

**MANATEE COUNTY GOVERNMENT**  
**AGENDA MEMORANDUM**

<b>SUBJECT</b>	Pre-Manufactured Transit Bus Shelters	<b>TYPE AGENDA ITEM</b>	Consent
<b>DATE REQUESTED</b>	May 19, 2009	<b>DATE SUBMITTED/REVISED</b>	May 7, 2009
<b>BRIEFINGS? Who?</b>	N/A	<b>CONSEQUENCES IF DEFERRED</b>	Delay in acceleration of projects
<b>DEPARTMENT/DIVISION</b>	Financial Management / Purchasing	<b>AUTHORIZED BY TITLE</b>	Jim Seuffert, Director
<b>CONTACT PERSON TELEPHONE/EXTENSION</b>	Blair C. Getz, x3053 R.C. "Rob" Cuthbert, x3014	<b>PRESENTER/TITLE TELEPHONE/EXTENSION</b>	Fred Loveland, Director, Community Services, x3489
<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 with Tolar Manufacturing Co. Inc., Corona, CA to provide Pre-Manufactured Transit Bus Shelters			
<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>Manatee County Area Transit Division is continually striving to improve service to our customers. Recent public workshops and onboard rider surveys were performed. Those in attendance at the public workshops and those riders surveyed listed bus shelters and other bus stop amenities as a high priority of needs for the transit system. In recent years MCAT has installed approximately 90 bus shelters throughout Manatee County. Funding for these shelters is provided from the Federal Transit Administration Grant 5307 Appropriation. Our goal is to install an additional fifty (50) bus stop shelters, benches and trash receptacles within the next two years.</li> <li>See page 2 for further details.</li> </ul>			
<b>Check appropriate box</b>			
<input type="checkbox"/>	<b>REVIEWED</b>	Written Comments: <input type="checkbox"/> Attached <input type="checkbox"/> Available from Attorney (Attorney's initials: ( ____ ))	
<input type="checkbox"/>	<b>NOT REVIEWED (No apparent legal issues.)</b>		
<input checked="" type="checkbox"/>	<b>NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)</b>		
<input type="checkbox"/>	<b>OTHER</b>		
<b>ATTACHMENTS: (List in order as attached)</b>		<b>INSTRUCTIONS TO BOARD RECORDS:</b>	
Department Memorandum dated April 22, 2009		NONE	
<b>COST:</b>	To be determined	<b>SOURCE (ACCT # &amp; NAME):</b>	To be Determined
<b>COMMENTS:</b>	N/A	<b>AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)</b>	N/A

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- 12/22/08 – 1/20/09 the appropriate proposal procedures were followed. The Request For Proposal (RFP) was broadcast to two hundred and four (204) to prospective proposers and suppliers. Twenty three (23) firms requested proposal documents and five (5) firms submitted Proposals.
- Local firms that were directly contacted and made aware of this Request for Proposal were:
 

1. DeLesline Construction, Inc.	Palmetto	5. Cairns Corporation	Ft. Myers
2. Mike Carter Construction, Inc.	Bradenton	6. Harbor Key Development	Bradenton
3. Halfacre Construction, Inc.	Sarasota	7. Woodruff and Sons, Inc.	Bradenton
4. Remco Builders, Inc.	Bradenton		

Although notified, six (6) of these Manatee County firms chose not to respond.

- The firms that submitted Proposals were:
 

1. DeLesline Construction, Inc.	Palmetto, Florida
2. Play It Safe, Inc.	Tampa, Florida
3. Brasco, Inc.	Detroit, Michigan
4. Tolar Manufacturing, Inc.	Corona, California
5. Dou-Gard, Inc.	Canton, Michigan
  - The Selection Committee consists of:
    - Blair C. Getz (Chair)
    - Becky Hayes, Senior Transit Planner
    - Rodney Beggs, Fiscal Management Analyst
  - The Selection Committee met January 21, 2009 to review and short list firms for Oral Presentations from the five (5) proposals received.
  - The Selection Committee voted to hear Oral Presentations from the following three (3) firms in alphabetical order:
    - DeLesline Construction, Inc.
    - Play-It-Safe, Inc.
    - Tolar Manufacturing, Inc.
- Brasco was not short listed; they did not propose an installation price. Duo – Gard was contacted before the Committee meeting and were not inclined to clarify some issues. Duo – Gard staff were requested to respond to questions verbally but did not. This firm was not considered due to the unanswered request.
- February 20, 2009 Oral Presentations from the three selected firms were conducted. Many factors were considered including but not limited to, those listed below which are not listed in order of priority:
    1. Previous experience with Manatee County
    2. Experience with the shelters that Manatee County will ask them to supply and install.
    3. Staff and their individual experience.
    4. What other county bus shelter contracts or agreements do they have and for how long?
    5. Lead times on orders and /or repair parts
    6. Cost

Note: FTA Grant Fund regulations disallow preferences to local companies during the selection process; however, staff was sensitive to the local economy and the impact of this agreement.

