

MANATEE COUNTY GOVERNMENT SOURCE SELECTION

SUBJECT Fuel Tank Installation at the Administration Center	September 17, 2009 Date Posted on mymanatee.org <u>9/18/09</u> By: <u>C. Richards</u>
PURCHASING REPRESENTATIVE Deborah Carey-Reed, 941/749-3074	DATE CONTRACT SHALL BE AWARDED September 24, 2009
DEPARTMENT Howard Leyo, Project Manager Property Management Department	CONSEQUENCES IF DEFERRED Delay of project and possible sanctions by FDEP
SOURCE RECOMMENDATION Invitation for Bid #09-2762DC	AUTHORIZED BY DATE R.C. "Rob" Cuthbert, CPM September 17, 2009

ACTION DESIRED

Authorization to award Invitation for Bid #09-2762DC, to furnish and install an 8000 gallon above-ground fuel storage tank at the County Administration Center, to the most responsive, responsible vendor meeting specifications, C&S Technical Resources, Inc., Orlando, Florida, in the amount of \$249,540 (for Alternate #1 Night and Weekend Work, Bid "A" – 90 contract days); and for subsequent execution of contract and simultaneous dating of performance/payment bonds and acceptance of insurance certification.

ENABLING/REGULATING AUTHORITY

Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy.)

Manatee County Code of Laws Chapter 2-26, Manatee County Purchasing Ordinance Section 2-26-40, and the Standards and Procedures approved by the County Administrator.

BACKGROUND/DISCUSSION

- This project provides for the furnishing and installation of an 8000 gallon above-ground fuel tank to be located in the breezeway of the Manatee County Administration Center parking garage breezeway. This tank will replace the underground tank scheduled for decommission at the end of this calendar year. Work will only be performed during the non-regular work hours, week nights and weekends. Forney Engineering, Inc., a professional consultant to the County, will manage the decommissioning of the aging tank and has assisted the County in this solicitation for the new tank and will administrate the resulting contract.
- 07/24/09 to 08/18/09 appropriate bid procedures were followed. Bids were solicited via Demand Star to 615 prospective bidders and suppliers. Thirty-six (36) firms, including 13 local firms, requested the Bid Document and seven bidders responded of which one is a Manatee County firm. Estimated start of construction is 10/12/09 with completion within 90 days for an estimated completion date of 01/10/2010.
- The funding source for this project is Capital Projects.

SUMMARY RESULTS: Alternate #1 Bid "A" – Night and Weekend Work Hours

THREE LOWEST BIDS: (tabulation of all bids attached)
 C&S Technical Resources, Orlando, FL \$249,540.00
 REA Remedial Solutions, Valrico, FL \$254,500.00
 DeLesline Construction, Palmetto, FL \$307,857.65

MANATEE COUNTY BIDS:
 DeLesline Constr, Palmetto, FL \$307,857.65

ATTACHMENTS: (List in order as attached) 1) Department Recommendation 2) Tabulation of Bids 3) Proposed Contract	INSTRUCTIONS: N/A
COST \$249,540	SOURCE (ACCT# & NAME) 3036069901534000
COMMENTS N/A	AMT./FREQ. OF RECURRING COSTS (ATTACH FISCAL IMPACT STATEMENT) N/A

MEMORANDUM



Property Management Department
Construction Services Division
1112 Manatee Avenue West, Ste 868
Bradenton, FL 34205

MANATEE COUNTY
FLORIDA

MANATEE COUNTY

7:00 SEP 17 AM 10:23
Phone: 941-749-3005
Fax: 941-749-3018
www.mymanatee.org

PURCHASING

To: Melissa Assha, Contracts and Buyer Manager
Purchasing Division

From: Charlie Bishop, Deputy Director *to PURCHASING*
Property Management Department

Date: September 16, 2009

Subject: Administration Building Fuel Tank Replacement

The bids for the above referenced project have been reviewed by staff. The bid tabulation form and a letter of recommendation from Forney Engineering Inc. are attached for your review. Based on this letter from Forney Engineering, Inc. it is their opinion that the company specifically suited for this fuel tank installation contract work, and also the low bidder, they are recommending that the contract be awarded to C & S Technical Resources of Orlando Florida. In addition Manatee County Property Management is recommending and prefers that Alternate #1, Bid "A", for Night and Weekend Work, be issued in the amount of \$249,540 in accordance with the terms and conditions of the bid package. The funding source for this contract is 310-6069901. A Budget Amendment is pending to cover the full amount of this project.

