

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Low Lift Pump Station (LLPS) Direct Connection and Pressure Regulating Station (PRS) at East Water Purification Plant (EWPP) WBS No. S-000902-0133-3 and S-000902-0133-4	Page 1 of 3	Agenda Item #
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date:	Agenda Date:
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Director's Signature: <i>Dale A. Rudick</i> Dale A. Rudick, P.E.	Council District affected: WNW E	2016 MAY 23 PM 1:37 CONTROLLER'S
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For additional information contact: <i>Ravi Kaleyatodi 4/22/16</i> Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
Accept low bid, award construction contract, and appropriate funds.

Amount and Source of Funding:
\$12,833,500.00 from Water and Sewer System Consolidated Construction Fund No. 8500 *M.P. 5/4/2016*

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Surface Water Transmission Program. This program is required to improve existing water distribution systems and to meet Harris-Galveston Coastal Subsidence District's Legislative mandate to regulate the withdrawal of groundwater.

DESCRIPTION/SCOPE: This project consists of construction of raw water direct connection piping to Low Lift Pump Stations at Plants 1 & 2 from the 84-inch Interconnection pipeline and the 60-inch raw water line at southwest corner of East Water Purification Plant site. Includes concrete vaults, flow control valves, instrumentation, pre-fabricated control building structures, electrical, and Supervisory Control and Data Acquisition improvements. The Contract duration for this project is 720 calendar days. This project was designed by Lockwood, Andrews & Newnam, Inc.

LOCATION: East Water Purification Plant, 2300 Federal Road, City of Galena Park. The project is located in Key Map Grids 496-U and 496-Y.

BIDS: This project was advertised for bidding on October 23, 2015. Bids were received on December 3, 2015. The four (4) bids are as follows:

Bidder	Bid Amount
1. CYMI Industrial, Inc.	\$10,826,912.00
2. S.J. Louis Construction of Texas, LTD	\$12,813,667.82
3. LEM Construction Co., Inc.	\$12,862,284.00
4. Oscar Renda Contracting, Inc.	\$12,923,335.00

LTS No. 15696 CUIC ID #20WMW01

Finance Department:	Other Authorization: <i>Jun Chang</i> Jun Chang, P.E., D.WRE Deputy Director Public Utilities Division	Other Authorization: <i>Carol Ellinger Haddock</i> Carol Ellinger Haddock, P.E. Interim Deputy Director Engineering and Construction Division
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AWARD: It is recommended that this construction contract be awarded to CYMI Industrial, Inc. with a low bid of \$10,826,912.00 and that Addendum Number 1 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$12,833,500.00 to be appropriated as follows:

• Bid Amount	\$10,826,912.00
• Contingencies	\$ 541,345.60
• Engineering and Testing Services	\$ 110,000.00
• CIP Cost Recovery	\$ 324,822.40
• Construction Management	\$ 715,420.00
• Construction Phase Engineering Services	\$ 315,000.00

Engineering and Testing Services will be provided by Aviles Engineering Corporation under a previously approved contract.

Construction Management Services will be provided by KBR, Inc. under a previously approved contract.

Construction Phase Services will be provided by Lockwood, Andrews & Newnam, Inc. under a previously approved contract.

HIRE HOUSTON FIRST:

The proposed contract requires compliance with the City's 'Hire Houston First' ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, CYMI Industrial Inc. does not meet the requirements for Hire Houston First designation; no Hire Houston First firms were within three percent.

PAY OR PLAY PROGRAM:

The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

MWSBE PARTICIPATION: The contractor has submitted the following proposed program to satisfy the 7 % MBE goal and 2 % WBE goal for this project.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Hallmark Hose Organization, Inc.	Pipe and Fittings	\$740,000.00	6.83%
2. Thompson's Construction Structural Designs	Concrete Vault Structure	\$320,400.00	2.96%
	TOTAL	\$1,060,400.00	9.79%

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. H & E Aggregate, LLC	Sand & Concrete	\$72,109.00	0.67%
2. KMA Contractors Services, Inc.	Sand & Concrete Materials	\$114,799.00	1.06%
3. BL Technology, Inc.	Measuring Instruments	\$110,786.00	1.02%
	TOTAL	\$297,694.00	2.75%

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<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Macaulay Controls Company, Inc.	Process Controls	\$206,580.00	1.91%
2. J & S Valve, Inc.	Ball Valves	\$337,800.00	3.12%
3. Aggregate Technologies, Inc.	Concrete Sawing and Drilling	<u>\$33,743.00</u>	<u>0.31%</u>
	TOTAL	\$578,123.00	5.34%

All known rights-of-way, easements and/or right-of-entry required for the project have been acquired.

