

# 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

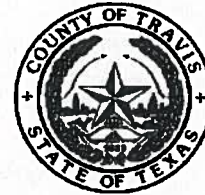
**AGENDA LANGUAGE:** APPROVE CONTRACT AWARD FOR FISCAL YEAR 2012 HMAC OVERLAY PROGRAM, IFB NO. 1207-003-JE, TO THE LOW BIDDER AUSTIN MATERIAL, D/B/A/, RAMMING PAVING COMPANY FOR GROUP I.

- **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](mailto:Cheryl.Aker@co.travis.tx.us) by **Tuesdays at 5:00 p.m.** for the next week's meeting.



#8333



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

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

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March 19, 2013

**MEMORANDUM**

**TO:** Cyd Grimes, County Purchasing Agent  
*Caryl B. Jorgensen*  
**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

*MJD*  
**Copy:** Travis Gatlin, Planning & Budget Office  
Alan Miller, Planning & Budget Office  
John Peña, Purchasing  
Don Ward, TNR  
Donna Williams-Jones, TNR

**TRAVIS COUNTY PURCHASING CONSTRUCTION CONTRACTS  
 BID TABULATION FORM**

<b>BID NO.:</b>	1207-003-JE	8/22/2012	<b>BIDS SOLICITED:</b>	3230
<b>DESCRIPTION:</b>	2012 HMAC Overlay Program	2:00 PM	<b>HUBS SOLICITED:</b>	54
<b>DEPARTMENT:</b>	TNR	11/21/2012	<b>BIDS ACT. VIEWED:</b>	37
<b>CONTACT/NO.:</b>	D.Ward / x49317		<b>BIDS RECEIVED:</b>	3
			<b>HUBS RECEIVED:</b>	0

**GROUP A (PRECINCT ONE)**

<b>BIDDERS NAME</b>	<b>Angel Brothers Enterprises, LTD</b>		<b>APAC of Texas - Wheeler Companies</b>		<b>Austin Material dba JD Ramming Paving Co.</b>	
	<b>BID ITEM</b>	<b>Base Bid Group A Items</b>	<b>Base Bid Group A Items</b>	<b>Base Bid Group A Items</b>	<b>Base Bid Group A Items</b>	<b>Base Bid Group A Items</b>
1A	Levelup	6,833.00 \$96.00	6,833.00 \$53.00	6,833.00 \$75.00	6,833.00 \$75.00	\$512,475.00
2A	1&1/2" HMAC	248,502.00 \$7.50	248,502.00 \$5.60	248,502.00 \$5.50	248,502.00 \$5.50	\$1,366,761.00
3A	Excavation	340.00 \$42.00	340.00 \$10.00	340.00 \$50.00	340.00 \$50.00	\$17,000.00
4A	Tabs	2,239.00 \$1.20	2,239.00 \$1.00	2,239.00 \$1.00	2,239.00 \$1.00	\$2,239.00
<b>GROUP-A BASE BID</b>		<b>\$2,536,699.80</b>	<b>\$1,759,399.20</b>			<b>\$1,898,475.00</b>

**GROUP B (PRECINCT TWO)**

<b>BIDDERS NAME</b>	<b>Angel Brothers Enterprises, LTD</b>		<b>APAC of Texas - Wheeler Companies</b>		<b>Austin Material dba JD Ramming Paving Co.</b>	
	<b>BID ITEM</b>	<b>Base Bid Group B Items</b>	<b>Base Bid Group B Items</b>	<b>Base Bid Group B Items</b>	<b>Base Bid Group B Items</b>	<b>Base Bid Group B Items</b>
1B	Levelup	332.00 \$96.00	332.00 \$61.00	332.00 \$75.00	332.00 \$75.00	\$24,900.00
2B	1&1/2" HMAC	12,061.00 \$7.50	12,061.00 \$6.50	12,061.00 \$6.50	12,061.00 \$6.50	\$78,396.50
3B	Excavation	20.00 \$60.00	20.00 \$17.00	20.00 \$175.00	20.00 \$175.00	\$3,500.00
4B	Tabs	126.00 \$1.20	126.00 \$3.00	126.00 \$1.00	126.00 \$1.00	\$126.00
<b>GROUP-B BASE BID</b>		<b>\$123,680.70</b>	<b>\$99,366.50</b>			<b>\$106,922.50</b>

