



**Date:** June 6, 2022

**To:** Wanda S. Page, City Manager  
**Through:** Keith Chadwell, Deputy City Manager  
**From:** Sean C. Egan, Director of Transportation  
**Subject:** Construction of NCDOT Owned Traffic Signals in Durham

### **Executive Summary**

On April 19, 2022, The City of Durham Department of Transportation opened bids for a contract to install traffic signal improvements at the following North Carolina Department of Transportation (NCDOT) owned intersections in Durham;

- US Business 15-501 at Hope Valley Road (New Signal with Pedestrian Improvements)
- US Business 15-501 at James Street (Pedestrian Improvements to Existing Signal)
- Garrett Road in Front of Jordan High School (New Signal with Pedestrian Improvements)

The lowest responsive bid was submitted by Fulcher Electric of Fayetteville, Inc., of Fayetteville, North Carolina.

### **Motion**

To authorize the City Manager to execute a contract with Fulcher Electric of Fayetteville, Inc. in the amount of \$362,529.00 for the installation of three traffic signal improvements;

To establish a project contingency fund in the amount of \$54,379.35; and

To 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 \$416,908.35.

### **Background**

As part of the City's Vision Zero resolution approved by the Durham City Council, transportation staff developed a list of intersections with documented safety issues. Two of the subject locations were identified to be correctable via traffic signal installations with pedestrian accommodations. One location was identified to be correctable via the installation of a signalized pedestrian crossing at an existing traffic signal. NCDOT and City Staff collaborated to complete the signal warrant analyses, design of the traffic signals, electrical details, metal pole designs with street lighting and signal system communications plans for each improvement:

- US Business 15-501 at Hope Valley Road (New Signal with Pedestrian Improvements)
- US Business 15-501 at James Street (Pedestrian Improvements to Existing Signal)
- Garrett Road in Front of Jordan High School (New Signal with Pedestrian Improvements)

City Transportation analyzed the physical constraints of each intersection and determined the appropriate location for each pedestrian crossing, sidewalk connection and transit connection to complement the traffic signal installations. The intersection upgrades will improve traffic control at

each location, facilitate use of emerging traffic signal technologies to improve safety for motorists, transit, bicyclists, and pedestrians.

**Issues and Analysis**

The first and second bids for the subject project were deemed non-responsive. The following is a summary of bids received on the third project advertisement on April 19, 2022:

<u>Company</u>	<u>Bid Amount</u>
Fulcher Electric of Fayetteville, Inc.	\$362,529.00

The solitary bid was determined to be acceptable based on the following;

- This was the third advertisement of the subject project
- The bid amount exceeded the engineer’s estimated by 17.2%, but the bid prices were determined to align with current fuel and material (steel, copper and concrete) prices.
- The contractor made a commitment to pay the prevailing Durham Livable Wage of \$16.92 to all employees on this project.

**Alternatives**

City Council can choose to authorize the City Manager to execute a contract with Fulcher Electric of Fayetteville, Inc. since the bid received is competitive, or City Council can choose not to proceed with this project.

**Financial Impact**

Funds for this project are available in the following CIP account(s):

Signalized Pedestrian Improvements – Construction: 3000L000- 731000-LC432	\$362,529.00
Signalized Pedestrian Improvements – Contingency: 3608L010-731900-LC258	<u>\$54,379.35</u>
	Total = \$416,908.35

**Equal Business Opportunity Summary**

The Finance Department reviewed the bid submitted by Fulcher Electric of Fayetteville, Inc. 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 Fulcher Electric exceeded the **WUBE** goal, they did not meet the **MUBE** goal. Therefore, the Good-Faith Efforts route was invoked. It was determined they demonstrated GFE and are in compliance with the Ordinance to promote Equal Business Opportunities in City Contracting.

**UBE REQUIREMENTS**

Fulcher Electric will utilize the following certified firms:

<b>Firm</b>	<b>ID</b>	<b>City/State</b>	<b>Amount</b>	<b>% of Contract</b>
Browe Construction	<b>WUBE</b>	Selma, NC	\$25,350.00	7%
Precision Contracting Services, Inc.	<b>WUBE</b>	Jupiter, FL	\$3,095.00	1%

**Contractor Workforce Diversity & Hiring Practices**

Workforce Diversity Summary Statement: According to the contractor’s responses to the “Contractor Workforce Diversity Questionnaire,” the contractor has 31 employees consisting of “a mix of professional/skilled and unskilled” workers. The contractor believes it has a diverse

workforce. “Fulcher Electric has a specialized workforce for the kind of work it’s employees perform regularly. Minorities and women are included. Fulcher does not have a large turnover with its’ employees.”

In an effort to improve workforce diversity, the contractor actively advertises employment opportunities with 11 Recruitment Agencies with a mission to serve HBCU’s, Veterans, women, residents of the Triangle and Minority candidates. Fulcher Electric of Fayetteville, Inc. committed to paying the prevailing Durham Livable Wage of \$16.92 to all employees on this project.

**Part A - Employee Diversity Breakdown Table for Primary Location**

Employment Category	Total Employees	Total Males	Total Females	M-----a-----l-----e-----s					F-----e-----m-----a-----l-----e-----s				
				White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native
Project Manager	1	1		1									
Professional	3	3		3									
Labor	23	22	1	4	1	17			1				
Clerical	4	0	4						4				
Totals	31	26	5	8	1	17			5				

**Attachments**

- Contract for the Construction of NCDOT owned traffic signals in Durham
- Compliance Report - Construction of NCDOT Owned Traffic Signals in Durham
- Exhibit A – Project Special Provisions for the Construction of NCDOT Owned Traffic Signals in Durham
- Exhibit B – Plans for the Construction of NCDOT Owned Traffic Signals in Durham
- Exhibit C – City of Durham Modifications to 2018 NCDOT Standard Specifications for Roads and Structures