



City of Pflugerville

Legislation Text

File #: 2022-0474, **Version:** 1

Approving a construction contract for the 2020 Parks Bond Program: Trail Improvements Project to Dig Dug Construction, LLC in the amount of \$480,289.50 and authorizing the City Manager to execute the same.

The proposed trail locations were based on Parks and Recreation Department's priorities and to help Staff meet one of the four City Council's Strategic Plan Goals adopted on September 28th, 2021: to Engage the Community through vibrant parks and recreation and library programs and services. The construction of approximately 31,700 SF field engineered concrete trails will improve continuity within the trails system and provide the public a recreational means to transverse through their communities safely.

Construction of field engineered concrete trails requires collaboration by a project team consisting of the inspector, contractor, and field engineer. An experienced contractor who understands field engineering and trails construction criteria/requirements will be an asset to the team by allowing the project to stay on schedule and avoid cost overruns to provide a successful project.

On March 8, 2022 City Council approved use of the Competitive Sealed Proposal (CSP) method for contracting on the proposed 2020 Bond Program Trail Improvements project as permitted by Subchapter H of Chapter 271 of the Local Government Code.

The use of the Competitive Sealed Proposal (CSP) delivery method allows the City to make the best value contractor determination based on the criteria deemed appropriate to implement field engineered concrete trails such as experience and reputation of offerors, price, quality of goods and services, safety records and other relevant factors identified in the CSP. The principal difference is the opportunity for negotiation between the city and the proposer and the Request for Proposal (RFP) style response from the contractors. Instead of advertising and invitation for bids, the city advertises a RFP that includes construction documents, selection criteria and other required information. An evaluation committee reviews the submittal proposals and scores them in accordance with the evaluation criteria to determine the highest ranked proposer. The contractor selection process followed is detailed below.

Contractor Selection Process:

- Competitive Sealed Proposal (CSP) was published on March 28, 2022. The CSP selection criteria included consideration items for contractor relevant experience (30 points), references (10 points), and cost proposal (60 points). These items are structured so that the highest-scoring proposer represent the best value for the City.
- (5) Five CSP responses received on April 14, 2022.
- On April 25, 2022, a selection committee made up of City Staff, Design Consultant, and General Consultant (GC) reviewed documentation provided with the proposals in compliance with the Competitive Sealed Proposals (CSP) process as provided in the Project Manual.
 - One of the five proposers, TCB Construction Inc., failed to provide evidence of authority

to sign with the initial proposal packet. Per Section 12 of the Instruction to Proposers, the City waived the requirement to have that document included in the original submission and continued with the evaluation of proposers while the Design Consultant and GC simultaneously contacted TCB to provide the document. After several attempts which included both phone conversations and emails, TCB stated they would be unable to provide the evidence of authority required by Section 8 of the Proposal and Bid Schedule of the contract documents. Based on this assertion, TCB was deemed non-responsive.

- After evaluation of the proposers to determine best value to the City based on the CSP criteria outlined above, TCB was found to have the highest score. Despite having the highest score, TCB was deemed non-responsive. Therefore, DigDug Construction, LLC. represents the best value as the highest scoring, responsive proposer. On May 4, 2022, the design engineer issued a "Recommendation of Award" letter summarizing the selection process and recommending DigDug Construction LLC. to receive the contract award.

Next Steps

- If the City Council approves the Project Team's (Staff, Design Consultant, and General Consultant) recommended proposer, then Staff will issue the 'Notice of Award'. This notice will start the process to execute a construction agreement and gather the required supporting documents i.e., performance bond, payment bond, and certificates of insurance within ten (10) days of the notice. In the meantime, the Project Team is planning to conduct the Construction Kick-Off Meeting the week of June 6th and is preparing the necessary documents such as the Stormwater Pollution Prevention Plan (SWPPP). Lastly, the Project Team will work with the Communications Staff to implement the appropriate notifications for Community awareness for this project.

City Council Action

City Council approved a professional services agreement with MWM Design Group Corporation in the amount of \$220,000 for professional services associated with the 2020 Parks Bond Program Projects: Trail and Trailhead improvements at the July 27, 2021 meeting.

Pflugerville City Council called a November 3, 2020 bond election for three propositions totaling \$191.3 million at the August 11, 2020 meeting.

City Council approved the selection of Vanir Construction to provide general consulting services associated with the 2020 General Obligation Bond Parks (Prop B) Projects at the January 26, 2021 meeting.

City Council approved a professional services agreement with Vanir Construction to provide general consulting services associated with the 2020 General Obligation Bond Parks (Prop B) Projects at the April 13, 2021 meeting.

City Council approved the Trail Improvements Competitive Sealed Proposal (CSP) Resolution at the March 8, 2022 meeting.

Deadline for City Council Action

Action is requested on May 24, 2022.

Funding Expected: Revenue Expenditure N/A

Budgeted Item: Yes No N/A

*This project is identified in the Parks CIP budget as Trail Improvements.

Amount: \$480,289.50

1295 Form Required? Yes No

Legal Review Required: N/A Required Date Completed: 05/13/2022

Supporting documents attached:

Letter of Recommendation

Draft Presentation

Scoring Summary Tabulation

Recommended Action

Approve the selection of DigDug Construction, LLC to construct the trail gap improvement projects associated with the 2020 Parks Bond Program, and authorize the City Manager to execute a construction contract agreement in the amount of \$480,289.