



FLAGLER BEACH CITY COMMISSION REVISED 02-09-2017

City Manager's Report

Item No. 9

Meeting Date: February 09, 2017

Issue: Award Bid No. FB2017-202-02 "Fishing Pier – Hurricane Matthew Emergency Safety Temporary Repairs".

From: Summary submitted by City Clerk

Organization: City of Flagler Beach

RECOMMENDATION: Based upon recommendation from the Engineer of Record Mott MacDonald, Staff respectfully request you motion to award the bid to Construct Co., Inc. The apparent low bidder, bid amount \$917,917.

BACKGROUND: The Pier was severely damaged by Hurricane Matthew. Our insurance company required the City to stabilize the existing pier to prevent further damage. The Pier was inspected by Logan Diving and the results of that inspection was provided to Mott Macdonald Engineers and a bid package, estimate was prepared. The City advertised the bid per the requirements of Chapter 2, Article IX. - Purchasing Code, Division 3. - Competitive Bidding. Three bids were received and opened on February 2, 2017. Section 2-311(16) states "All bid awards shall be to the bidder who has the lowest cost, the most responsive and responsible, and which is in the best interest of the city."

BUDGETARY IMPACT: The City has received an advance payment from the pier insurance company of \$200,000; at this time we are not sure what the total reimbursement from the insurance will be. Our Project Work Sheet has not been filed with FEMA at this time as we are still awaiting the bid choice. If the uninsured portion of this project ends up at \$800,000, and FEMA accepts the project in total; then the city would be responsible for 12.5% or \$100,000 of the cost of temporary repairs to the pier. *This is just an estimate based on the data that is currently known.*

LEGAL CONSIDERATIONS/SIGN-OFF: N/A

PERSONNEL: N/A

POLICY/REQUIREMENT FOR BOARD ACTION: Award the bid per the recommendation of the Consulting Engineers.

IMPLEMENTATION/COORDINATION:

Attachments

- Bid Tabulation
- Summary of Bidders Quantities for Comparison Only
- Recommendation of award from Engineers
- Bid Package submitted by Construct Co., Inc.



Mott MacDonald
10245 Centurion Parkway North
Suite 320
Jacksonville, Florida 32256
T 904.203.1090 www.mottmac.com/americas

AAC000035 EB0000155 LB00006783

February 8, 2017

Ms. Penny Overstreet
Flagler Beach City Clerk
105 S. 2nd Street
Flagler Beach, FL 32136

via email: POverstreet@CityofFlaglerBeach.com

Re: Review of Bids Received
Fishing Pier-Hurricane Matthew- Emergency Safety Temporary Repairs
Bid No. FB 2017-202-02
Disaster No. FEMA-DR-4283-FL
Mott MacDonald Project No. 378452

Dear Ms. Overstreet:

This communication is being submitted in accordance with City Code DIVISION 3, Sec. 2-311(17). The above referenced project was advertised for public bid on January 18, 2017. Bids were scheduled to be received on February 2, 2017 at City Hall at 2:00 pm. During the bidding period, 5 interested parties purchased the bid documents from the Jacksonville office of Mott MacDonald as advertised. During the bid period, a non-mandatory pre-bid meeting was held on January 26, 2017 at 10:00 am at City Hall. The attendees at the meeting and the items discussed were recorded, with the meeting minutes submitted to attendees and City staff. During the bid period, Mott MacDonald also issued 3 addenda to the contract bid package.

On February 2, 2017 at 2:00 pm, bids were received for the project in City Hall. Of the 5 bid package purchasers, only 3 interested parties submitted bids, with 1 interested party not submitting a bid and the 5th party being an out-of-state bid notification distribution service. The "Summary of Bidder's Quantities for Comparison Only" is attached for City Council and staff information. Upon completion of the bid receipt, Mott MacDonald received a copy of the bid packages submitted by the 3 bidders from the City Clerk and reviewed them. The checklist at the bottom of the "Summary of Bidder's Quantities for Comparison Only" indicated that all bidders submitted the required bid information. The "Invitation to Bid" required a Public Entity Crime Statement in the 11th paragraph, however a formal form was not included in the bid package. It is recommended that the City either waive this bid requirement, or require the 2 bidders missing this document to provide an acceptable document prior to a formal project award. All 3 bidders provided a Statement of Surety from a company listed in the current US Department of Treasury Circular 570.

