



REQUEST FOR BOARD ACTION

ITEM NO. 14.

DATE OF MEETING: January 4, 2010

REQUESTED BY: Michael Mack, Director, PSW

SHORT TITLE: Resolution Authorizing Award of Construction Contract and Purchase Order for the Renovations at the Burgaw Convenience Center to Landmark Grading in the Amount of \$193,871.49.

BACKGROUND: On December 17, 2009, PCU received bid proposals from four (4) contractors for the renovations at the Burgaw Convenience Center. The project consists primarily of building relocations, site clearing, new gravel base, new concrete pavement, new fencing, and new electrical service for the compactors.

The informal bidding procedure required each bidder make a "good faith effort" to meet the County's goal of 10% for participation by minority businesses in the total value of the work, and to provide certain documentation of such with the bid proposals. A copy of the request for proposals is attached.

Landmark Grading submitted the lowest bid at \$193,871.49. While the company did not provide 100% of the MBE information at the bid opening as required, the company provided documentation of subcontract work to MBE firms in the amount of \$25,222, or approximately 13% of the total value of the proposal.

Due to inconsistencies in the Minority Business Enterprise (MBE) compliance not only with the low bidder, but with the other firms bidding, staff is recommending all the bid proposals be rejected and the project rebid.

SPECIFIC ACTION REQUESTED: The Board of Commissioners is requested to reject all bid proposals received on December 17, 2009 for the renovations at the Burgaw Convenience Center and the project be rebid.

COUNTY MANAGER'S RECOMMENDATION

Respectfully recommend approval.

RTS
Initial

RESOLUTION

NOW, THEREFORE BE IT RESOLVED by the Pender County Board of Commissioners

that all bid proposals received on December 17, 2009 for the renovations to the Burgaw Convenience Center be rejected and the project be rebid. The Chairman/County Manager is authorized to execute any document necessary to implement this resolution.

AMENDMENTS:

MOVED _____ SECONDED _____

APPROVED _____ DENIED _____ UNANIMOUS

YEA VOTES: Tate ___ Blanchard ___ Brown ___ Rivenbark ___ Williams ___

Jimmy T. Tate, Chairman 01/04/10
DATE

ATTEST 01/04/10
DATE

WALTON ENGINEERING

December 17, 2009

Michael Mack
Pender County Utilities
605 E Fremont Street
Burgaw, NC 28425

Re: Bids for Renovations to the Burgaw Convenience Center

Dear Michael,

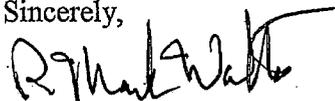
Attached is the Bid Tabulation Form for the Renovations to the Burgaw Convenience Center.

I recommend awarding the contract to Landmark Grading, 308 Raleigh Street, Wilmington, NC 28412, in the amount of \$193,871.49.

I recommend that the award be contingent on the contractor providing the following:

- (1) Proof of Commercial Liability Insurance, \$1,000,000 or more.
- (2) Proof of Workman's Compensation Insurance.
- (3) Performance Bond (cost of Bond to be added to contract upon submittal of proof of bond and a copy of the receipt showing the cost of the bond.)
- (4) Cost of line items subject to substitution or exclusion (to be coordinated between Pender County and the contractor prior to execution of the contract.)

Sincerely,



Mark Walton

Pender County **Bid Tabulation Form**
 Project: **Burgaw Convenience Center**
 CONSTRUCTION SERVICES
 FOR RENOVATIONS AT THE BURGAW CONVENIENCE CENTER LOCATED ON NEW SAVANNAH ROAD

Bid Submission Deadline: December 17, 2009 at 2:00 pm

Contractor	Bid Submitted On Time?	Bid Complete?	Bid Amount?	Comments
✓ Longest Building Co. Inc	✓	✓	227,500	
Mazzarone Construction, Inc				
Site Maxx Services				
✓ Landmark Grading	✓	✓	193,871. ⁴⁹	
✓ Norris Grading	✓	✓	260,154.50	
✓ Lumina Builders	✓	✓	227,937	
Hutchenson Construction				

Tabulated By:

Signature:

R. Mark Walton
 R. Mark Walton

WALTON ENGINEERING

Landmark

P.O. Box 895
Burgaw, NC, 28425
Tel.: 910-259-4800
Fax: 910-259-1779

BID FORM

Page 1 of 1

Bid Form - Addendum #1

PROPOSED TO: Pender County
ADDRESS:
CITY, STATE, ZIP:
PROJECT NAME:
PROJECT LOCATION:
PROPOSAL DATE: 11/30/2009
ADDENDUM #/Date #1 / December 10, 2009
PREPARED BY: Mark Walton

PROPOSAL DESCRIPTION:

Site improvements at Burgaw Convenience Center, New Savannah Road, Burgaw, NC. In accordance with plans and specifications by Walton Engineering.

