



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

**AGENDA ITEM NO.: 21
AGENDA DATE: Thu 08/18/2005
PAGE: 1 of 3**

SUBJECT: Authorize execution of a construction contract with BRH GARVER CONSTRUCTION, L.P., Houston, TX, for the Austin Clean Water Program: Govalle 5 Basin/Project 1 - Taylor Slough South in the amount of \$2,400,000 plus a \$120,000 contingency, for a total contract amount not to exceed \$2,520,000.

AMOUNT & SOURCE OF FUNDING: Funding in the amount of \$2,520,000 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: Karen Poff, P.E., 479-1630; Stan Evans, P.E., 479-1636; Laura Bohl, 974-7064

PRIOR COUNCIL ACTION: N/A

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

PURCHASING: Lowest bid of three received.

MBE / WBE: 1.1% MBE and 81.4% WBE subcontractor participation.

The Austin Clean Water Program (ACWP), on behalf of the Austin Water Utility and the Public Works Department, is proposing to install a new wastewater line in Reed Park and the Common Area of the Bello Vista Homeowners Association (Common Area) from Pecos Street to Scenic Drive, just south of River Road. The improvements are intended to replace aging and deteriorated facilities and eliminate wastewater overflows that have occurred in the area. This project was developed as part of the ACWP effort to respond to the requirements of the Environmental Protection Agency's Order regarding Sanitary Sewer Overflows. The new line will be a 12-inch wastewater line in Reed Park and will increase in size in the Common Area to a 15-inch wastewater line. The new line will replace an existing wastewater line in this area.

Specifically, the project includes the installation of 2,300 linear feet of 12 and 15-inch wastewater main line. The project also includes 330 linear feet of 8-inch wastewater line and 90 linear feet of 12-inch wastewater line to connect existing service laterals to the new wastewater main line. A total of 22 new manholes will be installed throughout the entire project area. The majority of the installation will occur within Reed Park and the Common Area. The work is scheduled to begin September 2005 after the Reed Park swimming pool is closed and is estimated to take 8 months to complete. During this period, Reed Park will be closed. ACWP has held several public meetings and worked closely with the Friends of Reed Park and other residents in the neighborhood to address their concerns and gain their acceptance of the project.

Due to the potential for unknown subsurface conditions and utility conflicts when working in the right-of-way, a 5% contingency in funding has been included to allow for the expeditious processing of any future change orders. The contract allows 180 working days for completion of this project.



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Bid documents were distributed to 9 general contractors. Bids were opened on July 21, 2005. BRH Garver Construction L.P. submitted the lowest of 3 bids received:

BRH Garver Construction, L.P., Houston, TX	\$2,400,000
McLean Construction, Ltd., Killeen, TX	\$2,748,914
Jay-Reese Contractors, Inc., Austin, TX	\$2,870,145

The contractor's choice of work methodology provides for subcontracting opportunities in 9 areas which are listed below. Participation subgoals stated in the solicitation were 9% African American (MB); 14.24% Hispanic (MH); 0% Native American (MN); 0.9% Asian Americans (MA); 7.61% WBE. Total participation estimated on base bid amount of \$2,400,000.

NON M/WBE TOTAL – PRIME	\$168,000.00	7.0%
BRH Garver Construction L.P., Houston, TX	\$168,000.00	7.0%
MBE TOTAL – SUBCONTRACTORS	\$27,000.00	1.1%
African American Subtotal	\$12,200.00	0.51%
All Points Inspection, Austin, TX (Photos)	\$600.00	0.03%
Alvin Washington Trucking, Austin, TX (Trucking)	\$11,600.00	0.48%
Hispanic Subtotal	\$14,800.00	0.6%
GV Enterprises, Buda, TX (Hauling)	\$14,800.00	0.6%
WBE TOTAL – SUBCONTRACTORS	\$1,953,000.00	81.4%
Texas Road and Utilities, Buda, TX (Pipe, Manholes, Backfill)	\$1,891,600.00	78.8%
Industrial Asphalt, Austin, TX (Paving)	\$8,200.00	0.3%
Fuquay, Inc., Austin, TX (Erosion Controls)	\$42,000.00	1.8%
N-Line, Austin, TX (Barricades, Traffic Control)	\$11,200.00	0.5%
NON M/WBE TOTAL – SUBCONTRACTORS	\$252,000.00	10.5%
National Waterworks, Austin, TX (Materials: Manholes, Pipe)	\$117,000.00	4.9%
McKinney Drilling Company, Buda, TX (Drilling)	\$135,000.00	5.6%

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

SECOND BIDDER – McLean Construction. Ltd., Killeen, TX - \$2,748,914
60.49% Non M/WBE prime participation; 9.08% MB; 14.38% MH; 0% NA; 0.94% AA; 7.64% WBE;
7.47% Non M/WBE subcontractor participation.



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**THIRD BIDDER –Jay-Reese Constructors, Inc., Austin, TX - \$2,870,145
78.7% Non M/WBE prime participation; 1% MB; 15.2% MH; 0% NA; 2.2% AA; 1.4% WBE; 1.5% Non
M/WBE subcontractor participation.**

CIP FISCAL NOTE

DATE OF COUNCIL CONSIDERATION:
WHERE ON AGENDA:
DEPARTMENT:

8/18/2005
Resolution
Austin Water Utility

DESCRIPTION:

Authorize execution of a construction contract with BRH GARVER CONSTRUCTION, L.P., Houston, TX, for the Austin Clean Water Program: Govalle 5 Basin/Project 1 - Taylor Slough South in the amount of \$2,400,000 plus a \$120,000 contingency, for a total contract amount not to exceed \$2,520,000.

