

AGENDA



Thursday, December 17, 2009

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

Item No. 30

Subject: Authorize execution of a construction contract with CAPITAL EXCAVATION, Austin, TX, for the East 7th Street Improvements – Northwestern Avenue to Pleasant Valley Road Project in the amount of \$4,501,486.36 plus a \$225,074.32 contingency, for a total contract amount not to exceed \$4,726,560.68.

Amount and Source of Funding: Funding in the amount of \$1,053,727.16 is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility. Funding in the amount of \$2,013,276.04 is available in the Fiscal Year 2009-2010 Capital Budget of the Public Works Department. Funding in the amount of \$1,659,557.48 is available in the Fiscal Year 2009-2010 Capital Budget of the Planning and Development Review Department.

Fiscal Note: A fiscal note is attached.

For More Information: Clay Harris 974-7895, April Thedford 974-7141

Purchasing Language: Lowest bid of six (6) bids received

MBE/WBE: This contract will be awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Program) and Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 4.15% DBE subcontractor participation.

Boards and Commission Action: Briefings were presented to the Design Commission, Urban Transportation Commission, Land and Facilities Subcommittee, and Parks and Recreation Board. Recommended by the Water and Wastewater Commission.

Prior Council Action: March 1, 2001 - Council passed two resolutions establishing the East 7th Street Corridor Concept Plan, from IH-35 to Shady Lane. Resolution 010301-51 identified pedestrian safety concerns and 010301-52 directed that the corridor be transformed into a scenic gateway from the Airport into Downtown; June 12, 2003 - Council authorized negotiations with Urban Design Group for preliminary and design phase services; June 8, 2006 - Council approved negotiation and execution of an interlocal agreement with the Texas Department of Transportation to receive federal funding; August 8, 2006 - Council approved authorization for additional design, bidding, and construction phase engineering services; August 28, 2008 - Council approved authorization to update and revise the plans and specifications to include design of water, wastewater, street reconstruction and drainage upgrades.

This project is part of the 2006 Bond Proposition 1 Project. The improvements included in this project are consistent with the goals established in the approved East 7th Street Corridor Concept Plan, which prioritized the segment of East 7th Street from Chicon Street to Pleasant Valley Road. This is one of two projects addressing a portion of this segment. The project includes full depth street reconstruction, street pavers, water, wastewater and storm drainage improvements, sidewalk improvements along each side of the street, landscape improvements, irrigation, and public art. Federal funds (administered by the Texas Department of Transportation) in the amount of \$1,400,000 were received for this portion of the project.

The construction contract includes a \$5,000 per day early completion bonus with a not to exceed amount of \$250,000. East 7th Street is a heavily used route for travel between downtown and the airport. It is also lined with many small, locally-owned businesses and is a major bus route for Capital Metro. The intent of the early completion bonuses is to minimize the impacts of the construction on the traveling public and the businesses along the construction route. Due to the potential for unknown subsurface conditions and utility conflicts when working in the right of way, a 5% contingency in funding has been included to allow for the expeditious processing of any change orders. The project is scheduled to start in early February 2010 and the contract allows 540 calendar days for completion.

This project is located within zip code 78702.