Item	Description	Costs			
		Unit Cost	Units	Quantity	Total
1	Relocate and Anchor Oil Shed (Includes Oil Tank)	\$1,750.00	LS	1.0	\$1,750.00
2	Relocate and Anchor Employee Shed	\$2,000.00	LS	1.0	\$2,000.00
3	Relocate Existing Building with Attached Decks	\$5,000.00	LS	1.0	\$5,000.00
4	Concrete Removal and Disposal	\$33.80	CY	14.8	\$500.24
5	Existing Fence Removal and Disposal	\$1.25	LF	700.0	\$875.00
6	Clearing and Grubbing	\$4,500.00	ACRE	0.4	\$1,890.00
7	Excavation	\$9.00	CY	170.0	\$1,530.00
8	8" ABC Gravel Base	\$13.90	SY	2033.0	\$28,258.70
9	New Concrete Pavement 8", 4,000 psi, fiber reinforced, 10GA 6x6 ww	\$36.20	SY	3494.0	\$126,482.80
10	New Fence	\$10.85	LF	835.0	\$9,059.75
11	New Gate, 20' Swing, Pair	\$1,385.00	EA	1.0	\$1,385.00
12	New Gate, Sliding, 20'	\$2,800.00	EA	1.0	\$2,800.00
13	New Electrical Service	\$2,925.00	EA	2.0	\$5,850.00
14	Seeding and Mulching (Maintain until Permanent Vegetation Established)	\$2.00	SY	745.0	\$1,490.00
15	Remove and Dispose of Existing Scales	\$5,000.00	LS	1.0	\$5,000.00
				TOTAL =	\$193,871.49

**Note: All Items Not Specified Incidental to Construction Process

**Note: Concrete Pavement Shall Conform to NCDOT Standards

I certify that a "good faith effort" was made pursuant to Information for Bidders, Article 1-8, Minority Participation.

Signed and Dated: *Brian Fitz Randolph* 12/17/09

I certify that the bid amount in this bid package represents the total cost of all labor, materials, furnishings, equipment and services necessary to complete the work associated with this Bid Package.

Signed and Dated: *Brian Fitz Randolph* 12/17/09

I Acknowledge Receipt of Addendum #1

Signed and Dated: *Brian Fitz Randolph* 12/17/09

NOTES

THREE PHASE TO BE BROUGHT DOWN TO PANEL BY OTHERS



North Carolina Department of Administration

Michael F. Easley, Governor
Britt Cobb, Secretary

Office for Historically Underutilized Businesses
Bridget L. Wall, Asst. to the Secretary
for HUB Outreach

December 31, 2007

Harry Dorsey
Carolina Communications (Minority Owned)
1815 Rock Hill Road
Post Office Box 399
Castle Hayne, NC 28429

Dear Harry Dorsey:

We are pleased to announce your firm's approval for verification through our Historically Underutilized Business Program. Your business successfully completed the registration and meets the criteria in accordance with the procedures established by the Department of Administration.

This verification will be effective for two (2) years from the date of this letter. If for any reason there are changes in ownership/control, address or telephone number or to update your good or service, please update your vendor information online by selecting the "Change Vendor Information" menu online at: <http://www.ips.state.nc.us/ips/vendor/vndrlogon.asp> located in Vendor Link. You will also need to access the E-Procurement system to update your information there also at www.ncgov.com. To access either system, you must have your User IDs and Passwords available.

It is important to note that this verification does not guarantee that your company will automatically receive business from the State. You will still need to aggressively market your business. However, should you need any assistance in your efforts to conduct business with the State of North Carolina, please contact our office at (919) 807-2330.

Again, we appreciate your cooperation in submitting the necessary information for verification.

