

**RESOLUTION AWARDING CONSTRUCTION CONTRACTS FOR  
TENNIS COURT RECONSTRUCTION**

**WHEREAS**, bids for Tennis Court Reconstruction were scheduled to be received on January 13, 2023, but less than three bids were offered as required at the initial bid opening for formal construction and repair contracts per North Carolina General Statute (N.C.G.S.) 143-132(a); and

**WHEREAS**, North Carolina General Statute (N.C.G.S.) 143-129 authorizes the project to be re-advertised; and

**WHEREAS**, after proper advertisement, bids were received and publicly opened at 2:00 p.m. on Friday, January 20, 2023, for the Tennis Court Reconstruction and the following bids were received:

Granville:

|                         | <u>City/State</u> | <u>Base Bid</u> | <u>Deduct Alt.</u> |
|-------------------------|-------------------|-----------------|--------------------|
| Ruston Paving Co., Inc. | Durham, NC        | \$328,900       | (-12,000)          |

Leinbach:

|                         | <u>City/State</u> | <u>Base Bid</u> | <u>Deduct Alt.</u> |
|-------------------------|-------------------|-----------------|--------------------|
| Ruston Paving Co., Inc. | Durham, NC        | \$246,800       | (-\$8,000)         |

Oak Summit:

|                         | <u>City/State</u> | <u>Base Bid</u> | <u>Deduct Alt.</u> |
|-------------------------|-------------------|-----------------|--------------------|
| Ruston Paving Co., Inc. | Durham, NC        | \$254,445       | (-\$8,000)         |

Shaffner:

|                         | <u>City/State</u> | <u>Base Bid</u> | <u>Deduct Alt.</u> |
|-------------------------|-------------------|-----------------|--------------------|
| Ruston Paving Co., Inc. | Durham, NC        | \$339,350       | (-\$13,950)        |

**WHEREAS**, the low bidder, Ruston Paving Co., Inc., agreed to subcontracting goals other than those established for this project; however, the Citizen's M/WBE Advisory Committee determined that the low bidder did make the necessary good faith efforts to achieve the established project goals; and

**WHEREAS**, it is the recommendation of the Finance Committee that a construction contract for all four locations of Tennis Court Reconstruction be awarded to Ruston Paving Co., Inc., the low bidder meeting specifications, in the base bid amounts, minus the deductible alternates and plus the allowances in the total amount of \$1,133,545.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Winston-Salem that the construction contract for all four locations of Tennis Court Reconstruction be awarded to Ruston Paving Co., Inc., the low bidder meeting specifications, in the base bid amounts, minus the deductible alternates and plus the allowances in the total amount of \$1,133,545, and that 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 and performance and 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 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 Ruston Paving Co., Inc., will be required to subcontract, at a minimum, 0.0% of this contract with certified minority-owned businesses and 0.6% with certified women-owned businesses as indicated on the Affidavit "D" submitted by the company.

**BE IT FURTHER RESOLVED** that a project budget amendment follows allocating previously appropriated funds to these individual projects.