

## A G E N D A



## Recommendation for Council Action (CLMD)

Austin City Council

Item ID:

70669

Agenda Number

5.

Meeting Date:

June 8, 2017

Department:

Capital Contracting Office

## Subject

Authorize the use of the competitive sealed proposal procurement method for solicitation of construction of a new recreation and community building for the new Montopolis Recreation and Community Center.

## Amount and Source of Funding

A Recommendation for Council Action with the not to exceed contract amount for the resultant contract will be presented to Council once the Competitive Sealed Proposal selection has been completed.

## Fiscal Note

A fiscal note is not required.

**Purchasing Language:**

This request is for Council to authorize the use of the competitive sealed proposal selection method; therefore no solicitation has been initiated.

**Prior Council Action:**

N/A

**For More Information:**

Inquiries should be directed to the City Manager's Agenda Office, at 512-974-2991 or AgendaOffice@ austintexas.gov.

NOTE: Respondents to this solicitation, and their representatives, shall direct inquiries to Rolando Fernandez, 512-974-7749 or Garrett Cox, 512-974-9423.

**Boards and Commission Action:**

N/A

**MBE / WBE:**

**Related Items:**

MBE/WBE goals will be established for this solicitation prior to issuance.

## Additional Backup Information

State law governs construction procurement for municipalities. The standard method of contracting used for construction services is competitive bidding where the contract is awarded to the lowest responsive and responsible bidder and price drives the selection of the contractor. Texas Local Government Code subsection 252.022(d) allows the City to adopt and use an alternative procurement method as provided for in a separate state statute. Texas Government Code chapter 2269 allows for alternative methodologies to low-bidding which may provide the best value to the municipality and cost is not the predominant factor for selection of a contractor. These alternate methodologies include: Competitive Sealed Proposals, Construction Manager-at-Risk, Design-Build, and Job Order Contracting.

The Competitive Sealed Proposal method is the alternative delivery method most closely related to traditional competitive bidding. The principal difference is that the City evaluates, ranks and selects a respondent, based on evaluation criteria consisting of, but is not limited to, safety record and safety practices, comparable relevant project experience, sustainability practices, local business presence, financial stability, and price. Unlike traditional competitive bidding, price is a portion of the overall evaluation score. A City-staffed panel will review, evaluate, and rank proposals based on stated evaluation criteria.

By Council approval to use this alternate methodology, the Capital Contracting Officer will be delegated the authority to implement the regulations set forth in chapter 2269 of the Texas Government Code pursuant to section 2269.053. This delegation is limited to this specific solicitation and notice will be given in the request for proposals.

This project will provide a new and improved recreation and community center for the Montopolis neighborhood and citizens of Austin. The new center is a joint-use facility between both the Parks and Recreation Department and Austin Public Health. Existing Parks and Recreation Department services such as the playground, the swimming pool, and the ball field will be preserved as part of the neighborhood park services. The new recreation and community center will house current and new recreational and health services including after-school activities, youth sport and specialized classes, education programs, exercise and fitness classes, health, wellness and nutrition programs, senior activities, neighborhood center services, seasonal services, and other health services for preventative care. The estimated construction cost for the project is \$11,000,000.

Currently, the gymnasium and other recreational programs for all age ranges are heavily used by the residents of the Montopolis community. The Parks and Recreation Department completed a condition assessment of the existing recreation center in 2011 and the assessment identified deteriorating infrastructure, Americans with Disabilities Act accessibility problems, and asbestos containing materials. It was determined that construction of a new facility is more practical than renovating the existing deteriorating structures. The existing recreation center will be demolished as part of this project.

After receipt of responses, the Capital Contracting Office, with the managing department and the project architect or engineer will begin negotiations with the top-ranked contractor. If negotiations are unsatisfactory with the top-ranked contractor, in accordance with the law and authority granted by this Council action, staff will end negotiations in writing and may proceed to negotiate with the next ranked contractor in the order of the selection ranking, until a contract is reached or all proposals are rejected. Staff will submit a recommendation to City Council to authorize a contract with the contractor who offers the best value.

A delay in the approval of this item would ultimately delay completion of the new Montopolis Recreation and Community Center.