



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

**AGENDA ITEM NO.: 21  
AGENDA DATE: Thu 06/09/2005  
PAGE: 1 of 2**

**SUBJECT:** Authorize execution of a construction contract with RGM CONSTRUCTORS, L.P., Pflugerville, TX, for Circle S Road Culvert Replacement (Rebid) in an amount not to exceed \$820,852.50.

**AMOUNT & SOURCE OF FUNDING:** Funding in the amount of \$527,824.50 is available in the Fiscal Year 2004-2005 Amended Capital Budget of the Public Works Department. Funding in the amount of \$293,028 is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.

**FISCAL NOTE:** A fiscal note is attached.

**REQUESTING** Public Works  
**DEPARTMENT:** for Austin Water Utility;

**DIRECTOR'S  
AUTHORIZATION:** Sondra Creighton

**FOR MORE INFORMATION CONTACT:** Rogelio McInnis, P.E., 974-7234; Laura Bohl, 974-7064

**PRIOR COUNCIL ACTION:** Originally awarded on June 10, 2004. Contract with Salas Constructors, Inc. terminated by settlement agreement on March 4, 2005.

**BOARD AND COMMISSION ACTION:** Recommended by the Water and Wastewater Commission.

**PURCHASING:** Lowest responsive of six bids received.

**MBE / WBE:** 5.38% MBE and 11.13% WBE subcontractor participation to date.

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The project consists in the replacement and upgrading of the existing drainage structure on Circle S Road, north of William Cannon Drive, construction of a 5-foot wide sidewalk, concrete curb and gutter on the south side of Circle S between William Cannon Drive and Pleasant Hill school, replacement of existing 6-inch water line with a new 8-inch water line, rehabilitating approximately 320 feet of the existing wastewater line located on the north side of Circle S Road and crossing under South Congress Avenue. The wastewater line rehabilitation is part of the Austin Clean Water Program.

The project will improve the drainage structure on Circle S Road, provide sidewalk to safe access to Pleasant Hill school, and improve the water and wastewater line in the Circle S area.

The contract allows sixty (60) working days for completion of this project.

Bid documents were distributed to ten (10) general contractors. Bids were opened on April 28, 2005. RGM Constructors, L.P. submitted the lowest responsive bid of six received:

Keystone Construction, Inc., Austin, Texas	(Non-Responsive)
RGM Constructors, L.P., Pflugerville, Texas	\$820,852.50
Muniz Concrete & Contracting Inc, Austin, Texas	\$910,048.62
Aaron Concrete Contractors, L.P., Austin, Texas	\$985,662.00
Dayco Construction, Co., Austin, Texas	\$988,975.75
Smith Contracting, Co., Austin, Texas	\$1,080,787.00



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The contractor's choice of work methodology provides for four areas of subcontracting opportunities, which are listed below. Project specific subgoals stated in the solicitation were 3.64% African American; 12.02% Hispanic; 0.49% Asian American, 6.60% WBE. Total participation estimated on base bid amount of \$820,852.50.

<b><u>NON M/WBE TOTAL – PRIME</u></b>	<b><u>\$592,304.20</u></b>	<b><u>72.16%</u></b>
RGM Constructors, L.P., Pflugerville, Texas	\$592,304.20	72.16%
<b><u>MBE TOTAL – SUBCONTRACTORS</u></b>	<b><u>\$44,176.00</u></b>	<b><u>5.38%</u></b>
<b><u>MH Subtotal</u></b>	<b><u>\$44,176.00</u></b>	<b><u>5.38%</u></b>
Advance Concrete Systems, Austin, Texas (concrete work)	\$44,176.00	5.38%
<b><u>WBE TOTAL – SUBCONTRACTORS</u></b>	<b><u>\$91,351.80</u></b>	<b><u>11.13%</u></b>
Roadway Specialties, Inc., Austin, Texas (erosion control)	\$24,402.50	2.97%
Industrial Asphalt, Buda, Texas (hot mix supplier)	\$65,649.30	8.00%
Diva Imaging, Austin, Texas (Photographs)	\$1,300.00	0.16%
<b><u>NON M/WBE TOTAL – SUBCONTRACTORS</u></b>	<b><u>\$93,020.50</u></b>	<b><u>11.33%</u></b>
Hanson Pipe & Products, Austin, Texas (pre-cast crown span bridge)	\$39,456.00	4.80%
National Waterworks, Austin, Texas (pipes, MH, inlets, valves, FH)	\$42,687.00	5.20%
United Rentals HT, Austin, Texas (Barricades & traffic handling)	\$10,877.50	1.33%