Please contact Howard Leyo, Project Manager, at (941) 749-3052, if you have any questions regarding the attached documents.

Thank you for your continued assistance.

cc: Jim Staples, Director
Tom Yarger, Construction Services Project Manager
David Thompson, Facilities Operation Manager
Howard Leyo, Project Manager *HJL*

Project File: 49638 9.2



FORTNEY ENGINEERING, INC.
Mechanical & Electrical Consulting Engineers

1000 E. 1st Street, Suite 200
Tampa, FL 33602
Phone: 813-248-0111
Fax: 813-248-0111
www.fortney.com

September 15, 2009

Mr. Howard Leyo
Project Manager
Construction Services Division
Property Management Department
Manatee County Government
1112 Manatee Avenue
Bradenton, FL 34205

Subject: Revised Recommendation to Award
Manatee County Administration
Fuel Tank Replacement

Dear Mr. Leyo:

In a review of the responses of the bid opening for the Administration Fuel Tank Replacement, we have the following evaluation of the bids, and recommendation of award.

While in the process of evaluating the bids for the responsive, responsible bidders, each firm was evaluated on criteria based on previous completion for similar projects, and having all registrations and certifications to perform tasks indicated on the construction documents and the Invitation For Bid, as deemed necessary by the State of Florida. We also reviewed the bids relating to timeline and restricted schedule for working hours, with respect to equitability and use of this project site.

The tank installation and registration with the State of Florida, and the removal of in ground fuel piping shall be performed by a company specifically suited for the work, listed by the State of Florida as a Certified Pollutant Storage System Contractor, having performed this type of contract work locally within the State of Florida.

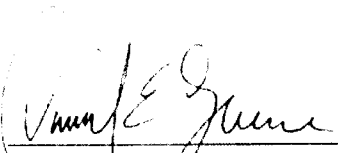
We do not feel that it is equitable to pursue the premium cost for restricting physical work to night and weekend only. However, out of respect for the safety of the public, and the fact that the main handicapped parking for the County Administration Building is in the direct vicinity, restricting the project operations work hours to night and weekends only would minimize the exposure to a dangerous situation for persons operating in the area of the project site. Obviously, there will be times that the project site is not available; nevertheless, the area is to remain open to the public at all times, including full access to the breezeway/fire lane, handicapped parking, and commissioner parking.

Based on our evaluation, we recommend exercising the bid option for the 90 day accelerated work schedule. The low bidder for the 90 day contract, with physical work to be performed on nights and weekends only, is C&S Technical Resources, of Orlando, Florida. We were not able to verify the project references for similar work, as all parties listed on the reference sheet were no longer available, and no one with knowledge of the referenced work was available.

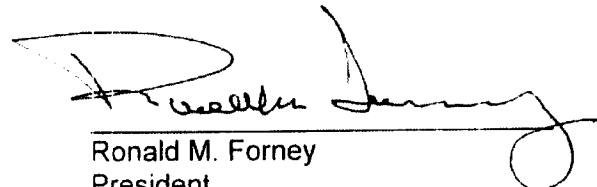
If you should have any questions, please contact Mr. David E. Greene, Project Manager, at (941) 748-5884.

