



Recommendation for Action

File #: 20-1189, Agenda Item #: 7.

2/20/2020

**Posting Language**

Authorize award and execution of a construction contract with M.A. Smith Contracting Company, Inc., for the Boggy Creek-MLK TOD Stormwater Conveyance Improvements Phase 1 project, in the amount of \$2,822,174.75 plus a \$141,108.74 contingency, for a total contract amount not to exceed \$2,963,283.49.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 10.35% MBE and 2.65% WBE participation.]

**Lead Department**

Capital Contracting Office

**Managing Department**

Public Works Department

**Fiscal Note**

Funding is available in the Fiscal Year 2019-2020 Capital Budget of the Watershed Protection Department.

**Purchasing Language:**

Lowest responsive bid of six bids received through a competitive Invitation for Bid solicitation.

**For More Information:**

Inquiries should be directed to the City Manager's Agenda Office, at 512-974-2991 or [AgendaOffice@austintexas.gov](mailto:AgendaOffice@austintexas.gov) <<mailto:AgendaOffice@austintexas.gov>>.

NOTE: Respondents to this solicitation, and their representatives, shall direct inquiries to Rolando Fernandez, 512-974-7749, Garrett Cox, 512-974-9423, or the Project Manager, Laurie B. Thering, 512-974-7035.

**Additional Backup Information:**

As part of the Transit Oriented Development Ordinance No. 20050519-008, the Watershed Protection Department identified needed stormwater infrastructure improvements in East Martin Luther King Jr. Blvd. (MLK) near the Capital Metropolitan Transportation Authority (Capital Metro) Red Line crossing.

During the original construction of the Red Line, portions of needed stormwater infrastructure improvements were constructed, but not placed in service, in anticipation of a future storm drain improvement project. This project incorporates the previously completed portions with new storm drain sections to complete a portion of the overall planned improvements.

The work includes installation of approximately 139 linear feet of concrete box culvert, 140 linear feet of bored water and wastewater main, 635 linear feet of water and wastewater mains, six manholes, and other miscellaneous items.

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This project includes three allowances. The allowance of \$270,000 will be used for the temporary relocation and re-installation of the railroad crossing gates. The allowance of \$240,000 will be used to provide coordination between the contractor and Capital Metro staff for Red Line train traffic. The allowance of \$4,000 will be used for the cost of Capital Metro permits and fees. An allowance is an amount that is specified and included in the construction contract for a certain item or work whose details are not yet determined at the time of bidding.

This project will include award of an alternate bid item of \$308,785 for the installation of a Pedestrian Hybrid Beacon crossing MLK. An alternate bid item is a specified item of construction work that is priced separately and may be awarded as part of the contract if the bids come within the specified budget.

During construction, travel on MLK between Alexander Ave. and Boggy Creek will be reduced to one lane in each direction.

If the storm drains are not competed, then flooding will continue to occur during significant rainfall events. During heavy rain events, there is potential for this area to become impassable along MLK.

The construction activities require temporary use of an adjacent private property. The private property has an approved site plan permit and intends to begin their own construction in 2020. A delay executing this contract may require a variance from the congestion action plan.

Due to the potential for unforeseen subsurface conditions, a 5% contingency in funding has been included to allow for the expeditious processing of any change orders. A contingency is an additional amount of money added to the construction budget to cover any unforeseen construction costs associated with the project.

The contract allows 365 calendar days for completion of this project. This project is located within zip code 78702 (District 5).

M.A. Smith Contracting Company Inc., is located in Austin, Texas.

Information on this solicitation is available through the City's Austin Finance Online website. Link: [Solicitation Documents <https://www.austintexas.gov/financeonline/account\\_services/solicitation/solicitation\\_details.cfm?sid=132116>](https://www.austintexas.gov/financeonline/account_services/solicitation/solicitation_details.cfm?sid=132116).