

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Engineering

AGENDA DATE: September 15, 2009

CONTACT PERSON/PHONE: R. Alan Shubert, P.E., City Engineer, 541-4423

DISTRICT(S) AFFECTED: 1

SUBJECT:

Award bid 2009-251 for Westside Flood Damage Imp. Phase IIA - Channel Fencing to **Lomeli & Sons Landscaping Co., Inc.** for a total amount of **\$117,580.00**.

BACKGROUND / DISCUSSION:

The purpose of this project is to complete the fencing (rockwall) around the recently constructed channel that was part of the Westside Flood Damage Improvements Phase 2 project. The areas that need to be completed are all on the backside of the channel adjacent to private property. The original contract had chain link fence which was deleted due to the visibility of the fencing from the public located at higher elevations above the channel.

The total contract time is for a period of 85 consecutive calendar days, 70 calendar days for substantial completion and 15 calendar days for remaining work.

This is a low bid, unit-priced contract. **Lomeli & Sons Landscaping Co., Inc.** is the lowest responsible, responsive bidder. It is requested that the City Manager be authorized to sign the reference contract.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

Funding source(s) is/are Storm 2006
14200500 - 508027 - 27264 - PSTM06 PW41-0

BOARD / COMMISSION ACTION:

N/A

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____

(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

CONSTRUCTION PROJECT FORM
Unit Price

DATE: September 1, 2009
PROJECT: Westside Flood Damage Improvements Phase IIA – Channel Fencing
SOLICITATION NO: 2009-251
ACCOUNT NO(S): 14200500 – 508027– 27264 – PSTM06 PW41-0
FUNDING SOURCE: Storm 2006
DEPARTMENT: Engineering Department
DISTRICT(S): 1 **LOCATION:** Silver Spring & Castle Rock

AGENDA DATE: September 15, 2009 **Lowest responsible bidder**
CONTRACTOR: Lomeli & Sons Landscaping Co., Inc.
TOTAL ESTIMATED AMOUNT: \$117,580.00

Discussion and action on the award of Solicitation No. **2009-251** for the Westside Flood Damage Improvements Phase IIA – Channel Fencing, to **Lomeli & Sons Landscaping Co., Inc.** for a total estimated amount of **\$117,580.00**.

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

Iron Force Construction, the lowest bidder is recommended as non responsible. The City is allowed to use factors other than price in determining the lowest responsible bidder. Iron Force Construction is currently working on a City project (informal less than \$50,000) where the quality of work is unacceptable.


This is a low bid, unit-price contract. The Engineering Department recommends award as indicated to the lowest responsible bidder.

DESCRIPTION OR EXPLANATION:

Base Bid **\$117,580.00**

TOTAL ESTIMATED AWARD: **\$117,580.00**
TIME FOR COMPLETION: 85 Consecutive Calendar Days
SUBSTANTIAL COMPLETION: 70 Consecutive Calendar Days
REMAINING WORK: 15 Consecutive Calendar Days
LIQUIDATED DAMAGES: \$270.00/Consecutive Calendar Day
\$140.00/Consecutive Calendar Day

APPROVED:



R. Alan Shubert, P.E.
City Engineer

RECOMMENDATION

Dedicated to Outstanding Customer Service for a Better Community

S E R V I C E S O L U T I O N S S U C C E S S



Date August 11, 2009

To: Richard Talamo
 Projects Control

Through: Sam Rodriguez, Engineering Division Manager

From: Lupe Salinas
 Project Manager

RECOMMENDATION

Cc: E.P.W.U. – P.S.B.
 Consultant

Subject: Westside Flood Damage Improvements Phase IIA – Channel
Fencing, Bid No. 2009-251,

We have reviewed the above subject bid and we recommend that **Base Bid I**,
be awarded to **Lomeli and Sons Landscaping Co., Inc.,** as the
lowest most responsive and responsible bidder meeting specifications.
Total estimated contract award of \$ 117,580.00.

If you have any question please call me at 541-4163.

Sincerely,

Lupe Salinas

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susie Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Rachel Quintana

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Beto O'Rourke

City Manager
Joyce A. Wilson

Dedicated to Outstanding Customer Service for a Better Community

SERVICE SOLUTIONS SUCCESS

VIA FACSIMILE (888) 824-4304

September 1, 2009

Ms. Eileen Carbajal
Iron Force Construction Corp.
1021 E. Missouri, Suite B
El Paso, Texas 79902

RE: Westside Flood Damage Imp. Phase IIA – Channel Fencing (BID NO. 2009-251)

Dear Ms. Carbajal:

Please consider this letter as your notice that on September 15, 2009, City Engineering will recommend to El Paso City Council that the above referenced contract for **Bid No. 2009-251**, be awarded to a bidder who is not the lowest bidder.

