CITY COUNCIL REGULAR AGENDA ITEM (S) FOR MEETING OF FEBRUARY 8, 2005:

BEST VALUE PROCUREMENT:

THAT the City of El Paso hereby awards Solicitation No. 2005-038 for Shawver Pool Improvements to F. T. James Construction, Inc. in the amount of $298,318.00, as this offeror provides the best value to the City based on the published criteria and on its ranking evaluation; and

THAT the Mayor be authorized to sign the contract; and

THAT the Mayor be authorized to execute budget transfers for this award and project as necessary; and

THAT the City Engineer is hereby authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed $25,000 per numbered change order and 25% of the original contract price as awarded, without further authorization by City Council.

Contact Person: Byron Johnson, Director of Purchasing at 541-4313

REQUEST FOR PROPOSALS:

NO RFP'S FOR THIS AGENDA

BIDS:

NO BIDS FOR THIS AGENDA

DATE: January 26, 2005

TO: Municipal Clerk

FROM: Byron E. Johnson, C.P.M.
Director of Purchasing - X4313

THRU: Rachel Johnson
Clerk Typist II - X4162

Please place the following item on the **REGULAR** agenda for the Council Meeting of **FEBRUARY 8, 2005:**

THAT the City of El Paso hereby awards Solicitation No. 2005-038 for Shawver Pool Improvements to F. T. James Construction, Inc. in the amount of $298,318.00, as this offeror provides the best value to the City based on the published criteria and on its ranking evaluation; and

THAT the Mayor be authorized to sign the contract; and

THAT the Mayor be authorized to execute budget transfers for this award and project as necessary; and

THAT the City Engineer is hereby authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed $25,000 per numbered change order and 25% of the original contract price as awarded, without further authorization by City Council.

Contact Person: Byron Johnson, Director of Purchasing at 541-4313

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AGENDA FOR: FEBRUARY 8, 2005

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CITY OF EL PASO, TEXAS
REQUEST FOR COUNCIL ACTION (RCA)

DEPARTMENT: Purchasing
AGENDA DATE: February 8, 2005

CONTACT PERSON/PHONE: Byron Johnson, Director of Purchasing (X4313)
PROJECT NAME/SOLICITATION NO. Shawver Pool Improvements, Solicitation No. 2005-038

DISTRICT(S) AFFECTED: 7

SUBJECT:

Award Best Value Procurement for the construction of the Shawver Pool Improvements (Solicitation No. 2005-038) to F. T. James Construction, Inc. in the amount of $298,318.00 (Base Bid), as per recommendations from the Departments of Parks and Recreation and Engineering. F. T. James Construction, Inc. has provided the best value proposal. It is requested that the Mayor be authorized to sign the referenced contract and be authorized to execute budget transfers for this award and project, as necessary.

BACKGROUND / DISCUSSION:

Bid Tabulation, Best Value Evaluation Sheet, and Value engineered Negotiated Change are included in agenda backup.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

The 2004 Bond Election funds this project. Funding is available in 14200401-PBE04PA109-29109-508027. A budget transfer is not necessary at this time.

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:** _____

DATE: January 26, 2005

TO: Municipal Clerk

FROM: Byron E. Johnson, C.P.M.
Director of Purchasing - X4313

THRU: Rachel Johnson
Clerk Typist II - X4162

Please place the following item on the REGULAR agenda for the Council Meeting of February 8, 2005:

THAT the City of El Paso hereby awards Solicitation No. 2005-038 for Shawver Pool Improvements to F. T. James Construction, Inc. in the amount of $298,318.00, as this offeror provides the best value to the City based on the published criteria and on its ranking evaluation; and

THAT the Mayor be authorized to sign the contract; and

THAT the Mayor be authorized to execute budget transfers for this award and project as necessary; and

THAT the City Engineer is hereby authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed $25,000 per numbered change order and 25% of the original contract price as awarded, without further authorization by City Council.

Contact Person: Byron Johnson, Director of Purchasing at 541-4313

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AGENDA FOR: February 8, 2005

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RESOLUTION

WHEREAS, the City Council of the City of El Paso (the "***City***"), by Resolution dated March 12, 2002, determined that the Competitive Sealed Proposal Method, as set forth in Section 252.043(h) of the Local Government Code, is the project method that provides the best value to the City when entering into a contract for the construction of a facility;

WHEREAS, the selection of a construction contractor for the Shawver Pool Improvements, Solicitation No. 2005-038, shall be accomplished through the use of the Competitive Sealed Proposal Method;

WHEREAS, certain procedures must be met under state law when selecting a contractor for construction of a facility through Competitive Sealed Proposal Method;

WHEREAS, the City has followed the required procedures by preparing a request for competitive sealed proposals that includes construction documents, selection criteria used in selecting the successful offeror, estimated budget, project scope, schedule, and other information that contractors may require to respond to the request;

