



## Travis County Commissioners Court Agenda Request

**Meeting Date:** August 13, 2013

**Prepared By/Phone Number:** J. Lee Perry/512-854-9724

**Elected/Appointed Official/Dept. Head:** Cyd Grimes

**Commissioners Court Sponsor:** Judge Biscoe

**Agenda Language:** Approve contract award for NE Metro Park BMX Amenities Construction Project, IFB No.B1306-026-LP, to the low bidder, Patin Construction, LLC.

- **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.
  
- The North East Metro Park BMX Amenities Construction project is the first phase of construction for the BMX facility at the NE Metro Park. This will include the construction of the perimeter roads, the parking areas, water, wastewater, electric, lighting, and other utilities. The second phase will include construction of the actual racing track.
  
- On July 24, 2013, three (3) bids were received for NE Metro Park BMX Amenities Construction Project, in which the bids ranged from \$1,602,006.80 to \$1,949,876.12 for the following items being recommended for award; Base bid, Alternate Bid A, and Add Alternate No. 1.
  
- As a result, TNR recommends awarding a contract to the apparent low bidder, Patin Construction, LLC, for the following bid items; Base bid, \$1,375,406.80, Alternative Bid A, (-\$13,400.00), and Add Alternate No. 1, \$240,000.00; for a total contract sum of \$1,602,006.80.
  
- **Contract Expenditures:** Within the last N/A months \$0.00 has been spent against this contract/requirement.

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.

➤ **Contract-Related Information:**

Award Amount: \$1,602,006.80

Contract Type: Construction

Contract Period: Through Completion

➤ **Contract Modification Information: N/A**

Modification Amount:

Modification Type:

Modification Period:

➤ **Solicitation-Related Information:**

Solicitations Sent: 60

Responses Received: 3

HUB Information: Vendor is not a HUB

% HUB Subcontractor: 2.45%

➤ **Special Contract Considerations:**

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

➤ **Funding Information:**

- Shopping Cart/Funds Reservation in SAP: 0300000672
- Funding Account(s):
- Comments:

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## TRANSPORTATION AND NATURAL RESOURCES

STEVEN M. MANILLA, P.E., COUNTY EXECUTIVE

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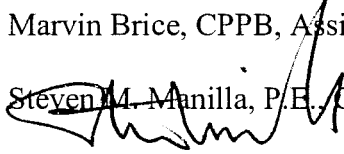


700 Lavaca Street-5<sup>th</sup> Floor  
Travis County Administration Building  
PO Box 1748  
Austin, Texas 78767  
Phone: (512) 854-9383  
Fax: (512) 854-4697

### MEMORANDUM

August 5, 2013

TO: Marvin Brice, CPPB, Assistant Purchasing Agent

FROM:  Steven M. Manilla, P.E., County Executive

SUBJECT: Award of Construction Contract  
NE Metro BMX Amenities Construction Project,  
IFB No. B1306-026-LP

#### Project Description

The Northeast Metro Park BMX Amenities Construction project is the first phase of the construction of a BMX facility at the NE Metro Park. This will include the construction of the perimeter roads, the parking areas, water, wastewater, electric, lighting, and other utilities. The second phase will include construction of the actual racing tracks and other structures under a different project.

#### Requested Agenda Item

TNR hereby requests the Purchasing Department to place the following item on the Commissioners Court Agenda for an August 13, 2013 hearing date.

Requested Motion: Consider and take appropriate action on the recommendation to award the construction contract for the NE Metro BMX Amenities Construction Project to Patin Construction.

#### Summary and Recommendations

Upon tabulating and reviewing the bids received by the Purchasing Department for the NE Metro BMX Amenities Construction Project, TNR recommends that the contract be awarded for the items included in the Base Bid, Alternative A, and Additive Alternate 1 only. The low bid amount of \$1,602,006.08 was submitted by Patin Construction. Subject to Purchasing Department's findings of responsiveness, and in accordance with Chapter 262 (c) of the Texas Local Government Code, TNR recommends that the low bidder, Patin Construction, be awarded the construction contract.

