



## Legislation Text

---

**File #:** 11-0652, **Version:** 1

---

### Resolution to Approve Amendment No. 1 to the Continuing Service Contracts with E. T. MacKenzie Company (\$250,000.00) and D. N. Higgins, Inc. (\$250,000.00) for On-Call and Emergency Construction Services

This memorandum and resolution request approval of Amendment No. 1 to the continuing services contract for on-call and emergency construction services with E. T. MacKenzie Company and Amendment No. 1 to the continuing services contract for on-call and emergency construction services with D. N. Higgins, Inc. In June 2009, the City issued a request for qualifications (RFP) for providing construction services to support the Field Operations Services Unit in the areas of Storm Water and Sanitary Sewer repairs. The RFP indicated that two companies would be awarded for up to \$250,000.00 each for construction services. The City received proposals from eight companies. Douglas N. Higgins, Inc. and E.T. MacKenzie Company were selected as the two most qualified companies to perform this work. Council approved a continuing services contract for \$250,000.00 each with E. T. MacKenzie Company and D. N. Higgins, Inc. in November 2009 as part of Resolution No. R-09-445 (attached).

The City is seeking to extend the continuing services contract with E. T. MacKenzie Company and D. N. Higgins, Inc. to accommodate additional small repair projects and emergency construction services needs over the next two fiscal years. Each contractor has supported Field Operations on a number of projects that fall below the minimum project cost of a City Capital Improvements Plan project. The use of on-call services over the last two fiscal years has allowed Field Operations staff to focus on maintenance activities that would otherwise be postponed as emergency repair situations arise, and tackle a backlog of minor repair projects. Projects completed to date include repair of a sink-hole that formed in Red Bud Park during the summer of 2010, lining a failing cross-lot sanitary sewer between Orchard Street and Abbot Street, lining a sanitary sewer line on Salem Court that had backed up frequently due to tree root intrusions, constructing a temporary relief drain for a storm sewer line on South State Street which was inadvertently blocked off during reconstruction of a head wall, and repairs to shore hardening along Mallett's Creek at the South State Street crossing.

The contractors are committed to completing repairs to culverts in Placid Way Park and are currently bidding on no-excavation repairs to a culvert on Plymouth Road located west of Green Road. The backlog of minor repairs has been reduced by approximately 50%; however, increased inspection and maintenance activities continue to uncover needed repairs.

It is, therefore, recommended that City Council approve Amendment No. 1 to the Construction Services Contract with Douglas N. Higgins, inc. for \$250,000.00 and with E. T. MacKenzie Company for \$250,000.00, each to provide on-call construction services and emergency construction services to the Field Operations Services Unit for FY12 and FY13.

Douglas N. Higgins, Inc has received Human Rights approval on April 20, 2011 and complies with the living wage ordinance, and E. T. MacKenzie Company has received Human Rights approval on May 18, 2011 and complies with the living wage ordinance.

These services are to be funded from the approved FY12 and FY13 (if approved) Sewage Disposal System and Storm Water System operation and maintenance budgets. Tasks will be assigned as performed to the appropriate funds.

Prepared by: Nichole Woodward, P.E., Utilities Engineer, Field Operations

Reviewed by: Sue F. McCormick, Public Services Administrator

Approved by: Tom Crawford, Interim City Administrator

Whereas, The Field Operations Services Unit has Construction Services Contracts with Douglas N. Higgins, Inc. and E. T. MacKenzie Company to provide on-call construction and emergency construction services (R-09-0965);

Whereas, The Construction Services Contracts will be funded from the approved FY12 and FY13, if so approved by Council, Sewage Disposal System and Storm Water System operation and maintenance budgets; and

Whereas, Douglas N. Higgins, Inc has received Human Rights approval on April 20, 2011 and complies with the living wage ordinance, and E. T. MacKenzie Company has received Human Rights approval on May 18, 2011 and complies with the living wage ordinance;

RESOLVED, That the Amendment No. 1 in the amount of \$250,000.00 to the Construction Services Contract with Douglas N. Higgins, Inc. is approved and Amendment No. 1 in the amount of \$250,000.00 to the Construction Services Contract with E. T. MacKenzie Company is approved;

RESOLVED, That the Mayor and City Clerk are authorized and directed to execute Amendment No. 1 to the Construction Services Contract after approval as to substance by the City Administrator and approval as to form by the City Attorney;

RESOLVED, That the on-call construction services are to be funded from the approved FY12 and FY13 Sewage Disposal System and Storm Water System Operations and Maintenance Budgets, if so approved by Council;

RESOLVED, That the funds be available for the life of the project(s) without regard to fiscal year until the Construction Services Contracts end on June 30, 2013; and

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