

**RESOLUTION AWARDING CONSTRUCTION CONTRACT FOR MILLER PARK  
PHASE I IMPROVEMENTS**

**WHEREAS**, bids were scheduled to be received November 3, 2017, for construction of Miller Park Phase I improvements but fewer than three bids were offered; and

**WHEREAS**, North Carolina General Statute (N.C.G.S.) 143-132(a) requires a minimum of three bids for formal construction and repair contracts and N.C.G.S. 143-129 authorizes the project to be readvertised; and

**WHEREAS**, after proper advertisement, bids were received and publicly opened by City/County Purchasing at 2:00 p.m. on Tuesday, November 14, 2017, for construction of Miller Park Phase I improvements and the following bids were received:

	<u>City/State</u>	<u>Total Bid</u>
Hodgin Construction Co.	Greensboro, NC	\$1,729,072.33
Bar Construction Co., Inc.	Greensboro, NC	1,902,800.00
I.L. Long Construction Co., Inc.	Winston-Salem, NC	2,030,563.44

**WHEREAS**, bids for this work exceeded the budget for this project; however, the City Council approved additional funding of \$500,000 at the December 18, 2017, meeting to complete the scope of work; and

**WHEREAS**, staff additionally negotiated with the low bidder to bring the award amount within the project budget as allowed by N.C.G.S. 143-129; and

**WHEREAS**, the low bidder, Hodgin Construction Company, Inc., submitted subcontract 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 contract be awarded to Hodgin Construction Company, Inc., the low bidder meeting specifications, for

construction of Miller Park Phase I improvements in the value engineered estimated total amount of \$1,607,338.33.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Winston-Salem that the contract for construction of Miller Park Phase I improvements is hereby awarded to Hodgin Construction Company, Inc. in the value engineered estimated total amount of \$1,607,338.33. The City Manager and City Secretary 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 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 Hodgin Construction Company, Inc. will be required to subcontract 6.3% of this contract with certified minority-owned businesses and 20.2% with certified women-owned businesses as indicated on the Affidavit "D" submitted by the company.

**BE IT FURTHER RESOLVED** that funds have been previously appropriated to cover the cost of this contract.