

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: **Engineering and Construction Management**

AGENDA DATE: **May 14, 2013**

CONTACT PERSON NAME AND PHONE NUMBER: **Irene Ramirez, P.E., Assistant City Engineer X 4428**

DISTRICT(S) AFFECTED: **# 3**

RECOMMENDATION:

Discussion and action to award Solicitation No. 2013-106, for Fire Station No. 5 to F.T. James Construction, Inc., for a total estimated amount of \$4,222,111.00.

Department:	Engineering & Construction Management
Award to:	F.T. James Construction, Inc. El Paso, Texas
Base Bid:	\$4,222,111.00
Total Award	\$4,222,111.00
Time for Completion:	330 consecutive calendar days
Account	190-28340-580270-4560-PCP12FI030
Funding Source:	FY2012-13 Certificates of Obligation, Short Term CIP Plan
District:	# 3

It is requested that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this award

As a part of this award, upon the review of the City Attorney, the City Engineer may, without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

This is a Competitive Sealed Proposal lump-sum contract. The Engineering and Construction Management and the Fire Department recommend award to the bidder offering the best value bid.

BACKGROUND / DISCUSSION:

Scope of Work consists of Construction of a new fire station located at 400 Revere Street, El Paso, Texas, with an approximate square footage of 17,168. Sleeping accommodations provided for 22 on duty personnel allowing for a total capacity of 66 for the three shifts. The project design highlights are as follows: Spanish-style concrete tile roof, Mosaic porcelain tile and sealed concrete flooring, learning garden, and an art installation entitle "FIREBIRD" by the artist Greg E. Reich .This facility is pursuing Silver LEED Certification and will be constructed with City's Smart Code standards under the T4O General Urban – Open transects zone designation.

About the Sculpture, *Firebird*:

Firebird will be easily viewed from the interstate and surrounding neighborhood. Constructed with more than two tons of steel and over 1,000 individual pieces of kinetic glass, the sculpture will be highly sensitive to environmental changes such as light and wind. One moment the piece will be static and the next its surface will shimmer with light and movement. Visible both day and night, *Firebird* speaks to the heroic nature of the fire station and its occupants. The steel body of *Firebird's* structure will be finished with a reddish/brown

oxide patina, accenting the dark colors within the architecture of the fire station. The hanging glass panes will be secured with a woven mesh. The sculpture stands about 20 feet tall and 16 wide at the corner of the fire station.

The contractor was selected through the CSP process. The process starts with the evaluation of the proposals received to determine if offerors are responsive and responsible. Only offerors found to be both responsive and responsible were ranked according to the selection criteria, which includes: (1) Purchase Price (2) Offeror's past performance with the Owners and/or other agencies and (3) Health Insurance. The highest ranked proposal was received from D&F Fraire, Inc. However, the Contractor has withdrawn its bid extension. The second highest proposal was received from F.T. James Construction, Inc. Upon review of the references, they have a history of meeting its contract requirements.

PRIOR COUNCIL ACTION:

N/A

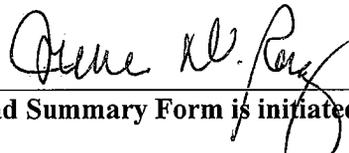
AMOUNT AND SOURCE OF FUNDING:

Base Bid \$4,222,111.00
 FY2012-13 Certificates of Obligation, Short Term CIP Plan

BOARD / COMMISSION ACTION:

N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD: 
(If Department Head Summary Form is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

Dedicated to Outstanding Customer Service for a Better Community

SERVICE SOLUTIONS SUCCESS

**ENGINEERING AND CONSTRUCTION
MANAGEMENT DEPARTMENT**



MEMORANDUM

Date: May 6, 2013
To: Miguel Rodriguez, Project Compliance Specialist
Engineering and Construction Management Department
Through: Javier Reyes, P.E. – Engineering Division Manager
From: Daniel Garcia,
Project Manager
Cc: Luis U. Flores, Fire Department
Subject: Fire Station 5
Solicitation No. 2013-106

We have negotiated the terms of the contract with the second highest ranked offeror, F.T. James Construction, Inc. The meeting was held on May 6, 2013. No changes to the terms of the contract were made. It is recommended that the **Base Bid** be awarded to F.T. James Construction, Inc, meeting the criteria requisitioned and receiving the second highest ranked score of **82.74**, through the Competitive Sealed Proposal evaluation process.

