



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District A, District C, District D, District E, District F, District G, District H, District I, District J, District K

Item Creation Date: 10/25/2021

HPW-20PMO46 Accept Work / DG Medina Construction, LLC

Agenda Item#:

Background:

SUBJECT: Accept Work for Safe Sidewalk Program Work Authorization Project.

RECOMMENDATION: (SUMMARY) Pass a motion to approve the final Contract Amount of \$1,899,941.40 or 2.45% over the original Contract Amount, accept the Work and authorize final payment.

PROJECT NOTICE/JUSTIFICATION: This project was part of the continuing effort by the City of Houston to construct sidewalks throughout the City to meet the needs of its residents. However, due to issues with the Contractor's inability to complete the construction of sidewalks in a timely manner, a change in scope was necessary. The Department and DG Medina Construction, LLC mutually agreed to modify the scope to traffic calming device installations, in order to fully utilize the appropriated funds. The change in scope was advantageous to the City due to the backlog of approved requests for traffic calming devices. The change of scope also prevented the Contract from being terminated due to Work Authorization 7 and 10 not being completed.

DESCRIPTION/SCOPE: This project consisted of the construction of sidewalk improvements at various locations until the Change of Scope was approved for traffic calming devices to be added to the project. This was a work order contract; the projects were assigned as they were designed in-house. The original Contract duration for this project was 365 calendar days. The project was awarded to D G Medina Construction, LLC with an original Contract Amount of \$1,854,600.50.

LOCATION: The projects were located in 45 locations.

CONTRACT COMPLETION AND COST: The Contractor, D G Medina Construction, LLC has completed the work under the subject Contract. The project was completed beyond the established completion date with an additional 850 days approved by Change Order Nos 2, 5, 7. The final cost of the project, including overrun and underrun of estimated unit price quantities and previously approved Change Order Nos 1, 2, 3, 4, 6 and 7 is \$1,899,941.40, an increase of \$45,340.90 or 2.45% over the original Contract Amount and under the 5% contingency amount. The increased cost is a result of the difference between planned and measured quantities.

MWSBE PARTICIPATION: The advertised M/WBE contract goals for this project were 9.00 MBE and 6.00% WBE (15.00% Total). The M/W/SBE goals approved for this project were 9.23% MBE, 6.10% WBE and 0.38% SBE (15.71% Total). According to the Office of Business Opportunity, the actual participation achieved on this project was 2.70% MBE, 2.45% WBE, and 4.00% SBE (9.17% total). The standard for meeting MWSBE participation goals is the demonstration of Good Faith Efforts. The Contractor's M/W/SBE performance on this project was rated Satisfactory due to Good Faith Efforts for the following reasons: Although the Prime was unable to achieve the contract goals, the Prime made Good Faith Efforts utilizing all credit subcontractors to maximum capacity. Due to a change in scope from sidewalk construction to the installation of traffic calming devices, the use of the originally listed goal credit subcontractors was limited as they were not able to perform this service. The Prime demonstrated good faith efforts to engage other certified firms on the contract, but was ultimately unsuccessful in securing participation. For the reasons listed, the Contractor's performance meets the intent of the spirit of the City of Houston's MWSBE program.

DocuSigned by:

 8/24/2023
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Carol Ellinger Haddock, P.E., Director
Houston Public Works

WBS No. N-320610-0129-4

Prior Council Action:

Ordinance No. 2018-0160, dated 02-28-2018

Amount and Source of Funding:

No additional funding required.

Total (original) appropriation of \$2,310,600.00 from Fund 4040A-METRO Construction-Other.

Contact Information:

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Assistant Director
Traffic and Drainage Operations
Phone: (832) 395-2443

ATTACHMENTS:

Description	Type
Maps	Backup Material
Project List	Backup Material
OBO Documents	Backup Material
Prior Council Action	Backup Material
Ownership Information Form and Tax Report	Backup Material
Change Orders	Backup Material
Final Estimate	Backup Material