



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

**AGENDA ITEM NO.: 14
AGENDA DATE: Thu 01/12/2006
PAGE: 1 of 3**

SUBJECT: Authorize execution of a construction contract with CONSTRUCTORS & ASSOCIATES, INC., Austin, TX, for Town Lake Park Phase II development in an amount not to exceed \$7,083,000 plus a \$354,150 contingency, for a total contract amount not to exceed \$7,437,150.

AMOUNT & SOURCE OF FUNDING: Funding in the amount of \$7,337,150 is available in the Fiscal Year 2005-2006 Capital Budget of the Parks and Recreation Department and \$100,000 is available in the Fiscal Year 2005-2006 Capital Budget of the Public Works Department.

FISCAL NOTE: A fiscal note is attached.

REQUESTING Public Works **DIRECTOR'S**
DEPARTMENT:for Parks and Recreation; **AUTHORIZATION:** Sondra Creighton

FOR MORE INFORMATION CONTACT: Robert Holland, AIA 404-4191; Laura Bohl, 974-7064

PRIOR COUNCIL ACTION: 09/02/98 – Resolution to finance New Town Lake Community Events Center and structured parking; 09/03/98 – Ordinance to order election to finance venue project by a short term motor vehicle rental tax, and authorize lease of Palmer Auditorium; 12/10/98 – Resolution to negotiate lease of Palmer Auditorium with ARTS Center Stage; 02/04/99 - Budget Amendment and Reimbursement Resolution; 02/11/99 – Selection of EDAW Inc., as the Town Lake Park Master Planner; 02/11/99 – Selection of Barnes, Taniguchi, Centerbrook Architects for the new Palmer Events Center; 07/29/99 – Budget Transfer from Convention Center Operating Reserve to PARD for Phase I Town Lake Park Development; 07/29/99 – Direct staff to prepare text amendments to the Land Development Code to allow development of those projects outlined in the Town Lake Master Plan; 07/29/99 – Adopt conceptual Master Plan for Town Lake Park; 09/02/99 – Approve an ordinance amending Title 25 of the City Code regarding use and development regulations for improvements in the Town Lake Park area of the Auditorium Shores Waterfront Overlay Subdistrict; 09/09/99 – Amendment #1 to EDAW Inc., contract; 12/16/99 – Selection of TBG Partners as the consultant for the development of the first two phases of the Park; 04/06/00 – Bid Package 1 Demolition contract award to A & R Demolition; 06/08/00 – Approval of a site plan of a portion of the Town Lake Park; 06/29/00 - Bid Package 2 Site Utilities and Drilled Piers contract award to Martin K. Eby Construction, Inc.; 11/09/00 – Bid Package 3 Main Building / Parking Facility Construction Contract to MW Builders; 06/14/01 – Bid Package 4 Access Road Construction Contract award to James Harper Landscaping; 06/14/01 – Supplemental Amendment #1 to TBG Partners, Inc. for Town Lake Park phase II design services; 10/11/01 – Bid Package 5 Town Lake Park Phase I Construction Contract award to L&R Landscape Services (WBE); 03/21/02- Bid Package 6 Palmer Events Center Interior Signage contract award to Sign Crafters; 06/27/02 – Bid Package 7 City Coliseum Demolition contract award to A&R Demolition; 12/5/02 - Resolution to reduce Riverside Drive to two lanes in the vicinity of Town Lake Park; 12/4/03 - Supplemental Amendment to TBG Partners for rebidding Town Lake Park Phase II; 2/03/05 - Design Contingency Services to TBG Partners.

BOARD AND COMMISSION ACTION: N/A

PURCHASING: Lowest bid of three received.

MBE / WBE: 13.41% MBE and 61.70% WBE subcontractor participation.



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On July 29, 1999, Council adopted the conceptual Town Lake Park Master Plan prepared by EDAW Inc. with significant community input from interested citizens during public meetings and workshops. The adopted Town Lake Park Master Plan created the plan for a signature urban cultural park which included the goals stated in the October 7, 1998 Memorandum of Understanding among the stakeholders. This public park development process was stakeholder led, community assisted and consensus based. This process led to the adoption of the Town Lake Park Site Development Permit Plan by Council in June 2000.

