

Posting Language

Recommend approval to negotiate and execute a construction contract for the Onion Creek Odor Control Facility Stream Bank Stabilization project with Forsythe Brothers Infrastructure, LLC, in the amount of \$390,000 plus a \$19,500 contingency for a total contract amount not to exceed \$409,500.

MBE/WBE

This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 5.46% MBE and 1.28% WBE participation.

Lead Department

Financial Services Department

Client Department

Austin Water Assistant Director of Engineering Services, Shay Ralls Roalson

Fiscal Note

Funding is available in the Capital Budget of Austin Water.

Purchasing Language:

Lowest responsive bid of three bids received through a competitive Invitation for Bids solicitation.

A complete solicitation package, including a tabulation of the bids received, is available for viewing, is available for viewing on the City's Financial Services, website, Austin Finance Online. Link: [Solicitation Document](#).

Council Committee, Boards and Commission Action:

January 18, 2023 - To be reviewed by the Water & Wastewater Commission.

Additional Backup Information:

The Onion Creek Odor Control Facility is an existing facility serving the Onion Creek wastewater interceptor and located adjacent to Onion Creek. Past storm events caused erosion into the site, resulting in an increased risk of damage to existing infrastructure. This project will repair existing erosion and protect the site from further damage.

The scope of the project includes constructing a pile wall to stabilize the site which will prevent further erosion and protect the existing wastewater infrastructure. Additionally, a chain link fence will be constructed to secure the site.

Due to the potential for unforeseen conditions, a 5% contingency in funding has been included to allow for the expeditious processing of any change orders. A contingency is an additional amount of money added to the construction budget to cover any unforeseen construction costs associated with the project. By authorizing the additional contingency funding, Council is authorizing any change orders within the contingency amount.

There will be minimal impact to the public as the work will occur within a City easement that is not open to the public.

If approval of this contract is delayed or deferred, site erosion will continue to progress and the risk of damage to the infrastructure will continue.

The contract allows 150 calendar days for completion of this project. This project is located within zip code 78747 within the City's Extraterritorial Jurisdiction.

Forsythe Brothers Infrastructure, LLC is located in Manor, Texas.

Strategic Outcome(s):

Health and Environment

M/WBE Summary

Public notice was given for this solicitation, CLMC906, for the Onion Creek Odor Control Facility Stream Bank Stabilization project, through the City’s Vendor Connection web portal. Three bids were received and opened on October 13, 2022. Of the three bids received, none of the firms submitting were certified MBE/WBE. Forsythe Brothers Infrastructure, LLC submitted the lowest responsive bid:

Forsythe Brothers Infrastructure, LLC, Manor, TX	\$390,000
Cedar Hills Construction, LLC, Leander, TX	\$543,607
Muniz Concrete & Contracting, Inc., Austin, TX	\$683,470

The contractor’s choice of work methodology provides for five areas of contracting opportunities which are listed below. Participation goals stated in the solicitation were 0.71% African American; 3.87% Hispanic; 0.62% Native/Asian American; and 1.28% WBE. Total participation is estimated on the base bid amount:

		Base Bid:	\$ 390,000.00	
PRIME	NON M/WBE TOTAL		\$ 303,700.00	77.87%
	Forsythe Brothers Infrastructure, LLC, Manor, TX			
MBE TOTALS - SUBCONTRACTORS			\$ 21,300.00	5.46%
	<i>African American Subtotal</i>		\$ 2,800.00	0.72%
	(MB) Jeff Ellison, Pflugerville, TX (Reinforcing bars)		\$ 2,800.00	0.72%
	<i>Hispanic Subtotal</i>		\$ 16,000.00	4.10%
	(MH) Melendrez Trucking, LLC, Austin, TX (Topsoil and fill dirt)		\$ 16,000.00	4.10%
	<i>Native/Asian American Subtotal</i>		\$ 2,500.00	0.64%
	(MA) Benqwest, Austin, TX (Diesel fuel)		\$ 2,500.00	0.64%
WBE TOTALS - SUBCONTRACTORS			\$ 5,000.00	1.28%
	(FH) Alpha Ready Mix, Hutto, TX (Ready mixed concrete)		\$ 5,000.00	1.28%
NON MBE/WBE TOTALS - SUBCONTRACTORS			\$ 60,000.00	15.38%
	Herzog Drilling, Pflugerville, TX (Drilling)		\$ 60,000.00	15.38%

The Contractor submitted an MBE/WBE Compliance Plan that met the goals of the solicitation and was approved by the Small and Minority Business Resources Department. Second and third low bidder information is provided.

SECOND BIDDER - Cedar Hills Construction, LLC, Leander, TX \$543,607
 86.48% NON M/WBE prime participation; 0.73% African American; 4.15% Hispanic; 0.66% Native/Asian American; 1.34% WBE; 6.64% NON M/WBE subcontractor participation.

THIRD BIDDER - Muniz Concrete & Contracting, Inc., Austin, TX \$683,470

46.63% NON M/WBE prime participation; 1.40% African American; 4.13% Hispanic; 0.69% Native/Asian American; 2.17% WBE; 44.98% NON M/WBE subcontractor participation.

Onion Creek Odor Control Facility Project Map
CIP ID: 6943.050

