

**CITY OF EL PASO, TEXAS**  
**REQUEST FOR COUNCIL ACTION (RCA)**

DEPARTMENT: LIBRARY

AGENDA DATE: April 07, 2009

CONTACT PERSON/TELEPHONE: Terrence Freiburg, Purchasing Manager, Financial Services (X-4313)  
R. Alan Shubert, P.E., City Engineer (X-4423)

DISTRICT(S) AFFECTED: 3

**SUBJECT:**

**Competitive Sealed Proposal:** The selection of **Byers Construction, Inc.** as the offeror that offers the highest ranked proposal to the City for the construction of **Cielo Vista Branch Library, No. 2009-100**, as per recommendations from the Engineering Department; and that the City Engineer and staff be authorized to proceed with negotiations of a contract in accordance with Section 271.116, Texas Local Government Code.

**BACKGROUND / DISCUSSION:**

The project Base Bid consists of a new 8,161 square foot Public Library Branch Facility that will be located on the grounds of "Vista Del Valle Park", owned by the City of El Paso.

Site Improvements include earthwork, new concrete sidewalks, signage, rock wall enclosures, flag poles, parking lot, public art exhibits, rock benches, monumental sign, exterior book-drop units, landscaping, irrigation and utilities.

Option 1: Consists of a shade structure with lights. (not considered in CSP evaluation)

Option 2: Additional 1,334 square foot to the facility. (not considered in CSP evaluation)

Option 3: Storm water underground retention system. (not considered in CSP evaluation)

The application of sustainable design principles have been incorporated into the design of the project and shall be carried through the construction of the project, as detailed in the related specification sections, with the goal and intent to achieve LEED Certification at a minimum Silver level utilizing the LEED NC V2.2 rating system administered by The U.S. Green Building Council.

The project was bid using the Competitive Sealed Proposal process required by City Ordinance for all vertical construction. The Competitive Sealed Proposal process is a two step process that allows several factors to be considered in determining the offeror that provides the best value for the City. The first step in the process is a review and ranking of factors including offeror's price, performance on city projects, contractor building construction experience, the use of local project managers and local subcontractors, and the provision for employee health insurance. As part of the first step Engineering requests City Council approval to negotiate with the highest ranking offeror. The second step of the process Engineering presents the scope of work and negotiated price to City Council for approval.

The scope of work, the score sheet used for this evaluation and bid tabulation are attached, as well as the user department, consultant and Engineering's certification. **Byers Construction, Inc.** received the highest ranked proposal score (99.0) for the project.

This is a lump sum project that includes the construction of the facility.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

2006 Certificate of Obligations and Land Sale

31250204 / 99331117 – 508027 – 27503 / 27263 – PCP08LI01

**BOARD / COMMISSION ACTION:**

N/A

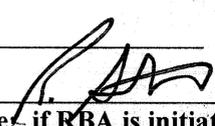
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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) \_\_\_\_\_

**FINANCE:** (if required) \_\_\_\_\_

**DEPARTMENT HEAD:** \_\_\_\_\_

  
(Example: if RBA is initiated by Purchasing, client department should sign also)  
*Information copy to appropriate Deputy City Manager*

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**CONSTRUCTION PROJECT FORM  
COMPETITIVE SEALED PROPOSAL  
Lump Sum**

**DATE:** April 01, 2009  
**PROJECT:** Cielo Vista Branch Library  
**PROPOSAL NO:** 2009-100  
**PROJECT:** PCP08LI01-27263-99331117-508027  
PCP08LI01-27503-31250204-508027  
**FUNDING SOURCE:** 2006 Certificates of Obligation & Land Sale  
**DEPARTMENT:** Library  
**DISTRICT(S):** 3

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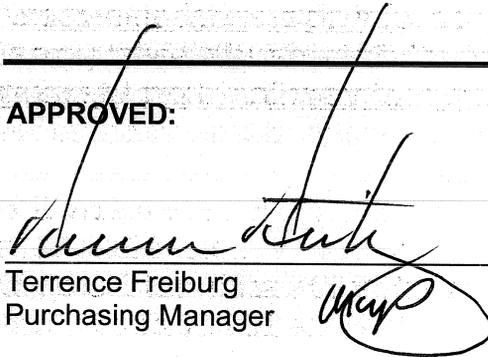
**AGENDA DATE:** April 07, 2009                      **CONTRACTOR:** Byers Construction, Inc.

