

CITY COMMISSION AGENDA ITEM REPORT

DATE: August 23, 2023

SUBMITTED BY: Troy Gies

ITEM TYPE: Resolution

TEMP. RESOLUTION NUMBER: 13906

AGENDA SECTION: CONSENT AGENDA

TITLE: TR13906 - A Resolution of the City Commission of the City of Tamarac, Florida, awarding Bid No. 23-08B to and approving an Agreement with Janice M. Riley, Inc., d.b.a. The Paving Lady, for the Mainlands of Tamarac Section 1-5 & Hiatus Road Pavement Resurfacing Project (Broward County Surtax-Funded Mobility Advancement Project BC-TAM-FY2020-00001), in accordance with Bid No. 23-08B for a contract amount of \$2,569,495.61; a contingency in the amount of \$256,949.56 will be added to the project account for a total project budget of \$2,826,445.17; authorizing an appropriation for the receipt and expenditure for the surtax funds to be included in a future Budget Amendment pursuant to F.S. 166.24(12); authorizing an expenditure from the appropriate accounts; providing for conflicts; providing for severability; and providing for an effective date.

RECOMMENDATION: I recommend that the City Commission authorize the appropriate City Officials to award Bid No. 23-08B and execute an Agreement with Janice M. Riley, Inc., D.B.A. The Paving Lady for the Mainlands of Tamarac Section 1-5 & Hiatus Road Pavement Resurfacing Project (Broward County Surtax-Funded BC-TAM-FY2020-00001), Per Bid No. 23-08B in a contract amount not to exceed \$2,569,495.61; a contingency in the amount of \$256,949.56 will be added to the project account for a total project budget of \$2,826,445.17; and that this item be placed on the August 23, 2023 Commission Agenda.

BACKGROUND: Broward County voters approved a 30-year one percent surtax (also known as "Penny for Transportation") for transportation in November 2018 and the first distribution of surtax revenues was received by Broward County from the Florida Department of Revenue in March 2019. As part of the evaluation process for eligibility on transportation surtax

funded projects, the City of Tamarac was awarded Cycle 1 transportation surtax funding for four capital projects and one Rehabilitation and Maintenance (R&M) project, including the Mainlands of Tamarac Section 1-5 Pavement Resurfacing Project/BC-TAM-FY2020-00001. A Municipal Interlocal Agreement for Surtax-Funded Transportation Projects was executed and approved by City Commission and Broward County Court of County Commissioners (Reso# R-2022-100) on September 14, 2022.

The Mainlands of Tamarac Section 1-5 Pavement Resurfacing Project would allow for the resurfacing of existing deteriorating pavement conditions within the Mainlands Section 1-5 community. The proposed work includes, but is not limited to milling and asphalt pavement resurfacing, surface preparation, sanitary manhole, catch basin, and water valve adjustments, key cuts tie-ins with existing asphalt and driveway connections, tack coat application, leveling and surface course placement, and temporary and permanent pavement marking applications, in accordance with the technical specifications, design plans, and all applicable federal, state, county and local regulations.

The City of Tamarac publicly advertised Bid No. 23-08B for the Mainlands of Tamarac Section 1-5 Pavement Resurfacing Project on January 15, 2023, and received and opened four (4) proposals on February 16, 2023. A summary bid tabulation is listed below; detailed bid tabulation is attached to Temporary Resolution No. 13906.

BID No. 23-08B MAINLANDS OF TAMARAC SECTION 1-5 PAVEMENT RESURFACING PROJECT

VENDOR	AMOUNT (\$)
M&M Asphalt Maintenance Inc. DBA All County Paving	\$1,564,757.50
Janice M. Riley, Inc DBA The Paving Lady	\$1,898,931.18
Homestead Concrete	Disqualified
Weekley Asphalt	Disqualified

Submitted bids from Homestead Concrete and Weekley Asphalt, resulted as non-responsive as bidders failed to provide required bid bonds within the allotted bid process. Their bids were ultimately disqualified.

