



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

**AGENDA ITEM NO.: 25  
AGENDA DATE: Thu 01/26/2006  
PAGE: 1 of 2**

**SUBJECT:** Authorize execution of a construction contract with MUNIZ CONCRETE & CONTRACTING, INC., (MBE/MH 86.65%), Austin, TX, for ADA Sidewalk and Ramp Improvements 2006 City Wide Group 4 in the amount of \$2,491,472.75 plus a \$249,147.28 contingency, for a total contract amount not to exceed \$2,740,620.03.

**AMOUNT & SOURCE OF FUNDING:** Funding in the amount of \$2,740,620.03 is available in the Fiscal Year 2005-2006 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; Laura Bohl, 974-7064

**PRIOR COUNCIL ACTION:** N/A

**BOARD AND COMMISSION ACTION:** N/A

**PURCHASING:** Lowest bid of three received.

**MBE / WBE:** 8.26% MBE and 5.09% WBE subcontractor participation.

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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 and 2000 Bond funded Neighborhood sidewalks.

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 each project location is further defined, a specific "work assignment" is given to the contractor and they complete the scope of work for the unit prices included in the contract. This contracting method also allows for the flexibility of adding projects based on priorities designated by the City.

The purpose of the contract is to have a contractor available to complete pedestrian and accessibility projects on a unit price basis. The projects are located through out the City.

The contract is for an estimated period of one year. Each work assignment must be finally completed within duration established by the owner for each assignment. The owner will consult with the contractor on each assignment's duration, but the owner will have ultimate discretion on duration, which shall not be unreasonably stipulated. 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



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expeditious processing of any future change orders.

Bid documents were distributed to nine general contractors. Bids were opened on December 15, 2005. Muniz Concrete and Contracting, Inc. submitted the lowest of three bids received:

Muniz Concrete & Contracting, Inc, Austin, TX	\$2,491,472.75
MAC, Inc., Austin, TX	\$2,872,021.25
Rodriguez Barr Inc. dba The Barr Company, AIA, Austin, TX	\$3,527,426.46

The contractor's choice of work methodology provides for three areas of subcontracting opportunities: Demolition/excavation, fuel supply and signs/barricades.

Project specific subgoals stated in the solicitation were 6.65% African American; 18.35% Hispanic; 1.59% Asian American; 0.67% Native American; and 5.08% WBE. Total participation estimated on base bid amount of \$2,491,472.75:

<b><u>MBE TOTAL – PRIME</u></b>	<b><u>\$2,159,025.75</u></b>	<b><u>86.65%</u></b>
Muniz Concrete and Contracting, Austin, TX	\$2,159,025.75	86.65%
<b><u>MBE TOTAL – SUBCONTRACTORS</u></b>	<b><u>\$205,722.00</u></b>	<b><u>8.26%</u></b>
<b><u>African American Subtotal</u></b>	<b><u>\$165,922.00</u></b>	<b><u>6.66%</u></b>
J. Harper Construction Co., Austin, TX (excavation)	\$165,922.00	6.66%
<b><u>Asian American Subtotal</u></b>	<b><u>\$39,800.00</u></b>	<b><u>1.60%</u></b>
BenQuest, Austin, TX (fuel supply)	\$39,800.00	1.60%
<b><u>WBE TOTAL – SUBCONTRACTORS</u></b>	<b><u>\$126,725.00</u></b>	<b><u>5.09%</u></b>
(FH)Central Texas Barricades, Bastrop, TX (signs/barricades)	\$126,725.00	5.09%

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.

