

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

DEPARTMENT: Engineering Department

AGENDA DATE: September 11, 2007

CONTACT PERSON/PHONE: Daryl W. Cole, Streets Director (621-6750)
Terrence Freiburg, Purchasing Manager, (541-4313)

DISTRICT(S) AFFECTED: Citywide

PROJECT NAME/SOLICITATION NO. Micro-Surfacing Program, Solicitation No. 2007-217

SUBJECT:

Discussion and action on the award of Solicitation No. 2007-217 for the Micro-Surfacing Program 2007 to Ballou Construction, Inc., of Salina, Kansas for an estimated total amount of \$609,840.00

BACKGROUND / DISCUSSION:

The Micro-Surfacing Program is a lowest bid procurement that received one offer from Ballou Construction, Inc. who presented its bid proposal, and is the lowest responsive, responsible bidder. The amount of the contractor's bid is 4% less than the estimated cost.

The City of El Paso preserves and improves existing streets by applying micro-surfacing material on existing asphalt surfaces throughout city streets. The work includes site preparation, street cleaning and sweeping before and after application as well as the removal of standing water and any debris.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

The project is funded by the following project account:

Funding Source	FY 06 Certificates of Obligation
Project No.	PCP06ST011
Department ID	99331117
Fund No.	27263
Account No.	508027

CITY CLERK DEPT.
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BOARD / COMMISSION ACTION:

N/A

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

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: 

Cc: Patricia D. Adauto, Deputy City Manager Development and Infrastructure Services

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

CONSTRUCTION PROJECT FORM
Unit Price

DATE: September 4, 2007
PROJECT: Micro-Surfacing Program 2007
SOLICITATION NO: 2007-217
ACCOUNT NO(S): PCP06ST011-99331117-27263-508027
FUNDING SOURCE: FY 06 Certificates of Obligation
DEPARTMENT: Street Department
DISTRICT(S): Citywide

AGENDA DATE: September 11, 2007
Lowest responsive and responsible bidder
CONTRACTOR: Ballou Construction, Inc.
ESTIMATED AMOUNT: \$609,840.00

RECOMMENDATION:

Discussion and action on the award of Solicitation No. 2007-217 for the Micro-Surfacing Program 2007 to Ballou Construction, Inc., of Salina, Kansas for an estimated total amount of \$609,840.00.

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract will be the sum total of unit prices at the end of the contract term.

As part of the award of this contract, the Director of Streets Department may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law and which do not make changes to the unit price and which are within the appropriate budget.

This is a Requirements type, low bid, unit-price contract where the contractor offers the City the option to extend the contract at the end of the original term for an additional 60 days by giving the contractor a written notice no later than fifteen (15) days prior to the expiration of the original contract term. The Financial Services and Street Departments recommend award as indicated to the lowest responsive, responsible bidder.

DESCRIPTION OR EXPLANATION:

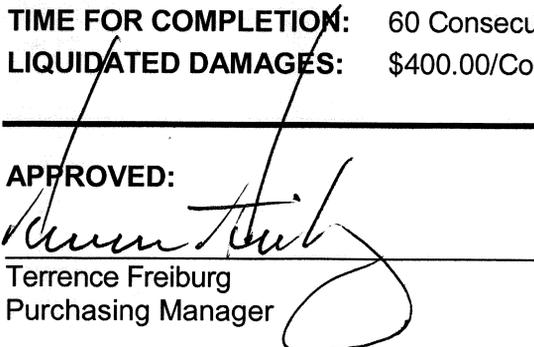
Base Bid I \$609,840.00

TOTAL RECOMMENDED AWARD: \$609,840.00

TIME FOR COMPLETION: 60 Consecutive Calendar Days

LIQUIDATED DAMAGES: \$400.00/Consecutive Calendar Day

APPROVED:


Terrence Freiburg
Purchasing Manager

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

DARYL W. COLE
STREETS DIRECTOR



CITY COUNCIL

ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
RACHEL QUINTANA, DISTRICT 5
EDDIE HOLGUIN, JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

