



**Date:** August 24, 2021

**To:** Wanda S. Page, City Manager  
**Through:** Bertha T. Johnson, Interim Deputy City Manager  
**From:** Marvin G. Williams, Director of Public Works  
**Subject:** Contract SD-2021-04, Stormwater Infrastructure Repairs

**Executive Summary**

On June 15, 2021 bids were opened for Contract SD-2021-04, Stormwater Infrastructure Repairs. The project includes the furnishing of all materials, labor, equipment, tools, etc. unless otherwise specified, for the complete installation of repairs of stormwater drainage systems at various site locations throughout the City of Durham. The lowest responsive, responsible bid was submitted by Bruce Allen Construction Company, LLC, of Cary, North Carolina. The Public Works Department recommends that the City Council authorize the City Manager to execute a contract with Bruce Allen Construction Company, LLC, for Contract SD-2021-04 in the amount of \$1,383,000.

**Motion**

To authorize the City Manager to execute Contract SD-2021-04, Stormwater Infrastructure Repairs, with Bruce Allen Construction Company, LLC. in the amount of \$1,383,000;

To establish a contingency fund in the amount of \$207,450; and

To authorize the City Manager to negotiate change orders for Contract SD-2021-04 provided that the total contract cost does not exceed \$1,590,450.

**Background**

The contract 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 infrastructure systems at various site locations throughout the City of Durham. Three project sites will be addressed as part of this work. The sites are located in City rights-of-way, City-owned property, and private property. One project is being performed as part of the Private Drainage Assistance Program (PDAP) and includes one property that has been deemed eligible and is participating.

**Issues and Analysis**

The Public Works Department initially advertised the project on April 8, 2021. At the bid opening on May 11, 2021 only one bid was received. The Public Works Department then re-advertised on May 13, 2021. Bids were opened on June 15, 2021. Two bids were received.

The following is a summary of bid received:

Bruce Allen Construction Company, LLC	\$1,383,000.00	Low Bid
Narron Contracting, Inc.	\$1,667,616.00	

The Public Works Department recommends awarding Contract SD-2021-04 to Bruce Allen Construction Company, LLC in the amount of \$1,383,000.

**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 (#15822) for storm drainage repairs following accounts.

4300L045-731000-LK100 (Construction in Progress):	\$1,264,442.67
4300L045-731900-LK100 (Contract Contingencies):	\$189,666.40
4300L045-731000-LK107 (Construction in Progress):	\$118,557.33
4300L045-731900-LK107 (Contract Contingencies):	\$17,783.60
<b>Total:</b>	<b>\$1,590,450.00</b>

**Equal Business Opportunity Summary**

The Equity & Inclusion Department reviewed the bid submitted by Bruce Allen Construction Company, LLC of Cary, North Carolina to determine if they are in compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting. The goals for this project are MUBE 11% and WUBE 7%. Bruce Allen Construction Company did not meet the assigned goals. The Good-Faith Efforts route was invoked. An appeal hearing followed a determination that Bruce Allen Construction Company failed to demonstrate good faith efforts. The decision of the appeal was to award the project to this firm in the best interest of the City in accordance with the Ordinance to promote Equal Business Opportunities in City Contracting.

**UBE REQUIREMENTS**

Bruce Allen Construction Company, LLC will utilize the following certified firm:

<b>Firm</b>	<b>ID</b>	<b>City/State</b>	<b>Amount</b>	<b>% of Contract</b>
Roadworks Construction Company, LLC	WUBE	Raleigh, NC	\$42,928.00	3.10%

**WORKFORCE STATISTICS**

**Total Workforce:**

<b>Employment Category</b>	<b>Total Employees</b>	<b>Total Males</b>	<b>Total Females</b>
Project Manager	3	2	1
Professional	7	5	2
Technical	-	-	-
Clerical	0	0	0
Labor	60	57	3
<b>Total</b>	<b>70</b>	<b>64</b>	<b>6</b>

**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	2	0	0	0	0
Professional	5	0	0	0	0
Technical	-	-	-	-	-
Clerical	0	0	0	0	0
Labor	8	4	45	0	0
Total	15	4	45	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	1	0	0	0	0
Professional	1	1	0	0	0
Technical	-	-	-	-	-
Clerical	0	0	0	0	0
Labor	1	0	2	0	0
Total	3	1	2	0	0

**Contractor Workforce Diversity & Hiring Practices**

Workforce Diversity Summary Statement: According to the contractor's responses to the "Contractor Workforce Diversity Questionnaire," the contractor is a medium employer (50 to 100 employees); consisting of mostly skilled workers. The contractor believes the company has a diverse workforce because their company employs workers of a variety of ethnic backgrounds. The contractor lists 64% of their workforce as Hispanic. The contractor did not list any examples of efforts made to have a more diverse workforce.

**Attachments**

1. Contract SD-2021-04, Agreement Form, dated October 4, 2021.
2. UBE Compliance Report, dated August 9, 2021.