



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

**AGENDA ITEM NO.: 16
AGENDA DATE: Thu 01/27/2005
PAGE: 1 of 2**

SUBJECT: Authorize execution of a construction contract with MUNIZ CONCRETE AND CONTRACTING, INC. (MBE-MH 96.71%), Austin, TX, for ADA Sidewalk, Ramp and Bikeway Improvements 2004-2007 Group 1 Re-Bid in an amount not to exceed \$1,622,036 and a \$162,203.60 contingency for a total contract amount not to exceed \$1,784,239.60.

AMOUNT & SOURCE OF FUNDING: Funding in the amount of \$1,784,239.60 is available in the Fiscal Year 2004-2005 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; Jesus Lardizabal, 974-6575; Laura Bohl, 974-7064

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: N/A

PURCHASING: Lowest bid of four received.

MBE / WBE: 0.20% MBE and 3.09% WBE subcontractor participation.

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 Bond funded Neighborhood sidewalks and Bicycle Plan projects.

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 Public Works.

The purpose of the Contract is to have a Contractor available to complete bike, pedestrian and accessibility projects on a unit price basis. The City has been divided into three separate areas and is awarding an IDIQ contract to each area. This IDIQ contract is considered Group 1 and includes the area of the City south of Cesar Chavez.



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The contract is for an estimated period of one year and allows for 60 calendar days for completion of each work assignment unless otherwise stipulated in writing. A 10% contingency has been included to allow for the expeditious processing of any future change orders.

Bid documents were distributed to 5 general contractors. Bids were opened on December 6, 2004. Muniz Concrete and Contracting Inc. submitted the lowest of 4 bids received:

Muniz Concrete and Contracting, Austin, TX	\$1,622,036.00
Joe Bland Construction, LP, Austin, TX	\$1,685,232.50
MAC Inc., Austin, TX	\$1,700,150.00
Dayco Construction Co., Austin, TX	\$1,817,924.00

The contractor's choice of work methodology provides for 2 areas of subcontracting opportunities: Barricades/signs/traffic handling and fuel supply.

Project specific subgoals stated in the solicitation were 6.34% African American; 19.24% Hispanic; 1.72% Asian American; 0.71% Native American; 6.86% WBE. Total participation estimated on base bid amount of \$1,622,036.00:

<u>M/WBE TOTAL – PRIME</u>	<u>\$1,568,651.00</u>	<u>96.71%</u>
Muniz Concrete & Contracting Inc., Austin, TX	\$1,568,651.00	96.71%
 <u>MBE TOTAL – SUBCONTRACTORS</u>	 <u>\$3,300.00</u>	 <u>0.20%</u>
 <u>Native/Asian American Subtotal</u>	 <u>\$3,300.00</u>	 <u>0.20%</u>
BenQwest, Austin, TX (fuel supply)	\$3,300.00	0.20%
 <u>WBE TOTAL – SUBCONTRACTORS</u>	 <u>\$50,085.00</u>	 <u>3.09%</u>
(FH)Central TX Barricades, Inc., Austin, TX (Barricades/signs/traffic handling)	\$50,085.00	3.09%

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.