**TRAVIS COUNTY PURCHASING CONSTRUCTION CONTRACTS  
 BID TABULATION FORM**

**GROUP C (PRECINCT THREE)**

BIDDERS NAME	<u>Angel Brothers Enterprises, LTD</u>		<u>APAC of Texas - Wheeler Companies</u>		<u>Austin Material dba JD Ramming Paving Co.</u>	
		<u>Base Bid Group C Items</u>		<u>Base Bid Group C Items</u>		<u>Base Bid Group C Items</u>
1C	Levelup	3,227.00 \$96.00	3,227.00 \$59.00	3,227.00 \$190,393.00	3,227.00 \$65.00	\$209,755.00
2C	1&1/2" HMAC	117,413.00 \$7.50	117,413.00 \$6.10	\$716,219.30	117,413.00 \$5.85	\$686,866.05
3C	Excavation	176.00 \$42.00	176.00 \$15.00	\$2,640.00	176.00 \$75.00	\$13,200.00
4C	Tabs	1,166.00 \$1.20	1,166.00 \$1.00	\$1,166.00	1,166.00 \$1.00	\$1,166.00
<b>GROUP-C BASE BID</b>				<b>\$910,418.30</b>		<b>\$910,987.05</b>

**GROUP D (PRECINCT FOUR)**

BIDDERS NAME	<u>Angel Brothers Enterprises, LTD</u>		<u>APAC of Texas - Wheeler Companies</u>		<u>Austin Material dba JD Ramming Paving Co.</u>	
		<u>Base Bid Group D Items</u>		<u>Base Bid Group D Items</u>		<u>Base Bid Group D Items</u>
1D	Levelup	3,296.00 \$96.00	3,296.00 \$53.00	\$174,688.00	3,296.00 \$80.00	\$263,680.00
2D	1&1/2" HMAC	119,837.00 \$7.50	119,837.00 \$5.60	\$671,087.20	119,837.00 \$5.75	\$689,062.75
3D	Excavation	172.00 \$42.00	172.00 \$15.00	\$2,580.00	172.00 \$70.00	\$12,040.00
4D	Tabs	1,139.00 \$1.20	1,139.00 \$1.00	\$1,139.00	1,139.00 \$1.00	\$1,139.00
<b>GROUP-D BASE BID</b>				<b>\$849,494.20</b>		<b>\$965,921.75</b>

**TRAVIS COUNTY PURCHASING CONSTRUCTION CONTRACTS  
 BID TABULATION FORM**

**GROUP E (LCRA/TRAVIS COUNTY PARKS PROJECTS)**

BIDDERS NAME	<u>Angel Brothers Enterprises, LTD</u>		<u>APAC of Texas - Wheeler Companies</u>		<u>Austin Material dba JD Ramming Paving Co.</u>	
		<u>Base Bid Group E Items</u>		<u>Base Bid Group E Items</u>		<u>Base Bid Group E Items</u>
1E	Flexbase	10,000.00 \$14.35	10,000.00	\$6.00	10,000.00	\$15.00
2E	2" HMAC	10,000.00 \$11.50	10,000.00	\$9.10	10,000.00	\$11.35
3E	Excavation	17.00 \$90.00	17.00	\$28.00	17.00	\$175.00
4E	Primecoat	2,000.00 \$4.75	2,000.00	\$5.00	2,000.00	\$4.00
N/A						
<b>GROUP-E BASE BID &amp; ADD ALTERNATE</b>				<b>\$269,530.00</b>		<b>\$161,476.00</b>
						<b>\$274,475.00</b>