## Bid Review

The bid solicitation included a Base Bid, an Alternate Bid, and three Additive Alternate Bids. Purchasing received four responses. A copy of the bid tabulation is attached to this memorandum as Exhibits "C". The bids range from \$1,602,002.06 to \$1,949,876.12 for the items being recommended for award, and for all items, from \$1,734,406.80 to \$2,028,575.52. Patin Construction is the low bidder in both cases.

Due to the significantly high cost of the bids for the pavilion and the bleachers, TNR is recommending that only the Base Bid, Alternative A Bid, and Additive Alternate 1 Bid be awarded at a total bid price of \$1,602,006.08. At a later date, TNR will pursue the services required for the pavilion and the bleachers by alternate means.

## Budgetary and Fiscal Impact

The Northeast Metro Park is a 2011 Travis County Bond funded project. Funds have been reserved for the construction contract amount and other items (including material testing and utilities).

FRD: 0300000672

WBS Element: PKCN.149.000001

Fund: 4082

Fund Center: 1490220000

G/L: 522030

If you need additional information, please call Chiddi at extension 47585.

## Attachments:

1. Exhibit "A" - Project Location Map
2. Exhibit "B"- Site Plan
3. Exhibit "C" – Bid Tabulation

Copy: Cyd Grimes C.P.M., Purchasing Agent  
Lee Perry, Construction Procurement Specialist  
Cynthia McDonald, Financial  
Donna Williams-Jones, Financial  
Isabelle Lopez, Financial  
Tawana Gardner, Financial  
Charles Bergh, TNR Parks  
Robert Armistead, TNR Parks  
Kurt Nielsen, TNR Parks  
Steve Sun, P.E., CIP  
Chiddi N’Jie, P.E., CIP

Contract No. 4400001509

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 **PATIN CONSTRUCTION, LLC** (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 **NE METRO PARK BMX AMENITIES PROJECT** 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 **NE METRO PARK BMX AMENITIES PROJECT (B1306-026-LP)**, 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 abovementioned Specifications and Plans marked **(B1306-026-LP)**.

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 **NE METRO PARK BMX AMENITIES PROJECT** 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 **(B1306-026-LP)** to the satisfaction of the Executive Manager 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 **(B1306-026-LP)** 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 the project within **120 calendar days**, 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 sum of **\$1,602,006.80** consisting of: Base Bid sum of **\$1,375,406.80**, Alternate Bid A sum of **-\$13,400.00**, Add Alternate Bid No. 1 sum of **\$240,000.00**, collectively referred to herein as the "Contract Sum". The Contract Sum is comprised of **\$773,814.00** 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 **\$828,192.80** 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.

Contract No. 4400001509

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

PATIN CONSTRUCTION, LLC

BY: \_\_\_\_\_

BY:  \_\_\_\_\_

TRAVIS COUNTY JUDGE

APPROVED AS TO FORM:

APPROVED:

\_\_\_\_\_

\_\_\_\_\_

TRAVIS COUNTY ATTORNEY

COUNTY PURCHASING AGENT

CERTIFIED FUNDS ARE AVAILABLE

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



**NORTHEAST METROPOLITAN PARK BMX TRACK AMENITIES**

Texas Department of Transportation Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges adopted June 1, 2004 is used as the project Standard Specification which can be found in TXDoT web site:  
<http://www.dot.state.tx.us/business/specifications.htm>.

DESC. CODE is the TXDoT Specification Description Code and can be found in TXDoT web site:  
<http://www.dot.state.tx.us/insdotdot/orgchart/cmd/cserve/usfe/2004/usfe0101.htm>.

