

**PORT ST. LUCIE CITY COUNCIL  
AGENDA ITEM REQUEST**

COUNCIL ITEM 7C  
DATE 7/9/12

Meeting Date: July 9, 2012

Public Hearing  Ordinance  Resolution  Motion

Item: Contract #20070052 Master Contracts for Road Construction Firms

**Recommended Action:**

Approval of Renewal #1 to Contract #20070052, to three (3) of the five (5) original Contractors; Blazer Construction, Community Asphalt & Cone & Graham, Inc. for the Master Contract for Road Construction firms. As per Section XXIII of the contract, renewal of these contracts is being requested. Renewal Contract period will be May 14, 2012 to May 13, 2017.

Exhibits: Department memo attached [ X ] yes

Copies of the Renewal #1

**Summary Explanation/Background Information:** A Request for Proposal was issued in February of 2007 to add road construction firms to the Master Contract list. The firms that qualified were evaluated, selected and approved by City Council on May 29, 2007. The Contract period was for five (5) years with an option to renew for an additional five (5) year period. Originally there were five (5) firms selected to be added to the Master List. Contract evaluation forms were sent to the Department to be completed. The Department recommended only three (3) of the five (5) firms be offered a renewal. H & J Contracting was not offered a renewal due to poor workmanship on recent projects and E.J. Breneman was not offered a renewal due to lack of activity (never bid on any projects) over the past five (5) years.

The Engineering Department recommends approval of the renewal which will add three (3) additional firms to the Master Road Contract list consisting of a total of eight (8) firms. Having eight (8) firms on the Master list will benefit the City and provide maximum competition with the best value to the City of Port St. Lucie.

Purchase ( ) is ( x ) is not a replacement Purchase ( x ) was budgeted ( ) was not budgeted.

Expenditure: As Budget Allows

Department requests expenditure from the following:

Fund	TBD	
Cost Center	TBD	
Object Code	TBD	
Project	TBD	

Director of OMB concurs with award: MP City Manager concurs with award: [Signature]

Department requests 0 minutes to make a presentation.

**RECEIVED**

Submitted by: Patricia Roebeling

JUN 26 2012

Title: City Engineer

Date Submitted 6/22/12

City Manager's Office



"A City for All Ages"

# CITY OF PORT ST. LUCIE

Engineering Department

Accredited Agency – American Public Works Association

## MEMORANDUM

To: Gina Jolly, Administrative Assistant, OMB

From: Patricia Roebing, P. E., City Engineer

Date: May 11, 2012

Subject: Master Contract/Road Construction #20070052

In response to your memorandum on May 1, 2012, regarding the subject contract due for renewal, attached please find the completed annual contract information reports as requested.

There are a total of five (5) reports attached; three (3) of which were recommended for renewal as noted below:

Contractor's Name	Renewal Recommended
Blazer Construction	Yes
Community Asphalt	Yes
Cone & Graham, Inc.	Yes
E. J. Breneman	No
H & J Contracting	No

Again, we hope that the reports have been addressed accordingly and assist in the preparation of the bid package. If you have any questions or require additional information, please do not hesitate to contact me.

PR/ja

Attachments

cc: Kimberly Graham, P.E., Assistant City Engineer  
 James Angstadt, P.E., Civil Engineer  
 Susan Walsh, Manager Engineering Operations  
 Cheryl Shanaberger, Deputy Director, OMB

# ANNUAL CONTRACT INFORMATION REPORT

IT IS TIME FOR THE RENEWAL OF THE FOLLOWING CONTRACT. PLEASE FILL OUT THIS FORM IN ITS ENTIRETY AND RETURN TO THE OFFICE OF MANAGEMENT AND BUDGET. THANK YOU.

CONTRACT # 20070052

TITLE: Road Construction Master Contract

CONTRACTOR'S NAME: Blazer Construction

DEPARTMENT: Engineering

DATE DUE: May 8, 2012

(5 DAYS AFTER RECEIPT BY DEPT)

### CHECK THE APPROPRIATE RESPONSE BELOW:

	EXCELLENT	GOOD	FAIR	POOR
Delivery Times			✓	
Quality of Work		✓		
Quality of Products Used		✓		
Adherence to Specifications		✓		
Problem Solving		✓		
Overall Performance		✓		

**Comments:** List any additional information you find pertinent to the contractor's performance. These comments should reflect between excellent to poor service.