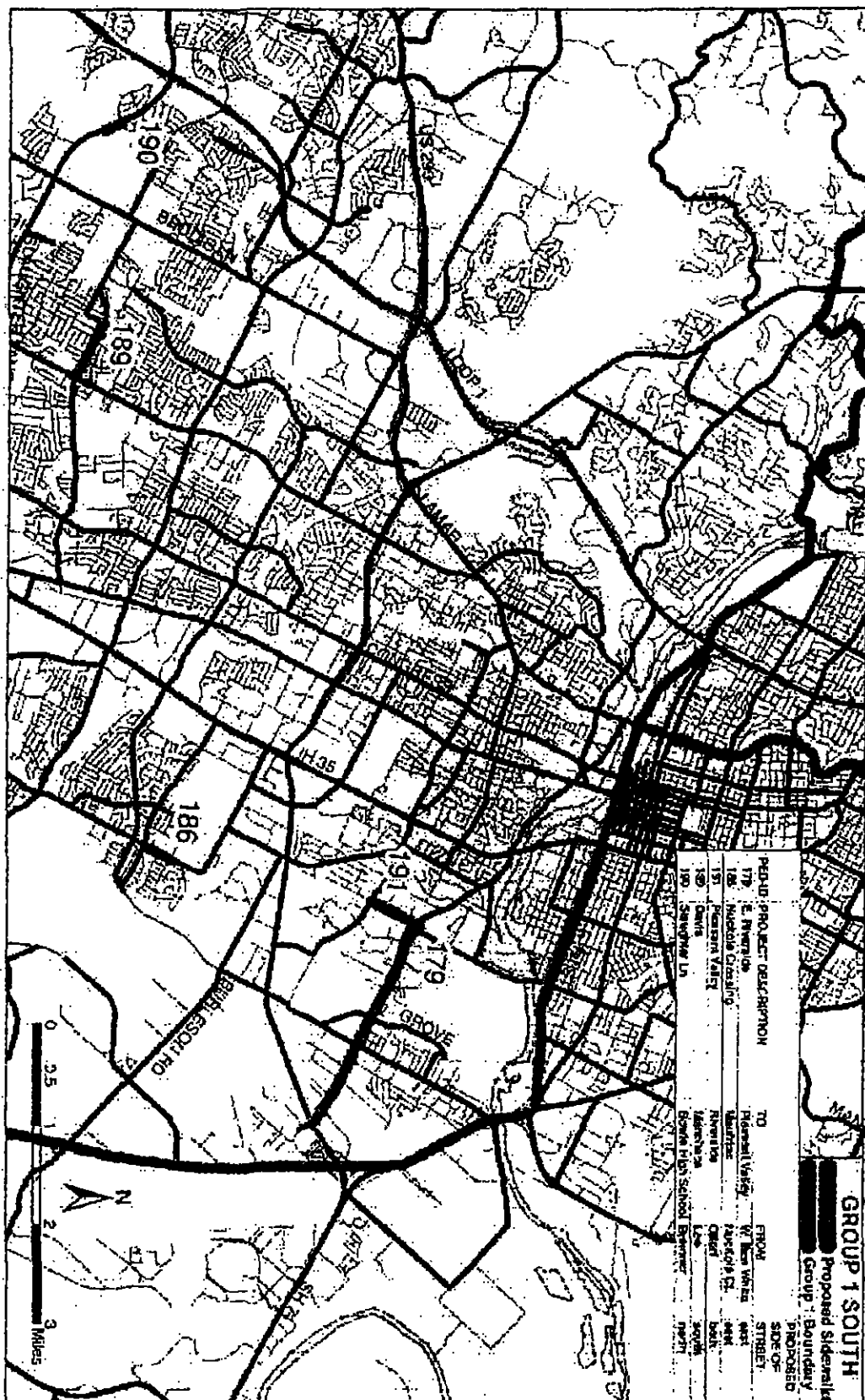
SECOND BIDDER – Joe Bland Construction, LP, Austin, TX - \$1,685,232.50
62.55% Non M/WBE prime participation; 6.36% MB; 20.13% MH; 0.71% NA; 1.72% AA, 6.79% WBE; 0.0% Non M/WBE subcontractor participation.

THRID BIDDER – MAC, Inc., Austin, TX - \$1,700,150.00
86.18% M/WBE prime participation; 0.28% MB; 0.0% MH; 0.0% NA; 0.0% AA, 7.99% WBE; 5.55% Non M/WBE subcontractor participation.



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**CIP BUDGET
FISCAL NOTE**

DATE OF COUNCIL CONSIDERATION:

27-Jan-05

WHERE ON AGENDA:

Resolution

DEPARTMENT:

Public Works Department

DESCRIPTION: Authorize execution of a construction contract with MUNIZ CONCRETE AND CONTRACTING, INC. (MBE 96.71%), Austin, TX for ADA Sidewalk, Ramp and Bikeway Improvements 2004-2007 Group 1 Re-Bid of Re-Bid in an amount not to exceed \$1,622,036 and a \$162,203.60 contingency for a total contract amount not to exceed \$1,784,239.60.

