CONTRACT

210573

Ordinance Fact Sheet

Construction/Misc. Form

Brief Title	Approval Deadline	Reason		
Authorizing a \$1,103,169.00 Construction Contract for the Water Main		To authorize executi	ion of a construction contract and expenditures.	
Replacement in the Area of Burning Tr	ree Drive to W. 139th Street, St.			
Andrew Drive to Wornall Road Project	with Hettinger Excavating, LLC;			
authorizing maximum expenditure of \$	1,213,486 and recognizing this			
ordinance as having an accelerated eff	fective date.			
Details		Roles and Respo	nsibilities	
Reason for Contract		Sponsor		
To estimate revenues coming from North American Specialty Insurance Company ("Surety") for Surety Payment related to the Water Main Replacement in the Area of Burning Tree Drive to W. 139th Street, St Andrew Drive to		Department or Programs	Water Services Department WMR Program	
Wornall Road Project.		Affected	VVIVICTIOGRAM	
		Recommended		
		Awardee	Hettinger Excavating, LLC	
		Contract		
		Compliance		
		Certification	No XX Yes	
Discussion		Obtained?		
Project Justification Design for water main replacements ar improvements to replace break prone a maintenance costs and increase fire flo	and aging infrastructure to reduce	Opponents	Groups or Individuals None known	
Design Professional Services Contract Summary Design Professional firm: Taliaferro & Browne, Inc.			Reason for Opposition	
Total Project Cost: \$191,133.79		Responsibilities	Design Engineering: N/A	
Project Schedule: NTP February 11, 2	2019; Final Design Completed July 21, 2019.			
			Inspections: Water Services	
			Construction or Project Management: Water Services	
			Service Monitoring: City Staff	
		Policy/Program Impact		
		Policy or Program		
		Emphasis		
		Change	XX No Yes	
		Operational		
		Impact		
		Assessment		

(Continued on reverse side)

Details

Construction Contract Description

The scope of work to be provided under the Water Main Replacement in the Area of Burning Tree Drive to W. 139th Street, St. Andrew Drive to Wornall Road Project, includes replacing approximately 7,277 feet of break-prone 2inch, 6-inch, 8-inch, and 12-inch CIP water mains in the area of Burning Tree Drive and W 139th Street, St. Andrews Drive to Wornall Road.

Blue Nile Contracting, Inc. (Blue Nile) was originally contracted to complete the work, however, on February 9, 2021 it sent a Voluntary Letter of Default advising the City that the Company is financially unable to perform the Project or comply with its contractual obligations. North American Specialty Insurance Company ("Surety") was the Surety Company on this Project and resolved the default by tendering Hettinger Excavation, LLC ("Hettinger"), as the Completing Contractor. The original contract amount with Blue Nile was for \$1,554,381.03, whereas a portion of the work was completed and \$930.098.14 was paid-todate. Through the execution of a Tender Agreement between the City and Surety, the latter agreed to pay \$496,142.00 to the City.

This ordinance will estimate revenue and appropriate \$496,142.00.the amount to be received by the City under the Tender Agreement. It will also request the City Council to approve a maximum expenditure of \$1,213,486.00 on the new contract. The previous expenditure of the maximum contract amount was appropriated under Ordinance No. 200620 approved in August 27, 2020.

<u>Construction Contract Solicitation</u>
The Water Main Replacement in the Area of Burning Tree Drive to W. 139th Street, St. Andrew Drive to Wornall Road Project construction contract was advertised in accordance with the City's requirements. Public bids were opened on June 2, 2020 with seven bidders responding.

Grant/Loan Funding

<u>Human Relations Approval</u>

The goals for Design Professional Services Contract No. 9273 were established by the Human Relations Department at 9% MBE and 5% WBE and remain unchanged.

The goals for Blue Nile construction contract were established by the Fairness in Construction Board at 10% MBE and 6% WBE. Construction Subcontracting information was submitted to the Human Relations Department for review and determination on June 29, 2020.

The goals for the Hettinger construction contract was approved by HRD on June 16, 2021 with the goals of 10% MBE and 6% WBE.

Fairness in Construction Board

There is no appeal on this contract pending before the Fairness in Construction Board.

Youth Employment Program

1% for Art

N/A

Is it good for the children? Yes.

How will this contribute to a sustainable Kansas City?

This project will contribute to a sustainable Kansas City by replacing aging, break-prone water mains with new water mains, thereby improving distribution system reliability, increasing hydraulic conveyance capacity, and supporting fire protection.

Estimated Duration of Contract: 120 days

Fact Sheet Prepared by: Date:

Willie Roman 6/16/2021

Utility Manager

Reviewed by: Date:

Jeff Martin 6/17/2021

Chief Engineering Officer

Contract No. 9274R Reference Numbers:

> Project No. 80002033 Ordinance No. 200620

Finances			
City's Estimate			
of Cost		\$	
Bid or	Lowest and Best Contract		
Proposal Data	Cost Submitted	\$	N/A
	Recommended Awardee by Su	urety and Accepte	d by City:
Bid Date:	Hettinger Excavating, LLC		
	<u> </u>		
	Other Bidders or		Contract Costs
	Contractors Considered		Submitted
	N/A	<u> </u>	N/A
	IVA	_	IN/A
		_	
		\$	
		\$	
Fund Sources	AL-8077-807705-B-611	060	
	AL-8077-807703-B-611	000	
and Appropriation Account Codes			
	Water Main Benjacama	nt Drogram	
For These	Water Main Replaceme	ent Program	
Contracts	Project No. 80002033		
Source of			
Future			
Operating Funds			
Proposed			
Construction		¢.	4 400 400 00
Contract		\$	1,103,169.00
Construction		Φ.	440.047.00
Contingency		\$	110,317.00
Proposed		•	
Amendment No. 4	<u> </u>	\$	
Engineering &		•	
Administration		\$	
TOTAL		¢	1 212 496 00
TOTAL		\$	1,213,486.00
Council Committee	e Actions		
Do Pass		Hold	

Do Pass	Hold
Do Pass (as amended)	W/o Recommendation
Committee Sub.	Do Not Pass