

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 10, 2020

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: Approving the Selection Committee's Recommendation to Award of RFP 2019-35, Town Marina Construction Contract, to Murray Logan Construction, Inc., in the Amount of \$32,968,000, and Authorize the Town Manager to Execute the Contract. Town staff also Recommends that the Town Council Approve an Overall Contract Budget of \$36,264,800 and a Project Budget of \$37,658,753
Resolution No. **17-2020**

DATE: February 20, 2020

STAFF RECOMMENDATION

Town staff recommends Town Council approve Resolution No. 17-2020, approving the Selection Committee's Recommendation of Award of RFP 2019-35, Town Marina Construction Contract, to Murray Logan Construction, Inc., in the amount of \$32,968,000, and authorize the Town Manager to execute the contract. Town staff also recommends that the Town Council approve an overall contract budget of \$36,264,800 and a project budget of \$37,658,753.

This project budget only applies to milling and resurfacing of the existing parking lots. No other funding or improvements are part of the project budget.

SUMMARY EXPLANATION/BACKGROUND

The award of RFP 2019-35, Town Marina Construction Contract, is the third phase of the procurement related process for the Town Marina. The three (3) phases were the selection and award of the Masterplan to W.F. Baird in September 2017, the pre-qualification of three (3) dock manufacturers in May 2019, and the subsequent construction contract issued as a RFP in September 2019.

Working with W.F. Baird, Town Purchasing and Public Works hosted a Workshop for contractors and sub-contractors on August 15, 2019. It was the goal to share as much information as to what the scope would be and to garner interest in the project. It was also an opportunity for Town staff to listen to Subject Matter Experts in the Marina Field as we finalized the scope for issuance. Seventy-Six (76) firms were in attendance.

RFP 2019-35, Town Marina Construction, was issued September 24, 2019 for a period of ninety (90) days. The solicitation was broadcast to 406 firms through Demand Star, 69 firms through Public Purchase, and 76 firms through Negometrix as well as outreach to known qualified firms.

The solicitation closed on December 20, 2019. During this time, Purchasing received 155 questions related to the documents issued as part of the scope as well as technical questions. A total of twelve (12) addendums were issued to address the questions.

Upon receipt of the six (6) proposals on December 20, 2019, Purchasing engaged Turrell, Hall and Associates to serve as a Peer Review of the submittals. Josh Maxwell, P.E., also served as a non-voting member for both Selection Committee Meetings.

The approved Selection Committee was comprised of the following voting members: Jay Boodheshwar, Deputy Town Manager, Gordon Thompson, P.E., W.F. Baird and Associates, Eric Brown, P.E., Assistant Public Works Director, Jason Debrincat, P.E., Senior Project Engineer, Carolyn Stone, Director, Business Development and Operations, Jane LeClainche, CPA, Finance Director, and Mike Horn, Dock Master.

The approved non-voting members were: Josh Maxwell, P.E., Turrell, Hall, and Associates, Carlos Vidueira, Rybovich, Paul Brazil, P.E., Public Works Director, Patricia Strayer, P.E., Town Engineer, Dean Mealy, CPPO, Town Purchasing Manager and Duke Basha, Assistant Purchasing Manager.

Anthony Montero from the Office of the Inspector General was kept in the loop at all phases of the solicitation and participated as an observer for both the Selection Committee Consensus Meeting and Oral Presentations.

Six (6) Proposals were received as follows:

- Cone & Graham, Inc. - Submitted two (2) pre-qualified dock manufacturers
- Continental Heavy Civil Corporation - Submitted two (2) pre-qualified dock manufacturers
- Murray Logan Construction, Inc. - Submitted three (3) pre-qualified dock manufacturers
- Orion Marine Construction, Inc. - Submitted three (3) pre-qualified dock manufacturers
- Vecellio & Grogran, Inc. - Submitted two (2) pre-qualified dock manufacturers
- West Construction, Inc. - Submitted one (1) pre-qualified dock manufacturer

The Peer Review prepared by Turrell, Hall, and Associates which is also enclosed as backup, provided an excellent starting point for the discussions at the Selection Committee Consensus Meeting held January 22, 2020. The Selection Committee voted by the criteria outlined in the solicitation package which was weighted criteria.

The Selection Committee determined two (2) firms with the overall weighted scores and full discussion of the merits of their respective proposals would be invited back to present for Oral Presentations as follows:

- Murray Logan Construction, Inc.
- Vecellio & Grogran, Inc.

