Item 17



Travis County Commissioners Court Agenda Request

Meeting Date: April 16, 2013, 9:00 AM, Voting Session

Prepared By/Phone Number: John E. Pena, CTPM; Marvin Brice, CPPB,

Purchasing Office, 512-854-9700

Elected/Appointed Official/Dept. Head: Cyd Grimes, Purchasing Agent

Commissioners Court Sponsor: Judge, Samuel T. Biscoe

AGENDA LANGUAGE: APPROVE CONTRACT AWARD FOR FISCAL YEAR 2012 HMAC OVERLAY PROGRAM, IFB NO. 1207-003-JE, TO THE LOW BIDDER AUSTIN MATERIAL, D/B/A/, RAMMING PAVING COMPANY FOR GROUP I.

- ➤ Purchasing Recommendation and Comments: Purchasing concurs with department and recommends approval of requested action. This procurement action meets the compliance requirements as outlined by the statutes.
- ▶ IFB No. 1207-003-JE, Fiscal Year 2012 HMAC Overlay Program was issued on July 25, 2012. The project consist of services for the HMAC Overlay Program in Precincts 1 (Group A); 2 (Group B); 3 (Group C); 4 (Group D); LCRA/Travis County Parks (Group E); (There is no Group F); Criminal Justice Facilities Projects (Group G); Facilities Management Projects (Group H); City of Lakeway Projects (Group I) and City of Rollingwood Projects (Group J). However, after the solicitation was issued, Facilities Management Projects (Group H) and City of Rollingwood Projects (Group J) were removed from the bid solicitation by Addenda 1 and 2 due to lack of funding.
- ➤ Of the thirty-seven (37) bids either downloaded or viewed via Travis County's third party e-procurement vendor system, BidSync, three (3) bids were received in response to this solicitation when subject IFB was opened on August 22, 2012 at 2:00 P.M., CST. The apparent low bidders were APAC of Texas, Inc. (Wheeler Companies) and Austin Material d/b/a Ramming Paving Company.
- ➤ On September 25, 2012, the Commissioners Court awarded Groups A, B, C, D, E, G and Add Alternates E1 and G1 to APAC of Texas, Inc. It was determined at that time that award recommendation to Austin Material d/b/a Ramming Paving Company would occur once funding was finalized with the City of Lakeway. In March of 2013, the City of Lakeway completed their

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us by Tuesdays at 5:00 p.m. for the next week's meeting.

funding request and the department is now ready to move forward with the construction service contract as follows:

Austin Material d/b/a Ramming Paving Company

City of Lakeway Group I <u>\$ 394,245.00</u>

Total Recommendation Pending Award \$ 394,245.00

➤ Contract Expenditures: Within the last 12 months \$1,283,953.00 has been spent against the 2012 HMAC Overlay Program.

Contract-Related Information:

Award Amount: \$394,245.00 (Austin Material d/b/a Ramming Paving Co.)

Contract Type: Construction

Contract Period: Through Completion

Contract Modification Information: N/A

Modification Amount: Modification Type: Modification Period:

> Solicitation-Related Information:

Solicitations Sent: 37 Responses Received: 3
HUB Information: None % HUB Subcontractor: 0%

> Special Contract Considerations: N/A

Award has been protested; interested parties have been notified.
Award is not to the lowest bidder; interested parties have been notified.
Comments:

> Funding Information:

✓ Funds Reservation: 300000538✓ Cost Center: As shown below

	Funded		
Funds Center/Fund	Program	GL Account	Amount
1490294050	600063	511930	\$394,245.00



TRANSPORTATION AND NATURAL RESOURCES STEVEN M. MANILLA, P.E., COUNTY EXECUTIVE, TNR

700 Lavaca Street 7th Floor P. O. Box 1748 Austin, Texas 78767 (512) 854-9383 FAX (512) 854-4697

March 19, 2013

MEMORANDUM

TO:

Cyd Grimes, County Purchasing Agent

FROM:

Steven M. Manilla, P.E., County Executive, TNR

SUBJECT: Place Item on Commissioners Court Agenda to Award a Construction Services Contract for the FY 2012 HMAC Overlay Program – (Group I)

Proposed Motion: Award a construction service contract for the above project in the amount of \$394,245.00 to the apparent low bidder JD Ramming Paving Company.