The bidder with the lowest submitted Base Bid Total, Construct Co., Inc., 1510 E. Colonial Drive, Suite 104, Orlando, FL 32803 furnished information which was reviewed by Mott MacDonald. This information included a summary of work history for the past 8+ years, with identification of current company staff working on the projects. A list of 5 recently completed projects with references and 10 historic projects with references were furnished. The projects submitted included an elevated walkway through protected



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woodlands, structural repair to a wooded vehicle bridge, pile and hardware replacement on a fishing pier over a waterway, and numerous boat ramp repair, upgrade, and installation requiring marine construction. Mott MacDonald check 4 references, including 1 which was a multiple project reference, and all provided positive comment on Construct Co., Inc.'s performance and completion of their respective projects. Mott MacDonald also performed an in-house review of the bidder's financial capabilities and performance which did not indicate any current or recent past concerns.

Based on the above information and subject to confirmation by the City Finance Director on the availability of funds, concurrence by the City Attorney, and input from any City staff which oversee the public bid process, the apparent low bidder with the **Base Bid Total of \$917,917.00**, Construct Co., Inc., 1510 E. Colonial Drive, Suite 104, Orlando, FL 32803 should be considered for award of the project by the City Council.

Please call if you have any questions or require any additional assistance with this matter.

Very truly yours,
Mott MacDonald Florida, LLC

A handwritten signature in black ink, appearing to read 'Bruce A. Neu'.

Bruce A. Neu, PE
Principal Project Manager

Attachment (1)

Cc: Larry Newsome-City Manager
Kathleen Doyle-City Finance Director
Tracy Doyle-CDR Maguire
John Rigling-Adjusters International
Harbor Marine
Construct Co., Inc.
Brothers' Construction, Inc.

Construct Co.

**City of Flagler Beach
Flagler County, Florida**

Project Manual

for

FISHING PIER – HURRICANE MATTHEW EMERGENCY SAFETY TEMPORARY REPAIRS



**City Project No.: FB 2017-202-02
Mott MacDonald Project No. 378452
Disaster No. FEMA-DR-4283-FL**

JANUARY 2017



**10245 Centurion Parkway North, Suite 320
Jacksonville, FL 32256
Tel: (904) 203-1090
EB-0000155**

CONTRACTOR'S PROPOSAL

**CITY OF FLAGLER BEACH
FLAGLER COUNTY, FLORIDA**

**FISHING PIER – HURRICANE MATTHEW EMERGENCY
SAFETY TEMPORARY REPAIRS**

**City Project No. FB 2017-202-02
MM Project No. 378452
Disaster No. FEMA-DR-4283-FL**

**City of Flagler Beach
105 Second Street
Flagler Beach, FL 32136**

Date: 2/2/17

Gentlemen:

The undersigned, as Bidder, hereby declares that the only person or persons interested in the Proposal as principal or principals is or are named herein; that this Proposal is made without connection with any other person, company, or parties making bid or proposal; and that it is in all respects fair and in good faith, without collusion or fraud.

The Bidder further declares that he has examined the site of the work, the Plans and Specifications for the work, the Contract Documents relative thereto, and has read all Special Provisions and Addenda furnished prior to the opening of bids; and the Bidder further declares that he has informed himself fully in regard to all conditions pertaining to the work.

The Bidder proposes and agrees, if this Proposal is accepted, to contract with the Owner in the form of contract specified, to furnish all necessary materials, equipment, machinery, tools, and labor necessary to complete the work in full and in accordance with the shown, note, described, and reasonably intended requirements of the Contract Documents.

The Bidder also agrees that, at the time of signing the Contract, he will furnish the required Insurance Certificates, Performance Bond and Labor and Material Payment Bond.

The Bidder further agrees that in case of failure on his part to execute said Contract, with the Certificates of Insurance and Payment and Performance Bonds within ten (10) consecutive calendar days after written notice having been given of the award of the Contract, the Contract will be awarded to the next higher responsible bidder, and the undersigned will not be considered as a responsible bidder for future contracts for a period of at least one year.



