



**Construction Contract  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 16  
AGENDA DATE: Thu 02/12/2004  
PAGE: 1 of 2**

**SUBJECT:** Authorize execution of a construction contract with HEYL CONSTRUCTION, LTD, Leander, TX, for the Austin Clean Water Program: Upper Tannehill – Briarcliff and Belfast Wastewater Improvements Project, in the amount of \$644,721 plus a \$64,472.10 contingency, for a total contract amount not to exceed \$709,193.10.

**AMOUNT & SOURCE OF FUNDING:** Funding in the amount of \$709,193.10 is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.

**FISCAL NOTE:** A fiscal note is attached.

**REQUESTING** Public Works  
**DEPARTMENT:** for Austin Water Utility;

**DIRECTOR'S  
AUTHORIZATION:** Sondra Creighton

**FOR MORE INFORMATION CONTACT:** Karen Poff, P.E., 479-1630; Anne Scharlach, P.E., 479-1648; James King, P.E., 972-1589; Laura Bohl, 974-7064

**PRIOR COUNCIL ACTION:** N/A

**BOARD AND COMMISSION ACTION:**

**PURCHASING:** Second lowest bid of five received.

**MBE / WBE:** 22.66% MBE and 8.04% WBE subcontractor participation.

---

This construction contract will provide for the installation of new wastewater pipelines in a generally residential area south of US 290 East and west of Berkman Drive. The improvements are intended to replace aging and deteriorated facilities and eliminate wastewater overflows that have occurred in this area. It is part of the Austin Water Utility's Austin Clean Water Program (ACWP), which was developed to respond to the requirements of the Environmental Protection Agency's Administrative Order regarding Sanitary Sewer Overflows.

The project consists of the replacement and upsizing of approximately 3,000 linear feet of wastewater line between Wheless Drive and Berkman Drive and includes the installation of the following: 1,823 linear feet of 12-inch wastewater line along Glencrest Drive, Brookside Drive, Belfast Drive and Briarcliff Drive to replace and provide relief to the existing 10-inch line currently within the creek; 998 linear feet of 15-inch wastewater line along Briarcliff Drive, Sweetbriar Drive, Dunbury Drive and Berkman Drive to replace and provide relief to the existing 12-inch line currently within the creek; and 212 linear feet of 8-inch wastewater line at the intersections of Briarcliff Drive/Belfast Drive, Briarcliff Drive/Dunbury Drive and Belfast Drive/Glencrest Drive. Due to the potential for unknown subsurface conditions and utility conflicts when working in the right-of-way, a 10% contingency in funding has been included to allow for the expeditious processing of any future change orders. The contract allows 120 working days for substantial completion of this project.

Bid documents were distributed to 8 general contractors. Bids were opened on January 8, 2004. Five (5) bids were received; Commercial Consolidated, Inc., submitted the lowest of the five (5) bids but was



**Construction Contract  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 16  
AGENDA DATE: Thu 02/12/2004  
PAGE: 2 of 2**

found non-compliant with the M/WBE Procurement Ordinance. Heyl Construction, Ltd. was the lowest responsive bidder:

|   |               |
|---|---------------|
| Commercial Consolidated, Inc., Liberty Hill, TX | Non-Compliant |
| Heyl Construction, Ltd., Leander, TX            | \$644,721.00  |
| Texas Road & Utilities, Inc. (WBE), Buda, TX    | \$769,920.00  |
| Salas Constructors, Inc. (MBE/MH), Buda, TX     | \$799,202.00  |
| Cash Construction, Co., Ltd., Pflugerville, TX  | \$858,174.00  |

The contractor's choice of work methodology provides for 4 areas of subcontracting opportunities listed below.

Participation sub goals stated in the solicitation were 3.92% African American; 14.77% Hispanic; 2.18% Native/Asian American, and 7.38% WBE. Total participation estimated on base bid amount of \$644,721.00:

|   |                     |               |
|---|---------------------|---------------|
| <b>NON M/WBE TOTAL – PRIME</b>                            | <b>\$446,699.00</b> | <b>69.29%</b> |
| Heyl Construction, Ltd., Leander, TX                      | \$446,699.00        | 69.29%        |
| <b>MBE TOTAL – SUBCONTRACTORS</b>                         | <b>\$146,164.00</b> | <b>22.66%</b> |
| <b>MB Subtotal</b>  | <b>\$27,029.00</b>  | <b>4.19%</b>  |
| Haynes-Eaglin-Waters, Austin, TX (Pipe)                   | \$27,029.00         | 4.19%         |
| <b>MH Subtotal</b>  | <b>\$104,859.00</b> | <b>16.26%</b> |
| Michael Heyl Construction, Inc., Leander, TX (Excavation) | \$104,859.00        | 16.26%        |
| <b>MA Subtotal</b>  | <b>\$14,276.00</b>  | <b>2.21%</b>  |
| Marie's Trucking, Austin, TX (Trucking)                   | \$14,276.00         | 2.21%         |
| <b>WBE TOTAL – SUBCONTRACTORS</b>                         | <b>\$51,858.00</b>  | <b>8.04%</b>  |
| Fuquay, Inc., Austin, TX (Erosion Control Services/Pipe)  | \$51,858.00         | 8.04%         |

The Contractor submitted a MBE/WBE Compliance Plan that was approved by the Department of Small & Minority Business Resources. Third low bidder information is provided:

**THIRD BIDDER – Texas Road and Utilities, Inc., Buda, TX**  
62.90%WBE prime participation; 4.04% MB; 15.97% MH; 2.33% MA; 3.64% WBE; 11.11% Non M/WBE subcontractor participation.

