

MANATEE COUNTY GOVERNMENT SOURCE SELECTION

SUBJECT	Construction Manager at Risk for the Construction of the Fort Hamer Road Bridge	DATE POSTED	April 9, 2010 Date Posted on Mymanatee.org _____
PURCHASING REPRESENTATIVE	Blair Getz, 749-3053	DATE CONTRACT SHALL BE AWARDED	Negotiations to begin: April 19, 2010
DEPARTMENT	Financial Management Dept./Purchasing Div.	CONSEQUENCES IF DEFERRED	N/A
SOURCE RECOMMENDATION	Jacobs Project Management Company, Tampa, FL	AUTHORIZED BY DATE	Rob Cuthbert April 9, 2010

ACTION DESIRED

Authorization to enter into negotiations with Jacobs Project Management Company, FL for the purpose of providing Construction Manager at Risk services for the construction of the Bridge over the Manatee River at Fort Hamer Road.

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

- Manatee County has identified the need to provide an alternate north / south route through Manatee County and enhance emergency service access to the northeast section. This bridge will serve to improve the level of service to the existing network of north county roadways as development expands through the Parrish area and northward.
- The proposed Ft. Hamer / Upper Manatee River Road Bridge will have access provided via two (2) connector roadways. The connector roads will be Fort Hamer Road from the north, and Upper Manatee River Road from the south. Ft. Hamer Road connects the proposed bridge to the principal arterial US 301 and urban collector CR 675. Upper Manatee River Road connects the proposed bridge to the principal arterial road SR 64 and the urban collector road, Rye Road.
- Estimated construction cost including all Construction Management fees is \$20,000,000
- In compliance with Florida Statute 255.103, Construction Management or program management entities, and 255.20(1) "Public Construction" and Manatee Code of Law Section 2-26-4, the County competitively solicited the Construction Management at Risk services for construction of this bridge using a Request For Proposals to select the best qualified firm. The Public Works Department developed the scope of services for this Request For Proposals #09-3322-BG / Construction Management at Risk for Fort Hamer Bridge Over Manatee River.

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SUMMARY	Recommend negotiations with Jacobs Project Management Company, Tampa, FL		
ATTACHMENTS: (List in order as attached)	INSTRUCTIONS TO BOARD RECORDS:		
1. Approval Email: Ed Hunzeker	N/A		
COST	To be negotiated	SOURCE (ACCT# & NAME)	Department to advise

- In compliance with Florida Statute 255.103, Construction Management or program management entities, and 255.20(1) "Public Construction" and Manatee Code of Law Section 2-26-4, the County competitively solicited the Construction Management at Risk services for construction of this bridge using a Request For Proposals to select the best qualified firm. The Public Works Department developed the scope of services for this Request For Proposals #09-3322-BG /

Construction Management at Risk for Fort Hamer Bridge Over Manatee River.

- This Request For Proposals was advertised in the local papers, notices sent via the Manatee Chamber of Commerce, and the document was posted on our Manatee County website for download at no cost and on the national website DemandStar.com. The document was issued on October 11, 2009 and proposals were opened on November 19, 2009.
- Proposals were received from the following firms:
 - Balfour Beatty Construction, Ft Myers, FL, in association with NDC Construction, Bradenton FL and Wilson Miller, Bradenton, FL
 - Cone and Graham, Inc., Tampa, FL
 - DMG, a Joint Venture, DooleyMack, Sarasota, FL and Granite Construction, Tampa, FL
 - Ft Hamer Bridge Associates, LLC, (multiple partners)
 - Pat Neal, Bradenton, FL, Leware Construction, Leesburg, FL and, Fredrick Derr, Sarasota (qualifying agent for public construction)
 - Jacobs Project Management Company, Tampa, FL, in association with Lane Construction, Tampa, FL
 - PCL Civil Constructors, Inc., Tampa FL, in association with WG Mills Construction, Sarasota, FL
 - Superior Construction, Jacksonville, FL
- The Selection Committee was: Dan Schlandt, Assistant County Administrator, Ron Schulhofer, Director, Public Works, and Rob Cuthbert, Purchasing Official, Purchasing Division, Financial Management.
- February 11, 2010 the Selection Committee met and determined that five firms would be invited to respond to additional questions and make a presentation on their answers to those questions.
- March 5 and 8, 2010 presentations were made and on April 6, 2010 the Selection Committee by consensus made the following recommendations:
- **Top ranked: Jacobs Project Management Company, Tampa, Florida**

This firm constructed the three (3) Sanibel Causeway two lane, simple span (approximately 2000 to 4000 feet in length, 3 miles) bridges in Lee County, Florida using Construction Manager at Risk methodology. Jacobs teams with Lane Construction, who notably has considerable bridge experience, to manage and oversee construction estimating and facilitate constructability reviews. Community relations development and coordination is proposed to be handled by Hugh McGuire, Jr., Esquire of Harrison, Kirkland, Pratt, Chulock & McGuire, PA. Mr. McGuire commands a broad knowledge of the community and the concerns of the citizens adjacent to the project site.

