

Resolution #22-0085
2022 Resolution Book, Page 41

**RESOLUTION AWARDING CONSTRUCTION CONTRACT FOR
FIRE STATION 3 REPLACEMENT**

WHEREAS, after proper advertisement, bids were received and publicly opened by City/County Purchasing at 2:00 p.m. on Tuesday, December 7, 2021, for the construction of Fire Station 3 replacement and the following bids were received:

	<u>City/State</u>	<u>Base Bid</u>	<u>Deduct Alternate G5</u>
KMD Construction, LLC	Salisbury, NC	\$4,497,000	(\$67,000)
Holden Building Company, Inc.	Greensboro, NC	4,510,000	(35,000)
Msquare Construction, Inc.	Fayetteville, NC	4,535,000	5,000
Bar Construction Co., Inc.	Greensboro, NC	4,887,000	(67,000)
Central Builders, Inc. of Mebane	Haw River, NC	4,910,000	(67,200)

WHEREAS, the low bidder, KMD Construction, LLC, submitted subcontracting goals other than those established for this project; however, the Citizen's M/WBE Advisory Committee determined that the low bidder did not make the necessary good faith efforts to achieve the established project goals, rendering their bid non-responsive per the City's M/WBE Policy; and

WHEREAS, the next lowest bidder, Holden Building Company, Inc., submitted 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, the bid of Holden Building Company, Inc. exceeded the available funds; however, staff recommends acceptance of deduct alternates G3, G5 and M1, and the City and low bidder negotiated a price closer to budget as allowed by N.C. General Statute 143-129(b) where the project scope was reduced \$376,750; and

WHEREAS, it is the recommendation of the Finance Committee that a contract be awarded to Holden Building Company, Inc., the low bidder meeting specifications, for the construction of Fire Station 3 replacement in the negotiated total amount of \$4,357,750 including project contingency.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Winston-Salem that the contract for construction of Fire Station 3 replacement per bid specifications is hereby awarded to Holden Building Company, Inc. in the negotiated total amount of \$4,357,750 including project contingency. 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, 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 Holden Building Company, Inc. will be required to subcontract, as a minimum, 5.6% of this contract with certified minority-owned businesses and 2.0% 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 and made available in the 2018 G.O. Bond to cover the cost of this contract.