



City of Delray Beach

100 N.W. 1st Avenue
Delray Beach, FL 33444

Legislation Text

File #: 17-881, Version: 1

TO: Mayor and Commissioners
FROM: Caryn Gardner-Young, Assistant City Manager
THROUGH: Mark R. Lauzier, City Manager
DATE: November 20, 2017

AWARD OF AN AGREEMENT WITH WEST CONSTRUCTION, INC. FOR PHASE 1
CONSTRUCTION OF THE SEACREST BEAUTIFICATION PROJECT IN A NOT-TO-EXCEED
AMOUNT OF \$834,247.70

Recommended Action:

Motion to award an Agreement with West Construction, Inc. for Phase 1 construction of the Seacrest Beautification Project in a total amount not-to-exceed \$834,247.70 for the Agreement term.

Background:

On August 9, 2017, the Purchasing Department issued ITBC No. 2017-065-2 for streetscape construction of Phase 1 of the Seacrest Beautification project, which is a project initiated in response to requests from the Del Ida Park Neighborhood Community for a more aesthetically pleasing streetscape that addressed pedestrian and bicyclist safety along a main corridor leading directly into downtown Delray Beach. Three responsive and responsible proposals were received from West Construction, State Contracting & Engineering Corporation, and Jones Benitez Corporation.

The cost submitted by West Construction is for a total project amount not-to-exceed \$834,247.70. State Contracting & Engineering Corporation and Jones Benitez Corporation submitted bids totaling \$1,066,709.44 and \$1,806,205.00, respectively. This project is partially funded by the Florida Department of Transportation (FDOT) in the amount of \$750,000.

The City of Delray Beach (City) and Delray Beach Community Redevelopment Agency (CRA) have acknowledged the need for beautification and other necessary improvements through the development of the Seacrest/Del-Ida Park Neighborhood Plan which was adopted by the City Commission on March 3, 1998. The City's Bicycle/Pedestrian Plan as well as the Metropolitan Planning Organization (MPO) Master Comprehensive Bicycle Transportation Plan also recommends the provision for bicycle facilities along the NE 2nd Avenue (Seacrest) corridor. As a result, the Seacrest Beautification projects will provide for and/or increase the use of pedestrian and bicycle facilities, while creating an appropriately improved streetscape within a highly visible neighborhood.

This motion is in accordance with Code of Ordinances Section 36.02 Commission Approval Required.

City Attorney Review:

Approved as to form and legal sufficiency.

AGREEMENT

THIS AGREEMENT is hereby made and entered into this 30th day of November, 2017, (the "effective date") by and between the City of Delray Beach, a Florida municipal corporation ("City"), whose address is 100 N.W. 1st Avenue, Delray Beach, Florida 33444, and West Construction, Inc. a corporation (hereafter referred to as "Contractor"), whose address is 820 North 4th Street, Lantana, Florida 33462.

WHEREAS, the City desires to retain the services of the Contractor to provide the goods and services in accordance with the City's Invitation to Bid Construction No. 2017-065-2, and the Contractor's response thereto, all of which are incorporated herein by reference.

NOW, THEREFORE, in consideration of the mutual covenants and promises hereafter set forth, the Contractor and the City agree as follows:

ARTICLE 1. INCORPORATION OF INVITATION TO BID CONSTRUCTION

The terms and conditions of this Agreement shall include and incorporate the terms, conditions, and specifications set forth in the City's Invitation to Bid Construction No. 2017-065-2, and the Contractor's response to the Invitation to Bid Construction, including all documentation required thereunder.

ARTICLE 2. DESCRIPTION OF GOODS OR SCOPE OF SERVICES

The Contractor shall provide the goods and/or perform those services identified in the specifications accompanying the City's Invitation to Bid Construction, which are incorporated herein by reference.

ARTICLE 3. COMPENSATION

The City shall pay to the Contractor, in compliance with the Pricing Schedule attached hereto and incorporated herein, according to the terms and specifications of the referenced Invitation to Bid Construction. Contractor specifically acknowledges and understands that funding for this Project comes from an FDOT LAP grant and that the City's obligation to pay Contractor is specifically contingent on the City's ability to receive said funds in accordance with the terms of the LAP agreement.