Total estimated contract award of \$4,222,111.00

Base Bid \$4,222,111.00

If you have any questions please call me at 541-4200.

Sincerely,



Daniel Garcia

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susie Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michael R. Nee

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Courtney Cartisle Niland

City Manager
Jayne A. Wilson

Contractor Experience Reference Form

Contractor **F.T. James Construction**

Project 1 **Civic Center Plaza Renovation**

Project 1 Scope The scope of work consisted of the renovation of the Civic Center Plaza. The project amount was for \$6,859,654.00 and was completed 04/2010.

Project 1 Comments The project was completed in accordance with the contract documents.

Project 2 **Parkland High School Classroom Building and Administration Remodeling**

Project 2 Scope The project scope consisted of the remodeling and renovation of the classroom and administration building at Parkland High School. The project amount was \$5,770,000.00 and was completed 03/2010.

Project 2 Comments The project was completed in accordance with the contract documents.

Project 3 **El Paso County Youth Center**

Project 3 Scope The project scope consisted of the construction of a youth center for the El Paso County. The project amount was \$3,500,000.00 and was completed 06/2012.

Project 3 Comments The project was completed in accordance with the contract documents.

FIRE STATION No. 5

SOLICITATION No. 2013-106

SCOPE OF WORK

400 REVERE STREET

Base Bid:

Construction of a new fire station located at 400 Revere Street, El Paso, Texas, with an approximate square footage of 17,168. Sleeping accommodations provided for 22 on duty personnel allowing for a total capacity of 66 for the three shifts. The building will consist of concrete foundation and floor, steel framing and concrete masonry walls with a brick veneer finish and cast stone trim elements. The roof deck will be steel framing with a Spanish-style concrete tile roof. The facility will house dormitories, living room, kitchen, study room, exercise room, locker rooms, office, a seven bay apparatus and ancillary space. Building finishes will consist of mosaic porcelain tile and sealed concrete flooring, gyp board walls and lay-in ceiling.

Site improvements will consist of a concrete approach to the front and rear doors of the apparatus bays, and parking areas to serve the firemen and the public. Xeroscaping and drip irrigation system, a public art component with a learning garden are also included.

This facility is pursuing Silver LEED Certification.

Prior to commencement of any work, the Contractor shall submit and obtain approval from City of El Paso, Engineering & Construction Management Department, for the Sequence of Construction, Schedule of Work, and Haul/Waste Route to an approved disposal site. Traffic Control Plan must be submitted and approved, if applicable. Contractor shall provide written approved documentation from the owner or operator of the waste site.

The description of this scope of work as shown above is only a general overview of this project. Contractor shall refer to the project plans and specifications for further information.

END SCOPE OF WORK

ENGINEERING & CONSTRUCTION MANAGEMENT
BID TAB SUMMARY - CSP

BID NO.: 2013-106
BID TITLE: Fire Station No. 5
BID DATE: February 20, 2013

BIDDER	BASE BID I	RANKING
F.T. James Construction, Inc. El Paso, TX	\$ 4,222,111.00	82.74
Dantex Construction Co. El Paso, TX	\$ 4,409,000.00	78.91
Byers Construction, Inc. El Paso, TX	\$ 4,600,000.00	78.13
Urban Associates, Inc. El Paso, TX	\$ 4,661,000.00	76.78
Warren Construction, Inc. El Paso, TX	\$ 5,981,432.00	64.44
D & F Fraire, Inc. El Paso, TX	\$ 3,475,250.00	Withdrew bid extension

