THE CITY OF ASHEVILLE

Staff Report

Council Meeting Date: April 26, 2022

Subject: Forest Hill / Caledonia Stormwater Improvements Project - Contract Amendment #1

Staff Resource(s): Greg Shuler, Public Works Director
Russ Davis, Interim Stormwater Division Manager

Action Requested: Adoption of a resolution authorizing the City Manager to execute a contract amendment with Moore & Son Site Contractors, Inc. in the amount of $37,081.00 for the Forest Hill/Caledonia Stormwater Improvements Project - Contract Amendment # 1; and adoption of a budget amendment to accept a project reimbursement from the Metropolitan Sewerage District (MSD) of $24,721.21 for shared paving costs in the project area.

Background:

- The original contract amount was $538,290 with a contingency of $107,658 for a total budget of $645,948. (Resolution 21-55)
- This project made improvements to the stormwater system including the addition of concrete curb along Forest Hill Drive and Caledonia Road in the Kenilworth neighborhood.
- Several new inlets were added and new pipes installed inside the right-of-way to improve drainage and reduce flooding on the roadway.
- Additionally, road safety improvements were made including a modification of the intersection of Caledonia Road and Forest Hill Drive and the installation of speed humps to improve safety.
- This project was funded with 2016 General Obligation (GO) bond funds, Stormwater capital funds, and General capital funds.
    - GO bond contribution was $383,368.80
    - Stormwater Capital Fund contribution was $254,179.20
    - General Capital Fund contribution (speed humps only) was $8,400.00
- This project was substantially completed on January 13, 2022.
- The roadway striping couldn't be done during the cold weather months, but is scheduled to be completed in April 2022.
- Additional asphalt was required to create a proper crown on the roadway to help direct stormwater to new inlets; this over-run in asphalt needed to complete the project created a budget shortfall in the amount of $37,081.00.
- The Metropolitan Sewerage District (MSD) is participating in the reimbursement for shared paving costs in the project area that will offset and reduce this project increase by $24,721.21 for a total budget shortfall of $12,359.79.
- This remaining shortfall will be covered with other project savings in the Stormwater Capital Fund.

Vendor Outreach Efforts:
(from original Staff Report for the project)

- The City's Goal Setting Committee set an annual aspirational goal for construction projects at 4.6% MWBE participation, in alignment with the City's Business Inclusion Policy.
- Staff performed outreach to minority- and women-owned businesses through solicitation processes which include posting on the State's Interactive Purchasing System, the City of Asheville website, the City of Asheville Twitter account, and requiring prime contractors to reach out to Minority & Women-Owned Business Enterprise (MWBE) service providers for subcontracted services.
- Stormwater staff also reached out to MWBE contractors that were identified through Yoruba Life, NCDOT HUB certified website, and The Color of Asheville directory.

- Past contractors who have shown interest in bidding on City of Asheville projects were informed about the project's advertisement.
- During the preparation for advertising this contract, the contract was shared with the Business Inclusion Manager in the Community & Economic Development Department.
- Out of the three (3) bids received, one (1) bidder self-identified as a MWBE business owner and would be utilizing MWBE subcontractors, one (1) bidder indicated that they would be utilizing a MWBE sub-contractor, and one (1) bidder indicated they would self-perform all work on the contract.
- The lowest responsive, responsible bidder indicated they would self-perform all the work on the contract.
- The Asheville Business Inclusion (ABI) Office reviewed this bidder's submission and found the bid was compliant with ABI Policy for a self-performing contractor.
- The two bidders that were utilizing MWBE subcontractors were not selected because their bid amounts were significantly higher than the lowest responsive, responsible bidder.
- Moore & Son Site Contractors, Inc., the lowest responsive, responsible bidder, utilized a woman-owned concrete service.

Council Goal(s):
- A Financially Resilient City
- A Clean and Healthy Environment

Committee(s):
- None

Pro(s):
- The contract amendment will allow the Stormwater Division to finalize required payments to the contractor for additional asphalt that was needed to complete the Forest Hill / Caledonia Stormwater Improvements project.

Con(s):
- None

Fiscal Impact:
- Funding for the contract amendment of $37,081 will come from a combination of the MSD reimbursement ($24,721.21) and existing project savings in the Stormwater Capital Fund ($12,359.79).

Suggested Motion:
- Motion to adopt a resolution authorizing the City Manager to execute a contract amendment with Moore & Son Site Contractors, Inc. in the amount of $37,081, for a total contract amount of $683,029 for the Forest Hill / Caledonia Stormwater Improvements Project; and adoption of a budget amendment to accept a project reimbursement from the Metropolitan Sewerage District (MSD) of $24,721.21 for shared paving costs in the project area.

Attachment(s):
- Resolution
- Budget Amendment
- Vicinity Map

RESOLUTION NO. 22-_____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH MOORE & SON SITE CONTRACTORS, INC. FOR THE FOREST HILL/CALEDONIA STORMWATER IMPROVEMENTS PROJECT

WHEREAS, the City of Asheville has authority pursuant to Article 2 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. § 143-129, qualifications were solicited for the Forest Hill/Caledonia Stormwater Improvement Project, City of Asheville Project #SW-2018-003; and

WHEREAS, Moore & Son Site Contractors Inc. was the lowest responsive, responsible bidder for the project; and

WHEREAS, Moore & Son Site Contractors, Inc. provided all labor, materials and equipment for the stormwater improvements and all its associated items; and

WHEREAS, the additional amount needed for the contract amendment is $37,081 and the monies have been budgeted in the Stormwater Capital Fund;

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

The City Manager is hereby authorized to execute on behalf of the City of Asheville a contract amendment in the amount of $37,081.00 with Moore & Son Site Contractors, Inc. for the Forest Hill/Caledonia Stormwater Improvements Project, for a total contract amount of $683,029.00.

Read, approved, and adopted on this the 26th day of April, 2022.

_____ _____

City Clerk Mayor

Approved as to form:

_____

City Attorney

ORDINANCE NO. _____

BUDGET ORDINANCE AMENDMENT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE

That the City of Asheville Fiscal Year 2021-22 Stormwater Capital Fund Budget Ordinance be amended to provide an appropriation of $24,721.21 to accept an interlocal agreement from the Metropolitan Sewerage District (MSD) for shared paving costs in the project area of the Forest Hill / Caledonia Stormwater Improvements Project, as follows:

STORMWATER CAPITAL PROJECTS FUND

Revenues:

Restricted Intergovernmental Other Local Participation	$24,721.21
Total Revenues	$24,721.21

Appropriations:

Construction	$24,721.21
Total Appropriations	$24,721.21

That this ordinance shall be in full force and effect upon the date of final passage.

Read, approved and adopted this 26th day of April, 2022.

_____ _____

City Clerk Mayor

Approved as to form:

_____

City Attorney

VICINITY MAP
FOREST HILL DRIVE/CALEDONIA ROAD SITE
1"=500'(±)