S.P. = Special Provision to the Standard Specification.  
 S.S. = Special Specification

**BASE BID**

Bid Item	Spec. No. / Desc. Code	S.P. No	S.S. No.	Description	Unit	QTY	Unit Price	Amount
1	100 2001			Preparing ROW	AC	11	\$3,000.00	\$33,000.00
2	110 2001			Excavation (Roadway)	CY	8500	\$8.00	\$68,000.00
3	132 2003			Embankment (Final) (Ord Comp) (Ty B)	CY	8500	\$14.00	\$119,000.00
4	170 2001			Irrigation System	LS	1	\$16,800.00	\$16,800.00
5	247	247-033		FL BS (Cmp In Plc)(Ty D GR 5)(Final Pos)	CY	6132	\$12.00	\$73,584.00
6	260 2002			Lime (Hydrated Slurry)	TON	378	\$162.00	\$61,236.00
7	260 2073			Lime Treat Subgrade (8")	SY	17153	\$8.00	\$137,224.00
8	310 2021			Prime Coat (MC-30, AE-P, Or SS-1)	GAL	3077	\$5.00	\$15,385.00
9	420 2037			CL C Conc (Valley Gutter)	SY	22	\$72.00	\$1,584.00
10	460 2003			CMP (Gal Std Bit Coat 18 IN)	LF	273	\$40.00	\$10,920.00
11	467 2260			SET (TY II) (18 IN) (CMP) (4:1) ( C)	EA	8	\$800.00	\$6,400.00
12	467 2273			SET (TY II) (18 IN) (CMP) (6:1) ( C)	EA	2	\$1,000.00	\$2,000.00
13	481			PVC Water Line Encasement Pipe (SCH 40) (4 IN)	LF	86	\$20.00	\$1,720.00
14	481 2012			PVC Pipe (SDR-35) (6 IN)	LF	551	\$30.00	\$16,530.00
15	496			Remov Str (Small) (Light Pole)	EA	6	\$250.00	\$1,500.00
16	496			Remov Str and Salvage (Small Fence)	LF	1087	\$1.00	\$1,087.00
17	500 2001			Mobilization	LS	1	\$67,500.00	\$67,500.00
18	502 2001	SP 502		Barricades, Signs and Traf Handling	LS	1	\$2,500.00	\$2,500.00
19	506			Permanent Rock Filter Dam	CY	30	\$400.00	\$12,000.00
20	529 2003			Concrete Curb & Gutter (Ty I)	LF	151	\$10.00	\$1,510.00
21	529 2010			Concrete Curb & Gutter (Ty II) (Reinforced)	LF	5611	\$10.00	\$56,110.00
22	529			Concrete Curb & Gutter (Ty II) (Reinforced) (Curb Cuts)	LF	1081	\$12.00	\$12,972.00
23	531 2005			Curb Ramps (Ty I)	EA	4	\$1,000.00	\$4,000.00
24	531			Curb Ramps (Ty 1)(10' wide)	EA	1	\$1,200.00	\$1,200.00
25	531 2015			Concrete Sidewalk (4")	SY	2459	\$40.00	\$98,360.00
26	536 2002			Concrete Median	SY	201	\$45.00	\$9,045.00
27	550			Chain Link Fence (Install) (4')(Green Vinyl Coated)	LF	1327	\$18.00	\$23,886.00
28	550			Chain Link Fence Gate (Install) (4' x 20')	EA	2	\$1,100.00	\$2,200.00
29	550			Road Gate (Install) (Std Pipe)	EA	5	\$3,000.00	\$15,000.00
30	666 2011			Refl Pav Mrk Ty I (W) 4" (SLD) (090 MIL)	LF	4103	\$2.00	\$8,206.00
31	666 2047			Refl Pav Mrk Ty I (W) 24" (SLD) (090 MIL)	LF	50	\$19.00	\$950.00
32	666 2086			Refl Pav Mrk Ty I (W) 24" (SYMBOL) (090 MIL)	EA	10	\$330.00	\$3,300.00
33	COA 439S			Parking Lot Bumper Curbs	EA	6	\$400.00	\$2,400.00
34	COA 510			PVC Water Line Pipe (SCH 40) (1 1/2 IN) incl. excavation and backfill	LF	5	\$200.00	\$1,000.00
35	COA 510			PVC Water Line Pipe (SCH 40) (2 IN) incl. excavation and backfill	LF	304	\$30.00	\$9,120.00
36	COA 591S			Dry Rock Riprap	SY	26	\$75.00	\$1,950.00
37	COA 601S	SP 601S		Salvage and Place Tpsl	SY	23650	\$1.50	\$35,475.00
38	COA 604S			Seeding for Erosion Control	SY	23650	\$0.50	\$11,825.00
39	COA 608S			1" Canopy/Shade Tree	EA	50	\$200.00	\$10,000.00