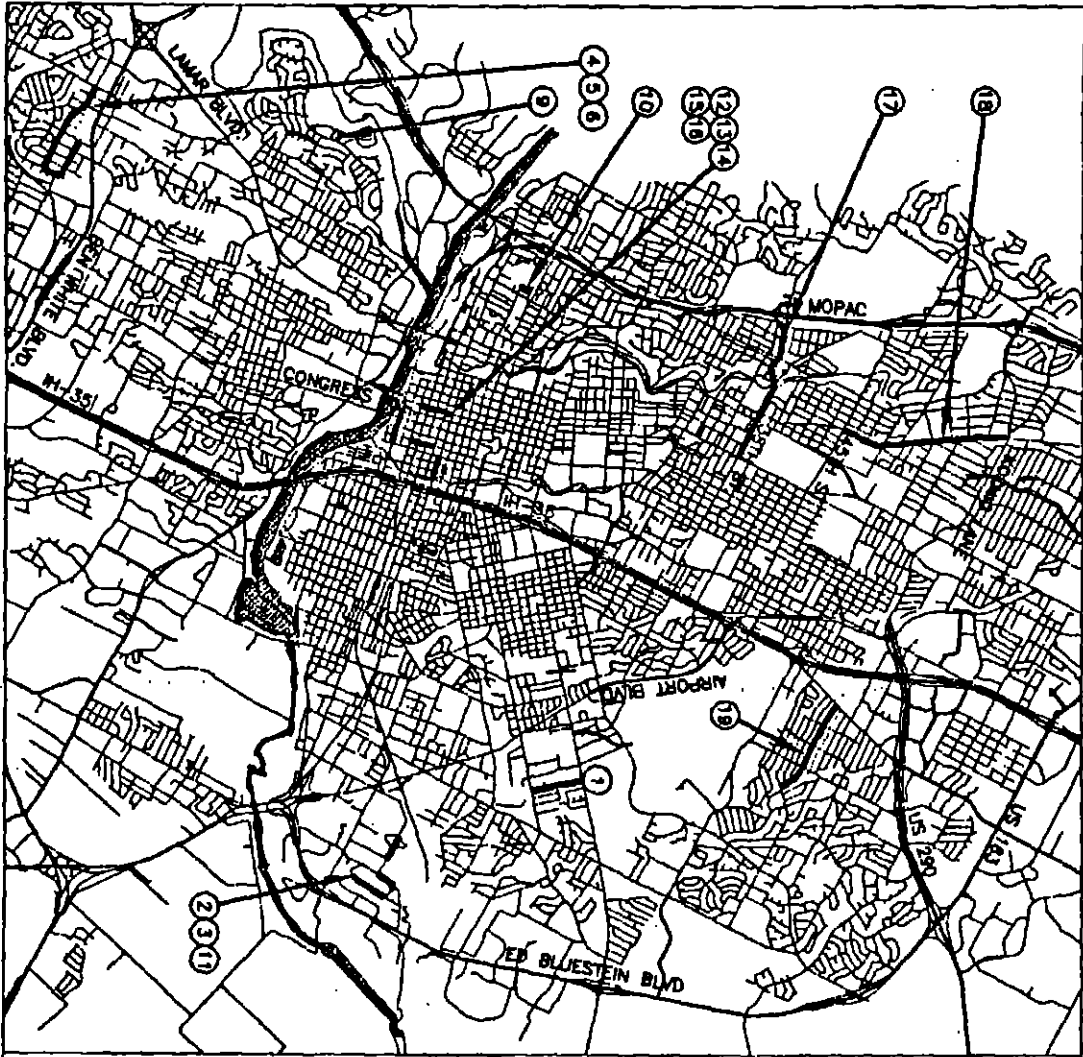
**SECOND BIDDER – MAC, Inc., Austin, TX - \$2,872,021.25**  
80.91% M/WBE prime participation; 0.33% MB; 0.0% MH; 0.57% AA, 0.00% NA; 6.44% WBE, 12.32% Non M/WBE subcontractor participation.

**THIRD BIDDER – Rodriguez Barr Inc., dba The Barr Company, AIA, Austin, TX - \$3,527,426.46**  
75.62% MBE prime participation; 6.67% MB; 3.38% MH; 1.62% AA, 0.82% NA; 5.10% WBE; 8.70% Non M/WBE subcontractor participation.

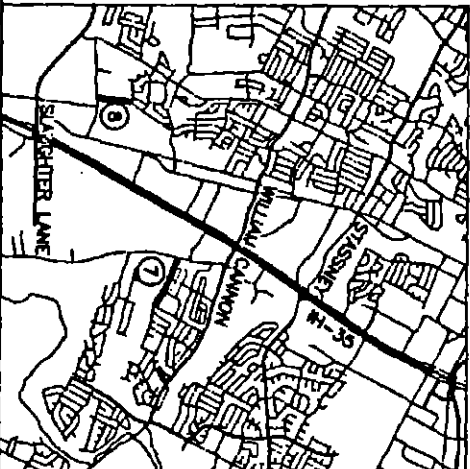
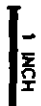
Typical Proposed Assignment List

