

Resolution #21-0166
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**RESOLUTION AWARDING CONSTRUCTION CONTRACT FOR
CLOVERDALE AVENUE PEDESTRIAN IMPROVEMENTS**

WHEREAS, after proper advertisement, bids were received and publicly opened by City/County Purchasing at 11:00 a.m. on Wednesday, March 10, 2021, for construction of Cloverdale Avenue Pedestrian Improvements and the following bids were received:

	<u>City/State</u>	<u>Total Bid</u>
Dalton Contracting, LLC	Clemmons, NC	\$302,720.00
Smith-Rowe, LLC	Mount Airy, NC	317,903.75
Sharpe Bros., A Division of Vecellio & Grogan, Inc.	Greensboro, NC	389,760.04
ASJ Wilson Construction, LLC	Greensboro, NC	398,692.75
JSmith Civil, LLC	Goldsboro, NC	422,539.00

WHEREAS, the low bid submitted by Dalton Contracting, LLC failed to meet mandatory requirements of the specifications rendering their bid as non-responsive and may not be considered; and

WHEREAS, the North Carolina Department of Transportation (NCDOT) established subcontracting goals for this project with a combined goal of 8% MWBE and the low bidder meeting bid specifications, Smith-Rowe, LLC, submitted subcontracting goals of 11.18% with minority and woman-owned businesses, exceeding the MWBE goal; and

WHEREAS, the funding for this project will consist of reimbursement to the City by NCDOT for up to one hundred percent (100%) of all eligible project costs under a two-party Construction Agreement; therefore, it is the recommendation of the Finance Committee that a contract be awarded to Smith-Rowe, LLC, the low bidder meeting specifications, in the total estimated amount of \$317,903.75.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Winston-Salem that the contract for Cloverdale Avenue Pedestrian Improvements is hereby awarded to Smith-Rowe, LLC, the low bidder meeting specifications, in the total estimated amount of \$317,903.75. The City Manager and City Clerk are authorized to execute the contract on behalf of the City, with contract and bond forms to be approved by the City Attorney and bid deposit retained until the successful bidder has provided satisfactory contract, performance and payment bonds.

BE IT FURTHER RESOLVED that the approval of this contract award is contingent upon approval by NCDOT, who will review the City's award recommendation along with the bidder's pre-qualification status.

BE IT FURTHER RESOLVED that the award of this contract constitutes a preliminary determination as to the qualifications of the bidder. The City is not legally bound to perform the contract until the contract is duly executed by the City. The bid deposit may be retained if the bidder fails to execute the contract or give satisfactory surety as required by N.C.G.S. 143-129.

BE IT FURTHER RESOLVED that Smith-Rowe, LLC will be required to subcontract at a minimum 11.18% with minority and woman-owned businesses as indicated on the "Listing of MBE/WBE Subcontractors" submitted by the company.

BE IT FURTHER RESOLVED funding for this project was made available by NCDOT and has been appropriated to cover the complete cost of construction under a two-party Construction Agreement.