

City Council – Action Request Form

Date: October 10, 2023

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

From: Patrice Toney, Interim City Manager
George Morales, Property and Facility Management Director
Darren Redfield, Purchasing Director

Council Action Requested:

Resolution Awarding Construction Contract for Joycelyn V. Johnson Municipal Service Center Roof Replacement (Southeast 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:

In late 2016, the 2000 Lowery Street Building Renovations project was completed, which partially renovated the building to its current state, and that project replaced the roof over the western half of the building. As owners of this facility dedicated in 2018 as the Joycelyn V. Johnson Municipal Service Center, the Property and Facility Management Department obtained funding this year, hired a design firm, and had bidding documents prepared to replace the eastern half of the roof over building tenant Pratt Industries.

Purchasing advertised a bid for roof replacement at the Joycelyn V. Johnson Municipal Service Center. The scope of work includes the complete removal of the existing roof system and installation of a modern TPO roof system. The work includes installation of new flashing, a new roof drain and scupper overflow system, new metal wall panel installation at masonry walls, and installation of new structural wind uplift bracing and purlins. The bid contained two add alternates for replacement of the loading dock roof and mechanical penthouse, and the most easterly roof section, with the base bid being the remainder.

Bids were received on July 12, 2023, with a summary of bids as follows:

	<u>City/State</u>	<u>Base Bid</u>	<u>Total w/ Alternates</u>
Davco Roofing & Sheet Metal, LLC	Charlotte, NC	\$4,005,100	\$5,541,758
Rike Roofing Service, Inc.	Fort Mill, SC	4,201,741	5,852,420
Nations Roof of Carolina, LLC	Charlotte, NC	5,840,000	8,123,000

Committee FC – 10/10/2023 **Action** Approval

For Unanimous **Against**

Remarks:

The low bidder, Davco Roofing & Sheet Metal, LLC, submitted subcontracting goals less than those established for this project of 7% with minority-owned businesses and 4% with women-owned businesses. Therefore, pursuant to the City's M/WBE Policy, the Citizen's M/WBE Advisory Committee met to review and consider all documentation of Davco's good faith efforts which follows the resolution. The committee determined that the company did not make the necessary good faith efforts to achieve the established subcontracting goals, which renders Davco's bid non-responsive and it cannot be considered for award.

The second lowest bidder, Rike Roofing Service, Inc., also failed to meet the project's M/WBE goals. At the same meeting, following the assessment of Davco's good faith efforts, the Citizen's M/WBE Advisory Committee met to review and consider all documentation of Rike's good faith efforts which follow this resolution. The committee determined that the company did make the necessary good faith efforts.

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.

Rike Roofing Service, Inc. will be required to subcontract, as a minimum, 4.5% of this contract with certified minority-owned businesses and 4.7% with certified women-owned businesses as indicated on the Affidavit "D" submitted by the company.

As part of the FY 22-23 capital budget, the City Council appropriated \$5,000,000 for this project as part of a \$55 million package of limited obligation bonds; therefore, funding is sufficient to award the base bid, but not the add alternates. It is therefore recommended that a contract be awarded to Rike Roofing Service, Inc., the low bidder meeting specifications, in the total base bid amount of \$4,201,741. The designer's construction estimate was \$4,852,910 for the entire project including bid alternates. Exhibit C shows the areas of the roof that will be replaced through this contract, as well as the areas that will be addressed in a future phase.

M/WBE comment: This project was advertised on the City and State websites and with several electronic plan rooms, and bid invitations were sent directly to 32 roofing 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 Rike's workplace demographics. Rike Roofing Service, Inc. is a woman-owned business.