



**Date:** March 6, 2023

**To:** Wanda S. Page, City Manager  
**Through:** Keith Chadwell, Deputy City Manager  
**From:** Sean C. Egan, Director of Transportation  
**Subject:** Construction of a Traffic Signal at Renaissance Parkway and Leonardo Drive

**Executive Summary**

On December 7, 2022, The City of Durham Department of Transportation opened bids for a contract to install a new traffic signal at Renaissance Parkway and Leonardo Drive in Durham. The low responsive bid was submitted by LMJ Pavement Marking, LLC from Willow Spring, North Carolina.

**Motion**

To authorize the City Manager to execute a contract with LMJ Pavement Marking, LLC in the amount of \$346,627.54 for the installation of a new traffic signal at Renaissance Parkway and Leonardo Drive;

To establish a project contingency fund in the amount of \$51,994.13; 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 contract cost of \$398,621.67.

**Background**

The intersection of Renaissance Parkway and Leonardo Drive was the site of a fatal vehicle crash on July 1, 2019. As part of the City’s Vision Zero Program, transportation staff completed a post-crash safety, capacity and signal warrant analysis of the intersection. The traffic study revealed the intersection met multiple traffic signal warrants based on traffic volumes.

VHB Engineering of NC, P.C. (VHB) was selected to design the traffic signal, electrical details, metal poles, street lighting and signal system communications plan for the proposed traffic signal. City Transportation and VHB analyzed the physical constraints of the intersection and determined the appropriate locations for each pedestrian crossing to complement the traffic signal installation. The proposed traffic signal upgrade will improve traffic flow, utilize emerging traffic signal technologies, improve safety for motorists, transit ridership and pedestrians.

**Issues and Analysis**

The first advertisement of the subject project was held on August 17, 2022. The bid opening was deemed non-responsive due to an insufficient number of bids.

The following is a summary of bids received on the second project advertisement on December 7, 2022:

Company	Bid Amount
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ALS of North Carolina, Inc.	\$300,000.00 <i>(Non-Compliant)</i>
LMJ Pavement Marking, LLC	\$346,627.54 <i>(Low Responsive)</i>
Fulcher Electric of Fayetteville, Inc.	\$357,560.00

The Underutilized Business Compliance Division reviewed the proposal submitted by ALS of North Carolina and determined they were not in compliance with the Ordinances to Promote Equal Business Opportunities in City of Durham Contracting. ALS of North Carolina proposal was deemed non-compliant.

The LMJ Pavement Marking, LLC proposal was determined to be the low responsive bid based on the following;

- The bid amount of \$346,627.54 was within 1% of the engineer’s construction estimate of \$343,540.00
- The contractor made a commitment to pay the prevailing Durham Livable Wage of \$17.60 to all employees on this project
- LMJ Pavement Marking, LLC is a HUB certified **WUBE** firm

**Alternatives**

City Council can choose to authorize the City Manager to execute a contract with LMJ Pavement Marking, LLC 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):

Renaissance Traffic Signal - Construction: 3000L000-731000-LC430	\$346,627.54
Renaissance Traffic Signal - Contingency: 3000L000-731900-LC430	<u>\$51,994.13</u>
	Total = \$398,621.67

**Equal Business Opportunity Summary**

The Underutilized Business Compliance Division reviewed the proposal submitted by LMJ Pavement Marking, LLC of Willow Springs, NC and determined that they are in compliance with the Ordinances to Promote Equal Business Opportunities in City of Durham Contracting. The goals for this effort was/were **MUBE** 11% and **WUBE** 7%.

The firm exceeded the WUBE goal but failed to meet MUBE participation. After review, it was determined they demonstrated Good Faith Efforts and is in compliance with the Ordinance to promote Equal Business Opportunities in City Contracting.

\*LMJ Pavement Marking, LLC is a HUB certified **WUBE** firm\*

**UBE REQUIREMENTS**

LMJ Pavement Marking will subcontract to the following certified firms:

Firm	ID	City/State	Amount	% Of Contract
Browe Construction	WUBE	Selma, NC	\$5,450.00	1.6%
Precision Contacting Services	WUBE	Jupiter , FLA	\$6,565.00	1.9%

**Contractor Workforce Diversity & Hiring Practices**

Workforce Diversity Summary Statement: According to the contractor’s responses to the “Contractor Workforce Diversity Questionnaire,” the contractor has 20 employees consisting of professional and skilled workers. The contractor believes it has a diverse workforce, “Almost half of our employees are mixed between minorities and women.”

In an effort to improve workforce diversity, the contractor actively advertises employment opportunities via, “Facebook, indeed, zip-recruiter and any other forums we can to recruit individuals of any gender or race.” LMJ Pavement Marking, LLC is committed to paying the prevailing Durham Livable Wage of \$17.60 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 Island	Indian or Alaskan Native	
Project Manger	4	2	2	2						2				
Professional	5	5	0	4		1								
Labor	9	9	0	5		4								
Clerical	2	0	2							2				
Totals	20	16	4	11		5				4				

**Attachments**

- Contract - Construction of a Traffic Signal at the Intersection of Renaissance Parkway and Leonardo Drive
- Exhibit A - City of Durham Modifications to 2018 NCDOT Standard Specifications for Roads and Structures
- Exhibit B - Project Plans for the Construction of a Traffic Signal at the Intersection of Renaissance Parkway and Leonardo Drive
- Exhibit C - Project Special Provisions for the Construction of a Traffic Signal at the Intersection of Renaissance Parkway and Leonardo Drive
- Exhibit D - Payment and Performance Bonds for the Construction of a Traffic Signal at the Intersection of Renaissance Parkway and Leonardo Drive