**RECOMMENDATION:**

That the City be authorized to enter into negotiations with **Byers Construction, Inc.** who submitted the highest ranked proposal for the **Cielo Vista Branch Library** as per recommendations from the Engineering Department, Library Department, and the City's design consultant. This project was bid as a Competitive Sealed Proposal and the statute allows contract negotiations regarding the scope and price of a project with the selected offeror.

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**APPROVED:**

  
Terrence Freiburg  
Purchasing Manager

**CIELO VISTA BRANCH LIBRARY  
SOLICITATION No. 2009-100**

**SCOPE OF WORK**

A new Public Library Branch Facility will be located on the grounds of "Vista Del Valle Park", owned by the City of El Paso.

The project scope of work includes, but is not limited to, the following:

**Base Bid:**

The facility will contain approximately 8,161 square feet, in a single story building to house an entrance lobby, Library stacks area, circulation desk, Staff Work Room, Staff Break Room, "Friends of the Library" Room, a Multi-Purpose Room, reading areas, Teen's area, Children's Area, I.T. room, Electrical Room, storage rooms and ancillary spaces.

Site Improvements include earthwork, new concrete sidewalks, signage, rock wall enclosures, flag poles, parking lot, public art exhibits, rock benches, monumental sign, exterior book-drop units, landscaping, irrigation and utilities.

The application of sustainable design principles have been incorporated into the design of the project and shall be carried through the construction of the project, as detailed in the related specification sections, with the goal and intent to achieve LEED Certification at a minimum Silver level utilizing the LEED NC V2.2 rating system administered by The U.S. Green Building Council.

The work trades involved include, but are not limited to: earthwork, landscaping, irrigation, asphalt pavement, concrete, masonry, structural steel, built-up roof, concrete roof tiles, steel studs, interior finishes, interior woodwork, toilet accessories, building specialties, HVAC, plumbing, electrical and special systems.

**Options:**

- Option No. 1: Additive Option to construct a steel trellis structure, and associated lighting, over the exterior patio area, as detailed in the drawings and specifications.
- Option No. 2: Additive Option to provide approximately 1,334 additional square feet to house the Multi-Purpose Room and Storage Room, in a different location from that shown in the base bid drawings, modifications to the "Friends of the Library" space, the incorporation of a Coffee Shop, and additional parking lot area.
- Option No. 3: Additive Option to provide a Storm Water Detention and Infiltration system, consisting of rain tanks, as detailed in the drawings and specifications.

*Prior to commencing of work the Contractor shall submit to the City of El Paso Engineering Department, and obtain approval of, the Sequence of Construction, Schedule of Work, and Traffic Control Plan.*

**END SCOPE OF WORK**

**COMPETITIVE SEALED PROPOSAL  
OFFEROR CERTIFICATION**

**CIELO VISTA BRANCH LIBRARY, Proposal No. 2009-100**

The evaluation of offers for this Proposal has been completed.

The Offeror, BYERS Construction, Inc, has received the  
(Contractor's Name)

highest score, 99.0, and is, therefore, certified as offering the City of El Paso the Best Value for this project.

The amount of the award will be \$ 2,040,000.00.

This amount includes the following proposal components and alternates with their corresponding amounts:

| PROPOSAL COMPONENT | \$ AMOUNT              |
|--------------------|------------------------|
| BASE BID           | \$ <u>2,040,000.00</u> |

I, Samuel Rodriguez, of Engineering, concur with this Certification  
(Print Name) (Department or Firm)

on this the 31<sup>st</sup> day of March, 2009. [Signature]  
(Signature)

I, Robert Sheardrick, of Engineering, concur with this Certification  
(Print Name) (Department or Firm)

on this the 31<sup>st</sup> day of March, 2009. [Signature]  
(Signature)

I, Jorge L. Mora, of Mijares-Mora Architects, concur with this Certification  
(Print Name) (Department or Firm)

on this the 31 day of March, 2009. [Signature]  
(Signature)

