



**Date:** November 6, 2018

**To:** Thomas J. Bonfield, City Manager  
**Through:** W. Bowman Ferguson, Deputy City Manager  
**From:** Steven Hicks, Director, General Services Department  
**Subject:** Construction Contract with Cadet Construction Company for Accessibility Improvements at Valley Springs Park

### **Executive Summary**

The General Services Department advertised and opened two bids on June 19, 2018 for construction of Accessibility Improvements at Valley Springs Park. The base bid scope of work includes a year-round accessible toilet room, accessible parking, accessible seating at existing bleachers, sidewalk repairs, and demolition of a failed septic field. The accepted Alternates are Alternate 1 for renovation of the existing restrooms and Alternate 4 for erosion control plantings, safety fencing, and a bleacher pad. Cadet Construction Company submitted the lowest responsive responsible bid for the base scope and alternates. Cadet's bid exceeded the available construction budget for the base scope of work and so additional funds have been requested through the CIP close-out process.

### **Recommendation**

The General Services Department recommends that City Council:

Authorize the City Manager to execute a Construction Contract with Cadet Construction Company for Accessibility Improvements at Valley Springs Park in the amount of \$465,074.00;

Establish a contingency fund for the contract in the amount of \$66,176.00;

Authorize the City Manager to negotiate change orders to the construction contract provided the total project cost does not exceed \$531,250.00.

### **Background**

The City maintains a program to resolve ADA accessibility compliance issues at multiple City-owned sites. In November of 2015, General Services advertised a Request for Qualifications for design services to address specific ADA deficiencies at Valley Springs and West Point on the Eno Parks. Kimley-Horn & Associates, Inc. was awarded the contract and subsequently completed a master plan for improvements at West Point on the Eno and permit and construction plans for improvements at Valley Springs. Valley Springs Park construction phase dollars have already been appropriated and the West Point on the Eno design and construction budget is part of the City's 10 year CIP plan.

Valley Springs construction plans include accessibility improvements for parking lots, athletic fields, sidewalks and restrooms. Project alternates included Alternate 1 for full renovation of the existing Men's and Women's rooms and Alternate 4 for erosion control plantings, safety fencing,

and a bleacher pad. Further, during design it was determined that a new sewer line is needed to replace a failing septic system.

An Invitation to Bidders for the construction of Accessibility Improvements at Valley Springs Park was advertised publicly in May of 2018. The project was initially sent to the City's Small Local Business Enterprise (SLBE) contractors, but there was low interest, with only two contractors attending a pre-bid meeting. It was then re-advertised on the City's website to all General Contractors. The bid results, received on June 19, 2018 are as follows:

Company	Base Bid	Base + Alternate 1	Base + Alternate 1 + Alternate 4
<b>Cadet Construction Company</b>	<b>\$397,063.90</b>	<b>\$468,763.90</b>	<b>\$482,963.90</b>
D.W. Ward	\$521, 672.00	\$543,912.00	\$566,012.00

As the project is in the informal bidding range, the contract can be awarded without having to receive a minimum of three qualified bids. Cadet Construction Company submitted the lowest bid but exceeded the available construction budget for the base scope of work. During the bid scoping and validation phase, clarifications of the plumbing and reasonable value engineering of the sewer design resulted in an overall reduction in the price of the base scope to \$379,174.00. However even with this reduction the bid exceeded the available funds and additional funds have been requested through the CIP close-out process. If the construction contract is approved, substantial completion of the project is anticipated in summer of 2019.

**Issues and Analysis**

The conditions of the restrooms and lack of accessibility at Valley Springs Park is a liability, a hindrance to park programming, and places an extra burden of rental costs and maintenance for DPR and General Services Staff. At Valley Springs Park the existing softball fields, restrooms, parking lots, soccer field, many sidewalk areas, and the playground are not handicap accessible. There are no seating options for users with mobility devices.

Additionally, the existing restrooms are in poor condition and were not designed to accommodate year-round use. The park has nearly year-round use so portable toilets are rented in the winter. The existing septic field has failed, resulting in a notice-of violation from the Department of Health and the need to hire a hauling company to regularly pump out the septic tanks.

Renovating the existing restrooms will address repair and maintenance issues and will bring the restroom up to DPRs durability and vandal resistant standard. Adding a renovated, accessible, year-round toilet room will meet ADA requirements and eliminate the need to rent portable toilets in the winter. Installing a connection to municipal sewer services will address the Department of Health violation.

**Alternatives**

The City could elect not to proceed with the construction contract. Staff recommends against this alternative for several reasons. The construction of the new sewer line must be completed to address the notice of non-compliance from the Department of Public Health. Furthermore, not proceeding with this project will negatively impact future planning goals for DPR.

**Financial Impact**

Funds for this project are currently budgeted and available as follows:

**FUNDING SOURCES**

Debt	\$ 358,295.00
Half Penny for Parks General Fund	\$ 78,870.00
Additional CIP Funding Request	\$ 131,894.00

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**Total Revenues** \$ 569,059.00

**PROJECT COSTS**

Construction Contract	\$ 465,074.00
Contract Contingency	\$ 66,176.00
Construction Fees (Development, Inspection, Testing) & Additional Owner Contingency	\$ 37,809.00

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**Total Expenditures** \$ 569,059.00

**Equal Business Opportunity Summary**

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Cadet Construction Company of Raleigh, NC and determined that they are in compliance with the Ordinances to Promote Equal Business and Small Local Business Enterprise Opportunities in City of Durham Contracting. The goals for this project are MUBE 11% and WUBE 7%. It was determined that Cadet Construction Company was in compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting.

**SLBE REQUIREMENTS**

Cadet Construction Company is a SLBE certified firm.

**UBE REQUIREMENTS**

Cadet Construction Company is a MUBE and will subcontract to the following certified firms:

<b>Firm</b>	<b>ID</b>	<b>City/State</b>	<b>Amount</b>	<b>% of Contract</b>
Cadet Construction Company	MUBE	Raleigh, NC	\$414,020.00	89%
Cruz Brothers Concrete, Inc.	MUBE	Graham, NC	\$35,890.00	7.8%
Unity Electrical Contracting	MUBE	Rose Hill, NC	\$5,000.00	1%
A+ Tree and Crane Services, Inc.	MUBE	Raleigh, NC	\$4,000.00	.9%
Vanhook Trucking	MUBE	Chapel Hill, NC	\$3,178.00	.7%
Floorchem, Inc.	WUBE	Raleigh, NC	\$2,986.00	.6%

The MUBE goal was exceeded, whereas the WUBE goal was not met. Cadet Construction Company was able to demonstrate good faith efforts in meeting the WUBE goal.

**WORKFORCE STATISTICS**

**Total Workforce:**

<b>Employment Category</b>	<b>Total Employees</b>	<b>Total Males</b>	<b>Total Females</b>

Project Manager	1	1	0
Professional	3	1	2
Technical	4	4	0
Clerical	0	0	0
Labor	4	2	2
Total	12	8	4

**Male:**

<b>Employment Category</b>	<b>White</b>	<b>Black</b>	<b>Hispanic</b>	<b>Asian or Pacific Islander</b>	<b>Indian or Alaskan Native</b>
Project Manager	0	1	0	0	0
Professional	1	0	0	0	0
Technical	3	1	0	0	0
Clerical	0	0	0	0	0
Labor	0	0	2	0	0
Total	4	2	2	0	0

**Female:**

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

**Attachments**

- Attachment A – Contract
- Attachment B – Contract General Conditions
- Attachment C – Vicinity Map