



## Legislation Details (With Text)

**File #:** 21-0637      **Version:** 1      **Name:** 5/3/21 Approve Contract with ET Mackenzie for BTB  
**Type:** Resolution      **Status:** Passed  
**File created:** 5/3/2021      **In control:** City Council  
**On agenda:** 5/3/2021      **Final action:** 5/3/2021  
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**Title:** Resolution to Approve a Contract with E.T. Mackenzie Company to Renovate the Border-to-Border Pathway Between the Gallup Park Vehicle Bridge and Mitchell Field Bridge (\$646,595.50)(ITB 4657)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. DRAFT CONTRACT\_West Gallup Park Path Resurfacing Project\_ET MACKENZIE.pdf

Date	Ver.	Action By	Action	Result
5/3/2021	1	City Council	Approved	Pass

Resolution to Approve a Contract with E.T. Mackenzie Company to Renovate the Border-to-Border Pathway Between the Gallup Park Vehicle Bridge and Mitchell Field Bridge (\$646,595.50)(ITB 4657) Attached for review and action is a resolution to approve a contract with E.T. Mackenzie Company in the amount of \$646,595.50 to renovate a portion of the Border to Border pathway at Gallup Park.

**Budget/Fiscal Impact:** Funding is available in the approved FY2021 Park Maintenance and Capital Improvement Millage budget. Funding is available in the approved FY2021 Park Maintenance and Capital Improvement Millage budget.

The Washtenaw County Parks and Recreation Commission (WCPRC) has agreed to assist in funding this project, as they did with recent renovations to the Border to Border trail in Riverside Park, in the amount of \$165,000. Of that \$165,000 the Huron Waterloo Pathways Initiative is contributing \$50,000. At the conclusion of this project WCPRC will be invoiced accordingly and the revenue recognized in the Parks and Recreation Capital Millage budget, to offset the appropriate proportion of construction expenses.

### Project Description

The Border-to-Border path, running along the southern bank of the Huron River between the vehicle bridge at Gallup Park to the pedestrian bridge at Mitchell field is in need of repairs. The Parks and Recreation Open Space Plan (PROS) prioritizes the repair and replacement of pathways to maintain safety and usability. Additionally, this pathway does not currently meet AASHTO standards and the PROS plan recommends updating to these standards when renovating existing pathways. New ADA accessible benches and an accessible bench will be installed along the path to provide for a better user experience.

With its geographic location, this segment of path presents a problem regarding construction access. Contractors must enter the project site from the east by crossing the vehicular bridge in Gallup Park,

which has a maximum loading capacity less than current design standards. Due to access difficulties throughout this stretch, staff is recommending replacing the existing asphalt path with a new concrete path, which has a longer life span. The lifespan of a concrete path is anticipated to be 30-40 years. A similar path made of asphalt can expect to last 15-20 years before replacement is needed.

The use of concrete for this stretch is also beneficial in that damaged sections of path can often be fixed more easily, as a broken section of concrete can be removed, and a new section re-poured. Asphalt repairs are often more intensive and require special equipment, making it cost prohibitive for small repairs.

Path repairs and reconstruction are identified in the CIP and PROS plan as park priorities. Additionally, the project meets multiple Sustainability Goals, including:

- Safe Community
- Active Living and Learning
- Transportation Options

The contract documents for the project were bid through the City's Procurement Unit following standard procedures. Two options were bid to allow for purchasing flexibility:

- Option A calls for the path to be reconstructed using asphalt.
- Option B calls for the path to be reconstructed using concrete.
- While both Options A and B will provide the park with a new path that will withstand the heavy daily use, Option B - the use of concrete - is recommended by staff for this stretch of path in Gallup Park due to the following reasons:
  - Concrete is a more durable solution. The life expectancy of a concrete path of this nature is somewhere between 30-40 years. A similar path constructed of asphalt has an expectancy of 15-20 years. This path is heavily used and the less disruption the better.
  - The price for concrete was lower than the original estimate for asphalt.
  - Washtenaw County Parks has had success with concrete on another portion of the Border-to-Border trail.