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 low responsive bidder information is provided.

**SECOND BIDDER – Muniz Concrete & Contracting, Inc, Austin, TX- \$910,048.62**  
92.65% MBE prime participation; 0.00% MB; 0.00% MH; 0.14% NA; 7.21% WBE; 0.00% Non M/WBE subcontractor participation.

Project: Circle 8 Culvert Replacement REBID  
Recommended Low Bidder: RGM Constructors

Low Bid Amount: \$620,862

Project Goals: AA = 3.64%; Hsp = 12.08%; NA = 9.00%; Asl = 6.49%; WBE = 6.90%

Achieved Goals: AA = 6.00%; Hsp = 5.38%; NA = 9.00%; Asl = 9.00%; WBE = 11.12%

	Subcontractor \$ Amount	African American			Hispanic			Native American			Asian American			WBE		
		Certified	Non-Certified	Response	Certified	Non-Certified	Response	Certified	Non-Certified	Response	Certified	Non-Certified	Response	Certified	Non-Certified	Response
16034 HANDRAILS		0	0	0	0	0	0	0	0	0	1	1	0	2	2	0
21088 CULVERTS, CONCRETE	\$42,997	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0
23066 FENCING, TEMPORARY		0	0	0	1	1	0	0	0	0	0	0	0	3	3	0
6507818 BARRICADES		0	0	0	2	2	1	0	0	0	0	0	0	1	1	0
6663430 PIPE, CONCRETE		0	0	0	1	1	0	0	0	0	0	0	0	1	1	0
65880 PIPE, PVC	\$39,466	1	1	0	2	2	0	0	0	0	0	0	0	1	1	0
74802 ASPHALT, AC		0	0	0	0	0	0	0	0	0	0	0	0	1	1	0
78007 BORROW AND SOIL		1	1	0	2	2	0	0	0	0	0	0	0	0	0	0
7803548 RIP RAP, CONCRETE		0	0	0	2	2	0	0	0	0	0	0	0	1	1	0
78070 READY-MIX CONCRETE		1	1	0	1	1	0	0	0	0	0	0	0	0	0	0
79050 SOIL, GRASS		2	2	0	1	1	0	0	0	0	0	0	0	3	3	0
80196 SIGNS, CONSTRUCTION	\$10,877	0	0	0	1	1	0	0	0	0	0	0	0	3	3	0
89030 MANHOLES, AND MANHOLE		0	0	0	2	2	0	0	0	0	0	0	0	0	0	0
9122343 HANDRAILS, PIPE		2	2	0	9	9	1	0	0	0	2	2	0	4	4	0
9122346 HEADWALLS, CONCRETE		2	2	0	12	12	0	0	0	0	1	1	0	2	2	0
91244 EXCAVATION SERVICES		6	6	0	19	19	0	0	0	0	0	0	0	4	4	0
91319 CONSTR CURB & GUTTER	\$44,176	5	5	0	18	18	0	0	0	0	1	1	0	4	4	0
9133919 BACK FILL, TRENCH		7	7	0	11	11	0	0	0	0	1	1	0	2	2	0
91340 CONSTRUCTION, PIPELINE		4	4	0	11	11	0	0	0	0	1	1	0	3	3	0
91346 CONST. SEWER & STORM DRAIN		4	4	0	11	11	0	0	0	0	0	0	0	3	3	0
91347 SIDEWALK AND DRIVEWAY		6	6	0	20	20	0	1	1	0	2	2	0	3	3	0
9134736 DRIVEWAY PAVEMENT		5	5	0	17	17	0	1	1	0	2	2	0	3	3	0
9134789 SIDEWALK W/RAMPS		5	5	0	20	20	0	1	1	0	2	2	0	3	3	0
91380 CONST WATER SYSTEM		4	4	0	8	8	0	0	0	0	0	0	0	4	4	0
9138031 CATCH BASINS, CONS		2	2	0	6	6	0	0	0	0	0	0	0	1	1	0
9138040 INLETS, CONST		1	1	0	7	7	0	0	0	0	0	0	0	2	2	0
9138046 MANHOLES, CONST		3	3	0	8	8	0	0	0	0	1	1	0	4	4	0
91396 PAVING/RESURFACE	\$95,849	1	1	0	8	8	0	0	0	0	0	0	0	6	5	2
91479 STRUCTURAL STEEL		1	1	0	0	0	0	0	0	0	0	0	0	0	0	0
9167297 PHOTOGRAPHY, CONST	\$1,300	1	1	1	4	4	0	0	0	0	2	2	0	6	6	0
9821818 BORING FOR ROAD CROSSING		2	2	0	2	2	0	0	0	0	0	0	0	0	0	0
9858283 TRENCH AND BACK FILL		2	2	0	2	2	0	0	0	0	1	1	0	1	1	0
98614 EROSION CONTROL SERVICES	\$24,405	6	6	0	3	3	1	0	0	0	1	1	0	6	6	2

