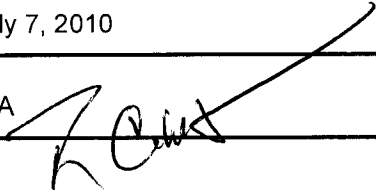


# MANATEE COUNTY GOVERNMENT SOURCE SELECTION

<b>SUBJECT</b>	Authorization to Award IFB #10-1476-OV / Coral Shores Canal Dredging, Bradenton, Manatee County, FL (Project No. 6054901)	<b>DATE POSTED</b>	July 1, 2010 Date Posted on Mymanatee.org <u>7/1/2010</u> 13
<b>PURCHASING REPRESENTATIVE</b>	Olga Valcich 708-7527 phone 708-7544 fax	<b>DATE CONTRACT SHALL BE AWARDED</b>	July 7, 2010
<b>DEPARTMENT</b>	Financial Management Dept. Purchasing Division	<b>CONSEQUENCES IF DEFERRED</b>	N/A 
<b>SOURCE RECOMMENDATION</b>	Invitation for Bid #10-1476-OV Recommendation letter dated 5/18/2010 from Project Management Division	<b>AUTHORIZED BY DATE</b>	R.C. "Rob" Cuthbert, CPM, CPPO July 1, 2010

### ACTION DESIRED

Authorization to Award Invitation for Bid #10-1476-OV, Coral Shores Canal Dredging, Bradenton, Manatee County, FL to the 2<sup>nd</sup> lowest responsive, responsible bidder meeting all aspects of the terms, conditions and specifications, Custom Built Marine Construction, Inc., Stuart, FL for a total base bid of 721,260.00 (Option "B" 360 calendar day completion time) and a subsequent execution of contract, payment / performance bonds and acceptance of insurances.

### ENABLING/REGULATING AUTHORITY

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

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

### BACKGROUND/DISCUSSION

The Work in this contract shall include all labor, materials, equipment tools, and services necessary and required for the hydraulic or mechanical dredging and removal of approximately 10,432 cubic yards of sediments from within residential canals and waterways of Coral Shores Subdivision, Bradenton, FL. The work also includes drying of the sediments through the use of sea-based operations, and hauling, delivery and placement of such sediments at the Manatee County Landfill.

- Background/discussion continued on page 2.
- Funding Source: Dredging Capital Projects Fund.

### SUMMARY

Recommend the award of IFB# 10-1476-OV to Energy Resources, Inc., Chesterfield, MO.

### ATTACHMENTS: (List in order as attached)

- 1). Revised Engineer's recommendation dated 6/17/2010
- 2). Revised Project Management recommendation to award dated 06/17/2010
- 3). Letter Rescinding Bid from Energy Resources dated 06/3/2010
- 3). Bid Tabulation

### INSTRUCTIONS TO BOARD RECORDS:

N/A

### COST

\$721,260.00

### SOURCE (ACCT# & NAME)

3166054901-534000-6054901-0004 /  
Dredging Capital Projects Fund

### COMMENTS

N/A

### AMT./FREQ. OF RECURRING COSTS (ATTACH FISCAL IMPACT STATEMENT)

- 03/22/2010 through 05/05/2010 appropriate bid procedures were followed. Notice of Bid availability was broadcast to 1420 suppliers via Onvia DemandStar.
- 58 Planholders actually downloaded copies of the bid. (DemandStar shows 65. There were seven (7) duplicate planholders listed). Three (3) bids were downloaded from Manatee County, eight (8) from Sarasota County, ten (10) from companies who fall within the Local Business preference as defined in Section 2-26-6, twenty-four (24) from companies who are located within the State of Florida and thirteen (13) companies were from outside the State of Florida.
- Five (5) Bids were received. One (1) from Manatee County, one (1) from Sarasota County, one (1) from Martin County, one (1) from Polk County and one (1) from Chesterfield, MO. Listed below are the bids received in ascending order.