Engineer's Estimate of Quantities for Bid Comparison Only
 Project Name: Fishing Pier – Hurricane Matthew Emergency Safety Temporary Repairs
 MM Project No.: 378452

Item	Description	Quantity	Unit	Unit Price	Amount
1	Mobilization (not to exceed 5% of Base Bid total)	1	LS	\$	45,500. ⁰⁰
2	Project Area Protection	1	LS	\$	38,140. ⁰⁰
3	Phase 1 Area of Pier Repair	1	LS	\$	134,000. ⁰⁰
4	Phase 1 Area Pile Jacking	4	EA	33,750	135,000. ⁰⁰
5	Phase 2 Area of Pier Repairs	1	LS	\$	373,417. ⁰⁰
6	Regrouting of Fiberglass Pile Jackets	164	EA	865. ⁰⁰	141,860. ⁰⁰
7	Construction Contingency for Unknown Project Area Conditions	1	EA	\$50,000	50,000. ⁰⁰
Base Bid Total: \$					917,917.⁰⁰

Bid Base Total: Nine Hundred Seventeen thousand
 (in words)
Nine Hundred seventeen dollars and ⁰⁰/100 -

Contractor's Legal Name: Construct Co Inc
Basil S. Buchanan
President

Receipt is acknowledged of the following addenda:

No.	<u> 1 </u>	Dated	<u>1/30/17</u>
No.	<u> 2 </u>	Dated	<u>1/30/17</u>
No.	<u> 3 </u>	Dated	<u>1/31/17</u>
No.	_____	Dated	_____

BIDDER agrees that the OWNER has the right to waive informalities in any bid; reject any or all proposals, in whole or in part; re-bid a project, in whole or in part; and to accept a proposal that in its judgment is the lowest and best bid of a responsible bidder. BIDDER further agrees that the OWNER may award a contract based only on the base bid, the base bid plus all alternates, or the base bid plus any alternates—with all decisions being made based upon what OWNER believes to be the best interest of its ratepayers, in the reasonable exercise of its discretion. BIDDER also acknowledges and agrees that the OWNER reserves the right to increase or decrease quantities as may be required to meet the needs of OWNER, at the unit price which was bid.

Respectfully submitted,

By: Basil S. Buchanan Pres.

2/2/17

 (Date)

B/SB

 (Signature)

President

 (Title)

(SEAL – IF BIDDER IS A CORPORATION)

Construct Co Inc

 (Company)

1510 E Colonial Dr #300

 (Business Address)

Orlando FL 32803
(407) 282-5340

 (Telephone Number)

(407) 900-0508

 (Telefax Number)

59-3591183

 (Federal ID Number)

Florida Licenses Held:

Type: CBC

CBC

No.: 1516163

 No.: 052151

 No.: _____

TRENCH SAFETY COMPLIANCE CERTIFICATION

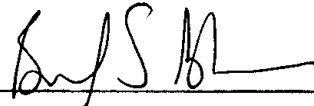
Any trench or similar excavation having a depth in excess of five (5) feet will be subject to the Excavation Safety Standards established by the Occupational Safety and Health Administration, 29.C.F.R. s. 1926.650 Subpart P.

By the signature of its undersigned authorized representatives, the Bidder hereby assures ECUA that any such excavation performed by the Bidder will be performed in compliance with all applicable trench safety standards.

The cost of compliance with applicable trench safety standards is estimated by the Bidder to be \$ 1,000.00, which cost is included in the amount of the bid.

The specific methods of compliance with applicable Trench Safety Standards, and the cost of compliance are as follows:

All Best Management Practices will be
adhered to.



Authorized Official

Basil S. Buchanan Pres

EXHIBIT "D"
CERTIFICATE OF INSURANCE
FOR
PUBLIC LIABILITY AND PROPERTY DAMAGE

This is to certify LASSITER - WARE INS. Company has issued to Construct Co Inc of the City of ORLANDO, State of FL, the following policy or policies.; Public Liability Policy No. MKLV20LE107682, 2017, limits 2,000,000 Aggregate, Property Damage Policy No. UMBRELLA XOVAB6761 effective on 04/24, 2016, and expiring on 04/24, 2017, limits EXCESS LIAB.

If at any time this coverage is to be canceled, the undersigned will notify the insured and Owner as listed on contract, in writing thirty (30) days prior to cancellation of the policy.

(This certificate must be made by a duly authorized official of the Insurance Company carrying the risk, or a separate certificate of similar context executed on Insurance Company's Standard Form may be attached hereto.)

See Attached.