Summary and Staff Recommendation: On Wednesday, August 22, 2012, Travis County received bids from three vendors in response to IFB 1207-003-JE. TNR has reviewed the bids and would like to award the construction contract for work in the City of Lakeway to the apparent low bidder JD Ramming Paving Co. The total is \$394,245.00; this amount is encumbered under funds reservation number 300000538.

Budgetary and Fiscal Impact: The account numbers for this work are as follows:

City of Lakeway (Group I)

Fund Center	Fund	Funded Program	G/L Account	Amount
1490294050	4050	600063	511930	\$394,245.00

Required Authorizations: Planning and Budget, County Attorney's Office, Auditor's Office.

Exhibits: Bid tabulation summary.

TDG:SMM:tdg

Copy: Travis Gatlin, Planning & Budget Office
Alan Miller, Planning & Budget Office

John Peña, Purchasing Don Ward, TNR

Donna Williams-Jones, TNR

CTS	
TRAVIS COUNTY PURCHASING CONSTRUCTION CONTRACTS	ON FORM
JNTY PURCHASING CC	BID TABULATION FORM
TRAVIS COL	

BID NO.:	1207-003-JE	8/22/2012	RIDS SOI ICITED.	3230
DESCRIPTION:	2012 HMAC Overlay Program	2:00 PM		2 42
DEPARTMENT:	TNR	11/21/2012	BIDS ACT VIEWED: 37	37
CONTACT/NO.:	D.Ward / x49317		BIDS RECEIVED.	5 6
			HUBS RECEIVED:	, c

GROUP A (PRECINCT ONE)

		Angel Brothers	rother	s Enterprises,	AP	AC of	APAC of Texas -	Austi	in Mat	Austin Material dba
DIDDENS NAME				<u>A</u>	Whee	eler Co	Wheeler Companies	JD Ran	ming	JD Ramming Paving Co.
BID ITEM				Base Bid Group A Items			Base Bid Group A Items			Base Bid Group A Items
1A	Levelup	00.833.00 \$96.00	\$96.00	\$655,968.00	6,833.00 \$53.00	\$53.00	\$362,149,00	6.833.00 \$75.00	\$75.00	\$512 475 00
2A	1&1/2" HMAC 248,502.00	248,502.00	\$7.50	\$1,863,765.00	248,502.00	\$5.60	\$1,391,611.20	248,502.00	\$5.50	\$1.366.761.00
34	Excavation	340.00	\$42.00	\$14,280.00	340.00	\$10.00	\$3,400.00	340.00	1	\$17,000.00
4A	Tabs	2,239.00	\$1.20	\$2,686.80	2,239.00	\$1.00	\$2,239.00	2,239.00	\$1.00	\$2,239.00
GROUP-A BASE BID				\$2,536,699.80		1 × 7	\$1,759,399.20			\$1,898,475.00

GROUP B (PRECINCT TWO)

		Angel Brothers En	rother	s Enterprises,	AP	AC of	APAC of Texas -	Aust	in Mat	Austin Material dba
BIDDERS NAME			5	<u> </u>	Whe	eler C	Wheeler Companies	JD Ran	nming	JD Ramming Paving Co.
BID ITEM				Base Bid Group B Items			Base Bid Group B Items			Base Bid Group B Items
18	Levelup	100	332.00 \$96.00	\$31,872.00	332.00	332.00 \$61.00	\$20,252.00	332.00	332.00 \$75.00	\$24 900 00
2B	1&1/2" HMAC	12,061.00	\$7.50	\$90,457.50	12,061.00 \$6.50	\$6.50	\$78,396.50	12.061.00	\$6.50	\$78.396.50
38	Excavation	20.00	\$60.00	\$1,200.00	20.00	20.00 \$17.00	\$340.00	20.00	20.00 \$175.00	\$3,500.00
48	Tabs	126.00	\$1.20	\$151.20	126.00	\$3.00	\$378.00	126.00	126.00 \$1.00	\$126.00
GROUP-B BASE BID				\$123,680.70	118		\$99,366.50			\$106,922.50