I, Ivonne R. Jimenez, of LIBRARY, concur with this Certification  
(Print Name) (Department or Firm)

on this the 31 day of March, 2009. [Signature]  
(Signature)

I, \_\_\_\_\_, of \_\_\_\_\_, concur with this Certification  
(Print Name) (Department or Firm)

on this the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_. \_\_\_\_\_  
(Signature)

I, \_\_\_\_\_, of \_\_\_\_\_, concur with this Certification  
(Print Name) (Department or Firm)

on this the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_. \_\_\_\_\_  
(Signature)

**CITY OF EL PASO BID TABULATION**

BID TITLE: CIELO VISTA BRANCH LIBRARY  
 BID DATE: MARCH 30, 2009

BID NO: 2009-100  
 DEPARTMENT: LIBRARY

|                         | BANES<br>GENERAL<br>CONTRACTORS, INC.<br>EL PASO, TEXAS | BLAIR-HALL<br>CO., INC.<br>EL PASO, TEXAS | BYERS<br>CONSTRUCTION,<br>INC.<br>EL PASO, TEXAS. | CK<br>CONSTRUCTION, INC.<br>EL PASO, TEXAS | F. T. JAMES<br>CONSTRUCTION, INC.<br>EL PASO, TEXAS | VENEGAS ENGINEERING<br>MANAGEMENT &<br>CONSTRUCTION, INC.<br>EL PASO, TEXAS |
|-------------------------|---|---|---|--|---|---|
| DESCRIPTION             | TOTAL   | TOTAL                                     | TOTAL   | TOTAL                                      | TOTAL   | TOTAL   |
| BASE BID                | \$2,265,300.00  | \$2,187,600.00                            | \$2,040,000.00                                    | \$2,415,334.00                             | \$2,233,111.00                                      | \$2,371,000.00  |
| ADDITIVE OPTIONS        |   |   |   |  |   |   |
| OPTION NO. 1:           | \$65,450.00   | \$52,800.00                               | \$51,000.00                                       | \$55,263.00                                | \$55,111.00   | \$53,000.00   |
| OPTION NO. 2            | \$277,500.00  | \$208,800.00                              | \$212,000.00                                      | \$391,615.00                               | \$222,222.00  | \$219,000.00  |
| OPTION NO. 3            | \$78,475.00   | \$69,900.00                               | \$74,000.00                                       | \$158,200.00                               | \$67,111.00   | \$69,000.00   |
| BID BOND SUBMITTED      | YES   | YES                                       | YES   | YES  | YES   | YES   |
| AMENDMENTS ACKNOWLEDGED | YES   | YES                                       | YES   | YES  | YES   | YES   |

**RECEIVED**

**MAR 30 2009**

ENGINEERING DEPARTMENT  
 CONTRACT COMPLIANCE

APPROVED BY: *MWP*

**COMPETITIVE SEALED PROPOSAL OFFEROR CRITERIA EVALUATION**

100 Points Maximum

**Cielo Vista Branch Library**

**Bid No. 2009-100**

| Part A: Price<br>Maximum 65 Points<br><i>Base Bid</i> | Lowest<br>Proposal Amt | Divided<br>by Offeror's<br>Amt | X 65       |  | Byers<br>Construction,<br>Inc. | F.T. James<br>Construction,<br>Inc. | Blair-Hall<br>Co., Inc. | Banes<br>Construction | Venegas Eng<br>Mgmt &<br>Construction | CK<br>Construction,<br>Inc. |
|---|------------------------|--------------------------------|------------|--|--------------------------------|-------------------------------------|-------------------------|-----------------------|---------------------------------------|-----------------------------|
|   | \$2,040,000.00         | \$2,040,000.00                 | 1.00x 65 = |  | 65.00                          |                                     |                         |                       |                                       |                             |
|   | \$2,040,000.00         | \$2,233,111.00                 | 0.91x 65 = |  |                                | 59.15                               |                         |                       |                                       |                             |
|   | \$2,040,000.00         | \$2,187,600.00                 | 0.93x 65 = |  |                                |                                     | 60.45                   |                       |                                       |                             |
|   | \$2,040,000.00         | \$2,265,300.00                 | 0.90x 65 = |  |                                |                                     |                         | 58.50                 |                                       |                             |
|   | \$2,040,000.00         | \$2,371,000.00                 | 0.86x 65 = |  |                                |                                     |                         |                       | 55.90                                 |                             |
|   | \$2,040,000.00         | \$2,415,334.00                 | 0.84x 65 = |  |                                |                                     |                         |                       |                                       | 54.60                       |

