



## Legislation Text

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Resolution to Approve a Construction Contract with Bailey Excavating, Inc. for the Brooks Street Improvements Project (\$3,445,709.21) and to Appropriate \$2,834,500.00 in Contributing Funds (**8 Votes Required**)

Attached for your review and approval, please find a resolution to approve a construction contract between the City of Ann Arbor and Bailey Excavating, Inc. (Bailey) in the amount of \$3,445,709.21 for the Brooks Street Improvements Project (RFP 23-09).

The scope of this project includes the following:

- Road resurfacing and miscellaneous catch basin replacements on Brooks Street, between Miller and Mixtwood;
- Water main replacement and road resurfacing on Brooks Street, between Mixtwood and Sunset, and on Mixtood Road, between Brooks and Red Oak;
- Sunset/Brooks/Vesper intersection reconfiguration to meet current design standards and best practices for residential, multimodal design;
- Bioretention stormwater management system at the Sunset/Brooks/Vesper intersection;
- Underground stormwater detention at the Brooks and Bydding intersection;
- Intersection improvements at Mixtwood and Red Oak, including a mini-roundabout, pavement markings, and signage; as warranted to provide ADA compliant crosswalk locations and additional pedestrian connectivity;
- Sidewalk gap filling along both sides of Brooks Street north of Mixtwood, which incorporates additional curb bump-outs to minimize impacts to City trees where feasible.

Engineering staff supervised the creation of plans and contract documents and bid the project through the City's Procurement Unit. On April 5, 2023, three proposals were received for this work. A selection committee comprised of Public Services staff reviewed the proposals and determined which bidder was the best value based on the criteria in ORD-21-41:

- Qualifications, Experience, & Accountability (20%)
- Workplace Safety (20%)
- Workforce Development (20%)
- Social Equity & Sustainability (20%)
- Schedule of Pricing/Cost (20%)

After reviewing and scoring the proposals, staff ranked the responding firms in the following order:

1. Bailey Excavating, Inc.
2. Fonson Company, Inc.
3. C.I. Contracting, Inc.

Bailey received the highest score among the proposals reviewed by the selection committee.

Therefore, staff recommends awarding the contract for this project to Bailey. Bailey complies with the City’s Non-Discrimination and Living Wage ordinances.

The construction of the project is scheduled to occur from June through November of 2023.

Budget/Fiscal Impact: This project is included in the FY23-28 Capital Improvements Plan (UT-WS-18-11, TR-SC-18-17, UT-ST-22-05, and TR-AT-18-14). The estimated total cost of the project is \$4,824,000. Funding for the project is included in the capital budgets of the Water Supply System; Street, Bridge and Sidewalk Millage Fund; Stormwater Fund; and that the Washtenaw County Road Millage will reimburse the City for the sidewalk gap filling.

<u>Fund</u>	<u>Project Cost</u>
Water Supply System Fund	\$1,989,500
Street, Bridge and Sidewalk Millage Fund	\$1,473,500
Stormwater Fund	\$ 581,500
*County Road Millage (*to be fronted by the Street, Bridge, Sidewalk Millage)	\$ 779,500
<b>Total</b>	<b>\$4,824,000</b>

Approximately 2,430 linear feet (0.46 miles) of new sidewalk is being added to the City’s 440 miles of existing sidewalk. The anticipated additional maintenance costs are negligible.

The increased maintenance cost will be negligible. The bioretention basin maintenance will be incorporated into the maintenance contract with the County.

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Reviewed by: Brian Steglitz, Public Services Area Administrator  
Approved by: Milton Dohoney Jr., City Administrator

Whereas, The existing water mains in the project area have been identified as needing upsizing and/or replacement;

Whereas, The existing pavement in the project area has been identified as needing resurfacing;

Whereas, The project provides the opportunity to make improvements to the Sunset-Brooks-Vesper intersection and the Mixtwood-Red Oak intersection;

Whereas, The existing stormwater collection system within the Allen Creek watershed has been identified as needing additional capacity and this project will add additional stormwater detention within the watershed;

Whereas, The Brooks sidewalk gaps were selected to be filled through the staff-developed prioritization system and capital planning processes;

Whereas, Funding for the project is included in the approved capital budgets of the Water Supply System; Street, Bridge and Sidewalk Millage Fund; and Stormwater Fund.

Whereas, The City of Ann Arbor received three proposals for this work on April 5, 2023 and Bailey Excavating, Inc. received the highest score among the proposals reviewed by the selection

committee; and

Whereas, It is now necessary to enter into a contract with Bailey Excavating, Inc. for the performance of this work;

RESOLVED, That City Council approves a construction contract with Bailey Excavating, Inc. in the amount of \$3,445,709.21 for the Brooks Street Improvements Project (RFP 23-09);

RESOLVED, That a contingency amount of \$345,000 be established within the project budget and that the City Administrator be authorized to approve construction change orders not to exceed that amount, in order to satisfactorily complete this project;

RESOLVED, That \$1,473,500 be appropriated from the approved Street, Bridge and Sidewalk Fund Capital Budget to the Brooks Street Improvements Project, thereby increasing the project revenue and expenditure budgets;

RESOLVED, That \$581,500 be appropriated from the approved Stormwater Fund Capital Budget to the Brooks Street Improvements Project, thereby increasing the project revenue and expenditure budgets;

RESOLVED, That \$779,500 be appropriated from the Street, Bridge, Sidewalk Construction Millage Unobligated Fund Balance, to be reimbursed by the Washtenaw County Road Millage upon project completion, to be transferred to the existing Brooks Street Improvements Project ; thereby increasing the project revenue and expenditure budgets;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute said agreement after approval as to substance by the City Administrator and approval as to form by the City Attorney;

RESOLVED, That the City make the following declaration for the purpose of complying with the reimbursement rules of Treasury Regulations 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended: that the City reasonably expects to reimburse itself for expenditures for the costs of the Project with proceeds of Bonds; and

RESOLVED, That the City Administrator be authorized to take necessary administrative actions to implement this resolution, including issuing temporary and permanent Traffic Control Orders and night work authorizations as required for the construction of the project.