



ITEM NO. 8

STAFF REPORT

CITY OF OCEANSIDE

DATE: September 19, 2007

TO: Honorable Mayor and City Councilmembers
Honorable President and Board Members

FROM: Department of Harbor and Beaches

SUBJECT: **PURCHASE ORDER FOR REPLACEMENT HARBOR DOCKS**

SYNOPSIS

Staff recommends that the Harbor Board of Directors approve a purchase order in an amount not to exceed \$125,000 to Bellingham Marine Industries, Inc. (BMI) of Bellingham, WA for the purchase of replacement docks for the Harbor Police Docks at the Oceanside Harbor and authorize the Financial Services Director, or designee, to execute the purchase order.

BACKGROUND

Each year, the Department of Harbor and Beaches Maintenance Division replaces and/or upgrades selected docks in the Harbor. Fiscal year 2007-2008's schedule calls for the partial replacement of the Harbor Police dock and several finger pier docks at different locations in the Harbor.

ANALYSIS

All of the docks in the Harbor are constructed using BMI Unifloat® docks. BMI is the sole-source supplier for this type of float. If another type of floating dock were used, the existing Unifloat® docks would require extensive modifications to mate to another type of dock.

FISCAL IMPACT

The cost for the concrete floats, water boards, plywood fillers, vinyl rub-rails, weldments, pile rollers and hardware is \$124,520.21. Budgeted funds are available in the Harbor and Beaches operating budget. (751.596285.5218).

COMMISSION OR COMMITTEE REPORT

Does not apply.

CITY ATTORNEY'S ANALYSIS

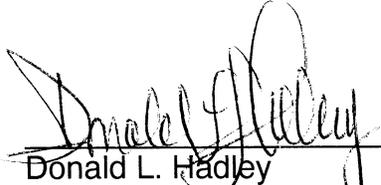
City Attorney analysis does not apply.

RECOMMENDATION

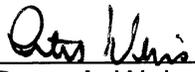
Staff recommends that the Harbor Board of Directors approve a purchase order in an amount not to exceed \$125,000 to Bellingham Marine Industries, Inc. of Bellingham, Washington for the purchase of replacement docks for the Harbor Police Docks at the Oceanside Harbor and authorize the Financial Services Director, or designee, to execute the purchase order.

PREPARED BY:

SUBMITTED BY:



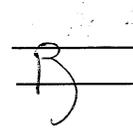
Donald L. Hadley
Director of Harbor and Beaches



Peter A. Weiss
City Manager

REVIEWED BY:

Michelle Lawrence, Deputy City Manager
Paul Bussey, Interim Financial Services Director



ATTACHMENT 1

Bellingham
Marine
Industries, Inc.

1205 Business Park Drive
Dixon, CA 95620

(707) 678-2385
FAX (707) 678-1760



August 9, 2007

Department of Harbor & Beaches
City of Oceanside
1540 Harbor Drive North
Oceanside, CA 92054-1070

Attention: Vincent Balch

sent via facsimile: (760) 439-3058

Reference: Oceanside Patrol Dock, Unifloat® Dock Supply 2007, **Revision 1**

Dear Mr. Balch:

Thank you for the opportunity to present our quotation for the above referenced project. The purpose of this written proposal is to present our offer to perform the work identified in this proposal.

Our quoted price is One Hundred Twenty Four Thousand Five Hundred Twenty Dollars and 21/100 (\$124,520.21) including sales tax.

SUPPLY	\$115,564.00
TAX (7.75%)	\$8,956.21
TOTAL	\$124,520.21

F.O.B.: Truck, Oceanside, CA.

1. The following items are included in our proposal:
 - 1.1 SHOP DRAWINGS- **with a material list of components.**
 - 1.2 CONCRETE UNIFLOATS® - which, when assembled in the water will make up the following:

PATROL DOCK

4 each 4' wide x 46' long O.A. (43' concrete) and including 3' UHMW pile keeper with polymer cover on each for an existing 16" oct. concrete pile.

1 each 6' wide x 48' long O.A. (45' concrete) and including 3' UHMW pile keeper with polymer cover on each for an existing 16" oct. concrete pile.

14 each 7' x 8' walkway modules

1 each 7' x 10' walkway module.

- 1.3 SLIP-RESISTANT POLYMER FILLER SLABS - 5/8" thickness including triangle and other members necessary to provide a continuous deck surface. At pile locations, polymer will require field drilling by owner.

