

COUNCIL AGENDA STATEMENT



Meeting Date: January 9, 2024  
To: Honorable Mayor & Members of the City Council  
From: Dan Saus, Utilities Manager  
Through: George Garrett, City Manager

Agenda Item: **Resolution 2024-05**, Approving A Contract Between The City And Pedro Falcon Contractors For Power Conditioning And Surge Protection Project At All Wastewater Treatment Facilities, In An Amount Not To Exceed \$4,328,361.00; Authorizing The City Manager To Execute The Agreement And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date

BACKGROUND & JUSTIFICATION:

Due to the fact that the city is over 100 miles from the nearest power plant with power spikes, voltage drops, and outages being frequent, and the electronic controls at the treatment facilities are sensitive to these events, on September 20, 2023, the city put out an invitation to bid ITB-ITBLF9202023-0-2023/LF called "Power Conditioning and Surge Protection Project". The bids were received and opened on November 16, 2023, at 11:00 AM at City Hall. There were two bidders in total. A bid tabulation is attached as Exhibit "A". Pedro Falcon Contractors was responsive and responsible and provided the lowest bid. Due to that fact, Staff recommend an award of contract to Pedro Falcon Contractors. This project is funded through a CDBG grant administered by Florida Commerce.

CONSISTENCY CHECKLIST:

	<u>YES</u>	<u>NO</u>
1. Comprehensive Plan	<u>X</u>	
2. Other (2010 State Mandate)	<u>X</u>	

FISCAL NOTE:

The adopted FY24 Wastewater Utility budget includes appropriations of \$7,400,061 for the CDBG grant projects.

RECOMMENDATION:

Approval of Resolution.

Sponsored by: Garrett

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2024-05**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA APPROVING A CONTRACT WITH PEDRO FALCON CONTRACTORS FOR A POWER CONDITIONING AND SURGE PROTECTION PROJECT IN AN AMOUNT NOT TO EXCEED \$4,328,361; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, on September 20, 2023, the City of Marathon (the “City”) published An Invitation to Bid (ITB-ITBLF9202023-0-2023/LF) for “Power Conditioning and Surge Protection Project” (the “Project”); and

**WHEREAS**, on November 16, 2023, 2 bids were received with both being responsive and responsible and lowest bid being submitted by Pedro Falcon Contractors, (the “Contractor”) and City staff and consultant subsequently reviewed and determined that the bid was complete and the bidder was responsive and responsible; and

**WHEREAS**, the City finds that accepting the bid from Pedro Falcon Contractors is in the best interest of the City and entering into a contract with the Contractor is also in the best interest of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:**

**Section 1.** The above recitals are true and correct and incorporated herein.

**Section 2.** The Contract between the City and the Contractor for the construction of the Project in an amount not to exceed \$4,328,361, a bid tabulation is attached as Exhibit “A,” together with such non-material changes as may be acceptable to the City Manager and approved as to form by the City Attorney, is hereby approved. The City Manager is authorized to execute the Contract and expend budgeted funds on behalf of the City.

**Section 3.** This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
MARATHON, FLORIDA, THIS 9<sup>TH</sup> DAY OF JANUARY, 2024**

**THE CITY OF MARATHON, FLORIDA**

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**Robyn Still, Mayor**

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

**ATTEST:**

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Diane Clavier, City Clerk

(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE  
AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**

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Steve Williams, City Attorney

# EXHIBIT "A"

WEILER ENGINEERING CORPORATION



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TEL (305) 289-4161 | FAX(305) 289-4162

201 WEST MARION AVENUE - SUITE 1306 | PUNTA GORDA | FL 33950  
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## MEMORANDUM

**To:** Daniel Saus

**From:** Stephen J. Suggs, PE

**Date:** November 17, 2023

**Re:** COM Power Conditioning and Surge Protection Project

A formal bid process for the Power Conditioning and Surge Protection Project located in Marathon, FL was conducted, and a pre-bid meeting held. The City of Marathon received 2 bids. WEC has evaluated the bids received for City of Marathon Power Conditioning and Surge Protection Project from all contractors. The bid cost and responsiveness check list can be seen below:

COM Power Conditioning and Surge Protection Project	Pedro Falcon Contractors	Reynolds Construction
Base Bid Amount	\$4,328,361.00	\$5,375,000.00
<b>Responsiveness Checklist</b>		
All required tabbed sections provided?	Y	Y
Bid Transmittal Form Section 0300A: <ul style="list-style-type: none"> <li>• Acknowledgement of addenda (Total of 4)</li> <li>• All Pricing</li> <li>• Properly Signed and Sealed</li> </ul>	1. Y 2. Y 3. Y	1. Y 2. Y 3. Y
Contractor's Qualifications Statement, Section 00301 - signed and notarized	Y	Y
Bid Bond, Section 00401, for 5% of bid amount provided with appropriate surety signatures?	Y	Y
FDOT Form # 375-030-33 Certification of Lobbying Disclosure	Y	Y
Trench Safety Statement Form, Form 0300B, signed and witnessed	Y	Y
Acknowledgment of Conformance with O.S.H.A. Standards, Section 00650 - signed and witnessed	Y	Y
FDOT Form #375-030-32 Certificate of Suspension and Debarment	Y	Y
Evidence of Insurability, provided and properly executed?	Y	Y
Copy of Contractor license(s)/state certification(s)/local registration(s) required to perform the Work	Y	Y
Corporate Resolution evidencing authorization to submit the bid (if applicable)	Y	Y
Section 00800 Supplementary Conditions Section 3 Forms – Form 1	Y	Y
Section 00800 Supplementary Conditions Section 3 Forms – Form 2	Y	Y
Section 00800 Supplementary Conditions Section 3 Forms – Form 3	Y	Y
Section 00800 Supplementary Conditions Section 3 Forms – Form 4	Y	Y
Section 00800 Supplementary Conditions Section 3 Forms – Form 5	Y	Y
Signed E-Verify System Participation document	Y	Y
<b>Responsibility Checklist</b>		
Did bidder provide documentation of having been performing similar construction services for at least five years?	Y	Y
Did bidder provide a list of key personnel demonstrating adequate qualified personnel to perform the work?	Y	Y

Based on the proposal price and the documents provided, it is recommended that the City of Marathon award the contract for the Power Conditioning and Surge Protection Project to Pedro Falcon Contractors with the low bid of **\$4,328,361.00** for the project.