



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

**AGENDA ITEM NO.: 44
AGENDA DATE: Thu 07/29/2004
PAGE: 1 of 2**

SUBJECT: Ratify execution of a construction contract with McLEAN CONSTRUCTION, LTD., Killeen TX, for the Austin Clean Water Program - Shoal Creek Wastewater Improvements, Seton/West 34th Street Wastewater Line project in an amount not to exceed \$223,403.80.

AMOUNT & SOURCE OF FUNDING: Funding 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: Stan Evans, 479-1636; Gopal Guthikonda, 972-1557;
Laura Bohl, 974-7064

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: Recommended by the Water and Wastewater Commission.

PURCHASING: Health or Safety Purchase Exemption. Lowest bid of four received.

MBE / WBE: 81.22% MBE and 2.4% WBE subcontractor participation.

This construction project is a result of a request from Seton Hospital for a new wastewater service in West 34th Street. The Austin Water Utility agreed to provide the necessary improvements, and this scope was incorporated into a bid package with other Austin Clean Water Program (ACWP) improvements in the Shoal Creek vicinity. Bids were taken on the package in February, 2004, but all bids were rejected due to technical deficiencies in the bid responses. Since the wastewater line for Seton was needed prior to June 1, 2004, an Emergency Affidavit was signed on April 15 allowing for immediate award of the wastewater line in West 34th to serve Seton hospital as authorized under Section 252.022(a)(2) of the Texas Local Government Code, which exempts the normal procurement procedures in order to preserve or protect the public health and safety of the City's residents. Bids were obtained utilizing an accelerated bid process. A contract was executed with the lowest responsible bidder and notice to proceed was issued on May 6, 2004. The work achieved substantial completion by June 1 as requested by Seton in regard to the opening of the expansion of the Seton hospital complex.

The improvements consist of 898 linear feet of 12-inch wastewater line and 8 manholes, in the 1300 block of West 34th Street and remainder in 3300 block of Shoal Creek Blvd. Pavement repairs are underway.

The contract allows 30 calendar days for substantial completion of this project, which was achieved.

Bid documents were distributed to 10 general contractors. Bids were opened on April 20, 2004. McLEAN CONSTRUCTION, LTD. submitted the lowest of 4 bids received:

McLean Construction, Ltd, Killeen, TX	\$223,403.80
Salas Constructors, Inc, Buda, TX (MBE/MH)	\$333,333.00



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Cash Construction Co., Ltd., Pflugerville, TX	\$394,275.00
C. C. Carlton Industries, Ltd., Austin, TX	\$421,116.00

The contractor's choice of work methodology provides for 4 areas of subcontracting opportunities listed below. Due to emergency affidavit issued for procurement of these services under the Public Health and Safety purchasing exemption, no participation sub-goals were required. However, the following subcontractor participation has been identified. Total participation estimated on base bid amount of \$223,403.80:

<u>NON/M/WBE TOTAL – PRIME</u>	<u>\$11,170.80</u>	<u>5.00%</u>
McLean Construction, Ltd., Killeen, TX	\$11,170.80	5.00%

<u>MBE TOTAL – SUBCONTRACTORS</u>	<u>\$181,443.00</u>	<u>81.22%</u>
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<u>MH Subtotal</u>	<u>\$181,443.00</u>	<u>81.22%</u>
Heyl Construction, Ltd., Leander, TX (WW Line Construction)	\$181,443.00	81.22%

<u>WBE TOTAL – SUBCONTRACTORS</u>	<u>\$5,122.00</u>	<u>2.29%</u>
N-Line Traffic Maintenance, Round Rock, TX (traffic control)	\$2,024.00	0.90%
Fuquay, Inc., Austin, TX (manhole coatings)	\$3,098.00	
1.39%		

<u>NON M/WBE TOTAL – SUBCONTRACTORS</u>	<u>\$25,668.00</u>	<u>11.49%</u>
ACT Pipe and Supply, Austin, TX (pipe and manholes)	\$25,668.00	11.49%

SECOND BIDDER – Salas Constructors, Inc., Buda, TX (MBE/MH) - \$333,333.00

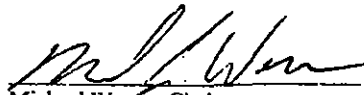
THIRD BIDDER – Cash Construction Co. Ltd., Austin, TX - \$394,275.00

