM SUMMARY</u>

Meeting Date:	April 20, 2021	(X) Consent () Workshop	()Regular ()Public Hearing
Department:	Environmental Resource	es Management	

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

A) approve Annual Contract with Rio-Bak Corporation (Contractor A) not to exceed \$10,124,104.40 providing construction services for Palm Beach County Dune and Beach Restoration Annual Contract (Federalized), Project No. 2021ERM01 for a period of two years; and

B) approve Annual Contract with Eastman Aggregate Enterprises, LLC (Contractor B) not to exceed \$10,836,647 providing construction services for Palm Beach County Dune and Beach Restoration Annual Contract (Federalized), Project No. 2021ERM01 for a period of two years.

Summary: These contracts will provide for the construction of dune and beach habitat restoration projects at the County's discretion through multiple work orders, issued on an as-needed basis. The initial contract term is two years, which may be extended for an additional one year upon approval by the Board of County Commissioners. Two sealed bids were received by the Department of Environmental Resources Management (ERM) on February 10, 2021. ERM recommends award to two contractors to provide capacity for multiple, concurrent projects. Rio-Bak Corporation, a Wellington, Florida company, was the lowest responsive, responsible bidder. Eastman Aggregate Enterprises, LLC, a Lake Worth Beach, Florida company was the next lowest responsive, responsible bidder. The restoration projects to be constructed under these contracts include potential Federal funding or reimbursement in all project areas. Federal rules prohibit local geographical preferences in construction procurements involving federal funds, so the County's Office of Equal Business Opportunity (OEBO) Program, Local Preference, Glades Local Preference, Glades Resident Incentive, and Apprentice Incentive could not be included in this competitive solicitation. <u>Districts 1,4,7</u> (YBH)

Background and Justification continued on Page 3

Attachments:

- 1. Location Map
- 2. Contract with Rio-Bak Corporation
- 3. Contract with Eastman Aggregate Enterprises, LLC

4. Award Recommendation, Bid Evaluation Summary, Bid Tabulation

Recommended by		3-10-21	
	Department Director	Date	
Approved by:	Pal	4/1/21	
	Assistant County Administrator	Date	

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2021	2022	2023	2024	2025			
Capital Expenditures								
Operating Costs								
External Revenues								
Program Income (County	()							
In-Kind Match (County)								
NET FISCAL IMPACT	<u>*</u>							
# ADDITIONAL FTE POSITIONS (Cumulative	2)							
Is Item Included in Curre	ent Budget?	Yes	No	·				
Does this item include the use of federal funds? Yes No								
Budget Account No.:								
Fund Donartmont	Unit	Object	Prog	rom				
Fund Department Fund Department	Unit	Object_ Object	Prog	iram				
Work under each Contract is authorized and funded on a work order basis. Budget is available in various capital project accounts, or a budget transfer will be requested prior to or concurrent with work orders being authorized.								
C. Department Fiscal Review: Snew								
III. REVIEW COMMENTS								
A. OFMB Fiscal and /or Contract Dev. and Control Comments:								
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C. Other Department Review:

Department Director

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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 most recently approved sand mine source. The two lowest bids include sand mine sources located closer than the source used in the County's estimate. This shorter distance accounts for the two lowest bids falling under the estimate by about 9% and 2%. 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 Consumer Price Index (CPI)-indexed price escalation clause capped at 3%.