

**WRITTEN DETERMINATION FORM
FOR EMERGENCY PURCHASE**

DATE: March 16, 2011

Purchase: Manatee County Convention Center HVAC and Control Replacement

PRICE: \$1,697,762.00

VENDOR: Air Mechanical & Service Corporation, Tampa, FL

ACCOUNT NO.: 456-6026351 / Civic Center CIP Projects.

FOR (DEPARTMENT) : Property Management

CONDITIONS AND CIRCUMSTANCES:

An Emergency Purchase was determined based upon:

The consequences of not completing the first phase of the work within the period from May 16 to May 31 would be: loss of revenue and interruption of service at the Convention Center. Specifically this would negatively impact the High School, USF, and MTI graduations in the month of June plus other show commitments leasing the main arena area. Deferral of the replacement work would also lead to loss of revenue and negative customer experience as the climate control of the facility could not be assured to those leasing space for functions in the Civic Center facility.

On March 15, 2011 Property Management verbally notified the Purchasing Division that award of this contract must be made by the next business day (March 16, 2011) to allow the contractor to commit to the manufacturer for delivery of the equipment by May 11, 2011. This commitment is critical to support the work of the contractor within the limited period from May 16 to May 31 when the Civic Center can have the main arena closed.

Property Management had just delivered on Friday May 11 a recommendation for the award of the contract to the lowest bidder. Purchasing staff had been preparing an agenda to present the details of the bidding process and the construction agreement to the Board of County Commissioners at its next regular meeting of March 29, 2011.

At the time this disclosure was relayed to the Purchasing Division by Property Management the Board meeting of March 15, 2011 was concluding, therefore staff could not prepare an "add-on" agenda for that meeting date.

The formal competitive process was completed – an emergency purchase was necessary to omit the following steps: posting of the award determination for seven days; and presentation of the contract to the Board for authorization to execute it.

An Emergency Purchase is defined in the "Purchasing Administrative Standards and Procedures Manual" as: "An emergency condition which requires immediate purchase of goods, services, or a combination of goods and services."

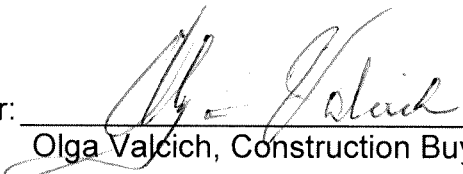
Additional Background:

March 15, 2011 an email from the Manufacturer Johnson Controls detailing the "lead time ordering of the air conditioning components, and;

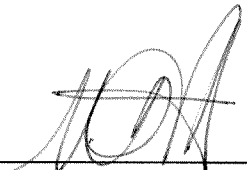
March 15, 2011 (5:56 pm) an email from the selected contractor, Air Mechanical and Services Corp., detailing their commitment to successfully complete the work within the specified limited time period if a purchase commitment is received by 10:00 a.m. March 16, 2011.

The details of the bidding process are outlined on the following pages

I, the undersigned, certify that the information in this written determination to be true and correct to the best of my knowledge and belief.

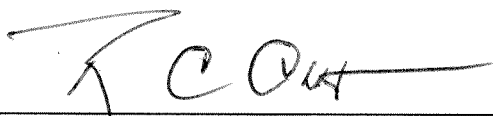
Buyer: 
Olga Valcich, Construction Buyer

Date: 3/16/2011

Contract/Buyer Manager: 
Melissa Assha

Date: 3/16/2011

AUTHORIZATION:

Purchasing Official: 
R. C. "Rob" Cuthbert, C.P.M., CPPO

Date: 3/16/2011

Ref: REQUISITION NO.: R047156 / IFB No. 11-1106-OV

Attachments:

Bid Tabulation, 3/9 memo Property Management; 3/8 and 3/16 Ltr Engineer of Record

Bidding Detail:

- The Manatee County Convention Center located in Palmetto, FL is in need of new, up-to-date HVAC equipment.
This WORK shall include but is not limited to the replacement of the rooftop mechanical condensing units and air handling units with new chillers and new air handling units, new chilled water piping, and new controls system. Minor ductwork modifications in the facilities interior, replacing mini split systems which serve the office spaces with chilled water fan coil units, replacing volume dampers with new volume dampers shall also be included in the scope of work.
- The Work will take place in three (3) phases: Phase I, Work over the rooftop of the Arena Area of the Civic Center, Phase II, Work over the rooftop of the Convention Rooms area of the Civic Center and Phase III encompassing both the Arena and Convention Rooms area.

