

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20050908

1. ACTION REQUESTED/PURPOSE:

Approve and authorize the Chairman to sign a contract between Lee County and Midwest Towers, Inc., for the supply and erection of the cooling tower at the WTE, for an amount not to exceed \$407,300.00, plus an option to add a fire protection system for \$28,000.00, if the County so elects such option prior to contractor mobilization, all in accordance with RFP B&R 2661-SM110.

2. WHAT ACTION ACCOMPLISHES:

Provides the necessary cooling tower for the waste to energy expansion project.

3. MANAGEMENT RECOMMENDATION: Staff recommends approval of Action Requested.

4. Departmental Category: 8 <i>C8I</i>		5. Meeting Date: <i>06-28-2005</i>
6. Agenda: <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	7. Requirement/Purpose: (specify)	
	<input type="checkbox"/> Statute	
	<input type="checkbox"/> Ordinance	
	<input checked="" type="checkbox"/> Admin. Code	<i>4-4</i>
	<input type="checkbox"/> Other	
		8. Request Initiated: Commissioner _____ Department <u>Public Works</u> Division <u>Solid Waste</u> By: <u>Lindsey J. Sampson</u> <i>[Signature]</i>

9. Background:

Sealed quotes were received by the County's design engineer, Burns & Roe, on behalf of the Solid Waste Division on March 22, 2005. On that date three (3) response was received from pre-qualified vendors. After review, recommendation was made to award to Midwest Towers, Inc. for a contract price not to exceed \$407,300.00, including the cost for a full payment and performance bond or LOC. The vendor also quoted \$28,000.00 for an optional fire protection system that the County may elect to purchase if required.

Funds will be made available during this two-year project duration in account string: 200923 40102.506540
Portion of funds will be supplied through revenue bonds.

Attachments: Burns & Roe Bid Evaluation dated 4/11/05
Covanta review memo dated 5/18/05
Contract Document to Follow

10. Review for Scheduling:

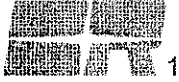
Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Asst.	
<i>J. J. J. 6-15-05</i>	<i>[Signature]</i>	<i>NA</i>	<i>6/15/05</i>		<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>J. J. J. 6-15-05</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: <i>[Signature]</i>
<i>6-16-05</i>
<i>9:15</i>
COUNTY ADMIN FORWARDED TO: <i>[Signature]</i>
<i>[Signature]</i>
<i>[Signature]</i>

Rec. by County
Date: <i>6/15/05</i>
Time: <i>3:00</i>
Forwarded to
<i>Admin. plnd</i>



April 11, 2005

**LEE COUNTY
WTE EXPANSION PROJECT
FORT MYERS, FLORIDA**

**RFP 2661-SM110
Cooling Tower**

BID EVALUATION

Burns and Roe Enterprises, acting on behalf of Lee County, issued Request for Proposal No. 2661-SM 110 "Cooling Tower" on February 25, 2005 to the following pre-approved bidders: Midwest Towers, Inc., Marley Cooling Technology, and GEA Power Cooling, Inc.

Individually all three (3) bidders visited the jobsite to review and obtain site conditions. Bidders acknowledged this visit and no questions/answers were generated from the visits.

On March 22, 2005 bids were received from:

- Midwest Towers, proposal number MT-N-25056
- GEA Power Cooling, Inc., proposal number 1082
- Marley, proposal number F488A-4.0-1

On March 23, 2005 bids were opened and base bid prices were recorded on the attached Proposal Opening Form. Initial economic review of all three bids indicated Marley and Midwest Towers to be competitive while GEA's bid price is 23% and 40% higher. Technical review and evaluation further determined GEA to be non-competitive, therefore no further consideration was given to GEA's bid. Clarifications were requested from Midwest Towers and Marley to conform bids to the technical specifications.

RECOMMENDATION:

The recommended award of the Cooling Tower contract is to Midwest Towers, Inc. Midwest is the evaluated low bidder based on technical evaluation and price analysis. Award price includes 100% Performance/Payment Bond and excludes Sales or Use Tax.

Base Bid	\$399,300.
Performance/Payment Bond	<u>\$ 8,000</u>
Recommended Award Price	\$407,300.00

Commercial Evaluation:

Bids were received and prices recorded on March 22, 2005. GEA's proposal was not competitively priced. GEA's base bid was more than 22% higher than the lowest offering. Marley's bid was low; however, upon review Marley offered options that were required by the base scope and subsequently added to their base bid price. Midwest Towers base bid was the lowest. Bids from Marley and Midwest Towers were evaluated in detail.