CITY OF EL PASO SUMMARY OF COST PROPOSALS					
BID TITLE: FIRE STATION No. 5			BID No.: 2013-106		
BID DATE: February 20, 2013			DEPARTMENT: ENGINEERING & CONSTRUCTION MANAGEMENT		
	D & F FRAIRE, INC.	F.T. JAMES CONSTRUCTION, INC.	DANTEX CONSTRUCTION Co.	LLOYD HAMILTON CONSTRUCTION, INC.	BYERS CONSTRUCTION, INC.
DESCRIPTION	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
BASE BID	\$3,475,250.00	\$4,222,111.00	\$4,409,000.00	\$4,541,176.00	\$4,600,000.00
BID BOND SUBMITTED	YES	YES	YES	YES	YES
AMENDMENTS ACKNOWLEDGED: 1, 2, 3, & 4	YES	YES	YES	NO	YES

CITY OF EL PASO BID TABULATION					
BID TITLE: FIRE STATION No. 5			BID No.: 2013-106		
BID DATE: February 20, 2013			DEPARTMENT: ENGINEERING & CONSTRUCTION MANAGEMENT		
	URBAN ASSOCIATES, INC.	WARREN CONSTRUCTION, INC.	CONTINENTAL TERMITE & PEST CONTROL		
DESCRIPTION	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
BASE BID	\$4,661,000.00	\$5,981,432.00	\$1,114.65		
BID BOND SUBMITTED	YES	YES	NO		
AMENDMENTS ACKNOWLEDGED: 1, 2, 3, & 4	YES	YES	NO		

APPROVED BY: *Edward [Signature]* 3-11-2013

2013-106 FIRE STATION No. 5, 03-11-13 Revised

COMPETITIVE SEALED PROPOSAL (CSP) EVALUATION SHEET

Fire Station No. 5

Solicitation No. 2013-106

CRITERIA	D & F Fraire, Inc.	F.T. James Construction, Inc.	Dantex Construction Co.	Byers Construction, Inc.	Urban Associates, Inc.	Warren Construction, Inc.	Lloyd Hamilton Construction, Inc.	Continental Termite & Pest Control
Part A: Offeror's Price								
Base Bid	\$ 3,475,250.00	\$ 4,222,111.00	\$ 4,409,000.00	\$ 4,600,000.00	\$ 4,661,000.00	\$ 5,981,432.00	NONRESPONSIVE	NONRESPONSIVE
Maximum 75 Points	75.00	61.73	59.12	56.66	55.92	43.58		
Low Offer / Offer * 75								
Part B: Offeror's Past Performance with Owner								
Maximum 20 points	15.86	16.01	14.79	17.47	15.86	15.86		
Health Insurance	0.00	5.00	5.00	4.00	5.00	5.00		
Maximum 5 Points								
Provides insurance and pays 100% = 5 points								
Provides insurance and pays 60% or higher = 4 points								
Provides insurance and pays > 40% but < 60% = 3 points								
Offers insurance but pays less than 40% = 2 points								
Offers insurance but does not pay any portion of it = 1 point								
Does not offer insurance. = 0 points								
TOTAL POINTS EARNED	90.86	82.74	78.91	78.13	76.78	64.44		
RANKING	1	2	3	4	5	6		

APPROVED: *Gene DeFoy* 4/2/13
 City Engineer Date

APPROVED: *Joseph L. Miller* 4/3/13
 City Manager Date

- Lloyd Hamilton Construction, Inc. was deemed non-responsive for not responding to the acknowledgement of amendment No. 4. As per Section I-B-5.14

- Continental Termite & Pest Control was deemed non-responsive due to not submitting a complete proposal as indicated in bid proposal requirements, As per Section I-B-3.8; I-B-5.14; I-C-2.3.4.13.16.

