

AGENDA



Thursday, November 5, 2009

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

Item No. 18

Subject: Authorize negotiation and execution of a professional services agreement with the following 14 firms: AVILES ENGINEERING CORPORATION (MBE/MH), Hutto, TX; ECS TEXAS, LLP, Austin, TX; FUGRO CONSULTANTS, INC., Austin, TX; HOLT ENGINEERING, INC., (WBE/FW), Austin, TX, HVJ ASSOCIATES, INC. (MBE/MB), Austin, TX; KLEINFELDER, Austin, TX; PAVETEX ENGINEERING & TESTING, INC. (WBE/FH), Dripping Springs, TX; PROFESSIONAL SERVICE INDUSTRIES (PSI), INC., Austin, TX; RABA-KISTNER CONSULTANTS, INC., Austin, TX; REINHART & ASSOCIATES, INC., Austin, TX; RODRIGUEZ ENGINEERING LABORATORIES, (MBE/MH), Austin, TX; RONE ENGINEERING SERVICES, LTD, Austin, TX; TERRACON CONSULTANTS, INC., Austin, TX; and WISS, JANNEY, ELSTNER ASSOCIATES (WJE), INC., Austin, TX; for the Construction Materials Engineering and Testing Services Rotation List for a period of two years or until financial authorization is expended, the total amount for the fourteen agreements is not to exceed \$7,000,000.

Amount and Source of Funding: Funding is available in the Fiscal Year 2009-2010 Capital and/or Operating Budgets of the various departments for which services are needed.

Fiscal Note: There is no unanticipated fiscal impact. A fiscal note is not required.

For More Information: Steve Penshorn 974-7214; Rosie Truelove 974-3064; April Thedford 974-7141

Purchasing Language: Best qualification statements of fourteen (14) received.

MBE/WBE: This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The City currently has a rotation list with nine firms that provide construction materials engineering and testing services and eight firms that provide geotechnical engineering services. The current agreements for construction materials engineering and testing services are separate from those for geotechnical engineering services. It is anticipated that the authorized funding for the existing Professional service agreements for construction materials engineering and testing, as well as geotechnical engineering services, will soon be expended.

The period of service is estimated to be approximately two years from the date of City Council resolution authorizing negotiation and execution of the Professional Services Agreements or until the contracting authority is expended. Project-specific schedules, if applicable, will be developed mutually by the City and the consultant's project manager/engineer.

The staff's recommendation is to select all qualified firms to perform the proposed services; qualifications were determined by the submitted responses. The selected firms were required to have a permanent, fully-operational, established laboratory facility and offices that are located in the Austin Metropolitan Statistical Area and staffed by local personnel. The firms were required to provide supporting documentation, including years of experience, which demonstrated their ability to meet the requirements of the City and perform the assigned categories of services. The firms had to be nationally recognized in their area of expertise, and provide accreditations and certifications for their categories of service.

Funds are proposed to be allocated to firms based on experience within the category of service. The City anticipates that each firm will be given assignments that cumulatively equal a common base dollar amount. However the portion of the total funds, beyond the base dollar amount, will be reserved for discretionary assignments to meet project needs and to balance work assignments. The reserved assignments will be assigned based on a firm's past performance, workload and project needs. The City anticipates the following approximated assignment of funds for the six (6) categories: Construction Materials Engineering and Testing-Soils and Portland Cement Concrete - \$2,500,000; Construction Materials Engineering and Testing- Asphaltic Cement Concrete - \$1,900,000; Construction Materials Engineering and Testing- Site Development and Building Construction - \$990,000; Construction Materials Engineering and Testing-Specialized Testing - \$300,000; Construction Materials Engineering and Testing-Forensic Engineering - \$302,000; Geotechnical Engineering - \$1,008,000; for a total of \$7,000,000.

The City expects that field sampling and explorations, laboratory and field testing, and engineering analyses and investigations for all categories of service will be directed by a registered Professional Engineer licensed in the State of Texas, and assigned permanently to the Austin facility.

The firms selected for construction materials engineering and testing services will conduct investigations, evaluations and testing of soils, aggregates, asphaltic concrete and Portland cement concrete, as needed for roadways, parking lots, utilities, buildings and other engineered facilities.

The firms selected for specialized testing will perform testing and inspection of flexible base stockpiles, structural steel, coatings and corrosion control for City of Austin Capital Improvement Program projects.

The firms selected for forensic engineering, services will perform special tests including petrography, scanning electron microscopy, x-ray defractometry, and x-ray spectroscopy evaluations for streets, parking lots, utilities, buildings and other engineered facilities.

The firms selected for geotechnical engineering services will perform subsurface investigations for streets, parking lots, utilities, buildings and other engineered facilities.

This request allows for the development of a professional service agreement with each of the fourteen recommended firms. Should the City be unsuccessful in negotiating a satisfactory agreement with any of the recommended firms, negotiations will cease with that firm and the funding will be distributed among the remaining firms. If a selected firm ceases practice during the contract period, or should the City elect to terminate its agreement with one of the selected firms, the remaining assignments will be distributed among the remaining firms as equally as possible.

Due to the limited subcontracting opportunities on these projects, no MBE/WBE participation goals have been established. However, the recommended firms are committed to utilizing certified MBE/WBE firms should the opportunity exist in the project assignments.

Notification of issuance of a Request for Qualifications (RFQ) for the subject services was sent to 351 firms on August 6, 2009. The RFQ was obtained by 43 firms, and 14 firms submitted qualification statements. Five of the firms were certified MBE/WBE firms. The evaluation of the submittals of the 14 firms resulted in the following recommendation: Aviles Engineering Corporation, Austin, TX (MBE/MH); ECS Texas, Austin, TX; Fugro Consultants, Inc., Austin, TX; Holt Engineering, Inc., Austin, TX (WBE/FW); HVJ Associates, Inc., Austin TX (MBE/MB); Kleinfelder, Austin, TX; Pavetex Engineering & Testing, Inc., Dripping Springs, TX (MBE/FH); Professional Service Industries (PSI) Inc., Austin TX; Raba-Kistner Consultants, Inc., Austin, TX; Reinhart & Associates, Inc., Austin TX; Rodriguez Engineering Laboratories, Austin, TX (MBE/MH); Rone Engineering Services, Austin, TX; Terracon Consultants, Inc., Austin TX; Wiss, Janney, Elstner Associates (WJE), Inc., Austin TX.