| Part B: Offeror's Past Relationship With Owner (Maximum 10 Points)  | Value of<br>Points | Total Points |
|---|--------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Contract performance in compliance with City Construction Documents | 0 to 8             | 7            | 8            | 4            | 3            | 5            | 6            |
| Completion of City contract(s) accomplished by completion due date  | 0 to 2             | 2            | 2            | 2            | 1            | 2            | 2            |
| Negative performance on City contract(s)                            | 0 to -10           | 0            | 0            | -1           | -1           | 0            | 0            |

| Part C: Offeror's Experience & Qualifications (Maximum 10 Points)            | Value<br>of Points | Total Points |
|--|--------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Offeror has successfully completed projects similar in scope, size and value | 0 to 8             | 8            | 8            | 8            | 8            | 8            | 8            |
| Offeror has been in business at least five years                             | 0 to 2             | 2            | 2            | 2            | 2            | 2            | 0            |
| Negative performance on contract(s)  | 0 to -10           | 0            | 0            | 0            | 0            | 0            | 0            |

| Part D: Health Benefits (Maximum 5 Points)   | Value<br>of Points | Total Points |
|--|--------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Offeror provides to its employees Health Insurance Benefits where 60% or more of the cost is paid by the Offeror/Employer. | 0 or 5             | 5            | 5            | 5            | 5            | 5            | 5            |

| Part E: Local Project Manager (Maximum 5 Points) | Value of<br>Points | Total Points |
|--|--------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Prime Contractor has a local Project Manager.    | 0 or 5             | 5            | 5            | 5            | 5            | 5            | 5            |

| Part F: Local Subcontractor Work (Maximum 5 Points)  | Value of<br>Points | Total Points |
|--|--------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Local Subcontractors shall perform a total of 75% or more of the cumulative total of all subcontract work. | 0 or 5             | 5            | 5            | 5            | 5            | 0            | 0            |

|                           |  |       |       |       |       |       |       |
|---------------------------|--|-------|-------|-------|-------|-------|-------|
| <b>GRAND TOTAL POINTS</b> |  | 99.00 | 94.15 | 90.45 | 86.50 | 82.90 | 80.60 |
|---------------------------|--|-------|-------|-------|-------|-------|-------|



# Cielo Vista Branch Library



April 7, 2009



- Intent of project to build new 8,000 square foot public library in Vista Del Valle Park
- First building for the City of El Paso to be built using LEED principles.
  - Currently seeking LEED Silver Certification
- Will have a central art piece (“Continuum Wheel”) in the entry way
- Funded by 2006 COs and Land Sale