Bid Item	Spec. No. / Desc. Code	S.P. No	S.S. No.	Description	Unit	QTY	Unit Price	Amount
40	COA 610s			Tree Protection Fence	LF	341	\$2.50	\$852.50
41	COA 639S			Rock Berm	LF	32	\$30.00	\$960.00
42	COA 641S			Stabilized Construction Entrance	EA	2	\$1,500.00	\$3,000.00
43	COA 642S			Silt Fence	LF	1474	\$2.50	\$3,685.00
44	COA 824S			Traffic Signs	EA	14	\$150.00	\$2,100.00
45			SS 1	18" Square Catch Basin	EA	5	\$1,500.00	\$7,500.00
46			SS 2	Cedar Fence	LF	300	\$35.00	\$10,500.00
47			SS 3	LPD Septic System	LS	1	\$80,000.00	\$80,000.00
48		SP 3224	3224	Dense-Graded Hot-Mix Asphalt (QC/QA)(2")	SY	13982	\$10.00	\$139,820.00
49			16110	3/4" PVC (Sch 40) incl. excavation and backfill	LF	512	\$13.20	\$6,758.40
50			16110	1" PVC (Sch 40) incl. excavation and backfill	LF	554	\$13.50	\$7,479.00
51			16110	2" PVC (Sch 40) incl. excavation and backfill	LF	2609	\$14.30	\$37,308.70
52			16110	4" PVC (Sch 40) incl. excavation, backfill, and conc encasement	LF	800	\$25.90	\$20,720.00
53			16110	Duplex Receptacles, GFI/WR/WP	EA	5	\$260.00	\$1,300.00
54			16110	30" Austin Energy Ground Box	EA	1	\$7,370.00	\$7,370.00
55			16110	36" Austin Energy Pullbox	EA	2	\$7,480.00	\$14,960.00
56			16400	Disconnect 60A, Nema 3R	EA	1	\$500.00	\$500.00
57			16100	Electrical Service	LS	1	\$2,420.00	\$2,420.00
58			16100	10x10 Conc XMFR Pad	EA	1	\$6,030.00	\$6,030.00
59			16120	#10 THHN Conductor (Cu)	LF	486	\$0.60	\$291.60
60			16120	#8 THHN Conductor (Cu)	LF	1300	\$0.80	\$1,040.00
61			16120	#6 THHN Conductor (Cu)	LF	2428	\$1.30	\$3,156.40
62			16120	#3 THHN Conductor (Cu)	LF	2402	\$2.00	\$4,804.00
63			16120	#1 THHN Conductor (Cu)	LF	365	\$3.00	\$1,095.00
64			16120	#4/0 THHN Conductor (Cu)	LF	52	\$6.10	\$317.20
65			16400	Panelboard, 225A, MCB, Nema 3R	EA	1	\$6,740.00	\$6,740.00
66			16400	Panelboard, 125A, MCB, Nema 36, 30kVA Integral XFMR	EA	1	\$11,500.00	\$11,500.00
67			16500	Lighting PL (Kim 1A-CCS) and CL C conc foundation	EA	4	\$3,620.00	\$14,480.00
68			16500	Lighting PL-2 (Kim 2B-CCS) and CL C conc foundation	EA	4	\$5,050.00	\$20,200.00
69			16500	Photocell and Timer	EA	1	\$2,040.00	\$2,040.00
<b>Base Bid Total</b>								<b>\$1,375,406.80</b>

Below please type the base bid amount in words.

One Million Three Hundred Seventy Five Thousand Four Hundred Six Dollars and Eighty Cents.