ADA SIDEWALK, RAMP AND BIKEWAY  
IMPROVEMENTS 2006 GROUP #4 CITY WIDE

PED-ID	Work Assignment	FROM	TO	PROPOSED SIDE OF STREET
1	DELONEY ST.	WALK	12TH ST.	WEST
2	GARDNER RD.	JAN LN	STUART CIRCLE	EAST
3	JAN LN	PERRY	CASEY ST.	SOUTH
4	MOUNT VERNON	REDO	GILLIS ST.	WEST
5	CASEY ST.	MOUNT VERNON	MANCHACA	EITHER
6	REDO ST.	STONELEIGH	BLUFF SPRINGS	EITHER
7	BLUE MEADOW	R. ABRAVEDO	BLAIDRIDGE	WEST
8	PEACEFUL HILL	BARTON HILLS	HOMEDALE	SOUTH
9	ROBERTSON ST.	9 1/2 ST.	END OF SCHOOL	ETHER
10	ARTHUR STILES	LOTUS LANE	EXIST AT SCHOOL	ETHER
11	SAN JACINTO	6TH ST.	3RD ST.	WEST
12	CEGAR CHAVEZ	COLORADO	TRINITY	SOUTH
13	9TH ST.	RED RIVER	MECHES	WEST
14	8TH ST.	SABINE	TRINITY	WEST
15	LAVACA	3RD ST.	7TH ST.	ETHER
16	38TH ST.	MOPAC	GUADALUPE	SOUTH
17	BURNETT RD.	45TH ST.	KOENIG	EAST
18	RIDGE MOUNT DR.	CAMERON	ROGEE	SOUTH



SCALE: 1"=5000'



**CIP BUDGET  
FISCAL NOTE**

**DATE OF COUNCIL CONSIDERATION:**

26-Jan-06

**WHERE ON AGENDA:**

Resolution

**DEPARTMENT:**

Public Works Department

**DESCRIPTION:** Authorize execution of a construction contract with MUNIZ CONCRETE & CONTRACTING, INC., (MBE 86.65%), Austin, TX, for ADA Sidewalk and Ramp Improvements 2006 City Wide Group 4 in the amount of \$2,491,472.75 plus a \$249,147.28 contingency for a total contract not to exceed \$2,740,620.03.

**FINANCIAL INFORMATION:**

Project Name:	Sidewalk/Curb & Gutter Repairs
Project Authorization:	2005-2006 Amended Capital Budget
Funding Source:	2000 General Obligation Bonds
Fund/Agency/Orgn:	8071-607-5000

Total Current Appropriation	\$5,000,000.00
Unencumbered Balance	\$4,633,718.00
Amount of this Action	(\$1,939,281.03)
Estimated Available	<u>\$2,694,436.97</u>

Ref. 8071-607-NEW

Project Name:	Sidewalks - Schools
Project Authorization:	2005-2006 Amended Capital Budget
Funding Source:	Capital Metro Qtr. Cent Funding
Fund/Agency/Orgn:	8581-257-9160

Total Current Appropriation	\$3,500,000.00
Unencumbered Balance	\$2,015,268.00
Amount of this Action	(\$439,441.00)
Estimated Available	<u>\$1,575,827.00</u>

Ref. 8581-257-VARIOUS

Financial Approval: Rusty Cobem

Date: January 3, 2006

**CIP BUDGET  
FISCAL NOTE**

**DATE OF COUNCIL CONSIDERATION:**

26-Jan-06

**WHERE ON AGENDA:**

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**FINANCIAL INFORMATION:**

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Project Name: Bowling Green/Ohlen-Polaris  
Project Authorization: 2005-2006 Amended Capital Budget  
Funding Source: CIP Interest & General Fund Transfer  
Fund/Agency/Orgn: 8400-607-0100

Total Current Appropriation	\$850,000.00
Unencumbered Balance	\$147,270.00
Amount of this Action	<u>(\$114,770.00)</u>
Estimated Available	<u><u>\$32,500.00</u></u>

Ref. 8400-257-0106

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Project Name: Sidewalk & Curb Ramps (BGA)  
Project Authorization: 2005-2006 Amended Capital Budget  
Funding Source: Capital Metro BGA Program  
Fund/Agency/Orgn: 8581-257-9260

Total Current Appropriation	\$774,324.00
Unencumbered Balance	\$351,473.00
Amount of this Action	<u>(\$247,128.00)</u>
Estimated Available	<u><u>\$104,345.00</u></u>

Ref. 8581-257-9262

Financial Approval: Rusty Cobern

Date: January 3, 2006