

A G E N D A



Recommendation for Council Action (CMD)

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| Austin City Council | | Item ID: | 12870 | Agenda Number | 6. |
| Meeting Date: | March 1, 2012 | | | | |
| Department: | Contract Management | | | | |
| Subject | | | | | |
| Authorize funding in an amount of \$4,700,000 plus a \$235,000 contingency for a total contract amount not to exceed amount of \$4,935,000, and the negotiation and execution of a Guaranteed Maximum Price amendment, including additional professional services with FLINTCO, LLC, Austin, TX, for all remaining Design-Build services for the Asian American Resource Center. | | | | | |
| Amount and Source of Funding | | | | | |
| Funding in the amount of \$4,185,000 is available in the Fiscal Year 2011-2012 Capital Budget of the Financial and Administrative Services Department. Grant Funding in the amount of \$750,000 is provided by the Economic Development Administration to the Financial and Administrative Services Department. | | | | | |
| Fiscal Note | | | | | |
| A fiscal note is attached. | | | | | |
| Purchasing Language: | | | | | |
| Prior Council Action: | September 12, 2011 – Accepted \$750,000 grant from Economic Development Administration as part of the 2012 Budget approval; November 4, 2010 – Authorized additional funding for preliminary phase services; July 29, 2010 - Authorized negotiation and execution of Design-Build agreement with Flintco, LLC; March 11, 2010 - Authorized use of Design-Build Alternative Project Delivery Method. | | | | |
| For More Information: | David Taylor 974-7132; Lynda Williams 974-3066; April Shaw 974-7141. | | | | |
| Boards and Commission Action: | Reviewed by the Asian American Resource Center Advisory Board. | | | | |
| MBE / WBE: | The preliminary phase of this contract was awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 1.90% African American; 9.00% Hispanic; 4.90% Native/Asian; and 15.80% WBE subconsultant/subcontractor participation for design and preconstruction phase services. The amendments(s) for construction phase work will be in compliance with Chapter | | | | |

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| | 2-9A of the City Code (Minority Owned and Woman Owned Business Procurement Program) with 2.00% African American; 3.00% Hispanic; 1.00% Native/Asian; and 2.00% WBE subconsultant participation or through demonstration of approved Good Faith Efforts. |
| Related Items: | |
| Additional Backup Information | |
| <p>The 2006 Bond Program authorized \$5 million for the development of the Asian American Resource Center (AARC). City staff and the AARC Advisory Board agreed that in order to optimize funding and project delivery, the project would be best achieved under the Design-Build project delivery method. This Design-Build Agreement has an aggressive project schedule which consists of design and construction of a new building including classrooms, meeting spaces, and related site improvements for a revised design-build budget of \$4,935,000 which includes 5% contingency and grant funding in the amount of \$750,000 from the Economic Development Administration.</p> <p>Flintco, LLC, Design-Builder, has completed design of the AARC and has issued subcontractor solicitations, and will award subcontracts in compliance with the City's MBE /WBE Ordinance, for the various construction trades. Flintco has performed active outreach efforts to generate interest from small and minority businesses including the following: subdividing portions of the work into reasonable packages to allow for M/WBE participation; continued efforts to work with SMBR staff to refine and expand the subcontractor scope / availability list; utilize "SmartBid" (an electronic plan room) to distribute bid solicitations and bidding documents; distributed notices of key bidding requirements including requirements for bonds and insurance, scope of work, and other requirements of the contract to all firms on the MBE /WBE availability list; established a three-week bidding period; encouraged and maximized second tier M/WBE subcontractors at the M/WBE outreach meetings; advertised subcontracting opportunities in appropriate publications and provided notice to minority or women professional / business / community organizations regarding contracting opportunities for it's members, and; encouraged and assisted non-certified minority or women-owned businesses to apply for certification with the City of Austin. Flintco will extend their efforts during construction by working with subcontractors to enhance their safety and quality control plans, and assist them with submittals, scheduling and pay applications, if necessary.</p> <p>Prior to completion of design documents, Flintco conducted an initial MBE /WBE outreach information meeting on December 15, 2011. After completing solicitation documents for the construction, a pre-proposal meeting was held for prospective subcontractors on January 18, 2012. Bids/proposals were received by Flintco on or before February 2, 2012. The City anticipates receiving Flintco's proposed Guaranteed Maximum Price (GMP) proposal no later than March 9, 2012. With this Council funding authorization, City staff may proceed immediately with negotiating additional professional services for the construction phase of the Project and the GMP proposal for an anticipated amount not-to-exceed \$4,935,000 for the construction of the Asian American Resource Center. Returning to Council for funding or approval of the amendments would duplicate information and could reasonably be expected to add two months to the Project schedule. If the parties cannot agree to a GMP Amendment for the requested funding, staff would then return to Council.</p> <p>As required, the MBE /WBE Compliance Plan submitted with the GMP proposal will be reviewed and approved by SMBR to ensure goals are met or Good Faith Efforts are preformed prior to the City approving the guaranteed maximum price for construction. Additionally, written approval from the City Manager's Office will be obtained before the GMP work authorization amendment is executed. Staff will provide Council with a status report to include the executed amendment, MBE /WBE Compliance Plan and current participation.</p> <p>The benefit from this authorization is that the aggressive project schedule will not be compromised and construction may proceed no later than March 31, 2012 with a project substantial completion date in March 2013.</p> | |