



**Date:** December 3, 2019

**To:** Thomas J. Bonfield, City Manager  
**Through:** Keith Chadwell, Deputy City Manager  
**From:** Reginald J. Johnson, Director of Community Development Department  
**Subject:** Approval of Community Development Block Grant Funds for Installation Federally Funded Housing and Urban Development (HUD) Signalized Pedestrian Improvements

### **Executive Summary**

The City of Durham receives funding directly from the US Department of Housing and Urban Development (HUD) to carry out community development activities that benefit low and moderate income households. The Community Development Department (CDD) is the administrator of these funds. CDD is requesting authorization to utilize Community Development Block Grant (CDBG) funding to award a construction contract for the installation of signalized pedestrian crossing upgrades at eleven locations in Durham.

CDD recommends City Council authorize the City Manager to execute a contract with Fulcher Electric of Fayetteville, Inc. to install the pedestrian improvements for the amount of \$526,506 with a contingency of \$78,975.90 (15%). This results in a total project amount of \$605,481.90. While funds are budgeted for these improvements in the Capital Improvement Program's Miscellaneous Thoroughfares and Street Improvements project, the City will utilize Community Development Block Grant (CDBG) funds for 100% of project costs. This will enable CDD to utilize federal CDBG funds by HUD's mandated spending deadline.

Upon completion of the project, the City Department of Transportation will operate and maintain the infrastructure.

### **Recommendation**

The Community Development Department recommends that the City Council:

1. Authorize the City Manager to execute a contract with Fulcher Electric of Fayetteville, Inc. in the amount of \$526,506 for the installation of signalized pedestrian crossing upgrades;
2. Establish a project contingency fund in the amount of \$78,975.90 (15%); and
3. Authorize the City Manager to negotiate change orders to the project provided the cost of the contract, including all change orders, does not exceed the total project cost of \$605,481.90.

### **Background**

The City of Durham Community Development Department administers the City's entitlement grants from HUD, which includes Community Development Block Grants (CDBG). As the recipient of these funds, the City of Durham is the Responsible Entity. The Responsible Entity assumes the environmental responsibilities and must comply with the provisions of the National

Environmental Protection Agency (NEPA) and Council on Environmental Quality in 24 CFR Part 58.

HUD requires in 24 CFR Part 58 that an Environmental Review is completed by the responsible entity for any project receiving federal funding prior to a choice limiting action. Kimley-Horn and Associates, Inc. completed the NEPA requirements on April 12, 2019 per HUD guidelines and the signal design requirements per the North Carolina Department of Transportation (NCDOT) requirements on 6-11-2019.

The current construction contract includes the following intersections:

- Holloway Street at Raynor Street;
- Fayetteville Street at Umstead Street;
- Holloway Street at Adams Street;
- Fayetteville Street at Brant Street;
- Avondale Avenue at Markham Avenue;
- Avondale Avenue at Trinity Avenue;
- Geer Street at Elizabeth Street;
- Fayetteville Street at Cecil Street;
- Liberty Street at Guthrie Avenue;
- Hyde Park Avenue at Liberty Street; and
- Lawson Street at Ridgeway Avenue

The project will upgrade existing traffic signal infrastructure and permit the city to take advantage of emerging traffic signal technologies. Activities will include installation of pedestrian signal heads on existing poles, push button posts and pedestals, and curb ramps. The improvements will result in improved transportation options, decrease in traffic congestion, reduce vehicle emissions, improve transit reliability, and improve safety for motorists, bicyclists, and pedestrians.

### **Issues and Analysis**

City Transportation and CDD analyzed the environmental and physical constraints of each intersection and determined the appropriate location for each pedestrian crossing and traffic signal improvement with respect to the funding guidelines. The project team concludes that each signal upgrade offers the most cost effective, safe, low maintenance traffic control measure to the traveling public.

The first project advertisement was deemed non-responsive due to a lack of participation. The following is a summary of bids from the second advertisement received and opened on November 19, 2019:

- |  |           |
|--|-----------|
| • Fulcher Electric of Fayetteville, Inc. | \$526,506 |
| • Carolina Power and Signalization, Inc. | \$531,145 |

Based on the bid amounts, the CDD recommends awarding the contract to the low bidder, Fulcher Electric of Fayetteville, Inc. in the amount \$526,506. The total revised project construction costs align with the \$625,000 estimated engineer's probable cost of construction.

### **Alternatives**

- Approve the Construction Agreement with Fulcher Electric of Fayetteville, Inc. for \$526,506 to install the signalized pedestrian crossing upgrades. Recommended

- Reject all bids and retain the current pedestrian amenities at each of the noted intersections.

**Financial Impact**

The cost to construct the signalized pedestrian crossing upgrades is \$526,506 with a contingency of \$78,975.90 (15%). This results in a total project amount of \$605,481.90. The City will utilize available CDBG funds for 100% of the total costs.

**Equal Business Opportunity Summary**

The municipal agreements with NCDOT require that their procedures be followed for these projects. The Equity & Inclusion Department did not review this item for compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting. Fulcher Electric of Fayetteville, Inc.’s bid included the UBE participation listed below:

<b>Firm</b>	<b>ID</b>	<b>City/State</b>	<b>Amount</b>	<b>% of Contract</b>
Whitley Contracting, Inc.	WUBE	Smithfield, NC	\$184,700	35%

**Attachments**

- Contract for Installation of Federally Funded Signalized Pedestrian Improvements
- Exhibit A – Project Special Provisions for the Construction of HUD Funded Signalized Pedestrian Improvements in Durham
- Exhibit B – Traffic Signal Plans for the Construction of HUD Funded Signalized Pedestrian Improvements in Durham
- Exhibit C – Clauses for Contracts involving Federal Financial Assistance (CCFFA)
- Exhibit D – CDBG Grant Compliance Terms and Conditions