The contract is a component of the Town Lake Park Master Plan, which surrounds the new Palmer Events Center and Parking Facility. The completion of this work will allow for development of the Park. This contract also includes the removal of Dawson Road between Barton Springs Road and Riverside Drive as shown in the Council adopted Master Plan, construction of a pond area west of the new Palmer Events Center, parking for visitors adjacent to the Dougherty Arts Center, an interactive fountain area, a children's garden designed in collaboration by artist Beverly Penn, others and TBG Partners, a meditation labyrinth, an observation hill, a link of the hike and bike pathway, restrooms and numerous plantings. The plan has been presented to the Parks Board and its Land & Facilities subcommittee on multiple occasions and the stakeholders group as well. Due to the potential for unanticipated changes to the work and the importance of maintaining schedule, a 5% contingency has been included to allow for the expeditious processing of any future change orders. Six alternates are proposed for acceptance. The first is to build the interactive fountain feature area of the park and the second is to add the arts garden. The third is an irrigation intake structure, which will allow the park plantings to be removed from the treated water system and be irrigated directly from Town Lake. The fourth is for addition of three piers into the wet pond. The fifth is for a stone paver labyrinth and the sixth is for planting material to provide a more immediate visual impact for the proposed development.

Completion of this work will allow for the redevelopment of the former City Coliseum site for the Town Lake Park area delayed by the economic conditions requiring the rejection of construction bids in 2003.

The contract allows 365 calendar days for completion of this project.

Bid documents were distributed to eight general contractors. Bids were opened on December 1, 2005. Constructors & Associates, Inc., submitted the lowest of three bids received:

Constructors & Associates Inc., Austin, TX	\$7,083,000
Stewart - Matl Ltd., Austin, TX	\$7,440,000
MW Builders of Texas, Inc., Temple, TX	\$7,840,000

The contractor's choice of work methodology provides for subcontracting opportunities in nine areas, which are listed below. Project specific goals stated in the solicitation were 13.07% MBE and 6.20% WBE. Total participation estimated on base bid amount of \$4,150,000:



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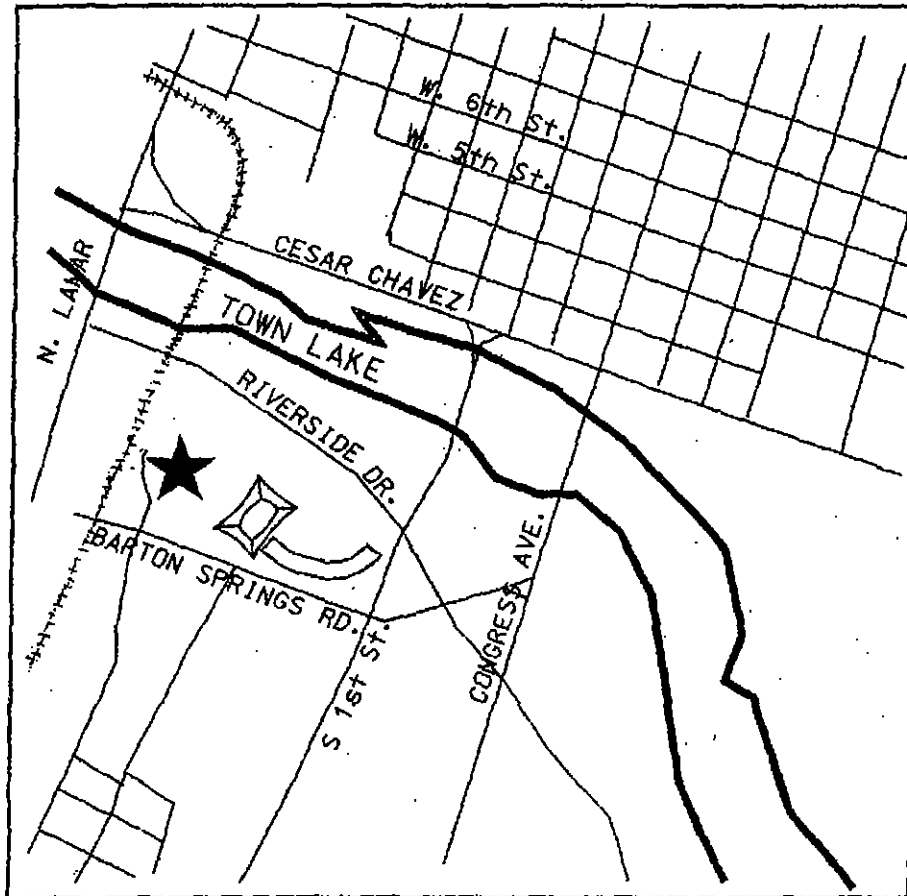
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NON M/WBE PRIME	\$758,977.00	18.29%
Constructors & Associates Inc., Austin, TX	\$758,977.00	18.29%
MBE TOTAL – SUBCONTRACTORS	\$556,473.00	13.41%
(MA) Five Star Fabrications, Leander, TX (structural and miscellaneous steel)	\$52,455.00	1.26%
(MH) Benitez Construction, Manor, TX (site utilities)	\$504,018.00	12.15%
WBE TOTAL – SUBCONTRACTORS	\$2,560,370.00	61.70%
L & R Landscape, Austin, TX (landscape, irrigation and fountain)	\$1,862,370.00	44.88%
Richmond Electric, Leander, TX (electrical)	\$698,000.00	16.82%
NON M/WBE TOTAL – SUBCONTRACTORS	\$274,180.00	6.60%
Ranger Excavating, Austin, TX (site work)	\$198,000.00	4.77%
Kiwi Company, Inc., Austin, TX (pavers)	\$59,000.00	1.42%
Calply Door Systems, Pflugerville, TX (steel doors and frames)	\$1,330.00	0.03%
Brinkman Roofing Company, Austin, TX (roofing)	\$11,855.00	0.29%
Crossroad Specialties, Victoria, TX (toilet partitions and accessories)	\$3,995.00	0.09%

