



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

**AGENDA ITEM NO.: 28
AGENDA DATE: Thu 12/01/2005
PAGE: 1 of 2**

SUBJECT: Authorize execution of a construction contract with L.D. TEBBEN CO., INC., Austin, TX, for Austin-Bergstrom International Airport Terminal Leak Repairs Rebid in the amount of \$1,342,325.35 with alternates plus a \$134,000 contingency, for a total contract amount not to exceed \$1,476,325.35.

AMOUNT & SOURCE OF FUNDING: Funding in the amount of \$1,476,325.35 is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Aviation Department.

FISCAL NOTE: A fiscal note is attached.

REQUESTING Public Works
DEPARTMENT:for Aviation;

**DIRECTOR'S
AUTHORIZATION:** Sondra Creighton

FOR MORE INFORMATION CONTACT: Kalpana Sutaria, 974-7225; Dale Thompson, 530-5544; Laura Bohl, 974-7064

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: N/A

PURCHASING: Lowest bid of four bids received.

MBE / WBE: 0.00% MBE and 0.00% WBE subcontractor participation.

The terminal building at Austin-Bergstrom International Airport (ABIA) opened to passenger traffic in May 1999. The purpose of this project is to address water leaks that have been observed since that time. Repair efforts by Airport Maintenance have been exhausted and continued leaks will cause problems in recently renovated areas of the building. Investigation revealed that the flashing associated with the glass curtainwalls was one of the major sources of the leaks. When the project was bid in March 2005, many potential bidders expressed their concerns regarding perceived uncertainties with the curtainwall flashing repairs. Only one bid was submitted, and it was rejected because it exceeded the budgeted amount. After second investigation and trial repair, the curtainwall repair method was better defined and the project was re-bid. The project was brought to Airport Advisory Commission on November 8, 2005 and November 15, 2005; however, the Commission did not have a quorum.

The project consists of repairs of flashings, roof leaks and moisture infiltration at perimeter building wall assemblies, skylights and penthouse walls, roof expansion joints, expansion joints and drain installation at the concourse level, and other miscellaneous repairs throughout the terminal building. Due to the potential for concealed wall or roof conditions, a 10% contingency in funding has been included to allow for the expeditious processing of any future change orders if hidden conditions that must be addressed are encountered. The contract allows 210 calendar days for completion of this project.

Bid documents were distributed to six general contractors. Bids were opened on September 29, 2005. The low bidder L.D. Tebben Co., Inc. submitted the lowest of four bids received:

L.D. Tebben Co., Inc., Austin, Texas

\$1,342,325.35



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SpawGlass Contractors, Inc., Austin, Texas	\$1,789,565.18
Stewart-Matl, Ltd., Austin, Texas	\$38,377,368.75*
J.H. Proof Rock, Inc., Dallas Texas	Non-Responsive

*The bid contained an error.

The contractor's choice of work methodology provides for subcontracting opportunities in six areas, which are listed below. Project specific subgoals stated in the solicitation were 3.26% MBE and 0.57 % WBE. Total participation estimated on base bid amount of \$1,245,700.35.

NON M/WBE TOTAL – PRIME	\$1,131,700.35	90.85%
L.D. Tebben Co., Inc., Austin, Texas	\$1,131,700.35	90.85%
NON M/WBE TOTAL – SUBCONTRACTORS	\$114,000.00	9.15%
Bradco Supply, Austin, TX (Roofing Supplies)	\$60,000.00	4.82%
Reliance Metal Center, San Antonio, TX (Roofing Supp.)	\$10,000.00	0.80%
Texas Concrete Materials, Del Valle, TX (Ready Mix Con.)	\$4,000.00	0.32%
Austin Sales & Scaffolding, Austin, TX (Scaffold Rental)	\$6,000.00	0.48%
Central Texas REfuse, Austin, TX (Refuse Equipment)	\$2,500.00	0.20%
Harkins Company, Elgin, TX (Elect. Plumbing, HVAC)	\$31,500.00	2.53%

Although the Department of Small and Minority Business Resources deemed that L.D. Tebben did not satisfy the M/WBE ordinance, the City Manager has determined that award of this contract is in the best interests of the City of Austin. Second and Third low bidder information is provided.

SECOND BIDDER – SpawGlass Contractors, Inc., Austin, Texas- \$1,789,565.18 Non Compliant
52.67% Non M/WBE Prime participation; 1.20% MBE; 0.19% WBE; 45.94% Non M/WBE subcontractor participation.

THIRD BIDDER – Stewart-Matl, Ltd, Austin, Texas - \$38,377,368.75 Non Compliant
98.14% Non M/WBE Prime participation; 0.34% MBE; 0.02% WBE; 1.50% Non M/WBE subcontractor participation.

CIP BUDGET FISCAL NOTE

DATE OF COUNCIL CONSIDERATION:
WHERE ON AGENDA:
DEPARTMENT:

17-Nov-05
Resolution
Aviation

Description: Authorize execution of a construction contract with L.D. Tebben Co., Inc., Austin, TX, for Austin-Bergstrom International Airport Terminal Leak Repairs Rebid in the amount of \$1,342,325.35 plus a \$134,000 contingency, for a total contract amount not to exceed \$1,476,325.35.

FINANCIAL INFORMATION:

Project Name:	Terminal Leak Repairs
Project Authorization:	2005-06 Capital Budget
Funding Source:	Airport Capital Fund
Fund/Agency/Orgn:	4910-817-3077

Current Appropriation	\$ 1,900,215
Unencumbered Balance	1,649,950
Amount of this Action	<u>(1,476,325)</u>
Available Balance	\$ 173,825

Finance: _____

Barbara Hyle

Date: _____

10-21-05