CONTRACTOR HAS NOT WORKED ON RECENT CIP PROJECTS BUT HAS WORKED AS A SUB-CONTRACTOR ON A RECENT EWIP PROJECT. BASED ON THAT WORK, CONTRACT SHOULD BE RENEWED.

IF APPLICABLE, WOULD YOU RENEW THIS CONTRACT:  Yes or  No  
(circle one)

CONTRACT SUPERVISOR: James E. [Signature] DATE: 5/11/12  
(print)

DEPARTMENT HEAD SIGNATURE: \_\_\_\_\_

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CONTRACT # 20070052

TITLE: Road Construction Master Contract

CONTRACTOR'S NAME: Community Asphalt

DEPARTMENT: Engineering

DATE DUE: May 8, 2012

(5 DAYS AFTER RECEIPT BY DEPT)

### CHECK THE APPROPRIATE RESPONSE BELOW:

	EXCELLENT	GOOD	FAIR	POOR
Delivery Times		✓		
Quality of Work		✓		
Quality of Products Used		✓		
Adherence to Specifications		✓		
Problem Solving		✓		
Overall Performance		✓		

**Comments:** List any additional information you find pertinent to the contractor's performance. These comments should reflect between excellent to poor service.

*RECOMMEND RENEWING CONTRACT!*

IF APPLICABLE, WOULD YOU RENEW THIS CONTRACT: Yes or No  
(circle one)

CONTRACT SUPERVISOR: James E. Oupstelt  
(print)

DATE: 5/11/12

DEPARTMENT HEAD SIGNATURE: \_\_\_\_\_

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CONTRACT # 20070052

TITLE: Road Construction Master Contract

CONTRACTOR'S NAME: Cone & Graham, Inc

DEPARTMENT: Engineering

DATE DUE: May 8, 2012

(5 DAYS AFTER RECEIPT BY DEPT)

## CHECK THE APPROPRIATE RESPONSE BELOW:

	EXCELLENT	GOOD	FAIR	POOR
Delivery Times			✓	
Quality of Work		✓		
Quality of Products Used		✓		
Adherence to Specifications			✓	
Problem Solving		✓		
Overall Performance		✓		

**Comments:** List any additional information you find pertinent to the contractor's performance. These comments should reflect between excellent to poor service.

CONTRACTOR HAS NOT WORKED ON RECENT CIP PROJECTS, BUT  
BASED ON THEIR WORK ON A RECENT DEVELOPER FUNDED PROJECT  
(WHICH IS NOW CITY OWNED, - CROSSTOWN/E-24 BRIDGE) WE  
RECOMMEND A RENEWAL.

IF APPLICABLE, WOULD YOU RENEW THIS CONTRACT:  Yes or  No  
(circle one)

CONTRACT  
SUPERVISOR: James E. Anstett  
(print)

DATE: 5/11/12

DEPARTMENT HEAD SIGNATURE: \_\_\_\_\_

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IT IS TIME FOR THE RENEWAL OF THE FOLLOWING CONTRACT. PLEASE FILL OUT THIS FORM IN ITS ENTIRETY AND RETURN TO THE OFFICE OF MANAGEMENT AND BUDGET. THANK YOU.

CONTRACT # 20070052

TITLE: Road Construction Master Contract

CONTRACTOR'S NAME: H & J Contracting

DEPARTMENT: Engineering

DATE DUE: May 8, 2012

(5 DAYS AFTER RECEIPT BY DEPT)

### CHECK THE APPROPRIATE RESPONSE BELOW:

	EXCELLENT	GOOD	FAIR	POOR
Delivery Times			✓	
Quality of Work				✓
Quality of Products Used			✓	
Adherence to Specifications			✓	
Problem Solving				✓
Overall Performance			✓	

**Comments:** List any additional information you find pertinent to the contractor's performance. These comments should reflect between excellent to poor service.