Since the Convention Center houses many activities throughout the year, this HVAC project must be conducted in three phases and coordination will take place between the Contractor, Convention Center personnel and Property Management personnel.

Phase 1 consists of full replacement of the mechanical systems (Units 3 and 4 split systems) including electrical work as required on the rooftop of the Arena area of the Convention Center. All rooftop work (new and demolition) **must be carried out completely between May 16, 2011 through May 31, 2011.**

Phase 2 consists of a full replacement of the mechanical systems on the rooftop of the Convention Rooms area of the Civic Center (units 6, 7 and 8 split systems) with interior mechanical modifications and electrical work as required. All existing mechanical systems must be removed. All rooftop and all interior work (new and demolition) **must be carried out completely between July 1 through July 29, 2011.**

Phase 3 consists of full-optimized control system, including new wiring, devices, programming, and full operation.

February 04, 2011 to March 04, 2011 appropriate bid procedures were followed. Notice of Bid availability was broadcast to 619 suppliers via Onvia DemandStar, www.mymanatee.org and to the Manatee Chamber of Commerce. Fourteen (14) supplemental suppliers were added to the plan holders list. 46 plan holders were noted on Demand Star.

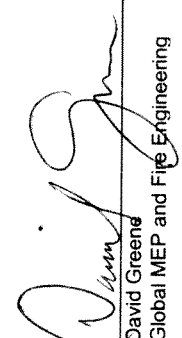
March 4, 2011 six (6) bids were received. One (1) from Pinellas County, one (1) from Hillsborough County, two (2) from Lee County, one (1) from Broward County and one (1) Seminole County.

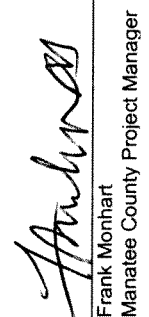
Air Mechanical & Service Corp., Tampa, FL	bidding:	\$1,697,762
Air Ideal, Inc., Chuluota, FL	bidding:	\$1,802,000
B & I Contractors, Inc., Fort Myers, FL	bidding:	\$1,833,000
Bentzel Mechanical, Inc, St. Petersburg, FL	bidding:	\$1,997,480
Wentco, Inc., Fort Myers, FL	bidding:	\$2,600,000
Hyvac, Inc., Deerfield Beach, FL	bidding:	\$2,625,000

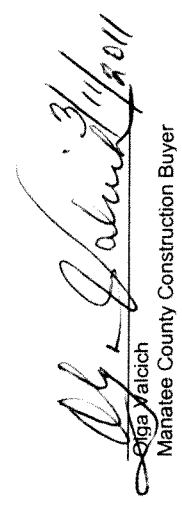
- March 11, 2011 purchasing received by interoffice mail a memo from Property Management transmitting the recommendation of the Engineer of Record (dated March 8, 2011) and the Tabulation Sheet.

**IFB - 11-11-6-OV / Manatee County Convention Center HVAC and Controls
Replacement Palmetto, FL P(Project File 49664)
Bid Opening - March 4, 2011 / 2:00 pm.**

