

City Council – Action Request Form

Date: June 14, 2021

To: Mayor, Mayor Pro Tempore, and Members of the City Council

From: Damon C. Dequenne, Assistant City Manager
Robert Prestwood, Engineering
Jerry Bates, Purchasing Director

Council Action Requested:
Resolution Awarding Construction Contract for Hanes Park Phase 2 Improvements (Northwest Ward)

Strategic Focus Area: Livable Neighborhoods
Strategic Objective: Expand Open Space and Recreational Facilities
Strategic Plan Action Item: No
Key Work Item: Yes



Summary of Information:

The City advertised bids for construction of Hanes Park Phase 2 improvements, a 2018 G.O. Bond project. Improvements are being made to four areas of the park and the Joe White Tennis Center. Area 1 is the six eastern tennis courts, which are being completely reconstructed with new lighting and fencing along with storm drainage and other site work. Area 2 is the northeast quadrant along West End Blvd where site improvements include clearing and new landscaping, walkways, stone walls and pedestrian lighting. Area 3 is the Joe White Tennis Center area inside the running track, including building and restroom renovations, walkways, landscaping, site furniture and storm drainage. Area 4 is the area outside the running track on either side of the eight hardcourts, which includes repaving the practice area into three fenced pickleball courts, steps, storm drainage, walkways, site furniture and new landscaping. The contractor will be required to reach substantial completion in one area before disturbing the next area to keep the park assessable to the public as much as possible. Add alternate #1 is to install new gravel base under the rebuilt tennis courts and pickleball courts area.

Bids were scheduled to be received on May 12, 2021, but fewer than three bids were offered as required by North Carolina General Statute (N.C.G.S.) 143-132(a). Therefore, in accordance with N.C.G.S. 143-129, the project was re-advertised.

Bids were then opened on May 20, 2021, with a summary of bids as follows:

	<u>City/State</u>	<u>Base Bid</u>	<u>Alternate #1</u>
Bar Construction Co., Inc.	Greensboro, NC	\$1,457,000	\$129,000
I.L. Long Construction, Inc.	Winston-Salem, NC	1,584,509	100,300

Committee	<u>Finance 6/14/21</u>	Action	<u>Approval</u>
For	<u>Unanimous</u>	Against	<u></u>
Remarks:	<u></u>		

The low bidder, Bar Construction Co., Inc., submitted subcontracting goals other than those established for this project of 12% with minority-owned businesses and 7% with woman-owned businesses; therefore, pursuant to the City's M/WBE Policy, the City's Internal M/WBE Committee and Citizen's M/WBE Advisory Committee met to review and consider all documentation of the bidder's good faith efforts which follow this resolution. Both committees determined that the bidder did make the necessary good faith efforts to achieve the established project goals. N.C.G.S. 143-128.2(f) requires a contractor to accumulate a minimum of 50 out of 100 points to demonstrate a Good Faith Effort. In addition to the point system, state legislation explicitly lists the efforts required by a contractor. In the review conducted by the M/WBE Citizens Advisory Committee, the contractor must accumulate a minimum of 115 out of 180 points to demonstrate a Good Faith Effort. The City's stringent modification ensures contractors are exhausting all opportunities, per the statute's specifications, to achieve certified minority- and women-owned business participation. Bar Construction Co., Inc. will be required to subcontract, at a minimum, 3.5% of this contract with certified minority-owned businesses and 26% with certified women-owned businesses as indicated on the Affidavit "D" submitted by the company.

The 2018 G.O. Bond has \$1,528,741 available for the Phase 2 construction budget. Alternate #1 cannot be accepted in order to retain a contingency fund. It is therefore recommended that the contract be awarded to Bar Construction Co., Inc., the low bidder meeting specifications, in the not-to-exceed amount of \$1,457,000. The designer's base bid estimate was \$1,238,436.

M/WBE comment: This project was advertised on the City and State websites and with several electronic plan rooms. Notifications were sent to all local M/WBE and regional HUB businesses on a weekly basis. See Exhibit A for a complete list of businesses that were notified the bidding opportunity and the low bidder's Workplace Demographics form.