

## A G E N D A



## Recommendation for Council Action (CLMD)

Austin City Council

Item ID:

9690

Agenda Number

12.

Meeting Date:

September 22, 2011

Department:

Contract and Land Management

## Subject

Authorize execution of a construction contract with C & Z Enterprises, LLC of Pflugerville, TX for the Ulrich WTP Basin Coating Project in an amount not to exceed \$74,999.99 plus a \$7,499.99 contingency for a total contract amount not to exceed \$82,499.98.

## Amount and Source of Funding

Funding is available in the Fiscal Year 2011-2012 Capital Budget of the Austin Water Utility.

## Fiscal Note

A fiscal note is attached.

**Purchasing Language:**

Sole source to C & Z Enterprises, LLC of Pflugerville, TX will preserve the warranty of the final coating system. The City owned materials from the previous contract were supplied by Sherwin Williams and their approved applicator needs to be used. C & Z Enterprises, LLC is an approved applicator of Sherwin Williams.

**Prior Council Action:**

August 30, 2010 - Construction contract terminated by the City for convenience; March 25, 2010 - Approved the construction contract.

**For More Information:**

Omoruyi Ebomwonyi 972-0237; Bill Stauber 972-0290; April Shaw 974-7141

**Boards and Commission Action:**

Recommended by the Water and Wastewater Commission.

**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). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**Related Items:**

Additional Backup Information

Following the recent Ulrich WTP litigation on the 160 million gallons per day (MGD) upgrade, a project was established to fix the leaks in the concrete structures associated with up flow Clarifiers 1 and 2. The design to correct the leaks was completed and a contractor was hired. In the progress of the work, it was discovered that the desired result was not being achieved because the application method was not in accordance with the process recommended by the manufacturer (bonding primer was not used). As a result, the contract was terminated by the City for convenience. The City still has 20 drums of the coating materials remaining from the terminated contract.

To complete the sealing of the leaks in the Basins, Raw water and the Re-carbonating flumes, the coating vendor, Sherwin Williams, indicated to the City that they will only warranty their product and final coating system if a recommended primer is used and the application is performed by a certified Sherwin Williams applicator.

Due to the potential for unknown conditions of the basins during repair, a 10% contingency in funding has been included to allow for the expeditious processing of any change orders. The contract allows forty seven (47) calendar days for completion of this project. Work is anticipated to start in September 2011. This project is located within zip code 78746.

The Contractor, C&Z Enterprises, LLC previously submitted a MBE /WBE Compliance Plan that demonstrated Good Faith Efforts and was approved by the Small and Minority Business Resources Department when the project was originally awarded to C&Z Enterprises, LLC in 2010.