No. 070704-A
WATER AND WASTEWATER COMMISSION RESOLUTION
RATIFY EXECUTION OF A CONSTRUCTION CONTRACT WITH MCLEAN CONSTRUCTION, LTD.,
FOR THE AUSTIN CLEAN WATER PROGRAM-SHOAL CREEK WASTEWATER
IMPROVEMENTS, SETON/WEST 34TH STREET WASTEWATER LINE PROJECT IN AN
AMOUNT NOT TO EXCEED \$223,403.80

July 7, 2004
REGULAR MEETING
VOTE: 8-0-0-1

Motion made by: Coleman
Commissioners Consenting: Warner, Loc, Fricse, Kirfinan, Miller, Raun, Chan
Commissioners Dissenting:
Commissioners Abstaining:
Commissioners Absent: Pool

The Water and Wastewater Commission recommends the Council approve the ratification execution of a construction contract with McLean Construction, LTD., for the Austin Clean Water Program-Shoal Creek Wastewater Improvements, Seton/West 34th Street Wastewater Line project in an amount not to exceed \$223,403.80.


Michael Warner, Chairperson
Water and Wastewater Commission

7/7/04
Date

CIP FISCAL NOTE

DATE OF COUNCIL CONSIDERATION:
WHERE ON AGENDA:
DEPARTMENT:

7/29/2004
Resolution
Austin Water Utility

DESCRIPTION:


Ratify execution of a construction contract with McLEAN CONSTRUCTION, LTD., Killeen TX, for the Austin Clean Water Program - Shoal Creek Wastewater Improvements, Seton/West 34th Street Wastewater Line project in an amount not to exceed \$223,403.80.

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	145,061,990.12 *
Amount of This Action	<u>(223,403.80)</u>
Remaining Balance	<u>\$ 144,838,586.32</u>
 Current Available Balance	 \$ 159,253,600.31
Less Outstanding Commitments	<u>(14,191,610.19)</u>
Estimated Unencumbered Balance	<u>\$ 145,061,990.12 *</u>

Utility Finance: _____


David Anders, Utilities Finance Manager

Date: _____

7/8/04

REF 4570 237 8583



MEMORANDUM

TO: Mayor and Council Members

FROM: Chris Lippe, P.E., Director, Austin Water Utility

DATE: July 12, 2004

SUBJECT: Ratification of construction contract for the Installation of 12-inch Wastewater Line for Seton Hospital

Seton Hospital, located on West 38th Street, is constructing an expansion. Seton requested a new City wastewater line in West 34th Street to provide wastewater service from both the hospital expansion and the existing hospital. Austin Water Utility (AWU) agreed to construct the necessary new line, and requested the Austin Clean Water Program (ACWP) to develop a design for the proposed line. The proposed line will be at a lower depth than the existing City line in West 34th and the hospital will generate more flow than the existing line can convey. The ACWP design called for approximately 898 linear feet of 12-inch wastewater line, plus 8 manholes, with about half to be constructed in West 34th Street and remainder on Shoal Creek Boulevard.

Bids were taken on the package in February, 2004, but all bids were rejected due to technical deficiencies in the bid responses. Since the wastewater line for Seton was needed prior to June 1, 2004, an Affidavit of Public Health need was signed on April 15 allowing for immediate award of the wastewater line in West 34th to serve Seton hospital. A contract was executed with the lowest responsible bidder and a notice to proceed was issued on May 6, 2004. The work achieved substantial completion by June 1 as requested by Seton in regard to the opening of the expansion of the Seton hospital complex. The contract allowed 30 calendar days for substantial completion of this project, which was achieved.

Bid documents were distributed to 10 general contractors. Bids were opened on April 20, 2004. McLean Construction, LTD. submitted the lowest of 4 bids received in the amount of \$ 223,403.80.

A Recommendation for Council Action for ratification of the action was approved by the Water and Wastewater Commission on July 7, 2004 and will be submitted for City Council consideration on July 29, 2004.

If you need additional information, please let me know.

Chris Lippe, P.E., Director
Austin Water Utility

CL:lw

xc: Joe Canales, Deputy City Manager
Reynaldo Cantu, P.E., Assistant Director, Austin Water Utility
Sondra Creighton, P.E., Director, Public Works Department