Sincerely,

Sheryl Cromedy

HUB Outreach Specialist

Mailing Address:
Office for Historically Underutilized Businesses
Department of Administration
1336 Mail Service Center
Raleigh, N.C. 27699-1336

Telephone (919) 807-2330
Fax (919) 807-2335
State Courier #51-01-00

Location:
116 West Jones Street
Administration Building
Suite 2109
Raleigh, North Carolina 27603

An Equal Opportunity/Affirmative Action Employer

Mar-Tech Land Developers, Inc.

PO Box 418
Shallotte, NC 28459
Phone (910) 755-5523
Fax (910) 755-5554

A W B E COMPANY

NCDOT - WBE Reporting #19825

December 16, 2009

Attn: Mr. Craver Wilson - Landmark Grading
Fax: 910-452-0650

PROPOSAL

A W B E COMPANY

Mar-Tech Land Developers, Inc. is pleased to quote the *hauling* for the "Burgaw Project".

ABC From Rocky Point to Project \$3.95 per ton

Material - ABC \$17.50 per ton

Thank you for the opportunity to bid with your company. If you have any questions or concerns, please feel free to call.

Sincerely,
Martie Billings
Martie Billings
Mar-Tech Land Developers, Inc.



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

LETTER OF INTENT TO PERFORM AS A SUBCONTRACTOR

CONTRACT:
BORGAW CONCOURSE (ENR)

NAME OF BIDDER:
LANDMARK GRADING

The undersigned intends to perform work in connection with the above contract upon execution of the bid and subsequent award of contract by the Board of Transportation as:

Name of MBE/WBE/DBE Subcontractor MAR-TECH LAND DEVELOPERS, INC.
Address 925B OLD OCEAN HIGHWAY
City BOLIVIA State NC Zip 28422

Please check all that apply:

Minority Business Enterprise (MBE)

Women Business Enterprise (WBE)

Disadvantaged Business Enterprise (DBE)

The MBE /WBE /DBE status of the above named subcontractor is certified by the North Carolina Department of Transportation. The above named subcontractor is prepared to perform the described work listed on the attached MBE/WBE/DBE Commitment Items sheet, in connection with the above contract upon execution of the bid and subsequent award of contract by the Board of Transportation. The above named subcontractor is prepared to perform the described work at the estimated Commitment Total for Subcontractor Price identified on the MBE/WBE/DBE Commitment Items sheet and amount indicated below.

Commitment Total based on estimated Unit Prices and Quantities on the "attached" MBE/WBE/DBE Commitment Items sheet. Amount \$ 19,822.00

The above named bidder and subcontractor mutually accepts the Commitment Total estimated for the Unit Prices and Quantities. This commitment total is based on estimated quantities only and most likely will vary up or down as the project is completed. Final compensation will be based on actual quantities of work performed and accepted during the pursuance of work. The above listed amount represents the entire dollar amount quoted based on these estimated quantities. No conversations, verbal agreements, and/or other forms of non-written representations shall serve to add, delete, or modify the terms as stated.

This document shall not serve in any manner as an actual subcontract between the two parties. A separate subcontractor agreement will describe in detail the contractual obligations of the bidder and the MBE/WBE/DBE subcontractor.

Affirmation

The above named MBE/ WBE/ DBE subcontractor affirms that it will perform the portion(s) of the contract for the estimated dollar value as stated above.

Mar-Tech Land Developers, Inc.
Name of MBE/ WBE/ DBE Subcontractor

LANDMARK GRADING
Name of Bidder

Martin Bellings
Signature / Title

Brian J. Radolph / ESTIMATOR
Signature / Title

12/17/09
Date

12/17/09
Date

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

LETTER OF INTENT TO PERFORM AS A SUBCONTRACTOR

CONTRACT:
BORGAN CONVENIENCE CENTER

NAME OF BIDDER:
LANDMARK GRADING

The undersigned intends to perform work in connection with the above contract upon execution of the bid and subsequent award of contract by the Board of Transportation as:

Name of MBE/WBE/DBE Subcontractor: Carolina Communications
Address: 1815 Rock Hill Road
City: Ashe Hayne State: N.C. Zip: 28429

Please check all that apply:

Minority Business Enterprise (MBE)

Women Business Enterprise (WBE)

Disadvantaged Business Enterprise (DBE)

The MBE /WBE /DBE status of the above named subcontractor is certified by the North Carolina Department of Transportation. The above named subcontractor is prepared to perform the described work listed on the attached MBE/WBE/DBE Commitment Items sheet, in connection with the above contract upon execution of the bid and subsequent award of contract by the Board of Transportation. The above named subcontractor is prepared to perform the described work at the estimated Commitment Total for Subcontractor Price identified on the MBE/WBE/DBE Commitment Items sheet and amount indicated below.

