

RESOLUTION NO. 28-2002

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, RATIFYING THE EXPENDITURE OF \$323,604.70 WITHOUT COMPETITIVE BIDDING FOR EMERGENCY CONTRACT TO COMPLETE THE NORTH GALLOWAY AVENUE WATER LINE PROJECT AND AUTHORIZING PAYMENT TO U.U.S., INC., FOR SUCH CONTRACT; DECLARING AN EMERGENCY; AND PROVIDING AN EFFECTIVE DATE THEREOF.

WHEREAS, the original contractor BCI Utility Construction, Inc. (BCI), was awarded the North Galloway Avenue Water Line Project on September 19, 2000, in an amount of \$2,260,550.00; and

WHEREAS, City staff notified the representative of BCI's bonding company Mid-Continent Casualty Company on April 19, 2002, that BCI abandoned the project and was in default of the contract; and

WHEREAS, City staff has not received a response to date from Mid-Continent Casualty Company; and

WHEREAS, such condition requires an immediate expenditure of funds without having competitively bid the completion of the North Galloway Avenue Water Line Project in order to protect the property of the City of Mesquite and to provide reliable water service to the citizens; and

WHEREAS, such procurement is authorized without competitive bidding by Texas Local Government Code § 252.022.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the expenditure of \$323,604.70 without bidding for completion of the North Galloway Avenue Water Line Project is hereby ratified and payment of funds to U.U.S., Inc., for such contract set forth in Exhibit "A" is hereby authorized.

SECTION 2. That the City Manager is authorized to take those steps reasonable and necessary to comply with the intent of this resolution.

SECTION 3. That this resolution shall take effect from and after its passage.

00200

Public Services/Emergency Repairs/Completion of N. Galloway/June 3, 2002  
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DULY RESOLVED by the City Council of the City of Mesquite, Texas on the 3rd day of June, 2002.



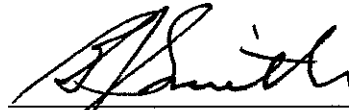
\_\_\_\_\_  
Mike Anderson  
Mayor

ATTEST:

APPROVED:



\_\_\_\_\_  
Ellen Williams  
City Secretary



\_\_\_\_\_  
B. J. Smith  
City Attorney

**CONTRACT BID PROPOSAL  
NORTH GALLOWAY AVENUE WATER LINE  
BID NUMBER: 2002-113**

ITEM NO.	QTY.	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
1.	1	L.S.	Furnish Trench Safety design, complete in place the sum of <u>Four hundred fifty</u> Dollars <u>no</u> Cents per lump sum	<u>450<sup>00</sup></u> ✓	<u>450<sup>00</sup></u> ✓
2.	1	L.S.	Furnish, install and implement Trench Safety system, complete in place the sum of <u>Five thousand</u> Dollars <u>no</u> Cents per lump sum	<u>5000<sup>00</sup></u> ✓	<u>5000<sup>00</sup></u> ✓
3.	1	L.S.	Furnish & install barricades and signs complete in place the sum of <u>Thirteen thousand one hundred twelve</u> Dollars <u>50</u> Cents per lump sum	<u>13112.50</u> ✓	<u>13,112.50</u> ✓
4.	420	S.Y.	For Removal and Disposal of Existing Pavement (all types) for the sum of <u>Twenty seven</u> Dollars <u>fifty</u> Cents per square yard.	<u>27.50</u>	<u>11550<sup>00</sup></u> ✓
5.	10	Each	For Removal and Disposal of Existing Fire Hydrants for the sum of <u>Five hundred fifty</u> Dollars <u>no</u> Cents per each	<u>550<sup>00</sup></u>	<u>5500<sup>00</sup></u> ✓
6.	36	S.Y.	For Replacement of Asphalt Pavement Complete in Place for the sum of <u>Sixty two</u> Dollars <u>no</u> Cents per square yard	<u>62<sup>00</sup></u>	<u>2232<sup>00</sup></u> ✓

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ITEM NO.	QTY.	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
7.	<del>26</del> 410	S.Y.	For Replacement of Reinforced Concrete Pavement 10 inches Thick Complete in Place for the sum of <u>Sixty two</u> Dollars and Cents per square yard	<u>60<sup>00</sup></u>	<u>24,600<sup>00</sup></u>
8.	164	S.Y.	For Replacement of Reinforced Concrete Sidewalk Complete in Place for the sum of <u>Forty eight</u> Dollars Cents per square foot	<u>48<sup>00</sup></u>	<u>7872<sup>00</sup></u>
9.	6	Each	For Furnishing and Installing Handicap Ramps Complete in Place for the sum of <u>Nine hundred fifty</u> Dollars Cents per each	<u>950<sup>00</sup></u>	<u>5,700<sup>00</sup></u>
10.	2	Each	For Furnishing and Installing Fire Hydrant Assembly including Fittings and Valve, Complete in Place for the sum of <u>One thousand nine hundred fifty</u> Dollars and Cents per each	<u>1950<sup>00</sup></u>	<u>3900<sup>00</sup></u>
11.	17	Each	For Furnishing and Installing Connection to Existing 2 Inch, 6 Inch, 8 Inch and 12 inch Water Lines Complete in Place for the sum of <u>Two thousand seven hundred ninety three</u> Dollars and Cents per each	<u>2793<sup>00</sup></u>	<u>47,481<sup>00</sup></u>

