

## A G E N D A



## Recommendation for Council Action (CMD)

|                     |          |       |               |     |
|---------------------|----------|-------|---------------|-----|
| Austin City Council | Item ID: | 40585 | Agenda Number | 10. |
|---------------------|----------|-------|---------------|-----|

Meeting Date: March 5, 2015

Department: Contract Management

## Subject

Authorize award and execution of a construction contract with MUNIZ CONCRETE AND CONTRACTING, INC. for Americans with Disabilities Act Sidewalk and Ramp Improvements 2015 Group # 16 City Wide Project for a total contract amount not to exceed \$3,500,000 for an initial term of 18 months with two 12-month extension options.

## Amount and Source of Funding

Funding is available in the Fiscal Year 2014-2015 Capital Budget of the Public Works Department.

## Fiscal Note

A fiscal note is attached.

Purchasing Language: Lowest responsive bid of 5 bids received.

Prior Council Action:

For More Information: Diane Rice, (512)974-7081; Mike Curtis, (512)974-7056; Mark Cole, (512)974-7019; Lucy Bonee, (512)-974-7967; Elizabeth Godfrey, (512)-974-7141.

Boards and Commission Action:

Related Items:

MBE / WBE: This contract will be awarded in compliance with City Code Chapter 2-9A of the (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 88.95% MBE and 1.64% WBE participation.

## Additional Backup Information

This RCA requests authorization to enter into an Indefinite Delivery/Indefinite Quantity (IDIQ) contract for the construction of sidewalks, ramps, driveways, retaining walls, handrails, striping, shoulder widening, bus stop Americans with Disabilities Act (ADA) upgrades, sidewalk repairs, and associated construction. IDIQ contracts provide for an indefinite quantity of services for a fixed time, usually an initial term with extension options. They are used when the City cannot determine, above a specified minimum, the precise quantities of supplies or services that will be required during the contract period. IDIQ contracts help streamline the contract process and speed service delivery while allowing the City flexibility to add projects as needs and priorities arise or change.

As part of the City's ongoing effort to comply with the directives of the federal ADA, the Public Works Department has developed efficient and cost effective methods to construct sidewalk and curb ramps. The projects constructed under this contract will be funded through 2012 Bond ADA Sidewalk Funding. The base bid was used to identify and determine the lowest responsive bidder and to determine contract unit prices for each bid item. The not to exceed contract amount of \$3,500,000 is the amount budgeted for this contract and Council authorization will allow the Public Works Department to issue work assignments up to the budgeted amount within the contract time that is authorized.

This project is called Group # 16 because it is the 16th IDIQ contract for these services. This contract includes engineered details, specifications, currently identified project locations and estimated total quantities of work. As each project location is further defined, a specific work assignment will be given to the contractor who will complete the scope of work for the unit prices included in the contract. The sidewalks anticipated for inclusion in Group # 16 are identified in the map attached as backup to this item.

The contract will be for an initial 18 months with two additional 12 month time extension options. The extension options are subject to the mutual agreement of both parties and does not increase the overall contract amount. Work deadlines will be established for each work assignment. The work will be located throughout the City and is managed by the Public Works Department.

MUNIZ CONCRETE AND CONTRACTING, INC. is located in Austin, TX

## M/WBE Summary

Solicitation documents for this Invitation for Bid were distributed to 267 contractors using the City's Vendor Connection web portal. 11 general contractors obtained the bid documents and 5 bids were received. Bids were opened on January 15, 2015. The bid amount listed below is based on the unit prices and the estimated quantities contained in the solicitation and is only used for the purpose of comparison and evaluation of bids. MUNIZ CONCRETE AND CONTRACTING, INC. submitted the lowest responsive bid of 5 bids received:

|  |                |
|--|----------------|
| Muniz Concrete and Contracting, Inc., Austin, TX | \$3,041,517.50 |
| Prism Development, Inc., Austin, TX              | \$3,373,578.50 |
| Smith Contracting Co. Inc., Austin, TX           | \$3,763,374.00 |
| Austin Constructors, LLC, Austin, TX             | \$3,879,878.00 |
| MAC, Inc., Austin, TX                            | \$4,627,500.00 |

