THE CITY OF ASHEVILLE

Staff Report

Council Meeting Date: September 27, 2022

Subject: Contract for FY23 Utility Cut Concrete Repair

Staff Resource(s): Greg Shuler, Public Works Director
Chad Bandy, Streets Division Manager
Chuck Watson, Streets Division Project Development Manager

Action Requested: Adoption of a resolution authorizing the City Manager to execute a contract with Appalachian Paving and Concrete, Inc. in the amount of $266,125.00 plus a 19.5% contingency of $51,894.37, for a project total of $318,019.37, for the Fiscal Year 2023 Utility Cut Concrete Repair contract.

Background:

- The City of Asheville Public Works Streets Division administers the Street Cut Utility Program.
- This program is an enterprise fund that is supported by the participation and work generated by partner agencies (Duke Energy, Dominion Energy, City of Asheville Water Resources, and City of Asheville Stormwater Division).
- As part of this program, both internal and external utilities partner with the Streets Division to make repairs to City-owned infrastructure that results from utility improvements and repairs.
- At times these activities cut concrete infrastructure such as curbs and sidewalks.
- When this occurs the Utility Cut Program must have a method to address these areas.
- This contract serves as an instrument to address the unpredictable nature of these cuts in the City infrastructure, and eliminates the possibility of City employees being removed from the more routine scheduled maintenance of existing infrastructure.
- The quantity and location of the concrete repairs performed under this contract is dictated by development and repair work performed by the partner utilities.
- This is the tenth year that a private contractor has performed this service.
- The contract was advertised on July 29, 2022 and bids were scheduled to be opened on August 18, 2022.
- Only one bid was received.
- On the first scheduled bid opening the City is required to receive at least three bids to open.
- The contract was readvertised on August 19th and the opening was scheduled for September 1st.
- The following bids were received:

  Appalachian Paving and Concrete, Inc. of Swannanoa, NC: $266,125.00

- The contract work is expected to begin during the middle of October and to take approximately one calendar year to complete.

Vendor Outreach Efforts:

- Staff performed outreach to minority- and women-owned businesses through solicitation processes which include posting on the State's Interactive Purchasing System and requiring prime contractors to reach out to Minority & Women-Owned Business Enterprise (MWBE) service providers for subcontracted services.

- Staff also checked the City of Asheville list of certified MWBE business, the NC Historically Underutilized Business database, and the NCDOT MWBE database for potential contractors.
- Only two companies from an identified disparity group were found in the ten-county area and staff directly contacted those companies.
- The companies did not bid for this contract.

Council Goal(s):
- Transportation and Accessibility

Committee(s):
- None

Pro(s):
- Provides for the timely repair of concrete infrastructure that has been damaged by the installation of utilities.

Con(s):
- None

Fiscal Impact:
- The Street Cut Utility Program is an enterprise fund that is funded by fees paid by the four partners participating in the program.
- The partners will be billed 100% of the repair cost, meaning that the City realizes full cost recovery.
- Funding for this contract is available in the Street Cut Utility Fund operating budget.

Suggested Motion:
- Motion to adopt a resolution authorizing the City Manager to execute a contract with Appalachian Paving and Concrete, Inc. in the amount of $266,125.00 plus a 19.5% contingency of $51,894.37 ($318,019.37 total) for the Fiscal Year 2023 Utility Cut Concrete Repair contract.

Attachment(s):
- Resolution

RESOLUTION NO. 22-_____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH APPALACHIAN PAVING AND CONCRETE, INC. FOR THE FISCAL YEAR 2023 UTILITY CUT CONCRETE REPAIR CONTRACT

WHEREAS, the City of Asheville has authority pursuant to Article 3 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, pursuant to N.C.G.S. § 143-131, bids were solicited for the FY23 Utility Cut Concrete Repair contract; and

WHEREAS, Appalachian Paving and Concrete, Inc. of Swannanoa, NC was the lowest responsible bidder for the project; and

WHEREAS, Appalachian Paving and Concrete shall provide all labor, materials, and equipment for the FY23 Utility Cut Concrete Repair contract; and

WHEREAS, the amount of the bid is $266,125.00 plus a 19.5% contingency of $51,894.37 ($318,019.37 total), and funding is budgeted in the operating budget of the Street Cut Enterprise Fund;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized to execute a contract with Appalachian Paving and Concrete, Inc. in the amount of $266,125.00 plus a 19.5% contingency of $51,894.37 ($318,019.37 total) for the Fiscal Year 2023 Utility Cut Concrete Repair contract.

Read, approved and adopted this the 27th day of September, 2022.

_____ _____

City Clerk Mayor

Approved as to form:

_____

City Attorney