

# Memorandum



**Date:** December 15, 2009

**To:** Honorable Chairman Dennis C. Moss and Members,  
Board of County Commissioners

**From:** George M. Burgess  
County Manager

**Subject:** Supplement to Agenda Item 12(A)(2) – Resolution Approving Settlement Agreement and General Release between State of Florida, Office of Attorney General; Port of Palm Beach; Tampa Port Authority; Miami-Dade County, Key West and Virginia Harbor Services, Inc.

Supplement to  
Agenda Item No. 12A2

The Track Record/Monitor section of the subject agenda item states “since the last contract issued to VHSI in 2005, for the purchase of fenders and related hardware, the County has not contracted VHSI and/or its affiliates as suppliers/2<sup>nd</sup> or 3<sup>rd</sup> tier subcontractors for any County projects.” At the time of the writing of the subject agenda item this information was accurate.

However; on October 13, 2009, the Seaport Department advertised the Terminals B&C Fender Replacement project. The project scope included all necessary material, equipment, personnel, supervision and services for the removal and disposal of existing fenders, dock plates & anchor bolts; as well as furnishing and installing five (5) new high capacity foam filled marine fenders with mounting hardware; debris removal and disposal; and all other incidental items as required by the construction drawings.

On October 27, 2009, three (3) bids were received, with JVA Engineering Contractors, Inc. (“JVA”), being the lowest bidder at a total cost of \$212,630. The supplier of the foam filled fenders to JVA for this project is Trelleborg Engineered Services; an affiliate of Virginia Harbor Services, Inc. Trelleborg’s price for the five (5) fenders is \$120,000. On December 3, 2009, the Seaport notified JVA to proceed with the work starting December 15, 2009, pursuant to Section 2-8.1(b) of the Code of Miami-Dade County.

As additional information, should the Board approve the subject resolution, the Seaport Department anticipates utilizing the proceeds of the settlement for deferred maintenance projects and/or other unfunded infrastructure improvement needs. A recent report issued by the Port’s contracted bond engineer identified more than \$60 million of unfunded capital/infrastructure projects.

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