A	B	C	D	E	F	G
	Air Mechanical & Service Corp.	Air Ideal, Inc.	B & I Mechanical	Bentzel Mechanical, Inc.	Wentco, Inc.	Hyvac, Inc.
1						
2	\$852,931.00	\$654,000.00	\$789,000.00	\$935,200.00	\$1,050,000.00	\$1,042,000.00
3	\$562,831.00	\$873,000.00	\$769,000.00	\$790,000.00	\$1,263,000.00	\$1,277,000.00
4	\$202,000.00	\$195,000.00	\$195,000.00	\$192,280.00	\$207,000.00	\$226,000.00
5	\$80,000.00	\$80,000.00	\$80,000.00	\$80,000.00	\$80,000.00	\$80,000.00
6	\$1,597,762.00	\$1,802,000.00	\$1,833,000.00	\$1,997,480.00	\$2,600,000.00	\$2,625,000.00
7	<p>ALTERNATE 1: Provide a Deduct from the Base Bid for Phase 1 and 2 for use with Schedule 80 PVC Chiller Water Pipe (Base Bid shall be based on Schedule 40 Steel Pipe)</p> <p>ALTERNATE 2: Provide a Deduct from the Base Bid for PHASE 2 only for replacement of existing Split Systems on the Ground level (Units 1, 2, 2A and 9) in lieu of Chilled Water Blower Coils, Chilled Water Piping and Ancillary Controls. (Base Bid shall be based on installation of Chilled Water Piping and Chilled Water AHUs)</p>					
8	\$11,000.00	\$11,229.00	\$15,000.00	\$5,000.00	\$11,000.00	\$25,000.00
9						
10	Yes	Yes	Yes	Yes	Yes	Yes
11	Yes	Yes	Yes	Yes	Yes	Yes
12	Yes	Yes	Yes	Yes	Yes	Yes
13	Yes	Yes	Yes	Yes	Yes	Yes
14	Yes	Yes	Yes	Yes	Yes	Yes
15	Yes	Yes	Yes	Yes	Yes	Yes
16	Yes	Yes	Yes	Yes	Yes	Yes
17	Yes	Yes	Yes	Yes	Yes	Yes
18	Yes	Yes	Yes	Yes	Yes	Yes
19	Yes	Yes	Yes	Yes	Yes	Yes
20	-	-	-	-	-	-


David Greene
Global MEP and Fire Engineering


Frank Monhart
Manatee County Project Manager


Olga Valcich
Manatee County Construction Buyer

R047156

MEMORANDUM



Property Management Dept.
1112 Manatee Avenue West
Bradenton, FL 34205

Phone: 941.748.4501, ext.3005
Fax: 941.749.3018
www.mymanatee.org

MANATEE COUNTY FLORIDA

To: Melissa Assha, Contracts and Buyer Manager
Purchasing Division
From: Charlie Bishop, Director *CHB*
Date: March 9, 2011
Subject: RFB Request for
Manatee Convention Center HVAC & Controls Replacement

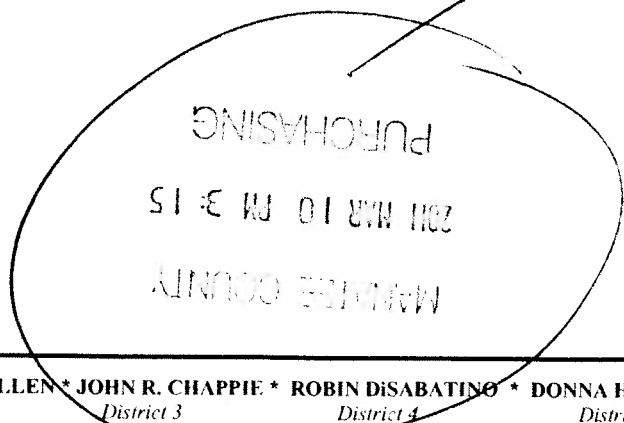
The bids for the above referenced project have been reviewed and negotiated by staff. It is recommended by Global MEP & Fire Engineering, Inc. (see attached letter of recommendation and bid tabulation) that the contract for the Manatee Convention Center HVAC & Controls Replacement project be awarded to the low bidder, Air Mechanical & Service Corporation, in the amount of \$1,697,762.00, with work being completed within 180 calendar days, and in accordance with the terms and conditions of the bid package. The funding source for this contract is the Civic Center CIP fund number 456-6026351. The project is currently keyed incorrectly in Finance creating a shortage of funds. However, a BA will be processed prior to issue of the Purchase Order, to properly account for this issue.

Please contact Frank J. Monhart III AIA, ASID, Project Manager, if you have any questions regarding the attached documents.

