

City of Fayetteville Staff Review Form

A. 4  
 Bid #12-18 LJB Construction, Inc.  
 Page 1 of 8

City Council Agenda Items  
 and  
 Contracts, Leases or Agreements

3/20/2012

City Council Meeting Date  
 Agenda Items Only

Matt Mihalevich                      Engineering                      Development Services  
 Submitted By                      Division                      Department

Action Required:

Staff recommends a resolution awarding Bid #12-18 and approving a contract with LJB Construction, Inc. for the installation of a concrete barrier wall along Knapp Street above the west approach ramps to the tunnel along the Meadow Valley Trail in the amount of \$49,300.00. Approval of a 10% contingency in the amount of \$4,930 is also requested.

\$ <u>49,300.00</u> Cost of this request	\$ <u>433,527.00</u> Category / Project Budget	<u>Transportation Bond Trail Impr</u> Program Category / Project Name
<u>4520.9550.5814.05</u> Account Number	\$ <u>316,853.00</u> Funds Used to Date	<u>Trail Improvements</u> Program / Project Category Name
<u>06036.1002</u> Project Number	\$ <u>116,674.00</u> Remaining Balance	<u>Sales Tax Construct Bonds</u> Fund Name

Budgeted Item

Budget Adjustment Attached

Tracy Sully                      3-2-12  
 Department Director                      Date

Previous Ordinance or Resolution # \_\_\_\_\_

[Signature]                      3-2-12  
 City Attorney                      Date

Original Contract Date: \_\_\_\_\_

Original Contract Number: \_\_\_\_\_

Paul A. Berke                      3-5-2012  
 Finance and Internal Services Director                      Date

Received in City Clerk's Office                      03-02-12 P03:49 RCVD  
[Signature]

[Signature]                      3-6-12  
 Chief of Staff                      Date

Received in Mayor's Office                      ENTERED 3/5/12  
[Signature]

[Signature]                      3/6/12  
 Mayor                      Date

Comments:

## CITY COUNCIL AGENDA MEMO

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**To:** Mayor and City Council

**Thru:** Don Marr, Chief of Staff  
Jeremy Pate, Development Services Director *J*  
Chris Brown, City Engineer *CB*

**From:** Matt Mihalevich, Trails Coordinator *MM*

**Date:** March 2<sup>nd</sup>, 2012

**Subject:** Meadow Valley Trail – Concrete Barrier Wall

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### RECOMMENDATION:

Staff recommends a resolution awarding Bid #12-18 and approving a contract with LJB Construction, Inc. for the installation of a concrete barrier wall along Knapp Street above the west approach ramps to the tunnel along the Meadow Valley Trail in the amount of \$49,300.00. Approval of a 10% contingency in the amount of \$4,930 is also requested.

### PROPOSAL:

Currently under construction, Meadow Valley Trail is a 2.3 mile trail that will connect the new bike lanes on Mt. Comfort Road east under I-540 across the U of A Agricultural Research Farm to connect to Scull Creek Trail (see attached site plan). This highly requested trail will provide a safe alternative transportation route for the numerous residents and businesses west of I-540.

The new trail includes a tunnel for safe crossing under Garland Avenue (Highway 112) just south of Knapp Street near the Pauline Whitaker Animal Science Arena. Due to the significant grade change at the tunnel approach, retaining walls have been constructed along each side of the trail, just south of Knapp Street. A concrete barrier wall is necessary to be placed on top of the north retaining wall to provide a safe barrier to protect vehicles from veering off the road to the trail below. The City's in-house trails construction crew has been working diligently on the trail project performing the majority of the construction. The barrier wall will require specific concrete forming techniques that will be time consuming; therefore it has been determined that it is more cost effective to construct this portion of the project with a private contractor.