WHEREAS, the City has received, publicly opened, and read aloud the names of the offerors and the prices stated in each proposal and has, no later than the 45th day after the date of opening the proposals, evaluated and ranked each proposal submitted in relation to the published selection criteria;

WHEREAS, the City selects F. T. James Construction, Inc. (the "***Company***"), as the offeror that offers the best value to the City based on the published selection criteria and on its ranking evaluation; and

WHEREAS, the City has successfully negotiated a contract with the Company and has, along with the architect, discussed with the Company options for a scope or time modification and price change associated with the modification.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City hereby awards Solicitation No. 2005-038 for Shawver Pool Improvements to the Company in the amount of $298,318.00, as this offeror provides the best value to the City based on the published criteria and on its ranking evaluation;

THAT the Mayor be authorized to sign the contract;

THAT, the Mayor be authorized to execute budget transfers for this award and project as necessary; and

THAT the City Engineer is hereby authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed $25,000 per numbered change order and 25% of the original contract price as awarded, without further authorization by City Council.

(ALL SIGNATURES FOLLOW ON NEXT PAGE)

RESOLUTION

(Signature Page)

ADOPTED this 8th day of February 2005.

CITY OF EL PASO

_____
Joe Wardy
Mayor

ATTEST:

_____
Richarda D. Momsen
Municipal Clerk

APPROVED AS TO FORM:

_____
Jorge Villegas
Assistant City Attorney

APPROVED AS TO CONTENT:

_____
Byron E. Johnson, Director
Purchasing Department

Document Name:PURCHASING/1/RESO/BEST VALUE/SHAWVER POOL IMPROVEMENTS
Document #: 8479
Author_Id: JVIL

SCOPE OF WORK

Best Value Procurement

SHAWVER POOL IMPROVEMENTS

8100 INDEPENDENCE DRIVE

PROPOSAL NO. 2005-038

BASE BID: POOL IMPROVEMENTS

1. Remove all existing pool wall and floor plaster, and replace with new plaster – quartz finish (Diamond Brite) or Equal. See (A-2) Architectural Improvements Floor Plan for locations.

2. Remove all existing black colored 1" x 1" racing lane marker floor tiles, and replace with new Dal-Tile (Galazy #0469) or Equal, 2" x 2" unglazed/slip resistance floor tiles. See (A-2) Architectural Improvements Floor Plan for locations.

3. Remove all existing black colored 1" x 1" racing lane target pool wall tiles, and replace with new Dal-Tile (Galazy #0469) or Equal, 2" x 2" unglazed/slip resistance tiles on pool walls. See (A-2) Architectural Improvements Floor Plan for locations.

4. Remove all existing white colored 1" x 1" floor tiles around pool floor drains and inlets and replace with new Dal-Tile (White) or Equal, 2" x 2" unglazed/slip resistance tiles on pool floors. See (A-2) Architectural Improvements Floor Plan for locations.

5. Remove all existing stainless steel stair and landing rails, and replace with new ones including new anchors to match existing. See (A-2) Architectural Improvements Floor Plan for locations.

6. Remove all existing stainless steel grab rails, and replace with new ones including new anchors to match existing. See (A-2) Architectural Improvements Floor Plan for locations.

7. Remove all existing PVC/Polypropylene Grating and replace to match existing with new grates around pool deck, and repair existing gutter, as required. See (A-2) Architectural Improvements Floor Plan for locations.

8. Remove existing ten (10) pool light fixtures and replace with new light fixtures. See (E-1) Electrical Plan for locations.

9. Demolish all existing pool deck floor surface, waterline face, and Depth Marker tiles, and replace with new Dal-Tile or Equal, unglazed/slip resistance floor tiles. See (A-2) Architectural Improvements Floor Plan for locations, sizes and color selections.

CITY OF EL PASO BID TABULATION

BID ITEM: SHAWVER POOL IMPROVEMENTS
BID DATE: DECEMBER 15, 2004

BID # 2005-038
DEPARTMENT: PARKS

	F. T. JAMES CONSTRUCTION, INC. EL PASO, TEXAS					
DESCRIPTION	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
BASE BID	$318,318.00					
AMENDMENTS ACKNOWLEDGED	YES					
BID BOND SUBMITTED	YES					

