

**RESOLUTION AWARDING CONSTRUCTION CONTRACT FOR  
EASTON PARK RESTROOM**

**WHEREAS**, after proper advertisement, bids were received and publicly opened at 3:00 p.m. on Wednesday, June 30, 2021, for construction of the Easton Park Restroom and the following bids were received:

	<u>City/State</u>	<u>Total Bid</u>
Creative Design & Construction, Inc.	Tobaccoville, NC	\$463,109.80
Bar Construction Company, Inc.	Greensboro, NC	496,754.93
Dreambuilt Construction, Inc.	Advance, NC	568,696.00
Hodgin Construction Company	Greensboro, NC	701,405.33

**WHEREAS**, the Mayor and City Council of the City of Winston-Salem, has allowed Creative Design & Construction, Inc. per N.C.G.S. 143-129.1 to withdraw its bid without penalty for construction of Easton Park Restroom; and

**WHEREAS**, the next lowest bidder, Bar Construction Company, Inc., agreed to 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 2018 G.O. Bond allocated \$400,000 for the construction budget; however, additional unused 2018 G.O. Recreation Bond funds are available from the Salem Lake Phase II project to apply to this contract; and

**WHEREAS**, an Amendment to the Project Budget Ordinance is attached which appropriates the necessary funding to complete this project; and

**WHEREAS**, it is the recommendation of the Finance Committee that a contract be awarded to Bar Construction Company, Inc., the low bidder meeting specifications, for construction of the Easton Park Restroom in the total estimated amount of \$496,754.93.

**NOW, THEREFORE BE IT RESOLVED** that the contract for construction of the Easton Park Restroom per bid specifications is hereby awarded to Bar Construction Company, Inc. for the total amount of \$496,754.93 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 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 Bar Construction Company, Inc. will be required to subcontract, at a minimum, 6.0% of this contract with certified minority-owned businesses and 0.0% with certified women-owned businesses as indicated on the Affidavit "D" submitted by the company.

**BE IT FURTHER RESOLVED** that a Project Budget amendment follows the Resolution allocating the necessary funding, in addition to the available balance in the 2018 G.O. Recreation Bond, to complete this project.