



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

**AGENDA ITEM NO.: 21  
AGENDA DATE: Thu 02/12/2004  
PAGE: 1 of 3**

**SUBJECT:** Authorize execution of a construction contract with CAPITAL EXCAVATION COMPANY, INC., Austin, TX, for street reconstruction and utility improvements on Lamar Boulevard from Town Lake Bridge to West 24<sup>th</sup> Street in the amount of \$12,668,950.44, plus a bonus potential amount not to exceed \$360,000, plus a 25%, \$3,157,237.61, contingency, for a total contract amount not to exceed \$16,186,188.05.

**AMOUNT & SOURCE OF FUNDING:** Funding in the amount of \$10,258,756.35 is available in the Fiscal Year 2003-2004 Capital Budget of the Public Works Department; \$40,000 is available in the Fiscal Year 2002-2003 Amended Capital Budget of Transportation, Planning & Sustainability Department; \$2,903,487.49 is available in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility; and \$2,983,944.20 is available in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.

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

**REQUESTING** Public Works  
**DEPARTMENT:**

**DIRECTOR'S**  
**AUTHORIZATION:** Sondra Creighton

**FOR MORE INFORMATION CONTACT:** Paulinda Mackie, 974-7178; Laura Bohl, 974-7064

**PRIOR COUNCIL ACTION:** N/A

**BOARD AND COMMISSION ACTION:** N/A

**PURCHASING:** Only one responsive bid received.

**MBE / WBE:** 5.546% MBE and 18.07% WBE subcontractor participation.

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This project provides for reconstruction of Lamar Boulevard from Town Lake Bridge to West 24<sup>th</sup> Street. The work consists of approximately 8,500 linear feet of full-depth street reconstruction of Lamar Boulevard from Town Lake Bridge to West 24<sup>th</sup> Street, minor storm drain system improvements, replacement of approximately 7,700 linear feet of waterline, replacement of approximately 7,200 linear feet of wastewater line, new ADA ramps, and new sidewalk from MLK to West 24<sup>th</sup> Street.

Due to the potential for unknown subsurface conditions and utility conflicts when working in the right-of-way, and the accelerated schedule, a 25% contingency in funding has been included to allow for the expeditious processing of any future change orders. The contract allows 500 calendar days for completion of this project.

Bid documents were distributed to three (3) general contractors. Bids were opened on January 29, 2004. The Capital Excavation Company, Inc., submitted the only responsive bid. The other bidder failed to show that they could complete Milestone 1 of the project in the time allotted by the Contract. The solicitation included a Statement of Bidder's Experience that required the contractor to submit a project schedule with his bid:

Capital Excavation Company, Inc., Austin, Texas	\$12,668,950.44
Texas Sterling Construction, L.P., San Antonio, Texas	Deemed Non Responsive



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PAGE: 2 of 3**

The contractor's choice of work methodology provides for thirteen (13) areas of subcontracting opportunities listed below. Project specific subgoals stated in the solicitation were 3.03% African American; 12.41% Hispanic; 0.77% Native/Asian American, and 7.36% WBE. Total participation estimated on base bid amount of \$12,668,950.44.

<b>NON M/WBE TOTAL – PRIME</b>	<b>\$9,171,642.88</b>	<b>72.395%</b>
Capital Excavation Company, Inc., Austin, Texas	\$9,171,642.88	72.395%
<b>MBE TOTAL – SUBCONTRACTORS</b>	<b>\$702,640.00</b>	<b>5.546%</b>
<b>African American Subtotal</b>	<b>\$41,000.00</b>	<b>0.324%</b>
Austex Tree Service, Inc., Round Rock, Texas (Tree Pruning & Fertilization)	\$21,000.00	0.166%
JJL Trucking, Cedar Park, Texas (Spoil Hauling)	\$10,000.00	0.079%
JC Hall Trucking, Austin, Texas (Spoils Hauling)	\$10,000.00	0.079%
<b>Hispanic Subtotal</b>	<b>\$649,640.00</b>	<b>5.127%</b>
Rainbow Materials, LP, Del Valle, Texas (Supply & Deliver Ready-mix Concrete)	\$196,405.00	1.550%
Anaya Construction Services, Georgetown, Texas (Concrete Removals)	\$8,280.00	0.065%
Aaron Concrete Constructors, Inc., Austin, Texas (Roadway Milling & Milling Excavation)	\$97,700.00	0.771%
Gamez Trucking, Kyle, Texas (HMAC Hauling)	\$150,000.00	1.184%
Marcelo's Sand & Loam, Austin, Texas (Dump Fees for Spoils)	\$9,000.00	0.071%
5A Transportation, Lometa, Texas (Material Hauling)	\$168,455.00	1.330%
ABC Erosion Control, Leander, Texas (Safety Fence)	\$19,800.00	0.156%
<b>Native/Asian American Subtotal</b>	<b>\$12,000.00</b>	<b>0.095%</b>
Rama Tiru, Austin, Texas (Photography)	\$12,000.00	0.095%
<b>WBE TOTAL – SUBCONTRACTORS</b>	<b>\$2,289,277.75</b>	<b>18.07%</b>
(FR) Roadway Specialties, Inc., Luling, TX (Erosion Control)	\$54,263.75	0.428%
(FR) National Works, Inc., Austin, Texas (Utility Work)	\$227,000.00	1.792%
(FR) Industrial Asphalt, Inc., Buda, Texas (HMAC)	\$2,008,014.00	15.850%
<b>NON M/WBE TOTAL – SUBCONTRACTORS</b>	<b>\$505,390.00</b>	<b>3.989%</b>
The Levy Company, LP, San Antonio, Texas (Traffic Conduit)	\$259,510.00	2.048%
United Rental Highway Technologies, Austin, Texas (Barricades, Signage, Striping)	\$245,880.00	1.941%

The Contractor submitted a MBE/WBE Compliance Plan that demonstrated a Good Faith Effort and was

RCA Serial#: 4148 Date: 02/12/04 Original: Yes

Published:

Disposition:

Adjusted version published:



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PAGE: 3 of 3**

approved by the Department of Small & Minority Business Resources. Other bidder information is provided.

