

Resolution #20-0458
Resolution Book, Volume 2, Page 195

**RESOLUTION AWARDING CONSTRUCTION CONTRACT FOR
PLAYGROUND RENOVATIONS AT BRUSHY FORK AND WINSTON LAKE #1, 3,
and 4**

WHEREAS, after proper advertisement, bids were received and publicly opened by City/County Purchasing at 1:00 p.m. on Tuesday, August 11, 2020, for construction of Playground Renovations at Brushy Fork and Winston Lake #1, 3, and 4, and the following bids were received:

	<u>City/State</u>	<u>Total Bid</u>
S & S Building and Development, LLC	Greensboro, NC	\$698,049.01
Bar Construction Company, Inc.	Greensboro, NC	699,573.01
H.M. Kern Corp.	Greensboro, NC	712,000.00
ASJ Wilson Construction, Inc.	Greensboro, NC	714,573.01
I.L Long Construction, Inc.	Winston-Salem, NC	857,583.01

WHEREAS, S & S Building and Development, LLC failed to include properly executed M/WBE forms as required with their bid; therefore, their bid was deemed non-responsive and could not be considered; and

WHEREAS, the next low bidder, Bar Construction 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, 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 playground renovations at Brushy Fork and Winston Lake #1, 3, and 4 in the not-to-exceed amount of \$643,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Winston-Salem that the contract for construction of playground renovations at Brushy Fork and

Winston Lake #1, 3, 4 per bid specifications is hereby awarded to Bar Construction Company, Inc. in the not-to-exceed amount of \$643,000.00. 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 2.7% 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, with additional funding coming from 2/3 Bonds and capital project reserves, to cover the cost of this contract.