



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

**AGENDA ITEM NO.: 36
AGENDA DATE: Thu 12/16/2004
PAGE: 1 of 3**

SUBJECT: Authorize execution of a construction contract with RODRIGUEZ BARR INC., d/b/a THE BARR COMPANY, AIA, (MBE 81.42%), Austin, TX for ADA Sidewalk, Ramp and Bikeway Improvements 2004-2007 Group 3 Re-Bid in the amount of \$1,794,661.24 plus a \$179,466.12 contingency in an amount not to exceed \$1,974,127.36.

AMOUNT & SOURCE OF FUNDING: Funding in the amount of \$1,974,127.36 is available in the Fiscal Year 2004-2005 Amended Capital Budget of the Public Works Department.

FISCAL NOTE: A fiscal note is attached.

REQUESTING Public Works
DEPARTMENT:

**DIRECTOR'S
AUTHORIZATION:** Sondra Creighton

FOR MORE INFORMATION CONTACT: Diane Rice, 974-7081; Janet Howard, 974-2939; Laura Bohl, 974-7064

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: N/A

PURCHASING: Lowest bid of four received.

MBE / WBE: 8.05% MBE and 5.48% WBE subcontractor participation.

As part of the City's ongoing effort to comply with the directives of the Federal Americans with Disabilities Act (ADA), the Public Works Department has developed more efficient and cost effective methods for sidewalk and curb ramp construction. The City also recognizes that improved and expanded pedestrian facilities are also a frequently requested infrastructure improvement from the public at large. The projects proposed for construction under this initiative have been previously approved by one of the following methods: Council approval of proposed CMTA ¼ cent projects, Build Greater Austin projects, ADA Task Force projects, Child Safety program sidewalks, 1998 Bond funded Neighborhood sidewalks and Bicycle Plan projects.

The construction method chosen to deliver the initiatives is an Indefinite Delivery/Indefinite Quantity (IDIQ) contract. The IDIQ contract documents include engineered details, specifications, project locations currently identified and estimated total quantities of work. As project locations are further defined, a specific "work assignment" will be given to the Contractor. The Contractor will complete the scope of work for the unit prices included in the Contract. This contracting method allows for flexibility of adding projects based on priorities designated by the City of Austin.

The purpose of the Contract is to have a Contractor available to complete bike, pedestrian and accessibility projects on a unit price basis. The City has been divided into three separate areas and is awarding an IDIQ contract to each area. This IDIQ contract is considered Group 3 and includes the area of the City north of Cesar Chavez and west of Lamar Boulevard.

The contract is for an estimated period of one year and allows for 60 calendar days for completion of each



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

**AGENDA ITEM NO.: 36
AGENDA DATE: Thu 12/16/2004
PAGE: 2 of 3**

work assignment unless otherwise stipulated in writing.

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.

Bid documents were distributed to 11 general contractors. Bids were opened on November 10, 2004. Rodriguez Barr dba The Barr Company, AIA submitted the lowest of 4 bids received:

Rodriguez Barr Inc, Austin, TX	\$1,794,661.24
Joe Bland Construction, LTD, Austin, TX	\$1,891,313.70
Dayco Construction Co., Austin, TX	\$1,994,991.75
Capital Excavation, Austin, TX	\$2,779,278.14

The contractor's choice of work methodology provides for 11 areas of subcontracting opportunities: excavation, concrete formwork and finishing, paver installation, curb cutting, construction entrances, erosion control, surveying, signage, hauling, tree installation and utility adjustments.

