

## Information for Town Council Meeting on September 10, 2019

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TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II CPPO Town Purchasing Manager

RE: Resolution Approving the Termination of Bid No. 2019-08 to C&W Pipeline for the Worth Avenue Infrastructure Improvements and Award to Johnson-Davis to Complete the Project for a Proposed Budget of \$1,221,995 and a total project budget of \$1,405,294, **Resolution No. 109-2019**

DATE: 3 September 2019

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### **STAFF RECOMMENDATION**

Staff recommends Town Council approval of Resolution No. 109-2019, approving the Termination of Bid No. 2019-08 to C&W Pipeline for the Worth Avenue Infrastructure Improvements and award to Johnson-Davis to complete the project for a proposed budget of \$1,221,995 and a total project budget of \$1,405,294.

### **SUMMARY EXPLANATION/BACKGROUND**

Town Council approved the award of Bid No. 2019-08, Worth Avenue Infrastructure Improvements on March 19, 2019. The purchase order authorized was for \$1,397,989 with an overall project budget of \$1,610,000.

Town Engineering Staff and our consultant, Chen-Moore and Associates for this construction project continued to note construction delays, as well as issues with performance of actual construction improvements at the job site. Weekly meetings were held with C&W Pipeline with no noted improvement in either schedule or performance.

On July 18, 2019, Chen-Moore and Associates requested that C&W Pipeline demonstrate their ability to complete work on-time by providing a Recovery Schedule in accordance with Subsection 1.10 of Section 01311 of the Contract Documents.

At this milestone, it should be noted that C&W Pipeline had 45% of the contract schedule remaining, yet, with 70% of the work to be completed. After a meeting with Chen-Moore and Associates and Town Engineering Staff, it was determined that C&W could not complete this project as originally scoped, both in quality of work and timeline.

A Notice of Termination Letter was presented to C&W Pipeline based the factors noted. A detail

of all performance issues is contained in the attached backup from Chen-Moore and Associates.

The Town Manager's Office was advised of all issues and the Notice of Termination to the firm.

In review of the bids that were submitted in February 2019 for this project, the next vendor, D.S. Eakins was contacted about assuming the work of C&W Pipeline. Due to outstanding workload, they were not able to assume the role. The third ranked vendor, Johnson-Davis was contacted and after meeting with Chen-Moore and Associates and Town Engineering Staff, they agreed to assume the work and at their original bid pricing.

The original Purchase Order to C&W Pipeline was \$1,397,989 with an overall project budget of \$1,610,000 and was funded by ACIP, Phase 2.

Approved work to C&W Pipeline is \$467,989, including materials purchased which will be stored by the Town pending scheduling of work.

The quote submitted by Johnson-Davis is \$1,221,995 to complete the project. This represents an additional cost to complete the project of \$79,984 from the overall established project budget of \$1,610,000.

#### **FISCAL IMPACT/FUNDING SOURCE**

The funding for this program is from the Accelerated Capital Improvement Program, contingent upon budget approval.

#### **USER DEPARTMENT CONCURRENCE**

Public Works is in full concurrence with this recommendation.

#### **DUE DILIGENCE**

Due Diligence was conducted to determine vendor responsibility, including corporate status and that there are no performance and compliance issues. The review included conducting market research.

The Town has extensive working experience with the recommended vendor Johnson-Davis to complete this project.

#### **TOWN ATTORNEY REVIEW**

This format has been utilized by the Town in previous recommendations and was approved by the Town Attorney.

CC: Jay Boodheshwar, Deputy Town Manager  
Paul Brazil, P.E., Director, Public Works  
Patricia Strayer, P.E., Town Engineer

Jason Debrincat, P.E., Senior Project Engineer  
Mike Roach, P.E., Project Engineer  
Duke Basha, Assistant Purchasing Manager