GEA Power Cooling, Inc.

GEA's proposal was not competitively priced and technical review and evaluation further increased GEA's bid. As a result, no further consideration was given to GEA.

Marley Cooling Tower

Marley's base bid was submitted with options. Most of the options were added to the base price in order to conform the base to the Technical Specification. In addition, Marley submitted pricing for the 2-speed motors; emergency caged ladder; and conduit supports. These items are identified and quantified in the technical evaluation section. A power cost factor of \$96,790 was applied to the fan motor and added as an evaluated cost. Marley took numerous exceptions to the Contract Documents, specific payment terms and have not complied with Exhibits E and L. Including the added options, bond cost, and the evaluated cost factor, \$164,073 was added to Marley's base bid and positions Marley's bid 26% higher than Midwest's. No further action was taken to complete Marley's bid or review the commercial terms.

Midwest Towers

Midwest's bid was the lowest received bid. Midwest visited the jobsite on March 17, 2005 and accepts the site conditions under which work will be performed. Midwest's proposal included commercial comments and clarifications to the RFP Documents. Subsequently, Midwest withdrew all commercial comments and accepts the Contract Documents and all Exhibits as included in the RFP (see 4/1/05 email). Midwest submitted the Proposition of Surety indicating 100% bonding capability. The only subcontracted work is Lightning Protection. Other Construction of the tower will be performed with their own crew. Midwest percentage multipliers for additional work is 20% (own forces) and 15% (subcontracted work). They submitted labor and equipment rental rates. Midwest states Start-up spares are not required, and provided a priced list of operational spares.

Drawing will be submitted 4 weeks after order and will comply with mobilization of April 1, 2006. Actual on site erection duration is 25-30 working days.

Burns and Roe Enterprises recommends awarding Midwest Towers, Inc. the contract for the Cooling Tower.

Attachments:

- 1) 3/7/05 email to Ken Belz Midwest Towers
- 2) 4/1/05 email from DMiller (Midwest)
- 3) 4/1/05 email from DMiller
- 4) 4/2/05 email to DMiller
- 5) 4/4/05 email from DMiller
- 6) 4/6/05 email to DMiller
- 7) 4/6/05 email from DMiller
- 8) 4/9/05 email to DMiller
- 9) 4/11/05 email from Miller
- 10) 3/31/05 email from Marley

LEE COUNTY, FLORIDA
PROPOSAL OPENING FORM

RFP NUMBER 2661-SM110
 TITLE Cooling Tower

DATE 3-23-05
 TIME 9:10 AM

Bidder	Proposal Date	Date Received	Unevaluated Price	Remarks
1 2 Midwest Tower		3-22-05	\$ 397,300	* Breakdown equal \$399,300
2 4 GEA Power Clg		3-22-05	\$ 490,160.	
3 Marley		3-22-05	\$ 345,851.	
6				
7				
8				

OPENED BY: Don D'Amico 3/23/05
 WITNESSES: Robert Moprice 3/23/05

BID ABSTRACT

Burns and Roe Enterprises, Inc.

W/O: 2661 Lee County Expansion Project
RFP No SM-110 Cooling Tower

BUDGET: \$

COOLING TOWER

		1		2		3		4		5	
		Midwest Tower		GEA		Marley					
		Proposal #MT-N-25056		Proposal # 1082		Proposal #F488A-4.0-1					
		dated 3/21/05		dated 2/26/05		dated 2/25/05					
ITEM	QTY	UNIT	DESCRIPTION								
1	1	ea	Engineering	\$ 25,000.00	\$ 35,680.00	\$ 10,000.00					
			Equipment/Material	\$ 254,900.00	\$ 379,850.00	\$ 247,367.00					
			Shop Fabrication	\$ 6,000.00	n/a	included					
			Mobilization	\$ 3,000.00	\$ 4,500.00	included					
			Field Erection	\$ 107,400.00	\$ 65,630.00	\$ 88,484.00					
			Demobilization	\$ 3,000.00	\$ 4,500.00	included					
			Sales Tax	\$ -	\$ -	\$ -					
			BASE PRICE	\$ 399,300.00	\$ 490,160.00	\$ 345,851.00					
			Conform to Tech Specifications	\$ -	not evaluated	\$ 67,283.00					
			Base Price with Bonds	\$ 399,300.00		\$ 413,134.00					
			Performance/Payment Bond	\$ 8,000.00		\$ 3,459.00					
			Recommended award price	\$ 407,300.00		\$ 416,593.00					
			Delta	base		\$ 9,293.00					
			Evaluated Power Cost - Fan HP	base		\$ 96,790.00					
			Total Evaluated Cost	\$ 407,300.00		\$ 513,383.00					
						+26%					
			Price Validity	21-Apr-05		24-Jun-05					
			Drawings Submitted	4wks ARO		2wks ARO					
			Delivery of material	12-14wks ADA		20wks ADA					
			Erection Duration	5 wks		5wks					
			PAYMENT TERMS	per contract		Milestones					
			RETENTION	per contract		included					
			Freight	included							
AWARD RECOMMENDATION:			Midwest Towers								
REASON FOR RECOMMENDATION:			Price and Evaluated cost								
PREPARED BY:				DATE:							
REVIEWED BY:				DATE:							