Eight bids in response to ITB 4657 were received on March 2, 2021. The lowest responsible bid is from E.T. Mackenzie in the amount of \$564,286 for Option A (asphalt) and \$646,595.50 for Option B (concrete). City staff originally estimated the project to be \$700,825.00 for Option A (asphalt) and \$759,475.00 for Option B (concrete).

All bidders completed the Responsible Contractor Policy (RCP) questionnaire. While all bidders answered that they do not have a Registered Apprenticeship Program, Doan Construction Co. and Best Asphalt, Inc. referenced that they hired union labor. However, their costs were significantly higher (16% for Doan, and 49% for Best Asphalt) than E.T. Mackenzie Co. Therefore, staff recommends awarding the contract to E.T. Mackenzie Co.

Below is a bid tabulation for the received bids.

<b>Contractor</b>	<b>Option A (Asphalt)</b>	<b>Option B (Concrete)</b>
<i>City Estimate</i>	<i>\$700,825.00</i>	<i>\$759,475.00</i>
<b>E.T. Mackenzie Co.</b>	<b>\$564,286.00</b>	<b>\$646,595.50</b>
LJ Construction, Inc.	\$579,160.00	\$686,540.00
All Star Power Excavation, L.L.C.	\$658,000.00	\$718,890.00
Anglin Civil L.L.C	\$711,541.04	\$734,069.97

Doan Construction Co.	N/A	\$748,503.00
Gibraltar Construction	\$630,226.80	\$782,262.60
Best Asphalt, Inc.	\$885,487.50	\$965,650.00
Fonson Company, Inc.	\$993,485.00	\$1,048,267.50

Staff recommends awarding a contract to E.T. Mackenzie Co. in the amount of \$646,595.50 for Option B (concrete) renovations to this Border-to-Border section of path at Gallup Park. A 10% construction contingency (\$64,659.55) is requested to cover potential contract change orders to be approved by the City Administrator. It is requested that a \$711,255.05 contract and contingency amount be approved for the life of the project without regard to fiscal year.

The Parks Advisory Commission recommended approval of this contract at their March 16, 2021 meeting.

Prepared by: Adam Fercho, Landscape Architect IV

Reviewed by: Colin Smith, Parks & Recreation Services Manager

Reviewed by: Derek Delacourt, Community Services Area Administrator

Approved by: Tom Crawford, City Administrator

Whereas, The Border-to-Border pathway in Gallup Park is in need of major renovation,

Whereas, The Parks and Recreation Open Space Plan (PROS) recommends infrastructure improvements for pathways that are in disrepair;

Whereas, Funding for the Gallup Park Pathway Renovations is available in the approved FY2021 Park Maintenance and Capital Improvements Millage budget;

Whereas, Competitive bids were received by Purchasing on March 2, 2021;

Whereas, E.T. Mackenzie Company submitted the lowest responsive bid;

Whereas, The Parks Advisory Commission recommended approval of this contract at their March 16, 2021 meeting; and

Whereas, E.T. Mackenzie Company has submitted all required Non-Discrimination, Prevailing Wage, Living Wage, and Conflict of Interest Disclosure forms and complies with the requirements of the City's Non-Discrimination, Prevailing Wage, and Living Wage Ordinances;

RESOLVED, That the City Council approves a contract with E.T. Mackenzie Company in the amount of \$646,595.50 to renovate the Border-to-Border pathway in Gallup Park between the Gallup Vehicle Bridge and Mitchell Bridge (ITB 4657);

RESOLVED, That a contingency amount of \$64,659.55 (10%) be established within the project budget for the life of the project without regard to fiscal year, and that the City Administrator be authorized to approve change orders that do not to exceed the contingency amount;

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

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

