

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

Blue Sheet No. 20060466

1. ACTION REQUESTED/PURPOSE: Award B-06-14 FENDER SYSTEM FOR CAPE CORAL BRIDGE ROAD (WB) OVER CALOOSAHATCHEE RIVER BRIDGE #124044 to the second lowest responsive, responsible bidder, Kelly Brothers, Inc., in the not-to-exceed amount of \$561,155.00, plus the alternate in the not-to-exceed amount of \$121,280.00, with a project completion time of 270 calendar days. Authorize Chairwoman to execute contract on behalf of the Board upon receipt. Also, approve transfer from Reserves in the Cape Coral Bridge R&R Fund, in the amount of \$683,000.

2. WHAT ACTION ACCOMPLISHES: Provides Lee County with a contractor to replace the Cape Coral Bridge fender system.

3. MANAGEMENT RECOMMENDATION: Approval recommended.

4. Departmental Category: 09 C9A		5. Meeting Date: 06-06-2006
6. Agenda: <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	7. Requirement/Purpose: (specify)	
	<input type="checkbox"/> Statute	<input type="checkbox"/> Ordinance
	<input checked="" type="checkbox"/> Admin. Code AC-4-4	<input type="checkbox"/> Other
	8. Request Initiated: Commissioner _____ Department Transportation Division _____ By: Scott Gilbertson, Director	

9. Background:
 The Department of Transportation submitted a request to Contracts Management to obtain bids for the Fender System for Cape Coral Bridge Road (WB) Over Caloosahatchee River Bridge #124044 project. The anticipated cost required the use of the formal advertised, sealed bid procedure.

On the bidding deadline of April 5, 2006, Contracts received two (2) bids. The bids were reviewed by the Department of Transportation and projects' consultant, Kisinger Campo & Associates Corp. and the initial recommendation was that award be made to the lowest responsive, responsible bidder, Coastal Marine Construction, Inc., in the not-to-exceed amount of \$318,704.00, plus the alternate in the amount of \$44,800.00.

On March 12, 2006, the Department of Transportation received a formal request from Coastal Marine Construction, Inc., that their bid be withdrawn, as they did not base the on the required specifications. It is requested that award be made to the second lowest responsive, responsible bidder, Kelly Brothers, Inc.

Funds will be made available in the following account: PE541164212 0.503490

- Attachments: (1) Bid Tabulation
 (2) Withdrawal Request from Coastal Marine Construction, Inc.
 (3) Department Recommendation to Award Bid to Kelly Brothers, Inc.
 (4) Consultant Recommendation to Award Bid to Kelly Brothers, Inc.
 (5) Request for Transfer of Funds

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>Amelia J. Davis</i> 5-18	<i>[Signature]</i>	N/A		<i>[Signature]</i> 5/19/06	<i>RK 5/19</i>	<i>5/19</i>	<i>[Signature]</i>	<i>5/19</i>	<i>[Signature]</i> 5-18-06

11. Commission Action:

- Approved
 Deferred
 Denied
 Other

RECEIVED BY COUNTY ADMIN: <i>[Signature]</i>
5/19/06
1:20
COUNTY ADMIN FORWARDED BY: <i>[Signature]</i>
5/19/06 11:51 AM

Rec. by CoAtty
Date: 5/18/06
Time: 4:00 pm
Forwarded To: <i>[Signature]</i>
5/19/06

REQUEST FOR TRANSFER OF FUNDS

FUND NAME: Cape Coral R&R DATE: 05/17/06 BATCH NO.: _____

FISCAL YEAR: 2006 FUND NO.: 42120 DOC. TYPE: YB LEDGER TYPE: BA

TO: Trans Fac-Cape Coral Brdg R&R Toll Facilities
 (Division Name) (Program Name)

NOTE: Please list the account number below in the following order:
 Business Unit (dept/div, program, fund, subfund); Object Account; Subsidiary; Subledger
 (Example: BB 5120100100.503450)

<u>Account Number</u>	<u>Object Name</u>	<u>DEBIT</u>
PE5411642120.503490	Other Contracted Services	\$683,000

TOTAL TO: \$683,000

FROM: Non-Dept Reserves
 (Division Name) (Program Name)

<u>Account Number</u>	<u>Object Name</u>	<u>CREDIT</u>
GC5890142120.509910	Res. For Contingencies	\$100,000
GC5890142120.509918	Res. For Fund Balance	\$583,000

TOTAL FROM: \$357,500

EXPLANATION: To move forward with contractor for Cape Coral Bridge Fender system.

DIVISION DIRECTOR SIGNATURE/DATE	for	<u>Amelia H. Davies</u>	<u>5-18-06</u>
DBO: APPROVAL <input checked="" type="checkbox"/>	DENIAL <input type="checkbox"/>	<u>Reginald R. Keator</u>	<u>5/19/06</u>
OPS. MGR.: APPROVAL <input checked="" type="checkbox"/>	DENIAL <input type="checkbox"/>	<u>[Signature]</u>	<u>5/19/06</u>
CO. MGR.: APPROVAL <input type="checkbox"/>	DENIAL <input type="checkbox"/>	_____	_____

BCC APPROVAL DATE: _____ BCC CHAIRMAN SIGNATURE _____

BA. NO. _____ AUTH CODE _____ TRANS DATE _____

LEE COUNTY BID TABULATION SHEET
FOR
FENDER SYSTEM FOR CAPE CORAL
BRIDGE ROAD (WB) OVER
CALOOSAHATCHEE RIVER BRIDGE
#124044