### BUDGET IMPACT:

Funds for the installation of the concrete barrier have been budgeted as part of the Transportation Bond Trail Development Program. 7 bidders responded to the request for formal bids and LJB Construction, Inc. was the lowest responsive bidder - See attached bid tab.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION AWARDDING BID #12-18 AND APPROVING A CONTRACT WITH LJB CONSTRUCTION, INC. IN THE AMOUNT OF \$49,300.00 FOR THE INSTALLATION OF A CONCRETE BARRIER WALL ALONG KNAPP STREET ABOVE THE MEADOW VALLEY TRAIL, AND APPROVING A TEN PERCENT (10%) PROJECT CONTINGENCY

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:**

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby awards Bid #12-18 and approves a contract with LJB Construction, Inc. in the amount of \$49,300.00 for the installation of a concrete barrier wall along Knapp Street above the Meadow Valley Trail.

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby approves a ten percent (10%) project contingency.

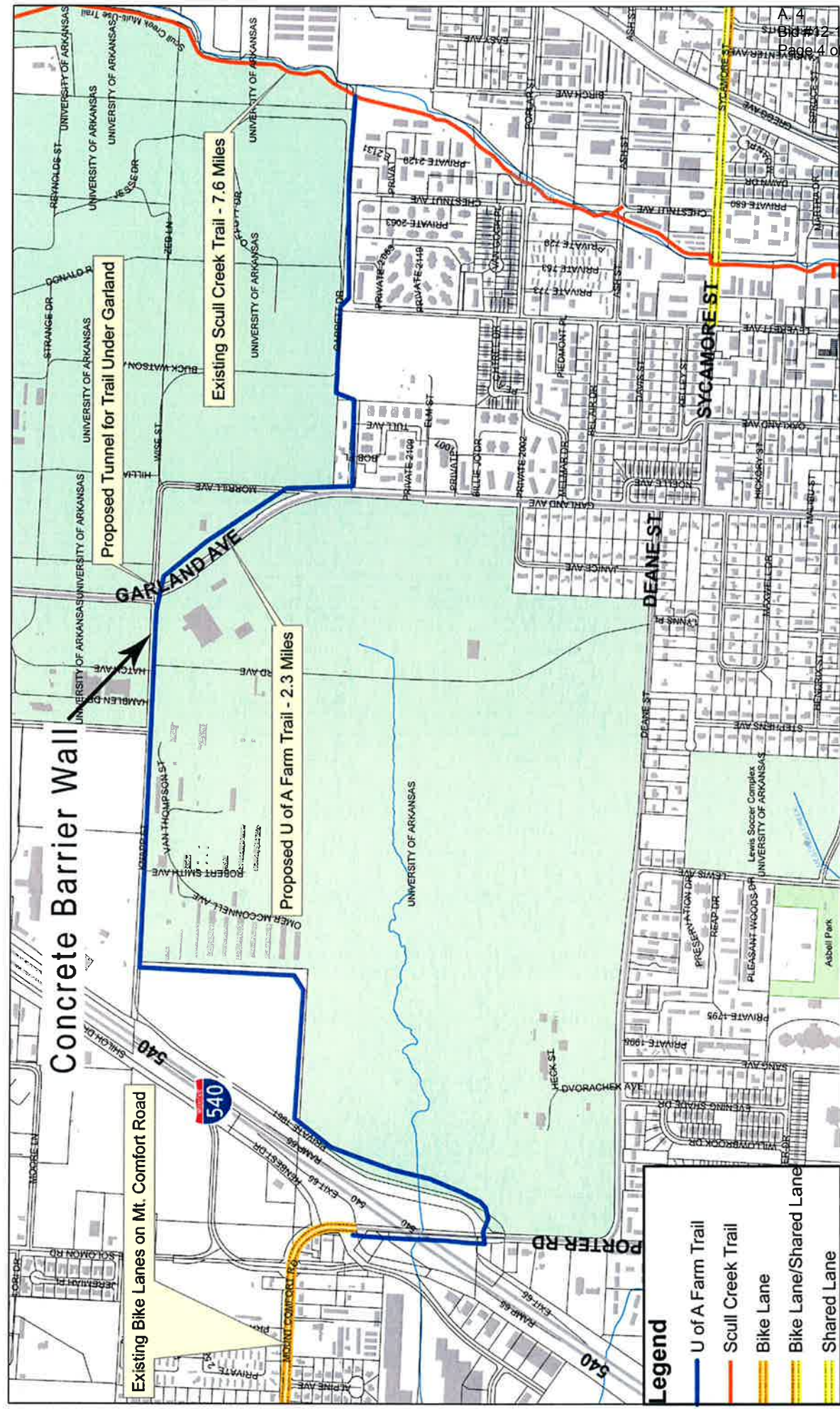
**PASSED** and **APPROVED** this 20<sup>th</sup> day of March, 2012.

