

## A G E N D A



## Recommendation for Council Action (CMD)

Austin City Council		Item ID:	28121	Agenda Number	8.
Meeting Date:	October 24, 2013				
Department:	Contract Management				
Subject					
Authorize execution of a construction contract with MUNIZ CONCRETE AND CONTRACTING, INC., for Citywide ADA Ramp and Bus Stop Improvements for 2014 - 2016 in the amount of \$3,675,775, plus a \$367,577.50 contingency, for a total contract amount not to exceed \$4,043,353.00.					
Amount and Source of Funding					
Funding is available in the Fiscal Year 2012-2013 Capital Budget of the Public Works Department.					
Fiscal Note					
A fiscal note is not required.					
Purchasing Language:	Lowest responsive bid of four bids received.				
Prior Council Action:	December 13, 2012 – Council approved an ordinance authorizing negotiation and execution of an amendment to the interlocal cooperation agreement with Capital Metropolitan Transportation Authority (Capital Metro) regarding construction of bus stop and associated ADA pedestrian improvements throughout the City; accepting funds in the amount of \$10,000,000 from Capital Metro and amending the Fiscal Year 2012-2013 Public Works Department Capital Budget (Ordinance No. 20120910-002) to appropriate \$10,000,000 to construct bus stop and associated ADA pedestrian improvements throughout the City. March 10, 2011 – Council approved an ordinance authorizing execution of an interlocal agreement with Capital Metro authorizing the City to manage and construct \$1,800,000 worth of bus stop improvements.				
For More Information:	Mike Curtis, 512-974-7056; Mark Cole, 512-974-7019; Diane Rice, 512-974-7081; Lucy Bonee, 512-974-7967; Lacy Kuslo, 512-974-7141.				
Boards and Commission Action:					
Related Items:					
MBE / WBE:	This contract will be awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Program) and City Code Chapter 2-9A (Minority Owned				

and Women Owned Business Enterprise Procurement Program) by meeting the goal with 95.64% DBE subcontractor participation.

#### Additional Backup Information

Following Council approval on March 10, 2011, the City entered into an interlocal agreement with Capital Metro on September 14, 2011. The action authorized the City to manage and construct \$1,800,000 worth of bus stop improvements. There are approximately 2,900 bus stops on Capital Metro's Fixed Route Bus Transportation System (FRS) and the City has completed improvements on over 300 of these bus stops. Capital Metro has, to date, reimbursed the City \$1,600,000 for work performed since execution of the interlocal agreement.

Capital Metro was pleased with the City's expedient work and requested that the City perform additional improvements, specifically accessibility improvements and achieving compliance with the Americans with Disabilities Act (ADA) at several bus stops. In December 2012, Council approved an amendment to the interlocal agreement. In this amendment, Capital Metro agreed to provide the City an additional \$10,000,000 for accessibility and ADA-compliance work to be performed Fiscal Years 2012-2017. Capital Metro will reimburse the City for construction costs as well as engineering design, project management, and other "soft" costs up to 25% of the construction costs. Additional "soft" costs could also include other work such as construction inspection, permitting, and testing.

The City will perform the work under an Indefinite Delivery/Indefinite Quantity (IDIQ) contract and bill Capital Metro monthly for reimbursement. If reimbursement is not received within 15 days from the date the invoice is received by Capital Metro, the City will complete any improvements currently under construction but will not start work on new projects. Staff from the Neighborhood Connectivity Division (NCD) of Public Works will monitor the monthly payments from Capital Metro to ensure payments are received promptly. If payment is not received promptly, NCD staff will immediately notify Public Works Financial Services staff and Capital Metro. The bus stop improvements are estimated to range from \$3,000 to \$20,000 each, with an average cost of \$8,000. The City plans to phase the work such that no more than \$150,000 of work is performed per month. This approach will allow the City to undertake these important improvements while limiting the risk associated with the reimbursement process.

Since the IDIQ process does not provide a detailed engineering design up-front, but rather engineers in the field as construction progresses, the potential for unknown subsurface conditions and utility conflicts is increased when working in the right-of-way. Due to the potential for unforeseen site conditions, a 10% contingency in funding has been included to allow for the expeditious processing of any future changes.

The contract allows two calendar years for completion of this project with one additional option year at the City's discretion.

The improvements will occur in various zip codes throughout the City and will be managed by the Public Works Department.

Muniz Concrete and Contracting Inc. is located in Austin, Texas.