**GROUP E (LCRA/TRAVIS COUNTY PARKS PROJECTS) HAMILTON POOL**

BIDDERS NAME	<u>Angel Brothers Enterprises, LTD</u>		<u>APAC of Texas - Wheeler Companies</u>		<u>Austin Material dba JD Ramming Paving Co.</u>	
		<u>Base Bid Group G Items</u>		<u>Base Bid Group G Items</u>		<u>Base Bid Group G Items</u>
1E1	Flexbase	1,081.00 \$24.00	1,081.00	\$8.00	1,081.00	\$25.00
2E1	2" HMAC	1,081.00 \$14.00	1,081.00	\$10.00	1,081.00	\$20.00
3E1	Excavation	3.00 \$120.00	3.00	\$168.00	3.00	\$300.00
4E1	1&1/2" HMAC	6,571.00 \$8.50	6,571.00	\$7.50	6,571.00	\$7.00
5E1	Primecoat	216.00 \$4.75	216.00	\$7.00	216.00	\$4.00
<b>GROUP-G BASE BID &amp; ADD ALTERNATE</b>				<b>\$97,291.50</b>		<b>\$70,756.50</b>
						<b>\$96,406.00</b>

**THERE WILL BE NO GROUP F IN THIS SOLICITATION**

**TRAVIS COUNTY PURCHASING CONSTRUCTION CONTRACTS  
 BID TABULATION FORM**

**GROUP G (CRIMINAL JUSTICE FACILITIES PROJECTS)**

BIDDERS NAME	Angel Brothers Enterprises, LTD		APAC of Texas - Wheeler Companies		Austin Material dba JD Ramming Paving Co.	
		Base Bid Group G Items		Base Bid Group G Items		Base Bid Group G Items
1G	Prep	2,015.00 \$3.50	2,015.00 \$9.50	\$19,142.50	2,015.00 \$5.00	\$10,075.00
2G	2" HIMAC	2,015.00 \$13.50	2,015.00 \$2.00	\$4,030.00	2,015.00 \$13.50	\$27,202.50
3G	Removal	2,015.00 \$3.65	2,015.00 \$3.50	\$7,052.50	2,015.00 \$4.00	\$8,060.00
4G	Primecoat	403.00 \$4.75	403.00 \$5.00	\$2,015.00	403.00 \$4.00	\$1,612.00
<b>GROUP-G BASE BID &amp; ADD ALTERNATE</b>				<b>\$32,240.00</b>		<b>\$46,949.50</b>

**GROUP G (CRIMINAL JUSTICE FACILITIES PROJECTS)**

BIDDERS NAME	Angel Brothers Enterprises, LTD		APAC of Texas - Wheeler Companies		Austin Material dba JD Ramming Paving Co.	
		Base Bid Group G Items		Base Bid Group G Items		Base Bid Group G Items
1G1	Prep	2,308.00 \$8,078.00	2,308.00 \$2.00	\$4,616.00	2,308.00 \$4.50	\$10,386.00
2G1	2" HIMAC	2,308.00 \$11.92	2,308.00 \$9.50	\$21,926.00	2,308.00 \$12.50	\$28,850.00
3G1	Removal	2,308.00 \$4.00	2,308.00 \$4.00	\$9,232.00	2,308.00 \$5.70	\$13,155.60
4G1	Primecoat	462.00 \$5.00	462.00 \$5.00	\$2,310.00	462.00 \$4.00	\$1,848.00
<b>GROUP-G BASE BID &amp; ADD ALTERNATE</b>				<b>\$38,084.00</b>		<b>\$54,239.60</b>

**GROUP H AND ADD ALTERNATE GROUP H1 WAS REMOVED BY ADDENDA NO. 2**





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 Austin Material d/b/a Ramming Paving Company (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 FISCAL YEAR 2012 HMAC OVERLAY PROGRAM (BID NO. 1207-003-JE) 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 FISCAL YEAR 2012 HMAC OVERLAY PROGRAM (BID NO. 1207-003-JE) 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 FISCAL YEAR 2012 HMAC OVERLAY PROGRAM (BID NO. 1207-003-JE) 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: 

\_\_\_\_\_  
TRAVIS COUNTY JUDGE

APPROVED AS TO FORM:

\_\_\_\_\_  
TRAVIS COUNTY ATTORNEY

CERTIFIED FUNDS ARE AVAILABLE

\_\_\_\_\_  
COUNTY AUDITOR, TRAVIS COUNTY

APPROVED:

\_\_\_\_\_  
COUNTY PURCHASING AGENT

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# Funds Reservation 300000538

General Data			
Document type	NE	Document type	030
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		