ARTICLE 4. MISCELLANEOUS PROVISIONS

a. Notice Format. All notices or other written communications required, contemplated, or permitted under this Agreement shall be in writing and shall be hand delivered, telecommunicated, or mailed by registered or certified mail (postage prepaid), return receipt requested, to the following addresses:

- i. As to the City: City of Delray Beach
100 N.W. 1st Avenue
Delray Beach, Florida 33444
Attn: City Manager

- ii. with a copy to: City of Delray Beach
100 N.W. 1st Avenue
Delray Beach, Florida 33444
Attn: City Attorney
- iii. As to the Contractor: West Construction, Inc.
820 North 4th Street
Lantana, Florida 33462
Attn: President

b. Headings. The headings contained in this Agreement are for convenience of reference only, and shall not limit or otherwise affect in any way the meaning or interpretation of this Agreement.

c. Effective Date. The effective date of this Agreement shall be as of the date it has been executed by both the parties hereto.

ARTICLE 5. CONTRACT TERM

This term of this Agreement shall be from the effective date through the end of construction, unless terminated earlier in accordance with terms set forth in the ITBC.

(Remainder of this page is intentionally left blank.)

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates hereinafter written.

[SEAL]

CITY OF DELRAY BEACH, FLORIDA

By: [Signature]
Cary D. Glickstein, City Mayor

ATTEST:

By: [Signature]
Katerri Johnson, City Clerk

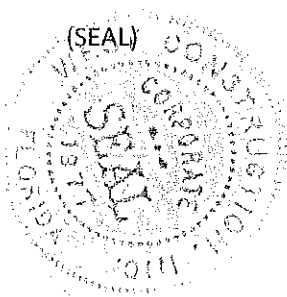
APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: [Signature]
R. Max Lohman, City Attorney

CONTRACTOR

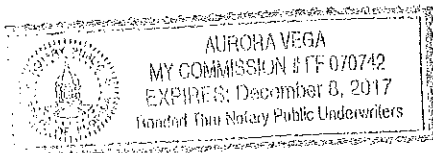
WEST CONSTRUCTION, INC.

By: [Signature]
Print Name: Martha A. Morgan
Title: President



STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 27th day of October, 2017, by Martha A. Morgan, as President (name of officer or agent, title of officer or agent), of WEST CONSTRUCTION, INC. (name of corporation acknowledging), a Florida (state or place of incorporation) corporation, on behalf of the corporation. He/She is personally known to me, or has produced _____ (type of identification) as identification.



[Signature]

City of Delray Beach
2017-065-2 Phase 1 of Seacrest Beautification
Project No. 17-057

Agreement with West Construction, Inc.

Notary Public – State of Florida

PRICING SCHEDULE

City of Delray Beach
2017-065-2 Phase 1 of Seacrest Beautification
Project No. 17-057
Agreement with West Construction, Inc.