- The Selection Committee held a meeting after the last presenter to discuss what firm would be the best interest of the County and bring the most value to our community for the funds that we have to expend.
- After considerable deliberation and discussion with the committee, Blair Getz, Chairman of the selection committee contacted John DeLesline, President of Delesline Construction, Inc., Palmetto, FL and met with him on two separate occasions to discuss, clarify, and review his proposed cost submitted in his RFP.

Staff did consider that the local proposer would have an advantage in the required response time for maintenance and repairs over the Orlando based installer for Tolar Manufacturing. However, Community Services staff were concerned that the grant audit would interpret this opinion as an attempt to affect a local preference selection. The specific grant language is written as follows:

"Grantees are prohibited from the use of statutorily or administratively imposed in-state or local geographical preferences in the evaluation of bids or proposals. The only exceptions are where applicable Federal statues expressly mandate or encourage geographic preference or in procurements for architectural or engineering services, provided its application leaves an appropriate number of qualified firms to compete for the contract."

49 CFR 18.36 (c)(1)(2)

FTA C 4220.1F, ch VI, Section 2.a (4)(g)

It is further stated, if FTA funding recipients are found to have been in knowing violation of FTA policies, the subject recipient could be subject to mandatory reimbursement of all FTA funds used to procure the items or services under review.

The Committee voted unanimously, based upon known grant restrictions and cost, to recommend the County negotiate with Tolar Manufacturing Co. Inc., Corona, CA. for this work.

#### Ranked First

**Tolar Manufacturing, Inc.** has provided and installed shelters in Florida for over 20 years and meets all the documents specifications and requirements of the proposal, Their lead times were viewed as acceptable and they will stock repair parts and store the ordered shelter prior to installation. This firm has extensive experience with FTA and FDOT policies regarding installation of the shelters to be in compliance with ADA and other regulations. The Installer that will team with Tolar Manufacturing is HZ Construction of Orlando, Florida, a qualified Florida DBE. This complies with the Federal Transit Administration (FTA) requirements and is in compliance with the Civil Rights portion of our grant funds. The proposed best and final offer from this firm is \$503,950.00.

#### Ranked Second

**DeLesline Construction, Inc.** is knowledgeable in dealing with Manatee County through their previous and existing contracts. They have experienced install crews which are W9 employees and will perform the necessary preparatory site work, concrete work and the install of the bus shelters and related equipment. This contractor will be ordering the Bus Shelter materials and equipment from Brasco International whose products meet or exceed the proposal documents specifications. This Firm's lead times for are acceptable. The firm will also stock repair parts and store the ordered shelter prior to installation. DeLesline Construction, Inc. was ranked second on the merits of their proposal. The second place ranking came down to price. DeLeslines' best and final offer is 7.3% higher (\$38,523.00) than the firm ranked first.

Ranked Third

**Play-It –Safe, Inc.** meet all the documents specifications. However, their lead times were viewed as excessive and they were not willing to stock repair parts or shelters waiting for installation. The Dome roof design cannot be met by the Play-It-Safe manufacturer. The Play-It-Safe representative was not knowledgeable on the products that his firm was proposing and was extremely unprepared to answer the majority of questions presented to him. The representative was even less prepared when asked questions that addressed the installation portion of the RFP.

- This project will be managed by Manatee County Area Transit.



**Manatee County Area Transit**  
1108 26th Avenue East  
Bradenton, Florida 34208

941 747 8621 (MCAT Office)  
941 708 7464 (MCAT Fax)  
www.mymanatee.org

941 748 2317 (Handy Bus Office)  
941 741 3510 (Handy Bus Fax)  
www.mymanatee.org

## Memorandum

**Date:** April 22, 2009  
**To:** Rob Cuthbert, Purchasing Manager  
**From:** Ralf Heseler, Transit Manager  
**Subject:** Selection of Bus Shelter Vendor

The Transit Division is requesting that the Purchasing Division proceed into negotiations with Tolar to provide and install Transit Bus Shelters throughout the MCAT system. The decision to negotiate with Tolar is based on the following assessments:

1. The Tolar and HZ (installation sub-contractor) representatives provided a concise and organized presentation of their products and work.
2. Product warranties are sufficient and appropriate.
3. The installer has worked with Tolar products previously and installed shelters for Hillsborough Area Regional Transit (HART).
4. The contractor and supplier are familiar with FTA and FDOT policies regarding installation of shelters to be in compliance with ADA and other regulations.
5. The shelter that was presented is very similar to existing shelters already in place.
6. The contractor and supplier are familiar with the permitting of shelters with various agencies.
7. The contractor is a qualified Florida DBE.

Given the aforementioned information, we have at this point the confidence that Tolar has the expertise and experience to provide the County with a suitable product and installation and therefore we request that the Purchasing Division enter into negotiations with Tolar.

Should you have any further questions or concerns, please contact me.

Thank you.

**Cc:** Fred Loveland, Community Services Department Director  
Rodney Beggs, Fiscal Management Analyst II, MCAT  
Becky Hayes, Sr. Transit Planner, MCAT  
File



**Manatee County Government**  
District 1 – Larry Bustle  
District 2 – Gwen Brown

District 3 – John Chappie  
District 4 – Ron Getman  
District 5 – Donna Hayes

District 6, At-Large – Carol Whitmore  
District 7, At-Large – Joe McClash