Commitment Total based on estimated Unit Prices and Quantities on the "attached" MBE/WBE/DBE Commitment Items sheet. Amount \$ 5,400.00

The above named bidder and subcontractor mutually accepts the Commitment Total estimated for the Unit Prices and Quantities. This commitment total is based on estimated quantities only and most likely will vary up or down as the project is completed. Final compensation will be based on actual quantities of work performed and accepted during the pursuance of work. The above listed amount represents the entire dollar amount quoted based on these estimated quantities. No conversations, verbal agreements, and/or other forms of non-written representations shall serve to add, delete, or modify the terms as stated.

This document shall not serve in any manner as an actual subcontract between the two parties. A separate subcontractor agreement will describe in detail the contractual obligations of the bidder and the MBE/WBE/DBE subcontractor.

Affirmation

The above named MBE/ WBE/ DBE subcontractor affirms that it will perform the portion(s) of the contract for the estimated dollar value as stated above

Carolina Communications

LANDMARK GRADING, INC.

Name of MBE/ WBE/ DBE Subcontractor

Name of Bidder

Harry Forey (owner)

Burnette Randolph / ESTIMATOR

Signature / Title

Signature / Title

12/17/09
Date

12/17/09
Date

WALTON ENGINEERING

P.O. Box 895
Burgaw, NC, 28425
Tel.: 910-259-4800
Fax: 910-259-1779

Bid Form - Addendum #1

BID COMPARISON FORM

Page 1 of 1

PROPOSED TO: Pender County
ADDRESS:
CITY, STATE, ZIP:
PROJECT NAME:
PROJECT LOCATION:
PROPOSAL DATE: 11/30/2009
ADDENDUM #/Date #1 / December 10, 2009
PREPARED BY: Mark Walton

PROPOSAL DESCRIPTION:

Site improvements at Burgaw Convenience Center, New Savannah Road, Burgaw, NC. In accordance with plans and specifications by Walton Engineering.

Item	Description	Costs		
		Landmark Grading	Norris Grading	Lumina Builders
		Estimated Cost	Estimated Cost	Estimated Cost
1	Relocate and Anchor Oil Shed (Includes Oil Tank)	\$1,750.00	1,000.00	1,000.00
2	Relocate and Anchor Employee Shed	\$2,000.00	1,000.00	1,200.00
3	Relocate Existing Building with Attached Decks	\$5,000.00	\$4,500.00	5,250.00
4	Concrete Removal and Disposal	\$500.24	2,000.00	2072.0
5	Existing Fence Removal and Disposal	\$875.00	2,000.00	2100.0
6	Clearing and Grubbing	\$1,890.00	3,500.00	3,200.0
7	Excavation	\$1,530.00	5,000.00	2,550.0
8	8" ABC Gravel Base	\$28,258.70	23,500.00	30,495.0
9	New Concrete Pavement 8", 4,000 psi, fiber reinforced, 10GA 6x6 ww	\$126,482.80	185,182.00	148,748.0
10	New Fence	\$9,059.75	11,272.50	12,525.0
11	New Gate, 20' Swing, Pair	\$1,385.00	1,200.00	1,556.0
12	New Gate, Sliding, 20'	\$2,800.00	3,500.00	2,716.0
13	New Electrical Service	\$5,850.00	9,500.00	9,800.0
14				
	Seeding and Mulching (Maintain until Permanent Vegetation Established)	\$1,490.00	\$2,000.00	3,725.0
15	Remove and Dispose of Existing Scales	\$5,000.00	\$3,000.00	3,000.0
		\$193,871.49	\$260,154.50	\$227,937.00
				\$227,500.00

Landmark Grading Norris Grading Lumina Builders Longest Bid. Co Inc