4. Bidder will complete the Work for the following prices:

SCHEDULE OF BID PRICES

ITEM NO.	DESCRIPTION	UNIT	EST. QTY.	UNIT PRICE (in words)	UNIT PRICE	EXTENDED TOTAL PRICE
GENERAL CONDITIONS						
1	Site Mobilization	LS	1	Forty-Six Thousand Dollars Zero Cents	\$ 46,000.00	\$ 46,000.00
2	Maintenance of Traffic	LS	1	Fifty-One Thousand Three Hundred Sixteen Dollars Zero Cents	\$ 51,316.00	\$ 51,316.00
3	As-Built Record Drawings	LS	1	Twenty-One Thousand Nine Hundred Thirty-One Dollars Zero Cents	\$ 21,931.00	\$ 21,931.00
4	NPDES Permit	LS	1	One Thousand Two Hundred Twenty-Four Dollars Zero Cents	\$ 1,224.00	\$ 1,224.00
5	Erosion Control	LS	1	Six Thousand Twenty-Six Dollars zero Cents	\$ 6,026.00	\$ 6,026.00
6	Indemnification	LS	1	Ten Dollars Zero Cents	\$ 10.00	\$ 10.00
7	Project Identification Signs	EA	2	One Thousand Seven Hundred Eighty-Five Dollars Zero Cents	\$ 1,785.00	\$ 3,570.00
8	Photo Documentation/Historic Photo Inventory	LS	1	Three Thousand Five Hundred Eighty Dollars Zero Cents	\$ 3,580.00	\$ 3,580.00
9	Unforeseen Condition Allowance	LS	1	Fifty-five thousand Dollars Zero Cents	\$ 55,000.00	\$ 55,000.00
10	Video Allowance	LS	1	Three thousand Dollars Zero Cents	\$ 3,000.00	\$ 3,000.00
DEMOLITION						
11	Clearing and Grubbing	LS	1	Thirteen Thousand Three Hundred Sixty-Two Dollars Zero Cents	\$ 13,362.00	\$ 13,362.00
12	6" Thick Driveway Apron Removal	SY	320	Twenty-Six Dollars Zero Cents	\$ 26.00	\$ 8,320.00
13	Pavement Removal	SY	1,350	Twenty-Four Dollars Fifty Cents	\$ 24.50	\$ 33,075.00

PRICING SCHEDULE

City of Delray Beach
2017-065-2 Phase 1 of Seacrest Beautification
Project No. 17-057
Agreement with West Construction, Inc.

ITEM NO.	DESCRIPTION	UNIT	EST. QTY.	UNIT PRICE (in words)	UNIT PRICE	EXTENDED TOTAL PRICE
ROADWAY						
14	1" Milling and Resurfacing	SY	4,800	Fifteen Dollars Eighty Cents	\$ 15.80	\$ 75,840.00
15	Variable Depth Milling	SY	55	Twenty-Four Dollars Fifty Cents	\$ 24.50	\$ 1,347.50
16	8" Compacted Limerock Base Incl. Prime Coat	SY	1,428	Fifteen Dollars Fifty Cents	\$ 15.50	\$ 22,134.00
17	1.5" Type SP 9.5 Asphalt Surface Course 2-0.75" lifts Incl. Tack Coat	SY	1,263	Sixteen Dollars Eighty Cents	\$ 16.80	\$ 21,218.40
18	12" Compacted Subgrade	SY	1,628	Two Dollars Sixty Cents	\$ 2.80	\$ 4,232.80
19	Colored Asphalt Coating	SY	1,110	Thirty-Nine Dollars Zero Cents	\$ 39.00	\$ 43,290.00
20	Type "F" Curb	LF	975	Nineteen Dollars Forty Cents	\$ 19.40	\$ 18,915.00
21	Valley Curb	LF	300	Sixteen Dollars Thirty Cents	\$ 16.30	\$ 4,890.00
22	4" Thick Concrete Sidewalk	LF	812	Twenty-Four Dollars Fifty Cents	\$ 24.50	\$ 19,894.00
23	6" Thick Concrete Sidewalk	LF	375	Twenty-Eight Dollars Sixty Cents	\$ 28.80	\$ 10,725.00
24	6" Thick Concrete Driveway Apron	SF	315	Five Dollars Sixty Cents	\$ 5.60	\$ 1,764.00
25	Curb Ramps with Tactile Surface Pavers	SY	368	One Hundred Nineteen Dollars Zero Cents	\$ 119.00	\$ 43,792.00
26	Swale Grading and Sodding	SY	1,300	Twelve Dollars Twenty-Five Cents	\$ 12.25	\$ 15,925.00
27	Pedestrian Signal, LED, Countdown, 1 Direction "Complete"	EA	6	Eight Thousand Eight Hundred Dollars Zero Cents	\$ 8,800.00	\$ 52,800.00

3.5 x 9 = 315

PRICING SCHEDULE

City of Delray Beach
2017-065-2 Phase 1 of Seacrest Beautification
Project No. 17-057
Agreement with West Construction, Inc.

