

AGENDA



Thursday, June 21, 2007

Public Works
RECOMMENDATION FOR COUNCIL ACTION**Item No. 64**

Subject: Authorize execution of change order #10 to the construction contract with SOLIS CONSTRUCTORS, INC., (MBE/MH 47.18%), Austin, TX, for the Mexican American Cultural Center in the amount of \$38,551.86, for a total contract amount not to exceed \$12,765,815.36.

Amount and Source of Funding: Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Parks and Recreation Department.

Fiscal Note: A fiscal note is attached.

For More Information: Kalpana Sutaria 974-7225, Laura Bohl 974-7064.

MBE/WBE: This contract was awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) with 3.63% MBE and 5.31% WBE subcontractor participation to date including this change order.

Prior Council Action: 10/20/2005 construction contract with Solis Constructors, Inc.

The Mexican American Cultural Center (MACC) was conceived by artists, students and community activists in the mid to late 1970s. The MACC will provide a cultural center dedicated to the preservation, creation, presentation and promotion of Mexican American cultural arts and heritage. The Mexican American Cultural Center has been substantially completed and the staff is in the process of setting up the center including building operations training. The official Grand Opening is expected to coincide with Diez y Seis.

This change order is required to accommodate a required increase to the wage rate for carpenters.

The City of Austin received a grant from the United States Department of Commerce, Economic Development Administration (EDA) in January 2006. The grant requires that the most recent Department of Labor (DOL) Prevailing Wage Rate Determination for Building Construction in Travis County, Texas, be used for this project. DOL's Prevailing Wage Rate Determination, Modification Number 6, as given by the local EDA office, was included in the bid documents in anticipation of receiving the grant. Due to a clerical error by United States Department of Labor, the "carpenter" wage rate category was left out of Modification Number 6. This wage rate was included in Modification 5 and was subsequently included in Modification 7. The contractor was informed of the error and was given the carpenter wage rate to add to DOL's Prevailing Wage Rate Determination. The wage rate for carpenters included in the contractor's bid was lower than the DOL wage rate. City staff reviewed wage rates for other governmental entities in Travis County to determine an equitable adjustment per the guidelines provided by the US Department of Labor Regulations. The City has offered an equitable adjustment to the contractor for payment of required wage rates.