

**1. Requested Motion:**

**Meeting Date:** December 7, 2009

Approve award of contract 09-09-CR *Newton Beach Park Site & Landscape Improvements* to Maddox Construction Company in the amount of \$109,409 and authorize staff to move forward with the project.

**Why the action is necessary:**

To fulfill responsibilities of executed grant agreements with Florida Communities Trust and Lee County to further the development of Newton Park.

**What the action accomplishes:**

Directs staff to prepare contract documents that once executed will result in site work at Newton Park and adjacent Right-of-Way including the construction of pathways, parking, drainage, bocce courts, picnic areas, bike racks, dune crossover, and relocation and installation of vegetation.

**2. Agenda:**

- Consent
- Administrative

**3. Requirement/Purpose:**

- Resolution
- Ordinance
- Other

**4. Submitter of Information:**

- Council
- Town Staff
- Town Attorney

**5. Background:**

Following Town Council input from the October 26, 2009 work session, Request for Bids #B-09-09-CR was posted on the Town website beginning November 4, 2009 and advertised in the Fort Myers News-Press. Sealed bids due on or before November 24, 2009 at 10:00 a.m. at which time they were publicly opened and read aloud.

The solicitation for bids is provided as Attachment A and the results of that solicitation (including base bid and bid alternate from three construction firms) are tabulated in Attachment B. Maddox Construction Company submitted the lowest qualified and responsive bid of \$103,075 with an additional bid of \$6,334 for adjacent Right-of-Way improvements. The combined base bid and alternates equals \$109,409. Grant funds from the Tourist Development Council (TDC) will cover expenditures related to pathways, picnic areas, dune crossover, and landscaping. Town Council has earmarked \$164,000 in park impact fees for the portions of the project that are not reimbursable with TDC funds including parking, picnic tables and bocce courts. Budgeted funds are sufficient for these improvements.

Bids submitted by each contractor are available at Town Hall for Council's review if desired.

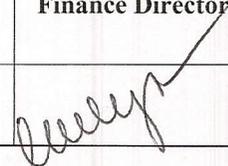
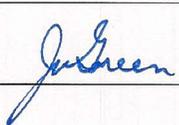
**6. Alternative Action:**

Reject the bid and re-solicit.

**7. Management Recommendations:**

Approve award of contract to Maddox Construction Company for \$109,409.

**8. Recommended Approval:**

Town Manager	Town Attorney	Finance Director	Public Works Director	Community Development Director	Cultural Resources Director
					

**9. Council Action:**

- Approved
- Denied
- Deferred
- Other

**PART A  
REQUEST FOR BID  
BID # 09-09-CR**

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The TOWN OF FORT MYERS BEACH, Florida will receive SEALED BIDS for NEWTON BEACH PARK SITE AND LANDSCAPE IMPROVEMENTS, Bid # 09-09-CR, at Town of Fort Myers Beach, Town Hall, 2523 Estero Boulevard, Fort Myers Beach, Florida 33931 on or before **Tuesday, November 24, 2009 @ 10:00 AM** local time and will be publicly opened immediately thereafter, read aloud and recorded. Any bid received by the Town later than the above time will be returned unopened.

Project scope includes but is not limited to:

Removal/relocation of existing vegetation, site work, construction of drainage improvements, shell and paver parking, limited asphalt paving, bocce courts, shell pathways, observation deck, dune crossing, provide site furniture, landscape and irrigation installation.

This project requires the Contractor to have a Florida General Contractor's license to perform the specified scope of work.

A pre-bid conference will be held at Newton Park at 4650 Estero Boulevard, Fort Myers Beach, Florida on the 12<sup>th</sup> of November at 10:00 a.m. Attendance at this conference is **mandatory** as a prerequisite for bidding. Said bids shall conform to, and be responsive to, bid documents for the project and must be accompanied by a Bid Bond.

The Town will require the Public Payment and Performance Bond on this project.

Project documents and specifications can be seen at the Administrative Office of Mound House, 289 Connecticut Street, Fort Myers Beach, Florida 33931 on or after Thursday, November 5, 2009. Bidders wishing to acquire official bidding documents (project manual and drawings) at the time of viewing are required to call in advance.

The official bidding Documents (project manual and drawings) must be obtained from: Town of Fort Myers Beach at the Administrative Office of Mound House, 289 Connecticut Street, Fort Myers Beach, Florida 33931, (239) 765-0865. A non-refundable fee of \$20.00 will be required for each set. All requests for Plans and Specifications must be accompanied by a check or money order in the full amount and shall be made out to: TOWN OF FORT MYERS BEACH. There will be an additional charge of \$20.00 to cover expenses if packaging and mailing is required.

The Town of Fort Myers Beach reserves the right, in its sole judgment in the best interest of the Town of Fort Myers Beach, to waive any informalities in any bids; to make award(s) including multiple awards; to waive any nonsubstantive, in Town's sole judgment, irregularity or technicality in bids received, and/or to reject any or all bids.

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TOWN OF FORT MYERS BEACH

Legal Ad:

Michelle Mayher, Town Clerk

RUN DATES: \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_

Please return affidavit of Publication to the Town Clerk.

Received at the News Press by \_\_\_\_\_

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

**NEWTON BEACH PARK SITE & LANDSCAPE IMPROVEMENTS (BID # 09-09-CR)**

Fort Myers Beach, Florida

<b>Plan Holder Information</b>	<b>Phone/Fax/Email</b>	<b>Base Bid</b>	<b>Alternate 1</b>	<b>Total Bid including Alternate</b>
Nease, Inc. 1601 Jackson Street, #202 Fort Myers, FL 33901	(239) 334-0999 (239) 334-0592 Stevenease@comcast.net	\$132,408.00	\$3,250.00	\$135,658.00
Maddox Construction Company 26340 Old-41 Road, Suite 3 Bonita Springs, FL 34135	(239) 992-1484 (239) 992-2186 Jeff_maddoxconstruction@comcast.net	\$103,075.00	\$6,334.00	<b>\$109,409.00</b>
Gulf Paving Company, Inc. 3460 Metro Parkway Fort Myers, FL 33916	(239) 334-3652 (239) 333-0940 Kevin@gulfpaving.com	\$165,881.00	N/A	\$165,881.00

Attachment B

Base Bid = Removal/relocation of existing vegetation, site work, construction of drainage improvements, shell and paver parking, limited asphalt paving, bocce courts, shell pathways, observation deck, dune crossing, provide site furniture, landscape and irrigation installation.

Alternate 1 = Removal/relocation of existing vegetation, site work, shell pathways, and landscape installation in the adjacent Right-of-Way.