

# Mayor and Council Communication

DATE: 08/09/22

M&C FILE NUMBER: M&C 22-0573

LOG NAME: 20EAST ROSEDALE LANDSCAPE & IRRIGATION

**SUBJECT**

(CD 5) Reject Bids of Joesta Construction, LLC and Select Maintenance, LLC; Authorize Execution of a Contract with C. Green Scaping, LP, in the Amount of \$535,580.90 for the Construction of the East Rosedale Landscape & Irrigation Project

**RECOMMENDATION:**

It is recommended that the City Council:

1. Reject the bids submitted by Joesta Construction, LLC and Select Maintenance, LLC; and
2. Authorize execution of a contract with C. Green Scaping, LP, in the amount of \$535,580.90, for construction of the East Rosedale Landscape & Irrigation project. (City Project No. 103259).

**DISCUSSION:**

The purpose of this Mayor and Council Communication (M&C) is to reject the bids of Joesta Construction, LLC and Select Maintenance, LLC and authorize execution of a contract with C. Green Scaping, LP, in the amount of \$535,580.90, for construction of the East Rosedale Landscape & Irrigation project. (City Project No. 103259).

The Business Equity Utilization form submitted by Joesta Construction, LLC indicated they would be performing zero percent of the construction work. After further correspondence with Joesta Construction, LLC it was confirmed that they would not be performing at least 35 percent of the contract value by their own organization as required in City's Instruction to Bidders.

Select Maintenance, LLC was the second low bidder when considering the Alternate Bid Item. Staff is recommending that this contract not be awarded to Select Maintenance due to their performance on a current contract (City Secretary Contract No. 54014) for intersection improvements at Risinger Road and Interstate Highway 35. The contractor has exceeded the contract time and faces significant liquidated damages charges. In addition, coordination and communication on the project were slow and inadequate and several work items had to be redone due to non-conformance with specifications and standards.

The project was advertised for bid on April 21, 2022 and April 28, 2022, in the *Fort Worth Star-Telegram*. On May 26, 2022, the following bids were received:

Contractor	Base Bid	Alternate Bid Item	Total Bid
Joesta Construction, LLC	\$378,500.95	\$17,706.78	\$396,207.73
Select Maintenance, LLC	\$499,595.05	\$29,601.00	\$529,196.05
C. Green Scaping, LP	\$427,940.90	\$107,640.00	\$535,580.90
Fort Worth Civil Constructors, LLC	\$577,138.50	\$77,769.90	\$654,908.40

Base Bid improvements include: various tree types, mulch, irrigation and steel landscape edging.

Alternate Bid item include: deducting the steel landscape edging and adding concrete edge strip in its place.

On August 17, 2021 (M&C 21-0576), the Park & Recreation Department (PARC) estimated the East Rosedale Landscape & Irrigation project to increase the PARC Operations and Maintenance (O&M) budget by \$56,898.00. The PARC based this original estimate on in-house maintenance. The PARC has since decreased the estimate based on contractors performing the general grounds maintenance. This project is now estimated to increase the department's annual maintenance by \$40,021.00 beginning in Fiscal Year (FY) 2023. Included in this amount is a one-time tree planting expense of \$16,200.00. As of May 31, 2022, the total of all previously approved M&Cs increased the department's estimated annual maintenance by \$415,301.00 starting in FY2023.

Compliance with the City's Business Equity Ordinance has been achieved by the following method: C. Green Scaping, LP, is in compliance with

the City's Business Equity Ordinance by committing to 11% Business Equity participation on this project. The City's Business Equity goal on this project is 10%.

The project is located in COUNCIL DISTRICT 5.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the Street Improvements Fund for the E. Rosedale St Landscaping project to support the approval of the above recommendations and execution of the contract. Prior to an expenditure being incurred, the Transportation and Public Works Department has the responsibility of verifying the availability of funds.

**Submitted for City Manager's Office by:** Dana Burghdoff 8018

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