RECOMMENDATION

STREET DEPARTMENT

August 23, 2007

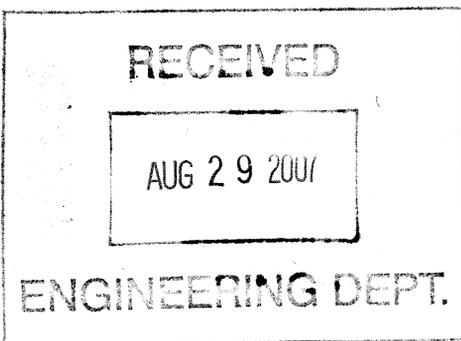
TO: Terrence Freiburg, Deputy Director Financial Services
ATTN: Jaime Huerta, Contract Compliance Specialist
FROM: Daryl W. Cole, Streets Director *J. Huerta 8/23/07*
SUBJECT: **BID 2007-217 MICRO – SURFACING PROGRAM 2007**

We have reviewed the above-subject bid and we recommend that the contract be awarded to **Ballou Construction, Inc.**, as the lowest, most responsive and responsible bidder meeting specifications. Total estimated contract award of **\$609,840.00**.

Contract period is for 60 days with option to extend for an additional 60 days.

If you have any questions please call me at 621-6750.

DWC/en



SCOPE OF WORK

Micro-Resurfacing Program 2007
Bid No. 2007- 217

This is a unit price requirements contract with the City of El Paso.

The city of El Paso intent preserves and improves its existing streets by applying micro-surfacing system/material on the existing asphalt concrete surfaces throughout the City.

This work shall include but not limited to site preparation, street cleaning and sweeping prior and after treatment or application, removal of standing water, dirt, leaves, and foreign materials.

The contractor shall provide all labor, material, and equipment necessary to perform all operations for the application of micro-surfacing materials to the existing asphaltic concrete surface courses. The micro-surfacing materials shall be a mixture of cationic modified asphalt emulsion, mineral aggregate, mineral filter, water, and other additives mixed and spread on the paved surface in accordance with the project specification.

The contractor shall provide traffic control in accordance with the latest Manual of Uniform Traffic Control Devices (MUTCD).

Time of completion for this contract is 60 calendar days. Liquidated damages apply against the retainnage.

**THIS IS A UNIT PRICE REQUIREMENTS CONTRACT WITH THE
CITY OF EL PASO**

PROPOSAL

TO THE HONORABLE CITY MANAGER 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, and addenda on file in the office of the Financial Services 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 structure adjustments, necessary tools, expendable equipment, and all utility and transportation services, and to complete in a workmanlike manner all the work required for the

Micro-Surfacing Program 2007
SOLICITATION No. 2007-217

Within the specified limits and in accordance with the plans and specifications as prepared by the City of El Paso, including Addenda numbers 1, _____, _____, _____, _____, AT THE FOLLOWING UNIT PRICES.

NOTE: The quantities shown in the unit price schedule are ESTIMATES ONLY. They are shown here only for the purpose of comparing bids as an expected total expenditure. The City, at its sole discretion, will direct exactly how many actual units will be placed, and will pay for only those units that are ordered and accepted. No payments will be made regarding the estimated quantities, they are estimates only.

BASE BID I - UNIT PRICE SCHEDULE:

Item No.	Estimated Quantity	Unit	Brief Description of Item	Unit Bid Price (In figures)	Total Amount (Quantity x Unit Price) (In Figures)
1.	221,760	SY	Application of micro-surfacing system on the existing roadways. The micro-surfacing system shall be a mixture of cationic modified asphalt emulsion, mineral aggregate, mineral filter, water, and other additives in accordance to the project specification. The work includes but not limited to site preparation, street cleaning, removal of standing water or foreign materials, sweeping, traffic control, materials, equipment, and labor	\$ <u>2.75</u>	\$ <u>609,840.00</u>

SUM TOTAL BASE BID I

\$ 609,840.00

COMPANY NAME: BALLOD CONSTRUCTION CO., INC.

BIDDER'S SIGNATURE: Donald T. Kuehn PRESIDENT

Micro-Surfacing Program 2007

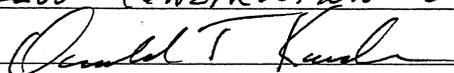
SOLICITATION No. 2007-217

AWARD OF THIS CONTRACT MAY BE MADE BY LINE ITEM, BY BASE BID, ONE AWARD FOR ALL ITEMS, OR TO THE OVERALL LOWEST RESPONSIVE, RESPONSIBLE BIDDER FOR EACH BASE BID, WHICHEVER IS MOST CONVENIENT TO THE CITY.

