

City of Independence

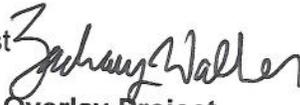
MEMORANDUM

DATE: June 21st, 2012

City Council Office

TO: Honorable Mayor and Members of the City Council

FROM: Zachary C. Walker, Management Analyst



SUBJECT: Contract Review for 2012 Asphalt Overlay Project



Before you is an ordinance authorizing the City Manager to enter into an agreement with Superior Bowen Asphalt Company in the amount of \$3,427,447.99 for the 2012 Asphalt Overlay Program. In accordance with Section 1.43.007 (D) of the City Code, I have reviewed this contract to ensure protocol was followed in the bidding process.

Having reviewed all applicable documentation and actions related to this bid process, it is my opinion that this is a satisfactory contract and all parties have fulfilled their obligations in the bid and contracting process accordingly. Staff worked diligently to attract bidders to this project, including placing advertisements in two area newspapers as legally required, as well as mailing notifications to one-hundred vendors and five builders associations.

Four vendors obtained contract documents. Of these, two bids were submitted, and Superior Bowen was selected by virtue of providing the lowest response by a qualified and responsible bidder. The spread between the two bidders is reasonable and is indicative that all bidders were utilizing similar assumptions and methodologies. Additionally, Superior Bowen provided a bid that is below the Engineer's Estimate, while the second bidder, Metro Asphalt, Inc., exceeded the Engineer's Estimate.

In citing references to demonstrate their ability to successfully complete this project, Superior Bowen has noted a number of Street Overlay programs that they have executed for other municipalities, including Jackson County, Liberty, Blue Springs, Kansas City, and Independence.

All contract documents have been reviewed and I am certain that they contain no provisions that would be considered harmful or unacceptable to the City. A bid bond has been submitted as required in the amount of 5% of the contract, MBE participation of 9.56% has been included, and the contractor agrees to complete the project within 90 consecutive calendar days or be levied liquidated damages. Finally, the contractor will provide 50% local labor for the project.

Please let me know if you should have any further questions regarding this matter.

C: Robert Heacock, City Manager
John Pinch, Deputy City Manager
Larry Kauffman, Assistant City Manager
Jane Sharon, City Clerk
John Powell, Public Works Director