

**Resolution #20-0509**  
**Resolution Book, Volume 2, Page 213**

**RESOLUTION AWARDING CONSTRUCTION CONTRACT FOR  
MEADOWLARK DRIVE WIDENING PROJECT**

**WHEREAS**, the City was the recipient of Congestion Mitigation & Air Quality Improvement Program (CMAQ) funds for this work and approval was given by the North Carolina Department of Transportation (NCDOT) for the design and construction of this project; and

**WHEREAS**, following NCDOT approval to bid, the City solicited bids for construction of Meadowlark Drive Widening Project with bids received and publicly opened by City/County Purchasing at 11:00 a.m. on Tuesday, October 13, 2020, and the following bids were received:

	<u>City/State</u>	<u>Base Bid</u>
Smith-Rowe, LLC	Mount Airy, NC	\$7,685,944.11
Branch Civil, Inc.	Roanoke, VA	9,150,467.00
Flatiron Construction, Inc.	Morrisville, NC	9,358,379.00
Triangle Grading & Paving, Inc.	Burlington, NC	9,650,316.90

**WHEREAS**, funding for the construction budget is available from the 2014 G.O. Bond allocation, bond premiums, and 2/3 bonds and the CMAQ agreement provides additional funding for the City to construct the project. NCDOT will reimburse the City (with Federal funds) for 80% of approved allowable project costs, up to \$1,469,082. The City's share of this funding is \$367,271; and

**WHEREAS**, Smith-Rowe, LLC submitted Disadvantaged Business Enterprise (DBE) subcontracting goals of 8.97%, exceeding the goals of 7% established by NCDOT for this project; and

**WHEREAS**, it is the recommendation of the Finance Committee that a contract for construction of the Meadowlark Drive Widening Project per bid specifications be awarded to

Smith-Rowe, LLC, the low bidder meeting specifications, in the estimated amount of \$7,685,944.11.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Winston-Salem that a contract for construction of the Meadowlark Drive Widening Project per bid specifications is hereby awarded to Smith-Rowe, LLC, the low bidder meeting specifications, in the estimated amount of \$7,685,944.11, that all other bids are rejected once a contract is fully executed, 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, performance and payment bonds.

**BE IT FURTHER RESOLVED** that the award of this contract is contingent upon approval by the North Carolina Department of Transportation.

**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 Smith-Rowe, LLC will be required to subcontract, 8.97% of this contract with DBE businesses as indicated on the Listing of DBE Subcontractors submitted by the company.

**BE IT FURTHER RESOLVED** that this contract will be funded with 2014 G.O. Bond allocation, bond premiums, 2/3 bonds, and CMAQ funds that have been appropriated and are available to cover the cost of this contract.