AA EA SD PCM WMW
 DAR:CEH:RK:SD:ACM:WMW:wmw
For

H:\design\A-WS-DIV\PROJECTS\SWTPIS-000900-0121-3\S-000902-0133-3 (FKA S-000900-0133-3)\Construction RCA\Construction RCA - S-000902-0133-4.doc
 c: File: S-000902-0133-4 (3.7)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. The City Council appropriates the sum or sums of money set out in the title of this Ordinance, out of the respective fund or funds set out in such title as follows: The sum of \$ 11,368,257.60 is appropriated for construction of the project described in the title, the sum of \$ 324,822.40 is appropriated for CIP cost recovery relating to construction of facilities financed by the funds described in such title, the sum of \$ 110,000.00 is appropriated for engineering testing under Outline Agreement No. **4600012045**, the sum of \$ 715,420.00 is appropriated as funding for construction management under Outline Agreement No. **4600012589**, and the sum of \$ 315,000.00 is appropriated for construction phase III – construction phase engineering services under Outline Agreement No. **4600011901**. In the event there are unspent funds remaining in the Construction Appropriation after construction and closeout of the project, such unspent funds are appropriated for CIP Cost Recovery relating to construction of facilities financed by the fund described in the title.

Section 2. Having duly advertised for and received competitive bids for the work described in the title of this ordinance, the City Council hereby finds and determines that the lowest responsible bid was submitted by the bidder named in the title hereof in the amount of \$10,826,912.00. The Contract for said work is hereby awarded to said bidder. The bidder must execute the contract and deliver to the City's Director of the Department of Public Works and Engineering (Director) all required bonds, insurance certificates, MWBE information, and all other contract documents required to be provided in post bid procedures in a form acceptable to the City Attorney within 10 days of the date of passage of this Ordinance by City Council. If the bidder does so, the Mayor is hereby authorized to execute the contract.

Section 3. If bidder fails to comply by the above deadline, it shall be in default. The Director shall give the bidder notice of default. The Director shall give the bidder notice of default and recommend award of the contract to the next lowest bidder. The City Attorney is authorized to forfeit the bid bond of the bidder. The City Council hereby approves and authorizes the construction contract described in the title of this ordinance, in form prepared by the Department of Public Works and Engineering and on file in that Department. Any addenda or modifications to such contract issued by that Department shall be included in the contract. Any alternate bid items recommended for acceptance by that Department shall be included in the contract. The Mayor is hereby authorized to execute such document and all related documents (including any related surety bonds) on behalf of the City of Houston, Texas. The City Secretary is hereby authorized to attest to all such signatures and to affix the seal of the City to all such documents.

Section 4. The Mayor is hereby authorized to take all actions necessary to effectuate the City's intent and objectives in approving such agreement, agreements or other undertaking referenced in the title of this ordinance, in the event of changed circumstances.

Section 5. The City Attorney is hereby authorized to take all action necessary to enforce all legal obligations under said contract without further authorization from Council.

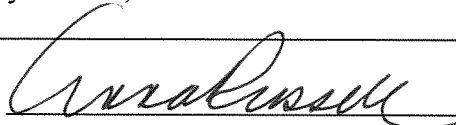
Section 6. There exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this 15th day of June, 2016

APPROVED this ___ day of _____, 20__.

Mayor of the City of Houston, Texas

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is JUN 21 2016



City Secretary


Requested by: Dale A. Rudick, P.E., Director
Dept. of Public Works and Engineering

(Contact: Arthur Morris, P.E.)
(Phone: (832) 395-2317)

This Ordinance and/or Contract has (have) been reviewed as to form by the undersigned legal assistant and has (have) been found to meet established Legal Department criteria. The Legal Department has not reviewed the content of these documents.

5-23-16

Date



Legal Assistant

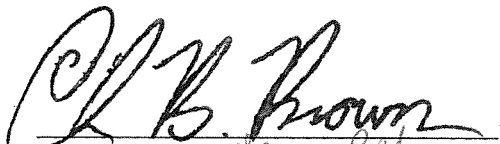
CAPTION PUBLISHED IN DAILY COURT
REVIEW DATE: JUN 21 2016

CERTIFICATE OF CITY CONTROLLER

I, Chris Brown, Controller of the City of Houston, Texas, pursuant to Article II, Section 19a of the Charter of the City of Houston, Texas, with respect to the sum of **\$ 12,833,500.00** required for the project referenced in the title of this ordinance, do hereby certify as follows:

1. Water and Sewer System Consolidated Construction Fund:

- (a) The sum of **\$12,833,500.00** will be funded from water and sewer system bond proceeds and/or water and sewer system commercial paper proceeds (first-in-first-out basis) pursuant to Ordinance No. 93-1409 authorizing the creation of the Water and Sewer System Consolidated Construction Fund. To the extent that this sum will be paid with bond proceeds, it is in the treasury in the said fund, and is not appropriated for any other purpose.
- (b) To the extent that the **\$12,833,500.00** will be paid by commercial paper proceeds, funds will be received into the treasury and available before the maturity of said obligation, and said anticipated funds have not already been appropriated for any other purpose. Such sum will be received as a cash draw(s) to the City of Houston, Texas pursuant to the Water and Sewer System Commercial Paper Ordinance, Ordinance No. 93-1209.


City Controller *Chris Brown*

AYE	NO	
✓		MAYOR TURNER
••••	••••	COUNCIL MEMBERS
✓		STARDIG
✓		DAVIS
✓		COHEN
✓		BOYKINS
✓		MARTIN
✓		LE
✓		TRAVIS
✓		CISNEROS
✓		GALLEGOS
✓		LASTER
✓		GREEN
✓		KNOX
✓		ROBINSON
✓		KUBOSH
	ABSENT-ON PERSONAL BUSINESS	EDWARDS
✓		CHRISTIE
CAPTION	ADOPTED	