

City Council – Action Request Form

Date: February 14, 2023

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

From: Johnnie Taylor, Assistant City Manager
William Royston, Recreation & Parks Director
Shantell McClam, Purchasing Director

Council Action Requested:

Items Related to Pickleball Court Conversions (Multiple Wards):

- A. Resolution Awarding Construction Contract for Pickleball Court Conversions
- B. Project Budget Ordinance Amendment to Appropriate Funds for Project Expenditures

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 Pickleball Court Conversions at Sedge Garden (East Ward) and Little Creek (Southwest Ward). The scope of work at Sedge Garden involves removing and replacing parameter fencing, reconstructing the tennis courts by the Full Depth Reclamation process - where existing asphalt is re-used by pulverizing and remixing it with Portland cement to create a stronger, more bonded subsurface, adding 3” of new asphalt, new fencing on one side, painting of the courts and installing new nets. The add alternate included new fencing and gates on the three other sides. The scope of work at Little Creek involves removing the nets and posts, installing a mesh overlay, painting the courts, and installing new nets and posts.

Terms of the bid stated that firms could bid on one or both projects. Bids were received on January 12, 2023, with a summary of bids as follows:

Sedge Garden:

	<u>City/State</u>	<u>Base Bid</u>	<u>Add Alternate</u>
Ruston Paving Co.	Durham, NC	\$258,430	\$ 9,625
Dreambuilt Construction, Inc.	Advance, NC	297,100	11,000

Committee PW & Finance 2.14.23 **Action** Approval

For Unanimous **Against** _____

Remarks:

City/State

Base Bid

Little Creek:

LSNS Consulting, LLC	Kernersville, NC	\$ 40,387.58
Dreambuilt Construction, Inc.	Advance, NC	152,500.00

Because the scope of work for Little Creek is only court painting and new nets, it is not considered a construction project; therefore, subcontracting to M/WBE firms was encouraged, but not required, and a general contractor's license was not required. The low bidder, LSNS Consulting, LLC, submitted an Affidavit "B" to self-perform all work.

M/WBE goals were applied to Sedge Garden, which is a construction project because the courts will be completely rebuilt. The low bidder, Ruston Paving Co., submitted subcontracting goals other than those established for this project of 5% with minority-owned businesses and 5% with woman-owned businesses; therefore, pursuant to the Commission's M/WBE Policy, the Internal M/WBE Committee and Citizen's Advisory Committee met to consider the bidder's good faith efforts which follow this resolution. After reviewing the documentation submitted by the bidder, the Committee determined that the bidder did make a good faith effort to achieve the goals.

Sedge Garden was assigned an estimated \$180,000 of the total budget and Little Creek was estimated at \$54,000. There is no engineer's estimate because the project was scoped in-house; however, the cost estimate used to set the M/WBE goals for the Sedge Garden project was \$253,821, which was based off the Mineral Springs Tennis Court Reconstruction project as bid in January 2020.

Funding is available from 2022 Limited Obligation Bonds (LOBS) to cover the cost of this project.

It is recommended that Sedge Garden be awarded to Ruston Paving Co., the low bidder meeting specifications, in the base bid amount of \$258,430, and that Little Creek be awarded to LSNS Consulting, LLC, the low bidder meeting specifications, in the base bid amount of \$40,387.58.

M/WBE comment: This project was advertised on the City and state websites and sent directly to 36 general, grading and tennis court 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 form.