



**Date:** February 20, 2023

**To:** Wanda S. Page, City Manager  
**Through:** Bertha T. Johnson, Deputy City Manager  
**From:** Marvin G. Williams, Director, Department of Public Works  
**Subject:** Stormwater Infrastructure Repairs (SD-2022-02)

**Executive Summary**

On December 20, 2022, bids were opened for Contract SD-2022-02, 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. This contract includes work in the City’s designated Equitable and Green Infrastructure Communities. The lowest responsive, responsible bid was submitted by Roadworks Construction Company, LLC, of Apex, North Carolina. The Department of Public Works recommends that the City Council authorize the City Manager to execute a contract with Roadworks Construction Company, LLC, for Contract SD-2022-02 in the amount of \$2,353,051.85.

**Motion**

To authorize the City Manager to execute Contract SD-2022-02, Stormwater Infrastructure Repairs, with Roadworks Construction Company, LLC. in the amount of \$2,353,051.85;

To establish a contingency fund in the amount of \$352,956; and

To authorize the City Manager to negotiate change orders for Contract SD-2022-02 provided that the total contract cost does not exceed \$2,706,007.85.

**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. Seven 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. Two projects are being performed as part of the Private Drainage Assistance Program (PDAP).

**Issues and Analysis**

The Department of Public Works initially advertised the project on October 21, 2022. At the bid opening on December 6, 2022 only one bid was received. The Department of Public Works re-advertised a second bid opening and bids were opened on December 20, 2022. Two bids were received.

The following is a summary of bid received:

Roadworks Construction Company, LLC	\$2,353,051.85	Low Bid
Pipeline Utilities Inc.	\$2,984,072.00	

The Public Works Department recommends awarding Contract SD-2022-02 to Roadworks Construction Company, LLC in the amount of \$2,353,051.85.

**Alternatives**

City Council could elect to not approve the contract. If the contract is not approved the construction schedule would be delayed and construction cost could increase due to the continued rise in construction costs.

**Financial Impact**

This project is budgeted for in the adopted Capital Improvements Project Ordinance (#15954) for storm drainage repairs following accounts.

4300L045-731000-LK100 (Construction in Progress):	\$465,150.89
4300L045-731900-LK100 (Contract Contingencies):	\$69,772.00
4300L045-731000-LK105 (Construction in Progress):	\$404,542.82
4300L045-731900-LK105 (Contract Contingencies):	\$60,681.00
4300L045-731000-LK107 (Construction in Progress):	\$1,483,358.14
4300L045-731900-LK107 (Contract Contingencies):	<u>\$222,503.00</u>
Total:	\$2,706,007.85

**Equal Business Opportunity Summary**

The Finance Department’s Underutilized Business Compliance Division reviewed the bid submitted by Roadworks Construction Company of Apex, 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%. Roadworks Construction Company exceeded the WUBE goal but failed to meet the MUBE goal. After review, it was determined they demonstrated a Good Faith Effort and are in compliance with the Ordinance to promote Equal Business Opportunities in City Contracting.

**UBE REQUIREMENTS**

Roadworks Construction Company, LLC will utilize the following certified firms:

<b>Firm</b>	<b>ID</b>	<b>City/State</b>	<b>Amount</b>	<b>% of Contract</b>
Pacific Trucking	MUBE	Raleigh, NC	\$176,557.50	7.5%
Browe Construction	WUBE	Selma, NC	\$85,115.00	3.6%
Seal Brothers	WUBE	Mount Airy, NC	\$30,406.29	1.3%

\* Roadworks Construction Company, LLC is a State HUB Certified Women-owned Business.

**Contractor Workforce Diversity & Hiring Practices**

According to the contractor’s responses to the “Contractor Workforce Diversity Questionnaire,” the contractor is a small employer (less than 50 employees) consisting of a mix of professional/skilled and unskilled workers. The contractor believes it has a diverse workforce because “70% of total workforce is either minority or female. 3 out of 4 foremen are Hispanic (75%). Of the positions they typically recruit for (craft positions), 86% of those employees are minorities.” The contractor did list a few examples of efforts it makes to have a more diverse workforce. The contractor stated that they notify the National Association of Women in Construction and United Minority Contractors of NC of open positions.

## WORKFORCE STATISTICS

### Total Workforce:

<b>Employment Category</b>	<b>Total Employees</b>	<b>Total Males</b>	<b>Total Females</b>
Project Manager	2	2	0
Professional	8	6	2
Technical	-	-	-
Clerical	-	-	-
Labor	14	14	0
Total	24	22	2

### 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	3	0	3	0	0
Technical	-	-	-	-	-
Clerical	0	0	0	0	0
Labor	2	1	11	0	0
Total	7	1	14	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	0	0	0	0	0
Professional	2	0	0	0	0
Technical	-	-	-	-	-
Clerical	0	0	0	0	0
Labor	0	0	0	0	0
Total	2	0	0	0	0

### Attachments

1. Contract SD-2022-02, Agreement Form, dated March 6, 2023