

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20051671

1. ACTION REQUESTED/PURPOSE:

Approve and authorize the Chairman to sign a contract between Lee County and Casey Industrial, Inc., the responsive/responsible low price proposer, meeting all requirements to perform the "Balance of Plant" General Contract construction of the WTE Expansion Project, for an amount not exceeding \$29,981,498.00, all in accordance with RFP B&R 2661-GC 100.

2. WHAT ACTION ACCOMPLISHES:

Provides the necessary general contractor construction for the Waste To Energy Expansion Project.

3. MANAGEMENT RECOMMENDATION: Staff recommends approval of Action Requested.

4. Departmental Category: 8

ABC

5. Meeting Date: *12-06-2005*

- 6. Agenda:**
- Consent
 - Administrative**
 - Appeals
 - Public
 - Walk-On

- 7. Requirement/Purpose: (specify)**
- Statute
 - Ordinance
 - Admin. Code 4-4**
 - Other

8. Request Initiated:
 Commissioner _____
 Department Public Works
 Division Solid Waste
 By: Lindsey J. Sampson

Lindsey J. Sampson

9. Background:

Sealed quotes were received by the County's design engineer, Burns & Roe, on behalf of the Solid Waste Division on October 14, 2005. On that date two (2) responses were received. After review, recommendation was made to award to the low-priced proposer meeting all requirements, Casey Industrial, Inc. for a not to exceed contract price of \$29,981,498.00, including the cost for a full payment and performance bond and a (County controlled) contingency amount of \$495,000.00.

Funds will be available in account string 200923 40102.506540 upon issuance of bonds.

Attachments: Burns & Roe Summary Term Sheet dated (to follow)
 Burns & Roe Bid Evaluation dated (to follow)
 Contract Document to Follow

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>J. J. ... 11-16-05</i>	<i>Bandy ... 11-16-05</i>		<i>SAO 11/16</i>	<i>S. ... 11/16/05</i>	<i>P.M. 11/16/05</i>	<i>11/16/05</i>	<i>11/16/05</i>	<i>11/16/05</i>	<i>J. J. ... 11-16-05</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: *CH*
 11-16-05
 11:40
 COUNTY ADMIN FORWARDED TO:
11-17-05
9 AM

Rec. by CoAtty
 Date: *11/16/05*
 Time: *12:49 PM*
 Forwarded To:
Admin.
11:40 AM



Lee County
SOUTHWEST FLORIDA

**INTEROFFICE MEMORANDUM
FROM
SOLID WASTE DIVISION
Phone: (239) 338-3302 Fax: (239) 338-3304**

Date: November 16, 2005

TO: Lee Cares

From: Lindsey J. Sampson, P.E.
Director

*Spinta Kantor for
Lindsey Sampson
in his absence*

**SUBJECT: Walk On Blue Sheet 20051669 and Blue Sheet 20051671
WTE Expansion Project**

These Blue Sheet are being walked on for Tuesday's, November 22nd, meeting due to the fact that negotiations with Covanta have reached the point where both items regarding the WTE Expansion can be taken up and addressed by the Board.

Negotiations with Covanta have been ongoing for over a year and reached the point where the project can move forward.



November 15, 2005

**LEE COUNTY
WTE EXPANSION PROJECT
FORT MYERS, FLORIDA
RFP 2661-GC-100
General Construction
BID EVALUATION**

On July 13, 2005, Burns and Roe Enterprises, acting on behalf of Lee County, issued Request for Proposal No. (RFP) 2661-GC-100 "General Construction" package to the following pre-qualified companies: Casey, Industrial, Inc.; Dick Corporation; and Sauer, Inc. On July 21, 2005, a pre-proposal meeting was conducted at the jobsite. All three bidders were in attendance along with representatives from Lee County, Covanta, Burns and Roe, HDR. The meeting notes of the pre-proposal meeting were issued and included as part of Addendum #1. Dick Corporation declined to submit a proposal.

Addenda 1, 2, 3, 4, and 5 were issued and acknowledged by the bidders.