Thank you for your continued assistance.

cc: Elliott Falcione, Director, Convention & Visitors Bureau
Tom Yarger, Division Manager
Frank J. Monhart III, AIA, ASID, Project Manager *FM*
Project File : 49664

DAG Received





GLOBAL MEP & FIRE ENGINEERING, INC.

Mechanical • Electrical • Plumbing • Fire Protection

8450 Linger Lodge Road, Bradenton, FL 34202

Phone: 941-758-2551 Fax: 941-739-6383

March 08, 2011

Mr. Frank Monhart, AIA
Project Manager
Construction Services Division
Property Management Department
Manatee County Government
1112 Manatee Avenue
Bradenton, FL 34205

Subject: Recommendation to Award – Manatee County
Convention Center HVAC and Controls Replacement

Dear Mr. Monhart:

In a review of the responses of the bid opening for the Manatee County Convention Center HVAC and Controls Replacement, we have the following evaluation of the bids, and recommendation of award.

Background

On March 04, 2011, the closed submittals of bids were opened by Manatee County Government Purchasing agent. Six potential contractors submitted bids for the project with the results varying. The bids are outlined in the Bid Tabulation, attached, outlining the line item pricing, as well as adherence to the Invitation For Bid.

Bid Evaluation

While in the process of evaluating the submittals for the responsive, responsible bidders, each firm was evaluated on criteria based on previous completion of similar projects in Florida, and having the registrations and certifications to perform all tasks indicated on the construction documents and the Invitation For Bid, as deemed necessary by the State of Florida.

It is the opinion of Global MEP and Fire Engineering, Inc. that a company specifically suited for mechanical systems replacement, listed by the State of Florida as a Mechanical Contractor, and having performed this type and size of contract work locally should be

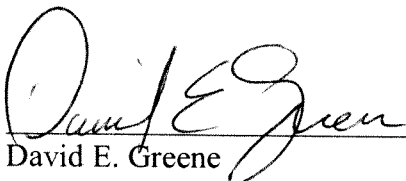
considered for this project. Also evaluated was the cost benefit of the bids provided, based on conservative estimate for construction projects of this nature.

We feel that even though the prices provided are higher than expected, the bids are certainly in range considering the timeline for this project. The Convention Center has a tight window for construction for this project, and due to the size, the expedited manufacture time, and the construction periods being staged to accommodate the operation of this facility, the impacted the bid prices are in line with reasonable expectations. As the Manatee Convention Center will be operational throughout the construction period, it is important that the awarded contractor be both familiar with Manatee County standards, personnel, and the facility.

Based on our evaluation of the bids and the bidders, Global MEP and Fire recommends award to bidder Air Mechanical and Service Corporation (AMSCO), of Englewood, Florida, for the base bid of \$1,697,762.00. We do not feel it would be equitable to proceed with accepting Bid Alternate 1 or Bid Alternate 2. We were able to verify the project references for similar work, and received no negative feedback on this contractor. It is our belief that this contractor will be able to meet the requirements as indicated on the construction documents. This contractor is a local contractor, and currently serves Manatee County as a continuing services provider. This contractor has performed many projects for the County, and is quite familiar with this facility, having been the primary mechanical systems support provider for the Manatee County Convention Center.

If you should have any questions, please contact Mr. David E. Greene, Senior Project Manager, at (941) 758-2551.

Sincerely,


David E. Greene
Senior Project Manager



GLOBAL MEP & FIRE ENGINEERING, INC.

Mechanical • Electrical • Plumbing • Fire Protection

8450 Linger Lodge Road, Bradenton, FL 34202
Phone: 941-758-2551 Fax: 941-739-6383

IFB (#1106-OV)
Manatee County Convention Center
HVAC and Control Replacement

March 16, 2011

Ms. Valcich,

Pursuant to our discussions with Manatee County Government Purchasing Department, I feel it is prudent to clarify our position on the apparent low bidder's submitted Bid Form. The Bid Form contains (4) items. Phase I is a replacement of mechanical systems serving the Arena, a 350 ton chiller plant and (2) air handlers, piping, electrical systems, piping to the ground level for emergency operation, and ancillary work indicated on the construction documentation. Phase II is a replacement of mechanical systems serving the Convention Meeting Rooms, a 300 ton chiller plant and (3) air handlers, piping, electrical systems, piping to the ground level for emergency operation, interior ductwork modifications, and ancillary work indicated on the construction documentation. Phase III item is for the controls system work and optimization. This work will take place in both Phase I and Phase II. The final bid item is for discretionary work, as requested by the county.

