



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

**AGENDA ITEM NO.: 23
AGENDA DATE: Thu 10/20/2005
PAGE: 1 of 3**

SUBJECT: Authorize execution of a construction contract with SOLIS CONSTRUCTORS, INC. (MBE/MH 29.30%), Austin, TX, for Phase I of the Mexican American Cultural Center in the amount of \$12,335,000 plus a \$370,000 contingency, for a total contract amount not to exceed \$12,705,000.

AMOUNT & SOURCE OF FUNDING: Funding in the amount of \$12,705,000 is available in the Fiscal Year 1999-2000 Approved Capital Budget of the Parks and Recreation Department.

FISCAL NOTE: Fiscal note is attached.

REQUESTING Public Works
DEPARTMENT: for Parks and Recreation;

**DIRECTOR'S
AUTHORIZATION:** Sondra Creighton

FOR MORE INFORMATION CONTACT: Paul Medrano, 974-7141; Laura Bohl, 974-7064

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: Zoning and Planning Commission Approved Site Plan on May 20, 2003.

PURCHASING: Best proposal of four received.

MBE / WBE: 9.09% MBE and 6.43% WBE subcontractor participation.

The Mexican American Cultural Center (MACC) was conceived by artists, students and community activists in the mid to late 1970's. The MACC will provide a cultural center dedicated to the preservation, creation, presentation and promotion of Mexican American cultural arts and heritage. With the award of this contract, construction should commence by mid-December 2005 and be completed by February 2007. The Mexican American Cultural Center Advisory Board is the citizens review board over the MACC and they are apprised monthly as to the progress of the project.

The contract amount is for the base bid and Alternate No. 1 and Alternate No. 2. The acceptance of Alternate No. 2 is contingent on the City receiving an Economic Development Grant from the U.S. Department of Commerce. If the grant is not received the contract amount would be reduced by \$1,680,000. Alternate No. 2 is the exhibit/gallery space. The base bid includes all the site work, the administration/classroom building and the plaza. Alternate No. 1 is the multipurpose building.

Due to the complexity of the project and the number of construction trades involved, the potential for unknown problems and the importance to keeping to the schedule, a 3% contingency in funding has been included to allow for the expeditious processing of any future change orders. The contract allows 400 calendar days for completion of this project.

The MACC was bid as a Competitive Sealed Proposal. A mandatory pre-proposal meeting was held on July 20, 2005. There were 13 general contractors that attended that meeting and were therefore allowed to submit a proposal. Proposals were opened on August 18, 2005. As a Competitive Sealed Proposal delivery method, evaluation criteria were given to the contractors as part of the construction documents. A firm was to be selected based on these criteria, with cost being one of the criteria factors. A scoring



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matrix was developed and as a result, Solis Constructors was deemed as providing the best proposal of the four proposals received. Their ranking based on the base bid was as follows:

Solis Constructors, Inc., Austin, Texas	\$12,335,000.00
Stewart-Matl Ltd., Austin, Texas	\$13,720,000.00
Constructors & Associates, Inc., Austin, Texas	\$12,764,000.00
FT Woods Construction, Austin, Texas	Non-compliant

The contractor's choice of work methodology provides for subcontracting opportunities in 30 areas which are listed below. Project specific subgoals stated in the solicitation were 2.9% African American (MB); 10.15% Hispanic (MH); 0.66% Native American (MN); 0.83% Asian Americans (MA); 5.23% WBE. Total participation estimated on base bid amount of: \$7,790,000.00.