ITEM NO.	DESCRIPTION	UNIT	EST. QTY.	UNIT PRICE (in words)	UNIT PRICE	EXTENDED TOTAL PRICE
28	Stop Conditions/Striped Crosswalks/Pavement Markings Traffic Signage at Intersections	LS	1	Thirty-Five Thousand Two Hundred Five Dollars Zero Cents	\$ 35,205.00	\$ 35,205.00
29	Irrigation Modification (George Bush Blvd & NE 2nd Avenue)	LS	1	Four Thousand One Hundred Eighty Dollars Zero Cents	\$ 4,180.00	\$ 4,180.00
30	Full Depth Pavement Crack Removal and Restoration (Incl. Tack Coat and Prime Coat)	SY	75	Twenty-Four Dollars Fifty Cents	\$ 24.50	\$ 1,837.50
TOTAL EVALUATED BASE BID				Six Hundred Twenty-Four Thousand Four Hundred Four Dollars Twenty Cents		\$ 624,404.20
BID ITEMS 1 through 30 (In numbers)						

ADD ALTERNATE

31 DECORATIVE PAVER BRICK CROSSWALKS

31.1	Brick Pavers	SF	3,600	Twelve Dollars Zero Cents	\$ 12.00	\$ 43,200.00
31.2	12" Header Curb	LF	960	Nineteen Dollars Ten Cents	\$ 19.10	\$ 18,336.00
31.3	Pavement Removal (DEDUCTION)	SY	400	Zero Dollars Zero Cents	\$ 0.00	\$ 0.00
31.4	1" Milling and Resurfacing (DEDUCTION)	SY	540	Ten Dollars Zero Cents	\$ (10.00)	\$ (5,400.00)
31.5	8" Compacted Limerock Base (DEDUCTION) Incl. Prime Coat	SY	400	Ten Dollars Zero Cents	\$ (10.00)	\$ (4,000.00)
31.6	1.5" Type SP 9.5 Asphalt Surface Course (DEDUCTION) 2-0.75" lifts Incl. Tack Coat	SY	400	Ten Dollars Zero Cents	\$ (10.00)	\$ (4,000.00)
31.7	12" Compacted Subgrade (DEDUCTION)	SY	400	One Dollars Seventy-Five Cents	\$ (1.75)	\$ (700.00)
TOTAL EVALUATED ADD ALTERNATE				Forty-Seven Thousand Four Hundred Thirty-Six Dollars Zero Cents		\$ 47,436.00
BID ITEM 31 (In numbers)						

PRICING SCHEDULE

City of Delray Beach
2017-065-2 Phase 1 of Seacrest Beautification
Project No. 17-057
Agreement with West Construction, Inc.

ITEM NO.	DESCRIPTION	UNIT	EST. QTY.	UNIT PRICE (in words)	UNIT PRICE	EXTENDED TOTAL PRICE
32 SIDEWALK REMOVAL AND REPLACEMENT						
32.1	4" Thick Sidewalk Removal	LF	1,620	Twelve Dollars Zero Cents	\$ 12.00	\$ 19,440.00
32.2	6" Thick Sidewalk Removal	LF	375	Fourteen Dollars Ninety Cents	\$ 14.90	\$ 5,587.50
32.3	4" Thick Concrete Sidewalk	LF	1,620	Twenty-Four Dollars Fifty Cents	\$ 24.50	\$ 39,690.00
32.4	6" Thick Concrete Sidewalk	LF	375	Twenty-Eight Dollars Sixty Cents	\$ 28.60	\$ 10,725.00
TOTAL EVALUATED ADD ALTERNATE BID ITEM 32 (In numbers)						\$ 75,442.50
				Seventy-Five Thousand Four Hundred Forty-Two Dollars Fifty Cents		
33 ASPHALT RUBBER MEMBRANE INTERLAYER (ARMI)						
33.1	2.5" Milling	SY	3,650	Five Dollars Sixty Cents	\$ 5.60	\$ 20,440.00
33.2	ARMI Layer Incl. No. 6 Aggregate	SY	3,650	Fifteen Dollars Sixty Cents	\$ 15.50	\$ 56,575.00
33.3	1.5" Type SP 9.5 Asphalt Surface Course	SY	3,650	Fifteen Dollars Sixty Cents	\$ 15.50	\$ 56,575.00
33.4	1" Milling and Resurfacing (DEDUCTION)	SY	3,650	Twelve Dollars Twenty-Five Cents	\$ (12.25)	\$ (44,712.50)
33.5	Full Depth Pavement Crack Removal and Restoration Incl. Tack Coat and Prime Coat (DEDUCTION)	SY	75	Twenty-Five Dollars Fifty Cents	\$ (25.50)	\$ (1,912.50)
TOTAL EVALUATED ADD ALTERNATE BID ITEM 33 (In numbers)						\$ 86,865.00
				Eighty-Six Thousand Nine Hundred Sixty-Five Dollars Zero Cents		