Proposals were required to be submitted in two phases. The first phase required unpriced proposals to be submitted. Quantities for the various discipline items was required, plus, comments, clarification, questions concerning the scope of work and the commercial terms. Quantities are for information purposes and provides the companies general understanding of the scope of work. Clarifications and comments included were reviewed and incorporated, as appropriate, into the RFP documents by the issuance of Addendum 3. Addendum 3 also included further design development. The second phase of the process was to receive lump sum fixed priced proposals based upon the latest information available (RFP documents and Addenda 1, 2, and 3), receive minimal clarifications and set the proposal due date at October 7, 2005 of which both bidder requested an extension. The proposal due date was extended one week to October 14, 2005 with agreement that the award/notice to proceed date would be extended from December 5, 2005 to December 15, 2005 and no extension to the contract completion date. Both bidders agreed.

Casey and Sauer submitted priced proposals on October 14, 2005 as required. A Proposal Opening Form was completed and included herein as Attachment 1. Also included in Attachment 1 is the Proposal Form Pricing Sheet (1.0 Base Price) as included in respective proposals. This identifies the original Base Price submitted and pricing the two requested options included in the RFP. Option one is the assembly/dress out of the Generator Step-up Transformer and two for the installation of the APC Building Enclosure.

After an internal review of each proposal, a list of question and comments were submitted to each bidder. Review meetings with Casey and Sauer were on October 24, 2005 and October 25, 2005 respectively. Covanta and Burns and Roe conducted these meetings discussing the overall project and contract requirements including scope, schedule, construction plan, site safety, staffing, etc., and addressing the list of questions and comments. As a result of these meetings, latest design information was provided both Casey and Sauer by way of Addenda 4 and 5 and both were requested to update proposals. Updated proposal pricing is attached showing delta between original submitted pricing and current pricing.

On November 11, 2005 both Casey and Sauer were requested to submit their Best and Final Offer (BAFO) based on RFP 2661-GC-100 documents, correspondence, meetings, and the terms and conditions as discussed and agreed. Both companies submitted its BAFO by the required time of Monday 11/7/05 3pm.

Attached Bid Abstract identifies original pricing as submitted, adjusted base pricing (specific adjustments required in order for proposals to comply with the RFP documents), options recommended to be included in Contract, value engineering alternatives, and the Best and Final Offers submitted.

Exceptions/clarifications to Commercial Documents were reviewed with both Casey and Sauer. With the understanding that any modification to commercial terms must be approved by Lee County, comments/clarification were discussed. This review clarified Lee County's position on commercial terms and both Casey and Sauer withdrew certain comments and/or rewording was discussed. Separately, Casey's and Sauer's comments/modifications were presented to Lee County and successful agreement to Contract terms was achieved.

RECOMMENDATION:

The low, most responsive, and recommended proposal was submitted by Casey Industrial, Inc. The pricing is shown on the Pricing Abstract form. It shows base pricing, adjustments required to conform proposals to the RFP documents, plus options recommended to be included in the award (no longer options to be exercised), and three (3) additional options recommended to be listed in the Contract as options and exercised at the sole discretion of Lee County. It is also recommended to award this contract on a not to exceed basis, which includes \$495,000. of contingency allowance to be used at the sole discretion of Lee County's Director of Solid Waste or his designee. The recommended not to exceed award price is \$29,981,498.

LEE COUNTY, FLORIDA
PROPOSAL OPENING FORM

RFP NUMBER GC-100 DATE 10/14/05
 TITLE General Construction TIME _____

Bidder	Proposal Date	Date Received	Unevaluated Price	Remarks
1	Caray Inc.		\$ 28,987,824	
2				Option 1 48,546
3				2 813,540
4				
5	Sauer, Inc.		\$ 34,826,250	
6				Option 1 40,250
7				2 175,250
8				

OPENED BY: P. D'Amico
 WITNESSES: [Signature]