CITY OF EL PASO
COMPETITIVE SEALED PROPOSAL
OFFEROR CERTIFICATION

FIRE STATION No. 5

Solicitation No. 2013-106

The evaluation of offers for this Competitive Sealed Proposal has been completed.

The Offeror, D & F Fraire, Inc., has received the
(Contractor's Name)

highest score, 90.86, and is, therefore, certified as offering the City of El Paso the Best

Value for this project. The amount of the award will be \$3,475,250.00.

This amount includes the following proposal components, alternates and/or options with their corresponding amounts:

PROPOSAL COMPONENT	\$ AMOUNT
BASE BID:	\$3,475,250.00

I, [Signature], of Engineering and Const Mgmt.
(Name) (Department or Firm)

Concur with this Certification on this the 19th day of March 2013.

I, [Signature], of Engineering & Const. Mgmt.
(Name) (Department or Firm)

Concur with this Certification on this the 18th day of March 2013.

I, [Signature], Daniel Garcia, of Engineering and Construction Management Dept
(Name) (Department or Firm)

Concur with this Certification on this the 18th day of March 2013.

I, [Signature], Miguel A. Rodriguez, of Engineering and Construction Mgmt Dept
(Name) (Department or Firm)

Concur with this Certification on this the 18th day of March 2013.

I, [Signature], Benjamin Ortega, of Engineering and Construction Management
(Name) (Department or Firm)

Concur with this Certification on this the 19th day of March 2013.

COMPETITIVE SEALED PROPOSAL

TO THE HONORABLE MAYOR AND CITY COUNCIL
CITY OF EL PASO
EL PASO, TEXAS

The undersigned having familiarized themselves with the local conditions affecting the cost of work and with the Contract documents consisting of Invitation to Bid, Instructions to Bidders, General Conditions, the Contractor's Proposal, Special Bid Conditions, Applicable Wage Rates, the Contract Form, plans, specifications, drawings, and addenda on file in the Engineering & Construction Management Department of the City of El Paso, hereby propose to perform everything required to be performed and to provide, furnish and install all the labor, materials, necessary tools, expendable equipment, and all utility and transportation services, and to complete in a workmanlike manner all the work required for the

Fire Station No. 5 Solicitation No. 2013-106

within the specified limits and in accordance with the plans, including Addenda numbers
1, 2, 3, 4 AT THE FOLLOWING LUMP SUM

ONLY ONE BIDDER MAY BE AWARDED THIS CONTRACT PURSUANT TO THIS BID.

Note: The offeror who provides the best value for the owner based on the selection criteria and on its ranking evaluation will be awarded the contract if funding is available.

BASE BID:

The undersigned agrees to perform all of the work required for the total amount of:

\$ 4,222,111 -

COMPANY NAME: F.T. JAMES CONSTRUCTION, INC.

BIDDER'S SIGNATURE: [Signature] PRINT NAME: FRANK T. JAMES, PRESIDENT

CONTRACT TIME AND LIQUIDATED DAMAGES

Bidder agrees to commence work on a date to be specified in a written "Notice to Proceed" issued by the Owner. The Contract Time shall begin on the date to commence work specified in the "Notice to Proceed" and shall run for **THREE HUNDRED THIRTY (330) additional CONSECUTIVE CALENDAR DAYS** thereafter. Bidder shall Substantially Complete the project within **TWO HUNDRED EIGHTY FIVE (285) CONSECUTIVE CALENDAR DAYS** after the date to commence work in the "Notice to Proceed." Bidder agrees to pay, as liquidated damages, the sum of **Seven Hundred Ninety One dollars and zero cents (\$791.00)** for each consecutive calendar day after the date of Substantial Completion, as hereinafter provided in the General Conditions. Bidder further agrees to pay as liquidated damages the sum of **Four Hundred Seventy One dollars and zero cents (\$471.00)** for each consecutive calendar day after the expiration of the Contract Time for Remaining Work, as provided in Paragraph 6.8.3.1 of the General Conditions.

