

## AGENDA



Wednesday, June 18, 2008

**Contract and Land Management  
RECOMMENDATION FOR COUNCIL ACTION**

**Item No. 12**

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**Subject:** Authorize execution of a construction contract with SOUTHLAND CONTRACTING, INC., Fort Worth, TX, (90.71%) for the Zachary Scott Subdivision Wastewater Improvements Tunnel Project in the amount of \$6,629,771.50 plus a \$320,000 contingency, for a total contract amount not to exceed \$6,949,771.50.

**Amount and Source of Funding:** Funding in the amount of \$6,949,771.50 is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility.

**Fiscal Note:** A fiscal note is attached.

**For More Information:** Allison Dietzel, 974-7098; Ayman Benyamin, 972-0208; Robin Field, 974-7064.

**Purchasing Language:** Lower bid of two bids received.

**MBE/WBE:** This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 6.68% MBE and 2.47% WBE subcontractor participation.

**Boards and Commission Action:** Scheduled for review by the Water and Wastewater Commission on June 18, 2008.

**Prior Council Action:** Council authorized negotiation and execution of a cost reimbursement agreement and approved adoption of Ordinance No. 031023-7 on October 23, 2003. Council approved Ordinance No. 20070517-003 on May 17, 2007.

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This construction contract will provide the wastewater infrastructure necessary to serve the entire Rinard Creek Basin. The project includes approximately 600 feet of 10-inch bored gravity overflow wastewater line and approximately 3,100 feet of 36-inch gravity wastewater tunnel from the existing Onion Creek Wastewater Treatment Plant southeast along the fairway of the Onion Creek Golf Course and under Rinard Creek to Bradshaw Road. This route avoids all Critical Environmental Features and minimizes disturbance to the golf course. The project was originally conceived as a cost reimbursement agreement with the developer of the Zachary Scott tract, but the City has determined that it is in the best interest of the project for the improvements to be constructed by the City as a Capital Improvement. This contract is one of two projects that will eliminate the pump and haul program which is currently costing approximately \$60,000 per month.

The Zachary Scott Tract is a proposed 975 lot single-family development located on approximately 272 acres of land at the corner of Old Lockhart Highway and Bradshaw Road. The development is within the corporate limits of the City of Austin, the Desired Development Zone and the Rinard Creek Watershed.

The contract allows 335 calendar days for substantial completion and an additional 30 calendar days for final completion of the project.

A contingency (approximately 5%) has been added to address potential unknown subsurface conditions which may be encountered during construction and to allow for the expeditious processing of any change orders.

Bid documents were distributed to 12 general contractors. Bids were opened May 22, 2008. Southland Contracting, Inc. submitted the lower of two bids received:

General Contractor	Base Bid	Base Bid + Alternate
Southland Contracting, Inc., Fort Worth, TX	\$6,400,271.50	\$6,629,771.50
SAK Construction, LLC, O'Fallon, MO		
\$7,090,625	\$7,486,875	

The Contractor's choice of work methodology provides for 11 areas of subcontracting opportunities: hauling, manholes, construction photography/video, erosion control, fence and gates, fuel distributor, traffic control, pipe, manhole coating, seeding/sod, and planting/landscape.

Project specific goals stated in the solicitation were 6.17% MBE and 1.93% WBE. Total participation is estimated on the base bid amount of \$6,400,271.50:

NON M/WBE TOTAL – PRIME	\$5,805,443.82	90.71%
Southland Contracting, Inc., Fort Worth, TX	\$5,805,443.82	
90.71%		
MBE TOTAL – SUBCONTRACTORS	\$427,718.43	6.68%
Mars Industries, LLC, Cedar Creek, TX (manholes)	\$180,000	
2.81%		
Benqwest, Austin, TX (fuel distributor)	\$150,000	2.34%
CL Elder Trucking, Austin, TX (hauling)	\$50,000	0.78%
Prism Development, Inc., Austin, TX (fence & gates)	\$16,538.24	0.26%
AUSTEX Tree Service, Inc., Round Rock, TX (erosion control)	\$14,692.35	0.23%
ABC Erosion Control, Inc., Leander, TX (seeding/sod)	\$11,487.84	0.18%
All Points Inspection Svcs Inc., Austin, TX (construction photography)	\$5,000	0.08%
WBE TOTAL – SUBCONTRACTORS	\$158,349.25	2.47%
Choctaw Pipe & Equipment, Inc., Houston, TX (pipe)	\$100,000	1.56%
Fuquay, Inc., Austin, TX (manhole coating)	\$51,349.25	
0.80%		
N-Line Traffic Maintenance, Austin, TX (traffic control)	\$7,000	0.11%
NON M/WBE TOTAL – SUBCONTRACTORS	\$8,760	0.14%
Phoenix Irrigation, Austin, TX (planting/landscape)	\$8,760.00	

0.14% The Contractor submitted a MBE/WBE Compliance Plan that met the goals of the solicitation and was approved by the Department of Small & Minority Business Resources. Second low bidder information is provided.

SECOND BIDDER – SAK Construction, LLC, O'Fallon, MO – Base Bid \$7,090,625  
75.4% Non M/WBE prime participation; 16.85% MBE; 1.95% WBE; 5.8% Non M/WBE subcontractor participation.