CITY OF FLAGLER BEACH, FLORIDA INSURANCE REQUIREMENTS CHECKLIST

CITY OF FLAGLER BEACH, FLAGLER COUNTY, FLORIDA

*Sample Certificate Attached
job specific certificate
upon Award*

Item marked "X" must be provided

X General Liability
X Commercial General Liability
X Occurrence Form

Minimum Limits Required
\$ 2,000,000 General Aggregate
\$1,000,000 Product/Completed Operations Agg.
\$1,000,000 Personal & Advertising Injury
\$1,000,000 Each Occurrence
\$ 100,000 Fire Damage

X Automobile Liability
 Owned, Hired & Non-Owned

\$1,000,000 Combined Single Limit per Occurrence

X Worker's Compensation
and Employer's Liability

Statutory
\$ 100,000 Each Accident
\$ 500,000 Disease – Policy Limit
\$ 100,000 Disease – Each Employee

_____ Professional Liability – Errors & Omissions
 (*To be completed by Bidder)

*Deductible: \$ _____
 *Claims Made (Y/N): _____
 *Occurrence (Y/N): _____
 *Defense Included in Limits (Y/N): _____

\$ _____ Aggregate
 \$ _____ Each Claim

X Builder's Risk/Installation Floater
 (*To be completed by Bidder)

*Flood included: \$ _____ Limit
 *Transportation included: \$ _____ Limit
 *Storage included \$ _____ Limit
 City must be a named insured.
 Copy of policy will be required.

\$ _____ 100% of Completed of Installed Value,
 All-Risk Form


X Other (if required)
Longshore and Harbor Workers' Compensation Act
Jones Act

\$ _____
 \$ _____

- X The Certificate of Insurance must show "The City of Flagler Beach, elected officials and employees" as an additional insured.
- X Certificates must give to the City of Flagler Beach 30 days' prior written notice of cancellation, non-renewal, or adverse change.
- X Certificates must identify bid number and bid title.
- X A waiver of Subrogation shall be provided to the City.

Statement of Bidder: We understand the requirements requested and agree to comply fully.

Bidder – Authorized Signature: A complete copy of this form with **original** signature must accompany bid.


 Signature
Basil S. Buchanan
President
 Title

Construct Co Inc
 Company
2/2/17
 Date



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
6/10/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Lassiter-Ware Insurance of Maitland 2701 Maitland Center Parkway Suite 125 Maitland FL 32751	CONTACT NAME: Anne Edwards PHONE (A/C, No, Ext): (800) 845-8437 FAX (A/C, No): (888) 883-8680 E-MAIL ADDRESS: AnneE@lassiter-ware.com														
INSURED Construct Co., Inc. 1510 East Colonial Drive Orlando FL 32803	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;">INSURER(S) AFFORDING COVERAGE</th> <th style="width: 20%;">NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A: First Mercury Ins. Co.</td> <td>10657</td> </tr> <tr> <td>INSURER B: Progressive Express Ins Co</td> <td>10193</td> </tr> <tr> <td>INSURER C: Evanston Insurance Company</td> <td>35378</td> </tr> <tr> <td>INSURER D: Granite State Insurance Co.</td> <td>23809</td> </tr> <tr> <td>INSURER E: AGCS Marine Insurance Company</td> <td>22837</td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </tbody> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: First Mercury Ins. Co.	10657	INSURER B: Progressive Express Ins Co	10193	INSURER C: Evanston Insurance Company	35378	INSURER D: Granite State Insurance Co.	23809	INSURER E: AGCS Marine Insurance Company	22837	INSURER F:	
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COVERAGES **CERTIFICATE NUMBER: 2016-17 Rev Mas** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
X	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE \$ 1,000,000
A	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRC- <input type="checkbox"/> LOC <input type="checkbox"/> JEC: <input type="checkbox"/> OTHER:			MKLV201E107682	4/24/2016	4/24/2017	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
B	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			02086239-4	4/3/2016	4/3/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ PIP \$ 10,000
C	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB CLAIMS-MADE			XOVA867614	4/24/2016	4/24/2017	EACH OCCURRENCE \$ AGGREGATE \$
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	WC1670185	6/15/2016	6/15/2017	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
E	Inland Marine			SML97507808	4/24/2016	4/24/2017	Leased/Rented \$350,000 Installation Floater \$119,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER <p style="text-align: center;">"For Information Only"</p>	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Paul Ziccardi/ANNEE
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ANTI-COLLUSION STATEMENT

STATE OF Florida

CITY/COUNTY OF Orange

Basil S. Buchanan being first duly sworn, deposes and says that he is
President

Title of Person Signing

of Construct Co Inc

Name of Bidder

that all statements made and facts set out in the proposal for the above project are true and correct; and the bidder (The person, firm, association, or corporation making said bid) has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with said bid or any contract which may result from its acceptance.

Affiant further certifies that bidder is not financially interested in, or financially affiliated with, any other bidder for the above project.

BY [Signature] BASIL S BUCHANAN

BY _____

BY _____

SWORN to me before this 2nd day of February 2017.

[Signature]
Micha Johnson

Notary Public

My Commission Expires June 2018

