

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: August 23, 2022 Consent [X] Regular []
Public Hearing []

Department: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: (A) a Contract for the South County Reclaimed Water Transmission Pipeline Phase 1A (Project) with Man-Con, Incorporated (Man-Con) in the amount of \$7,716,362.25; and **(B)** Consultant Services Authorization (CSA) No. 4 to the South County Reclaimed Water Transmission Pipeline – Phase 1 (Contract) with Chen Moore and Associates, Inc., (CMA) for a not to exceed amount of \$733,603.65.

Summary: On February 16, 2022, the Palm Beach County Water Utilities Department (PBCWUD) received eight (8) bids for the Project (PBCWUD Project No. 18-022R). The Project includes furnishing all materials, labor, supervision, equipment, supplies, fees, expertise and services necessary for the construction of approximately 0.8 miles of 12-inch and 2.8 miles of new 24-inch reclaimed water transmission pipeline in southern Palm Beach County.

This Project was procured under the requirements of the Equal Business Opportunity (EBO) Ordinance. On March 4, 2020, the Goal Setting Committee approved an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting participation goal. The Contract with Man-Con includes 25.10% SBE participation.

On April 14, 2022, the Office of Equal Business Opportunity (OEBO) completed their compliance review of the bids received on February 16, 2022, and determined the lowest apparent bidder, Ric-Man International, Inc., (RMI) was non-responsive finding its bid did not satisfy the API for this Project. OEBO determined the bid from the second lowest bidder, Ric-Man Construction, Inc., (RMC) did not satisfy the API for this project and failed to list themselves on the Scheduled 1. OEBO determined the bid from the third lowest bidder, Man-Con was responsive.

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Attachments:

1. Four (4) Originals of Contract for Man-Con, Incorporated.
2. Location Map
3. Bid Tabulation Sheet
4. Compliance Review from OEBO
5. Certificate of Liability Insurance for Man-Con, Incorporated
6. Two (2) Originals of Consultant Services Authorization No. 4 for Chen Moore and Associates, Inc.
7. Certificate of Liability Insurance for Chen Moore and Associates, Inc.

Recommended By: Ali Bayat Department Director 7/27/22 Date

Approved By: Neil J. Glavin Assistant County Administrator 8/16/2022 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2022	2023	2024	2025	2026
Capital Expenditures	\$8,449,966	0	0	0	0
Operating Costs	0	0	0	0	0
External Revenues	(\$8,449,966)	0	0	0	0
Program Income (County)	0	0	0	0	0
In-Kind Match County	0	0	0	0	0
NET FISCAL IMPACT	\$0	0	0	0	0
# ADDITIONAL FTE POSITIONS (Cumulative)	0	0	0	0	0

Budget Account No.: Fund 4011 Dept 721 Unit W039 Object 6543


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:

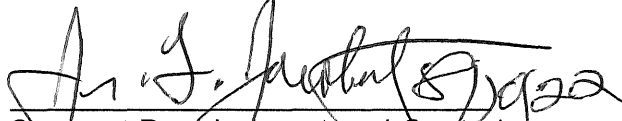
Grant funds to be received from South Florida Water Management District.
All other project costs will be reimbursed by Broward County.

C. Department Fiscal Review: 

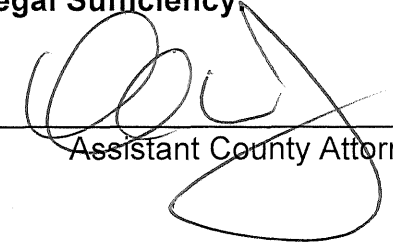
III. REVIEW COMMENTS

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

 7/28/22
OFMB QA 7/28/22

 8/15/22
Contract Development and Control
8-15-22 TW

B. Legal Sufficiency:

 8/15/22
Assistant County Attorney

C. Other Department Review:

Department Director

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

On March 13, 2018, the Board of County Commissioners (BCC) approved the PBCWUD Contract (R2018-0295) with CMA to provide consulting/professional engineering services. Under CSA No. 4, CMA will provide engineering services during construction of the Project. The Contract with CMA was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The SBE participation goal established under the 2002 Ordinance was 15% overall participation. The Contract with CMA provides for 82.50% SBE participation. CSA No. 4 includes 93.82% SBE participation. The cumulative SBE participation including CSA No. 4 is 84.57%. CMA is headquartered in Fort Lauderdale, Florida, but maintains an office in Palm Beach County from which the majority of the work will be undertaken. The Project is included in the PBCWUD FY22 budget. (PBCWUD Project No. 18-022) District 5 (MWJ)

Background and Justification: On April 5, 2016, the BCC approved an Interlocal Agreement with Broward County related to the construction, ownership, operation and maintenance of a Regional Reclaimed Water System (Agreement) to deliver reclaimed water from Broward County's northern wastewater treatment plant to the PBCWUD service area (R2016-0470). The First Amendment to the Agreement was approved by the BCC on August 15, 2017 (R2017-1052).

The regional Broward County/Palm Beach County Reclaimed Water Project (Regional Project) will deliver reclaimed water to potential customers in the PBCWUD service area through a new transmission pipeline network to be completed in phases. This expansion of PBCWUD's reclaimed water system will deliver reclaimed water from the western point of interconnection with the Broward County Pipeline along the Hillsboro Canal and deliver it north towards the Osprey Point Golf Course and the Boca Woods Golf Course. This Project represents the first portion of the Regional Project to be designed and constructed.