CITY COUNCIL REPORT

Meeting Date: October 16, 2012
General Plan Element: ***Community Mobility***
General Plan Goal: ***Build community through neighborhood mobility.***

ACTION

Construction Bid Award for the Arizona Canal Multiuse Path 60th Street to Goldwater Boulevard. Adopt Resolution 9200 authorizing Construction Bid Award 12PB042 to Nesbitt Construction Co. Inc., the lowest responsive bidder, at their unit price bid of $1,376,971.95.

BACKGROUND

The purpose of this action is to award a construction contract for constructing a multi-use path and low level path lighting along the south bank of the Arizona Canal from 60th Street to Goldwater Boulevard.

This project is part of the designated 11-mile Papago Trail system that follows the Arizona Canal along the Indian School Road alignment in Scottsdale and connects with the neighboring communities of Tempe and Phoenix. The portion of the Crosscut Canal from McDowell Road to Thomas Road was improved in 2007 and in 2010 the Crosscut Canal multiuse path was completed to Indian School Road. This project connects numerous neighborhoods within the southern portion of Scottsdale and provides an improved linkage to adjacent communities. The proposed construction along this section of the Arizona Canal will include paved walkways, multi-use paths, landscaping, public art and area lighting. The scope also includes improved access and landscaping at Lafayette Park north of the Arizona Canal at 68th Street and minor pedestrian improvements at 64th Street and Thomas Road and 64th Street and Osborn Road.

ANALYSIS & ASSESSMENT

Recent Staff Action

On August 8, 2012, staff solicited construction bids for the Arizona Canal Multiuse Path 60th Street to Goldwater Boulevard project. City received 4 bids on September 6, 2012 at 2:00 p.m. The three lowest responsive bids received are as follows:

Nesbitt Contracting	$1,376,971.95
Intermountain West	$1,392,548,.75

Action Taken _____

Standard Construction	$1,505,353.90

The Purchasing Director confirms that the procurement procedures provided by the City Code have been followed.

Significant Issues to be Addressed

Project construction is expected to start in November 2012 and continue through the tourist season. However, construction will not have any major impacts to businesses in the vicinity.

Community Involvement

This project will have minimal impact on traffic and businesses in the vicinity of the project. Staff will mail construction notification to the businesses near the project notifying them of upcoming construction. Additionally, project updates will also be posted on the City website.

RESOURCE IMPACTS

Available funding

The project is funded through CIP account G1201, Arizona Canal Multiuse Path 60th Street to Goldwater Boulevard and S1102, Arizona Canal – 60th Street to Camelback Road. The City is responsible for staff administration costs.

Staffing, Workload Impact

Existing Capital Project Management staff resources are available to provide the requisite services for this contract. The contract administrator responsible for enforcement of all provisions of this contract is Christopher Perkins, Capital Projects Management Division. This agreement shall remain in effect until project construction is complete.

Maintenance Requirements

During the first year, the construction contractor will perform landscape maintenance under warranty. After the period expires, maintenance will be budgeted and performed using existing contracts. The projects, once completed, would be maintained in a future year's operating budget.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach

Adopt Resolution 9200 authorizing Construction Bid Award 12PB042 to Nesbitt Contracting Co. Inc., the lowest responsive bidder, at their unit price bid of $1,376,971.95.

Proposed Next Steps:

If the City Council authorizes the award of this contract, construction is expected to start in November, 2012 and be completed within 180 days.

RESPONSIBLE DEPARTMENT(S)

Public Works and Water Resources Division, Capital Project Management

STAFF CONTACTS (S)

Christopher Perkins, Sr. Project Manager, cperkins@ScottsdaleAZ.Gov

APPROVED BY

Derek Earle, Acting Executive Director, Public Works

10·2·2012
Date

(480) 312-2776, dearle@scottsdaleaz.gov

ATTACHMENTS

1. Resolution 9200
2. Location Map
3. Contract 12PB042

RESOLUTION NO. 9200

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING CONSTRUCTION BID AWARD NO. 12PB042 BETWEEN THE CITY AND NESBITT CONTRACTING CO., INC. FOR THE CONSTRUCTION OF ARIZONA CANAL MULTIUSE PATH 60TH STREET TO GOLDWATER BOULEVARD.

The City wishes to make improvements to the Arizona Canal Multiuse Path between 60th Street and Goldwater Boulevard; and

Nesbitt Contracting Co., Inc. has offered to provide to the City the requisite construction services necessary to complete the construction work.

BE IT RESOLVED by the City Council of the City of Scottsdale as follows:

Section 1. The Mayor of the City of Scottsdale is authorized and directed to execute construction Bid Award No. 12PB042 between the City and Nesbitt Contracting Co., Inc. for construction of Arizona Canal Multiuse Path between 60th Street and Goldwater Boulevard.

PASSED AND ADOPTED by the Council of the City of Scottsdale this 16th day of October, 2012.