Broward County Office of Economic and Small Business Development (OESBD), through the requirements of the Municipal Interlocal Agreement for Surtax-Funded

Transportation Projects conducted a review of the bidders' compliance with the CBE Program requirements and determined Janice M. Riley, Inc DBA The Paving Lady to be compliant in meeting the County Business Enterprise (CBE) program requirements (40% minimum participation goal), whereas, M&M Asphalt Maintenance, Inc., only submitted one Letter of Intent (LOI) with 8% CBE commitment which was deemed non-compliant with the CBE Program requirements of the solicitation by Broward County Office of Economic and Small Business Development (OESBD). A copy of the OESBD DBE Compliant Letter is attached.

City staff reviewed the submitted bids and Broward County's evaluation for CBE participation compliance requirements and determined the lowest bidder, M&M Asphalt Maintenance, Inc., was deemed to be non-responsible and non-responsive; and, upon review of their proposal and background check, that Janice M. Riley, Inc., DBA The Paving Lady, possess the skills, experience, and capacity to meet the requirements for the construction of Mainlands of Tamarac Section 1-5 Pavement Resurfacing Project.

As part of the City's Resurfacing Program, a request to include the City-owned portion of Hiatus Road into the Project Funding Agreement (PFA) was formally submitted to Broward County, with a formal approval memo issued by Broward County Mobility Advancement Program on July 25, 2023, supporting inclusion of the City's proposed Hiatus Road resurfacing into the surtax project BC-TAM-FY2020-00001. Upon review of their proposal with the inclusion of Hiatus Road, Janice M. Riley, Inc., DBA the Paving Lady has agreed to the Terms and Conditions, Special Conditions, Project Plans and Technical Specifications of Bid. No. 23-08B.

The proposed work for the City-owned portion of Hiatus Road includes milling and asphalt pavement resurfacing, surface preparation, sanitary manhole, catch basin, and water valve adjustments, key cuts tie-ins with existing asphalt and driveway connections, tack coat application, leveling and surface course placement, temporary and permanent pavement marking applications, in accordance with the technical specifications, design plans, and all applicable federal, state, county and local regulations, with the work to be located along Hiatus Road from north side of Commercial Blvd to approximately 584 feet north of NW 67th street.

Contract Summary:

- **Scope of Project:** Mainlands of Tamarac Section 1-5 & Hiatus Road Pavement Resurfacing Project
- **Type of Project:** Construction
- **Contractor:** Janice M. Riley, Inc DBA The Paving Lady
- **Contractor Location:** Boynton Beach, Florida 33426
- **Contractor Address:** 1000 West Industrial Avenue
- **Contractor Cost:** \$2,569,495.61; a contingency in the amount of \$256,949.56, for a total project budget of \$2,826,445.17
- **Term/Completion:** Substantial Completion within 210 calendar days from City's Notice to Proceed; Final Completion within 45 calendar days of Substantial Completion Totaling 255 calendar days
- **Risk Mitigation:** Performance and Payment Bonds at 1% of bid in effect for up to one year after Final Completion. Liquidated damages of \$500 per day for each day project is not completed after scheduled completion date from Notice to Proceed
- **Certifications:** Janice M. Riley, Inc., DBA The Paving Lady has possesses 40% CBE compliance.

ISSUE:

To award Bid No. 23-08B and execute an Agreement with Janice M. Riley, Inc., D.B.A. The Paving Lady for the Mainlands of Tamarac Section 1-5 & Hiatus Road Pavement Resurfacing Project (Broward County Surtax-Funded BC-TAM-FY2020-00001), per Bid No. 23-08B.

STRATEGIC GOALS:

Goal #1: Tamarac is Home

ATTACHMENTS:

[TR 13906 - Memo - Mainlands Section 1-5 Hiatus Road Pavement Resurfacing Project \(Final\) \(JD 080923\).docx](#)

[TR 13906 - Reso - Mainlands Section 1-5 & Hiatus Road Pavement Resurfacing Project \(Final\).docx](#)

[EX 1 23-08B Mainlands 1-5 Bid Tab.pdf](#)

[Exhibit 2 - The Paving Lady - Revised Signed Agreement.pdf](#)

[EX 3 TAMA-014 Extension Request Approval Memo.pdf](#)