PROPOSAL

Enclosed with this proposal is a bid bond for five percent (5%) of the TOTAL bid price including base bid(s), alternate(s) and option(s) which is agreed shall be collected and retained by the owner(s) as liquidated damages in the event this proposal is accepted by the Owner within sixty (60) consecutive calendar days after the date advised for the reception of bids and the undersigned fails to execute the contract and the required performance and payment bonds with the Owner within fourteen (14) consecutive calendar days after the date said proposal is accepted; otherwise, the said bid security shall be returned to the undersigned upon demand.

THE UNDERSIGNED BIDDER REPRESENTS TO THE CITY AND TO THE OTHER BIDDERS THAT HIS/HER BID, AND THE ESTIMATES ON WHICH IT IS BASED, HAS BEEN CAREFULLY CHECKED AND CONTAINS NO ERRORS, AND NOTHING HAS BEEN OMITTED OR OVERLOOKED IN DETERMINING THE AMOUNTS BID.

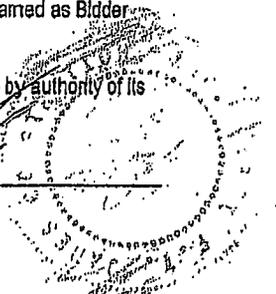
BIDDER'S NAME: F. T. JAMES CONSTRUCTION, INC.
(AS IT APPEARS ON ORGANIZATION CERTIFICATE ISSUED BY STATE IN WHICH COMPANY WAS ORGANIZED)

BY: _____ 02/20/13
Signature Date
FRANK T. JAMES, PRESIDENT (915) 351-2400 (915) 351-2404
Print Signer's name & title Telephone Fax
700 W PAISANO EL PASO, TEXAS 79901
Address City, State, Zip Code
SAME
Physical Address of Business -- If different from above City, State, Zip Code

IF THE BIDDER BE A CORPORATION, THE FOLLOWING CERTIFICATE SHOULD BE EXECUTED:

I, RICK MILLER, certify that I am the _____ Secretary of the corporation named as Bidder hereinabove; that FRANK T. JAMES, who signed the foregoing contract on behalf of the Bidder, was then PRESIDENT of said corporation; that said proposal was duly signed for and in behalf of said corporation by authority of its governing body, and is within the scope of its corporate powers.

CORPORATE SECRETARY SIGNATURE AND CORPORATE SEAL



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SERVICE SOLUTIONS SUCCESS

**ENGINEERING AND CONSTRUCTION
MANAGEMENT DEPARTMENT**



MEMO

TO: Irene Ramirez, Interim City Engineer
FROM:  Sandra Jimenez, Procurement Analyst
DATE: May 9, 2013
CC: Sam Rodriguez, Interim Assistant City Engineer

SUBJECT: **Fire Station No. 5,
Solicitation No. 2013-106**

Bids for the above referenced project opened on February 20, 2013. It is recommended that Lloyd Hamilton Construction, Inc., be deemed non-responsive because the company did not acknowledge Amendment No. 4. Furthermore, the company failed to respond to a second confirmation request for the same amendment.

It is also recommended that Continental Termite & Pest Control be deemed non-responsive because its proposal is incomplete according to the bid proposal requirements.

D&F Fraire, Inc. has withdrawn its bid extension.

A copy of the CSP Evaluation Sheet is attached for your review which states "non responsive" for the above-mentioned bidders.

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susie Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michiel R. Noe

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Cortney Carlisle Niland

City Manager
Joyce A. Wilson



D & F FRAIRE, INC.