## LEED Team

LEED AP – Nicole Ferrini

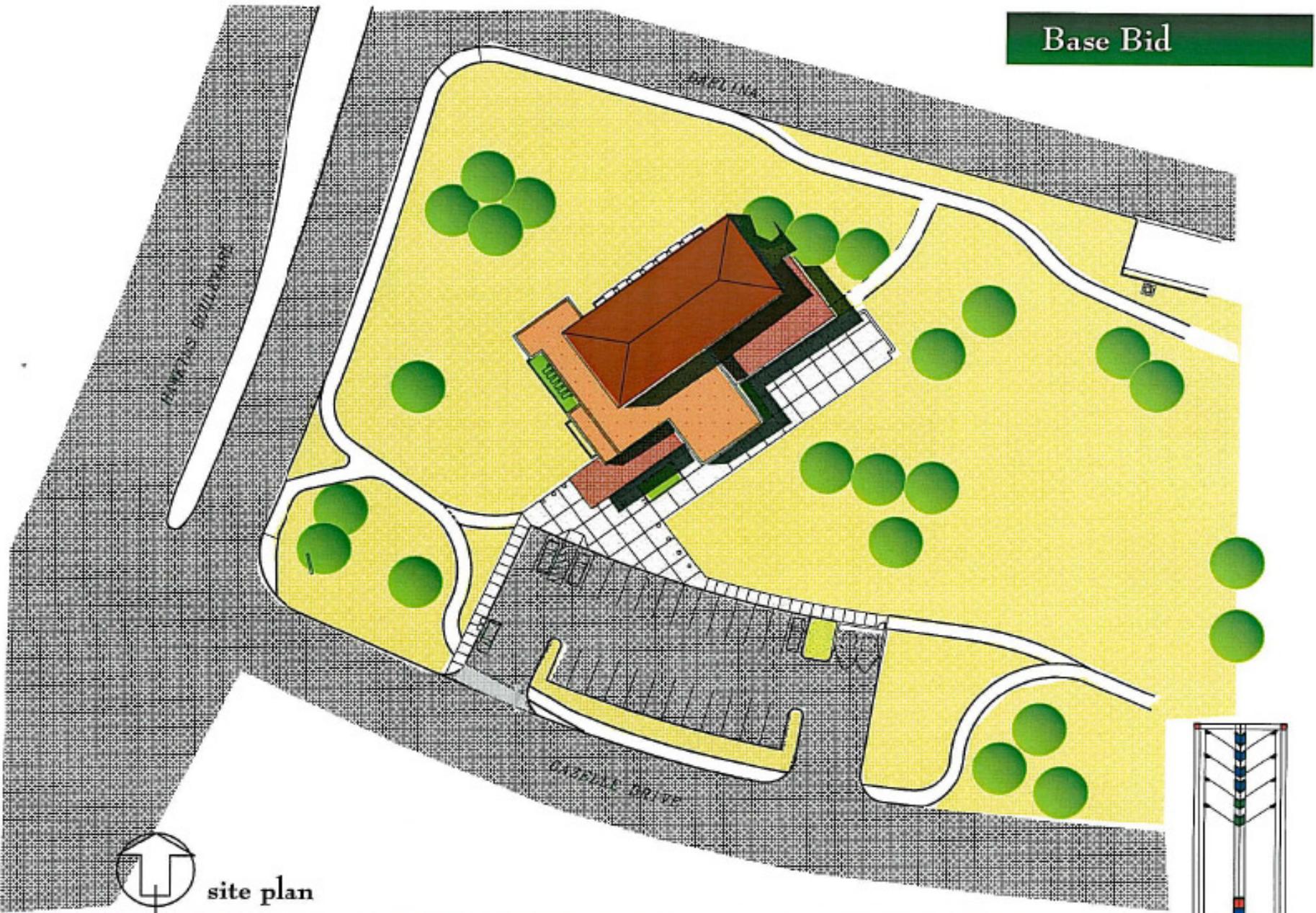
Architect – Mijares-Mora Architects

Commissioning Agent – Energy Balance

Owner – City Engineering and El Paso Public  
Library

Contractor – Byers Contracting

Base Bid



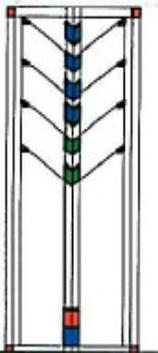
site plan

Cielo Vista Branch Library



View from Gazelle

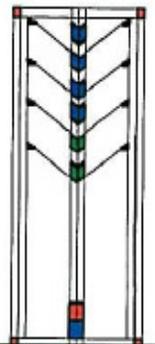
Cielo Vista Branch Library

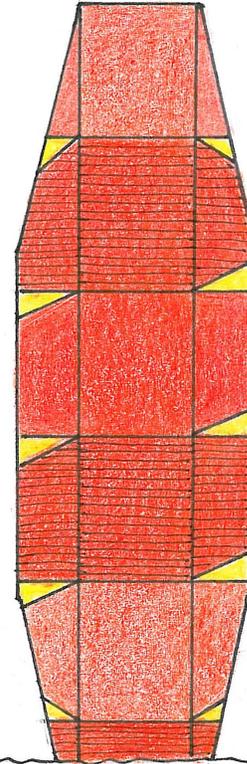
