

AGENDA



Thursday, February 25, 2010

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

Item No. 21

Subject: Authorize execution of change orders to the following three Austin Water Utility Indefinite Delivery/Indefinite Quantity Wastewater Line Relay and Spot Repair service contracts with PEABODY GENERAL CONTRACTORS, INC, Dripping Springs, TX, (WBE/FW – Zone A: 64.49%, Zone B: 71.78%, and Zone C: 65.73%) in the amount of \$378,952.50 for the Zone A contract, in the amount of \$520,620 for the Zone B contract, and in the amount of \$378,952.50 for the Zone C contract.

Amount and Source of Funding: Funding in the amount of \$1,278,525 is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility.

Fiscal Note: A fiscal note is attached.

For More Information: Mike Russ, P.E. 703-6641; Kitty Walch 974-7055; 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) with 5.40% MBE and 4.12% WBE (Zone A); 4.68% MBE and 2.43% WBE (Zone B); and 4.92% MBE and 4.96% WBE (Zone C) subcontractor participation to date.

Boards and Commission Action: Recommended by the Water and Wastewater Commission.

Prior Council Action: December 11, 2008 - Council authorized the execution of three construction contracts for the first year of three-year long contracts with Peabody General Contractors, Inc.

These contracts are for the maintenance of the Austin Water Utility's wastewater collection system for both planned work and emergency repairs. The Austin Water Utility's service area was divided into three geographic zones and separate contracts were awarded for each zone. The bid documents stated that bidder could submit on one, two, or all three zones. Five bids were received for each of the zones and Peabody General Contractors submitted the low bid for each of the three zones and was awarded three separate contracts on December 11, 2008.

The bid documents and contracts state that this contract was for an initial one year period with two one-year extensions possible per contract. The RCA awarding the initial year contract for the December 11, 2008 council meeting only included funding for the first year. The renewal process will not be exercised and the contracts will be bid again in the near future. The change order funding in this RCA will provide interim services until new contracts can be awarded.

The wastewater maintenance work during the first year of the contract has included: removal of deteriorated pipe and installation of new pipe in the same trench; replacement of service lines from the new main to the right-of-way/property line; installation of cleanouts; construction of new manholes, replacement of curb and gutter, sidewalks, and asphalt; and revegetation of disturbed area with sod and seed. Emergency projects have included replacing pipe in creeks, lift station repairs, rerouting service connections, and setup of a bypass piping system to relieve a deteriorated 24-inch forcemain.

These contracts are termed "indefinite delivery / indefinite quantity" because the project bid without specific construction plans and without a bid form and quantities that are directly associated with a set of construction plans. The project bid with estimated quantities for all anticipated types of pay items. In instances where the required work does not match the bid items, zero dollar change orders have been negotiated with the contractor. These change orders have not increased the contract amount, but have decreased the available quantity of other pay items. These change orders are not included in this RCA because the total contract amounts were not increased.