FIELD ERECTED COOLING TOWER
TECHNICAL DISCUSSION, PERFORMANCE
EVALUATION AND PRICING EVALUATION

TECHNCIAL BID EVALUATION

SM-110

LEE COUNTY

FIELD ERECTED COOLING TOWER

Cooling Tower bids were received from the following three (3) bidders:

- Marley Proposal dated 3/22/05
- Midwest Towers Inc. Proposal Number MT-N-25056 dated 3/21/05
- GEA Proposal Number 1082 dated 3/22/05

All bidders bid a single cell, FRP tower, with dimensions 48' x 48'. Each included an option price for a fire protection system. In addition, all three (3) bidders included the specified lightning protection system.

Initial base price for the erected tower from each of the bidders was as follows:

Midwest Towers	\$399,300
Marley	\$345,851
GEA	\$490,160

The GEA price is significantly higher than the other two (2) bidders. The GEA pumping head requirement and fan operating BHP did not render their offering competitive based on a total evaluated price. Therefore, GEA was not given any further consideration.

Both Midwest and Marley have proposed tower components having a flame spread rating of 25 or less and a smoke developed rating of 50 or less. Based on this, it is BRE's position that a fire protection system would not be required. This will be confirmed with the local code official. The attached bid tabulation, therefore, does not include a cost adder for a fire protection system.

Midwest bid a single cell counterflow cooling tower. Midwest's required pumping head is 20 feet which is the same as that for Marley. Midwest bid a 200 HP, two (2) speed fan motor. Originally they included a reversing fan motor. They were requested to remove the reversing feature since it is not required. They have complied. The Midwest fan BHP is 173.8 which is less than the Marley 208 BHP. Therefore, Marley was assessed a +\$96,780 capitalized power cost based on \$3642/KW. Midwest's performance matches specification requirements.

Midwest's original submittal data stated a wind design load of 90 mph. They were told that the required wind load is 130 mph. They responded that their bid does include the 130 mph design wind load.

Marley's base bid price was \$345,851. They furnished option prices for the following all of which are to be added to their base bid price:

FRP stairway	\$23,548
15 mil thickness after forming	\$ 9,041
Amarillo Gear Reducer	\$ 8,310
Certified structural design calculations	\$ 6,000
Dumpster and Sanitary Facilities	\$ 1,021
Louvers	\$ 7,604
Two (2) speed motor	\$ 3,308
Caged ladder for emergency egress	\$ 6,753
Support for conduits	<u>\$ 1,698</u>
Total	\$67,283

After the above options were added to their base bid price, the total Marley price becomes \$413,134.

Marley's tower does meet the specified performance. Marley's proposal is considered technically acceptable.

Both Midwest and Marley provided a list of technical exceptions, comments and clarifications. These technical exceptions, comments and clarifications together with BRE resolution are attached.

Midwest's total evaluated price is \$399,300 versus \$509,924 for Marley.

BRE recommends the award for the field erected cooling tower be given to Midwest based on the following:

1. Midwest's total evaluated price is lower than Marley's by almost 25% (\$399,300 versus \$509,924).
2. Midwest's offering is technically acceptable.

**TECHNICAL BID EVALUATION
FIELD ERECTED COOLING TOWER
SM 110**

DESCRIPTION	BIDDER			REMARKS
	MIDWEST TOWERS	GEA	MARLEY	
Erected Price	\$399,300	\$490,160	\$345,851	
Option Price for Fire Protection System	\$28,000	\$52,550	\$27,882	
FRP Stairway	Included	Included	\$23,548	
15 mil thickness after forming	Included		\$9,041	
Amarillo Gear Reducer	Included	Included	\$8,310	
Certified structural design calculations	Included		\$6,000	
Dumpster and Sanitary Facilities	Included		\$1,021	
Louvers	Included		\$7,604 (GRP)	
Price to furnish two (2) speed motor	Included	-	\$3,308	
Caged ladder for emergency egress	Included	-	\$6,753	

