



Legislation Details (With Text)

**File #:** 09-0705      **Version:** 1      **Name:** 8/6/09 - Harvard Drain Nichols Arboretum Improvements  
**Type:** Resolution      **Status:** Passed  
**File created:** 8/6/2009      **In control:** City Council  
**On agenda:** 8/6/2009      **Final action:** 8/6/2009  
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**Title:** Resolution to Award a Construction Contract to Birkenstock Enterprises, L.L.C. (160,579.50; Bid No. ITB-4025) for the Harvard Drain & Nichols Arboretum Improvements Project

**Sponsors:**

**Indexes:** Contract, Project, Storm Drain

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
8/6/2009	1	City Council	Approved	Pass

Resolution to Award a Construction Contract to Birkenstock Enterprises, L.L.C. (160,579.50; Bid No. ITB-4025) for the Harvard Drain & Nichols Arboretum Improvements Project  
Attached for your review and approval is a resolution to award a contract to Birkenstock Enterprises, L.L.C. in the amount of \$160,579.50 for the Harvard Drain & Nichols Arboretum Improvements Project.

The construction contract titled “Harvard Drain & Nichols Arboretum Improvements Project” includes the replacement of approximately 250 feet of 15 and 12 inch storm sewer with new reinforced concrete sewer ranging from 12 inches to 27 inches in diameter. The work also includes the construction of an infiltration meadow area with stone step-pool structures and drainage channel restoration.

The existing storm pipe in Harvard Place, Highland Road and Ridgeway Street currently is undersized, and consequently surcharges, causing flooding in Harvard Place. The pipe outlets into the Nichols Arboretum, and the water has been causing erosion due to high velocities on both city residents’ and University property. To alleviate this condition, the City and the University of Michigan have been jointly planning improvements on their separate properties.

The improvements in the city right-of-way include drop structures, pipe upsizing, and pipe slope modifications to slow the water’s velocity before it outlets. In the Arboretum, improvements include scour holes and step pools to slow the water further, and a long flow channel and overflow plain which will promote infiltration of the water into the sandy soils.

This project is a joint project with the UofM. The two parties are paying for the two parts of the project respectively and have an agreement drafted for the City to enter into a contract with the contractor and to manage the project.

Funding for this project is included in the approved Storm Water capital budget and the University of Michigan's portion will be advanced pending reimbursement of \$65,880 for their portion of the project as stated in the agreement.

The project was advertised on Bidnet and plans and specifications were distributed to contractors who expressed interest in the project. Five bids for the construction were received and opened on Tuesday, June 30, 2009. The low bid from Birkenstock Enterprises, L.L.C. of \$160,579.50 is approximately 36% under the Engineer's Estimate. The construction of the project is scheduled for completion by Spring 2010.

#### Bid Tabulation

Birkenstock Enterprises - \$160,579.50\*

Fonson, Inc - \$186,981.00

E.T. MacKenzie - \$202,365.00

Bidigare Contractors Inc. - \$332,992.80

Anglin Civil Constructors - \$471,810.75

\*Lowest responsible bidder

Birkenstock Enterprises, L.L.C. received Human Rights approval on July 6, 2009. Employees working on this project will be paid prevailing wages (which exceed the "living wage") per the contract.

Prepared by: Homayoon Pirooz, P.E., Manager, Project Management Unit

Reviewed by: Sue F. McCormick, Public Services Administrator

Approved by: Roger W. Fraser, City Administrator

Whereas, It is beneficial to the environment and the community to improve the storm system to reduce flooding, reduce stormwater velocities, reduce erosion and sedimentation, and promote infiltration to replenish groundwater;

Whereas, The stormwater from Harvard Place, Highland Road and Ridgeway Street outlet into the Nichols Arboretum;

Whereas, The City and the University have cooperated on the planning and engineering of the Project;

Whereas, The City and the University have reached an agreement regarding the performance of and payment for the construction of the Project;

Whereas, Competitive bids were received by the Procurement Unit on June 30, 2009 and Birkenstock Enterprises, L.L.C. of Brighton, MI, was the lowest responsible bidder at \$160,579.50;

Whereas, The contractual proposal sets forth the services to be performed by said company, and the payments to be made by the City therefore, all of which are agreeable to the City;

Whereas, It is now necessary to enter into a contract with said company for said construction project;

Whereas, Birkenstock Enterprises, L.L.C. received Human Rights approval on July 6, 2009 and complies with the living wage ordinance; and

Whereas, funding for this project is included in the approved Storm Water Capital Budget and the

University of Michigan's portion will be advanced pending reimbursement of \$65,880.00 as stated in the agreement;

RESOLVED, That a contract in the amount of \$160,579.50 be awarded to Birkenstock Enterprises, L.L.C. for the construction of the Harvard Drain & Nichols Arboretum Improvements Project (Bid No. ITB-4025);

RESOLVED, That a contract contingency amount of \$16,500.00 be established and that the City Administrator be authorized to approve additional change orders to the construction contract with Birkenstock Enterprises, L.L.C. in order to satisfactorily complete this project;

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

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