

## City Council – Action Request Form

**Date:** February 14, 2023

**To:** Mayor, Mayor Pro Tempore, and Members of the City Council

Johnnie Taylor, Assistant City Manager

**From:** William Royston, Recreation & Parks Director  
Shantell McClam, Purchasing Director

**Council Action Requested:**

Items Related to Tennis Court Reconstruction (Multiple Wards):

- A. Resolution Awarding Construction Contract for Tennis Court Reconstruction
- B. Project Budget Ordinance Amendment to Appropriate Funds for Project Expenditures

**Strategic Focus Area:** Livable Neighborhoods

**Strategic Objective:** Expand Open Space and Recreational Facilities

**Strategic Plan Action Item:** No

**Key Work Item:** Yes



**Summary of Information:**

The City advertised bids for Tennis Court Reconstruction at Granville (South Ward), Leinbach (West Ward), Oak Summit (Northeast Ward) and Shaffner (West Ward). The scope of work involves removing and replacing the fencing, reconstructing the tennis courts by the Full Depth Reclamation process - where existing asphalt is re-used by pulverizing and remixing it with portland cement to create a stronger more bonded subsurface, adding 3” of new asphalt, painting of the courts and installing new nets. Deductible alternates included reusing the existing fencing and gates. Granville also contains a \$5,000 allowance for replacement of a portion of the poured-in-place rubber that must be removed for reconstruction, and Granville and Leinbach each contain a \$500 allowance for electrical work related to the court lighting controls.

Bids were scheduled to be received on January 13, 2023, but fewer than three bids were offered as required by North Carolina General Statute (N.C.G.S.) 143-132(a). Therefore, in accordance with N.C.G.S. 143-129, the project was re-advertised.

Bids were then opened on January 20, 2023, with a summary of bids as follows:

Granville:

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

**Committee** PW & Finance 2.14.23      **Action**      Approval

**For**      Unanimous      **Against**

**Remarks:**

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)

The low bidder, Ruston Paving Co., Inc., submitted subcontracting goals other than those established for this project of 5% with minority-owned businesses and 5% with woman-owned businesses; therefore, pursuant to the Commission's M/WBE Policy, the Citizen's Advisory Committee met to consider the bidder's good faith efforts which follow this resolution. After reviewing the documentation submitted by the bidder, the Committee determined that the bidder did make a good faith effort to achieve the goals.

The four tennis court locations in this bid were assigned an \$840,000 estimated total budget. There is no engineer's estimate because specifications for the project were created in-house; however, the cost estimate used to set the M/WBE goals for these four tennis court locations was \$995,060, which was based off the Mineral Springs Tennis Court Reconstruction project bid from January 2020.

It is recommended that the Granville, Leinbach, Oak Summit, and Shaffner tennis court reconstruction projects 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.

Funding is available from 2022 Limited Obligation Bonds (LOBS) to cover the costs of these projects.

M/WBE comment: This project was advertised on the City and state websites and sent directly to 34 general, grading and tennis court contractors. Notifications were sent to all local M/WBE and regional HUB businesses on a bi-weekly basis. See Exhibit A for a complete list of businesses that were notified about the bidding opportunity and the low bidder's Workplace Demographics form. No M/WBE firms submitted a bid.