Sincerely,

CONCURRED BY:



David E. Greene
Project Manager



Ronald M. Forney
President
Forney Engineering, Inc.

cc: Tom Yarger
Construction Services Projects Supervisor
Property Management Dept
File 08-2156



STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

CONSTRUCTION INDUSTRY LICENSING BOARD
1940 NORTH MONROE STREET
TALLAHASSEE FL 32399-0783

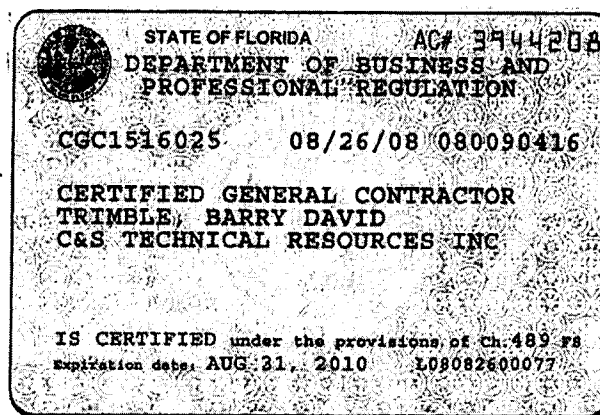
(850) 487-1395

TRIMBLE, BARRY DAVID
C&S TECHNICAL RESOURCES INC
499 COL EILEEN COLLINS BLVD
SYRACUSE NY 13212-3930

Congratulations! With this license you become one of the nearly one million Floridians licensed by the Department of Business and Professional Regulation. Our professionals and businesses range from architects to yacht brokers, from boxers to barbeque restaurants, and they keep Florida's economy strong.

Every day we work to improve the way we do business in order to serve you better. For information about our services, please log onto www.myfloridalicense.com. There you can find more information about our divisions and the regulations that impact you, subscribe to department newsletters and learn more about the Department's initiatives.

Our mission at the Department is: License Efficiently, Regulate Fairly. We constantly strive to serve you better so that you can serve your customers. Thank you for doing business in Florida, and congratulations on your new license!



DETACH HERE

AC# 3944208 STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
CONSTRUCTION INDUSTRY LICENSING BOARD SEQ# L08082600077

DATE	BATCH NUMBER	LICENSE #
08/26/2008	080090416	CGC1516025

The GENERAL CONTRACTOR
Named below IS CERTIFIED
Under the provisions of Chapter 489 FS.
Expiration date: AUG 31, 2010

TRIMBLE, BARRY DAVID
C&S TECHNICAL RESOURCES INC
499 COL EILEEN COLLINS BLVD
SYRACUSE NY 13212-3930

CHARLIE CRIST GOVERNOR CHARLES W. DRAGO SECRETARY
DISPLAY AS REQUIRED BY LAW

AC# 2667686

STATE OF FLORIDA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
CONSTRUCTION INDUSTRY LICENSING BOARD

SEQ# L06072003139

DATE	BATCH NUMBER	LICENSE NBR
07/20/2006	050813518	PCC045028

The POLLUTANT STORAGE SYSTEMS CONTRACTOR
Named below IS CERTIFIED
Under the provisions of Chapter 489 FS.
Expiration date: AUG 31, 2008

