



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

**AGENDA ITEM NO.: 23  
AGENDA DATE: Thu 06/09/2005  
PAGE: 1 of 1**

**SUBJECT:** Ratify a construction contract with AUSTIN FILTER SYSTEMS, INC., Austin, TX, for the Tannehill Branch at Manor Circle Emergency Contract in an amount of \$403,317.50.

**AMOUNT & SOURCE OF FUNDING:** Funding is available in the Fiscal Year 2004-2005 Approved Capital Budget of the Watershed Protection and Development Review Department.

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

**REQUESTING** Public Works                      **DIRECTOR'S**  
**DEPARTMENT:**for Watershed Protection **AUTHORIZATION:** Sondra Creighton  
and Development  
Review;

**FOR MORE INFORMATION CONTACT:** Lucia Stan, P.E., 974-7120; Laura Bohl, 974-7064

**PRIOR COUNCIL ACTION:** N/A

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

**PURCHASING:** Lowest bid of four received.

**MBE / WBE:** This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Woman-Owned Business Enterprise Procurement Program). No subcontractor opportunities were identified; therefore no goals were established for this solicitation.

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The November 2004 floods and subsequent rains caused severe creek bank erosion damage along a bend of Tannehill Branch Creek adjacent to Manor Circle. On Manor Circle there are four (4) four-plex structures situated adjacent to the creek bank. The creek bank is collapsing into the creek and threatens the structural integrity of two of the four-plex structures. The foundation of one structure is undermined and exposed. If the creek bank is not stabilized as soon as possible, conditions could cause a structural failure resulting in evacuation of two four-plex structures thus displacing eight families. The Watershed Protection and Development Review Department has executed an Emergency Purchase Affidavit to repair and permanently stabilize the damaged creek bank.

Bid documents were distributed to six general contractors. Bids were opened on May 5, 2005. The Austin Filter Systems, Inc. submitted the lowest of four bids received:

Austin Filter Systems, Inc., Austin, TX	\$ 403,317.50
Muniz Concrete & Contracting, Inc., Austin, TX	\$ 486,547.20
Capital Excavation Company, Austin, TX	\$ 769,000.00
Matoka, Inc., Austin, TX	\$ 812,193.30

The contract allows sixty (60) calendar days for completion of this project.

This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Woman-Owned Business Enterprise Procurement Program). No subcontractor opportunities were

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RCA Serial#: 8696 Date: 06/09/05 Original: Yes

Published:

Disposition:

Adjusted version published:



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PAGE: 2 of 1**

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## CIP BUDGET FISCAL NOTE

**DATE OF COUNCIL CONSIDERATION:**

8-Jun-05

**WHERE ON AGENDA:**

**DEPARTMENT:**

Watershed Protection & Development Review

Description: Ratify a construction contract with AUSTIN FILTER SYSTEMS, INC., Austin, TX, for the Tannehill Branch at Manor Circle Emergency Contract in an amount of \$403,317.50.

### FINANCIAL INFORMATION:

Project Name:	Tannehill at Manor Circle Emergency
Project Authorization:	2004-2005 Amended Capital Budget
Funding Source:	Drainage Utility Fund
Fund/Agency/Orgn:	4850-617-8018

Total Current Appropriation	\$656,000.00
Unencumbered Balance	\$537,158.65
Amount of this Action	<u>(\$403,317.50)</u>
Remaining Balance	<u>\$133,841.15</u>

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

Date: 6/16/05

STATE OF TEXAS )  
 )  
COUNTY OF TRAVIS )

EMERGENCY PURCHASE AFFIDAVIT

BEFORE ME, the undersigned authority, personally appeared Joseph G. Pantalion who being by me first duly sworn, upon oath deposed and stated: "My name is Joseph G. Pantalion, I am over eighteen (18) years of age. I am the Director of the City of Austin Watershed Protection and Development Review Department. I have personal knowledge of the facts set forth below and am competent and authorized to make this affidavit.

The November 2004 floods caused severe creek bank erosion damage along a bend of Tannehill Branch Creek adjacent to Manor Circle. On Manor Circle there are four (4) four-plex structures situated adjacent to the creek bank. The creek bank is collapsing into the creek and threatens the structural integrity of two of the four-plex structures. The foundation of one structure is undermined and exposed. If the creek bank is not stabilized as soon as possible, conditions could cause a structural failure resulting in evacuation of two four-plex structures thus displacing eight families. The Watershed Protection and Development Review Department (WPDRD) has contracted with an Engineering Design Consultant requiring the development of construction documents within 60-days. The Department of Public Works (DPW) will manage the emergency construction contract. DPW will prepare the construction contract, solicit interest from three (3) prospective contractors, and conduct a pre-bid meeting prior to the completion of the construction documents. The contractor selected will be required to start construction as soon as the emergency construction design documents are complete. WPDRD and DPW will make an effort to satisfy Minority and Women Business Enterprise participation goals.