8626 Dyer St., C2 El Paso, TX 79904 * Office: (915) 821-9709 / Fax: (915) 822-3196

May 9, 2013

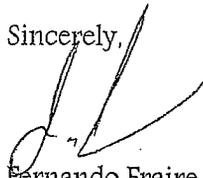
CITY OF EL PASO
Engineering & Construction Management Dept.
CONTRACT COMPLIANCE ADMINISTRATION
Attn: Sam Rodriguez

Dear Mr. Rodriguez,

As per our conversation we are retracing letter dated April 2, 2013 extending our bid price -
Referencing: Fire Station No. 5, Solicitation No. 2013-106 as long as there are no repercussions
to D&F Fraire, Inc. or our Bid Security.

Sorry for the confusion and any inconvenience.

Sincerely,



Fernando Fraire

Vice President

D & F Fraire, Inc.

8626 Dyer St., C2 El Paso, TX 79904

*

Office: (915) 821-9709 / Fax: (915) 822-3196

April, 02, 2013

CITY OF EL PASO

Engineering and Construction Management Dept.

Attn: Miguel A. Rodriguez

Contract Compliance Specialist

REF: Fire Station No. 5

Solicitation No. 2012-072

Dear Mr. Rodriguez,

We D & F Fraire, Inc., are extending our bid prices as submitted on our proposal for an additional thirty (30) consecutive calendar days to May 21, 2013 for Fire Station No. 5, Solicitation No. 2012-072.

Sincerely,



Delia S. Fraire

D & F FRAIRE, INC.

8626 Dyer St., C2 El Paso, TX 79904 * Office: (915) 821-9709 / Fax: (915) 822-3196

May 1, 2013

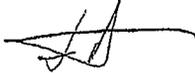
CITY OF EL PASO – Tillman Bldg.
222 S. Cambell St.
El Paso, TX 79901
Engineering & Construction Management Dept.
Attn. Daniel Garcia

Dear Mr. Garcia,

Good Afternoon, after we met with you and your staff on Monday 4/29/13 at 2:00PM MST we contacted our subcontractors and suppliers to let them know that the City of El Paso was going to recommend us for award. The majority of all our projected subcontractors have since told us that their quote to us was only good for 60 calendar days as per bid proposal requirements and that they would submit new quotes. Some suppliers are also telling us the same. With this happening D&F Fraire, Inc. cannot honor the proposed quote submitted on February 20, 2013. As mentioned at Monday's meeting it looks like it will take another 30 days for even possible award, not for sure.

If further explanation is needed please feel free to contact us.

