

City of Independence

MEMORANDUM

City Council Office

DATE: June 5th, 2015

TO: Honorable Mayor and Members of the City Council

FROM: Zachary C. Walker, Management Analyst *Zachary Walker*

SUBJECT: Contract Review for 2015 Asphalt Street Overlay Project



Before you is an ordinance authorizing an agreement with Superior Bowen Asphalt Company, LLC in the amount of \$5,555,480.00 for the 2015 Asphalt Street Overlay Project. In accordance with Section 1.43.007 (D) of the City Code, I have reviewed this contract to ensure appropriate procedures were followed in the bidding process.

Having reviewed all applicable documents and actions, it is my opinion that this is a satisfactory contract and all parties have fulfilled their obligations accordingly. Staff worked diligently to attract bidders, including placing advertisements in two area newspapers for three consecutive days as legally required.

Two vendors submitted bids. Bids were requested to perform asphalt overlay for Districts One and Four, Districts Two and Three, and Citywide. This was done in order to attract more potential bidders to the project as well as to identify the best value for this project. Ultimately, it was determined that the Citywide option was of the best value, and that Superior Bowen provided the lowest response by a qualified and responsible bidder for this alternative. The spread between the two bids, as well as the approximation to the Engineer's Estimate, suggests that both bidders were utilizing similar assumptions and methodologies.

Superior Bowen is headquartered in Kansas City, Missouri. In citing references to demonstrate their ability to complete this project, Superior Bowen has noted various overlay and rehabilitation projects completed for other jurisdictions, including Lee's Summit and Kansas City, Missouri. Superior Bowen also completed the 2014 Street Overlay Project for the City of Independence.

All contract documents have been reviewed and I find 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 2.3% has been included, and the contractor agrees to complete the project within 90 working days or be levied liquidated damages of \$2,000 for every day in default. 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
Sarah Carnes-Lemp, City Clerk
Tim Gramling, Public Works Director