BID NO.: B-06-14

DATE: April 5, 2006

CONTRACTOR	BID BOND	TOTAL NOT-TO- EXCEED AMOUNT / ALTERNATE
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Kelly Brothers, Inc.
 Chris Bautista
 15775 Pine Ridge Road
 Ft. Myers, FL 33908
 Phone 239-482-7300
 Fax 239-482-8014

Base Bid - \$561,155.00

Alternate - \$121,280.00

Coastal Marine Construction, Inc.
 Larry Norris
 625 N. Tamiami Trail
 Venice, FL 34285
 Phone 941-485-2101
 Fax 941-488-0164

Base Bid - \$318,704.00

Alternate - \$ 44,800.00



March 12, 2006

**COASTAL
MARINE
CONST., INC.**

625 N. TAMiami
TRAIL
VENICE, FLORIDA
34285
TEL. (941)485-2101
FAX (941)488-0164

Mr. Ehab Guirguis
Lee County Contracts Management
P.O. Box 398
Ft. Myers, Fl 33902-0398
Email: E.Guirguis@Leegov.com
Phone: 239-694-3334

RE: Fender System for Cape Coral Bridge Road (WB) Over Caloosahatchee
River Bridge # 124044
Lee County, Florida
Solicitation No. B-06-14

Dear Ehab,

On the above-referenced project, that bid on April 5, 2005, we would like to formally request that our bid be withdrawn. There were many misunderstandings on the installation method for the piling and the bidding document. Our bid was to utilize a jet pipe bolted directly to our piling or to have one cast inside the piling. It was never our intent to splice any piling. We regret any inconvenience this may have caused and hope we can do business with you in the future.

If any additional information is needed, please advise.

Sincerely,
COASTAL MARINE CONSTRUCTION

Larry Norris
Project Manager

Crone, Lisa H.

From: Wingard, Paul W.
Sent: Friday, April 21, 2006 12:51 PM
To: Crone, Lisa H.
Cc: Simmons, Clay; Chamblee, Donald V.
Subject: FW: Cape Coral Fender System
Attachments: Bid Withdrawal Cape Coral.pdf; S&S14 Fender Pile.tif

Lisa,

Per our verbal discussion, please proceed with the award to the second bidder on this project, Kelly Brothers.

Thanks for your help.

Paul W. Wingard, P.E.
Deputy Director, DOT
wingarpw@leegov.com
Phone 239-694-3334
or 239-479-8545
cell phone 239-707-6981
Fax 239-694-3332

From: Simmons, Clay
Sent: Wednesday, April 19, 2006 1:30 PM
To: Wingard, Paul W.; Chamblee, Donald V.
Subject: FW: Cape Coral Fender System

FYI ...Proposed pile alteration for jetting included in this exhibit.

William "Clay" Simmons, P.E.
Engineering Manager
Lee County DOT/Operations Division
wsimmons@leegov.com
Phone: (239) 694-3334
FAX: (239) 694-3332

From: Guirguis, Ehab B.
Sent: Wednesday, April 19, 2006 10:12 AM
To: Simmons, Clay; Chamblee, Donald V.
Subject: FW: Cape Coral Fender System

Clay,

Please see the attached Bid Withdrawal from Costal Marine Construction.

Ehab B. Guirguis, P.E.

Bridge Engineer

Lee County DOT/ Operations Division.

4/21/2006

Crone, Lisa H.

From: Guirguis, Ehab B.
Sent: Tuesday, May 02, 2006 7:07 AM
To: Crone, Lisa H.
Cc: Chamblee, Donald V.; Simmons, Clay; Logan, Cindy S.
Subject: FW: BID AWARD FOR CAPE CORAL FENDER SYSTEM
Attachments: UNIT PRICE TAB (2).xls

Good morning Lisa,

Please see the attached amended bid recommendation from KCA to blue sheet the award, as per your request.

If you need more information please let me know.

Ehab B. Guirguis, P.E.

Bridge Engineer

Lee County DOT/ Operations Division.

Eguirguis@leegov.com

Ph: (239) 694-3334

Fax: (239) 694-3332

From: David B. Thompson [mailto:dthompson@kisingercampo.com]
Sent: Friday, April 28, 2006 2:25 PM
To: Guirguis, Ehab B.
Cc: Thomas Shaw; Simmons, Clay
Subject: RE: BID AWARD FOR CAPE CORAL FENDER SYSTEM

Good Afternoon Ehab,

Since the original low-bid contractor has withdrawn, KCA recommends proceeding to contract negotiations with Kelly Brothers, Inc., provided they meet all other County evaluation criteria. It is noted that the County is considering this contractor due to the urgency of the repair, as otherwise the project could be rebid to achieve a more competitive response.

As we discussed, the original low-bidder withdrew with their letter of March 12, 2006. They misunderstood the contract plans' requirements for driving the fender piling, necessary since the effects of jetting could be detrimental to the capacity of the existing bridge piles.

Also, as we mentioned in the original bid evaluation, the unit costs bid for alternate design should include a deduction for the treated structural timber as noted in the construction cost estimate. That is, the base bid value has a set timber quantity and the alternate design includes deducting from that amount (as the plastic lumber would comprise a part of the original total timber necessary). This deduction has been shown in the bid tabulation (attached). The contractor should be made aware of this. As always, the remaining bid values should be verified to ensure that entries were not in error and that the contractor has a clear understanding of the scope.

Please call if you have any comments or questions or if you'd like to discuss the project further.

Thanks,
Dave T.

5/2/2006