

## City Council – Action Request Form

**Date:** September 12, 2023

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

Ben Rowe, Assistant City Manager

**From:** George Morales, Property and Facility Management Director  
Darren Redfield, Purchasing Director

**Council Action Requested:**

Resolution Awarding Construction Contract for Bryce A. Stuart Parking Deck Phase 2 Repairs (South Ward)

**Strategic Focus Area:** Service Excellence

**Strategic Objective:** Ensure Service Delivery Efficiency and Effectiveness

**Strategic Plan Action Item:** No

**Key Work Item:** Yes



**Summary of Information:**

After the City took ownership of the Bryce A. Stuart parking deck at 155 S. Church Street, Property and Facilities Management saw the need to make a condition assessment of the parking deck. Stantec, Inc., was hired via a request for qualifications to perform a thorough analysis of the parking deck to assess all needed repairs and deferred maintenance. Funds were budgeted in FY 2015-16 for critical repairs involving concrete cut and patch, crack repairs, and the stormwater drainage system. This Phase 1 project was competitively bid, awarded by City Council on March 28, 2016, and completed that year.

Funds were budgeted in FY 2023-24 for the next round of repairs. Stantec, Inc. won the design contract and City/County Purchasing advertised a bid for Phase 2 repairs. The scope of work includes replacing all expansion joint materials, repairing structural concrete corbels, and repairing joint spalling.

Prior to bidding, the City’s Internal MWBE Committee met to set the subcontracting goals for the project. The Committee determined that the scope of work did not permit any verifiable goals and believed the project would be self-performed by the contractors. Therefore, the Office of Business Inclusion and Advancement recommended subcontracting goals of 0% MBE and 0% WBE, which the City Council approved on June 26, 2023.

Bids were scheduled to be received July 7, 2023, then moved to July 21, 2023 by bidder request.

<b>Committee</b>	<u>PW, FC - 09/12/2023</u>	<b>Action</b>	<u>Approval</u>
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<b>For</b>	<u>Unanimous</u>	<b>Against</b>	<u></u>
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**Remarks:**

However, only one bid was received, whereas three bids are required to open formal construction bids. Therefore, the bid was re-advertised, and bids were then opened on July 28, 2023, with a summary of bids as follows:

	<u>City/State</u>	<u>Total Bid</u>
High Rock Waterproofing, Inc.	Winston-Salem, NC	\$498,950
IQ Contracting, LLC	Raleigh, NC	597,000

The low bidder, High Rock Waterproofing, Inc., exceeded the goals by submitting subcontracting goals of 10% with minority-owned businesses and 0% with women-owned businesses. High Rock Waterproofing, Inc. will be required to subcontract, at a minimum, 10% of this contract with certified minority-owned businesses and 0% with certified women-owned businesses as indicated on the Affidavit “C” submitted by the company.

All bids exceeded the construction budget of \$386,000 allocated for this project. Therefore, as allowed by N.C. General Statute 143-129(b), the City entered negotiations with the low bidder in an effort to bring the project within the funds available. The following project scope was removed or changed: substitute an acceptable joint material for the estimated quantity of 13,000 linear feet. The total cost reduction is \$167,150.

Therefore, it is recommended that the contract be awarded to High Rock Waterproofing, Inc., the lowest responsive, responsible bidder meeting specifications, in the negotiated total amount of \$331,800. The engineer’s estimate was \$370,963.

M/WBE comment: This project was advertised on the City website and with several electronic plan rooms, and bid invitations were sent directly to 23 contractors. Notifications were sent to all local M/WBE and regional HUB businesses on a bi-weekly basis. See Exhibit A for a complete list of businesses that were notified about the bidding opportunity and the low bidder’s workplace demographics.