MBE TOTAL – PRIME	\$2,282,569.00	29.30%
Solis Constructors, Inc., Austin, Texas	\$2,282,569.00	29.30%
MBE TOTAL – SUBCONTRACTORS	\$708,040.00	9.09%
African American Subtotal	\$288,715.00	3.71%
J. Harper Construction Co., Austin, Texas, (Miscellaneous site work)	\$200,000.00	2.57%
Aikens Air Heating A/C (Misc. HVAC)	\$88,715.00	1.14%
Hispanic Subtotal	\$414,325.00	5.32%
Benitez Construction, Inc. Austin, Texas, (water distribution)	\$295,000.00	3.79%
Longoria Masonry, Austin, Texas, (masonry) (Concrete & Drilled Pier work)	\$113,700.00	1.46%
Service Shade Shop, Austin, Texas (Blinds)	\$ 5,625.00	0.07%
Asian American Subtotal	\$5,000.00	0.06%
CIE Management, Austin, Texas	\$5,000.00	0.06%
WBE TOTAL – SUBCONTRACTORS	\$501,468.00	6.43%
Diva Imaging, Austin, Texas, (construction photography)	\$2,500.00	0.03%
DEA Specialties Co., (Toilet Partitions & Accessories)	\$15,483.00	0.20%
ABC Erosion Control, Inc., Austin, Texas (erosion control)	\$5,000.00	0.06%
Austin Nursery & Landscape, Austin, Texas (Landscaping & Irrigation)	\$174,485.00	2.24%
LTH Enterprises LTD. (Electrical Materials)	\$300,000.00	3.85%
Central Texas Barricade, Austin, Texas (Barricades)	\$4,000.00	0.05%
NON M/WBE TOTAL – SUBCONTRACTORS	\$4,297,923.00	55.18%
ACE Audio Communications, Inc., Austin, Texas	\$47,329.00	0.60%



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(Audio Visual/Projection Screens		
Casteel Automatic Fire Protection. Inc., Austin, Texas	\$35,534.00	0.46%
(Suppression Sprinklers)		
Detech Fire & Security, Austin, Texas (Fire Alarm System)	\$9,519.00	0.12%
Desarrollo Integral, Austin, Texas (Arch. Precast Concrete)	\$562,728.00	7.22%
Construction Services Inc., Austin, Texas	\$100,654.00	1.29%
(Custom Alum. & Glass Handrails)		
A.D. Willis Company Inc., Austin, Texas (Roofing)	\$75,470.00	0.97%
True Fireproofing Company, Austin, Texas (Sprayed on fireproof)	\$7941.00	0.10%
Wheeler Coatings Asphalt, Inc., Austin, Texas	\$2840.00	0.04%
(Pavement Marking, Site Signage, Bike Rack)		
AAA Fence Co., Austin, Texas (Ornamental Fence & Gates	\$39,548.00	0.51%
Bell Glass (Glass & glazing)	\$233,500.00	3.00%
United Skys, Inc., Austin, Texas (Skylights)	\$137,495.00	1.77%
F&I Flooring LLC, Austin, Texas (Ceramic Tile)	\$17,803.00	0.23%
Western Floors, Austin, Texas (Carpet & resilient flooring)	\$7,032.00	0.09%
Construction Metal Products, Austin, Texas (Structural Steel)	\$452,200.00	5.80%
Young & Pratt, Inc., Austin, Texas (HVAC & Plumbing)	\$753,785.00	9.68%
Kanetzky Electric, Inc., Austin, Texas (Electrical)	\$137,000.00	1.76%
A & R Demolition, Austin, Texas (Site Demolition)	\$103,545.00	1.33%
Longoria Masonry, Austin, Texas (Pier Drilling, Concrete)	\$1,574,000.00	20.21%

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.

