

## AGENDA



Thursday, December 17, 2009

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

**Item No. 23**

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**Subject:** Authorize negotiation and execution of an Agreement with MAC, INC., Austin, TX, for the ADA sidewalk and ramp improvements in Central East Austin in an amount not to exceed \$194,192.

**Amount and Source of Funding:** Funding is available in the Fiscal Year 2009–2010 Capital Budget of the Public Works Department.

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

**For More Information:** Diane Rice 974-7081; Debra Dibble 974-7027; April Thedford 974-7141

**Purchasing Language:** Best Value to the City of Austin of five (5) proposals 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 11.68% MBE and 5.40% WBE subcontractor participation.

**Prior Council Action:** April 30, 2009 – Council authorized the use of Competitive Sealed Proposal Alternative Project Delivery Method.

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The work will consist of construction of sidewalks, ramps, driveways, retaining walls, handrail, and associated construction on an indefinite delivery/indefinite quantity basis within Central East Austin, east of I-35, north of the river and south of Martin Luther King, Jr. Blvd. All pedestrian and accessibility projects are located within zip code 78702.

In compliance with Local Government Code Chapter 271, Chapter H, Sec. 271.116, Council's authorization of this request allows for negotiation and execution of an agreement with the highest ranked Contractor that offers the best value to the City of Austin based upon the advertised evaluation criteria. Should the City be unsuccessful in negotiating a satisfactory agreement with the selected contractor, said contractor will be notified in writing that negotiations will cease. Pursuant to statute, staff will then proceed to negotiate with the next contractor in the order of selection ranking returning to Council prior to contract execution.

Notification of issuance of a Request for Competitive Sealed Proposals (RFP) for the subject services was issued on August 17, 2009. Thirty Contractor's obtained solicitation packets and five submitted proposals. Three of the five contractors are certified MBE/WBE firms.

TOP RANKED FIRM: MAC, Inc., Austin, Texas; SECOND RANKED FIRM: Muniz Concrete and Contracting, Inc., Austin, Texas