<u>Contractor</u>	<u>Bid "A" 300 calendar days</u>	<u>Bid "B" 360 calendar days</u>
Energy Resources Chesterfield, MO	\$538,780.00	\$538,780.00
Custom Built Marine Construction, Inc. Stuart, FL	\$783,252.00	\$721,260.00
Duncan Seawall Dock & Boat Lift, LLC Sarasota, FL	\$826,854.20	\$826,854.20
Texas Aquatic Harvesting, Inc. Lake Wales, FL	\$992,224.00	\$930,232.00
Tampa Contracting Services, Inc. Palmetto, FL	\$1,338,844.00	\$1,287,184.00

- May 17, 2010 references provided by Energy Resources, Chesterfield, MO were verified by AECOM, the Engineer of Record. The information provided to AECOM stated the work performed by Energy Resources, Inc. was satisfactory; projects were completed on time and within or below the bid prices.
- May 18 2010, memorandum from Project Management recommending award to Energy Resources, Inc., Chesterfield, MO as the lowest responsive, responsible bidder, in the amount of **\$538,780.00**, Bid "A" based on 300 calendar day completion time.
- June 3, 2010 – Correspondence received from Energy Resources, Inc. requesting withdrawal from the project due to the specification issues, specifically "De-Watering" of the sediment. Letter requesting withdrawal from the project was submitted to the Purchasing Official and accepted

- 06/08/2010 – Process to begin review of the 2<sup>nd</sup> low bidder was commenced; contacting references by the EOR.
- 06/11/2010 – Conference call held with Custom Built Marine Construction, Inc., EOR, R. J. Ezazi, AECOM, Chuck Froman, Project Management and myself (Olga Valcich, Purchasing) to again review the approved process and ensuring that the Contractor will meet all aspects of the terms, conditions, specifications of the bid in addition to the FDEP permit requirements. Outcome of the conversation was positive. Contractor asked if he could get back with us Monday morning, June 14 after his weekly meeting with his Project Manager and anyone else concerned regarding the project.
- 06/14/2010 and 06/15/2010 – Custom Built Marine Construction, Inc. contacted EOR, R.J. Ezazi, AECOM, Chuck Froman, and myself and acknowledged that the specifications would be met along with the FDEP permit requirement.
- 06/22/2010 – Additional Conference call held with 2<sup>nd</sup> low bidder, Custom Built Marine Construction, Inc. Present at Conference Call were: Sia Mollanazar, Deputy Director Engineering Services, Chuck Froman, Project Manager and myself. EOR, R. J. Ezazi also a part of the conference call. Discussion was again to re-verify that the contractor is capable of performing the required work per the specifications and the FDEP permit. Concurrence was received from the 2<sup>nd</sup> low bidder that the work will be performed in accordance with the specifications, terms, conditions, plans and FDEP permit presented.
- The funding for this contract is Dredging Capital Projects Fund.

# MEMORANDUM

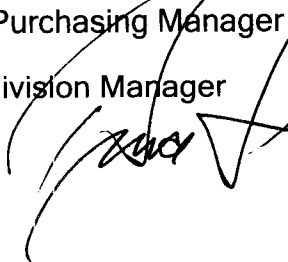


**PUBLIC WORKS DEPARTMENT**  
Project Management  
1022 26th Avenue E.  
Bradenton, FL 34208

Phone: 941-708-7450  
Fax: 941-708-7549  
[www.mymanatee.org](http://www.mymanatee.org)

**MANATEE COUNTY**  
FLORIDA

**To:** R.C. "Rob" Cuthbert, C.P.M., C.P.P.O., Purchasing Manager  
**From:** Bruce Simington, Project Management Division Manager  
**Date:** June 17, 2010  
**Subject:** Coral Shores Canal Dredging  
Custom Built Marine Construction, Inc.  
Recommendation for Award - IFB #10-1476-OV



The bids for the above referenced project have been reviewed by staff. The bid tabulation form is attached for your review. It is recommended that the contract Bid "B", with a construction time of 360 calendar days be awarded to the second lowest responsive, responsible bidder, Custom Built Marine Construction, Inc. in the amount of \$721,260.00 and in accordance with the terms and conditions of the bid package. The initial apparent low bidder, Energy Resources, Inc. rescinded their bid (see e-mail copy of letter attached) as they were unable to meet the spoils dewatering specification. Upon completion of project award, please provide a copy of the purchase order assigned to the contractor. The funding source for this contract is Dredging Capital Projects Fund.