CHECKED BY: Barbara Crumley
12/17/04

BEST VALUE PROCUREMENT EVALUATION SHEET
SHAWVER POOL IMPROVEMENTS, 2005-038

CRITERIA	F. T. JAMES CONSTRUCTION INC			
Part A: Offeror's Price	$318,318.00			
Maximum 65 Points				
*Low Offer / Offer * 65*	65.00			
Part B: Offorer's Past Relationship with Owner				
Maximum 10 points				
Contract Compliance w/City Contracts (0 -8 pts)	7			
Completion of City Contracts Prior to Completion Date (0 - 2 pts)				
Negative Performance on City Contracts (0 to -10 pts)	1			
Part C: Offeror's Experience & Qualifications				
Maximum 10 Points				
Completed Projects Similar Size/Scope/Value (0 - 8 pts)	8			
Offeror Has Been in Business More Than 5 yrs (0 - 2 pts)	2.00			
Negative Performance on Contract(s) (0 to -10)				
Part D: Health Benefits				
Maximum 5 Points				
Offeror Provides & Pays 60% or More of Cost (0 or 5 pts)	5.00			
Part E: Local Project Manager				
Maximum 5 Points				
Prime Contractor has a Local Project Mgr (0 or 5 pts)	5.00			
Part F: Local Subcontractor Work				
Maximum 5 Points				
Local Subs to perform 75% of subcontracted work (0 or 5 pts)	5.00			
TOTAL POINTS EARNED	~~82.00~~			
	93			

The following Best Value Committee Members certify these scores on this the 29th day of December, 2004.

User Department

Design Architect or Engineer

City Engineering

12/23/2004

BEST VALUE OFFEROR CERTIFICATION

SHAWVER POOL IMPROVEMENTS, CONTRACT NO. 2005-038

The evaluation of offers for the Best Value Procurement for this Proposal has been completed.

The Offeror, F. T. JAMES CONSTRUCTION, INC., has received the
(Contractor's Name)

highest score, 98, and is, therefore, certified as offering the City of El Paso the Best Value for this project.

The amount of the award will be $298,318.00

This amount includes the following proposal components and alternates with their corresponding amounts:

PROPOSAL COMPONENT	$ AMOUNT
Base Bid I, as negotiated	$298,318.00

I, _____ of _____
(Name) (Department or Firm)

concur with this Certification on this the 26th day of January 2005.

I, _____ of M. Cormick Architecture, LLC.
(Name) (Department or Firm)

concur with this Certification on this the 26th day of January 2005.

I, _____ of Engineering
(Name) (Department or Firm)

concur with this Certification on this the 26 day of January 2005.

CITY OF EL PASO
VALUE ENGINEERED NEGOTIATED CHANGE

DATE: 1/24/2005

VEN CHANGE: 1

☐ SCOPE CHANGE ☑ CONSTRUCTION CHANGE

PROJECT: Shawver Pool Improvements

SOLICITATION NO. 2005-038

TO (Contractor): F. T. James Construction, Inc.
700 W. Paisano
El Paso, Tx 79901

DEPT. ID#: 14200401
PROJ/GRANT/USER: PBE04PA109
FUND: 29109
ACCOUNT: 508027

You are directed to make the following changes in these Contract requirements::

1. Provide credit for supervision by general contractor and subcontractor ($10,000.00)
2. Reduce general contractor's profit ($10,000.00)

Value Engineered Negotiated Change: $ (20,000.00)

Original Proposal Amount	$ 318,318.00
Sum will be **decreased** by this Value Engineered Negotiated Change	$ (20,000.00)
New Contract Sum, including this Value Engineered Negotiated Change	$ 298,318.00
Total Net Value of Value Engineered Negotiated Change	$ (20,000.00)

Contract Time will be **unchanged**

CONTRACTOR	COEP USER DEPARTMENT	CITY OF EL PASO
F. T. James Construction, Inc. By: [signature] FRANK T. JAMES Type or Print Name 01/25/05 Date	Parks and Recreation By: [signature] Norman C. Merrifield Type or Print Name 1/25/05 Date	CITY COUNCIL ACTION REQUIRED: [ ] No [X] Yes Date Approved By: [signature] Rick Conner City Engineer 26 Jan 05 Date
ARCHITECT / ENGINEER Mc Cormick Architecture, LLC By: [signature] Jorge Acosta Type or Print Name 01/25/05 Date		

McCormick Architecture

4110 Rio Bravo, Suite 206 El Paso, TX 79912
Tel. (915) 533-2288 Fax (915) 533-2280

MEETING MINUTES

DATE: January 11, 2005

TIME: 11:00 am

PROJECT: #40601 - Shawver Park Indoor Pool Renovations

LOCATION: 2 Civic Center Plaza – 4th Floor Engineers Conference Room

REFERENCE: Construction Cost Negotiation

ITEMS DISCUSSED:

1. Frank James agreed to reduce the construction from original $318,318.00 to $298,318.00. (Architect and City, Parks & Recreation Department were in agreement to final negotiation amount).

   a) -$10,000.00 credit came from double supervision from general contractor and sub-contractor.

   b) -$10,000.00 credit came from general contractor's profit reduction.