HUBBARD, MAURICE J
JMP SOLUTIONS INC
12065 METRO PKWY #203
FORT MYERS

FL 33912

JEB BUSH
GOVERNOR

DISPLAY AS REQUIRED BY LAW

SIMONE MARSTILLER
SECRETARY

MANATEE COUNTY PURCHASING - BID TABULATION
 IFB #09-2762DC FUEL TANK INSTALLATION @ ADMINISTRATION CENTER

STANDARD WORK HOURS	C&S Technical Resources Orlando FL	DeLesline Construction Palmetto FL	JAH Construction Tampa FL	Quality Enterprises Naples FL	REA Remedial Solutions Valrico FL	Southeastern Gen Contractors Jax FL	Kincart Construction Bartow FL
BID A - 90 Days							
Fuel Tank Furnish/Install	\$ 191,400.00	\$ 212,359.62		\$ 298,033.00	\$ 195,000.00	\$ 251,688.00	
Underpinning	\$ 14,000.00	\$ 13,926.50		\$ 15,306.50	\$ 11,000.00	\$ 8,000.00	
Discretionary	\$ 25,000.00	\$ 25,000.00		\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	
TOTAL BID PRICE - BID A	\$ 230,400.00	\$ 251,286.12	No Bid	\$ 338,339.50	\$ 231,000.00	\$ 284,688.00	No pricing submitted
BID B - 115 Days							
Fuel Tank Furnish/Install	\$ 191,400.00	\$ 197,859.62		\$ 283,533.00	\$ 192,000.00	\$ 244,188.00	
Underpinning	\$ 14,000.00	\$ 13,926.50		\$ 15,306.50	\$ 10,000.00	\$ 8,000.00	
Discretionary	\$ 25,000.00	\$ 25,000.00		\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	
TOTAL BID PRICE - BID B	\$ 230,400.00	\$ 236,786.12	No Bid	\$ 323,839.50	\$ 227,000.00	\$ 277,188.00	No pricing submitted
ALTERNATE #1							
NIGHT & WEEKEND WORK							
BID A - 90 Days							
Fuel Tank Furnish/Install	\$ 210,540.00	\$ 265,449.52		\$ 323,033.00	\$ 215,500.00		
Underpinning	\$ 14,000.00	\$ 17,408.13		\$ 15,306.50	\$ 14,000.00		
Discretionary	\$ 25,000.00	\$ 25,000.00		\$ 25,000.00	\$ 25,000.00		
TOTAL BID PRICE - BID A	\$ 249,540.00	\$ 307,857.65	No Bid	\$ 363,339.50	\$ 254,500.00	No Bid	No pricing submitted
BID B - 115 Days							
Fuel Tank Furnish/Install	\$ 210,540.00	\$ 247,324.52	\$ 391,699.00	\$ 308,533.00	\$ 211,500.00		
Underpinning	\$ 14,000.00	\$ 17,408.13	\$ 20,860.00	\$ 15,306.50	\$ 13,000.00		
Discretionary	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00		
TOTAL BID PRICE - BID B	\$ 249,540.00	\$ 289,732.65	\$ 437,559.00	\$ 348,839.50	\$ 249,500.00	No Bid	No pricing submitted

Checked/Verified by Deborah Cooney-Rued 08/19/2009

**FORM OF AGREEMENT
BETWEEN THE
COUNTY OF MANATEE, FLORIDA
AND THE CONTRACTOR AS IDENTIFIED BELOW
ON THE BASIS OF A STIPULATED UNIT COST CONTRACT PRICE**

THIS AGREEMENT is made and entered into by and between the COUNTY OF MANATEE, a political subdivision of the State of Florida, hereinafter referred to as the "OWNER" and **C&S TECHNICAL RESOURCES, INC.** hereinafter referred to as the "CONTRACTOR," duly authorized to transact business in the State of Florida, with offices located at 605 East Robinson Street, Suite 210, Orlando, Florida 32801 (Phone: 407/422-1118).

Article 1. WORK

CONTRACTOR shall furnish all labor, materials, supplies, and other items required to complete the Work for IFB No. **09-2762DC Fuel Tank Installation @ Administration Center** in strict accordance with specifications and any duly authorized subsequent addenda thereto, all of which are made a part hereof.

Article 2. CONTRACT ADMINISTRATION

The County of Manatee, Construction Services Division, is responsible as the OWNER and Forney Engineering, Inc., hereinafter referred to as "ENGINEER," designed this project and is responsible for technical/engineering reviews and decisions. The ENGINEER is a member of the OWNER'S project management team which is collectively responsible in ensuring the Work is completed in accordance with the Contract Documents. All communications involving this project will be addressed to:

County of Manatee
Property Management Division
Attn: Howard Leyo, Project Manager
IFB 09-2762DC
1112 Manatee Avenue West, Suite 868
Bradenton, Florida, 34205
Phone: 941/749-3052

Forney Engineering, Inc.
Attn: David Greene, Project Manager
5213 Fourth Avenue Circle East
Bradenton, Florida 34208
Phone: 941/748-5884

Where the term OWNER is used in the Contract Documents, it shall mean the OWNER'S project management team.

