



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

**AGENDA ITEM NO.: 8
AGENDA DATE: Thu 06/23/2005
PAGE: 1 of 1**

SUBJECT: Ratify execution of a construction contract with MCLEAN CONSTRUCTION, LTD, Killeen, TX, for construction of the Congress Avenue Alley Wastewater Repair project in the amount of \$87,219.68.

AMOUNT & SOURCE OF FUNDING: Funding is available in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.

FISCAL NOTE: A fiscal note is attached.

REQUESTING Austin Water Utility **DIRECTOR'S**
DEPARTMENT: **AUTHORIZATION:** Chris Lippe

FOR MORE INFORMATION CONTACT: Matt Cullen, P.E., 972-0250; Laura Wiley, 972-0104

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: N/A

PURCHASING: N/A

MBE / WBE: N/A

This project involved the replacement of approximately 300 LF of 6-inch diameter wastewater line in the alley west of Congress Avenue between 7th and 8th Streets. The existing wastewater line was more than 70 years old and was leaking sewage into the ground. The sewage was making its way into buildings along the alley. Due to the extreme congestion of utilities in the alley, the scope of the work was beyond the capabilities of the Utility's crews.

The Austin Water Utility executed an Emergency Purchase Affidavit on August 18th, 2004 declaring the situation a threat to public health and safety that required immediate action. Bids were solicited from five contractors. Two contractors accepted the solicitation and submitted a bid. Michael S. Heyl Construction Company was the low bidder. Prior to the completion of the project, Michael S. Heyl ceased operations and Mclean Construction completed construction of the project. In that this was an emergency action, there were no MBE/WBE goals.

CIP FISCAL NOTE

DATE OF COUNCIL CONSIDERATION:
WHERE ON AGENDA:
DEPARTMENT:

06/23/05
Resolution
Austin Water Utility

DESCRIPTION:

Ratify construction contract with Mclean Construction LTD, PO Box 10759, Killeen, Texas, 76547, for construction of the Congress Avenue Alley Wastewater Repair project in the amount of \$87,219.68.

FINANCIAL INFORMATION:

Parent Project Name:	Wastewater Improvements- Citywide
Project Authorization:	2004-05 Approved Capital Budget
Funding Source:	Current Revenue
Number:	4480 237 2016

Current Appropriation	\$ 109,530,829.00
Unencumbered Balance	14,257,581.57 *
Amount of This Action	<u>\$ (87,219.68)</u>
Remaining Balance	<u><u>\$ 14,170,361.89</u></u>
 Current Available Balance	 \$ 14,534,520.57
Less Outstanding Commitments	<u>(276,939.00)</u>
Estimated Unencumbered Balance	<u><u>\$ 14,257,581.57 *</u></u>

Utility Finance:



David Anders, Utilities Finance Manager

Date:

5/27/05

REF. # 4480 237 8684



MEMORANDUM

TO: Mayor and Council

FROM: Sondra Creighton, P.E., Director
Public Works Department

DATE: June 9, 2005

SUBJECT: Ratification RCA for Mclean Construction LTD, for the Congress Avenue Alley Wastewater Repair Project – 06/23/05 Council Agenda

This is to provide you with further information concerning ratification of the RCA for execution of an Emergency Contract in the amount of \$ 87,219.68, with Mclean Construction LTD, for the Congress Avenue Alley Wastewater Repair Project that is on the June 23, 2005 Council Agenda.

This project involved the replacement of approximately 300 LF of 6-inch diameter wastewater line in the alley west of Congress Avenue between 7th and 8th Streets. The existing wastewater line was more than 70 years old and was leaking sewage into the ground. The sewage was making its way into buildings along the alley. The scope of the work was beyond the capabilities of the Utility's crews due to the extreme congestion of utilities in the alley.

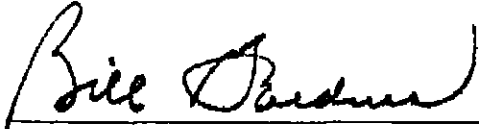
The Austin Water Utility executed an Emergency Purchase Affidavit on August 18th, 2004 declaring the situation a threat to public health and safety that required immediate action. The original plan was for the Utility to advertise and execute a contract for the repair. On September 19, 2004 the Utility contracted the Public Works Department to execute the contract and complete the work.