DUE TO POOR QUALITY OF WORK ON BECKEN ROAD, SEGMENT 4  
(SIGNIFICANT SIDEWALK WAS RE-DONE / ASPHALT WAS NEEDED TO BE REMOVED &  
RELAID) & CONTRACTORS MEANS/METHODS ON RECENT EWIP COMPONENTS  
RESULTED IN NUMEROUS COMPLAINTS FROM RESIDENTS.

IF APPLICABLE, WOULD YOU RENEW THIS CONTRACT: Yes or No  
 (circle one)

CONTRACT SUPERVISOR: James E. Ouyed DATE: 5/11/12  
 (print)

DEPARTMENT HEAD SIGNATURE: \_\_\_\_\_

# ANNUAL CONTRACT INFORMATION REPORT

IT IS TIME FOR THE RENEWAL OF THE FOLLOWING CONTRACT. PLEASE FILL OUT THIS FORM IN ITS ENTIRETY AND RETURN TO THE OFFICE OF MANAGEMENT AND BUDGET. THANK YOU.

CONTRACT # 20070052

TITLE: Road Construction Master Contract

CONTRACTOR'S NAME: E.J. Breneman

DEPARTMENT: Engineering

DATE DUE: May 8, 2012

(5 DAYS AFTER RECEIPT BY DEPT)

### CHECK THE APPROPRIATE RESPONSE BELOW:

	EXCELLENT	GOOD	FAIR	POOR
Delivery Times				
Quality of Work				
Quality of Products Used				
Adherence to Specifications				
Problem Solving				
Overall Performance				

**Comments:** List any additional information you find pertinent to the contractor's performance. These comments should reflect between excellent to poor service.

HAVE NOT WORKED WITH CONTRACTOR ON ANY CIP PROJECTS.

IF APPLICABLE, WOULD YOU RENEW THIS CONTRACT: Yes or No  
(circle one)

CONTRACT SUPERVISOR: James E. Oyster (print) DATE: 5/11/12

DEPARTMENT HEAD SIGNATURE: \_\_\_\_\_

## CONTRACT RENEWAL FORM

Date: May 14, 2012  
Contract # 20070052  
Contract Title: Master Contract Road Construction  
Contractor's Name: Blazer Construction  
Current Expiration: 05/14/12  
Revised Expiration: 05/13/17

The above contract is hereby extended pursuant to Section XXIII until the date indicated above. All other terms and conditions of the original contract and/or Addenda are unchanged, with the exception that the City's performance and obligation to pay is contingent upon an annual appropriation by City Council for the period of this contract beyond September 30th of this year.

As a result of the Contractor's acceptance to provide the "Renewal Option" as specified in the original contract, the following modifications to the original contract will become effective 05/14/12

1. The contract is extended to include the period 05/14/12 through 05/13/17.
2. All other terms and conditions of the original contract and/or Addenda apply.

IN WITNESS WHEREOF, the parties have executed this contract at Port St. Lucie Florida, the day and year first above written.

CITY OF PORT ST. LUCIE FLORIDA

By: \_\_\_\_\_  
City Manager

ATTEST:

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Authorized Representative: **Blazer Construction**

State of: \_\_\_\_\_

County of: \_\_\_\_\_

Before me personally appeared: \_\_\_\_\_  
(please print)

Please check one:

Personally known \_\_\_\_\_

Produced Identification: \_\_\_\_\_  
(type of identification)

Identification No. \_\_\_\_\_

known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that \_\_\_\_\_ executed said instrument for the purposes therein expressed.  
(he/she)

WITNESS my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_  
Notary Signature

Notary Public-State of \_\_\_\_\_ at Large

My Commission Expires \_\_\_\_\_.

(seal)

**SECTION XXIII  
RENEWAL OPTION**

In the event CONTRACTOR offers in writing at least three (3) months, prior to the termination of this Contract, to provide the identical services required in this Contract for the identical period of time in the subsequent calendar period for a total charge that is acceptable, then the City, without additional bidding or negotiation, may, with the mutual agreement of the Contractor, extend this Contract for an additional five (5) year period.