Article 3. CONTRACTOR'S REPRESENTATIONS

In order to induce OWNER to enter into this Agreement, CONTRACTOR makes the following representations:

- 3.1 CONTRACTOR has familiarized itself with the nature and extent of the Bid Documents, Work, site, locality and all local conditions and laws and regulations that in any manner may affect cost, progress, performance or furnishing of the Work.
- 3.2 CONTRACTOR has studied carefully all drawings of the physical conditions upon which CONTRACTOR is entitled to rely.
- 3.3 CONTRACTOR has obtained and carefully studied (or assumes responsibility for obtaining and carefully studying) all such examinations, investigations, explorations, tests, reports and studies which pertain to the physical conditions at or contiguous to the site or which otherwise may affect the cost, progress, performance or furnishing of the Work as CONTRACTOR considers necessary for the performance or furnishing of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Bid Documents; and no additional examinations, investigations, explorations, tests, reports, studies or similar information or data are or will be required by CONTRACTOR for such purposes.
- 3.4 CONTRACTOR has reviewed and checked all information and data shown or indicated on the Bid Documents with respect to existing underground facilities at or contiguous to the site and assumes responsibility for the accurate location of said underground facilities. Any additional examinations, investigations, explorations, tests, reports, studies or similar information or data in respect of said underground facilities conducted by the CONTRACTOR will be done at the CONTRACTOR's expense.
- 3.5 CONTRACTOR has correlated the results of all such observations, examinations, investigations, explorations, tests, reports and studies with the terms and conditions of the Bid.
- 3.6 CONTRACTOR has given OWNER written notice of all conflicts, errors or discrepancies that have been discovered in the Bid Documents and the written resolution thereof by OWNER is acceptable to CONTRACTOR.

- 3.7 CONTRACTOR shall schedule and perform the Work subject to OWNER's approval and shall hold OWNER harmless from all liabilities incurred due to CONTRACTOR's failure to coordinate with the OWNER.

Article 4. CONTRACT DOCUMENTS

The Contract Documents which comprise the entire Agreement between OWNER and CONTRACTOR concerning the Work consist of the following:

- 4.1 This Agreement and Bid Document IFB #09-2762DC
- 4.2 Performance and/or other Bonds and Insurance Certificate(s)
- 4.3 Drawings (attached by reference)
- 4.4 Addenda numbers 1 to 4, inclusive.
- 4.5 CONTRACTOR's Bid Form and any other information submitted by Contractor prior to Notice of Award.
- 4.6 The following which may be delivered or issued after the effective date of the Agreement and are not attached hereto: all written Change Orders and other documents amending, modifying, or supplementing the Contract Documents.
- 4.7 The documents listed in paragraphs above are attached to this Agreement (except as noted otherwise above). There are no Contract Documents other than those listed above in this Article 4.

Article 5. MISCELLANEOUS

- 5.1 Terms used in this Agreement are defined in Article 1 of the General Conditions.
- 5.2 No assignment by a party hereto of any rights under or interest in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, monies that may become due and monies that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law); and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignee from any duty or responsibility under the Contract Documents.

5.3 OWNER and CONTRACTOR each binds itself, its partners, successors, assigns and legal representatives to the other party hereto. its partners, successors, assigns and legal representatives in respect of all covenants, agreements and obligations contained in the Contract Documents.

The OWNER will pay, and the CONTRACTOR will accept in full consideration for the performance of the Work (**IFB No. 09-2762DC Fuel Tank Installation @ Administration Center**), subject to additions and deductions as provided therein, the sum of Two Hundred Forty-nine Thousand, Five Hundred Forty Dollars and Zero Cents (\$249,540) for **Alternate #1 (night and weekend hours)**, Bid "A" based on Completion Time of 90 calendar days and the sum of \$580 as liquidated damages for each calendar day of delay.

C&S TECHNICAL RESOURCES, INC.

CONTRACTOR

BY: _____
Signature

Type Name and Title of Signer

The foregoing instrument was acknowledged before me this ___ day of _____, 20___, by _____, who is personally known to me or who has produced _____ as identification.

(impress official seal)

Notary Public, State of Florida

My commission expires: _____

COUNTY OF MANATEE, FLORIDA

Authority to execute this contract per Manatee County Code, Chapter 2-26, and per the delegation by the County Administrator effective 1/26/2009

BY: _____
R.C. "Rob" Cuthbert, CPM, Purchasing Manager

DATE: _____