2. The project will go back to city council on January 25, 2005.

3. An estimation time of 4 to 5 weeks to meet for Pre-Construction Meeting - (Richard Garcia will try to push to have the meeting sooner).

4. The expectation starting date of construction is on the first week of February 2005 and completion date on late May or the first week of June 2005. (Note: This depends on the date of granting of project to contractor being F.T. James).

JOB MEETING ATTENDENCE

ATTENDED:

NAME:	COMPANY:	TELEPHONE:	
Jorge Acosta	McCormick Architecture	533-2288	Fax 2280
Edward McCormick	McCormick Architecture	533-2288	Fax 2280
Nicolas Diaz	City – Engineering Dept.	541-4205	Fax 4441
Richard Garcia	City – Parks & Recreation Dept.	541-4331	Fax 4355
Frank James	F. T. James Construction	351-2400	Fax 2404

PROPOSAL
Best Value Procurement

TO THE HONORABLE MAYOR AND CITY COUNCIL
CITY OF EL PASO
EL PASO, TEXAS

GENTLEMEN:

The undersigned, having familiarized themselves with the local conditions affecting the cost of work and with the Contract documents consisting of Invitation for Competitive Sealed Proposals, Information for Offerors, General Conditions, the Contractor's Proposal, Special Conditions, Applicable Wage Rates, the Contract Form, Plans, Specifications, Drawings, and Addenda on file in the office of the Purchasing Department of the City of El Paso, hereby proposes to perform everything required to be performed and to provide, furnish and install all the labor, materials, necessary tools, expendable equipment, and all utility and transportation services, and to complete in a workmanlike manner all the work required for the

SHAWVER POOL IMPROVEMENTS

PROPOSAL NO. 2005-038

within the specified limits and in accordance with the Plans and Specifications as prepared for the City of El Paso, including Addenda Number(s) 1, ____, ____, ____, ____, ____, ____, ____, ____, ____, ____, AT THE FOLLOWING **LUMP SUM:**

BASE BID I:

The undersigned agrees to perform all of the work required for the total amount of:

$ 318,318 —

COMPANY NAME: F.T. JAMES CONSTRUCTION, INC.

OFFEROR'S SIGNATURE: [signature]

OFFEROR'S NAME: FRANK T. JAMES, PRESIDENT
Offeror's Name must be typed or printed

CONTRACT TIME AND LIQUIDATED DAMAGES

The undersigned Offeror agrees to commence work on a date to be specified in a written Notice to Proceed and to substantially complete the work on which he/she has proposed within **ONE HUNDRED TWENTY (120) CONSECUTIVE CALENDAR DAYS.**

Offeror agrees to pay as liquidated damages the sum of **FIVE HUNDRED SIXTY SIX DOLLARS ($566.00)** for each consecutive calendar day thereafter as provided in paragraph 6.8 of the General Conditions of the Contract.

PROPOSAL

Enclosed with this proposal is a certified check or bid bond for five percent (5%) of the TOTAL offer including base bid(s) and alternate(s) which is agreed shall be collected and retained by the owner(s) as liquidated damages in the event this proposal is accepted by the Owner within forty-five (45) consecutive calendar days after the date advised for the reception of offers and the undersigned fails to execute the contract and the required performance and payment bonds with the Owner within fourteen (14) consecutive calendar days after the date said proposal is accepted; otherwise, the said bid security shall be returned to the undersigned upon demand.

THE UNDERSIGNED OFFEROR REPRESENTS TO THE CITY AND TO THE OTHER OFFERORS THAT HIS/HER PROPOSAL, AND THE ESTIMATES ON WHICH IT IS BASED, HAS BEEN CAREFULLY CHECKED, CONTAINS NO ERRORS, AND NOTHING HAS BEEN OMITTED OR OVERLOOKED IN DETERMINING THE AMOUNTS OFFERED.

OFFEROR'S NAME: F.T. JAMES CONSTRUCTION, INC.

BY: _____ 12/15/04

Signature — Date

FRANK T. JAMES, PRESIDENT — (915) 351-2400 — (915) 351-2404

Print Signer's name & title — Telephone — Fax

700 W PAISANO DRIVE — EL PASO, TEXAS 79901

Address — City, State, Zip Code

SAME — _____

Physical Address of Business – if different from above — City, State, Zip Code

IF THE OFFEROR IS A CORPORATION, THE FOLLOWING CERTIFICATE SHOULD BE EXECUTED:

I, RICK MILLER, certify that I am the _____ Secretary of the corporation named as Offeror hereinabove; that FRANK T. JAMES, who signed the aforegoing contract on behalf of the Offeror, was then PRESIDENT of said corporation; that said proposal was duly signed for and in behalf of said corporation by authority of its governing body, and is within the scope of its corporate powers.

_____

CORPORATE SECRETARY SIGNATURE AND CORPORATE SEAL