		TRAVI	IS COU	TRAVIS COUNTY PURCHASING CONSTRUCTION CONTRACTS BID TABULATION FORM	IG CONSTI	RUCTIC	ON CONTRACTS	(0	P I		
				GROUP C (PRECINCT THREE)	RECINCT T	HREE)					Charles of
BIDDERS NAME		Angel Brothers LTD	rothers	s Enterprises.	Whee	AC of	APAC of Texas -	Aust JD Ram	in Mat	Austin Material dba JD Ramming Paving Co.	CHARLE UNDER
BID ITEM				Base Bid Group C Items			Base Bid Group C Items			Base Bid Group C Items	Charles and the
10	Levelup	3,227.00	\$96.00	\$309,792.00	3,227.00	\$59.00	\$190,393.00	3,227.00	\$65.00	\$209.755.00	
2C	1&1/2" HMAC	1	\$7.50	\$880,597.50	117,413.00	\$6.10	\$716,219.30	117,413.00	\$5.85	\$686,866.05	100
3C	Excavation	176.00	\$42.00	\$7,392.00	176.00	\$15.00	\$2,640.00	176.00	\$75.00	\$13,200.00	200
4C	Tabs	1,166.00	\$1.20	\$1,399.20	1,166.00	\$1.00	\$1,166.00	1,166.00	\$1.00	\$1,166.00	Witte
GROUP-C BASE BID				\$1,199,180.70		Property of the Control of the Contr	\$910,418.30			\$910,987.05	的 种的特别的对象
			THE CALL OF THE STATE OF THE ST	GROUP D (PRECINCT FOUR)	RECINCT F	OUR)					510
		Angel B	rothers	Angel Brothers Enterprises,	AP,	APAC of Texas	Texas -	Austi	in Mat	Austin Material dba	Market S.
BIDDERS NAME			LTD	٥	Whee	eler Co	Wheeler Companies	JD Ram	ming	JD Ramming Paving Co.	current Res
BID ITEM			-271	Base Bid Group D Items			Base Bid Group D Items			Base Bid Group D Items	V. 407+61635-4-14
10	Levelup	3,296.00	\$96.00	\$316,416.00	3,296.00	\$53.00	\$174,688.00	3,296.00	\$80.00	\$263,680.00	t-line
2D	1&1/2" HMAC	11	\$7.50	\$898,777.50	119,837.00	\$5.60	\$671,087.20	119,837.00	\$5.75	\$689,062.75	1856
3D	Excavation	172.00	\$42.00	\$7,224.00	172.00	\$15.00	\$2,580.00	172.00	\$70.00	\$12,040.00	244
4D	Tabs	1,139.00	\$1.20	\$1,366.80	1,139.00	\$1.00	\$1,139.00	1,139.00	\$1.00	\$1,139.00	200
GROUP-D BASE BID			E 28	\$1,223,784.30			\$849,494.20	54		\$965,921.75	ACCRECATION.
			1	THE STREET		188	CONTRACTOR OF STREET AND ADDRESS OF THE STREET, SAN				

TRAVIS COUNTY PURCHASING CONSTRUCTION CONTRACTS	BID TABULATION FORM

		THE REAL PROPERTY.	10999	2000	1=		and the	- Allegan Allegan Co
	Austin Material dba JD Ramming Paving Co.	Base Bid Group E Items	\$150,000.00	\$113,500.00	\$2,975.00	\$8,000.00	\$0.00	\$274,475.00
	n Mat ming		\$15.00	\$11.35	17.00 \$175.00	\$4.00	202	
	Austi JD Ram		10,000.00 \$15.00	10,000.00 \$11.35	17.00	2,000.00 \$4.00	S 7462 I	
PROJECTS)	APAC of Texas - Wheeler Companies	Base Bid Group E Items	\$60,000.00	\$91,000.00	\$476.00	\$10,000.00	\$0.00	\$161,476.00
ARKS	AC of		\$6.00	\$9.10	\$28.00	\$5.00		
OUNTY P	Whee		10,000.00	10,000.00	17.00	2,000.00		
E (LCRA/TRAVIS COUNTY PARKS PROJECTS)	s Enterprises, D	Base Bid Group E Items	\$143,500.00	\$115,000.00	\$1,530.00	\$9,500.00	\$0.00	\$269,530.00
GROUP E	others		\$14.35	\$11.50	\$90.00	\$4.75		W
99	Angel Brothers LTD		10,000.00 \$14.35	10,000.00 \$11.50	17.00	2,000.00	100 100 100	
			Flexbase	2" HMAC	Excavation	Primecoat		
	BIDDERS NAME	BID ITEM	16	2E	3E	4E	N/A	GROUP-E BASE BID & ADD ALTERNATE

