

**FORSYTH COUNTY
BOARD OF COMMISSIONERS**

BRIEFING
DRAFT

MEETING DATE: MARCH 28, 2019 AGENDA ITEM NUMBER: 8

SUBJECT: RESOLUTION AWARDING A CONTRACT FOR CONSTRUCTION OF SPECIAL EVENTS ROADWAY AT TANGLEWOOD PARK (PARKS & RECREATION DEPARTMENT)

COUNTY MANAGER’S RECOMMENDATION OR COMMENTS:

SUMMARY OF INFORMATION:

In 2013, in an effort to address ongoing traffic congestion during the Tanglewood Festival of Lights, a traffic study was conducted to determine traffic patterns around Tanglewood Park special events. The study produced several recommendations, one of which was to increase onsite vehicle storage capacity by maximizing the use of the available land in the study area. The 2016 Capital Bond provided funding for this purpose. Davenport Engineering was contracted to design and scope the project for construction of a special events roadway at Tanglewood Park. The scope of work detailed in the base bid for the project included creating an approximately 1.5 mile paved loop around the perimeter of the Steeplechase field area. The base bid also included vehicular gates, stormwater collection areas and piped outlets, and numerous stormwater channels. In addition to the base bid specifications, Add Alternate #1 was included to increase the perimeter paved loop width to two full lanes and Add Alternate #2 to add approximately 0.5 mile two-lane paved inner loop two lanes wide for additional vehicle storage.

Bids were scheduled to be received for the Special Events Roadway at Tanglewood Park Project on November 29, 2018, but fewer than three bids were offered as required by N.C.G.S. 143-132(a). Therefore, as authorized by N.C.G.S. 143-129, the project was re-advertised and bids were received by City/County Purchasing on December 7, 2018, with a summary of bids received as follows:

	<u>Base Bid</u>	<u>Add Alternate #1</u>	<u>Add Alternate #2</u>
Hennings Construction Company, LLC	\$1,487,352	\$336,086	\$566,450
North State Environmental, Inc.	1,699,500	360,000	675,000

Bids exceeded the project budget of \$950,000. The engineer’s estimate was \$966,207. Staff worked extensively with the consulting engineer and low bidder to negotiate a contract price that meets the budget and establishes a scope of work that meets the minimum needs for the project. The negotiated total price agreed upon by both parties is \$881,100. The revised scope provides increased ingress and egress to and from the area, realigns the intersection at North Trail and Tanglewood Park Road for an improved turning radius, increases the storage and stackability for vehicles in the area, and additionally provides improved traffic patterns for events other than the Festival of Lights.

SUMMARY OF INFORMATION: continued

The low bidder, Hennings Construction Company, LLC, did not achieve the MWBE goal of 10% participation. Pursuant to the County M/WBE Policy, the County M/WBE Committee met on March 1, 2019, to consider the bidder's good faith efforts. After reviewing the documentation submitted by Hennings Construction Company, LLC, the committee determined that Hennings Construction Company, LLC, did make a good faith effort to achieve the subcontracting goal.

It is recommended by the County Manager, Parks and Recreation Director, and the City/County Purchasing Director that the contract for construction of a special events roadway at Tanglewood Park in the negotiated total amount of \$881,100, be awarded to Hennings Construction Company, LLC.

It is further recommended that that the County Manager be authorized to sign change orders up to an amount not to exceed \$70,500, upon written agreement with the contractor and the surety on the bond specifying the additional or different work undertaken.

ATTACHMENTS:- **YES** **NO**

SIGNATURE: _____ **DATE:** _____
 COUNTY MANAGER

**RESOLUTION AWARDING A CONTRACT CONSTRUCTION OF
SPECIAL EVENTS ROADWAY AT TANGLEWOOD PARK
(PARKS & RECREATION DEPARTMENT)**

WHEREAS Tanglewood Park has the need to construct a special events roadway for its annual Festival of Lights and other events;

WHEREAS bids were scheduled to be received for the Special Events Roadway at Tanglewood Park Project on November 29, 2018, but fewer than three bids were offered as required by North Carolina General Statute (N.C.G.S.) 143-132(a). Therefore, as authorized by N.C.G.S. 143-129, the project was re-advertised and bids were received by City/County Purchasing on December 7, 2018, with a summary of bids received as follows:

	<u>Base Bid</u>	<u>Add Alternate #1</u>	<u>Add Alternate #2</u>
Hennings Construction Company, LLC	\$1,487,352	\$336,086	\$566,450
North State Environmental, Inc.	1,699,500	360,000	675,000

WHEREAS all bids exceeded the project budget and staff worked with the consulting engineer and low bidder to negotiate a contract price that meets the budget and establishes a scope of work that meets the minimum needs for the project;

WHEREAS the low bidder, Hennings Construction Company, LLC, submitted M/WBE subcontracting goals less than the 10% goal established for this project; therefore, pursuant to the County M/WBE Policy, the County M/WBE Committee met on March 1, 2019, to consider the bidder's good faith efforts. After reviewing the documentation submitted by Hennings Construction Company, LLC, the committee determined that Hennings Construction Company, LLC, did make a good faith effort to achieve the subcontracting goal;

WHEREAS it is the recommendation of the County Manager, General Services Director, and the City/County Purchasing Director that a contract for construction of a special events roadway at Tanglewood Park be awarded to Hennings Construction Company, LLC, in the negotiated total amount of \$881,100, and that all other bids be rejected; and

WHEREAS the County Chief Financial Officer has determined that sufficient funds are available to cover the cost of this contract.

NOW, THEREFORE, BE IT RESOLVED, by the Forsyth County Board of Commissioners, that a contract for construction of a special events roadway at Tanglewood Park be awarded to Hennings Construction Company, LLC, in the negotiated total amount of \$881,100.

BE IT FURTHER RESOLVED, that the County Manager and Clerk to the Board are hereby authorized to execute a contract, on behalf of Forsyth County, with Hennings Construction Company, LLC, in the total amount of \$881,100, subject to a pre-audit certificate thereon by the County Chief

Financial Officer, if applicable, and approval as to form and legality by the County Attorney.

BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to sign change orders in an amount not to exceed \$70,500, upon written agreement with the contractor and the surety on the bond specifying the additional or different work undertaken.

BE IT FURTHER RESOLVED, that Hennings Construction Company, LLC, will be required to subcontract with minority or woman-owned businesses as a minimum not less than 6.0% of the contract as indicated on its Affidavit D; and

BE IT FURTHER RESOLVED, that all other bids are hereby rejected.

Adopted this 28th day of March, 2019.