## CIP FISCAL NOTE

**DATE OF COUNCIL CONSIDERATION:**  
**WHERE ON AGENDA:**  
**DEPARTMENT:**

2/12/2004  
Resolution  
Austin Water Utility

**DESCRIPTION:**

Authorize execution of a construction contract with HEYL CONSTRUCTION, LTD, for the Austin Clean Water Program: Upper Tannehill - Briarcliff and Belfast Wastewater Improvements Project in the amount of \$644,721 plus a \$64,472.10 contingency for a total contract amount not to exceed \$709,193.10.

**FINANCIAL INFORMATION:**

|                        |                                 |
|------------------------|---------------------------------|
| Parent Project Name:   | Wastewater Unfunded Future      |
| Project Authorization: | 2003-04 Approved Capital Budget |
| Funding Source:        | Commercial Paper                |
| Number:                | 4570 237 2017                   |

|                                |                            |
|--------------------------------|----------------------------|
| Current Appropriation          | \$ 410,907,293.00          |
| Unencumbered Balance           | 194,770,889.11 *           |
| Amount of This Action          | <u>(709,193.10)</u>        |
| Remaining Balance              | <u>\$ 194,061,696.01</u>   |
| Current Available Balance      | \$ 214,880,357.86          |
| Less Outstanding Commitments   | <u>(20,109,468.75)</u>     |
| Estimated Unencumbered Balance | <u>\$ 194,770,889.11 *</u> |

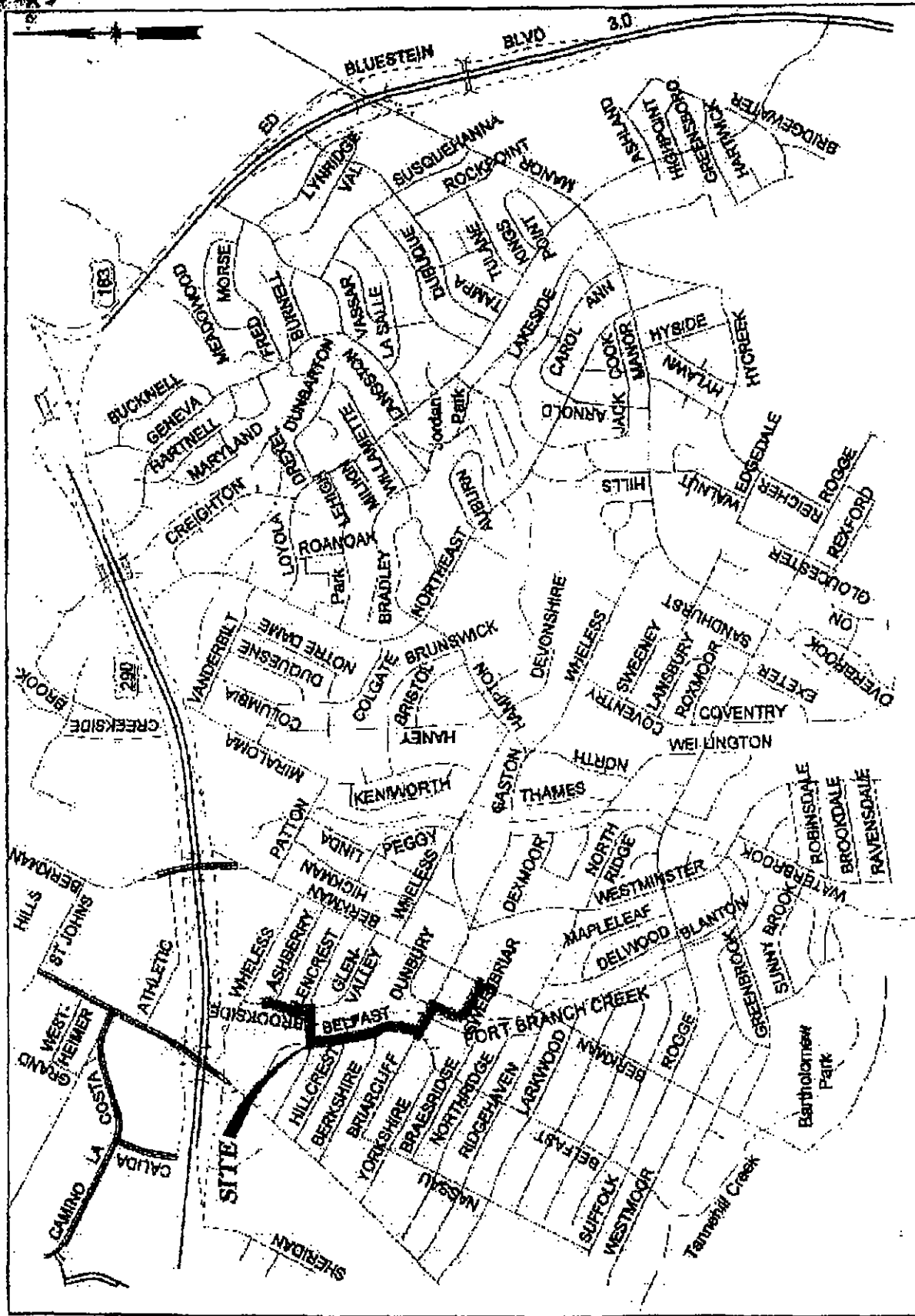
Utility Finance: \_\_\_\_\_

David Anders, Utilities Finance Manager

Date: 1/30/04

**REF. #4570 237 8565**

# AUSTIN CLEAN WATER PROGRAM UPPER TANNEHILL - BRIARCLIFF & BELFAST



CITY GRIDS: WDL26 WCL26

LOCATION MAP

N.T.S.