<b>Tax Exempt Total</b>	\$588,536.00	<b>Non-Tax Exempt Total</b>	\$786,870.80
<p><b>Tax Exempt costs</b> are the total cost of materials incorporated into the project or completely consumed at the job site and services required by or integral to the performance of the Contract.</p>		<p><b>Non-Tax Exempt costs</b> are all other charges, including the cost of labor, overhead, and materials which do not become part of the project or are not completely consumed at the job site.</p>	
<p><b>NOTE: The sum of the Tax Exempt and Non-Tax Exempt costs must equal the Total Base Bid Amount.</b></p>			

**Note: The Travis County Commissioner's Court Reserves the right to reject any and all bids at their sole discretion.**

**Please note the following listed abbreviations used for proposed units:**

Unit Abbreviations: CY = Cubic Yard, LF = Linear Foot, STA = Station, AC = Acre, EA = Each, SY = Square Yard, GAL = Gallon, KG = 1000GAL, LS = Lump Sum, SF = Square Foot, TON = Ton, MO = Month, EA/DAY = per Each per DAY



**NORTHEAST METROPOLITAN PARK BMX TRACK AMENITIES**

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DESC. CODE is the TXDoT Specification Description Code and can be found in TXDoT web site: <http://www.dot.state.tx.us/insdtdot/orgchart/cmd/cserve/usfe/2004/usfe0101.htm>.

S.P. = Special Provision to the Standard Specification.

S.S. = Special Specification. Both S.P. and S.S. are included in the project manual.

**ALTERNATE BID A - Parking Lot Lighting**

Bid Item	Spec. No. / Desc. Code	S.P. No	S.S. No.	Description	Unit	QTY	Unit Price	Amount
1			16500	Deduct Lighting PL (Kim 1A-CCS) and CL C conc foundation	EA	-4	\$3,620.00	-\$14,480.00
2			16500	Deduct Lighting PL-2 (Kim 2B-CCS) and CL C conc foundation	EA	-4	\$5,050.00	-\$20,200.00
3			16500	Lighting PL (Visionaire AMR - 1 Lamp) and CL C conc foundation	EA	4	\$2,250.00	\$9,000.00
4			16500	Lighting PL-2 (Visionaire - 2 Lamp) and CL C conc foundation	EA	4	\$3,070.00	\$12,280.00
<b>Alt Bid Total</b>								<b>-\$13,400.00</b>

**ADD ALTERNATE BID 1 - Pre-Fabricated Building**

Bid Item	Spec. No. / Desc. Code	S.P. No	S.S. No.	Description	Unit	QTY	Unit Price	Amount
1			SS-4	Pre-fabricated Building	LS	1	\$240,000.00	\$240,000.00
<b>Alt Bid Total</b>								<b>\$240,000.00</b>

**ADD ALTERNATE BID 2 - Pavilion Structure**

Bid Item	Spec. No. / Desc. Code	S.P. No	S.S. No.	Description	Unit	QTY	Unit Price	Amount
1			SS-5	Pavilion Structure	LS	1	\$55,000.00	\$55,000.00
2	420			Pavilion Foundation	LS	1	\$43,000.00	\$43,000.00
<b>Alt Bid Total</b>								<b>\$98,000.00</b>

**ADD ALTERNATE BID 3 - Spectator Bleachers**

Bid Item	Spec. No. / Desc. Code	S.P. No	S.S. No.	Description	Unit	QTY	Unit Price	Amount
1			SS-6	Spectator Bleachers - 30' Long, 5 Rows	EA	1	\$11,500.00	\$11,500.00
2			SS-6	Spectator Bleachers - 15' Long, 5 Rows	EA	1	\$9,500.00	\$9,500.00
<b>Alt Bid Total</b>								<b>\$21,000.00</b>

**Please note the following listed abbreviations used for proposed units:**

Unit Abbreviations: CY = Cubic Yard, LF = Linear Foot, STA = Station, AC = Acre, EA = Each, SY = Square Yard, GAL = Gallon, KG = 1000GAL, LS = Lump Sum, SF = Square Foot, TON = Ton, MO = Month, EA/DAY = per Each per DAY