



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

**AGENDA ITEM NO.: 7
AGENDA DATE: Thu 05/13/2004
PAGE: 1 of 2**

SUBJECT: Authorize execution of a construction contract with GARVER CONSTRUCTION, LTD, Houston, TX, for the Austin Clean Water Program: Upper Tannehill Lower Fort Branch - Manor Hills project in the amount of \$1,241,402.50 plus a \$124,140.25 contingency, for a total contract amount not to exceed \$1,365,542.75.

AMOUNT & SOURCE OF FUNDING: Funding in the amount of \$1,365,542.75 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: 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; Laura Bohl, 974-7064.

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: Recommended by Water & Wastewater Commission.

PURCHASING: Lowest bid of three received.

MBE / WBE: 17.65% MBE and 6.71% WBE subcontractor participation.

This construction contract will provide for the installation of new wastewater pipelines located between East 51st Street and Manor Rd. 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 1700 linear feet of existing 15-inch wastewater line with 21-inch wastewater line east of E. 51st Street and Overbrook Drive, along Fort Branch Channel through the Manor Hills Subdivision to Upper Tannehill Creek. Specifically, construction will include 960 linear feet of open cut construction and 721 linear feet of microtunneling. Streambank stabilization on Tannehill Creek is also included. Construction in the street is limited to crossings of Blueberry Trail and Creekwood Rd. Due to the potential for unknown subsurface conditions and utility conflicts, a 10% contingency in funding has been included to allow for the expeditious processing of any future change orders. The contract allows 360 working days for completion of this project.

Bid documents were distributed to 13 general contractors. Bids were opened on April 1, 2004. Garver Construction, LTD submitted the lowest of 3 bids received:

Garver Construction, LTD, Houston, TX	\$1,241,402.50
C.C. Carlton Industries, LTD., Austin, TX	\$1,270,618.75
Salas Construction, Inc., Buda	Non-responsive



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The contractor's choice of work methodology provides for 7 areas of subcontracting opportunities listed below. Project specific sub goals stated in the solicitation were 3.31% African American; 12.6% Hispanic; 1.74% Native/Asian American, 6.71% WBE. Total participation estimated on base bid amount of \$1,241,402.50:

NON M/WBE TOTAL – PRIME	\$937,514.50	75.52%
Garver Construction, LTD, Houston, TX	\$937,514.50	75.52%
MBE TOTAL – SUBCONTRACTORS	\$220,441.00	17.76%
African American Subtotal	\$41,984.00	3.38%
Tunnels and Shafts Construction Contractor, Inc., Houston, TX (Microtunnel Shaft Installation)	\$22,275.00	1.79%
United Hauling & Demolition, Austin, TX (Hauling)	\$19,709.00	1.59%
Hispanic Subtotal	\$156,500.00	12.61%
Cortes Distributing, Inc., San Antonio, TX (Sewer Materials, Supplies and Appurtenances incl. Manholes)	\$156,500.00	12.61%
Native/Asian American Subtotal	\$21,957.00	1.77%
Choctaw Pipe and Equipment (FRPM Pipe)	\$21,957.00	1.77%
WBE TOTAL – SUBCONTRACTORS	\$83,447.00	6.72%
Ricochet Fuel Distributors, Euless, TX (Fuel)	\$12,465.00	1.00%
Diva Imaging, Austin, TX (Construction Photography)	\$2,000.00	0.16%
Roadway Specialties, Inc., Austin, TX (Erosion Control)	\$68,982.00	5.55%

The Contractor submitted a MBE/WBE Compliance Plan that demonstrated a Good Faith Effort and was approved by the Department of Small & Minority Business Resources. Second and third low bidder information is provided.

SECOND BIDDER – CC Carlton Industries, LTD, Austin, TX - \$1,270,618.75
30.8 % Non M/WBE prime participation; 3.31% MB; 12.96% MH; 1.80% NA; 6.75% WBE; 44.38% Non M/WBE subcontractor participation.

THIRD BIDDER – Salas Constructors, Buda TX, - Non-responsive
% Non M/WBE prime participation; % MB; % MH; % NA; % WBE; % Non M/WBE subcontractor



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participation. **Contractor did not complete.*

No. 050504-C
WATER AND WASTEWATER COMMISSION RESOLUTION
**AUTHORIZE EXECUTION OF A CONSTRUCTION CONTRACT WITH GARVER CONSTRUCTION,
LTD. FOR THE ACWP UPPER TANNEHILL LOWER FORT BRANCH-MANOR HILLS PROJECT IN
THE AMOUNT OF \$1,241,402.50 PLUS A \$124,140.25 CONTINGENCY FOR A TOTAL CONTRACT
AMOUNT NOT TO EXCEED \$1,365,542.75.**

May 5, 2004
REGULAR MEETING
VOTE: 6-0-0-3

Motion made by: Warner
Commissioners Consenting: Lee, Coleman, Friese, Kirfman, Chan
Commissioners Dissenting:
Commissioners Abstaining:
Commissioners Absent: Raun, Miller, and Pool

The Water and Wastewater Commission recommends the Council authorize the execution of a construction contract with Garver Construction, Ltd. for the ACWP Upper Tannehill Lower Fort Branch-Manor Hills project in the amount of \$1,241,402.50 plus a \$124,140.25 contingency for a total contract amount not to exceed \$1,365,542.75.


Michael Warner, Chairperson
Water and Wastewater Commission

5/5/04
Date

CIP FISCAL NOTE

DATE OF COUNCIL CONSIDERATION:
WHERE ON AGENDA:
DEPARTMENT:

5/13/2004
Resolution
Austin Water Utility

DESCRIPTION:

Authorize execution of a construction contract with GARVER CONSTRUCTION, LTD, Houston, TX, for the Austin Clean Water Program: Upper Tannehill Lower Fort Branch - Manor Hills project in the amount of \$1,241,402.50 plus a \$124,140.25 contingency, for a total contract amount not to exceed \$1,365,542.75.

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	181,140,120.54 *
Amount of This Action	<u>(1,365,542.75)</u>
Remaining Balance	<u>\$ 179,774,577.79</u>
Current Available Balance	\$ 189,092,693.17
Less Outstanding Commitments	<u>(7,952,572.63)</u>
Estimated Unencumbered Balance	<u>\$ 181,140,120.54 *</u>

Utility Finance:



David Anders, Utilities Finance Manager

Date:

4/22/04

REF. #4570 237 8567

47.5

