



## Legislation Details (With Text)

**File #:** 21-1239      **Version:** 1      **Name:** 8/2/21 Public Works On-Call Construction Services  
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**On agenda:** 8/2/2021      **Final action:** 8/2/2021  
**Enactment date:** 8/2/2021      **Enactment #:** R-21-280  
**Title:** Resolution to Award a Construction Contract to E.T. MacKenzie Company for On-Call Construction Services in the Amount of \$500,000.00 per Year for a Period of Two Fiscal Years (\$1,000,000.00 total) (RFP No. 21-16)

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. RFP\_21-16\_Document.pdf, 2. RFP\_21-16\_Addendum1.pdf, 3. FEES\_ETMacKenzie.pdf, 4. RFP\_21-16\_Proposal\_E.T. MacKenzie.pdf, 5. RFP\_21-16\_Contract\_Draft.pdf, 6. RFP\_21-16\_ProposalTab.pdf

Date	Ver.	Action By	Action	Result
8/2/2021	1	City Council	Approved	Pass

Resolution to Award a Construction Contract to E.T. MacKenzie Company for On-Call Construction Services in the Amount of \$500,000.00 per Year for a Period of Two Fiscal Years (\$1,000,000.00 total) (RFP No. 21-16)

Attached for your approval is a resolution to award a construction contract to E.T. MacKenzie Company for up to \$500,000.00 per fiscal year for on-call construction services for two years with the option for an additional two-year extension. The contract is for emergency response work exceeding City capabilities, such as complicated sewer or water main repairs, and for small infrastructure improvement projects that fall below the threshold of Capital Improvement Plan Projects. Having an on-call contractor is necessary when repair needs exceed the City's capabilities to self-perform work.

In May, 2021, RFP #21-16 was published through the City's procurement website and MITN.info and one proposal was received from E.T. MacKenzie Company which provided price lists for labor and equipment.

Staff recommends awarding a contract to E.T. MacKenzie Company through June 2023 (FY22 and FY23) based on their professional qualifications, past experience, work plan, and fee quotations. Total expenditures for this contract per fiscal year may not exceed \$500,000.00.

E.T. MacKenzie Company submitted all required Responsible Contractor Criteria, Non-Discrimination, Prevailing Wage, Living Wage, and Conflict of Interest Disclosure forms; and complies with the requirements of the City's Responsible Bidder, Non-Discrimination, Prevailing Wages, and Living Wage ordinances.

**Budget/Fiscal Impact:** Funding is available in the approved FY22 Public Services Operation and Maintenance and Capital budgets and will be available in subsequent budgets if approved by Council. Funding will be allocated to the appropriate funding source based on scope of individual

tasks performed under this contract.

Prepared by: Ron Hoeft, Public Works Engineer

Reviewed by: Molly Maciejewski, Public Works Unit Manager  
Craig Hupy, Public Services Area Administrator

Approved by: Tom Crawford, City Administrator

Whereas, The Public Works Unit requires on-call contractors capable of assisting the City with emergency projects and infrastructure work below the threshold of capital improvement projects;

Whereas, In response to RFP No. 21-16, the City received one proposal from E.T. MacKenzie Company;

Whereas, Labor and Equipment rates provided are for FY 22 and FY 23;

Whereas, Funding is available in the approved FY 22 Public Services Operation and Maintenance and Capital budgets and will be available in subsequent budgets if approved by Council and will be allocated to the appropriate funding source based on scope of the project; and

Whereas, E. T. MacKenzie Company has submitted all required Responsible Contractor Criteria, Non-Discrimination, Prevailing Wage, Living Wage, and Conflict of Interest Disclosure forms and complies with the requirements of the City's Responsible Bidder, Non-Discrimination, Prevailing Wages, and Living Wage ordinances.

RESOLVED, That the City Council approve a 2-year contract with E.T. MacKenzie Company, in an amount of up to \$500,000.00 per fiscal year, subject to Council's appropriation of commensurate funds in subsequent years, for on-call construction services;

RESOLVED, That the City Administrator be authorized to renew the contract for up to two additional years subject to an up to 3% increase in unit prices provided both parties agree to an extension and subject to the availability of funds;

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 including approval of needed Traffic Control Orders, night work authorizations, and other similar administrative approvals to allow the work under the contracts to proceed without delay.