



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

**AGENDA ITEM NO.: 8
AGENDA DATE: Thu 10/07/2004
PAGE: 1 of 2**

SUBJECT: Authorize execution of a construction contract with MCLEAN CONSTRUCTION, LTD., Killeen, TX, for the Austin Clean Water Program Project: Moss, Rountree & Pannell Water and Wastewater Project in the amount of \$3,382,654 plus a \$338,265 contingency, for a total contract amount not to exceed \$3,720,919.

AMOUNT & SOURCE OF FUNDING: Funding in the amount of \$3,720,919 is included in the Fiscal Year 2004-2005 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: Anne Scharlach, P.E., 479-1648; Rose San Miguel, 974-5612; James King, P.E. 972-1589, Laura Bohl 974-7064

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: N/A

PURCHASING: Lowest bid of four received.

MBE / WBE: 15.44 % MBE and 8.24 % WBE subcontractor participation.

This construction contract will provide for wastewater and water improvements within a mostly residential area bounded by Manor Road, Boggy Creek, Martin Luther King Boulevard and Airport Boulevard. The majority of this project 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 wastewater improvements will replace aging and deteriorated wastewater facilities and eliminate the repeat wastewater overflows currently occurring in this area. The water improvements will facilitate the elimination of repeat water maintenance issues and improvement of fire flows and water pressure in the area, which will assure safe and reliable drinking water and fire protection.

The proposed improvements include the installation of approximately 4,700 linear feet of wastewater line by open-cut and boring methods, 1,790 linear feet of water line to be installed by open-cut methods, 122 private laterals to be rerouted to the new collectors, and work in the critical water quality zone (Boggy Creek) to abandon the existing wastewater lines.

Due to the potential for unknown subsurface conditions and utility conflicts when working in the right-of-way, a 10% contingency in funding has been included to allow for the expeditious processing of any future change orders. The contract allows 260 working days for completion of this project.

Bid documents were distributed to 9 general contractors. Bids were opened on September 2, 2004. McLean Construction, Ltd. submitted the lowest of 4 bids received:



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<u>Contractor</u>	<u>Base Bid</u>	<u>Base Bid + Add Alternate</u>
McLean Construction, Ltd., Killeen, TX.	\$3,327,862.00	\$3,382,654.00
Laughlin-Thyssen, Ltd., Houston, TX	\$3,651,641.00	\$3,725,515.00
Austin Engineering Co., Inc., Austin, TX	\$3,889,465.00	\$3,954,468.00
Cash Construction Co., Ltd.	\$3,915,299.00	\$3,977,829.00

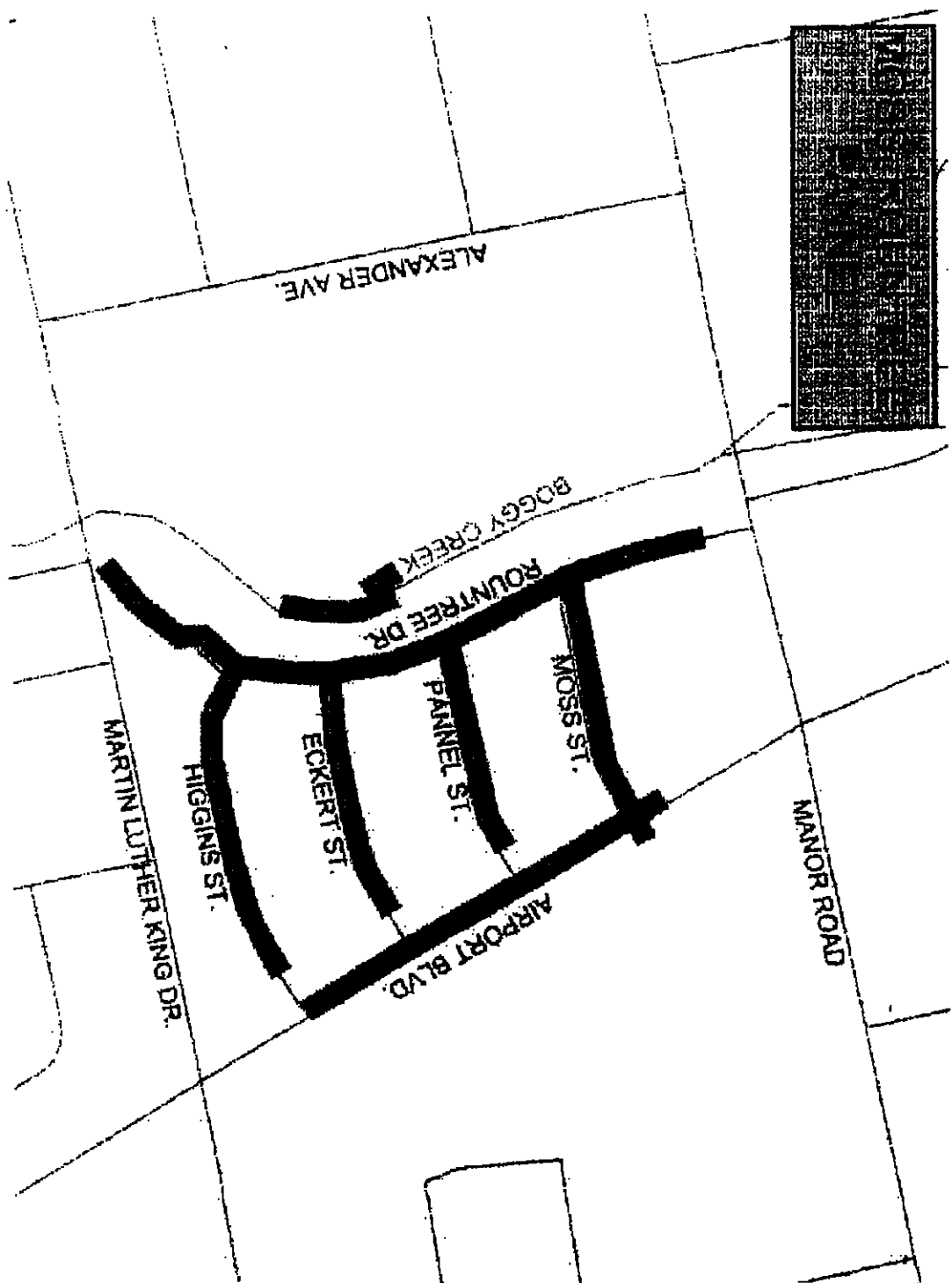
The contractor's choice of work methodology provides for 6 areas of subcontracting opportunities listed below. Project specific subgoals stated in the solicitation were 4.39% African American; 9.94% Hispanic; 0% Native American; 0.68% Asian American, 8.07% WBE. Total participation estimated on base bid amount of \$3,327,862.00.

