

## AGENDA



Thursday, December 18, 2008

**Contract and Land Management  
RECOMMENDATION FOR COUNCIL ACTION****Item No. 10**

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**Subject:** Authorize execution of change order #12 to the construction contract with MUNIZ CONCRETE AND CONTRACTING, INC. (MBE/MH-89.54 %), Austin, TX, for ADA Sidewalk and Ramp Improvements 2007 Group 5 City Wide in the amount of \$478,579.59, for a total contract amount not to exceed \$4,396,496.56.

**Amount and Source of Funding:** Funding in the amount of \$478,579.59 is available in the Fiscal Year 2008-2009 Capital Budget of the Public Works Department.

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

**For More Information:** Diane Rice 974-7081; Robin Field 974-7064; April Thedford 974-7141

**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 6.03% MBE and 4.43% WBE subcontractor participation to date.

**Prior Council Action:** October 5, 2006 – Council awarded the construction contract to Muniz Concrete and Contracting, Inc.

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The original bid was administered under an Indefinite Delivery/Indefinite Quantity (IDIQ) contract. The IDIQ contract documents included engineered details, specifications, planned project locations and estimated total quantities of work. As each project location was further defined, a specific “work assignment” was given to the Contractor and they completed the scope of work for the unit prices included in the contract. This contracting method allowed for the flexibility of adding projects based on priorities designated by the city. This methodology also provided the work much quicker by doing the engineering concurrently in the field with corresponding significant cost savings.

Due to increasing priorities for quick construction of sidewalks and the many departments, private entities and funding sources that use our services, the city would like to be able to utilize this contract to the maximum amount permitted by law. This will allow the city to continue to provide continuous construction of sidewalks as any additional funding becomes available. For example, this contract has incorporated additional money from Neighborhood Planning for the S. Congress sidewalk improvement project, Child Safety projects and private entities, such as the Lyric Opera House ADA ramps.

In addition to the quick turn around for construction, increasing this contract will lock in unit prices from fall 2006, further stretching our sidewalk dollars.

Due to the nature of the IDIQ process the required work quantities are unknown and therefore it is impossible to define the subcontractor information at this time. However, the contractor will continue to utilize those minority subcontractors on the original compliance plan.