



## Legislation Text

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**File #:** 10-0956, **Version:** 1

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Resolution to Approve a Change Order with Bidigare Contractors, Inc. for the 2006 Curb Drain Construction Project (\$137,000.00)

Attached for your approval is a resolution to approve a change order with Bidigare Contractors, Inc. for the 2006 Curb Drain Construction Project. This change order will add approximately 2,600 feet of curb drain to the existing contract. The City's adopted FY10 Capital Budget includes the approved project budget in the amount of \$1,500,000. Funds will be advanced from the Sewage Disposal System Operating Fund Balance pending the sale of Sewer Revenue Bonds.

On August 20, 2001, the City Council approved Ordinance No 32-01 for the implementation of a citywide footing drain disconnection (FDD) process. An Administrative Consent Order (ACO) was signed with the Michigan Department of Environmental Quality (MDEQ) to work toward the elimination of sanitary sewer overflow and compliance with Natural Resources and Environmental Protection Act, 1994 PA 451, Part 31. A significant effort in the FDD process is connection of the foundation drain discharge to the Stormwater system. The installation of stormwater curb drains is the most cost effective approach to enabling those connections.

On July 3, 2006, after a competitive bid process, the City Council awarded the 2006 Curb Drain Construction Project to Bidigare Contractors, Inc. (R-321-7-06). On October 7, 2007, City Council approved a change order to the original contract to construct an addition 30,000 feet of HDPE curb drain after Bidigare agreed to hold their unit price despite the volatility in oil prices that in recent years have led to substantial increases in pipe prices. Bidigare Contractors completed the work ahead of schedule and met all contract requirements by June of 2010. Bidigare has agreed to hold their unit price for installation of an additional 2,600 feet of HDPE curb drain along Iroquois Place.

The additional curb drain installation will occur on Iroquois Place, a priority Phase 1B area, which experienced basement backups as a result of the June 6, 2010, storm event. New curb drain layouts have been identified and actual installations are expected to begin this fall and continue through the winter of 2010. With the addition of the Iroquois properties, a total of approximately 1922 properties have been invited into the program by receiving homeowner information packets. Approximately 1623 homes have been approved for funding, and approximately 1547 homes have completed the FDD work through the program.

Bidigare Contractors, Inc. received Human Rights approval on September 16, 2010. All employees of Bidigare Contractors, Inc. who will work on the project, will receive compensation in accordance with the Living Wage Ordinance.

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

Reviewed by: Sue F. McCormick, Public Services Administrator

Approved by: Roger W. Fraser, City Administrator

Whereas, The City of Ann Arbor is required to remain in conformance with the Michigan Department of Environmental Quality, Natural Resources and Environmental Protection Act, 1994 PA 451, Part

31;

Whereas, On August 20, 2001, the City Council approved Ordinance No. 32-01, to provide for implementation of a citywide footing drain disconnection process;

Whereas, Approximately 2,500 feet of curb drain is needed to continue to collect sump pump discharges from homes on Iroquois Place;

Whereas, On May 18, 2006, competitive bids were received by the Procurement Unit for the 2006 Curb Drain Construction Project and Bidigare Contractors, Inc. was the lowest responsible bidder;

Whereas, On July 3, 2006, City Council awarded a construction contract to Bidigare Contractors, Inc. for the 2006 Curb Drain Construction Project;

Whereas, On October 7, 2007, City Council approved Change Order No. 1 to the Contract with Bidigare Contractors, Inc. in the amount of \$1,815,491.00 for an additional 30,000 feet of curb drain installation;

Whereas, Bidigare Contractors, Inc. has received Living Wage and Human Rights approval on September 16, 2010;

Whereas, The City's adopted FY11 Capital Budget includes the project budget in an amount of \$1,500,000.00; and

Whereas, The funds for the project will be advanced from the Sewage Disposal System Operating Fund Balance pending the sale of Sewer Revenue Bonds;

RESOLVED, That Council approves Change Order No. 2 to the Contract with Bidigare Contractors, Inc. in the amount of \$137,000.00 for curb drain installation for the 2006 Curb Drain Construction Project (Bid No. 3786) with funds to be available until expended without regard to fiscal year;

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

RESOLVED, That City Council authorize the City Administrator to approve change orders to the construction contract within the approved project budget;

RESOLVED, That the City makes 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 the necessary administrative actions to implement this resolution.