NON M/WBE TOTAL – PRIME	\$2,539,774.00	76.32%
McLean Construction, Ltd., Killeen, TX	\$2,539,774.00	76.32%
MBE TOTAL – SUBCONTRACTORS	\$514,048.00	15.44%
African American Subtotal	\$152,458.00	4.58%
Haynes-Eaglin-Waters, Austin, TX (Pipe, PVC, Sewer)	\$152,458.00	4.58%
Hispanic Subtotal	\$338,490.00	10.17%
Michael S Heyl Construction Co., Leander, TX (Construction, Pipeline)	\$338,490.00	10.17%
Asian American Subtotal	\$23,100.00	0.69%
Marie's Trucking, Austin, TX (Hauling Services)	\$23,100.00	0.69%
WBE TOTAL – SUBCONTRACTORS	\$274,040.00	8.24%
N-Line, Austin, TX (Traffic Maintenance)	\$90,376.00	2.72%
Fuquay, Inc., Austin, TX (Erosion Control, Pipe)	\$47,316.00	1.42%
Industrial Asphalt, Inc., Buda, TX (Paving)	\$136,348.00	4.10%

The Contractor submitted an MBE/WBE Compliance Plan that achieved the solicitation goals and was approved by the Department of Small & Minority Business Resources. Second and third low bidder information is provided.

SECOND BIDDER - Laughlin-Thyssen, Ltd., Houston, TX – Base Bid of \$3,651,641.00
76.21% Non M/WBE prime participation; 4.40% MB; 10.01% MH; 0% MN; 0.71% MA; 0.82% WBE;
0% Non M/WBE subcontractor participation.

THIRD BIDDER - Austin Engineering Co., Inc., Austin, TX – Base Bid of \$3,889,456.00
81.0% Non M/WBE prime participation; 3.2% MB; 5.9% MH; 0% MN; 0.4% MA; 3.0% WBE; 6.5%
Non M/WBE subcontractor participation.



CIP FISCAL NOTE

DATE OF COUNCIL CONSIDERATION:
WHERE ON AGENDA:
DEPARTMENT:

10/7/2004
Resolution
Austin Water Utility

DESCRIPTION:

Authorize execution of a construction contract with MCLEAN CONSTRUCTION, LTD., Killeen, TX for the Austin Clean Water Project: Moss, Rountree & Pannell Water and Wastewater Project in the amount of \$3,382,654 plus a \$338,265 contingency, for a total contract amount not to exceed \$3,720,919.

FINANCIAL INFORMATION:

Parent Project Name:	Water Improvements - Citywide
Project Authorization:	2004-05 Approved Capital Budget
Funding Source:	Current Revenue
Number:	3920 227 1016

Current Appropriation	\$ 95,565,949.00
Unencumbered Balance	13,287,216.47 *
Amount of This Action	<u>(717,508.00)</u>
Remaining Balance	<u>\$ 12,569,708.47</u>
 Current Available Balance	 \$ 14,442,173.47
Less Outstanding Commitments	<u>(1,154,957.00)</u>
Estimated Unencumbered Balance	<u>\$ 13,287,216.47 *</u>

Utility Finance: _____


David Anders, Utilities Finance Manager

Date: 9/17/04

REF. # 3920 227 7694

CIP FISCAL NOTE

DATE OF COUNCIL CONSIDERATION:
WHERE ON AGENDA:
DEPARTMENT:

10/7/2004
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FINANCIAL INFORMATION:

Parent Project Name:	Wastewater Unfunded Future
Project Authorization:	2004-05 Approved Capital Budget
Funding Source:	Commercial Paper
Number:	4570 237 2017

Current Appropriation	\$ 410,907,293.00
Unencumbered Balance	128,007,957.41 *
Amount of This Action	<u>(3,003,411.00)</u>
Remaining Balance	<u>\$ 125,004,546.41</u>
Current Available Balance	\$ 135,898,476.77
Less Outstanding Commitments	<u>(7,890,519.36)</u>
Estimated Unencumbered Balance	<u>\$ 128,007,957.41 *</u>

Utility Finance:



David Anders, Utilities Finance Manager

Date:

9/17/04

REF # 4570 237 8581