

Information for Town Council Meeting on April 9, 2019

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II CPPO, Town Purchasing Manager

RE: Resolution Approving Retroactive Award of Emergency Invitation to Bid No. 2019-19 for the Damaged Sewer Pipe Adjacent to E-2 and Upgrade to Sanitary Lift Station E-2, **Resolution No. 21-2019**

DATE: 27 March 2019

STAFF RECOMMENDATION

Town staff recommends the approval of Resolution No. 21-2019 that authorized the Retroactive Award of an Emergency Contract and Purchase Order related to the Damaged Sewer Pipe adjacent to Sanitary Lift Station E-2 and Upgrade to Sanitary Lift Station E-2 to D.S. Eakins.

SUMMARY EXPLANATION/BACKGROUND

Purchasing issued Invitation to Bid No. 2019-19 for an emergency repair of a damaged sewer pipe adjacent to Sanitary Lift Station E-2 and for the subsequent improvements to Sanitary Lift Station E-2.

Public Works provided a justification for an emergency repair as follows. “The Water Resources staff periodically cleans storm water and sewer pipes between manholes using the Town owned Vac truck. During a recent cleaning of the sewer pipes supplying the E-2 Lift station, a blockage was discovered in a pipe run between MH#114 and MH#115 on North Lake Way. Staff attempted to clear the blockage from both ends of the pipe but were unsuccessful and there was an obvious obstruction of flow downstream. Staff then procured the use of a sewer camera which revealed the obstruction of flow and an apparent issue with the pipe liner installed within the pipe. The views from the camera did not provide enough information to determine the full condition of the pipe other than the liner separation and obstruction of flow.

This blockage is in a critical section of piping for the E-2 sewer system and staff is requesting a vendor be contracted to excavate the pipe, remove and replace the entire section of pipe from MH#114 to MH#115 (approx. 30 linear feet) where the blockage is located and restore the roadway.

The E-2 Lift station is currently scheduled for rehabilitation during the summer of 2019. The pipe repair/replacement work will require a road closure with MOT and de-watering for the project

work site. In an effort to save costs, staff recommends performing the E-2 Lift station rehabilitation concurrently with the pipe repair project.”

Purchasing issued an emergency Invitation to Bid for a period of five business days to expedite the emergency situation. The emergency condition and subsequent bid were reviewed and approved with the Town Manager’s Office prior to issuance. Three firms responded to the solicitation. One firm was found to be non-responsive to the bid and the submittal was rejected by my office.

The Bid from Hinterland Group which was the low apparent bid was rejected due to recent litigation from a claim related to E-3 force main lining project whereby the Town had to countersue Hinterland.

The Hinterland Group filed a Bid Protest with the Purchasing Manger pursuant to Administrative Procedure 1-11-13. Based on the rejection by the Purchasing Manager, Hinterland then filed a Protest on March 28th with the Town Manager’s Office in accordance with the Administrative Procedure. Per the Administrative Procedure, the decision of the Town Manager shall be considered final. An appeal of the Town Manager’s decision may be made to the appropriate court in the Fifteenth Judicial Court, Palm Beach County, Florida.

Due the emergency nature of the repair of the broken line, a purchase order will be issued on March 29, 2019 to expedite the emergency repair.

D.S. Eakins submitted a bid for labor and materials for the emergency line repair and for labor for the installation of new materials at Sanitary Lift Station E-2. The Town directly purchased the materials last summer for E-1 and E-2 to avoid sales tax. Due to timing issues, both E-1 and E-2 were rescheduled for the summer of 2019.

The E-1 Sanitary Lift Station is currently being bid under normal procurement methodologies and should be presented to Town Council in May 2019. Our goal will be outreach to the vendor community for as many responsive and responsible proposers to bid.

FISCAL IMPACT/FUNDING SOURCE

The fiscal impact for the contract will be \$398,589, with a contingency of \$59,789 for a total contract value of \$458,378.85. This will be funded from Pay Go under Sanitary Sewer.

USER DEPARTMENT CONCURRENCE

Public Works is in full concurrence with this recommendation.

DUE DILIGENCE

Due Diligence was conducted to determine vendor responsibility, including corporate status and that there are no performance and compliance issues.

TOWN ATTORNEY REVIEW

This format has been utilized by the Town in previous recommendations and was approved by the Town Attorney.

CC: Jay Boodheshwar, Deputy Town Manager
Paul Brazil, P.E., Director of Public Works
Patricia Strayer, Town Engineer
Jason Debrincat, Senior Project Engineer
Purchasing File