BASE PRICE	Sauer, Inc.	Casey, Inc.	+/- (Casey Base)	REMARKS
1.1 Mobilization	\$ 2,000,000	\$ 1,449,391	(550,609)	
1.2 Civil/Architectural	\$ 10,142,500	\$ 9,906,344	(236,156)	
1.3 Mechanical	\$ 17,396,800	\$ 12,058,840	(5,337,960)	
1.4 Electrical	\$ 3,200,000	\$ 2,910,941	(289,059)	
1.5 I&C	\$ 380,000	\$ 1,160,031	800,031	
1.6 Functional Loop Checks	\$ 96,000	\$ 323,488	227,488	
1.7 3000 Manhour Account	\$ 151,200	\$ 160,956	9,756	
1.8 Exhibit L, Section 8	\$ 175,000	\$ 101,074	(73,926)	
Temp Construction Power	\$ 204,750	\$ 187,169	(17,581)	
FPL to Distribution Panel	\$ 350,000	\$ 439,712	89,712	
100% Perf/Payt Bond	\$ 750,000	\$ 289,878	(460,122)	
1.10 Sales Tax	\$ 34,826,250	\$ 28,987,824	(5,838,426)	
1.11 Demobilization				
Base Price				
ADJUSTMENTS:				
a. Reverse base after 10/25 mtg	(\$1,047,250)	N/A	1,047,250	Sauer Base Reduction - Prof Traffic Study - reduce risk contingency-Clarification Exh
b. Addendum #4	\$ 261,700	\$ 255,835	(5,865)	1. MBE reduced from 13%
c. Addendum #5	\$ 65,900	\$ 121,842	55,942	3 INCORPORATE INTO EX B.
d. ESCALATION	includ	\$ 500,000	500,000	EXHIBIT B
e. Electrical Scope 10/21/05	\$ 65,200	\$ 113,003	47,803	Revised upon est. Bir steel qty provided
f. Exhibit L	includ	\$ 118,982	118,982	EXHIBIT B.
g. Add'l Bir Steel-Final Panel	includ	\$ 265,715	265,715	EXHIBIT B.
h. Heat Tracing	includ	\$ 2,285	2,285	EXHIBIT B.
i. Delete Tech Supervision Mhrs	n/a	(\$46,000)	(46,000)	EXHIBIT B.
j. 3rd Air Receiver	\$ 6,300	includ	(6,300)	Casey base 14" still offers 250K (located alt. Supplier)
k. 14" x 14" piles	includ	\$ (250,000)	(250,000)	EXHIBIT B
l. 110% Contract Liability	\$ 250,000	includ	(250,000)	
m. Switchyard Lightning	\$ 47,500	includ	(47,500)	
ADJUSTED BASE PRICE	\$ 34,475,600	\$ 30,069,486	(4,406,114)	
Options included in Award Price:				
Erect APC Enclosure	\$ 415,000	\$ 422,288	\$ 7,288	435,090 SISCORP
Adjust Traffic Plan	includ	\$ (225,711)	(225,711)	
Sub-total	\$ 34,890,600	\$ 30,266,063	(4,624,537)	
BEST and FINAL OFFER	\$ 33,080,600	\$ 29,289,816	(3,790,784)	
Shop/Fab LB Pipe	n/a	\$ 196,882	\$ 196,882	Deducted from Casey's BAFO price, added back to award price pending option appl
Contingency Allowance	n/a	\$ 405,000	\$ 405,000	Construction Changes OUT
Options to be included in Contract:				
1) Assemble/Dress GSUT	\$ 40,250	\$ 48,546	\$ 8,296	\$35,000 GE
2) Shop Finish Coat TG Steel		\$ (102,882)	\$ (102,882)	to be included in Contract as Option CHANGE EX. B
3) Shop-Fab LB Pipe		\$ (196,882)	\$ (196,882)	Casey reduction pending agreement/pipework release dates
VALUE ENGINEERING ALTERNATIVES:				
A) Auger Cast Piles	not offered	\$ (178,237)		Net delta (\$428,367 minus \$250K above item k)
B) Builders Risk Deductible	not offered	\$ (50,000)		Reduce deductible Sauer to 25K - Casey to 25K
C) Excess Liability 25M to 20M	not offered	\$ (20,000)		not accepted
D) Add'l Traffic Control Plan	not offered	\$ (100,000)		not accepted
NOTES:				
1. Casey re-allocated base costs... 10/28 email				
2. Casey's base on 14" piles. 16" normal in Florida. Localized company set up for 14" thus \$250K deduct offered.				
3. Casey's Traffic Control deduct is new site entry road and staging area. Not offered by Sauer.				
4. Sauer insurance coverage includes deductibles not allowed by Contract.				