Oral presentations were conducted on January 29, 2020. All Selection Committee Members, both voting and non-voting, were present for the presentations. We allotted an hour and a half for presentations and an hour and a half for questions and answers for both firms.

Firms were ranked by Ordinal Scoring for the oral presentations. Ordinal Scoring or Best Value Scoring requires the Evaluation Committee to assign a composite score rank based on the Committee's determination of the relative overall value of the Proposer's response and oral presentation. Composite scores will rank responses from one (1) (1st place), second (2) (2nd place), and so on, for the total number of responses under consideration. There can be no tie for first place.

The Selection Committee recommended to the Town Manager and the Purchasing Manager to begin negotiations with Murray Logan Construction, Inc., who was ranked the highest after oral presentations. In addition, the Selection Committee recommended that Bellingham be selected as the dock manufacturer.

The first round of negotiations was scheduled February 7, 2020. Additional clarification was provided to Murray Logan Construction, Inc., and a second (2nd) round was scheduled for February 10, 2020. The Negotiation Team consisted of Kirk Blouin, Town Manager, Josh Maxwell, P.E., SME, Turrell, Hall, and Associates, Paul Brazil, P.E., Public Works Director and Dean Mealy, CPPO, Town Purchasing Manager.

Murray Logan Construction, Inc. provided savings to the Town of one million dollars (\$1,000,000) from their original proposal submittal from the negotiation sessions.

Murray Logan Construction, Inc. original proposal for Bellingham installation	\$33,968,000
Murray Logan Construction, Inc. negotiated price for Bellingham installation	\$32,968,000

Baird Estimate of Cost for Marina	\$34,300,000
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During the negotiations, it was noted that Value Engineering of the project will provide additional cost savings to the Town. Value Engineering cannot be engaged until the actual contract is executed. Murray Logan Construction, Inc., Turrell, Hall, and Associates, in addition to the input from Paul Brazil, P.E., Public Works Director, Eric Brown, P.E., Assistant Public Works Director and Jason Debrincat, P.E., Senior Project Engineer, have identified cost savings during discussions after review of proposals and oral presentations.

ADDITIONAL FACTORS FOR SPECIAL CONSIDERATION

Note that in an effort to minimize schedule duration and cost, the Construction Contractor has requested consideration of the following actions:

1. Early mobilization to the job site as soon as possible after contract award and pre-construction tasks (prior to May 1st). Will not interfere with current Marina operations until full closure.
2. Review and processing of demolition permit to be done concurrently with utilities disconnections and certifications.
3. Review and processing of building permit for prompt issuance including subcontractor permits.
4. Use of the adjacent on-street parking spaces for the entire duration of the project to provide better logistics and material delivery for the project.
5. Inspection by assigned building department (combination) inspector to provide for better scheduling, coordination, and consistency.
6. Waiver/exception of working hours to allow extended work hours, from 9:00am to 6:00pm during season (i.e. one hour longer), from 8:00am to 7:00pm during off-season (i.e. one hour longer), and to allow Saturday work as needed from 9:00am to 5:00pm for the duration of the project. This would also include waiver of Saturday “noisy work” constraints with 48-hour advance notice to the building official and Public Works Director.
7. Night, weekend, or holiday work beyond the regularly scheduled work hours stated above, which may be necessary due to an emergency, delay, or makeup time, shall be requested on a case-by-case basis and reviewed/approved by the Public Works Director.

USER DEPARTMENT CONCURRENCE

The Public Works Department has reviewed, and is in full agreement with the Selection Committee Recommendation.

FUNDING/FISCAL IMPACT

Funding has been established through the project financing addressed in last month's Town Council actions (approved at the February 11, 2020 meeting). The overall project budget is established at \$37,658,753 to include the construction contract, and the owner's budget and contingency. Funding sources include the recently approved \$31,000,000 loan, the FIND grant (\$3,100,000), and the Coastal Protection Fund for the bulkhead replacement (\$3,562,492).

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 Resolution has been reviewed and approved by the Town Attorney for legal form and sufficiency. The Town Attorney will review the Construction Contract for legal form and sufficiency prior to execution by the Town Manager.

cc: Jay Boodheshwar, Deputy Town Manager
H. Paul Brazil, P.E., Director of Public Works
Carolyn Stone, Director, Business Development and Operations
Eric Brown, P.E., Assistant Director of Public Works
Jason Debrincat, P.E., Senior Project Engineer
Duke Basha, Assistant Purchasing Manager