		Angel Brothers Er	rother	s Enterprises,	AP	APAC of Texas	Texas -	Aust	in Mat	Austin Material dba
DIDDERS NAME				<u></u>	Whe	eler Co	Wheeler Companies	JD Ran	nming	JD Ramming Paving Co.
BID ITEM				Base Bid Group G Items			Base Bid Group G Items			Base Bid Group G Items
1E1	Flexbase	1,081.00	\$24.00	\$25,944.00	1,081.00	\$8.00	\$8,648.00	1,081.00 \$25.00	\$25.00	\$27,025.00
2E1	2" HMAC	1,081.00	1,081.00 \$14.00	\$15,134.00	1,081.00 \$10.00	\$10.00	\$10,810.00	1,081.00	1,081.00 \$20.00	\$21,620.00
3E1	Excavation	3.00	3.00 \$120.00	\$360.00	3.00	3.00 \$168.00	\$504.00	3.00	3.00 \$300.00	\$900.00
4E1	1&1/2" HMAC	6,571.00	\$8.50	\$55,853.50	6,571.00	\$7.50	\$49,282.50	6,571.00	\$7.00	\$45,997.00
5E1	Primecoat	216.00	\$4.75	\$1,026.00	216.00	\$7.00	\$1,512.00	216.00	\$4.00	\$864.00
GROUP-G BASE BID & ADD ALTERNATE				\$97,291.50	32		\$70,756.50	g Se		\$96,406.00

		GF	GROUP G (C	CRIMINAL JUSTICE FACILITIES PROJECTS	TICE FACIL	LITIES	PROJECTS)			
		Angel B	rother	Angel Brothers Enterprises,	AP,	APAC of Texas	Texas -	Austi	in Mate	Austin Material dba
BIDDEKS NAME			LTD	Q	Whee	eler Co	Wheeler Companies	JD Ram	ming	JD Ramming Paving Co.
BID ITEM				Base Bid Group G Items		11.0 11.0	Base Bid Group G Items			Base Bid Group G Items
16	Prep	2,015.00	\$3.50	\$7,052.50	2,015.00	\$9.50	\$19,142.50	2,015.00	\$5.00	\$10,075.00
100	2" HMAC	2,015.00	\$13.50	\$27,202.50	2,015.00	\$2.00	\$4,030.00	2,015.00	\$13.50	\$27,202.50
	Removal	2,015.00	\$3.65	\$7,354.75	2,015.00	\$3.50	\$7,052.50	2,015.00	\$4.00	\$8,060.00
4G F	Primecoat	403.00	\$4.75	\$1,914.25	403.00	\$5.00	\$2,015.00	403.00	\$4.00	\$1,612.00
GROUP-G BASE BID & ADD ALTERNATE				\$43,524.00			\$32,240.00			\$46,949.50
		GF	GROUP G (C	(CRIMINAL JUSTICE FACILITIES PROJECTS	TICE FACIL	LITIES	PROJECTS)			
		Angel Brothers E	rother	s Enterprises,	AP,	APAC of Texas	Texas -	Austi	in Mate	Austin Material dba
BIDDERS NAME			LTD	Q	Whee	eler Co	Wheeler Companies	JD Ram	ming	JD Ramming Paving Co.
BID ITEM	95			Base Bid Group G Items			Base Bid Group G Items		// ·	Base Bid Group G Items
161	Prep	2,308.00	\$3.50	\$8,078.00	2,308.00	\$2.00	\$4,616.00	2,308.00	\$4.50	\$10,386.00
	2" HMAC	2,308.00	\$11.92	\$27,513.00	2,308.00	\$9.50	\$21,926.00	2,308.00	\$12.50	\$28,850.00
361	Removal	2,308.00	\$4.00	\$9,232.00	2,308.00	\$4.00	\$9,232.00	2,308.00	\$5.70	\$13,155.60
	Primecoat	462.00	\$5.00	\$2,310.00	462.00	\$5.00	\$2,310.00	462.00	\$4.00	\$1,848.00
GROUP-G BASE BID & ADD ALTERNATE				\$47,133.00			\$38,084.00			\$54,239.60

