



Date: July 10, 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 Ruston Paving Co. Inc. for Asphalt Paving at Multiple Park Sites

Executive Summary

The General Services Department advertised and opened bids on June 4, 2018 for the multiple park site asphalt paving project. The work includes repaving parking lots and driveways at Old Farm Park, Indian Trail Park and Forest Hills Park and includes repaving of pedestrian paths at Old Farm Park. The sites were bundled into one project for permitting, construction and mobilization efficiency. Ruston Paving Co. Inc. submitted the only bid and was determined to be the lowest responsive, responsible bidder. As the project is in the informal bidding range, the contract can be awarded after receiving one qualifying bid. Since Ruston's bid exceeded the available construction budget, a reduced scope of work was negotiated to meet the budget.

Recommendation

The Department of General Services Recommends that the City Council:

1. Authorize the City Manager to execute a construction contract with Ruston Paving Co. Inc. for Asphalt Paving at Multiple Park Sites in the amount of \$374,460.00;
2. Establish a contingency fund for the contract in the amount of \$37,446.00;
3. Authorize the City Manager to negotiate change orders to the construction contract, provided the total project cost does not exceed \$411,906.00.

Background

The paving locations have similar permitting and repair requirements and were grouped into one project for ease of permitting and contract management. All of the project locations are in Federal Emergency Management Agency (FEMA) regulated floodplains. Work in FEMA regulated floodplains requires approval of a floodplain development permit. Horvath Associates P.A., was engaged through a professional services contract to provide engineering services for the required floodplain development permits for the paving work at all of the parks. The permits were issued in July of 2017 and December of 2017. An Invitation to Bidders for Asphalt Paving at Multiple Park sites was advertised in May of 2018. The project was advertised publicly for 30 days. Ruston Paving Co. Inc. submitted the only bid and was determined to be the lowest responsive, responsible bidder. Although Ruston Paving Co. Inc. was the only bidder, it is recommend that they be awarded the contract because no minimum number of bids is required for projects estimated to be less than \$500,000 and, the bid was in-line with current unit prices and bids received for similar projects. Ruston's original base bid of \$388,020.00, however, exceeded the available construction budget, which required reasonable modifications to the scope of work in order to bring the contract price within the available budget.

Issues and Analysis

The park locations and repaving needs have been identified and prioritized in conjunction with the Department of Parks and Recreation. For all of the parks, repaving will help to reduce erosion issues, bring the parking lots into greater conformity with the Unified Development Ordinance standards for parking, and improve ADA access.

Forest Hills Park is a heavily used park with picnic shelters, tennis courts, a pool, a clubhouse, a playground, large open areas and multiple parking lots. Three of the existing gravel parking lots are subject to erosion of the gravel due to heavy use. These lots are also very close to and impact adjacent streams. The ADA parking spaces in two of these lots are in disrepair.

Indian Trail Park has recreation trails, a new playground and one small gravel parking lot near a stream. The parking lot is subject to erosion and has an existing ADA designated parking space which is in disrepair.

Old Farm Park has a large recreation field, picnic shelter and a playground and is located along the Eno River. The park has one gravel parking lot which is frequently subject to flooding and erosion, one asphalt parking lot in poor condition, and gravel pedestrian paths which often wash out. The ADA parking spaces are in disrepair.

The floodplain development permits for Forest Hills Park and Old Farm Park are tied to site plans which expire in December of 2021. The floodplain development permit for Indian Trail Park expires in July of 2021

Alternatives

City Council could elect not to approve the paving contract. If the paving were not pursued at this time there is the potential the floodplain development permits could expire before another funding source or repair strategy could be devised. Additionally, full repair of the parking lots and pedestrian paths is beyond the scope of available equipment and resources of the Department of Parks and Recreation staff. If the contract is not approved it is likely the parking areas and path would remain in disrepair.

Financial Impact

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

FUNDING SOURCES		
Half Penny for Parks – General Fund		\$ 411,906.00
	Total Revenues	\$ 411,906.00
PROJECT COSTS		
Construction Contract		\$ \$374,460.00
Contingency		\$ 37,446.00
	Total Expenditures	\$ 411,906.00

Equal Business Opportunity Summary

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Ruston Paving Company of Durham, 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%. Although, Ruston Paving did not meet either goal, it was determined Ruston Paving demonstrated Good Faith Effort and is in compliance with the Ordinance to promote Equal Business Opportunities in City Contracting.

UBE REQUIREMENTS

Ruston Paving will subcontract to the following certified firms:

Firm	ID	City/State	Amount	% of Contract
Dee Jays Trucking, LLC	MUBE	Durham, NC	\$5,500.00	1.47%
On The Rhode Trucking, LLC	MUBE	Durham, NC	\$5,500.00	1.47%
LMJ Pavement Marking, LLC	WUBE	Willow Spring, NC	\$13,675.00	3.65%

WORKFORCE STATISTICS

Total Workforce:

Employment Category	Total Employees	Total Males	Total Females
Project Manager	6	6	0
Professional	0	0	0
Technical	6	6	0
Clerical	1	0	1
Labor	30	30	0
Total	43	42	1

Male:

Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native
Project Manager	6	0	0	0	0
Professional	0	0	0	0	0
Technical	4	1	1	0	0
Clerical	0	0	0	0	0
Labor	6	14	7	0	0
Total	19	15	8	0	0

Female:

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

Attachments

Attachment A – Contract

Attachment B – Contract General Conditions

Attachment C – Maps