



Date: May 8, 2012

To: Thomas J. Bonfield, City Manager
Through: Theodore L. Voorhees, Deputy City Manager
From: Marvin G. Williams, Director of Public Works
Subject: Streetscape Sidewalk Construction for NCIMED: Contract ST-259

Executive Summary

On April 12, 2012, bids were opened for Contract ST-259. This contract consists of installation of a new sidewalk at the North Carolina Institute of Minority and Economic Development building to complete the downtown streetscape. The work includes streetscape improvements to the sidewalk, infrastructure improvements to allow filling of the basement beneath the sidewalk in the rights-of-way, and the relocation of water and electrical systems within the basement to facilitate the work. The lowest responsive bid was submitted by the D. Washington Group of Durham, North Carolina for \$149,627.39.

Recommendation

The Administration recommends that the City Council authorize the City Manager to execute a contract for ST-259: The North Carolina Institute of Minority and Economic Development Building Basement Renovations with the D. Washington Group of Durham, North Carolina, in the amount of \$149,627.39; establish a contingency fund in the amount of \$29,925.48 (20%); authorize the City Manager to negotiate change orders provided that the cost of all change orders does not exceed \$29,925.48 and the total project cost does not exceed \$179,552.87; and ratify the attached agreement negotiated between the City of Durham and the North Carolina Institute of Minority and Economic Development granting the City permission to carry out the project on private property owned by the Institute.

The Administration further recommends that the City Council authorize the City Manager to amend the on-call supplemental professional services agreement with Kimley-Horn and Associates by \$64,000.00 to provide construction administration services for the ST-259 project.

Background

This project involves the streetscape at 114 Parish Street at the NCIMED building and improvement to the NCIMED building basement. The main tenant of the NCIMED building is Mechanics and Farmers Bank. This is the last remaining section of missing sidewalk from the 2005 Downtown Improvements project. At the front of

the NCIMED building is a section of sidewalk in the rights-of-way that also serves as the roof to the basement. Water and electrical systems within the basement beneath the rights-of-way will be relocated. The section of the basement within the rights-of-way will then be filled and a sidewalk constructed over the former basement. This will eliminate a hazardous condition within the rights-of-way and complete the streetscape in front of the NCIMED building.

Funding for contract ST-259 is available from the Water and Sewer Extension and Improvement Fund, Downtown Fund, and 2005 Sidewalk Bond Fund.

The Public Works Department entered into an on-call supplemental professional services agreement with Kimley-Horn and Associates on December 11, 2008, for design services and construction administration related to ADA compliant improvements to City Hall Plaza. The original on-call agreement was for \$55,000.00. This agreement was amended on August 27, 2009, to design a new water line for City Hall Plaza at a cost of \$31,300.00. The agreement was further amended on March 15, 2010 to provide \$62,000 for the design of improvements to the North Carolina Institute of Minority and Economic Development (NCIMED) building. The agreement was amended on January 18, 2011 to provide \$45,000 for construction administration on the City Hall Plaza project. The agreement was most recently amended on August 18, 2011 by \$38,500.00 for additional construction administration on the City Hall Plaza project. The current agreement total including the original agreement and four subsequent amendments is \$231,800.00. A fifth amendment to the agreement with Kimley-Horn and Associates for \$64,000.00 will provide construction administration for the ST-259 project and bring the total agreement to \$295,800.00.

Issues/Analysis

The following is a summary of bids received:

D. Washington Group	\$ 149,627.39	Lowest Responsive Bid
Central Builders, Incorporated	\$ 191,110.00	
CT Wilson Construction Company, Inc.	\$ 317,314.51	
Morlando Construction	\$ 429,560.00	

The Public Works Department recommends awarding Contract ST-259 to the D Washington Group of Durham, NC in the amount of \$149,627.39.

Alternatives

The Council can choose to not proceed with this project and redirect the funding to another project. The Council can award the project since the bids received are competitive.

Financial Impact

Funds for this project are budgeted for in the following accounts:

D. Washington Group Construction Contract

Water Extensions & Improvements Fund

4100P007-731000-P0A43	<u>\$50,000.00</u>
Total Water E&I	\$50,000.00

Downtown Fund

3612L010-731000-LL00B	<u>\$35,266.90</u>
Total Downtown	\$35,266.90

2005 Sidewalk Bond Fund

Construction	
3610L901-731000-LF103	\$64,360.49

Contingency	
3610L901-731900-LF103	<u>\$29,925.48</u>
Total Sidewalk Bond	\$94,285.97

Contract ST-259 Total	\$179,552.87
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Kimley-Horn and Associates Incorporated Professional Services Agreement

Original Agreement	\$55,000.00	City Hall Plaza Design
Amendment 1	\$31,300.00	City Hall Plaza Water Line Design
Amendment 2	\$62,000.00	NCIMED Building Design
Amendment 3	\$45,000.00	City Hall Plaza Construction Administration
Amendment 4	\$38,500.00	City Hall Plaza Construction Administration
Amendment 5	\$64,000.00	NCIMED Building Construction Administration

Downtown Fund

3612L010-731001-LL000	<u>\$64,000.00</u>
Total Downtown	\$64,000.00

SDBE Summary

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by D Washington Group of Durham, North Carolina to determine compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting. The goals for this project are MSDBE 5% and WSDBE 2%. It was determined that D. Washington Group is in compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting.

SDBE Requirements

The D. Washington Group of Durham, North Carolina will subcontract to the following certified firm:

Firm	ID	City/State	Amount	% of Contract
U&L Contracting	SDBE	Durham, NC	\$15,000.00	10%

The goals for this project were: 5 % M/SDBE and 2 % W/SDBE. D. Washington Group attained 10% MSDBE participation with the use of a SDBE (Hispanic) firm. While they did not meet their WSDBE goals, they did demonstrate good faith effort.

Workforce Statistics

Workforce statistics for the D. Washington Group of Durham, North Carolina are as follows:

Total Workforce	4	
Total Females	1	25%
Total Males	3	75%
Black Males	2	50%
White Males	0	0%
Other Males	1	25%
Black Females	1	25%
White Females	0	0%
Other Females	0	0%

ATTACHMENTS

ST-259 SDBE Compliance Report