TRAVIS COUNTY PURCHASING CONSTRUCTION CONTRACTS BID TABULATION FORM

GROUP I (CITY OF LAKEWAY)

		Angel Brothers	other	s Enterprises,	AP	AC of	APAC of Texas -	Austil	n Mat	Austin Material dba
BIDDERS NAME		27. / M	5	<u>TD</u>	Whe	eler Co	Wheeler Companies	JD Ram	ming	JD Ramming Paving Co.
BID ITEM				Base Bid Group A Items	CONT. DO		Base Bid Group A Items			Base Bid Group A Items
1A	1&1/2" HMAC 51,713.00 \$7.50	51,713.00	\$7.50	\$387,847.50	51,713.00 \$7.00	\$7.00	\$361,991.00	51,713.00	\$7.00	\$361,991.00
2A	Edge Milling	Edge Milling 16,127.00 \$3.65	\$3.65	\$58,863.55	16,127.00 \$3.40	\$3.40	\$54,831.80	16,127.00	\$2.00	\$32,254.00
GROUP-I BASE BID		IS ITHE		\$446,711.05			\$416,822.80			\$394,245.00

GROUP J WAS REMOVED BY ADDENDA NO. 1

\$394,245.00	Total Award JD Ramming Paving Co.
\$394,245.00	Award on Hold Pending Receipt of Funds form City Lakeway Group I, JD Ramming Paving
\$3,921,234.70	Overali Total to Award APAC
\$70,324.00	Subtotal Criminal Justice Facilities
\$38,084.00	Award Sep 2012, Group G1 Criminal Justice Facilities
\$32,240.00	Award Sep 2012, Group G Criminal Justice Facilities
\$232,232.50	Subtotal LCRA/Travis County Parks
\$70,756.50	Award Sept 2012, Group E1, Hamilton Pool Park
\$3,618,678.20	Subtotal Pots 14
\$849,494.20	Award Sept 2012, Group D Precinct 4
\$910,418.30	Award Sep 2012, Group C Precinct 3
\$99,366.50	Award Sep 2012, Group B Precinct 2
\$1,759,399.20	Award Sep 2012, Group A Precinct 1

STATE OF TEXAS §

COUNTY OF TRAVIS §

This Agreement for Construction Services (the "Construction Contract" or "Contract") is made and entered into this day by and between Travis County, Texas, a political subdivision of the State of Texas (the "County") and <u>Austin Material d/b/a Ramming Paving Company</u> (the "Contractor") and will be binding upon their respective executors, administrators, heirs, successors, and assigns.

WHEREAS, the County desires to enter into a contract for the construction of FISCAL YEAR 2012 HMAC OVERLAY PROGRAM in Travis County, Texas, in accordance with the provisions of state statutes and conforming to the Contractor's Notice of Construction, Bid Proposal (including the Bidding Documents, Bid Form, and any Addenda or Amendments thereto), General Conditions, Supplementary Conditions, and the Specifications and Plans marked FISCAL YEAR 2012 HMAC OVERLAY PROGRAM (BID NO. 1207-003-JE), all of which are incorporated herein;

WHEREAS, the Contractor has been engaged in and now does comparable work and represents that it is fully equipped, competent, and capable of performing the above- desired and outlined work, and is ready and willing to perform such work in accordance with all provisions of the above mentioned Specifications and Plans marked FISCAL YEAR 2012 HMAC OVERLAY PROGRAM (BID NO. 1207-003-JE).

