

RESOLUTION AWARDING CONTRACT FOR RESURFACING CITY STREETS

WHEREAS, bids for resurfacing City streets were scheduled to be received and opened on March 26, 2018, but less than three bids were offered as required by North Carolina General Statute (N.C.G.S.) 143-132(a)

WHEREAS, North Carolina General Statute 143-129 authorizes the project to be readvertised; and

WHEREAS, after due advertisement, bids were received and publicly opened by the City/County Purchasing Department at 2:00 PM, Tuesday, April 3, 2018, and the following bids were accepted:

| | <u>City/State</u> | <u>Base Bid</u> | <u>Add Alternates</u> |
|--|-------------------|-----------------|-----------------------|
| APAC-Atlantic, Inc., Thompson-Arthur Division | Winston-Salem, NC | \$6,925,050.70 | \$ 870,000 |
| Sharpe Bros., a Division of Vecellin & Grogan, Inc. | Greensboro, NC | 8,290,660.98 | 1,507,000 |

WHEREAS, included in the bid were three add alternates requiring unit pricing based on estimated quantities to adjust water valve boxes, adjust manholes, and install inlet gates; and

WHEREAS, all bids received exceeded the available FY 2017-18 budget of \$6,810,864.82; and

WHEREAS, the low bid submitted by APAC-Atlantic, Inc., Thompson-Arthur Division in the total estimated amount of \$7,795,050.70 is currently being value engineered to meet the budgeted funds available in the FY 2017-18 and FY2018-19 budgets and the complete project will be scheduled to remain within the budgeted funds in these fiscal periods; and

WHEREAS, APAC-Atlantic, Inc., Thompson-Arthur Division has agreed to the goals established for this project of 5% with minority owned businesses and 5% with women owned businesses; and

WHEREAS, it is the recommendation of the Finance Committee that a contract be awarded to APAC-Atlantic, Inc., Thompson-Arthur Division, the low bidder meeting specifications, in the estimated amount not to exceed \$6,810,864.82.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Winston-Salem that the contract for resurfacing City streets per bid specifications is hereby awarded to APAC-Atlantic, Inc., Thompson-Arthur Division, in the estimated amount not to exceed \$6,810,864.82, and that all other bids are rejected, and that the City Manager and City Secretary are authorized to execute the contract on behalf of the City, contract forms to be approved by the City Attorney, and bid deposit retained until the successful bidder has delivered satisfactory contract, performance, and labor and materials payment bonds.

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 shall 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 APAC-Atlantic, Inc., Thompson-Arthur Division, will be required to subcontract 5% of this contract with minority owned businesses and 5% with women owned businesses as indicated in Affidavit "C" submitted by the contractor.

BE IT FURTHER RESOLVED that funds are available in the fiscal FY 2017-18 and will be appropriated in the FY2018-19 budget to cover the cost of this contract.