FINANCIAL INFORMATION:

Project Name: IDIQ Sidewalks, Group 1 - South
Project Authorization: 2004-2005 Approved Capital Budget
Funding Source: Capital Metro Quarter Cent Funding
Fund/Agency/Orgn: 8581-257-9510

Total Current Appropriation	\$1,618,000.00
Unencumbered Balance	\$1,616,232.00
Amount of this Action	<u>(\$1,534,239.60)</u>
Estimated Available	<u><u>\$81,992.40</u></u>

Ref: 8581-257-9511, 9512, 9513, 9514

Project Name: Davis Lane from Manchaca to Leo
Project Authorization: 2004-2005 Approved Capital Budget
Funding Source: Capital Metro BGA Program Funding
Fund/Agency/Orgn: 8581-257-9261

Total Current Appropriation	\$280,000.00
Unencumbered Balance	\$280,000.00
Amount of this Action	<u>(\$250,000.00)</u>
Estimated Available	<u><u>\$30,000.00</u></u>

Financial Approval: Rusty Cobern

Date: January 12, 2005

Project: ADA SIDEWALK, RAMP AND BIKEWAY IMPROVEMENTS 2004-2007 GROUP 1-REBID of REBID

Recommended Low Bidder: Muniz Concrete & Contracting (MBE-MH)

Low Bid Amount: \$1,622,036

Project Goals: AA = 6.34%; Hlsp = 19.24%; NA = 0.71%; Asl = 1.72%; NA/Asl = 0.00%; WBE = 6.86%

Achieved Goals: AA = 0.0%; Hlsp = 96.7%; NA = 0.0%; Asl = .20%; WBE = 3.08%

Project Availability List

33055 FENCING, TEMPORARY
5507818 BARRICADES, TRAFFIC
80198 SIGNS, CONSTRUCTION
91319 CONSTRUCTION CURB
9134735 DRIVEWAY PAVEMENT
9134769 SIDEWALK W/RAMPS
9135051 PAVEMENT MARKING
91455 MASONRY
9157297 PHOTOGRAPHY,
96224 COURIER/DELIVERY
96877 SURVEYING
98814 EROSION CONTROL
9885299 LANDSCAPING

Subcontract \$ Amount		African American			Hispanic American			Native American			Asian American			WBE		
Certified	Non-Certified	Certified	Solicited	Responded	Certified	Solicited	Responded	Certified	Solicited	Responded	Certified	Solicited	Responded	Certified	Solicited	Responded
		0	0	0	1	0	0	0	0	0	0	0	0	3	3	0
50,085		0	0	0	2	1	1	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0	0	3	3	0
		5	5	0	18	0	0	0	0	0	1	1	0	5	5	0
		5	5	0	16	0	0	1	1	0	2	2	0	4	4	0
		5	5	0	19	0	0	1	1	0	2	2	0	4	4	0
		0	0	0	1	0	0	0	0	0	0	0	0	2	2	0
		3	3	0	12	0	0	1	1	0	2	2	0	3	3	0
		1	1	0	3	0	0	0	0	0	1	1	1	6	6	0
		3	3	0	3	0	0	0	0	0	0	0	0	2	2	0
		0	0	0	6	0	0	0	0	0	0	0	0	5	5	0
		4	4	1	2	0	0	0	0	0	1	1	0	6	6	3
		5	5	0	4	0	0	0	0	0	1	1	0	3	3	1

Total \$ \$50,085

Total Vendors

31 31 1 87 1 1 3 3 0 10 10 1 46 46 4

Total Unique Vendors (Non duplicated numbers)

17 17 1 49 1 1 1 3 0 5 5 1 37 37 4

The Hispanic goal was achieved. Muniz did not have to solicit the Hispanic contractors. Benqwest MBE-MA is identified on Compliance Plan for the supply of fuel. The scope of work was not listed on availability list.

Muniz Concrete did not subcontract any work to non-minority firms.