NOW THEREFORE, in consideration of the County's promise to pay the amount below as totaled in the Bid Proposal hereto attached and made part of this Contract, the Contractor agrees to do at his own proper cost and expense all the work necessary for the construction of <u>FISCAL YEAR 2012 HMAC OVERLAY PROGRAM (BID NO. 1207-003-JE)</u> in Travis County, Texas in accordance with the provisions of the aforementioned Contractor's Notice of Construction, the Bid Proposal as awarded by the Commissioners Court, and the Specifications and Plans marked <u>FISCAL YEAR 2012 HMAC OVERLAY PROGRAM (BID NO. 1207-003-JE)</u> to the satisfaction of the County Executive of the Transportation and Natural Resources Department of Travis County, Texas.

This contract document, the Contractor's Notice of Construction, the Bid Proposal (including the Bidding Documents, the Bid Form, and any Addenda or Amendments thereto), and the Specifications and Plans marked <u>FISCAL YEAR 2012 HMAC OVERLAY PROGRAM (BID NO. 1207-003-JE)</u> represents the entire and integrated contract between the County and the Contractor and supersedes all prior negotiations, representations, or agreements, either oral or written. This Contract may be amended only by written instrument signed by both the County and the Contractor.

The said Contractor further agrees to be available for work within 14 calendar days, and to complete said work by the end of October, 2013, and extend if necessary and at the discretion of Travis County, after receiving a written "Notice to Proceed".

Travis County, Texas, in consideration of the full and true performance of the said work by said Contractor, hereby agrees and binds itself to pay to said Contractor the total contract amount of \$394,245.00 consisting of \$202,000.00 for materials to be incorporated into the Project or completely consumed at the job site and services required by or integral to the performance of the contract and \$192,245.00 for all other charges, including the cost of other services, overhead, materials which do not become part of the finished project or are reusable, and machinery or equipment and its accessory, repair, or replacement parts, and in the manner provided for, within 30 calendar days from the receipt of an acceptable invoice. This division of the contract amount is made for sales tax purposes only. The Contractor must maintain internal

records to verify the division. The Contractor must make these records available upon the request of the Travis County Auditor.

This contract will be construed according to the laws of the State of Texas. The performance for this Contract must be in Travis County, and venue for any action will lie in Travis County, Texas. The Contractor warrants that the completed project must be adequate for the purposes intended.

Notwithstanding anything to the contrary herein, if Contractor is delinquent in payment of taxes at the time of invoicing, Contractor hereby assigns any payments to be made for service rendered under this Contract to the Travis County Tax Assessor-Collector for the payment of said delinquent taxes.

NO OFFICIAL, EMPLOYEE, AGENT, OR REPRESENTATIVE OF THE COUNTY HAS ANY AUTHORITY, EITHER EXPRESSED OR IMPLIED, TO AMEND THIS CONTRACT, EXCEPT SUCH EXPRESS AUTHORITY AS MAY BE GRANTED BY THE COMMISSIONERS COURT OF THE COUNTY.

The forfeiture provisions of the contract imposed pursuant to the Travis County Ethics Policy may be waived in whole or in part by the Travis County Commissioners Court.

EXECUTED THIS	DAY OF	, YEAR
TRAVIS COUNTY, TEXAS		AUSTIN MATERIAL d/b/a RAMMING PAVING COMPANY
BY:		BY: Duxfull
TRAVIS COUNTY JUDGE		
APPROVED AS TO FORM:		
TRAVIS COUNTY ATTORNEY		
CERTIFIED FUNDS ARE AVAIL	ABLE	
COUNTY AUDITOR, TRAVIS COUNTY		
APPROVED:		
COUNTY PURCHASING AGENT		
PURCHARING		

Funds Reservation 300000538

General Data

Document type NE Document type

Company code 1000 Document date 03/19/2013

FM area 1000 Posting date 03/19/2013

Controlling area 1000 Currency USD/ 1.00000

Statistics

Entered by GARDNET Created on 03/19/2013

Last changed by Last changed

More Data

Text FY12 HMAC-Group I City of Lakeway Award JD Ramming

Reference

Overall Amount 394,245.00 USD

Document item 001

Text FY12 HMAC-Group I City of Lakeway Award JD Ramming

 Commitment item
 511930
 Funds center
 1490294050

 Fund
 4050
 G/L account
 511930

Cost center Due on Vendor Customer

Amount 394,245.00 USD