Muniz Concrete and Contracting, Inc. submitted a MBE/WBE Compliance Plan that met the goals and was approved by the Small and Minority Business Resources Department and provides for 7 areas of subcontracting opportunities which are listed below. The Small and Minority Business Resources Department established the following Project specific subgoals for this solicitation: 1.54% African American; 5.34% Hispanic; 0.66% Native/Asian, 1.44% WBE. Total MBE/WBE participation was estimated on the base bid amount of \$3,041,517.50:

|  |                       |               |
|--|-----------------------|---------------|
| <u>MBE TOTAL – PRIME</u>   | <u>\$2,526,508.50</u> | <u>83.06%</u> |
| (MH) Muniz Concrete and Contracting, Inc., Austin, TX                  | \$2,526,508.50        | 83.06%        |
| <u>MBE TOTAL – SUBCONTRACTORS</u>                                      | <u>\$ 178,736.00</u>  | <u>5.88%</u>  |
| <u>African American Subtotal</u>                                       | <u>\$ 153,936.00</u>  | <u>5.06%</u>  |
| (MB) AusTex Tree Service Inc., Round Rock, TX (erosion control)        | \$ 148,936.00         | 4.90%         |
| (MB) Ash-Nem Trucking, Austin, TX (trucking)                           | \$ 5,000.00           | 0.16%         |
| <u>Native/Asian Subtotal</u>   | <u>\$ 24,800.00</u>   | <u>0.82%</u>  |
| (MA) Benquest, Austin, TX (fuel)                                       | \$ 24,800.00          | 0.82%         |
| <u>WBE TOTAL – SUBCONTRACTORS</u>                                      | <u>\$ 50,000.00</u>   | <u>1.65%</u>  |
| (FW) Piatra Inc., Austin, TX (handrail )                               | \$ 42,200.00          | 1.39%         |
| (FW) Diva Imaging, Austin, TX (construction photography)               | \$ 7,800.00           | 0.26%         |
| <u>NON M/WBE TOTAL – SUBCONTRACTORS</u>                                | <u>\$ 286,273.00</u>  | <u>9.41%</u>  |
| (NON) TRP Construction Group LLC, Pflugerville, TX (pavement markings) | \$ 50,273.00          | 1.65%         |
| (NON) Lauren Concrete L.P., Austin, TX (concrete)                      | \$ 236,000.00         | 7.76%         |

Second and third low bidder information is provided.

SECOND BIDDER – Prism Development, Inc., Austin, TX \$3,373,578.50  
95.86% MBE prime participation (MH) ; 1.54% African American; 0.00% Hispanic; 1.16% Native/Asian; 1.44% WBE;  
0.00% Non M/WBE subcontractor participation.

THIRD BIDDER - Smith Contracting Co. Inc., Austin, TX \$3,763,374.00  
83.72% NON M/WBE prime participation; 1.54% African American; 5.34% Hispanic; 0.66% Native/Asian; 1.46% WBE; 0.003% Non M/WBE subcontractor participation.

# CIP BUDGET FISCAL NOTE

**DATE OF COUNCIL CONSIDERATION:**

3/5/15

**CONTACT DEPARTMENT(S):**

Public Works Department

**SUBJECT:** Authorize award and execution of a construction contract with MUNIZ CONCRETE AND CONTRACTING, INC. for Americans with Disabilities Act Sidewalk and Ramp Improvements 2015 Group #16 City Wide Project for a total contract amount not to exceed \$3,500,000 for an initial term of 18 months with two 12-month extension options.

**CURRENT YEAR IMPACT:**

| <b>Department:</b>     | <b>Public Works</b>                         |
|------------------------|---|
| Project Name:          | ADA Sidewalk and Ramp Improvements Group 16 |
| Funding Source:        | 2012 General Obligation Bond Prop. 12       |
| Fund/Dept/Unit:        | 8112-6207-A201                              |
| Current Budget         | 2,212,000                                   |
| Unencumbered Balance   | 2,212,000                                   |
| This Action            | (2,212,000)                                 |
| Estimated Available    | 0   |
| Fund/Dept/Unit:        | 8112-6207-A202                              |
| Current Budget         | 600,000                                     |
| Unencumbered Balance   | 600,000                                     |
| This Action            | (600,000)                                   |
| Estimated Available    | 0   |
| Fund/Dept/Unit:        | 8112-6207-A203                              |
| Current Budget         | 170,000                                     |
| Unencumbered Balance   | 170,000                                     |
| This Action            | (170,000)                                   |
| Estimated Available    | 0   |
| Fund/Dept/Unit:        | 8112-6207-A204                              |
| Current Budget         | 130,000                                     |
| Unencumbered Balance   | 130,000                                     |
| This Action            | (130,000)                                   |
| Estimated Available    | 0   |
| Fund/Dept/Unit:        | 8112-6207-A205                              |
| Current Budget         | 388,000                                     |
| Unencumbered Balance   | 388,000                                     |
| This Action            | (388,000)                                   |
| Estimated Available    | 0   |
| Total Amount of Action | 3,500,000                                   |

**ANALYSIS / ADDITIONAL INFORMATION:** Funding in the amount of \$3,500,000 is available in the Fiscal Year 2014-2015 Capital Budget of the Public Works Department.