Project specific subgoals stated in the solicitation were 6.36% African American; 20.13% Hispanic; 1.72% Asian American; 0.71% Native American; 6.79% WBE. Total participation estimated on base bid amount of \$1,794,661.24:

<u>MBE TOTAL – PRIME</u>	<u>\$1,461,258.71</u>	<u>81.42%</u>
Rodriguez Barr Inc. dba The Barr Company, AIA, Austin, TX	\$1,461,258.71	81.42%

<u>MBE TOTAL – SUBCONTRACTORS</u>	<u>\$144,535.00</u>	<u>8.05%</u>
<u>MB Subtotal</u>	<u>\$116,535.00</u>	<u>6.49%</u>
J. Harper Construction Co., Austin, TX (excavation)	\$ 76,535.00	4.26%
Austex Tree Service, Round Rock, TX (tree installation)	\$ 40,000.00	2.23%
<u>NA Subtotal</u>	<u>\$13,000.00</u>	<u>0.72%</u>
Concrete Surface Innovations, Austin, TX (concrete formwork & finishing)	\$13,000.00	0.72%
<u>FA Subtotal</u>	<u>\$15,000.00</u>	<u>0.84%</u>
Marie's Trucking, Austin, TX (hauling)	\$15,000.00	0.84%

<u>WBE TOTAL – SUBCONTRACTORS</u>	<u>\$98,298.10</u>	<u>5.48%</u>
TX Curb Cut, Round Rock, TX (curb cutting)	\$27,346.00	1.52%



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

**AGENDA ITEM NO.: 36
AGENDA DATE: Thu 12/16/2004
PAGE: 3 of 3**

Fuquay, Austin, TX (construction entrances)	\$8,800.00	0.49%
(FH)ABC Erosion Control, Leander, TX (erosion control)	\$51,297.10	2.86%
ATS Consulting Engineers, Austin, TX (surveying)	\$ 3,000.00	0.17%
Compu Signs, Austin, TX (signage)	\$ 7,855.00	0.44%
NON M/WBE TOTAL – SUBCONTRACTORS	\$90,665.43	5.05%
Legacy Paving, Austin, TX (pavers)	\$23,719.43	1.33%
JM Utilities, Cedar Park, TX (utility adjustments)	\$66,850.00	3.72%

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 – Joe Bland Construction, LTD, Austin, TX - \$1,891,313.70
62.43% Non M/WBE prime participation; 6.37% MB; 20.13% MH; 1.74% AA, 0.71% NA; 6.79% WBE, 1.83% Non M/WBE subcontractor participation.

THRID BIDDER – Dayco Construction Co., Austin, TX - \$1,994,991.75
84.6% MBE prime participation; 1.03% MB; 8.67% MH; 2.91% AA, 0.0% NA; 2.79% WBE; 0.0% Non M/WBE subcontractor participation.

**CIP BUDGET
FISCAL NOTE**

DATE OF COUNCIL CONSIDERATION:

16-Dec-04

WHERE ON AGENDA:

Resolution

DEPARTMENT:

Public Works Department

DESCRIPTION: Authorize execution of a construction contract with RODRIGUEZ BARR INC., DBA THE BARR COMPANY, AIA, (MBE 81.25%), Austin, TX for ADA Sidewalk, Ramp and Bikeway Improvements 2004-2007 Group 3 Re-Bid in the amount of \$1,794,661.24 plus a \$179,466.12 contingency in an amount not to exceed \$1,974,127.36.

FINANCIAL INFORMATION:

Project Name: Pedestrian Sub. \$5M of \$18.2M
Project Authorization: 2004-2005 Approved Capital Budget
Funding Source: 1998 GO Bonds P1
Fund/Agency/Orgn: 8780-607-2129

Total Current Appropriation	\$5,000,000.00
Unencumbered Balance	\$1,819,672.00
Amount of this Action	(\$1,350,751.86)
Estimated Available	<u>\$468,920.14</u>

Ref: 8780-607-NEW

Project Name: Sidewalks - Arterials/Neighborhoods
Project Authorization: 2004-2005 Approved Capital Budget
Funding Source: Capital Metro Qtr. Cent Funding
Fund/Agency/Orgn: 8581-257-9140

Total Current Appropriation	\$4,506,880.00
Unencumbered Balance	\$3,627,917.00
Amount of this Action	(\$473,211.20)
Estimated Available	<u>\$3,154,705.80</u>