Bids were solicited from five contractors. Two contractors accepted the solicitation and submitted a bid. Michael S. Heyl Construction Company was the low bidder. Work commenced on October 1, 2004 and was substantially completed on October 29, 2004. Prior to the completion of the project, Michael S. Heyl ceased operations and Mclean Construction completed construction of the project. Final payment to McLean was made on March 17, 2005. The interval between project acceptance and final payment was due

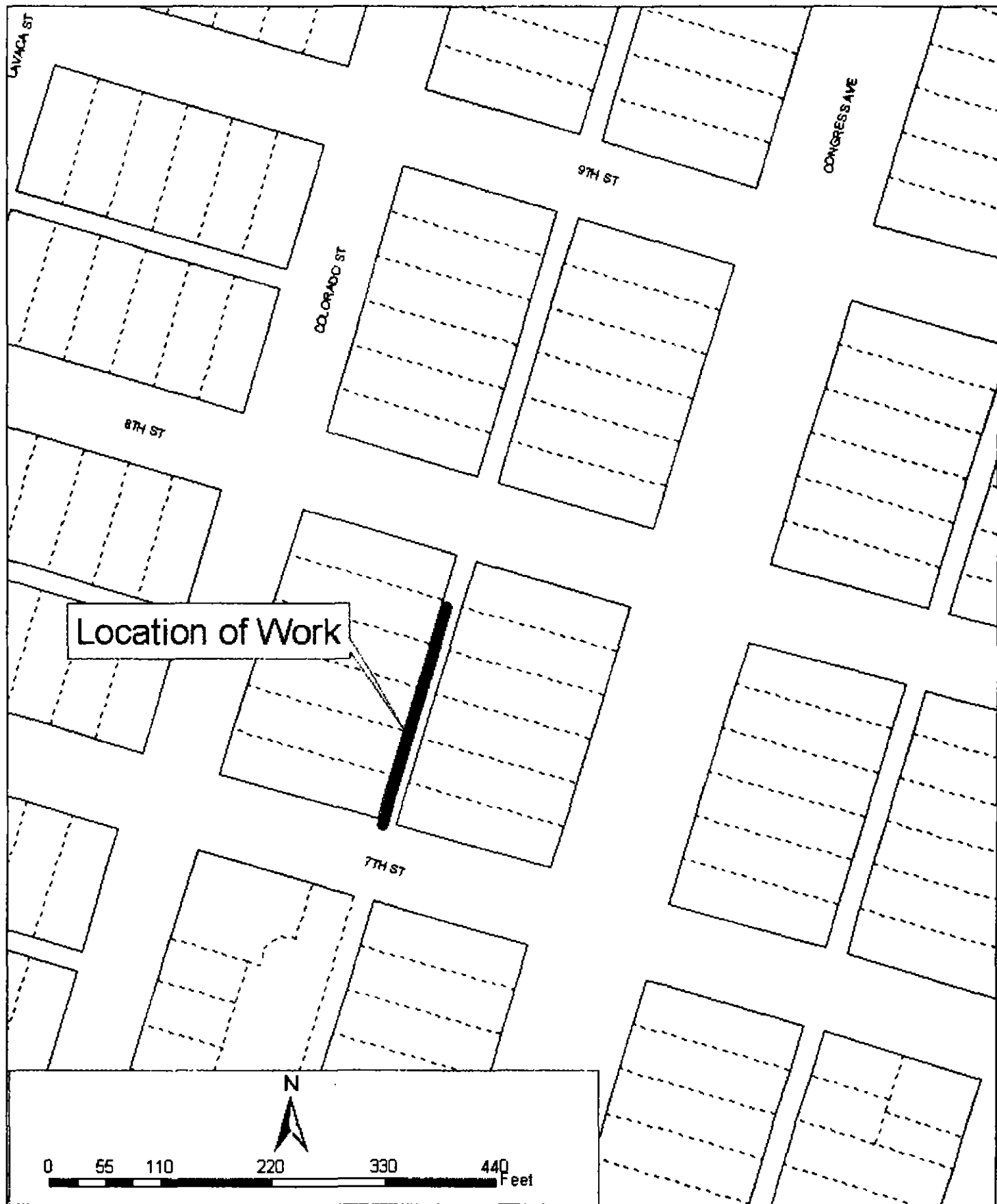
to the 30-day post-installation testing requirement and delays due to lost paperwork (on the contractor's part) resulting from the change in contractor.

In that this was an emergency action, there were no MBE/WBE goals. The total contract amount was \$87,219.68.

If you have questions on this item, please do not hesitate to contact me at 974-7175.

for 
Sondra Creighton, P.E., Director
Public Works Department

cc: Toby Hammett Futrell, City Manager
Joe Canales, Deputy City Manager
Chris Lippe, P.E., Watershed Protection Department



Congress Avenue Alley Emergency Wastewater Repair Project