Total Vendors 73 73 1 213 213 8 3 3 0 18 18 0 76 76 4  
Total Unique Vendors 17 17 1 55 55 3 1 1 0 8 8 0 33 33 4

**CIP BUDGET  
FISCAL NOTE**

**DATE OF COUNCIL CONSIDERATION:**

9-Jun-05

**WHERE ON AGENDA:**

Resolution

**DEPARTMENT:**

Public Works Department

**DESCRIPTION:** Authorize execution of a construction contract with RGM CONSTRUCTORS, L.P., Pflugerville, TX, for Circle S Road Culvert Replacement (Rebid) in an amount not to exceed \$820,852.50.

**FINANCIAL INFORMATION:**

Project Name: Minor Bridge and Culvert Improvements  
Project Authorization: 2004-2005 Approved Capital Budget  
Funding Source: 1998 GO Bonds P1  
Fund/Agency/Orgn: 8780-607-1880

Total Current Appropriation	\$3,019,183.00
Unencumbered Balance	\$1,400,827.00
Amount of this Action	<u>(\$216,949.50)</u>

Estimated Available	<u><u>\$1,183,877.50</u></u>
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Project Name: Minor Bridge and Culvert Improvements  
Project Authorization: 2004-2005 Approved Capital Budget  
Funding Source: 1984 G.O. Bonds  
Fund/Agency/Orgn: 8250-607-2027

Total Current Appropriation	\$932,749.00
Unencumbered Balance	\$137,617.00
Amount of this Action	<u>(\$137,600.00)</u>

Estimated Available	<u><u>\$17.00</u></u>
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Financial Approval: Rusty Cobern

Date: May 17, 2005

**CIP BUDGET  
FISCAL NOTE**

**DATE OF COUNCIL CONSIDERATION:**

9-Jun-05

**WHERE ON AGENDA:**

Resolution

**DEPARTMENT:**

Public Works Department

**DESCRIPTION:** Authorize execution of a construction contract with RGM CONSTRUCTORS, L.P., Pflugerville, TX, for Circle S Road Culvert Replacement (Rebid) in an amount not to exceed \$820,852.50.