## CIP BUDGET FISCAL NOTE

**DATE OF COUNCIL CONSIDERATION:**

12-Feb-04

**WHERE ON AGENDA:**

Resolution not required

**DEPARTMENT:**

Transportation Planning and Sustainability

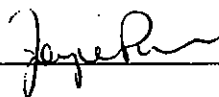
Description: Authorize execution of a construction contract with Capital Excavation Company, Inc., (Non MBE/WBE), Austin, TX, for street reconstruction and utility improvements on Lamar Boulevard from Town Lake Bridge to West 24th Street in the amount of \$12,668,950.44, plus a bonus amount not to exceed \$360,000, plus a 25%, \$3,157,237.61 contingency for a total contract amount not to exceed \$16,186,188.05.

### FINANCIAL INFORMATION:

Project Name:	Lamar Sidewalks
Project Authorization:	2002-2003 Amended Capital Budget
Funding Source:	General Fund Transfers & CIP Interest
Fund/Agency/Orgn:	8400-257-0108

Total Current Appropriation	\$40,000.00
Unencumbered Balance	\$40,000.00
Amount of this Action	<u>(\$40,000.00)</u>
Estimated Available	<u><u>\$0.00</u></u>

Financial Approval: \_\_\_\_\_



Date: 02/03/04

## 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 Capital Excavation Company, Inc., (Non MBE/WBE), Austin, TX, for street reconstruction and utility improvements on Lamar Boulevard from Town Lake Bridge to West 24th Street in the amount of \$12,668,950.44, plus a bonus amount not to exceed \$360,000, plus a 25%, \$3,157,237.61, contingency, for a total contract amount not to exceed \$16,186,188.05.

**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	195,388,273.99 *
Amount of This Action	<u>(2,983,944.20)</u>
Remaining Balance	<u>\$ 192,404,329.79</u>
 Current Available Balance	 \$ 215,064,645.45
Less Outstanding Commitments	<u>(19,676,371.46)</u>
Estimated Unencumbered Balance	<u>\$ 195,388,273.99 *</u>

Utility Finance:

  
David Anders, Utilities Finance Manager

Date:

2/4/04

REF. #4570 237 8713

## CIP BUDGET FISCAL NOTE

**DATE OF COUNCIL CONSIDERATION:**

**WHERE ON AGENDA:**

**DEPARTMENT:**

**DESCRIPTION:** Authorize execution of a construction contract with CAPITAL COMPANY, INC., Austin, TX, for street reconstruction and utility improvement Boulevard from Town Lake Bridge to West 24th Street in the amount of \$12,668,100, plus a bonus amount not to exceed \$360,000, plus a 25%, \$3,157,237.61, contingency, for amount not to exceed \$16,186,188.05. Funding in the amount of \$7,920,499.71 from the FY2003-2004 approved Capital Budget of the Public Works Department.

### FINANCIAL INFORMATION:

Project Name:	Street Reconstruction
Project Authorization:	2003-2004 Approved Capital Budget
Funding Source:	1998 General Obligation Bonds, P1
Fund/Agency/Orgn:	8780 607 1800

Total Current Appropriation	\$64,362,001.00
Unencumbered Balance	\$16,778,005.00
Amount of this Action	<u>(\$7,920,499.71)</u>
Estimated Available	<u>\$8,857,505.29</u>

Ref: 8780 607 1856

Financial Approval: Rusty Cobern

Date: February 4, 2004

RCA Serial # 4148

## 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 Capital Excavation Company, Inc., (Non MBE/WBE), Austin, TX, for street reconstruction and utility improvements on Lamar Boulevard from Town Lake Bridge to West 24th Street in the amount of \$12,668,950.44, plus a bonus amount not to exceed \$360,000, plus a 25%, \$3,157,237.61, contingency, for a total contract amount not to exceed \$16,186,188.05.

**FINANCIAL INFORMATION:**

Parent Project Name:	Water Unfunded Future
Project Authorization:	2003-04 Amended Capital Budget
Funding Source:	Commercial Paper
Number:	3960 227 1019

Current Appropriation	\$ 271,508,739.00
Unencumbered Balance	81,691,626.55 *
Amount of This Action	<u>(2,903,487.49)</u>
Remaining Balance	<u>\$ 78,788,139.06</u>
 Current Available Balance	 \$ 84,884,792.48
Less Outstanding Commitments	<u>(3,193,165.93)</u>
Estimated Unencumbered Balance	<u>\$ 81,691,626.55 *</u>

Utility Finance: for   
David Anders, Utilities Finance Manager

Date: 2/4/04

REF. # 3960 227 7429

# LAMAR BOULEVARD – TOWN LAKE BRIDGE TO 24<sup>TH</sup> STREET