Please contact Chuck Froman if you have any questions regarding the attached documents.

Thank you for your continued assistance.

**Cc:** Ron Schulhofer, Director, Public Works  
Sia Mollanazar, P.E., Deputy Director, Engineering Services  
Chuck Froman, Project Manager  
Prony Bonnaire Fils, Sr. Engineering Tech. w/attachments  
Project File: 6054901 9.2

ARRY BUSTLE \* DR GWENDOLYN Y. BROWN \* JOHN CHAPPIE \* RON GETMAN \* DONNA G. HAYES \* CAROL WHITMORE \* JOE MCCLASH  
District 1 District 2 District 3 District 4 District 5 District 6 District 7



AECOM  
5971 Cattlebridge Blvd  
Suite 200  
Sarasota, FL 34232  
www.aecom.com

941-377-8858 tel.  
941-371-2569 fax

June 16, 2010

Mr. Chuck Froman, PE  
Project Manager  
MANATEE COUNTY PUBLIC WORKS DEPARTMENT  
1022 26<sup>th</sup> Avenue East  
Bradenton, FL 34208

**RE: Coral Shores Canal Dredging Project  
Bid Tabulation and Review, IFB# 10-1476-OV**

Dear Mr. Froman,

Bids for the above referenced project were received on May 5, 2010. A total of five (5) contractors submitted bids. Bid prices ranged from a high of \$1,338,844 (Tampa Contracting Services, Inc.) to a low of \$538,780 (Energy Resources, Inc.), as shown in the attached Tabulation of Bids.

All five proposals included the documentation required by Manatee County to be considered. Per the County's bidding practice, each contractor provided two base bids, "A" and "B". Base Bid "A" is for a completion time of 300 calendar days and Base Bid "B" is for a completion time of 360 calendar days.

Originally, Energy Resources, Inc. was determined to be the apparent low bidder on Bids "A" and "B" in the amount of \$538,780 each. However, after further review and contacts with the contractor, it was determined that Energy Resources, Inc. would not be able to meet the specification requirements. Therefore, this bid was rejected and the remaining bids were re-evaluated.

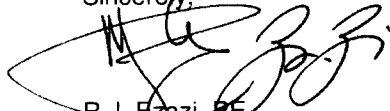
Based on this re-evaluation of bids, Custom Built Marine Construction, Inc. was determined to be the next apparent low bidder on Bid "A" in the amount of \$783,252, and on Bid "B" in the amount of \$721,260.

We also conducted interviews of the individuals provided as references by Custom Built Marine Construction, Inc. Of the four (4) references contacted, all but one indicated satisfactory completion of work conducted by the contractor, with their projects completed on-time and within or below bid prices.

Based on the information provided with each bid, and in consideration of the terms and conditions set forth in the contract documents, AECOM USA, Inc. recommends that this project be awarded to Custom Built Marine Construction, Inc. for the amount of \$721,260 for completion in 360 calendar days (Base Bid "B"). For completion in 300 days (Base Bid "A"), AECOM USA, Inc. recommends that this project be awarded to Custom Built Marine Construction, Inc. for the amount of \$783,252.

If I can be of further assistance, please call me.

Sincerely,



R. J. Ezzi, PE  
Principal Engineer.

**ENERGY RESOURCES, INC.**  
2206 Samuel Stuart Ct. Chesterfield, MO 63005  
(636) 532-9558 fax (636) 532-5611


June 3, 2010

Mr. R. C. Rob Cuthbert, CPM, CPPO  
Purchasing  
Manatee County Government

After my phone conversation yesterday with Chuck Froman I would like to present Energy Resource's position on rejecting any award for the Coral Shores Dredging Project. The issue of dewatering as I interpreted it is different from the county's interpretation. Article 2.04 of the specifications states " All dredged sediment shall meet Manatee County Landfill requirements for disposal at those facilities. The Contractor shall use sea based operations for drying of sediment prior to transfer to Manatee County Landfill. Devices used for sea based operations may include use of geotubes, Rotary Fan Press, Belt Press, Hydrocyclone or other such devices on barges."