DESCRIPTION	BIDDER			REMARKS
	MIDWEST TOWERS	GEA	MARLEY	
Supports for conduits	Included		\$1,698	
Total Price (A) (excluding Fire Protection System)	\$399,300	\$490,160	\$413,134	
Δ for pumping head	Base	+2.83 feet	Base	
Total pumping cost at \$12,700 per foot (B)	-	+\$35,941	-	
Fan BHP	173.8 BHP	195 BHP	208 BHP	
Capitalized Power Cost (C)	Base	+\$51,508	+\$96,790	
Total Evaluated Cost ((A) + (B) + (C))	\$399,300	\$577,609	\$509,924	
Cooling Tower Type	Counterflow	Counterflow	Counterflow	
Model Number	CFT 4848-2830-01	484829-11-33-FCF	F488A-4.0-1	
Number of Cells	One (1)	One (1)	One (1)	
Overall size	48' x 48'	48' x 48'	48' x 48'	
Total Pump Head	20 feet	22.83 feet	20.06 feet	

DESCRIPTION	BIDDER			REMARKS
	MIDWEST TOWERS	GEA	MARLEY	
Performance				
Flow (gpm)	16,360 gpm	16,360 gpm	16,360 gpm	
Wet Bulb Temp	79°F	79°F	79°F	
Hot Water Temp. (inlet)	103°F	103°F	103°F	
Circulating Water Temp Leaving Tower	88°F	88°F	88°F	
Approach	9°F	9°F	9°F	
Evaporation	214 gpm	779.2 gpm	227 gpm	
Structure				
Framing	FRP	FRP	FRP	
Hardware	Silicon Bronze or FRP	Silicon Bronze or FRP	Silicon Bronze or FRP	
Casing	FRP	FRP	FRP	
Fan Deck	FRP	FRP	FRP	
Fill	PVC Cellular, Film Fill	PVC, Film Fill	PVC, Film Fill	
Water Distribution	30" φ FRP header with 6" PVC Laterals and polypropylene nozzles	30" φ FRP header with 6" PVC laterals	30" φ FRP header with 8" PVC laterals	

DESCRIPTION	BIDDER			REMARKS
	MIDWEST TOWERS	GEA	MARLEY	
Drift Eliminators	PCV		PCV, cellular pack	
Drift Loss	0.005%	0.005%	0.005%	
Stairway	FRP, one (1) provided	FRP, one (1) provided	FRP, one (1) provided	
Access Ladder	FRP, one (1) provided (located on opposite side for emergency egress)	HDG Steel, one (1) provided	One (1) provided for emergency egress, HDG	
Air Intake Louvers	FRP	FRP	GRP	
Wind Speed	130 mph	130 mph	130 mph	
Lightning Protection	Included	Included	Included	
Fan Deck Load	60 psf	60 psf	60 psf	
Fan Manufacturer	Hudson Products Co.	Hudson	Marley	
Fan Blades	FRP	FRP	FRP	
Fan Motor				
Manufacturer	Siemens	Toshiba	Not Stated	
Type	TEFC	TEFC	TEFC	
Rated HP	200	200	250	
Service Factor	1.15	1.15	1.15	

DESCRIPTION	BIDDER			REMARKS
	MIDWEST TOWERS	GEA	MARLEY	
Two Speed RPM	Yes 1800/900	Yes 1800/900	Yes 1800/900	
Gear Reducer	Amarillo Gear, 2.0 Service Factor, AGMA Standards	Amarillo Gear, 2.31 Service Factor, AGMA Standards	Amarillo Gear, 2.0 Service Factor	
Internal Access	Fan deck hatch with FRP ladder to fill		Fan deck hatch to landing at eliminators via ladder	
Accessories	Vibration Switch, PMC- Beta Model 440D	Vibration Switch, PMC- Beta Model 440D	Vibration Switch, PMC - Beta model 440D	
Technical Exceptions, Clarifications and/or comments	Yes	Yes	Yes	
Test Tolerance for Performance Test	5%		3%	

Lindsey Sampson - RE: Cooling Tower Bid Evaluation - Recommendation/Selection

From: "Young,Peter" <pyoung@CovantaEnergy.com>
To: <sampsolj@leegov.com>, "D'Amico,Don" <ddamico@roe.com>
Date: 5/18/2005 4:50 PM
Subject: RE: Cooling Tower Bid Evaluation - Recommendation/Selection
CC: "Stuhrke,Steve" <sstuhrke@roe.com>, "Anacker,Dennis" <danacker@CovantaEnergy.com>, "Dennis Iavarone" <diavarone@roe.com>

Based on B&R's updated Bid Abstract for the cooling tower attached to B&R's May 18, 2005 email, **the revised award price ("Contract Price") is \$411,865** to account for the silicone bronze hardware and space heater discussed in my 5/6/05 email below.