Include extra 50 each 4'x6' sheets for existing triangle frames, and an extra 3 each 4x8 sheets for other use.

- 1.4 FABRICATED, TREATED (ACZA) WOOD WALKER SYSTEM - all walers to be West Coast Region Douglas Fir, No. 1. All walkway floats shall have double 3"x8" waler and 2" cover board on either side. Finger floats shall have continuous minimum 3"x8" cover board on either side.

Also include an extra 15 each 3x8x16' drilled and treated timbers for future repair work.

- 1.5 GALVANIZED STEEL WELDMENTS -
- Patrol Dock 9 each 4'x6' triangle (2 each with with pile keeper).
 - **NO** side pile keepers made with galvanized steel frame and UHMW pad system.
 - All pile keepers are for pre-existing 16" concrete piles. *****The end piles are all 16" hexagon, while the two on the head walk are 16" round.**
- 1.6 UHMW PILE KEEPER AND POLYMER COVERS- all end and triangle pile keepers shall be constructed from UHMW sheet and a polymer

cover. At these locations, Owner will field drill UHMW polymer for a proper fit. Side piles will be made from galvanized steel frames and UHMW pads.

- 1.7 GALVANIZED STEEL HARDWARE - includes thru-rods with 3/4" diameter rolled threads, nuts, washers, bolts and nails. Carriage bolts to be used on fascia of gussets. **NO COIL NAILS FOR FENDERING WILL BE ACCEPTED.**
 - 1.8 VINYL FENDERING -Spartech 5005 or equal to be provided for fingers and slip side of walkway, WHITE in color. SUPPLY LOOSE
 - 1.9 GALVANIZED CLEATS- 12" Heavy Duty cleats with 3/4" socket head for 1/2" cleat bolts. (6 each per fingers above 40', 4 each for fingers 40' and below). **HENDERSON CLEATS, or approved equal.**
 - 1.10 UTILITIES- Junction boxes shall be provided as per specifications in Owner's drawings.
 - 1.11 SUBASSEMBLY- Fingers shall arrive on site with coverboard subassembled. **LEAVE END BOARDS LOOSE**
 - 1.12 LOADING AND SECURING ON OUR TRUCKS WITH FREIGHT PREPAID TO JOBSITE.
 - 1.13 SALES TAX.
2. All items and quantities not specifically included in Section 1 above are **specifically excluded from this proposal**. Excluded items include, but are not limited to, the following:
- 2.1 SUBASSEMBLY- of walkway floats, vinyl fendering, cleats and endgates are not included in the price. Owner will assemble all walkway floats, fendering, cleats and finger endgates.
 - 2.2 OFFLOADING.
 - 2.3 ASSEMBLY AND INSTALLATION OF CONCRETE UNIFLOATS®.
 - 2.4 LOCKER BOXES.
 - 2.5 PERMITS AND LICENSES.
 - 2.6 SOILS TESTING OR ENGINEERING.

2.7 PROJECT ENGINEERING.

3 Other provisions:

FREEBOARD: The concrete Unifloats® included in this proposal are calculated to maintain a freeboard of 15", plus or minus 1".

CONCEALED OR UNKNOWN CONDITIONS: In preparing this proposal, Bellingham Marine has assumed there are no concealed conditions (subsurface or otherwise) or unknown physical conditions which will adversely impact Bellingham Marine's performance of the work. If such conditions are encountered, Bellingham Marine will be entitled to an adjustment in the contract amount, time for completion, or both.

UTILITIES: Provisions will be made for utilities to be run internally through the float system using 3 each, 4" diameter PVC raceways and 17" x 30" junction boxes.

SHIPMENT: Will occur within 16 weeks after receipt of approved shop drawings, based on our current production schedule. Production of concrete Unifloats® cannot commence prior to receipt of approved shop drawings.

PRICE VALIDITY: Prices are valid for firm orders placed within a period of thirty (30) days after quotation and are subject to reconfirmation thereafter.

PAYMENT TERMS: 20 percent deposit, balance upon completion. Payment due net ten (10) days from receipt of invoice. Method of payment to be approved by Bellingham Marine's credit department prior to start of production. Interest will be charged on past due accounts at 18% per annum, or at the highest non-usurious commercial rate allowable by state law or provided by

state statute, whichever is less. If Bellingham Marine is required to employ an attorney to collect any amount due as a result of the default of Buyer, the Buyer shall pay all costs of collection, including reasonable attorney's fees and court costs.