Our approach de-watered the pulp density from 85% water to 35% water in the barge but still required another day or two of de-watering at the loadout site before the material was to be loaded into trucks. Whereas, I do not interpret this to preclude our operating plan I do understand Chuck Froman's position on this matter given additional input from FDEP and therefore reject the notice of award and withdraw our bid. Energy Resources, Inc. has no plans to contest any award to another bidder.



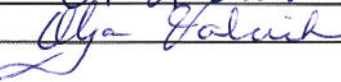
Sincerely,



Paul Reinhardt  
President

Coral Shores Canal Dredging  
 Project No. 6054901 6.2  
 Bid No. 10-1476-OV  
 Bid Price "A" (300 Calendar Days)  
 Bid Opening May 4, 2010

ITEM NO.	DESCRIPTION (BID A)	UNITS	QTY.	Duncan Seawall, Dock & Boat Lift, LLC		Energy Resources, Inc.		Custom Built Marine Const. Inc.		Tampa Contracting Services, Inc.		Texas Aquatic Harvesting Inc.	
				Sarasota, FL		Chesterfield, MO		Stuart, FL		Palmetto, FL		Lake Wales, FL	
				UNIT PRICE (\$)	EXTENDED PRICE (\$)	UNIT PRICE (\$)	EXTENDED PRICE (\$)	UNIT PRICE (\$)	EXTENDED PRICE (\$)	UNIT PRICE (\$)	EXTENDED PRICE (\$)	UNIT PRICE (\$)	EXTENDED PRICE (\$)
1	Mobilization	LS	1	14,000.00	14,000.00	130,990.00	130,990.00	50,000.00	50,000.00	50,000.00	50,000.00	30,000.00	30,000.00
2	Erosions & Sedimentation Control	LS	1	3,500.00	3,500.00	3,000.00	3,000.00	30,000.00	30,000.00	10,000.00	10,000.00	30,000.00	30,000.00
3	Manatee Safety Measures	LS	1	1,500.00	1,500.00	2,000.00	2,000.00	3,000.00	3,000.00	5,000.00	5,000.00	10,000.00	10,000.00
4	Dredging	CY	10,332	71.85	742,354.20	32.50	335,790.00	61.00	630,252.00	117.00	1,208,844.00	82.00	847,224.00
5	Surveying	LS	1	15,500.00	15,500.00	17,000.00	17,000.00	20,000.00	20,000.00	15,000.00	15,000.00	25,000.00	25,000.00
Subtotal Base Cost					776,854.20		488,780.00		733,252.00		1,288,844.00		942,224.00
6	Discretionary Work				50,000.00		50,000.00		50,000.00		50,000.00		50,000.00
<b>TOTAL PRICE:</b>					<b>826,854.20</b>		<b>538,780.00</b>		<b>783,252.00</b>		<b>1,338,844.00</b>		<b>992,224.00</b>
Comments See Notes													
Acknowledged Addendum # 1				Yes		Yes		Yes		Yes		Yes	
Acknowledged Addendum # 2				Yes		Yes		Yes		Yes		Yes	
Florida Trench Safety Act				Yes		Yes		Yes		Yes		Yes	
Contractor's Questionnaire				Yes		Yes		Yes		Yes		Yes	
Drug Free Work Place						Yes		Yes		Yes		Yes	
Public Contracting & Environmental Crimes Certification				Yes		Yes		Yes		Yes		Yes	
Qualifications: Contractor shall have a minimum of five (5) years Experience in dredging with dredge sizes of 5,000 CY or more				Yes		Yes		Yes		Yes		Yes	
Site Visit Confirmed				Yes		Yes		Yes		Yes		Yes	
Bid Bond Enclosed				Yes		Yes		Yes		Yes		Yes	
Affidavit as to Local Business				Yes		N/A		N/A		N/A		N/A	