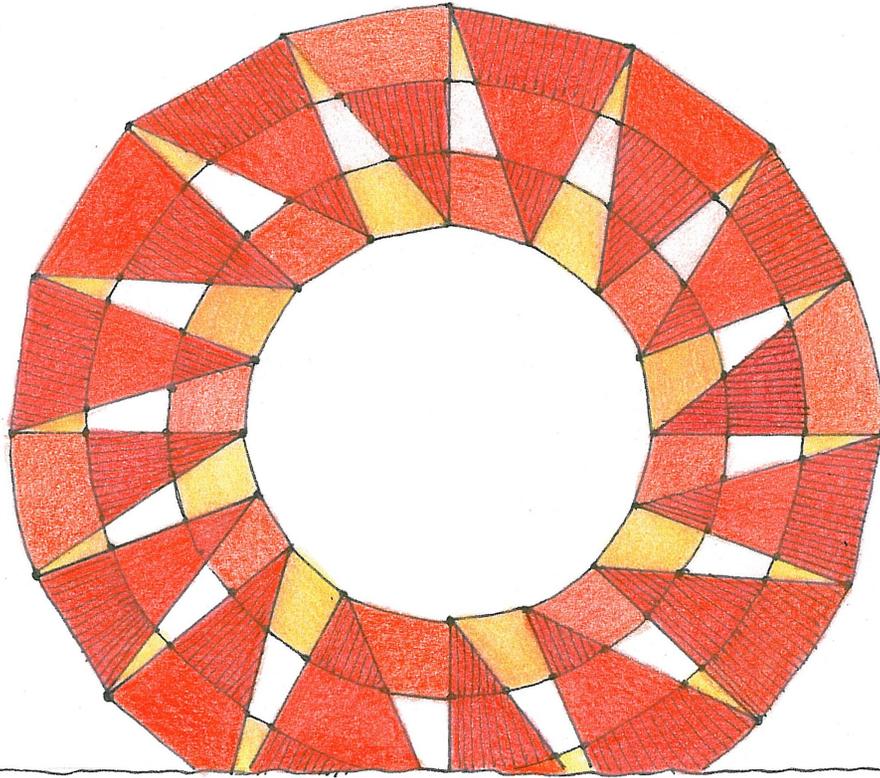




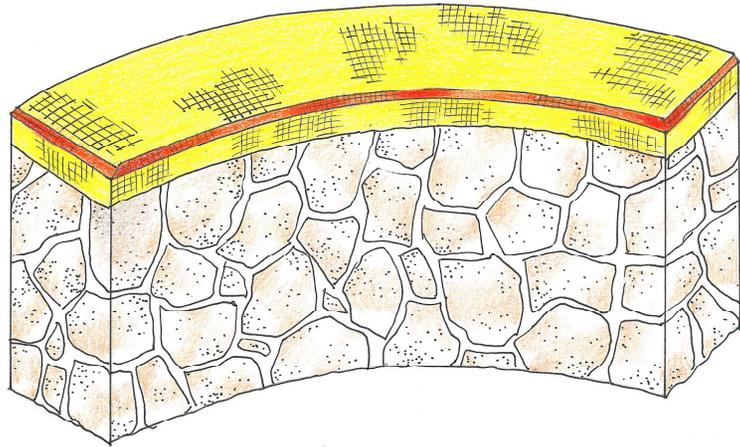
View from Park

Cielo Vista Branch Library

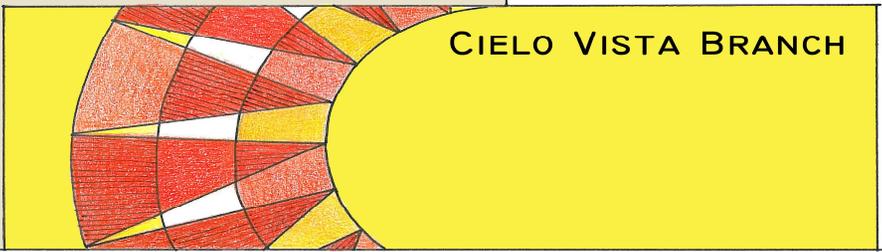




SXBINA



EL PASO PUBLIC LIBRARY



CIELO VISTA BRANCH



- **This is a Competitive Sealed Bid, Lump Sum Contract**
- **8 Bids were received**
- **The highest ranked proposal was received from:**
  - **Byers construction (El Paso, Texas)**



# *Questions/Comments*