

MINUTES OF MEETING

HIGHLAND MEADOWS II COMMUNITY DEVELOPMENT DISTRICT CONTINUED BOARD OF SUPERVISORS' MEETING

Monday, October 26, 2015 at 2:36 p.m.

Holiday Inn Winter Haven

200 Cypress Gardens Boulevard,

Winter Haven, Florida 33880

Board Members present at roll call:

Lauren Schwenk	Board Member
Rennie Heath	Board Member
Andrew Rhinehart	Board Member

Also Present:

Roy Van Wyk	Hopping Green & Sams, P.A.
Jane Gaarlandt	Fishkind & Associates, Inc.
Sarah Warren	Hopping Green & Sams, P.A. (via phone)
Todd Amaden	Landmark Engineering (via phone)

FIRST ORDER OF BUSINESS

Call to Order and Roll Call

The meeting was called to order. The Board Members and staff in attendance are outlined above.

SECOND ORDER OF BUSINESS

Public Comment Period

There were no members of the public present.

THIRD ORDER OF BUSINESS

Consideration of Bids for the Phase 4A Construction Services and Phase 3 Construction Services

Mr. Van Wyk asked Mr. Amaden to review the Phase 3 bids and let the Board know if the bids received were complete or if any of the bids were considered non-responsive. Mr. Amaden noted that the District received three complete bids from Tucker Paving, Inc., Watson Civil Construction, Inc., and South End Civil Inc. Mr. Amaden noted that South End had 20,000 cubic yard of imports and provided totals but did not give any unit prices. Mr. Heath stated that is a mark against them. Mr. Amaden noted that in order to get as close to an apples to apples comparison as possible he did delete \$306,795.00 from

South End's and Watson's bid which reflects the approximate amount that the retaining walls and the ponds would cost that was not included in Tucker's bid. Mr. Amaden noted that still puts Tucker as the lowest bidder, and the bid was complete less the retaining walls. Mr. Van Wyk asked Mr. Amaden if anyone got a copy of the addendums that he put out. Mr. Amaden responded that all three acknowledged receipt of the addendums. Mr. Van Wyk asked if everything was signed and executed as required by the bid documents. Mr. Amaden confirmed that it was. Mr. Van Wyk noted that Mr. Amaden had provided proposed rankings and asked the Board Members to review the matrix and make their own rankings with respect to Mr. Amaden's recommendations. Mr. Heath noted that he looked at this and pretty much agrees with Mr. Amaden's ranking. A discussion took place about the points assigned for schedule. The only difference between the lowest bidder and the next lowest bidder is on price, which is a \$580,000.00 difference. Mr. Van Wyk asked if the lowest bid amount looks reasonable and consistent with what Mr. Amaden had estimated. Mr. Amaden confirmed that it was reasonable estimated at approximately \$11,500 per lot. The Board confirmed the ranking as follows: Tucker was ranked No. 1, South End was ranked No. 2, and Watson was ranked No. 3. Mr. Van Wyk requested a motion to authorize staff to issue a notice of intent to award to Tucker Paving.

On MOTION by Ms. Schwenk, seconded by Mr. Heath with all in favor, the Board authorized District Staff to Issue a Notice of Intent to Award to Tucker Paving, Inc.

Mr. Heath noted that he reviewed the bids received last week for the Phase 4A Construction and noted that the total numbers the two bidders, Watson and Tucker Paving, had provided were way out of line with a cost of almost \$17,000.00, which is \$7,000.00 more per lot than Phase 3 and neither has a lift station or force main, or any offsite. Mr. Amaden based his calculations on 184 lots for Phase 4A and it should be 105 lots. Mr. Van Wyk asked Mr. Amaden what number of lots was that were included on the bid sheets that he put out. Mr. Amaden confirmed that the Engineer's Report has 105 lots, and the plans and specs and RFP showed 105 lots, as well. Mr. Van Wyk noted that they may need to disregard all of these bids and start all over again. The calculation of the price per lot is wrong and both bids are over what the District budgeted. Mr. Van Wyk stated that the alternative is to scrap the bids and put it back out again for bids because these all came in over budget. If the plans and specs showed 105 lots and these are the numbers that came in based on that, these numbers are too high for the District's purposes and they cannot go back and negotiate a reduction with both bidders to get them under \$10,000.00. Mr. Heath asked if they can award the bid and go back and negotiate it. Mr. Van Wyk stated that they cannot because they are only allowed to Change Order out a small portion of the total contract cost and asked where the discrepancy of excess dollars were in these bids. Mr. Amaden noted he did not know right now but that it is his job to find out. Mr. Van Wyk recommended scrapping the bids and starting over. They should start right away as they have to allow 30 days to bid as required by statute and

new bidders can join. Mr. Van Wyk asked Mr. Amaden if he can go through the bids and see if he can identify where the problem is. Mr. Van Wyk requested a 5 minute break to allow Mr. Amaden to investigate.

The Board reconvened five minutes later. Mr. Van Wyk noted that based on the estimates both bids have exceeded what the District had budgeted for the Phase 4A project and stated that staff upon the Board's motion would like to reject all bids as being over budget and rebid the project. Staff will try to get the RFP notice to run this Friday and make the bids due 20 days after the date of the notice. Mr. Van Wyk requested a motion to reject all bids and issue an RFP for Phase 4A again.

On MOTION by Ms. Schwenk, seconded by Mr. Heath, with all in favor, the Board rejected all Phase 4A bids and authorized staff to re-issue an RFP for Phase 4A.

Mr. Amaden requested that they give the bidders quantities this time and asked if they want the retaining walls included in the Phase 4A bids. Mr. Heath said not to include the retaining walls. Ms. Schwenk asked that Mr. Amaden work with Dennis Wood directly. The bid packages will be available for pick up Friday morning at 10:00 a.m. with a 20 day window to turn in the bids. Ms. Warren will prepare the notice and send it to Mr. Amaden and copy Mr. Gaarlandt. The bids will be due November 20, 2015 at 5:00 p.m. The follow up meeting will be Wednesday November 25, 2015 at 9:00 a.m.

FOURTH ORDER OF BUSINESS

Staff Reports

District Counsel – No Report

District Engineer – No Report

District Manager – No Report

FIFTH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

There were no other questions or comments

SIXTH ORDER OF BUSINESS

Adjournment

Mr. Van Wyk suggested a motion to adjourn.

ON MOTION by Ms. Schwenk, seconded by Mr. Rhinehart, with all in favor, the Board adjourned the October 26, 2015 Continued Board of Supervisor's Meeting for the Highland Meadows II Community Development District.


Secretary / Assistant Secretary


Chairman / Vice Chairman