

Steege, Jerry K.

From: Kelsey, Mark
Sent: Wednesday, February 24, 2010 5:08 PM
To: Cofield, Alex A.
Cc: Austin, Patti A.; Beck, David H. (Transportation); Beckman, Amber M.; Bell, Timothy A.; Blackford, Megan D.; Bowman, Randall; Figley, Russ U.; Giffin, Benjamin M.; Lewis, William A.; Poindexter, Kaelyn C.; Roberts, Doug; Robinson, Valuise E.; Rundio, Ted; Steege, Jerry K.; Stephens, Thomas H.; Tilton, Rick C.; Togni, Carl S.; Zahran, Hassan Y.; Bobay, Andrew V.; Miller Jr, Richard A.
Subject: RE: RECOMMENDATION: FRA-RiverSouth Street Improvements Phase 2

I concur with your recommendation

From: Cofield, Alex A.
Sent: Wednesday, February 24, 2010 5:05 PM
To: Kelsey, Mark
Cc: Austin, Patti A.; Beck, David H. (Transportation); Beckman, Amber M.; Bell, Timothy A.; Blackford, Megan D.; Bowman, Randall; Cofield, Alex A.; Figley, Russ U.; Giffin, Benjamin M.; Lewis, William A.; Poindexter, Kaelyn C.; Roberts, Doug; Robinson, Valuise E.; Rundio, Ted; Steege, Jerry K.; Stephens, Thomas H.; Tilton, Rick C.; Togni, Carl S.; Zahran, Hassan Y.; Bobay, Andrew V.; Miller Jr, Richard A.
Subject: RECOMMENDATION: FRA-RiverSouth Street Improvements Phase 2

TO: Mark Kelsey
Director of Public Service

FROM: Alex Cofield
Capital Fiscal Manager

PROJECT: FRA-RiverSouth Street Improvements Phase 2
CIP No.: 530161-100049

DATE: February 24, 2010

This memorandum is a recommendation for construction contractor selection and processing the construction legislation for the project.

Project Scope: This project will convert Front Street between Rich and Mound Streets, Rich Street between Civic Center Drive and High Street, and Main Street between the Main Street Bridge and High Street to two-way traffic flow. The scope of work will include roadway resurfacing/replacement, brick sidewalk, granite curb, ADA curb ramps, water line, storm sewer, street lights, signal/interconnect, signage, striping, street furniture, and landscaping improvements.

Fiscal Impact: Funding will be provided by: ARRA funds, DPS, DPU, and OPWC.

Schedule: Bids were received on February 16, 2010. The contract length is 540 days from the date of the Notice to Proceed. The Notice to Proceed date is estimated to be April 19, 2010.

Construction Cost:
The Engineer's Estimate for alternate B is \$13,952,228.85.

Bidding Information for Alternate B:

Bidder	Original Bid Amount
Shelly and Sands, Inc.	\$9,463,389.40
George J. Igel & Sons	\$9,910,996.41
Complete General	\$10,369,684.30

Note: the quality contractor evaluation was not done for this project as it was removed from the bid document per ODOT instructions.

Contract Compliance Information:

Status	Company	CC Number	MBE/FBE/ Majority	Percentage	Active? y/n
Prime	Shelly and Sands, Inc.	314351261	Majority	63.40%	Renewal pending
Sub 1	Base Construction Co., Ltd.	311461034	Majority	.03%	y
Sub 2	Miller Cable Co.	341577801	Majority	13.00%	y
Sub 3	Griffin Pavement Striping, Inc.	311339629 listed in proposal s/b 311339626	Majority	.20%	y
Sub 4	Paul Peterson Co.	314404549	Majority	1.00%	y
Sub 5	MU Trucking, Inc.	800061051	MBE	2.20%	y
Sub 6	Lionel Construction Co.	311364209	MBR	3.90%	y
Sub 7	Lake Erie Construction	341262474	Majority	2.00%	y
Sub 8	Environmental Management, Inc.	311386050	Majority	14.00%	y
Prime	George J. Igel & Co., Inc.	314214570	Majority	90.8%	y
Sub 1	Bridges Brothers Trucking dba Michael Bridges	141924476	MBE	3.00%	y
Sub 2	Paul Peterson Co.	314404549	Majority	1.00%	y
Sub 3	Environmental Management, Inc.	311386050	Majority	5.00%	y
Sub 4	Griffin Pavement Striping, Inc.	311339626	Majority	.20%	y
Prime	Complete General Construction Company	314366382	Majority	78.6%	y
Sub 1	Bakarr Enterprises, Inc.	311258969	MBE	1.00%	y
Sub 2	Saunders Trucking	310715339	MBE	5.50%	y
Sub 3	Griffin Pavement Striping, Inc.	311339626	Majority	.30%	y
Sub 4	Environmental Management, Inc.	311386050	Majority	5.00%	y
Sub 5	G. Marchi & Son, Inc. dba G. Marchi & Son, LLC	311632119	Majority	9.00%	y
Sub 6	Lake Erie Construction	341262474	Majority	.60%	y
Prime	Trucco Construction Co., Inc.	311293605	Majority	71.1%	y
Sub 1	Shelly and Sands, Inc.	314351261	Majority	2.00%	Renewal pending
Sub 2	Environmental Management, Inc.	311386050	Majority	11.40%	y
Sub 3	Base Construction Co., Ltd.	262688921 listed in proposal s/b 311461034	Majority	1.40%	y
Sub 4	Miller Cable Co.	341577801	Majority	10.20%	y
Sub 5	Bakarr Enterprises, Inc.	311258969	MBE	3.70%	y
Sub 6	Griffin Pavement Striping, Inc.	311339626	Majority	.20%	y

Recommendation:

With reference to bids received on February 16, 2010, I wish to make the following recommendation for the subject improvement:

Award is made to the lowest responsive and responsible and best bidder, Shelly and Sands, for their bid of \$9,463,389.40 for alternate B, which is \$4,448,839.45 under the Engineer's estimate of \$13,952,228.85.

Please respond to this e-mail indicating approval of the recommended contractor – Shelly and Sands – or approval of another contractor. If you approve another contractor please provide an explanation.

Note:

Below is additional information about Shelly and Sands' bid:

- Shelly and Sands did not acknowledge receipt of all addenda on page p-3 of their bid. They acknowledged addenda 1 through 4 and not addenda 5 and 6. After review of the bid, it was determined that they received and acknowledged addendum 5 by submitting the proposal sheets included in addendum 5 in their bid. Addendum 6 was only notification of the change in bid date to February 16, 2010. Their bid was stamped in on February 16, 2010.
- Pages A-3 and SP-58 of the bid document outlines the prequalification requirements of the project, including work types. After listing all the work types, the bid document states: "Prequalification in all work types listed is required." Shelly and Sands was not prequalified in 3 of the 33 work types listed: 55, 56, and 57.

After review of the proposal sheets, it was determined the City erred in that work types 55 and 56 were not needed for this project and should not have been listed. Work type 57 is needed for this project and it was determined that this work type comprises 3.73% of the total bid amount.

Because this project has received ARRA funds, it is subject to ODOT bidding requirements. ODOT's PN 090 - 4/18/2008 - WORK TYPE CODES AND DESCRIPTIONS states, "However, the Contractor may perform incidental work items for which it does not hold the required work type provided the cost of the work does not exceed 5% of the total bid."

Emergency Action:

Emergency action is necessary to allow for timely execution of this contract and construction to protect the safety and welfare of the public.

Alex Cofield

Capital Fiscal Manager
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Department of Public Service
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