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Title: Resolution to Award Contracts for Storm Water and Sanitary Sewer Construction Services to Douglas N. Higgins, Inc. (\$250,000.00) and to E.T. MacKenzie Company (\$250,000.00)

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Date	Ver.	Action By	Action	Result
11/5/2009	1	City Council	Approved	Pass

Resolution to Award Contracts for Storm Water and Sanitary Sewer Construction Services to Douglas N. Higgins, Inc. (\$250,000.00) and to E.T. MacKenzie Company (\$250,000.00)

This memorandum requests approval of a resolution to award contracts for storm water and sanitary sewer construction services to Douglas N. Higgins, Inc. (not to exceed \$250,000.00) and to E.T. MacKenzie Company (not to exceed \$250,000.00), both.

In June 2009, the City issued a request for qualifications (RFP) for providing construction services to support the Field Operations Services Unit in the areas of Storm Water and Sanitary Sewer repairs. The RFP indicated that two companies would be awarded for up to \$250,000.00 each for construction services. The City received proposals from eight companies. Douglas N. Higgins, Inc. and E.T. MacKenzie Company were selected as the two most qualified companies to perform this work. At the discretion of the Field Operations Services Unit, tasks will be assigned to one of the two companies depending on qualifications, availability, approach, and cost. As part of their proposals, each company has provided to the City a price list for labor and equipment that the City will use for costing project work. These unit prices are part of each contractor's contract with the City for services. The contracts are structured with not-to-exceed limits of \$250,000.00 each, with no minimum required expenditures.

The Field Operations Services Unit has a backlog of infrastructure rehabilitation projects that require attention. These projects, because of their size, tend to fall below the minimum project cost for inclusion in the City's Capital Improvement Plan. The nature of these improvements causes them to be funded, typically, out of the Field Operations Operation and Maintenance Budgets. The City's engineering staff will use these contracts to address this backlog of small rehabilitation and repair projects. These contracts will also be used to provide emergency response services, as needed, such as for sewer back-ups.

It is, therefore, recommended that City Council approve a Construction Services Contract with

Douglas N. Higgins, Inc. in an amount not to exceed \$250,000.00, and a Construction Services Contract with E.T. MacKenzie Company in an amount not to exceed \$250,000.00, each to provide construction services to the Field Operations Services Unit for FY10 and FY11.

Douglas N. Higgins, Inc. has received Human Rights approval on April 28, 2009, and complies with the living wage ordinance.

These services are to be funded from the approved FY10 and FY11 (if approved) Sewage Disposal System and Storm Water System Operation and Maintenance Budgets. Tasks will be assigned as performed to the appropriate funds.

Prepared by: Brian Steglitz, P.E., Sr. Utilities Engineer, WTP

Reviewed by: Sue F. McCormick, Public Services Administrator

Approved by: Roger W. Fraser, City Administrator

Whereas, The Field Operations Services Unit has a backlog of Storm Water and Sanitary Sewer infrastructure rehabilitation projects for fiscal years FY10 and FY11, and requires Construction Support Services to address these needs;

Whereas, The Construction Services will be funded from the approved FY10 Sewage Disposal System and Storm Water System Operating budgets and the FY11, if so approved, Sewage Disposal System and Storm Water System Operating budgets;

Whereas, Of the eight proposals received, Douglas N. Higgins, Inc. and E. T. MacKenzie Company were the two companies selected that provided the most qualified staff and competitive pricing;

Whereas, Douglas N. Higgins, Inc. has received Human Rights approval on April 28, 2009, and complies with the living wage ordinance; and

Whereas, E.T. MacKenzie Company has received Human Rights approval on February 23, 2009, and complies with living wage ordinances;

RESOLVED, That Council accept the proposal and award a Construction Services Contract to Douglas N. Higgins, Inc. in an amount not to exceed \$250,000.00, for storm water and sanitary sewer construction services;

RESOLVED, That Council accept the proposal and award a Construction Services Contract to E.T. MacKenzie Company in an amount not to exceed \$250,000.00 for storm water and sanitary sewer construction services;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute each of the contracts for services after approval as to substance by the City Administrator and approval as to form by the City Attorney;

RESOLVED, That the engineering services are to be funded by the approved FY10 and FY11 (if so approved), Sewage Disposal System and Storm Water System Operation and Maintenance Budgets;

RESOLVED, That the funds be available for the life of the project(s) without regard to fiscal year until the Contracts end on June 30, 2011; and

RESOLVED, That the City Administrator be authorized and directed to take the necessary administrative actions to implement this resolution.