



CITY OF DURHAM | NORTH CAROLINA

Date: April 8, 2014

To: Thomas J. Bonfield, City Manager
Through: W. Bowman Ferguson, Deputy City Manager
From: Marvin G. Williams, Director of Public Works
Subject: Contract Amendment for Sidewalk Repairs and Curb Ramps

Executive Summary

The City awarded SW-29 2013 Sidewalk Repairs and Curb Ramps to Browe Construction Company, Incorporated of Clayton, North Carolina on February 4, 2013 in the amount \$788,224.38. Browe Construction successfully completed the list of sidewalk repairs and curb ramps originally included in the contract (Map 1 – SW-29 Repair Locations).

There is \$314,796.43 remaining in the contract, which includes \$102,811.88 of contingency. The Department recommends extending the original contract by 50% (\$394,112.19) as authorized under Section 10.01C “Authorized Changes in the Work of Engineers Joint Contract Documents Committee, C-700 standard General Conditions of the Construction Contract.” The combined funds, in the amount of \$708,908.62 will be used to complete additional sidewalk repair and curb ramp locations that have been identified by residents through Durham One Call (Map 2 – SW-29 Proposed Repairs), and to complete curb ramp upgrades for various repaving projects.

This extension allows the City to benefit from good pricing and take advantage of quick completion of repairs by a contractor performing to City expectations. The level of accessibility of City sidewalks will also increase as a result of this extension.

Recommendation

The Administration recommends that the City Council authorize the City Manager to execute contract amendment No.1 for contract SW-29: 2013 Sidewalk Repairs and Curb Ramps with Browe Construction Company of N.C. in the amount of \$394,112.19, increasing the contract total to \$1,182,336.57.

Background

The SW-29 2013 Sidewalk Repairs and Curb Ramps project provides needed repairs to existing sidewalk at various locations throughout Durham. It also replaces and installs new curb ramps that are compliant with American with Disabilities Act (ADA) requirements. Due to a conservative engineer’s estimate the original list of projects was completed under budget and additional funds remain in the initial contract.

Public Works staff proposes to use those remaining funds, plus contingency, plus the additional funds requested in the contract extension, \$708,908.62 total, to repair additional past due Public Works service requests and to replace or install curb ramps associated with the streets on the 2014 repaving schedule.

Issues and Analysis

Effective September 2013, the Federal Highway Administration (FHWA) has determined that any noncompliant or non-existing curb ramps must be replaced or installed prior to repaving a road in order to conform with new American with Disabilities Act (ADA) requirements.

Alternatives

Council could choose not to approve the request for a contract extension. Should this occur the City will advertise a new sidewalk and curb ramp project. This would delay paving work planned for the 2014 paving season, and delay sidewalk repair needs identified by the resident through Durham One Call.

Financial Impact

Funds for this project extension are budgeted for in the following account:

Sidewalk Repairs and Replacements	3610L912-731000-LF104	\$394,112.19
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SDBE Summary

The Equal Opportunity/Equity Assurance Department reviewed the original bid submitted by Browe Construction, Incorporated of Clayton, North Carolina to determine compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting. The goals for this project are MSDBE 18% and WSDBE 7%. It was determined that Browe Construction, Incorporated was in compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting.

The Equal Opportunity/Equity Assurance Department has been informed of the intent to extend the contract. Modifications to the EO/EA goals are not required. Browe Construction Company, Incorporated of Clayton, North Carolina is a North Carolina Department of Transportation certified DBE and WBE and will perform 7% of the work, which is equal to \$23,989 of the amendment and will subcontract with the following MSDBE firm for work in this amendment.

Firm	ID	City/State	Amount	% of Contract
Double R Concrete Finishing	MSDBE	Durham, NC	\$61,687	18%

The MSDBA and WSDBE goals were both met and the WSDBE was exceeded. Since Browe Construction Company, Incorporated is an NCDOT approved contractor their workforce statistics fulfill a portion of the EO/EA requirements.

WORKFORCE STATISTICS

The workforce statistics for Browe Construction Company, Incorporated are as follows

Total Workforce	34	
Total Females	2	6%
Total Males	32	94%
Black Males	4	12%
White Males	9	26%
Other Males	19	56%
Black Females	0	0%
White Females	2	6%
Other Females	0	0%