Reviewed and Approved - Engineer of Record	R.J. Ezazi, PE/AECOM	
Reviewed and Approved - Manatee County Project Manager	Chuck Froman/Manatee County Government	
Reviewed and Approved - Manatee County Construction Buyer	Olga Valcich/Manatee County Government	

Coral Shores Canal Dredging  
 Project No. 6054901 6.2  
 Bid No. 10-1476-OV  
 Bid Price "B" (360 Calendar Days)  
 Bid Opening May 4, 2010

ITEM NO.	DESCRIPTION (BID B)	UNITS	QTY.	Duncan Seawall, Dock & Boat Lift, LLC		Energy Resources, Inc.		Custom Built Marine Const. Inc.		Tampa Contracting Services, Inc.		Texas Aquatic Harvesting Inc.	
				Sarasota, FL		Chesterfield, MO		Stuart, FL		Palmetto, FL		Lake Wales, FL	
				UNIT PRICE (\$)	EXTENDED PRICE (\$)	UNIT PRICE (\$)	EXTENDED PRICE (\$)	UNIT PRICE (\$)	EXTENDED PRICE (\$)	UNIT PRICE (\$)	EXTENDED PRICE (\$)	UNIT PRICE (\$)	EXTENDED PRICE (\$)
1	Mobilization	LS	1	14,000.00	14,000.00	130,990.00	130,990.00	50,000.00	50,000.00	50,000.00	50,000.00	30,000.00	30,000.00
2	Erosions & Sedimentation Control	LS	1	3,500.00	3,500.00	3,000.00	3,000.00	30,000.00	30,000.00	10,000.00	10,000.00	30,000.00	30,000.00
3	Manatee Safety Measures	LS	1	1,500.00	1,500.00	2,000.00	2,000.00	3,000.00	3,000.00	5,000.00	5,000.00	10,000.00	10,000.00
4	Dredging	CY	10,332	71.85	742,354.20	32.50	335,790.00	55.00	568,260.00	112.00	1,157,184.00	76.00	785,232.00
5	Surveying	LS	1	15,500.00	15,500.00	17,000.00	17,000.00	20,000.00	20,000.00	15,000.00	15,000.00	25,000.00	25,000.00
	Subtotal Base Cost				776,854.20		488,780.00		671,260.00		1,237,184.00		880,232.00
6	Discretionary Work				50,000.00		50,000.00		50,000.00		50,000.00		50,000.00
<b>TOTAL PRICE:</b>					<b>826,854.20</b>		<b>538,780.00</b>		<b>721,260.00</b>		<b>1,287,184.00</b>		<b>930,232.00</b>
<b>Comments See Notes</b>													
Acknowledged Addendum # 1				Yes		Yes		Yes		Yes		Yes	
Acknowledged Addendum # 2				Yes		Yes		Yes		Yes		Yes	
Florida Trench Safety Act				Yes		Yes		Yes		Yes		Yes	
Contractor's Questionnaire				Yes		Yes		Yes		Yes		Yes	
Drug Free Work Place						Yes		Yes		Yes		Yes	
Public Contracting & Environmental Crimes Certification				Yes		Yes		Yes		Yes		Yes	
Qualifications: Contractor shall have a minimum of five (5) years Experience in dredging with dredge sizes of 5,000 CY or more				Yes		Yes		Yes		Yes		Yes	
Site Visit Confirmed				Yes		Yes		Yes		Yes		Yes	
Bid Bond Enclosed				Yes		Yes		Yes		Yes		Yes	
Affidavit as to Local Business				Yes		N/A		N/A		N/A		N/A	
Reviewed and Approved - Engineer of Record						R.J. Ezazi, PE/AECOM							
Reviewed and Approved - Manatee County Project Manager						Chuck Froman/Manatee County Government							
Reviewed and Approved - Manatee County Construction Buyer						Olga Valcich/Manatee County Government							

*[Handwritten signatures and initials in blue ink]*