OPTION TO EXTEND THE TERM OF THE AGREEMENT
(PLEASE CHECK APPROPRIATE BOX)

The City, at its sole discretion, may exercise the option to extend the term of the agreement up to an additional 60-day term, by giving the Contractor written notice no later than fifteen (15) days prior to the original contract expiration date. Bidder offers the City the option of extending the term of the contract for one 60-day additional term at the same unit prices:

- A. A 60-day additional term. YES NO
- B. NO OPTION OFFERED

COMPANY NAME: BALLOU CONSTRUCTION CO., INC.
BIDDER'S SIGNATURE:  PRESIDENT

CONTRACT TIME AND LIQUIDATED DAMAGES

The undersigned Bidder agrees to commence work on a date to be specified in a written Notice to Proceed and to substantially complete the work (at all sites) on which he/she has bid within Sixty (60) Consecutive Calendar Days. Bidder agrees to pay as liquidated damages the sum of Four hundred DOLLARS (\$400.00) or each consecutive calendar day thereafter as provided in paragraph 6.8 of the General Conditions of the Contract.

PROPOSAL

Enclosed with this proposal is a certified check or bid bond for five percent (5%) of the TOTAL bid price including base bid(s) and alternate(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 ten (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: BALLOU CONSTRUCTION CO., INC.
(AS IT APPEARS ON ORGANIZATION CERTIFICATE ISSUED BY STATE IN WHICH COMPANY WAS ORGANIZED)

BY: Donald T. Kaiden Signature JULY 25, 2007 Date

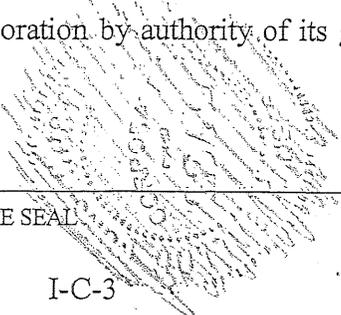
DONALD J. KAIDEN - PRESIDENT Telephone Fax
Print Signer's name & title

1100 WEST GRAND SALINA, KANSAS 67401
Address City, State, Zip Code
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, GLORIA SKAGGS, certify that I am the CORPORATE Secretary of the corporation named as Bidder hereinabove; that DONALD J. KAIDEN, 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.

Gloria Skaggs
CORPORATE SECRETARY SIGNATURE AND CORPORATE SEAL



07 SEP -4 AM 9:34
CITY CLERK DEPT.

CITY OF EL PASO BID TABULATION

BID TITLE: MICRO - SURFACING PROGRAM 2007
 BID DATE: JULY 25, 2007

BID NO: 2007-217
 DEPARTMENT: STREETS

BALLOU
 CONSTRUCTION, INC.
 SALINA, KANSAS

ITEM #	EST. QTY	UNITS	DESCRIPTION	SUM OF(UNITS)	TOTAL	SUM OF(UNITS)	TOTAL	SUM OF(UNITS)	TOTAL	SUM OF(UNITS)	TOTAL
BASE BID I - UNIT PRICE SCHEDULE											
1	221,760	SY	Application of micro-surfacing system on the existing roadways. The micro-surfacing system shall be a mixture of cationic modified asphalt emulsion, mineral aggregate mineral filler, water, and other additives in accordance to the project specification. The work includes but not limited to site preparation, street cleaning, removal of standing water or foreign materials, sweeping, traffic control materials, equipment, and labor	\$2.75	\$609,840.00		\$0.00		\$0.00		\$0.00
SUM TOTAL FOR BASE BID I					\$609,840.00		\$0.00		\$0.00		\$0.00
Option to Extend The Term of the Agreement A. A 60-day Additional Term (yes or no) B. NO OPTION OFFERED				YES							
BID BOND SUBMITTED				YES							
AMENDMENTS ACKNOWLEDGED				YES							

APPROVED BY: *MWP 7-26-07*