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

Meeting Date: October 19, 2021	[X] Consent
	[] Workshop

[] Regular [] Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a contract with Poseidon Dredge & Marine, Inc. (Contractor), for the Ocean Inlet Park Marina Replacement project, Phase 1A, in the amount of \$2,960,582 for a period of 365 calendar days from notice to proceed.

Summary: Due to deteriorating conditions of the marina bulkhead wall (seawall) and fixed concrete dock, a multi-phased replacement plan has been developed. The phasing breakdown consists of Phases 1A, 1B, and 2. The portion of the project being requested at this time is limited to the implementation of Phase 1A, as phases 1B and 2 will each be funded and constructed separately. Work included in phase 1A consists of, but is not limited to the demolition and full removal of the existing seawall, concrete dock, finger docks, mooring pilings, boatlifts, hand railing, ramps, steps, water, electrical services, and a limited amount of concrete paving. The new construction work includes the construction and installation of approximately 585 linear feet (LF) of new seawall (in two areas), including wall caps, a fixed concrete dock with boatlifts, a small floating "Day Dock," ADA ramps to both docks, concrete paving to tie into existing walkways, hand railings, electrical and water services to docks. The Contractor will have 365 calendar days from Notice to Proceed to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$300 per day. This project was first competitively advertised on January 5, 2021 and was cancelled on March 12, 2021, due to six of the seven bids received being deemed non-responsive to the Equal Business Opportunity (EBO) Ordinance requirements, with the remaining bid exceeding available funding. On March 18, 2021, Poseidon Dredge & Marine, Inc. filed a protest. Per Section 2-55(a) of the County's Purchasing Code, the County's protest procedure is applicable only when a recommended award is made therefore, in account of the solicitation having been cancelled, on March 18, 2021 the Purchasing Department denied the protest. The project was rebid and once again, competitively advertised, on May 9, 2021 in accordance with the Palm Beach County Purchasing Code and pursuant to the requirements of the EBO Ordinance. This project was presented to the Goal Setting Committee on December 16, 2020 and the Committee established an Affirmative Procurement Initiative (API) of a mandatory minimum of 10% Small Business Enterprise (SBE) subcontracting goal. The Contractor is a certified SBE and has committed to 92.67% SBE participation on this contract. The Contractor is a Palm Beach County business. The funding sources for this project are from a combination of a Florida Inland Navigation District Waterway's Assistance Program grant, Florida Boating Improvement Program funds, residual Waterfront Bond funding and Infrastructure Sales Tax funds. (Capital Improvements Division) District 4 (LDC)

Background and Justification: This project was openly, competitively advertised and procured. Bids for this project were opened on July 21, 2021 and Poseidon Dredge & Marine, Inc. submitted the lowest responsive and responsible bid of the five (5) bids received. (Continued on Page 3)

Attachments:

- 1. Location Map
- 2. Budget Availability Statement
- 3. Contract Poseidon Dredge & Marine, Inc.
- 4. Bid Summary
- 5. Quotation Comparison

Recommended by:	Somi l'ayal Cellos	9/20/2021
-	Department Director	/ / Date
Approved by:	Wel & flue	928/2021
· · · · · · · · · · · · · · · · · · ·	County Administrator	Date

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2022	2023	2024	2025	2026
Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County	<u>\$3,696,782</u>				
NET FISCAL IMPACT # ADDITIONAL FTE POSITIONS (Cumulative)	<u>\$3,696,782</u>	-0			<u>-0-</u>
Is Item Included in Current Budget: Does this item include use of federal funds?			Yes Yes	K No	X

Budget Account No:

Fund <u>3604</u>	Dept <u>584</u>	Unit <u>P766</u>	Object <u>6504</u> Amount \$79,470.00
Fund <u>3038</u>	Dept <u>581</u>	Unit <u>P866</u>	Object <u>6504</u> Amount \$146,174.00
Fund <u>3600</u>	Dept <u>582</u>	Unit <u>P866</u>	Object <u>6504-OP01-</u> GY19 Amount \$0.44
Fund <u>3600</u>	Dept <u>582</u>	Unit <u>T173</u>	Object <u>6504-OM01-</u> GY21 Amount \$1,500,000.00
Fund <u>3950</u>	Dept <u>581</u>	Unit <u>T173</u>	Object <u>6504-OM02-</u> GY21 Amount \$1,500,000.00 includes contingency
Fund <u>3950</u>	Dept <u>581</u>	Unit <u>T173</u>	Object <u>6504</u> Amount \$336,137.56.00 includes contingency
Fund <u>3950</u>	Dept <u>581</u>	Unit <u>T173</u>	Object 6505 Amount \$135.000.00 staff costs

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

The funding sources for this project are from a combination of a Florida Inland Navigation District Waterway's Assistance Program grant, Florida Boating Improvement Program funds, residual Waterfront Bond funding and Infrastructure Sales Tax funds.

CONSTRUCTION
STAFF COST
CONTINGENCY
TOTAL

\$2,960,582.00 \$ 135,000.00 601,200.00 \$ \$3,696,782.00

С. **Departmental Fiscal Review**

B.

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III. <u>REVIEW COMMENTS</u>

A. OFMB Fiscal and/or Contract Development Comments:

ÓFMB 112 9/21

Legal Sufficiency: Assistant our

C. Other Department Review:

Contract Development and Control

Department Director

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

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Background and Justification:

Due to deteriorating conditions of the marina bulkhead wall (seawall) and fixed concrete dock, a detailed assessment study was completed by Alan Gerwig and Associates, Inc. which recommended the complete replacement of the existing seawall and marina. A site plan and special exceptions permit application was developed and subsequently approved by the Town of Ocean Ridge's Town Council on November 6, 2017. The design consultant, Alan Gerwig and Associates, Inc. developed a multi-phase replacement plan based on funding availability.Due to deteriorating conditions of the marina bulkhead wall (seawall) and fixed concrete dock, a multi-phased replacement plan was developed for project implementation. Phase 1A provides for the demolition of the seawall, fixed concrete dock and construction of a new seawall replacement. Phase 1B provides for the construction of a new floating marina dock, and a floating wave attenuation structure. Phase 2 provides for the replacement of the existing multi-use marina building with a new multi-use building that includes spaces for public restroom, concession, ocean rescue, PBSO marine, and a marina manager's quarters. The portion of the project being recommended for award at this time is limited to the implementation of Phase 1A. Phases 1B and 2 will be procured and brought for approval to the Board at a later time as funding becomes available.