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

SECOND BIDDER – Stewart – Matl, LTD., Austin, TX - \$4,265,000
40.65% Non M/WBE prime participation; 13.15% MBE; 20.01% WBE & 26.19% Non M/WBE subcontractor participation.

VICINITY MAP (NTS)



**CIP BUDGET
FISCAL NOTE**

DATE OF COUNCIL CONSIDERATION:
WHERE ON AGENDA:
DEPARTMENT:

12-Jan-06
Resolution
Public Works Department

DESCRIPTION: Authorize execution of a construction contract with CONSTRUCTORS & ASSOCIATES, INC., Austin, TX, for Town Lake Park Phase II development in an amount not to exceed \$7,083,000 plus a \$354,150 contingency, for a total contract amount not to exceed \$7,437,150.

FINANCIAL INFORMATION:

Project Name: Bicycle Projects Sub. \$5M of \$18.2M
Project Authorization: 2005-2006 Approved Capital Budget
Funding Source: 1998 GO Bonds P1
Fund/Agency/Orgn: 8780-607-2140

Total Current Appropriation	\$4,920,000.00
Unencumbered Balance	\$3,030,589.00
Amount of this Action	<u>(\$100,000.00)</u>
Estimated Available	<u><u>\$2,930,589.00</u></u>

Ref: 8780-607-NEW

Financial Approval: Rusty Cobern

Date: December 14, 2005

CIP BUDGET FISCAL NOTE

DATE OF COUNCIL CONSIDERATION:
WHERE ON AGENDA:
DEPARTMENT:

1/12/2006
Resolution
Public Works

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FINANCIAL INFORMATION

Parks & Recreation Department

Project Name:	Town Lake Park
Project Authorization:	2005-2006 Amended Capital Budget
Funding Source:	1998 Revenue Bonds / P11
Fund/Agency/Orgn:	4980-867-6100

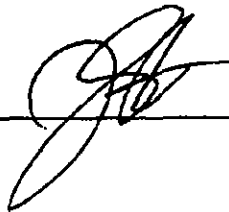
Current Appropriation	\$9,200,000.00
Unencumbered Balance	\$7,520,602.00
Amount of this Action	<u>(\$7,337,150.00)</u>
Remaining Balance	<u><u>\$183,452.00</u></u>

Public Works Department

Project Name:	Town Lake Park
Project Authorization:	2005-2006 Amended Capital Budget
Funding Source:	1998 GO Bonds / P1
Fund/Agency/Orgn:	8780-607-2468

Current Appropriation	\$100,000.00
Unencumbered Balance	\$100,000.00
Amount of this Action	<u>(\$100,000.00)</u>
Remaining Balance	<u><u>\$0.00</u></u>

Financial Manager: _____



Date: _____

1/5/06