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ITEM NO.	QTY.	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
12.	34	Each	For Furnishing and Installing Connection of Existing Water Meters to New Sewer Line Complete in Place for the sum of <u>Seventy hundred seventy one</u> Dollars and <u>thirty</u> Cents per each	<u>771<sup>30</sup></u>	<u>26 224<sup>20</sup></u> ✓
13.	11	Each	For Removal and Disposal of Existing Valve Manholes Complete in Place for the sum of <u>Two thousand seven hundred sixty</u> Dollars and <u>no</u> Cents per each	<u>2760<sup>00</sup></u>	<u>30 360<sup>00</sup></u> ✓
14.	4	Each	For Installing City Furnished 24-Inch Butterfly Valves Complete in Place for the sum of <u>Four thousand nine hundred eighty five</u> Dollars and <u>no</u> Cents per each	<u>4985<sup>00</sup></u>	<u>19 940<sup>00</sup></u> ✓
15.	6	Each	For Installing City Furnished 18-Inch Butterfly Valves Complete in Place for the sum of <u>Four thousand seven hundred sixty</u> Dollars and <u>no</u> Cents per each	<u>4760<sup>00</sup></u>	<u>28 560<sup>00</sup></u> ✓
16.	1	Each	For Installing City Furnished 16-Inch Butterfly Valves Complete in Place for the sum of <u>Four thousand six hundred ninety three</u> Dollars and <u>no</u> Cents per each	<u>4693<sup>00</sup></u>	<u>4693<sup>00</sup></u> ✓

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ITEM NO.	QTY.	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
17.	1	L.S.	For Furnishing Pressure and Bacterial Testing on Kearney Street 18-Inch Water Line from Station 19+82 to Station 26+50 Complete in Place for the sum of <u>Nine hundred fifty</u> Dollars and <u>no</u> Cents per lump sum	<u>950<sup>00</sup></u>	<u>950<sup>00</sup></u> ✓
18.	1	L.S.	For Furnishing Pressure and Bacterial Testing on 18-Inch Water Line from Kearney Street Station 26+50 to Galloway Avenue Station 8+19, Complete in Place for the sum of <u>Nine hundred fifty</u> Dollars and <u>no</u> Cents per lump sum	<u>950<sup>00</sup></u>	<u>950<sup>00</sup></u> ✓
19.	1	L.S.	For Furnishing Pressure and Bacterial Testing on Galloway Avenue 18-Inch Water Line, Station 8+19 to Station 25+56, Complete in Place for the sum of <u>Nine hundred fifty</u> Dollars and <u>no</u> Cents per lump sum	<u>950<sup>00</sup></u>	<u>950<sup>00</sup></u> ✓
20.	1	L.S.	For Furnishing Pressure and Bacterial Testing on Galloway Avenue 18-Inch Water Line, Station 25+56 to Station 35+22, Complete in Place for the sum of <u>Nine hundred fifty</u> Dollars and <u>no</u> Cents per lump sum	<u>950<sup>00</sup></u>	<u>950<sup>00</sup></u> ✓
21.	1	L.S.	For Furnishing Pressure and Bacterial Testing on Galloway Avenue 24-Inch Water Line, Station 35+22 to Station 44+36 Complete in Place for the sum of <u>Nine hundred fifty</u> Dollars and <u>no</u> Cents per lump sum	<u>950<sup>00</sup></u>	<u>950<sup>00</sup></u> ✓