(Amounts are to be shown in both words and figures. In case of discrepancies, the amount shown in words will govern for each bid item, unit price, and total bid. Extended unit price shall prevail over total price for bid items based upon unit price.)



**CITY OF DELRAY BEACH
MEMORANDUM
PUBLIC WORKS DEPARTMENT**

www.mydelraybeach.com

TO: Mark Lauzier, City Manager

FROM: Caryn Gardner-Young, Assistant City Manager *clg*

THROUGH: Missie Barletto, Deputy Director Program and Project Management *MB*

SUBJECT: Notice to Proceed – NE 2nd Avenue Seacrest Beautification Phase 1
Project No. 17-008 (previously 14-071)

DATE: November 21, 2017

On June 30, 2017 the City of Delray Beach (City) first advertised ITB 2017-065 for NE 2nd Avenue Seacrest Beautification Project, Phase 1. The City received one responsible and responsive bid. Since this is a FDOT funded project and a minimum of three (3) bids are required, it was re-advertised. The second advertisement was on August 9, 2017 (ITB 2017-065-2), but due to Hurricane Irma, the due date was extended to October 2, 2017 and the City received three responsible and responsive bids. On November 20, 2017, City Commission approved the bid award to West Construction, Inc. with a not-to-exceed amount of \$834,247.70.

Due to lost time from having to advertise twice for a minimum of 30 days each and in order to avoid potentially losing \$750,000 of FDOT funding, this project is on a fast track. The Pre-Construction Meeting is scheduled for December 1, 2017. In addition, the contractor's first invoice is due December 15, 2017.

Therefore, by issuance of the Notice to Proceed, the Contractor can commence construction activities for the NE 2nd Avenue Seacrest Beautification Phase 1 project beginning December 1, 2017 with Final Completion scheduled for May 30, 2018. Attached is the City's contractual notice to proceed for your review and execution.

If this meets with your approval, please sign and return to Public Works for further processing.

Thank you.

cc: Missie Barletto, Public Works
Tracie Lutchmansingh, Public Works
Ryan Lingholm, Purchasing



City Of Delray Beach
Public Works Department

NOTICE TO PROCEED

November 21, 2017

West Construction, Inc.
820 North 4th Street
Lantana, FL 33462
Attn: Mr. Mathew West

NE 2nd Avenue Seacrest Beautification Phase 1
City of Delray Beach Project No. 17-008
Bid No. 2017-065-2

West Construction, Inc. is hereby notified of this Notice to Proceed (NTP) for construction of the NE 2nd Avenue Seacrest Beautification Phase 1 project.

In accordance with the Contract Documents, the above contract has a beginning date of December 1, 2017 and Final Completion date of May 30, 2018.

City of Delray Beach, Florida

A handwritten signature in black ink, reading "Mark R. Lauzier".

Mark R. Lauzier, City Manager

Certified Mail
USPS No. 7012-1640-0000-2451-0403

cc: Project File (17-008 E)

7012 1640 0000 2451 0403

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 6.46
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.46

Postmark
Here

Sent To	
Martha Morgan/West Coast. Inc.	
Street, Apt. No., or PO Box No.	820 N. 4th St.
City, State, ZIP+4	Lantana, FL 33462

PS Form 3800, August 2006 See Reverse for Instructions