

PORT ST. LUCIE CITY COUNCIL
AGENDA ITEM REQUEST

COUNCIL ITEM 4
DATE 1/11/12

Meeting Date: January 11, 2012

Public Hearing Ordinance Resolution Motion

Item: Contract #20120025 - Utility Pipe and Materials - Rescind approval of Contract # 20120026 with HD Supply Waterworks, LTD. and approve Amendment #1 to Contract #20120025 with Ferguson Enterprises, Inc. to supply additional pipe and materials for the South Port Water Main Replacement project.

Recommended Action: Rescind approval of Contract #20120026 with HD Supply Waterworks, LTD. in the amount of 1,380,618.30, and approve Amendment #1 to Contract #20120025 with Ferguson Enterprises, Inc. in the estimated amount of \$1,155,177.60, at the unit prices in the attached spreadsheet. Additional pipe may be purchased "as needed" to complete the project.

Exhibits: Department memo attached [] yes [] no
Contract Amendment #1 with Ferguson Enterprises, Inc.
Tabulation of Quotes
E-Mail communication from HD Waterworks, LTD.

Summary Explanation/Background Information:

At the Council meeting on January 9, 2012, contracts were approved to supply utility pipe and materials with HD Waterworks, LTD in the amount of \$1,380,616.30 and Ferguson Enterprises, Inc. in the amount of \$604,251.50 for the South Port Water Main Replacement project. HD Waterworks, LTD. has refused to sign the Contract as approved and is therefore in default of the award. This request is to approve an Amendment to the contract with Ferguson Enterprises to purchase the pipe and material previously awarded to HD Waterworks, LTD in adjusted quantities for an additional \$1,155,177.60.

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

Department requests expenditure from the following:

Fund	447	Pipe Replacement
Cost Center	3316	Preventative Maintenance
Object Code	563000	Improvements other than Buildings
Project	Y1206	AC Pipe Replacement

Director of OMB concurs with award:  City Manager concurs with award: 

Submitted by: Jesus Merejo
Title: Utility Systems Director

Date Submitted: January 11, 2012

Contract Amendment

Contract #20120025

Amendment #1

Date: January 10, 2012

Contract Title: Pipe Material for the South Port Water Main Replacement

Contractor's Name: Ferguson Enterprises, Inc.

Current Expiration: 08/02/2013

The following modifications to the Terms and Conditions contained in Contract/Agreement #20120025 between Ferguson Enterprises, Inc. dated January 10, 2012 and the City of Port St. Lucie are hereby incorporated and made a part of that Contract/Agreement:

1. Additional pipe materials will be supplied by Contractor

Bid Item	Description	Qty	Units	Unit Price	Total Price
10	6" PVC WATERMAIN	110,160	LF	\$3.38	\$372,340.80
15	8" PVC WATERMAIN	14,080	LF	\$5.83	\$82,086.40
20	12" PVC WATERMAIN	56,240	LF	\$12.46	\$700,750.40
					\$1,155,177.60

2. Prices for the hydrants, anchor couplings and valves itemized in the original contract under Section III Compensation, will be held firm for the term of the contract.

All other terms and conditions of the original contract 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 of Ferguson Enterprises, Inc.

State of: _____

County of: _____

Before me personally appeared: _____
(please print)

Personally known _____

or 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.
(s/he)

WITNESS my hand and official seal, this _____ day of _____, 200__.

Notary Signature

Notary Public-State of _____ at Large

My Commission Expires _____.

(seal)

Helen Quintana

From: Cheryl Shanaberger
Sent: Tuesday, January 10, 2012 11:53 AM
To: Laney Southerly; Lisa Campbell
Cc: Helen Quintana; Dave Pollard
Subject: FW: pipe purchase SP

FYI

Cheryl Shanaberger, MPA, CPPO
Deputy Director OMB
772 871 7390

From: Cameron Mays [<mailto:cameronmays@comcast.net>]
Sent: Tuesday, January 10, 2012 11:33 AM
To: Cheryl Shanaberger
Cc: Helen Quintana
Subject: Re: pipe purchase SP

Cheryl,

After review by the HD Waterworks legal department and regional VP, HD Supply Waterworks requires the addendum to be signed for the referenced PVC pipe contract. We can not proceed with the order until those agreements are signed. Furthermore, the pipe must be released for immediate shipment by Jan 12, 2012.

Please feel free to call Joe Antico, district manager, at 561-721-5268.

Thank-you,
Cameron Mays

On Jan 10, 2012, at 11:07 AM, Cheryl Shanaberger <CherylS@cityofpsl.com> wrote:

Cameron, please send confirmation that your firm will not sign the contract as presented to CC on the 9th for the pipe purchase, and the contract will not be executed.

Cheryl Shanaberger, MPA, CPPO
Deputy Director OMB
772 871 7390