**NOTE: Contractor may exercise the option to renew by submitting a written submission three (3) months prior to the termination of the Contract period.**

**SECTION XXII  
ENTIRE AGREEMENT**

The written terms and provisions of this Contract shall supersede all prior verbal statements of any official or other representative of the City. Such statements shall not be effective or be construed as entering into, or forming a part of, or altering in any manner whatsoever, this Contract or Contract documents.

*BALANCE OF PAGE LEFT INTENTIONALLY BLANK*

## CONTRACT RENEWAL FORM

Date: May 14, 2012  
Contract # 20070052  
Contract Title: Master Contract Road Construction  
Contractor's Name: Community Asphalt  
Current Expiration: 05/14/12  
Revised Expiration: 05/13/17

The above contract is hereby extended pursuant to Section XXIII until the date indicated above. All other terms and conditions of the original contract and/or Addenda are unchanged, with the exception that the City's performance and obligation to pay is contingent upon an annual appropriation by City Council for the period of this contract beyond September 30th of this year.

As a result of the Contractor's acceptance to provide the "Renewal Option" as specified in the original contract, the following modifications to the original contract will become effective 05/14/12

1. The contract is extended to include the period 05/14/12 through 05/13/17.
2. All other terms and conditions of the original contract and/or Addenda apply.

IN WITNESS WHEREOF, the parties have executed this contract at Port St. Lucie Florida, the day and year first above written.

CITY OF PORT ST. LUCIE FLORIDA

By: \_\_\_\_\_  
City Manager

ATTEST:

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Authorized Representative: **Community Asphalt**

State of: \_\_\_\_\_

County of: \_\_\_\_\_

Before me personally appeared: \_\_\_\_\_  
(please print)

Please check one:

Personally known \_\_\_\_\_

Produced Identification: \_\_\_\_\_  
(type of identification)

Identification No. \_\_\_\_\_

known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that \_\_\_\_\_ executed said instrument for the purposes therein expressed.  
(he/she)

WITNESS my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_  
Notary Signature

Notary Public-State of \_\_\_\_\_ at Large

My Commission Expires \_\_\_\_\_.

(seal)

**SECTION XXIII  
RENEWAL OPTION**

In the event CONTRACTOR offers in writing at least three (3) months, prior to the termination of this Contract, to provide the identical services required in this Contract for the identical period of time in the subsequent calendar period for a total charge that is acceptable, then the City, without additional bidding or negotiation, may, with the mutual agreement of the Contractor, extend this Contract for an additional five (5) year period.

**NOTE: Contractor may exercise the option to renew by submitting a written submission three (3) months prior to the termination of the Contract period.**

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*BALANCE OF PAGE LEFT INTENTIONALLY BLANK*

# CONTRACT RENEWAL FORM

Date: May 14, 2012  
Contract # 20070052  
Contract Title: Master Contract Road Construction  
Contractor's Name: Cone & Graham Inc.  
Current Expiration: 05/14/12  
Revised Expiration: 05/13/17

The above contract is hereby extended pursuant to Section XXIII until the date indicated above. All other terms and conditions of the original contract and/or Addenda are unchanged, with the exception that the City's performance and obligation to pay is contingent upon an annual appropriation by City Council for the period of this contract beyond September 30th of this year.

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2. All other terms and conditions of the original contract and/or Addenda apply.

IN WITNESS WHEREOF, the parties have executed this contract at Port St. Lucie Florida, the day and year first above written.

CITY OF PORT ST. LUCIE FLORIDA

By: \_\_\_\_\_  
City Manager

ATTEST:

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Authorized Representative: **Cone & Graham Inc.**

State of: \_\_\_\_\_

County of: \_\_\_\_\_

Before me personally appeared: \_\_\_\_\_  
(please print)

Please check one:

Personally known \_\_\_\_\_

Produced Identification: \_\_\_\_\_  
(type of identification)

Identification No. \_\_\_\_\_

known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that \_\_\_\_\_ executed said instrument for the purposes therein expressed.  
(he/she)

WITNESS my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_  
Notary Signature

Notary Public-State of \_\_\_\_\_ at Large

My Commission Expires \_\_\_\_\_.

(seal)

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RENEWAL OPTION**

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