Based on our reviews of the bids, our knowledge of the requirements of each phase of the contract, and the extreme time restrictions on manufacturing and installation as allotted by Manatee County, we have the following observations.

1. The apparent low bidder is Air Mechanical and Service Corporation (AMSCO). AMSCO submitted a base bid that is lower than any other bid received. They received all contract documents, and performed on-site investigations. They are aware of the facility, the problems with the existing mechanical systems, and full requirements for replacing the existing mechanical systems in their current locations. They are aware that a 200-250 ton crane is required to extend over to the high roof, retrieve the existing equipment and provide replacement equipment. They are aware that the facility is to remain operational, and that there are areas that can only be accessed between May 16th and May 31st. They are aware that expedited manufacturing to meet the restrictive schedule includes higher cost by the manufacturer for quick-ship schedule. They are also aware that the manufacturer will have to provide two separate shipments to the facility in order to accommodate the expedited schedule for Phase I. They are also aware the local piping for the Arena plant is required for mechanical systems operation must be completed for Phase I operation, as required by the contract documents. The fail-safe piping from the Arena Roof to the ground level is not required for the Arena mechanical systems operation, however is required for contract completion.

2. The apparent low bid item Phase I is higher cost than for Phase II.
AMSCO confirmed to us that they are aware that the required expedited timeline for the Arena mechanical systems operation will require overtime to complete, as the County has only allotted a (2) week down time for the existing mechanical systems to be demolished, the oversized custom curbs to be replaced, the stanchions to be retrofitted for the new chillers, for the plant piping to be installed, for the new air handlers and the new chillers to be lifted into place, and for system start-up. This schedule does not allow for this amount of work to be completed in a standard work week. AMSOC will be requesting the County to allow for off-hours access (including nights and weekends) for completion of this work. AMSCO confirmed to us that they incur higher costs to cover the expedited timeline in more personnel on site, and overtime work.
3. The apparent low bid total is not in line with the second lowest bid.
I am not sure to the exact reasons for the second low bidder pricing came in the way it did. My discussions with the bidders and equipment providers indicated that even though Phase II included (3) air handlers, and duct work modifications, the overall plant chillers were smaller than Phase I, and even with (3) air handlers the cost for the mechanical systems was not more that the cost for the Phase I mechanical systems. The crane requirements for the Phase II work was not as demanding as the crane for Phase I, and the manufacturing timeline for Phase II was not as demanding as Phase I, therefore there was nor a quick-ship surcharge. The schedule for Phase II allots twice as much time than Phase I, and therefore does not dictate that overtime is not mandatory to meet the schedule. There is less piping for Phase II emergency pipe than in Phase I emergency pipe.
4. The apparent low bidder has confirmed they fully intend to meet the tight demands of this project schedule.
I have spoken with the apparent low bidder multiple times since the bids were received. We confirmed that they are planning to provide a detailed Schedule of Values (as required by the contract documents), and for review and approval by the engineer. This Schedule of Values will indicate how the low bidder is planning to breakdown of cost for each Bid Item.

As we have indicated, we feel that the bid received by the apparent low bidder is appropriate for the level and schedule of work required by phase, as indicated in the contract documents. We feel the bids reflect the project requirements. We are familiar with this contractor, and feel confident that they are fully aware of the contract requirements, of the restrictions related to the timeline, and the facility operation timelines.

I hope this will clarify our review of the project bids, and our evaluation of the apparent low bidder. Our recommendation of award, as provided previously, is for award of the base bid to AMSCO.

David E. Greene
Global MEP and Fire Engineering