The situation described above is a threat to public health and safety that requires the immediate appropriation of money to be resolved. I believe that future storms will further endanger both public and private amenities and necessitates immediate emergency repair. "Further Affiant saith not."

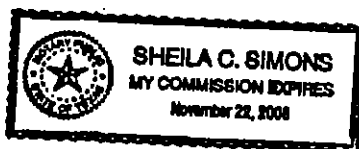
  
Signature

Joseph G. Pantalion  
Print Name

STATE OF TEXAS )  
 )  
COUNTY OF TRAVIS )

BEFORE ME, the undersigned notary public, personally appeared Joseph G. Pantalion (the "claimant") known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that Claimant executed the same for the purpose and consideration therein expressed, in the capacity therein stated, and that each and every statement therein is within Claimant's knowledge and is true and correct.

Given under my hand and seal of office on the 25th day of March 2005

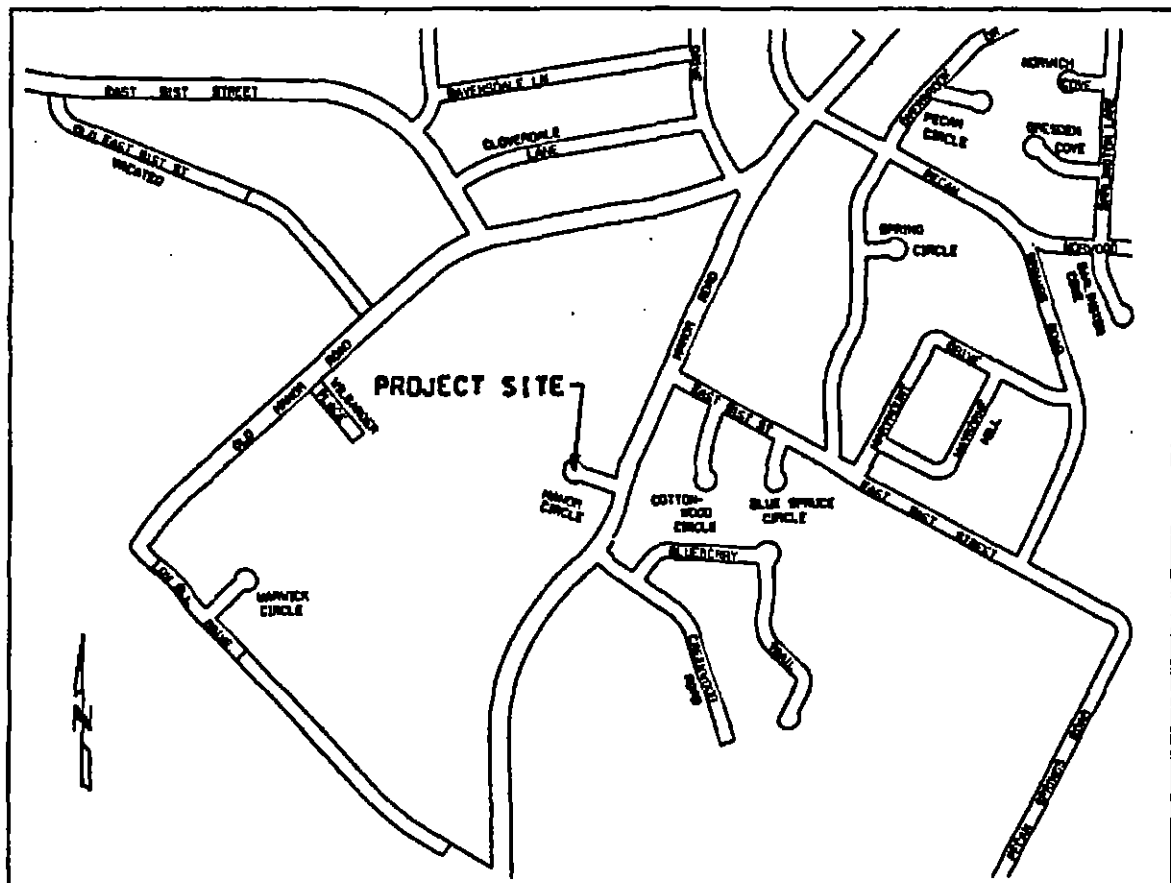


  
NOTARY PUBLIC, STATE OF TEXAS

Sheila C. Simons  
Printed Name of Notary

My Commission Expires: 11/22/08

# TANNEHILL BRANCH AT MANOR CIRCLE EMERGENCY PROJECT



LOCATION MAP

N.T.S.