ADD LINE ITEM

From: Peter Young
 To: Sampson, Lindsey J.; Glenn Fontana
 cc: Dennis Anacker; Jack Holmes; dcastro@hdrinc.com; Don D'Amico; Jim Kelly
 Subject: Selection and Recommendation - General Contractor

Gentlemen,

Based on B&R's General Contractor (GC) Bid Evaluation, dated November 15, 2005, as updated per D'Amico's November 18, 2005 email (attached), Covanta concurs with B&R's selection and recommendation to award the GC scope to Casey Industrial, Inc. The following comments are for your consideration and guidance:

1. Commercial Terms & Conditions - T&C's have been mutually agreed to between the County and Casey.

2. Price: Covanta concurs with B&R's recommended adjustments and Recommended Award Price of \$29,186,934. Price includes the following components:

Base Scope of Work (w/Bond)	\$28,247,222	(includes options for APC Enclosure erection and shop painting of TG steel)
Sales Tax on consumables	\$439,712	
Escalation during Construction	\$500,000	(to firm pricing)
Total Contract Price	\$29,186,934	

3. Project Estimate:

	From 10/27/05 Project Estimate:	
	GC Construction LS Work	\$22,090,798
	APC Enclosure(supply & erect)	\$ 1,912,210
	Less APC Enclosure supply	(\$ 1,005,569) (by SISCORP)
(equipment)	Cameras & Monitors	\$ 2,878
(w/o WT scope)	GC Performance Bond	\$ 239,684
	Subtotal	\$23,240,001
	Items not in 10/27/05 Estimate:	
(1.283% of Subtotal)	CPI escalation- 9/05 to 10/05	\$ 298,169
(orig'ly by FPL)	Switchyard Work (\$138K quoted)	\$ 150,000
\$ 439,712	Sales Tax	
	Future Escalation Risk	\$ 500,000

Total (Re-estimate).....\$24,627,882

Estimate Discussion: Original Project estimate had assumed 90% complete design drawings (vs 56% used in RFP) and a 40 hour work week (vs 50 hours quoted, adding a significant increase in labor cost). Significant costs not anticipated include escalation beyond the CPI index (eg: steel, re-bar, and cement index increased 3%, 1.2%, and 2%, respectively, in Sept-Oct. '05), and risk for uncertainty in pricing and

availability of resources due to recent hurricanes. Additional items not originally estimated as significant costs include traffic control and more burdensome commercial risks such as insurance deductibles, limitation of liability, and interference/coordination with an operating plant.

4. Bond: A Labor/Material Payment and Performance Completion Bond covering 100% of the Contract Price is included.

5. Payment Terms: Based on mobilization, actual deliveries and percent complete progress; net 30 days.

6. Schedule: Based on a Notice-to-Proceed by December 15, 2005, GC has agreed to mobilize by early January 2006 and to support the Project Schedule resulting in Mechanical Completion by February 15, 2007.

B&R should proceed immediately with the following:

1) Complete the conformed specifications and assemble the finalized Contract Documents.

2) Submit 3 copies of the complete GC Contract for the GC to execute and return to Lee County.

B&R's original and current schedule for issuing this PO was November 15, 2005, with mobilization on December 5, 2005. In order to support the Project Schedule's critical path, Covanta recommends that the County have this award approved by the BOCC by the November 22, 2005 BOCC Meeting to allow a GC Notice-to-Proceed by December 15, 2006.

Peter

-----Original Message-----

From: Don D'Amico [mailto:ddamico@roe.com]
Sent: Friday, November 18, 2005 12:09 PM
To: Young, Peter
Cc: Glenn Fontana; Patel, Manu
Subject: Lee County GC-100 Bid Evaluation

Pete,

BASED upon yesterday's Project Meeting discussions, attached is the updated bid eval. The Price Abstract was updated to reflect format of contract.

I'm not sure if Lindsey requires Covanta's recommendation and/or this bid evaluation for the BOCC package. I will try to get this document posted today, however, use the attached file for immediate purposes.

Don



MEMORANDUM

Date: November 21, 2005

To: Ms. Georgia Sekulski

From: Debbie Krum
dkrum@caseyind.com

Casey Industrial, Inc.

1000 N. 1st St.
Tomball, TX 77375

713-261-1111

www.caseyind.com

Cc: [Click [here](#) and type recipient's name]

Re: Lee County Resource Recovery Facility Expansion
Project

Please find enclosed three (3) signed contract signature sheets for the above referenced project as requested by Lindsey J. Sampson.

If you have any questions or need additional information please don't hesitate to call at 770-772-7399.

Sincerely,

Deborah A. Krum