Sincerely,



Fernando Fraire
Vice President



Fire Station No. 5

Solicitation 2013-106



May 14, 2013



BASE BID – FIRE STATION 5

DISTRICT 3

Address: 400 Revere Street

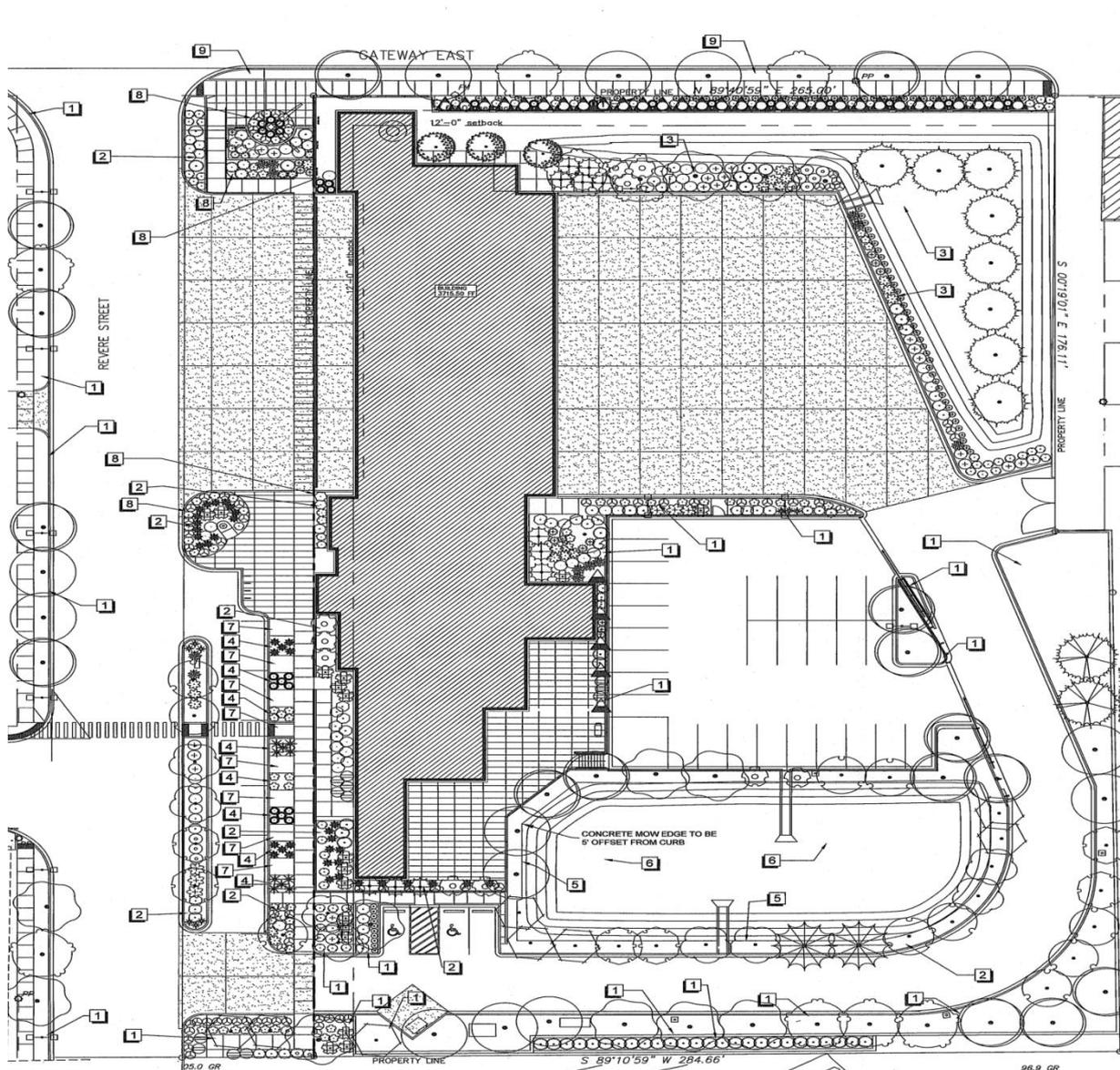
Construction of a new fire station:

- 17,168 square feet
- Sleeping accommodations provided for 22
- Spanish-style concrete tile roof
- Mosaic porcelain tile and sealed concrete flooring
- Learning garden
- “ FIREBIRD” art installation by Artist Greg E. Reich
- This facility is pursuing Silver LEED Certification
- The facility is zoned SmartCode, will be constructed with City's Smart Code standards under the T40 General Urban – Open transects zone designation



Project Limits







NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION



EAST ELEVATION



“FIREBIRD”

artist Greg E. Reiche





Funding Source: FY 12-13 CO's CIP Plan

- This is lump sum contract, recommended via Competitive Sealed Proposal process.
 - 8 proposal were received
 - 2 proposals, Lloyd Hamilton Construction, Inc. and Continental Termite & Pest Control, were deemed non-responsive because they submitted incomplete bids.
 - D & F Fraire, Inc. highest ranked proposal withdrew their bid extension
- Recommendation is to award to the second highest ranked proposal, also the second lowest bid received from:
 - **F.T. James Construction, Inc.**

Recommendation:

- Base Bid **\$ 4,222,111.00**

Construction Time: **330** Consecutive Calendar Days
Construction Start: **June 2013**
Construction Completion: **May 2014**



Questions/Comments