Jacobs has successful experience working with URS, Inc., the design firm selected on this project. Jacobs offers the lowest ratio of fees to project costs (7%) and the second most assertive construction delivery time of 21 months.

The combination of bridge experience using Construction Manager at Risk techniques coupled with the lowest overhead and the second most aggressive construction delivery time offer gave a significant competitive edge to this proposal.

- **Balfour Beatty Construction**, in association with NDC Construction and Wilson Miller was ranked second.

This group of partners have performed Construction Management at Risk services for Manatee County for vertical (buildings) construction, and have experience in transportation construction using this method. It was felt that this group had slightly less bridge experience than the top ranked firm. The importance of the local community relations was demonstrated in their presentation with key people who reside adjacent to the project site in roles for these concerns. The proposed "work trestle" to build the bridge for environmental concerns, will be investigated with the top proposer.

This firm offered the third lowest ratio of fees to project costs (11%) fees \$2.67 M;
And the shortest proposed construction delivery time: 20 months

- **Kraft Construction** with Johnson Brothers, Inc., was ranked third

This firm represents as a quality company with relevant experience. They partner with Johnson Brothers, Inc. who has substantial bridge building experience. This proposal did not have a Public Relations team proposed or a Construction Engineering Inspector (CEI). This proposal presumed that Johnson Brothers, Inc. would competitively bid for the bridge superstructure (50% of the project cost).

This firm offered the second lowest ratio of fees to project costs (9.8%) fees \$1.95 M;
And one of the longest proposed construction delivery times: 30 months

- **PCL Civil Constructors, Inc** in association with W G Mills was ranked fourth

This group of partners have performed Construction Management at Risk services for vertical (buildings) construction, but have less experience than the top ranked firms in this method or with bridge construction. Their presentation demonstrated a preference for negotiating a fixed profit for their firm, then the Guaranteed Maximum Price would be driven by the market. They also planned to start work at the 60% construction drawing development and complete the work within 18 to 20 months.

This group offered the fourth lowest ratio of fees to project costs (15%) fees \$2.85 M.

- **FHB (Ft Hamer Bridge) Assoc. LLC** was evaluated as not to be recommended

FHB Associates, LLC as a team are recognized for their efforts to offer their services for construction of this bridge in many methods: a builder of a privatized toll road; a Design Builder in a public private partnership with the County; and lastly the Construction Management at Risk method.

The design of the partnership to self perform the work and the lack of experience in the competitive public solicitation for Construction Management at Risk Services, created internal conflicts which led to the lower evaluation of this proposal.

FHB Associates, LLC chose to alter their proposal at the time of presentation by adding a new partner "Clancy & Theys" with five (5) key role positions, and stated that this firm would obtain the performance and Payment Bonds for this project. This modification was taken although all proposers were advised expressly in writing in advance of the presentations that: "THIS IS NOT AN OPPORTUNITY TO AMEND, MODIFY, OR CHANGE THE SUBMITTED PROPOSAL. In taking this step, an unequal advantage was assumed over the competitors who did not alter their proposals.

In addition to this unilateral change, the proposal from FHB Associates, LLC was heavily burdened by overhead before this change was presented. This firm offered the highest ratio of fees to project costs (18.5%) fees \$3.65 M.

In the presentation FHB Associates, LLC admitted their lack of experience with Construction Management at Risk contracting, indicating this was a primary reason for the addition of a new partner "Clancy & Theys" to their proposal.

The many levels of superintendents, managers, etc. detailed in the proposal would be accepted as part of the contract overhead before the completed drawings and any competitive bidding. The "competitive" bidding necessitate including the FHB partners (although self performing was not desired) based on the existing overhead. Any award to a non-FBH partner would create a new duplicative layer of "supervision" and a dilution of responsibility.

- The proposals from Cone and Graham, Inc., Tampa, FL, and Superior Construction, Jacksonville, FL were not recommended for further consideration based upon the preliminary review of the written proposals. DMG, a Joint Venture withdrew their proposal by written request.