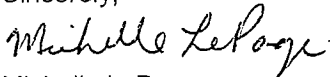
Although the lowest bid was submitted by your firm, Iron Force Construction Corp. does not comply with the requirements specified in "Information to Bidders, Section 6, "Method of Award-Lowest Responsible and Responsive Bidder". Iron Force Construction is currently working on a City project (informal less than \$50,000) where the quality of work is unacceptable.

In accordance with state law, a contract cannot be awarded to a bidder who is not the lowest bidder unless prior to the award each lower bidder is given notice of the proposed award. Each lower bidder must also be given an opportunity, if they so wish, to appear before the City's governing body to present evidence concerning the bidder's responsibility.

Should you wish to appear before City Council, please sign up with the Municipal Clerk so you may be recognized when the item is to be considered by the City Council.

If you have any questions, do not hesitate to call.

Sincerely,



Michelle LePage,
Contracts Development Coordinator
Engineering Dept.

cc: Mark Shoemith, Assistant City Attorney
Terrence Freiburg, Purchasing Manager
R. Alan Shubert, City Engineer



Mayor
John F. Cook

City Council

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Ann Morgan Lilly

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Steve Ortega

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Beto O'Rourke

City Manager
Joyce A. Wilson

DEVELOPMENT & INFRASTRUCTURE SERVICES
Working Together, Building for the Future#2

Civic Center Plaza, Engineering Dept. - El Paso, Texas 79901 - (915) 541-4521

CITY OF EL PASO, TEXAS
ENGINEERING DEPARTMENT
Contract Compliance Administration

DEVELOPMENT & INFRASTRUCTURE SERVICES

Working Together, Building for the Future

2 Civic Center Plaza, 4th Floor

El Paso, Texas 79901-1196

Tel. (915) 541-4521 Fax (915) 541-4016

Fax

Date: **September 1, 2009**

Name: **Eileen S. Carbajal**

Company: **Iron Force Construction**

Fax: **(888) 824-4304**

Number of Pages: **5** (includes cover sheet)

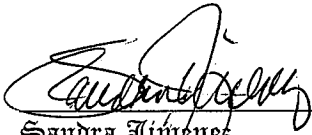
SUBJECT: **Westside Flood Damage Imp. Phase IIA-Channel Fencing, Contract No. 2009-251**

☐ Urgent

For Your Records and Timely Response

♦ **Comments:**

Please refer to attached letter.


Sandra Jimenez

Project Compliance Specialist

(915) 541-4521 Fax (915) 541-4016

TRANSMISSION VERIFICATION REPORT

TIME : 09/01/2009 13:54
NAME : ENG CIP ADMIN
FAX : 9155414222
SER.# : BROA5F966349

| | |
|--------------|-----------------|
| DATE, TIME | 09/01 13:53 |
| FAX NO./NAME | 918888244304 |
| DURATION | 00:01:40 |
| PAGE(S) | 02 |
| RESULT | OK |
| MODE | STANDARD ECM |

Westside Flood Damage Imp. Phase IIA - Channel Fencing
Solicitation No. 2009-251

SCOPE OF WORK

1. Furnish and install new wrought iron fence as per Project Drawings and Specifications.
Approx. 435 LF
Price per Linear Foot.
2. Furnish and install new Rockwall as per Project Drawings and Specifications. Approx.
835 Perch.
Price per Perch.

Notes:

1. Contractor is responsible for the traffic control as required; the cost is incidental to the work.
2. Contractor is responsible to find access to the work area and restore it to the original condition at completion of the project. Cost is incidental to the work.
3. Re-grade and dress-up disturbed area adjacent to the fence.
4. Exercise special care in order to protect the existing improvements during construction.
5. Quantities of work are approximate and may vary.

CITY OF EL PASO BID TABULATION

BID TITLE: WESTSIDE FLOOD DAMAGE IMPROVEMENT PHASE IIA - CHANNEL FENCING
 BID DATE: JULY 8, 2009

BID NO: 2009-251
 DEPARTMENT: STREET

| | | | | BEST IRON WORKS EL PASO, TEXAS | | CASPIAN CONSTRUCTION CO. EL PASO, TEXAS | | CON - TEX CONSTRUCTION, CO. SUNLAND PARK, NM | | IRON FORCE CONSTRUCTION CORP. EL PASO, TEXAS | |
|---|-------------|-------|---------------------------------|--|--------------|---|--------------|--|--------------|--|-------------|
| ITEM # | EST. QTY | UNITS | DESCRIPTION | SUM OF(UNITS) | TOTAL | SUM OF(UNITS) | TOTAL | SUM OF(UNITS) | TOTAL | SUM OF(UNITS) | TOTAL |
| BASE BID - UNIT PRICE SCHEDULE | | | | | | | | | | | |
| 1 | 1 | LS | MOBILIZATION | \$5,660.00 | \$5,660.00 | \$7,221.00 | \$7,221.00 | \$9,912.00 | \$9,912.00 | \$5,027.00 | \$5,027.00 |
| 2 | 835 | PERCH | ROCKWALL | \$148.50 Contractor's Total \$123,997.00 | \$123,997.50 | \$148.00 | \$123,580.00 | \$165.00 | \$137,775.00 | \$93.30 Contractor's Total \$77,905.00 | \$77,905.50 |
| 3 | 435 | LF | WROUGHT IRON FENCE (6' HIGH) | \$48.00 | \$20,880.00 | \$72.00 | \$31,320.00 | \$117.00 | \$50,895.00 | \$47.00 | \$20,445.00 |
| SUM TOTAL BASE BID (ITEMS NO. 1 THRU NO. 3) | | | | \$150,537.50 Contractor's Total \$150,537.00 | | \$162,121.00 | | \$198,582.00 | | \$103,377.50 Contractor's Total \$103,377.00 | |
| BID BOND SUBMITTED | | | | CASHIER'S CHECK | | YES | | YES | | CASHIER'S CHECK | |
| AMENDMENTS ACKNOWLEDGED | | | | YES | | YES | | YES | | YES | |