**FINANCIAL INFORMATION:**

Project Name:	Circle S from Wm. Cannon to Pleasant Hill
Project Authorization:	2004-2005 Approved Capital Budget
Funding Source:	Capital Metro Qtr. Cent Funding
Fund/Agency/Orgn:	8581-257-9170

Total Current Appropriation	\$390,000.00
Unencumbered Balance	\$330,648.00
Amount of this Action	<u>(\$173,275.00)</u>

Estimated Available	<u><u>\$157,373.00</u></u>
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Financial Approval: Rusty Cobem

Date: May 17, 2005

## CIP FISCAL NOTE

**DATE OF COUNCIL CONSIDERATION:**  
**WHERE ON AGENDA:**  
**DEPARTMENT:**

06/09/05  
Resolution  
Austin Water Utility

**DESCRIPTION:**

Authorize execution of a construction contract with RGM CONSTRUCTORS, L.P., Pflugerville, TX, for Circle S Road Culvert Replacement (Rebid) in an amount not to exceed \$820,852.50.

**FINANCIAL INFORMATION:**

Parent Project Name:	Wastewater Unfunded Future
Project Authorization:	2004-05 Approved Capital Budget
Funding Source:	Commercial Paper
Number:	4570 237 2017

Current Appropriation	\$ 494,673,293.00
Unencumbered Balance	153,252,003.76 *
Amount of This Action	<u>(149,598.00)</u>
Remaining Balance	<u>\$ 153,102,405.76</u>
 Current Available Balance	 \$ 172,934,516.81
Less Outstanding Commitments	<u>(19,682,512.85)</u>
Estimated Unencumbered Balance	<u>\$ 153,252,003.76 *</u>

Utility Finance: \_\_\_\_\_

  
David Anders, Utilities Finance Manager

Date: \_\_\_\_\_

6/17/05

REF. # 4570 237 8754

## CIP FISCAL NOTE

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06/09/05  
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Austin Water Utility

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Authorize execution of a construction contract with RGM CONSTRUCTORS, L.P., Pflugerville, TX, for Circle S Road Culvert Replacement (Rebid) in an amount not to exceed \$820,852.50.

**FINANCIAL INFORMATION:**

Parent Project Name:	Water Unfunded Future
Project Authorization:	2004-05 Approved Capital Budget
Funding Source:	Commercial Paper
Number:	3960 227 1019

Current Appropriation	\$ 298,783,739.00
Unencumbered Balance	90,618,425.43 *
Amount of This Action	<u>(143,430.00)</u>
Remaining Balance	<u>\$ 90,474,995.43</u>
 Current Available Balance	 \$ 93,817,056.05
Less Outstanding Commitments	<u>(3,198,630.62)</u>
Estimated Unencumbered Balance	<u>\$ 90,618,425.43 *</u>

Utility Finance:



David Anders, Utilities Finance Manager

Date:

5/17/05

REF. # 3960 227 7366

No.060105-B  
WATER AND WASTEWATER COMMISSION RESOLUTION  
CONSTRUCTION CONTRACT WITH RGM CONSTRUCTORS, L.P. FOR CIRCLE S ROAD CULVERT  
REPLACEMENT (REBID) IN AN AMOUNT NOT TO EXCEED \$820,852.50

June 1, 2005  
REGULAR MEETING  
VOTE: 7-0-1-1

Motion made by: Warner  
Commissioners Consenting: Raun, Friese, Coleman, Chan, Lee, Scott-Ryan  
Commissioners Dissenting:  
Commissioners Abstaining: Gonzalez  
Commissioners Absent: Pool

The Water and Wastewater Commission recommends the Council authorize the negotiation and execution of a construction contract with RGM Constructors, L.P., for Circle S Road Culvert Replacement (Rebid) in an amount not to exceed \$820,852.50

Commissioner Gonzalez abstained on this item because he works on the Austin Clean Water Program

  
\_\_\_\_\_  
Michael Warner Chairperson  
Water and Wastewater Commission

  
\_\_\_\_\_  
Date