

**Resolution #20-0111**  
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**RESOLUTION AWARDING CONTRACT FOR STORMWATER  
AND DITCH MAINTENANCE REPAIRS**

**WHEREAS**, the City of Winston-Salem has the need for a contractor to perform stormwater and ditch maintenance and repair of minor drainage features throughout the City as an “on call” contract; and

**WHEREAS**, after proper advertisement, bids were received and publicly opened by City/County Purchasing at 1:00 p.m. on Tuesday, February 25, 2020, for stormwater and ditch maintenance repairs and the following bids were received:

	<u>City/State</u>	<u>Sum of Unit Prices</u>
Earthtek Services, LLC	Lexington, NC	\$223,718.80
Carolina Asphalt Paving, Inc.	Brown Summit, NC	\$244,191.00

**WHEREAS**, the low bidder, Earthtek Services, LLC does not meet the general contractor license requirement; therefore, cannot be considered for award of this contract and their bid is hereby rejected; and

**WHEREAS**, the lowest bidder meeting specifications, Carolina Asphalt Paving, Inc., submitted subcontracting goals of 5.85% with minority-owned businesses and 7.69% with woman-owned businesses, exceeding those established for this work; and

**WHEREAS**, terms of the bid allow the City the right to extend the contract for as many as two additional annual periods (until December 31, 2022), if both parties agree and funds are made available for that purpose, and unit prices may be adjusted at the beginning of each additional annual period by an amount not to exceed the latest available Consumer Price Index for All Urban Consumers; and

**WHEREAS**, it is the recommendation of the Finance Committee that a contract be awarded to Carolina Asphalt Paving, Inc, the lowest bidder meeting specifications, for stormwater and ditch maintenance repairs from date of award through December 31, 2020, in the estimated annual amount of \$250,000, with the option to extend the contract for as many as two additional annual periods (until December 31, 2022), if both parties agree and funds are made available for that purpose, and unit prices may be adjusted at the beginning of each additional annual period by an amount not to exceed the latest available Consumer Price Index for All Urban Consumers, making the total possible award over three years the estimated amount of \$750,000.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Winston-Salem that the contract for stormwater and ditch maintenance repairs is hereby awarded to Carolina Asphalt Paving, Inc, the lowest bidder meeting specifications, during the period from date of award through December 31, 2020, in the estimated annual amount of \$250,000 with the option to extend the contract for as many as two additional annual periods (until December 31, 2022), if both parties agree and funds are made available for that purpose, and unit prices may be adjusted at the beginning of each additional annual period by an amount not to exceed the latest available Consumer Price Index for All Urban Consumers, making the total possible award over three years the estimated amount of \$750,000. The City Manager and City Secretary are authorized to execute the contract on behalf of the City, with contract to be approved by the City Attorney.

**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.

**BE IT FURTHER RESOLVED** that Carolina Asphalt Paving, Inc. will be required to subcontract at a minimum 5.85% of this contract with certified minority-owned businesses and 7.69% with certified women-owned businesses as indicated on the Affidavit “C” submitted by the company.

**BE IT FURTHER RESOLVED** that funds have been previously appropriated in the approved FY 2019-20 budget to cover the cost of this contract through June 30, 2020, with contract extensions subject to future approved City Council budget appropriations.