Ref: 8581-257-NEW

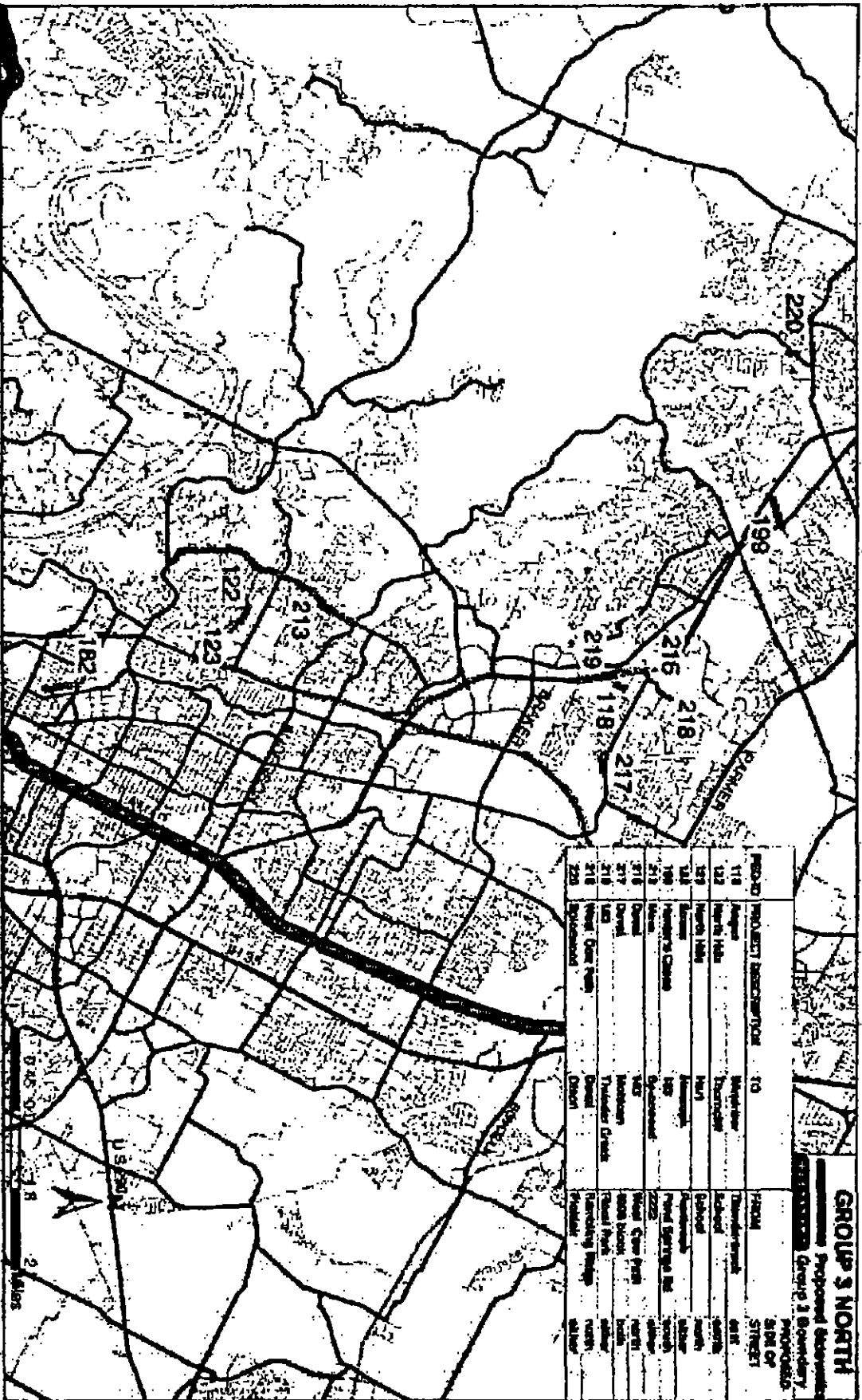
Project Name: Sidewalks - Schools
Project Authorization: 2004-2005 Approved Capital Budget
Funding Source: Capital Metro Qtr. Cent Funding
Fund/Agency/Orgn: 8581-257-9160

