



Date: May 22, 2018

To: Thomas J. Bonfield - City Manager
Through: W. Bowman Ferguson - Deputy City Manager
From: Marvin G. Williams – Director of Public Works
Subject: Contract SD-2018-09, Drainage Structure Access and Stabilization

Executive Summary

On May 15, 2018 bids were opened for Contract SD-2018-09. The project includes repairs, rehabilitation, and improvements of stormwater drainage systems at various site locations throughout the City of Durham. The City solicited bids for this project through the Small Local Business Enterprise (SLBE) program. The lowest responsive bid was submitted by White Oak Construction Corporation of N.C., of New Hill, North Carolina. The Public Works Department recommends that the City Council authorize the City Manager to execute a contract with White Oak Construction Corporation of N.C., for Contract SD-2018-09 in the amount of \$352,895.00.

Recommendation

To authorize the City Manager to execute Contract SD-2018-09, Drainage Structure Access and Stabilization, with White Oak Construction Corporation of N.C. in the amount of \$352,895.00;

To establish a contingency fund in the amount of \$52,934.25; and

To authorize the City Manager to negotiate change orders for Contract SD-2018-09 provided that the total project cost does not exceed \$405,829.25.

Background

The project involves the furnishing of all materials, labor, equipment, tools, etc. unless otherwise specified, for the complete installation of repairs, rehabilitation, and improvements of stormwater drainage systems at various site locations throughout the City of Durham. The City solicited bids for this project through the SLBE program. Twelve sites will be addressed as part of this work. The sites are located in City rights-of-way and on City-owned property.

Issues and Analysis

The initial apparent low bidder, Vortex Drainage Systems, LLC, was deemed to have submitted an unresponsive bid that was rejected. The rejection was based on a failure to submit evidence of a Good Faith Effort in seeking to meet the City’s Underutilized Business Enterprise (UBE) goals for the project. As a result, the bid is not compliant with the Ordinance to Promote Equal Business Opportunities in City Contracting. The next lowest bidder, White Oak Construction Corporation of N.C. was deemed to be responsive.

The following is a summary of bids received:

Vortex Drainage Systems, LLC	\$297,424.80	Low Bid
White Oak Construction Corporation of N.C.	\$352,895.00	
Cadet Construction Company	\$471,357.80	

The Public Works Department recommends awarding Contract SD-2018-09 to White Oak Construction Corporation of N.C. in the amount of \$352,895.00.

Alternatives

The Public Works Department has not identified any alternatives since the bids received are competitive and are consistent with the opinion of probable cost prepared by staff.

Financial Impact

This project is budgeted for in the adopted Capital Improvements Project Ordinance (#15133) for storm drainage repairs in the following accounts.

4300L045-731000-LK107 (Construction in Progress):	\$352,895.00
4300L045-731900-LK107 (Contract Contingencies):	\$52,934.25
Total:	\$405,829.25

Equal Business Opportunity Summary

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by White Oak Construction Corporation of N.C. of New Hill, NC to determine if they are in compliance with Ordinance to Promote Equal Business Opportunities in City Contracting. The goals for this project are MUBE 11% and WUBE 7%. It was determined that White Oak Construction Corporation of N.C. was in compliance with the Ordinance to promote Equal Business Opportunities in City Contracting.

UBE REQUIREMENTS

White Oak Construction Corporation of N.C. is a Small Local Business Enterprise (SLBE) firm who will subcontract to the following certified firms:

Firm	ID	City/State	Amount	% of Contract
Turner Utilities	MUBE	Raleigh, NC	\$39,000.00	11%
State Contracting	WUBE	Wake Forest, NC	\$25,725.00	7%
Allied Fencing	WUBE	Raleigh, NC	\$8,100.00	2%

WORKFORCE STATISTICS

Total Workforce:

Employment Category	Total Employees	Total Males	Total Females
Project Manager	1	1	0
Professional	3	2	1
Technical	0	0	0
Clerical	1	1	0
Labor	6	6	0
Total	11	10	1

Male:

Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native
Project Manager	1	0	0	0	0
Professional	0	2	0	0	0
Technical	0	0	0	0	0
Clerical	1	0	0	0	0
Labor	0	6	0	0	0
Total	2	8	0	0	0

Female:

Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native
Project Manager	0	0	0	0	0
Professional	1	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	0	0	0	0	0
Total	1	0	0	0	0

Attachments

1. Agreement Form (Section 00 52 15), Contract SD-2018-09.
2. UBE Compliance Report for White Oak Construction Corporation of N.C., dated May 24, 2018.