Payment is not subject to retention.

Prior to commencement of project, Buyer shall provide evidence of financing satisfactory to Bellingham Marine.

ENGINEERING/CODES/RESPONSIBILITY:

Bellingham Marine does not warrant any components to meet specific local building ordinances or codes. It is the responsibility of the Buyer to secure necessary governmental approvals of the engineering or design incorporated into the Unifloat® system.

BACKCHARGES: Backcharges for corrective work performed by Buyer or its representative will not be honored without Bellingham Marine's prior written acceptance. Bellingham Marine at all times retains the right to perform corrective work on its own behalf.

CAUTION: Float systems are unstable when placed in water prior to assembly in their final intended configuration. Modules or subassemblies should be handled with care during installation and should never be stood or walked upon prior to finished assembly.

WARNING: Bellingham Marine has been notified by its wood preservers that the chemicals used in the wood treatment process are known to cause cancer.

VENUE AND CHOICE OF LAWS: For all disputes arising from this Proposal, whether decided by the court or through arbitration, venue shall be in the

state and county where BMI's goods were intended to be delivered and installed. The laws of the forum state, including that state's choice of law rules, shall apply to all proceedings.

ENTIRE CONTRACT: When accepted by Buyer, this Proposal shall constitute the entire agreement between the parties. Its terms shall be controlling in the event same are inconsistent with any plans, specifications, bid invitation, purchase

order, subcontract, or other instrument furnished by Buyer.

Acceptance of any offer made by Bellingham Marine is expressly limited to the exact terms contained in this proposal and any attempt to alter or omit any of such terms shall be deemed an acceptance of the offer, except that any altered or omitted terms shall not be binding on Bellingham Marine unless Bellingham Marine has specifically agreed to such altered terms in writing.

We hope this proposal contains sufficient detail to permit your fullest evaluation. Please feel free to contact us at any time for further information.

Sincerely,

Bellingham Marine Industries, Inc.



Eric L. Noegel
Manager of Project Development, Southwest Division

ELN:DC

A signed copy of this quotation will serve as acceptance and agreement by the Buyer to purchase the materials and/or services described herein.

Dated: _____ By: _____

**CITY OF OCEANSIDE
JUSTIFICATION FOR SOLE SOURCE/SOLE BRAND**

Date: August 15, 2007

Vendor: Bellingham Marine Industries, Inc

Item: Unifloat concrete boat docks

Sole Source: Item is available from only one vendor. Item is one-of-a-kind item and is not sold through distributors. Manufacturer is a sole distributor.

Sole Brand: Various vendors can supply the specified model and brand and competitive bids will be solicited for the brand requested only.

Refer to the instructions on the back of this form for required criteria before completing this form.

JUSTIFICATION: (attach additional sheets, if required)

The Oceanside Harbor has docking space for approximately 950 boats. All of the boat docks in the marina are concrete Unifloat[®] docks. To install another type of dock in the Harbor would require re-engineering the entire floating dock system.

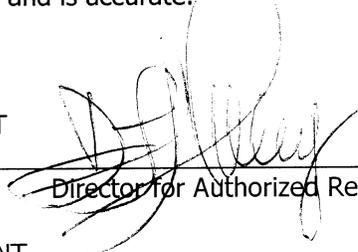
Bellingham Marine Industries, Inc. is the sole source supplier for the Unifloat[®] system.

CERTIFICATION:

I am aware of the City of Oceanside Municipal Code. Sections 28A.1, 28A.9, 28A.12 and Purchasing Administrative Directive Section V, Paragraph O for competitive bidding and the established criteria for justification for sole source/sole brand purchasing. As an approved department representative, I have gathered technical information and have made a concentrated effort to review comparable/equal equipment. This is documented in this justification. I hereby certify as to the validity of the information and feel confident this justification for sole source/sole brand meets the City's criteria and is accurate.

This form was completed by:

J. F. Quan
Name

DEPARTMENT APPROVAL:  8/14/07
Director for Authorized Representative/Date

H&B / maint / 4032
Dept/Division Representative/Phone

PROCUREMENT APPROVAL: _____
Procurement Officer/Date