

## AGENDA



Thursday, December 9, 2010

**Contract and Land Management  
RECOMMENDATION FOR COUNCIL ACTION****Item No. 5**

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**Subject:** Authorize execution of a construction contract with SMITH CONTRACTING CO. INC., Austin, TX for ADA Sidewalk & Ramp Improvements 2010 Group 9 City Wide in the amount of \$1,404,885 plus a \$140,488.50 contingency, for a total contract amount not to exceed \$1,545,373.50.

**Amount and Source of Funding:** Funding in the amount of \$1,545,373.50 is available in the Fiscal Year 2010-2011 Capital Budget of the Public Works Department.

**Fiscal Note:** A fiscal note is attached.

**For More Information:** Diane Rice, 974-7081; Mike Curtis, 974-7056; Susan Garnett, 974-7064; Sarah Terry, 974-7141

**Purchasing Language:** Lowest bid of 3 bids received.

**MBE/WBE:** This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 12.77% MBE and 2.47% 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 will be funded through remaining 2000 Sidewalk Bond Funding. The construction method chosen to deliver the initiatives is an Indefinite Delivery/Indefinite Quantity (ID/IQ) contract. The ID/IQ 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 throughout the City on a unit price basis. In an effort to take advantage of the current competitive sidewalk unit prices and maximize the linear footage of sidewalk completed, Public Works is requesting a 10% contract contingency.

The contract is for an estimated period of 12 months. 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 OWNER will have ultimate discretion on duration which shall not be unreasonably stipulated.