

# MANATEE COUNTY GOVERNMENT AGENDA MEMORANDUM

<b>SUBJECT</b>	Design Build Construction Services for the Marine Rescue Headquarters	<b>TYPE AGENDA ITEM</b>	Consent
<b>DATE REQUESTED</b>	September 15, 2009	<b>DATE SUBMITTED/REVISED</b>	September 1, 2009
<b>BRIEFINGS? Who?</b>	N/A	<b>CONSEQUENCES IF DEFERRED</b>	N/A
<b>DEPARTMENT/DIVISION</b>	Financial Management/Purchasing	<b>AUTHORIZED BY TITLE</b>	Jim Seuffert Director
<b>CONTACT PERSON TELEPHONE/EXTENSION</b>	Blair C. Getz, Purchasing x3053 Rob Cuthbert, Purchasing x3014	<b>PRESENTER/TITLE TELEPHONE/EXTENSION</b>	Jim Staples, Director, Property Management Dept x7489
<b>ADMINISTRATIVE APPROVAL</b>			

<b>ACTION DESIRED</b> INDICATE WHETHER 1) REPORT, 2) DISCUSSION, 3) FORM OF MOTION, OR 4) OTHER ACTION REQUIRED
Authorization to enter into negotiations to provide Design Build Construction Services for the Marine Rescue Headquarters with the number two ranked firm, Zirkelbach Construction, Inc. of Palmetto, FL replacing the number one ranked firm, Power Contracting, LLC of Palmetto, FL.

<b>ENABLING/REGULATING AUTHORITY</b>
Federal/State law(s); administrative ruling(s); Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy
Ordinance 08-43, Manatee County Purchase Code Section 2-26-45, Contracts and Administration.

<b>BACKGROUND/DISCUSSION</b>
<ul style="list-style-type: none"> <li>• It is the intent of Manatee County to construct a new 4,250 sf Marine Rescue Headquarters building strategically located on the south end of Anna Maria Island with centralized access to Manatee County intracoastal waterways, Sarasota Bay, Manatee County beaches and the Gulf of Mexico. The building will be elevated on concrete piles and have boat/car parking at grade. Permitting and design of a dock will be provided under separate contract and is not included in this project.</li> <li>• Funding Source: General Revenue – Building Capital Projects</li> </ul> <p>Continued on page 2</p>

<b>COUNTY ATTORNEY REVIEW</b>	
<b>Check appropriate box</b>	
<input type="checkbox"/>	REVIEWED Written Comments: <input type="checkbox"/> Attached <input type="checkbox"/> Available from Attorney (Attorney's initials: _____)
<input type="checkbox"/>	NOT REVIEWED (No apparent legal issues.)
<input type="checkbox"/>	NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)
<input checked="" type="checkbox"/>	OTHER County Attorney review, if necessary, will be requested after negotiations have concluded

<b>ATTACHMENTS:</b> (List in order as attached)		<b>INSTRUCTIONS TO BOARD RECORDS:</b>	
None		None	
<b>COST:</b>	To be determined by Negotiations	<b>SOURCE (ACCT # &amp; NAME):</b>	310-6005702
<b>COMMENTS:</b>	N/A	<b>AMT./FREQ. OF RECURRING COSTS (ATTACH FISCAL IMPACT STATEMENT)</b>	N/A

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- On June 23, 2009, Board of County Commissioners granted authorization to enter into negotiations with the top ranked firm, Power Contracting, LLC of Palmetto, FL.
- Power Contracting, LLC was recommended by staff as the top ranked firm largely due to their estimated project cost that was significantly lower than all other proposers and their qualifications, assurances to provide opportunities to the local subcontractor base, ability to achieve LEED certification and an estimated four (4) months construction time after design approval.
- On June 30, 2009 negotiations began. Subsequent negotiations were conducted from July 13, 2009 thru August 24, 2009 in an effort to reach an agreement. As the negotiations progressed, significant changes in the original stated offer occurred. The committee began to lose confidence as preferred design characteristics were lost and pricing escalated for basic construction services in the area of mechanical, electrical and plumbing design requirements. Costs rose to approximately \$1.2 million and ended at \$1.05 million an increase of 30.4%. As a result, staff cannot recommend continuing negotiations with Power Contracting, LLC based on the committee's lack of confidence and the difficulties this firm has had in developing and pricing the minimal scope of work for this project. There would be little confidence in the final negotiated cost and a belief in the likeliness of cost increases after the negotiations.
- Zirkelbach Construction, Inc., the number two ranked firm, submitted many projects of a similar nature and demonstrated an extremely impressive background in coastal construction. In addition, Zirkelbach assured staff they would provide opportunities to the local subcontractor base, demonstrated a competent knowledge of achieving LEED certification and offered a ten month project delivery time. The proposal estimated cost of design and construction was \$1,361,983.00.
- Staff is seeking authorization to begin negotiations with the number two ranked firm, Zirkelbach Construction, Inc. It is staff's opinion that the negotiated cost may be equal to or less than \$1.05 million and that the negotiations would result in a completed project on time at the cost negotiated.