



Date: November 19, 2019

To: Thomas J. Bonfield - City Manager
Through: W. Bowman Ferguson - Deputy City Manager
From: Marvin G. Williams - Director of Public Works
Subject: Stormwater Infrastructure Repairs (SD-2020-02)

Executive Summary

On September 17, 2019 bids were opened for Contract SD-2020-02, Stormwater infrastructure Repairs. The project includes repairs, rehabilitation, and improvements of stormwater infrastructure at two site locations in the City of Durham. The lowest responsive, responsible bid was submitted by Hine Sitework, Inc. of Goldsboro, North Carolina. The Public Works Department recommends that the City Council authorize the City Manager to execute a contract with Hine Sitework, Inc. for Contract SD-2020-02 in the amount of \$321,583.

Recommendation

To authorize the City Manager to execute Contract SD-2020-02, Stormwater Infrastructure Repairs, with Hine Sitework, Inc. in the amount of \$321,583;

To establish a contingency fund in the amount of \$48,237.45; and

To authorize the City Manager to negotiate change orders for Contract SD-2020-02 provided that the total contract cost does not exceed \$369,820.45.

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 two site locations in the City of Durham. Both sites are located on City-owned property on Fay Street. The work includes the repair of an existing outlet pipe for a stormwater pond at Go Durham as well as the installation of a bioretention facility at the General Services Department.

Issues and Analysis

The Public Works Department initially solicited bids for this project through the Small Local Business Enterprise (SLBE) program. One bid was received and was returned unopened.

The Department re-advertised publicly for thirty days and received three bids. The low bidder, Vortex Drainage Systems, LLC, was deemed non-responsive by the Department due to a failure to include the required Contractor Safety Record Information in the bid submission. The next lowest bid submitted by Hine Sitework, Inc. did not meet the Underutilized Business Enterprise (UBE) goals for the project and the contractor failed to demonstrate Good Faith Efforts in meeting the minority goal. It was determined it was in the best interest of the City to award the contract to the firm following an appeal hearing. The determination was made in accordance with section 18-58 (h) of the Ordinance to promote Equal Business Opportunities in City Contracting.

The following is a summary of bids received during the most recent solicitation period:

Vortex Drainage Systems, LLC	\$298,192	Low Bid, Non-Responsive
Hine Sitework, Inc.	\$321,583	Next Lowest Bid
FSC II, LLC dba Fred Smith Company	\$337,283	

The Public Works Department recommends awarding Contract SD-2020-02 to Hine Sitework, Inc. in the amount of \$321,583.

Alternatives

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

Financial Impact

This project is budgeted for in the adopted Capital Improvements Project Ordinance (#15488) for storm drainage repairs as well as the Transit Operations fund in the following accounts.

5310U051-731000 (Construction in Progress):	\$55,700
5310U051-731900 (Contract Contingencies):	\$8,355
4300L045-731000-LK109 (Construction in Progress):	\$265,883
4300L045-731900-LK109 (Contract Contingencies):	\$39,882.45
Total:	\$369,820.45

Equal Business Opportunity Summary

The Equity & Inclusion Department reviewed the bid submitted by Hine Sitework, Inc. of Goldsboro, North Carolina 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%. Hine Sitework, Inc. did not meet the MUBE goal and failed to demonstrate Good Faith Efforts in meeting the minority goal. It was determined it was in the best interest of the City to award the contract to the firm following an appeal hearing. The determination was made in accordance with section 18-58 (h) of the Ordinance to promote Equal Business Opportunities in City Contracting.

UBE REQUIREMENTS

Hine Sitework, Inc. is a WUBE firm (80%) and will subcontract to the following certified firms:

Firm	ID	City/State	Amount	% of Contract
Hine Sitework, Inc.	WUBE	Goldsboro, NC	\$256,961.00	80%
Southern Garden	WUBE	Cary, NC	\$39,622.00	12%
Busy Black Trucking	MUBE	Durham, NC	\$25,000.00	8%

After the Bid Opening and Good Faith Efforts determination, Hine Sitework, Inc. submitted the following MUBE additional participation:

Firm	ID	City/State	Amount	% of Contract
Busy Black Trucking	MUBE	Durham, NC	\$10,341.00	3%

WORKFORCE STATISTICS

Total Workforce:

Employment Category	Total Employees	Total Males	Total Females
Project Manager	2	2	0
Professional	2	1	1
Technical	2	0	2
Clerical	1	0	1
Labor	40	40	0
Total	47	43	4

Male:

Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native
Project Manager	2	0	0	0	0
Professional	1	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	10	2	28	0	0
Total	13	2	28	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	2	0	0	0	0
Clerical	1	0	0	0	0
Labor	0	0	0	0	0
Total	4	0	0	0	0

Attachments

1. UBE Compliance Report, dated November 14, 2019.
2. Contract SD-2020-02, Agreement Form, dated December 27, 2019.