Per B&R's 5/18/05 email, resolution on excess liability coverage remains outstanding. Lee County's Risk Management should advise on whether \$5M excess liability coverage is satisfactory for this contract.

Peter

-----Original Message-----

From: Young,Peter
Sent: Friday, May 06, 2005 7:52 AM
To: 'sampsolj@leegov.com'; 'Dennis Iavarone'
Cc: Stuhrke,Steve; Anacker,Dennis
Subject: RE: Cooling Tower Bid Evaluation - Recommendation/Selection

Lindsey and Dennis I.,

Based on B&R's Cooling Tower Bid Evaluation, dated April 11, 2005, and Covanta's subsequent review correspondence, Covanta concurs with B&R's recommendation to purchase the subject package from Midwest Towers, Inc.. The following comments are for your consideration and guidance:

1. Commercial Terms & Conditions - Bidder accepted the T&C's provided in the RFP. B&R to confirm that Article 3 (Liquidated Damages for delay and tripping the existing Facility) and the references to Exhibits are properly drafted. [Don, please email Lindsey a copy of the T&C's bidder has agreed to for Lindsey's convenient review].
2. Price: The "Recommended Award Price" of \$407,300.00 includes \$8,000 for a Performance & Payment Bond. This amount compares to Covanta's March 13, 2005 estimate of \$475,209 plus \$13,306 for a bond; an underrun of \$81,215. An option for a fire protection system should be included in the order for \$28,000. A recommendation to exercise this option is pending feedback from Covanta's insurance carrier and the local code official. Field services are an additional cost and quoted rates should be included in the contract.
3. Payment Terms Proposed: 10% due upon approval of GA drawings. 100% of material price is due upon shipment; Erection is pro-rated based on percent completion. These terms are reasonable except 5% retention should be held from each payment, payable upon acceptance. Also material should be paid upon delivery rather than upon shipment.
4. Bond: The above pricing includes \$8,000 (or 2.0%) for a 100% performance bond as required by the County.

5. Schedule: Bidder shows compliance with a required April 14, 2006 mobilization and Completion within 30 working days, which supports the current Master Project Schedule based on the GC mobilizing by early November 2005.
6. As discussed with B&R during our bid evaluation review, the following items are to be addressed, included, and/or clarified in the contract:
 - a. Motor space heaters (required by the motor specification and furnished on the existing fans).
 - b. Silicon Bronze base connectors and anchor bolts (this material was furnished on the existing towers and the 304 SS hardware proposed is not adequate for the chloride levels specified).
 - c. Contractor shall limit its work week to Five (5) days per week.
 - d. Contract shall reflect that Contractor has withdrawn its listing of items on Page 5 of 24 in bidder's proposal covering "Scope of Supply by Others" and "Job Site Requirements by Purchaser" except for those items not crossed out in the attached Page 5 document.
7. Additionally, Burns and Roe needs to confirm the following before contract release:
 - a. Verify that the noise levels provided in the bidder's latest submittals will be acceptable when added to the new and existing equipment, such that the Lee County Ordinance 83-22 noise levels will not be exceeded. Noise will be a more serious concern in the future due to the recent residential expansion around the site perimeter.
 - b. Confirm that regardless of the tower basin design used (drainage to existing basin vs. new sump), that the scope of the cooling tower contract will not be affected.
8. Additionally, and not necessarily prior to contract award if such task would delay a contract, since motor acceleration times were not filled in on the data sheets preventing determination that the acceleration time with respect to the safe stall time meets the requirements of the motor Spec., B&R needs to review the detailed motor data against the specification when submitted, and rejected if out of spec.

By May 13, 2005, B&R is to complete and submit to County and Covanta 1) a purchase order term sheet that reflects the final agreements and understandings to be incorporated into the contract, and 2) a conformed specification, with all data sheet data filled-in, for inclusion in the contract. Additionally, a complete contract with all exhibits attached is to be issued to the bidder for signature, with a copy issued to Covanta.

County to confirm that the RFP T&C's are acceptable.

B&R's original schedule for issuing this PO was May 9, 2005. Covanta recommends that the County approve this award as soon as possible but no later than May 31, 2005.

Peter