Total Current Appropriation	\$3,500,000.00
Unencumbered Balance	\$2,156,747.00
Amount of this Action	(\$150,164.30)
Estimated Available	<u>\$2,006,582.70</u>

Ref: 8581-257-NEW

Financial Approval: Rusty Cobern

Date: December 1, 2004



PROPOSED	PROPOSED DESCRIPTION	EXISTING	EXISTING DESCRIPTION	SIDE OF STREET
118	Angus	118	Angus	WEST
122	Angus	122	Angus	WEST
123	Angus	123	Angus	WEST
124	Angus	124	Angus	WEST
125	Angus	125	Angus	WEST
126	Angus	126	Angus	WEST
127	Angus	127	Angus	WEST
128	Angus	128	Angus	WEST
129	Angus	129	Angus	WEST
130	Angus	130	Angus	WEST
131	Angus	131	Angus	WEST
132	Angus	132	Angus	WEST
133	Angus	133	Angus	WEST
134	Angus	134	Angus	WEST
135	Angus	135	Angus	WEST
136	Angus	136	Angus	WEST
137	Angus	137	Angus	WEST
138	Angus	138	Angus	WEST
139	Angus	139	Angus	WEST
140	Angus	140	Angus	WEST
141	Angus	141	Angus	WEST
142	Angus	142	Angus	WEST
143	Angus	143	Angus	WEST
144	Angus	144	Angus	WEST
145	Angus	145	Angus	WEST
146	Angus	146	Angus	WEST
147	Angus	147	Angus	WEST
148	Angus	148	Angus	WEST
149	Angus	149	Angus	WEST
150	Angus	150	Angus	WEST
151	Angus	151	Angus	WEST
152	Angus	152	Angus	WEST
153	Angus	153	Angus	WEST
154	Angus	154	Angus	WEST
155	Angus	155	Angus	WEST
156	Angus	156	Angus	WEST
157	Angus	157	Angus	WEST
158	Angus	158	Angus	WEST
159	Angus	159	Angus	WEST
160	Angus	160	Angus	WEST
161	Angus	161	Angus	WEST
162	Angus	162	Angus	WEST
163	Angus	163	Angus	WEST
164	Angus	164	Angus	WEST
165	Angus	165	Angus	WEST
166	Angus	166	Angus	WEST
167	Angus	167	Angus	WEST
168	Angus	168	Angus	WEST
169	Angus	169	Angus	WEST
170	Angus	170	Angus	WEST
171	Angus	171	Angus	WEST
172	Angus	172	Angus	WEST
173	Angus	173	Angus	WEST
174	Angus	174	Angus	WEST
175	Angus	175	Angus	WEST
176	Angus	176	Angus	WEST
177	Angus	177	Angus	WEST
178	Angus	178	Angus	WEST
179	Angus	179	Angus	WEST
180	Angus	180	Angus	WEST
181	Angus	181	Angus	WEST
182	Angus	182	Angus	WEST
183	Angus	183	Angus	WEST
184	Angus	184	Angus	WEST
185	Angus	185	Angus	WEST
186	Angus	186	Angus	WEST
187	Angus	187	Angus	WEST
188	Angus	188	Angus	WEST
189	Angus	189	Angus	WEST
190	Angus	190	Angus	WEST
191	Angus	191	Angus	WEST
192	Angus	192	Angus	WEST
193	Angus	193	Angus	WEST
194	Angus	194	Angus	WEST
195	Angus	195	Angus	WEST
196	Angus	196	Angus	WEST
197	Angus	197	Angus	WEST
198	Angus	198	Angus	WEST
199	Angus	199	Angus	WEST
200	Angus	200	Angus	WEST
201	Angus	201	Angus	WEST
202	Angus	202	Angus	WEST
203	Angus	203	Angus	WEST
204	Angus	204	Angus	WEST
205	Angus	205	Angus	WEST
206	Angus	206	Angus	WEST
207	Angus	207	Angus	WEST
208	Angus	208	Angus	WEST
209	Angus	209	Angus	WEST
210	Angus	210	Angus	WEST
211	Angus	211	Angus	WEST
212	Angus	212	Angus	WEST
213	Angus	213	Angus	WEST
214	Angus	214	Angus	WEST
215	Angus	215	Angus	WEST
216	Angus	216	Angus	WEST
217	Angus	217	Angus	WEST
218	Angus	218	Angus	WEST
219	Angus	219	Angus	WEST
220	Angus	220	Angus	WEST