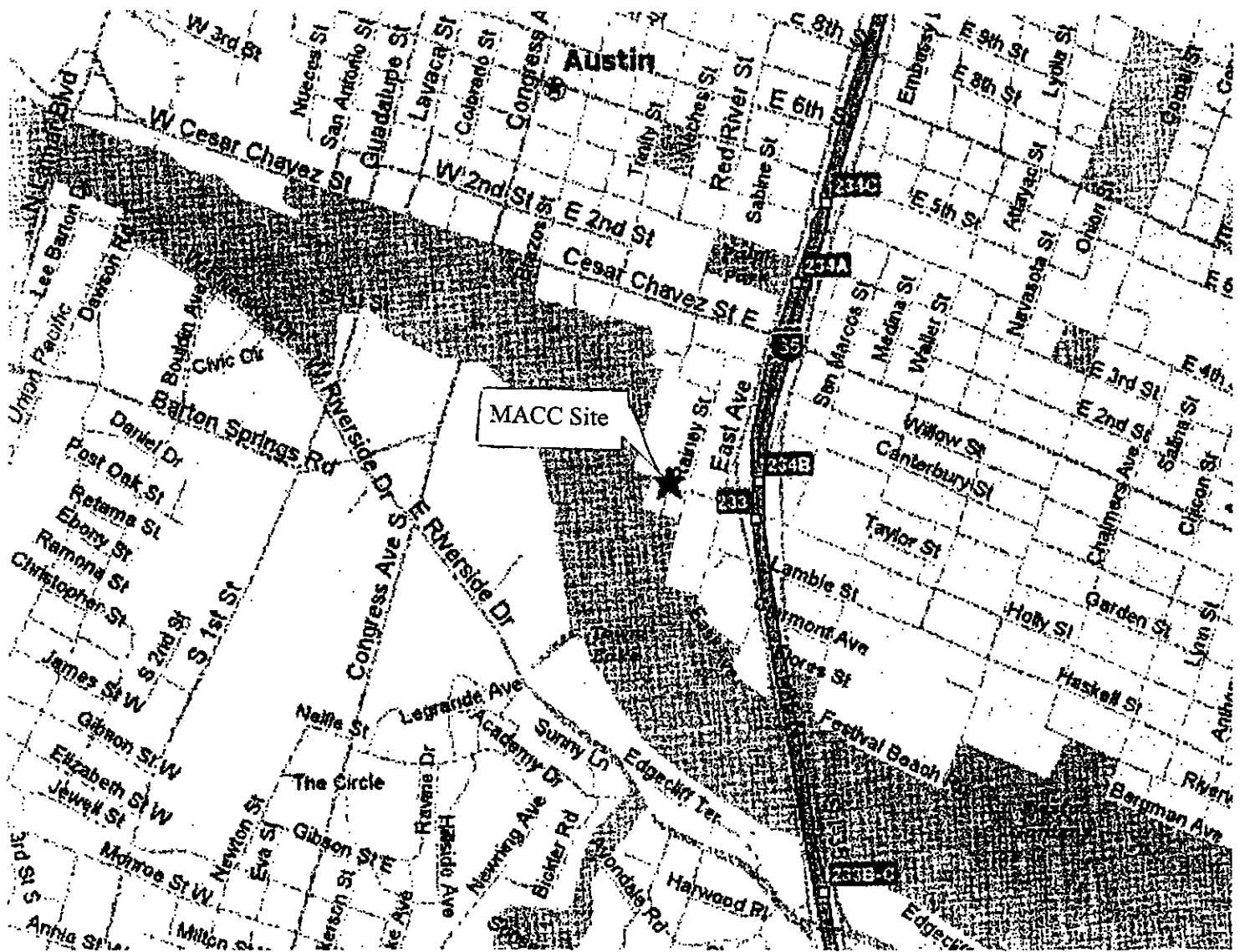
SECOND RANKED FIRM – Stewart - Matl , LTD, Austin, Texas - \$13,720,000.00

22.82% Non M/WBE prime participation; 4.61% MB; 22.22% MH; 0.66% NA; 0.83% AA; 6.86% WBE; 42% Non M/WBE subcontractor participation.

THIRD RANKED FIRM – Constructors & Associates, Inc., Austin, Texas - \$12,764,000.00

20% Non M/WBE prime participation; 3.0% MB; 23.45% MH; 0.0% NA; 0.0% AA; 6.2% WBE; 47.35% Non M/WBE subcontractor participation.

PROJECT LOCATION MAP
Mexican American Cultural Center
Phase I
C.I.P. ID NO. 5201.002



CIP BUDGET FISCAL NOTE

DATE OF COUNCIL CONSIDERATION:
WHERE ON AGENDA:
DEPARTMENT:

10/20/2005
Resolution
Parks & Recreation


DESCRIPTION: Authorize execution of a construction contract with SOLIS CONSTRUCTORS, IN. (MBE/MH 29.30 %), Austin, TX, for Phase I of the Mexican American Cultural Center in the amount of \$12,335,000 plus a \$370,0000 contingency, for a total contract amount not to exceed \$12,705,000.

FINANCIAL INFORMATION

Project Name:	Mexican American Cultural Center
Project Authorization:	2005-2006 Amended Capital Budget
Funding Source:	1998 GO Bonds/P4 Public Works Capital Projects Management Fund CIP Interest EDA Grant
Fund/Agency/Orgn:	8101-867-0036 8101-867-1036 8740-867-0155 8730-867-0190

Current Appropriation	\$18,150,000.00
Unencumbered Balance	\$13,575,687.00
Amount of this Action	<u>(\$12,705,000.00)</u>
Remaining Balance	<u><u>\$870,687.00</u></u>

Financial Manager: _____



Date: _____

10/14/05