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ITEM NO.	QTY.	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
22.	1	L.S.	For Furnishing Pressure and Bacterial Testing on Galloway Avenue 24-Inch Water Line, Station 44+36 to Station 56+00, Complete in Place for the sum of <u>Nine hundred fifty</u> Dollars and <u>no</u> Cents per lump sum	<u>950<sup>00</sup></u>	<u>950<sup>00</sup></u> ✓
23.	1	L.S.	For Furnishing Pressure and Bacterial Testing on Galloway Avenue 24-Inch Water Line, Station 56+00 to Station 63+80, Complete in Place for the sum of <u>Nine hundred fifty</u> Dollars and <u>no</u> Cents per lump sum	<u>950<sup>00</sup></u>	<u>950<sup>00</sup></u> ✓
24.	1	L.S.	For Furnishing Pressure and Bacterial Testing on Galloway Avenue 24-Inch Water Line, Station 63+80 to Station 72+40, Complete in Place for the sum of <u>Nine hundred fifty</u> Dollars and <u>no</u> Cents per lump sum	<u>950<sup>00</sup></u>	<u>950<sup>00</sup></u> ✓
25.	5	Each	For Repairing Leaks on Kearney Street and Galloway Avenue Water Lines Complete in Place for the sum of <u>Two thousand two hundred forty eight</u> Dollars and <u>no</u> Cents per each	<u>2248<sup>00</sup></u>	<u>11240<sup>00</sup></u> ✓
26.	5	Each	For Adjustment and Completion of Installation of Air Release Vents, Complete in Place for the sum of <u>Seven hundred</u> Dollars and <u>no</u> Cents per each	<u>700<sup>00</sup></u>	<u>3,500<sup>00</sup></u> ✓

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ITEM NO.	QTY.	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
27.	5	Each	For Furnishing and Installing Chimney Seals in Sanitary Sewer Manholes, Complete in Place for the sum of <u>Three hundred seventy five</u> Dollars and <u>no</u> Cents per each	<u>375<sup>00</sup></u>	<u>1875<sup>00</sup></u> ✓
28.	20	Each	For Height Adjustment and Painting of New Fire Hydrants, Complete in Place for the sum of <u>Four hundred sixteen</u> Dollars and <u>no</u> Cents per each	<u>416<sup>00</sup></u>	<u>8320<sup>00</sup></u> ✓
29.	100	S.Y.	For Furnishing and Installing St. Augustine Grass Sod, Complete in Place for the sum of <u>Six</u> Dollars and <u>ninety five</u> Cents per square yard	<u>6.95</u>	<u>695<sup>00</sup></u> ✓
30.	14,000	S.Y.	For Furnishing and Installing Hydromulch Seedling, Complete in Place for the sum of <u>Three</u> Dollars and <u>eighty</u> Cents per square yard	<u>3.80</u>	<u>53,200<sup>00</sup></u> ✓
TOTAL BID AMOUNT				<u>\$ 323,604.70</u> ✓	
Materials incorporated into Project				<u>\$ 143,136.70</u>	
All other charges				<u>\$ 180,468.00</u>	



**Basis of Award**

The award will be made to the lowest and best bid proposal, as determined by the Owner to be in the Owner's best interest.

**Commencement and Executive**

The undersigned bidder agrees to commence the work on or before the date so stated in the written notice to proceed and to diligently perform all of the work and to substantially complete the work by within the time allowed under the Contract.

It is understood and agreed that the award of contract shall be at the complete discretion of the City and without recourse by the bidder. The right is reserved by the City as its advantageous to the City, to reject any and all bids, award a contract based upon submitted bids, or to re-bid the contract and to waive any and all formalities. Bidder understands and agrees that the unit prices provided above shall be used for all additions and deletions from the accepted option.

Contractor submits as guarantee that he will execute and issue the required contracts, bonds, insurance, and other required agreements and documents, as set forth under the contract, and general and special provisions of agreement, cashier's check or bid bond payable in full without conditions and upon demand to the City of Mesquite in the amount of FIVE PERCENT OF BID Dollars and Cents (\$ 5% ), representing 5% of the Contractor's total base bid price.

Contractor understands and agrees that, should he fail to execute and issue the contract, bonds, insurance, other agreements, and other documents as set forth under the general and special provisions of agreement for that certain contract known as North Galloway Avenue Water Line, City Contract No. 2002-113, the City will cash or demand payment under the bid bond for payment of agreed upon liquidated damages. Contractor understands and agrees that, for bidding purposes only, liquidated damages shall be 5% of the Contractor's bid proposal, and that upon execution of the Contract, liquidated damages shall be as stated in the General Provisions.

**Addenda**

Contractor acknowledges receipt and incorporation into the bid of addenda as listed below:

Addendum No.	Date	Addendum No.	Date
1.	_____	4.	_____
2.	_____	5.	_____
3.	_____	6.	_____

U.U.S. INC.  
CONTRACTOR

By: Edward N. Heath

SUBSCRIBED AND SWORN TO BEFORE ME by Edward N. Heath, on this the 24<sup>th</sup> day of May, 2002, to certify which witness my hand and seal of office.

(SEAL)

Ellen L. Brockett  
Notary Public in and for the State of Texas

My Commission Expires: 3/31/03