Project: ADA SIDEWALK, RAMP AND BIKEWAY IMPROVEMENTS 2004-2007 GROUP 3-REBID

Recommended Low Bidder: Barr Company

Low Bid Amount: \$1,794,661

Project Goals: AA = 6.36; Hisp = 20.13; NA = 0.71 %; Asi = 1.72 %; NA/Asi = 0.00 ; WBE = 6.79

Achieved Goals: AA = 6.49; Hisp = 81.25; NA = 0.72 %; Asi = .84 %; WBE = 5.48%

	Subcontracted \$ Amount		Cert.		Solicited		Responded		Cert.		Solicited		Responded		Cert.		Solicited		Responded	
	Certified	Non-Cert	AA	AA	AA	AA	Hisp	Hisp	Hisp	NA	NA	NA	Asian	Asian	Asian	WBE	WBE	WBE	WBE	
33055 FENCING, TEMPORARY			0	0	0	0	1	1	0	0	0	0	0	0	0	2	2	0	0	
5507818 BARRICADES, TRAFFIC			0	0	0	0	2	2		0	0	0	0	0	0	0	0	0	0	
80198 SIGNS, CONSTRUCTION	\$7,855		0	0	0	0	0	0	0	0	0	0	0	0	0	3	3	1	1	
91319 CONSTRUCTION, CURB	\$76,535		5	5	1	18	18	0	0	0	0	0	1	1	0	3	3	0	0	
9134735 DRIVEWAY PAVEMENT	\$13,000		5	5	0	17	17	0	1	1	1	1	2	1	0	3	2	0	0	
9134769 SIDEWALK W/RAMPS	\$27,346	\$23,719	5	5	0	20	20	0	1	1	1	0	2	1	0	2	2	1	1	
9135051 PAVEMENT MARKING			0	0	0	1	1	0	0	0	0	0	0	0	0	2	2	0	0	
91455 MASONRY			3	3	0	11	11	0	1	1	1	0	2	2	0	3	3	0	0	
9157297 PHOTOGRAPHY, CONSTRUCTION			1	1	0	3	3	0	0	0	0	0	1	1	0	5	5	0	0	
96224 COURIER/DELIVERY SERVICES			3	3	0	3	3	0	0	0	0	0	0	0	0	1	1	0	0	
96877 SURVEYING	\$3,000		0	0	0	6	6	0	0	0	0	0	0	0	0	5	5	1	1	
98814 EROSION CONTROL SERVICES	\$51,297		4	4	0	2	2	1	0	0	0	0	1	1	0	5	4	0	0	
*96239 HAULING	\$15,000		13	13	0	46	46	0	0	0	0	0	1	1	1	10	10	0	0	
*9136084 WATER VALVES	\$66,850		2	2	0	8	8	0	0	0	0	0	0	0	0	5	5	0	0	
*91244 CONSTRUCTION ENTRANCE	\$8,000		5	5	0	26	26	0	0	0	0	0	0	0	0	6	6	1	1	
9885299 LANDSCAPING,	\$40,000		5	5	1	4	4	0	0	0	0	0	1	1	0	3	1	0	0	
Totals	\$242,033	\$90,569	51	51	2	168	168	1	3	3	1	11	9	0	37	54	4	4	4	

Total number of available firms include duplicate firms.

*** Not on the availability list.**