APPROVED:

ATTEST:

By: \_\_\_\_\_  
**LIONELD JORDAN, Mayor**

By: \_\_\_\_\_  
**SONDRA E. SMITH, City Clerk/Treasurer**



# Meadow Valley Trail

2.3 Miles

**Legend**

- U of A Farm Trail
- Scull Creek Trail
- Bike Lane
- Bike Lane/Shared Lane
- Shared Lane





BID: 12-18  
 DATE: 03/02/12  
 TIME: 2:00 PM  
 CITY OF FAYETTEVILLE

Bid 12-18, Construction - Meadow Valley Trail Concrete Barrier Wall

BIDDER	Total Bid Less Deducts	Deductive Alternate	TOTAL BASE BID
1 Benchmark Construction of NWA	\$ 76,338.00	\$ 1,450.00	\$ 77,788.00
2 Construmarr, Inc.	\$ 55,000.00	\$ 992.62	\$ 55,992.62
3 LJB Construction, Inc.	\$ 47,300.00	\$ 2,000.00	\$ 49,300.00
4 Milestone Construction Company LLC.	\$ 98,138.00	\$ 1,100.00	\$ 99,238.00
5 N.E.C., Inc.	\$ 68,182.00	\$ 13,000.00	\$ 81,182.00
6 Steve Beam Construction	\$ 72,559.00	\$ 5,600.00	\$ 78,159.00
7 Sweetser Construction	\$ 62,128.00	\$ 6,650.00	\$ 68,778.00

CERTIFIED:

*P. Vice*  
 P. VICE, PURCH MGR

*A. Rosso*  
 WITNESS

*3/2/12*  
 DATE

<b>City Of Fayetteville - Purchase Order (PO) Request</b> <small>(Not a Purchase Order)</small>									
<i>All purchases under \$2500 shall be used on a P-Card unless medical or 1099 service related. (Call x256 with questions)        All PO Request shall be scanned to the Purchasing e-mail: Purchasing@ci.fayetteville.ar.us</i>									
Requester No.:		Date:		3/2/2012		Expected Delivery Date:			
P.O Number:		Mail Yes: _____		No: _____		Quoted Attached Yes: _____		No: _____	
Vendor Name: LJB Construction, Inc		Fob Point:		Ship to code: 104		Requester's Employee #: 1003		Account Numbers: 4520.9550.5814.05	
Address:		State:		Zip Code:		Requester's Employee #:		Project/Subproject #: 06036.1002	
City:		Requester:		John Nelson		Inventory #:		Fixed Asset #:	
Requester's Description		Quantity		Unit of Issue		Unit Cost		Extended Cost	
1 Concrete Barrier Wall for Meadow Valley Trail		1		JOB		49,300.00		\$49,300.00	
2 Bid #12-18								\$0.00	
3 Resolution #								\$0.00	
4								\$0.00	
5								\$0.00	
6								\$0.00	
7								\$0.00	
8								\$0.00	
9								\$0.00	
10								\$0.00	
• Shipping/Handling				Lot				\$0.00	
Special Instructions:									
Subtotal:								\$49,300.00	
Tax:								\$0.00	
Total:								\$49,300.00	
Approvals:									
Mayor: _____		Department Director: _____		Purchasing Manager: _____		IT Manager: _____		Other: _____	
Finance & Internal Services Director: _____		Budget Manager: _____		Utilities Manager: _____					
Dispatch Manager: _____									

**CONTRACT**

**Reference Bid:** Bid 12-18, Construction – Meadow Valley Trail Concrete Barrier Wall

**Contractor:** LJB Construction, Inc.

**Term:** Single Project with no revolving terms

This contract executed this \_\_\_\_\_ day of \_\_\_\_\_, 2012, between the City of Fayetteville, Arkansas, and **LJB Construction, Inc.** In consideration of the mutual covenants contained herein, the parties agree as follows:

1. **LJB Construction, Inc.** at its own cost and expense shall furnish all labor, materials, supplies, machinery, equipment, tools, supervision, bonds, insurance, tax permits, and all other accessories and services necessary to complete items bid per Bid 12-18 as stated in **LJB Construction, Inc.** bid proposal, and in accordance with specifications attached hereto and made a part hereof under Bid 12-18, all included herein as if spelled out word for word.
2. The City of Fayetteville shall pay **LJB Construction, Inc.** based on their bid proposal in an amount not to exceed **\$49,300.00.** Payments will be made after approval and acceptance of work and submission of invoice. Payments will be made approximately 30 days after receipt of invoice.
3. The Contract documents which comprise the contract between the City of Fayetteville and **LJB Construction, Inc.** consist of this Contract and the following documents attached hereto, and made a part hereof:
  - A. Bid form identified as Invitation to Bid 12-18 with the specifications and conditions typed thereon.
  - B. **LJB Construction, Inc.** bid proposal.
  - C. The Notice to Prospective Bidders and the Bid Tabulation.
4. These Contract documents constitute the entire agreement between the City of Fayetteville and **LJB Construction, Inc.** and may be modified only by a duly executed written instrument signed by the City of Fayetteville and **LJB Construction, Inc.**
5. **LJB Construction, Inc.** shall not assign its duties under the terms of this agreement.
6. **LJB Construction, Inc.** agrees to hold the City of Fayetteville harmless and indemnify the City of Fayetteville, against any and all claims for property damage, personal injury or death, arising from **LJB Construction, Inc.** performance of this contract. This clause shall not in any form or manner be construed to waive that tort immunity set forth under Arkansas Law.
7. **LJB Construction, Inc.** shall furnish a certificate of insurance addressed to the City of Fayetteville, showing that he carries the following insurance which shall be maintained throughout the term of the Contract. Any work sublet, the contractor shall require the subcontractor similarly to provide worker's compensation insurance. In case any employee engaged in work on the project under this contract is not protected under Worker's Compensation Insurance, **LJB Construction, Inc.** shall provide and shall cause each Subcontractor to provide adequate employer's liability insurance for the protection of such of his employees as are not otherwise protected.

<u>Workmen's Compensation</u>	Statutory Amount
<u>Comprehensive General &amp; Automobile Insurance</u>	
Bodily Injury Liability	\$500,000 for each person injured. \$1,000,000 for each accident.

Property Damage Liability \$1,000,000 aggregate.

The premiums for all insurance and the bond required herein shall be paid by **LJB Construction, Inc.**

- 8. **LJB Construction, Inc.** to furnish proof of licensure as required by all local and state agencies.
- 9. This contract may be terminated by the City of Fayetteville or **LJB Construction, Inc.** with 10 days written notice.
- 10. Freedom of Information Act: City of Fayetteville contracts and documents prepared while performing city contractual work are subject to the Arkansas Freedom of Information Act. If a Freedom of Information Act request is presented to the City of Fayetteville, the contractor will do everything possible to provide the documents in a prompt and timely manner as prescribed in the Arkansas Freedom of Information Act (A.C.A. 25-19-101 et. Seq.). Only legally authorized photo copying costs pursuant to the FOIA may be assessed for this compliance.
- 11. Changes in Scope or Price: Changes, modifications, or amendments in scope, price or fees to this contract shall not be allowed without a prior formal contract amendment approved by the Mayor and the City Council **in advance** of the change in scope, cost or fees.

WITNESS OUR HANDS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.

CITY OF FAYETTEVILLE,  
FAYETTEVILLE, ARKANSAS

\_\_\_\_\_  
LIONELD JORDAN, Mayor

Attest:

\_\_\_\_\_  
Sondra Smith, City Clerk

\_\_\_\_\_  
CONTRACTOR

BY \_\_\_\_\_  
NAME AND TITLE

ATTEST: COMPANY SECRETARY

\_\_\_\_\_

\_\_\_\_\_  
BUSINESS ADDRESS