APPROVED BY: *mx*

CITY OF EL PASO BID TABULATION

BID TITLE: WESTSIDE FLOOD DAMAGE IMPROVEMENT PHASE IIA - CHANNEL FENCING
 BID DATE: JULY 8, 2009

BID NO: 2009-251
 DEPARTMENT: STREET

| | | | | KARLSRUHER INC. DBA CSA ENGINEERS AND CONSTRUCTORS EL PASO, TEXAS | | LOMELI AND SONS LANDSCAPING CO., INC. EL PASO, TEXAS | | MARTINEZ BROS. CONTRACTORS, LLC EL PASO, TEXAS | | MIRADOR ENTERPRISES, INC. EL PASO, TEXAS | |
|--|-------------|-------|---------------------------------|--|--------------|--|--------------|--|--------------|--|--------------|
| ITEM # | EST. QTY | UNITS | DESCRIPTION | SUM OF(UNITS) | TOTAL | SUM OF(UNITS) | TOTAL | SUM OF(UNITS) | TOTAL | SUM OF(UNITS) | TOTAL |
| BASE BID - UNIT PRICE SCHEDULE | | | | | | | | | | | |
| 1 | 1 | LS | MOBILIZATION | \$7,500.00 | \$7,500.00 | \$6,500.00 | \$6,500.00 | \$8,625.00 | \$8,625.00 | \$3,192.00 | \$3,192.00 |
| 2 | 835 | PERCH | ROCKWALL | \$160.00 | \$133,600.00 | \$95.00 | \$79,325.00 | \$168.00 | \$140,280.00 | \$250.26 Contractor's Total \$208,963.00 | \$208,967.10 |
| 3 | 435 | LF | WROUGHT IRON FENCE (6' HIGH) | \$55.25 | \$24,033.75 | \$73.00 | \$31,755.00 | \$84.00 | \$36,540.00 | \$82.99 Contractor's Total \$36,102.00 | \$36,100.65 |
| SUM TOTAL BASE BID (ITEMS NO. 1 THRU NO. 3) | | | | | \$165,133.75 | | \$117,580.00 | | \$185,445.00 | Contractor's Total \$248,257.00 | \$248,259.75 |
| BID BOND SUBMITTED | | | | YES | | YES | | YES | | YES | |
| AMENDMENTS ACKNOWLEDGED | | | | YES | | YES | | YES | | YES | |

APPROVED BY: *mmk*

CITY OF EL PASO BID TABULATION

BID TITLE: WESTSIDE FLOOD DAMAGE IMPROVEMENT PHASE IIA - CHANNEL FENCING
 BID DATE: JULY 8, 2009

BID NO: 2009-251
 DEPARTMENT: STREET

| | | | | SANCHEZ CONSTRUCTION AND LANDSCAPING EL PASO, TEXAS | | | | | | | |
|---|-------------|-------|---------------------------------|--|--------------|------------------|-------|------------------|-------|------------------|-------|
| ITEM # | EST. QTY | UNITS | DESCRIPTION | SUM OF(UNITS) | TOTAL | SUM OF(UNITS) | TOTAL | SUM OF(UNITS) | TOTAL | SUM OF(UNITS) | TOTAL |
| BASE BID - UNIT PRICE SCHEDULE | | | | | | | | | | | |
| 1 | 1 | LS | MOBILIZATION | \$10,000.00 | \$10,000.00 | | | | | | |
| 2 | 835 | PERCH | ROCKWALL | \$192.00 | \$160,320.00 | | | | | | |
| 3 | 435 | LF | WROUGHT IRON FENCE (6' HIGH) | \$103.00 | \$44,805.00 | | | | | | |
| SUM TOTAL BASE BID (ITEMS NO. 1 THRU NO. 3) | | | | | \$215,125.00 | | | | | | |
| BID BOND SUBMITTED | | | | YES | | | | | | | |
| AMENDMENTS ACKNOWLEDGED | | | | YES | | | | | | | |

APPROVED BY: *MY*