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	\$ 494,673,293.00
Unencumbered Balance	134,054,177.64 *
Amount of This Action	<u>(2,520,000.00)</u>
Remaining Balance	<u>\$ 131,534,177.64</u>
Current Available Balance	\$ 158,534,225.19
Less Outstanding Commitments	<u>(24,480,047.55)</u>
Estimated Unencumbered Balance	<u>\$ 134,054,177.64 *</u>

Utility Finance:


David Anders, Utilities Finance Manager

Date:

8-2-05

REF. # 4570 237 4570

No.080305-D
WATER AND WASTEWATER COMMISSION RESOLUTION
CONSTRUCTION CONTRACT WITH BRH GARVER CONSTRUCTION, L.P., FOR THE AUSTIN
CLEAN WATER PROGRAM: IN THE AMOUNT OF \$2,400,000 PLUS A \$120,000
CONTINGENCY, FOR A TOTAL CONTRACT AMOUNT NOT
TO EXCEED \$2,520,000
August 3, 2005
REGULAR MEETING
VOTE: 8-0-1-0

Motion made by: Warner
Commissioners Consenting: Coleman, Raun, Friese, Chan, Lee, Scott-Ryan, Pool
Commissioners Dissenting:
Commissioners Abstaining: Gonzalez
Commissioners Absent:

The Water and Wastewater Commission recommends the Council authorize the negotiation and execution of a construction contract with BRH GARVER CONSTRUCTION, L.P., Houston, TX for the Austin Clean Water Program: Govalle 3 Basin/Project 1 - Taylor Slough South in the amount of \$2,400,000 plus a \$120,000 contingency, for a total contract amount not to exceed \$2,520,000.

Commissioner Gonzalez abstained on this item because he works on the Austin Clean Water Program.


Michael Warner Chairperson
Water and Wastewater Commission

8/3/05
Date

Project: ACWP-Govaile 5 Basin/Project 1 - Taylor Slough Sanitary Sewer Replacement

PW06200078

Recommended Low Bidder: BRH Garver Construction

Low Bid Amount: \$2,400,000.00

Project Goals: AA = 9.00%; Hlap = 14.34%; NA = 0 %; Asl = .90 %; WBE = 7.61%

Actual Goals: AA= .50%; Hlap= .82%; NA= 0%; Asl= 0%; WBE= 61.%

				Cert.	# Solicited	# Responded	Cert.	# Solicited	# Responded	Cert.	# Solicited	# Responded	Cert.	# Solicited	# Responded	Cert.	# Solicited	# Responded
		Certified	Non-Certified	AA	AA	AA	Hlap	Hlap	Hlap	NA	NA	NA	ASA	ASA	ASA	WBE	WBE	WBE
33065	FENCING, TEMPORARY			0	0	0	1	1	0	0	0	0	0	0	0	3	3	1
5455737	Drilling		\$ 136,000.00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5507818	Barricades, traffic control	\$ 11,200.00		0	0	0	2	2	0	0	0	0	0	0	0	1	1	0
65860	PIPE, PVC		\$ 117,000.00	2	2	0	2	2	0	0	0	0	0	0	0	1	1	1
80198	SIGNS, CONSTRUCTION			0	0	0	1	1	0	0	0	0	0	0	0	3	3	0
89030	MANHOLES,			0	0	0	2	2	0	0	0	0	0	0	0	0	0	0
9133919	BACK FILL, TRENCH,			7	7	0	11	11	0	0	0	0	0	0	0	1	1	0
91340	CONSTRUCTION, PIPELINE			4	4	0	10	10	0	0	0	0	0	0	0	2	2	1
9136048	MANHOLES, CONSTRUCTION			3	3	0	9	9	0	0	0	0	0	0	0	3	3	1
91384	MAINTENANCE AND REPAIR,			1	1	0	4	4	0	0	0	0	0	0	0	1	1	0
91396	PAVING	\$ 6,200.00		4	4	0	9	9	0	0	0	0	0	0	0	7	7	0
91430	CONCRETE			10	10	0	24	24	0	1	1	0	2	2	0	6	6	0
91468	PLUMBING	\$ 1,591,600.00		0	0	0	5	5	0	0	0	0	0	0	0	0	0	0
9157297	PHOTOGRAPHY, CONST.	\$ 600.00		1	1	1	4	4	1	0	0	0	2	2	0	5	5	1
9621618	BORING FOR ROAD			2	2	0	2	2	0	0	0	0	0	0	0	0	0	0
96239	HAULING SERVICES	\$ 26,400.00		16	16	0	45	45	1	1	1	0	0	0	0	7	7	0
96877	SURVEYING			0	0	0	8	8	0	0	0	0	0	0	0	5	5	0
96814	EROSION CONTROL	\$ 42,000.00		5	5	0	3	3	0	0	0	0	0	0	0	6	6	1
96838	HYDROMULCHING SERVICES			6	6	0	2	2	0	0	0	0	0	0	0	7	7	1
98852	LANDSCAPING			14	14	0	8	8	0	0	0	0	1	1	0	7	7	0
9885299	LANDSCAPING, TREE			9	9	0	6	6	0	0	0	0	1	1	0	2	2	1
		Totals \$ 1,990,000.00	\$ 252,000.00	84	84	1	158	158	2	2	2	0	6	6	0	67	67	8
				26			62			1								