



MEMORANDUM

July 8, 2010

TO: Capital Investment Committee

FROM: David Parker, P.E.; CIP Executive
Eric S. Stuckey, City Administrator
Eric Gardner, P.E. Director of Engineering
Kevin E. Comstock; ITS Project Manager

SUBJECT: Contract Award of Franklin ITS Phase 1 ARRA Project. Contact 2010-0091

Purpose

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) the bid tabulation results for the Franklin Intelligent Transportation System (ITS) Phase 1 Project (funded through American Recovery and Reinvestment Act of 2009 Grant) and to present a staff recommendation that has received TDOT concurrence.

Background

On June 1, 2010 the City of Franklin and RPM Transportation Consultants opened bids on the Franklin ITS Phase 1 ARRA Project. The results are indicated in exhibit "A".

It should be noted that the apparent low bidder is not the subject of this award due to discrepancies in the bid package submitted. Most notably was lack of sufficient Disadvantaged Business Enterprises (DBE) participation in the project. TDOT has indicated that since the other bidders were able to meet the DBE goal of 4.5%, they would not accept the bid submitted by S & W Contracting Co., Inc. City staff has recommended to TDOT and they have concurred with award to Stansell Electric Company, Inc. as the lowest responsive bidder.

Financial Impact

This project is funded by a 100% reimbursable American Recovery and Reinvestment Act of 2009 Grant. The bid amount is \$1,048,520.70 which exceeds the ARRA granted amount of \$975,000 by 7.54%. It is also important to note that the project has a built-in contingency of \$100,000. Staff has requested that TDOT use savings from other ARRA funded projects for the additional \$73,520.70. If further funding cannot be obtained from TDOT, the City would be responsible for any costs over \$975,000. City staff and our consultant performing Construction Engineering and Inspection (CEI) will manage the project and attempt to keep the project within the approved ARRA grant.

Recommendation

Staff recommends approval of this contract with Stansell Electric Company, Inc in the amount not to exceed \$1,048,520.70.



June 7, 2010

Mr. Eric Gardner, P.E.
 Director of Engineering
 City of Franklin
 109 Third Avenue South, Suite 142
 Franklin, TN 37064

**Re: Franklin ITS Phase 1
 Federal Project No.: ARRA-STP-M-9305924)
 State Project No.: 94LPLM-F0-023
 PIN: 112672.00
 Franklin, Williamson County, TN**
Subject: Bid Tabulation

Dear Eric:

On May 9, 2010, the City of Franklin placed the "Notice to Contractors of State Highway Construction Bids to be Received on Tuesday, June 1, 2010" in The Tennessean (Nashville, Tennessee). Prior to the bid opening, seven contractors obtained bid packages from RPM Transportation Consultants, LLC (RPM). On June 1, 2010, the City of Franklin received construction bids from four contractors on the above referenced project. The table below shows the basic information pertaining to each contractor's bid package.

CONTRACTOR	BONDING COMPNAY	DBE % ¹	TOTAL BID
Stansell Electric Company, Inc.	The Hanover Insurance Co.	11.82%	\$1,048,529.70
S&W Contracting Co., Inc.	The Cincinnati Insurance Co.	6.42% ²	\$937,037.24 ³
Davis H. Elliot Construction Company, Inc.	Hartford Fire Insurance Co.	11.68%	\$1,249,622.00
InfraSource Underground Construction Services, LLC	Federal Insurance Co.	11.21%	\$1,105,578.60
Team Fishel (The Fishel Company)	NO BID RECEIVED		
Owens Telecom Services, Inc.	NO BID RECEIVED		
A to Z Muni-Dot Company	NO BID RECEIVED		

¹ As identified in Special Provision (SP) 1247, the DBE Goal identified for this project is 4.5%.
² The bidder's original DBE participation was 1.87%. Subsequently, additional information, as specified in SP 1247, was requested from the bidder on June 2, 2010. The bidder provided additional information on June 4, 2010 pertaining to the DBE participation. However, based on information obtained from the TDOT Office of Civil Rights, one of the listed DBEs (Mayer Electric Supply) is not on any TDOT approved or certified DBE list. Exclusion of Mayer Electric Supply results in a proposed DBE participation of 3.71%.
³ The Bid Total reported at the Bid Opening was \$937,361.24. The correct amount should be \$937,037.24. There was a miscalculation in the amount identified with line item 725-10.66.

RPM has checked the above bids to the best of our ability and found errors, omissions or irregularities in the bids as noted in the footnotes to the above table. Based on the review of the bid amounts, S&W Contracting Co. Inc. was the apparent low bidder; however as described in the footnote to the table, the bidder did not provide sufficient DBE participation. Therefore, Stansell Electric Company, Inc. shall be considered the responsive low bidder.

Please contact our office if you have any questions or need any additional information.

Sincerely,

RPM Transportation Consultants, LLC



Gerald G. Bolden, P.E., PTOE

Attachments

cc: Kevin Comstock, City of Franklin



STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
NASHVILLE, TENNESSEE 37243-0326

MEMORANDUM

To: Andy Barlow
Local Programs Office

From: Jerry Hatcher, P.E.
Assistant Director of Construction

Date: June 16, 2010

Subject: Award Concurrence
Franklin ITS Phase I
PIN: 112672.00

Bids for the subject project were opened and read on June 1, 2010 by City of Franklin officials. Kevin Comstock with Franklin recommends awarding the contract to Stansell Electric Company, Inc.

The bid tabulations with estimate were provided to me on June 10, 2010. S&W submitted the lowest bid price but did not provide sufficient DBE participation to meet the goal that is specified in Special Provision 1247. The next lowest bidder is Stansell Electric who did submit sufficient DBE participation. After reviewing the provided information, please be advised that I concur with awarding the contract to Stansell Electric Company, Inc. with a bid of 1,048,529.70.

Please feel free to contact me if you have any questions.