ATTEST:

CITY OF SCOTTSDALE
An Arizona municipal corporation

By:_____
Carolyn Jagger, City Clerk

By: _____
W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:

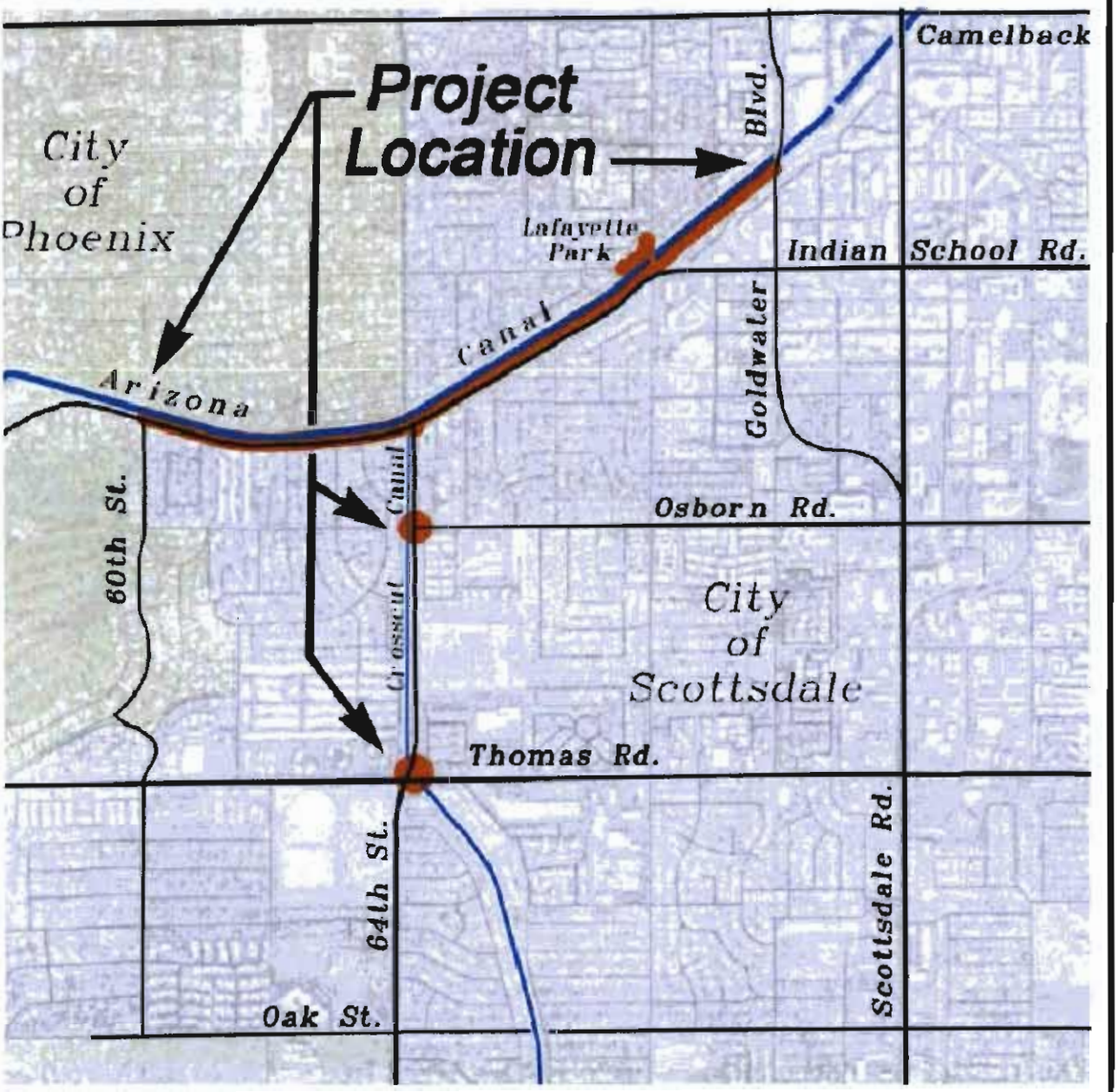
Clifford J. Frey

Bruce Washburn, City Attorney

By: Clifford J. Frey
Senior Assistant City Attorney

10186022v1

ATTACHMENT 1



DESIGN FILE: ...\BDR_8.5x11.dgn

ATTACHMENT 2 LOCATION MAP				
PROJECT TITLE AZ Canal MUP 60th to Goldwater				
DEPT CPM	DRAWN CEP	DATE 9/21/12	SCALE NTS	SHT 1 of 1

CITY OF SCOTTSDALE

CITY OF SCOTTSDALE
CONSTRUCTION CONTRACT

BID NUMBER: 12PB042 **PROJECT NUMBER: G1201**

PROJECT NAME: ARIZONA CANAL MULTI-USE PATHWAY 60TH ST. TO GOLDWATER BLVD.

Nesbitt Contracting Co., Inc.
Attn: John Nesbitt, Vice-President
100 S. Price Rd.
Tempe, AZ 85281

THIS CONTRACT, entered into this 16th day of October, 2012, between Nesbitt Contracting Co., Inc., herein after designated "Contractor" and the City of Scottsdale, County of Maricopa, and State of Arizona, a municipal corporation, organized and existing under and by virtue of the laws of the State of Arizona, the "City".

WITNESSETH:

The Contractor, in consideration of the sum to be paid him by the City, in the manner and at the time provided, and of the other covenants and agreements contained in this Contract and under the penalties expressed in the bonds provided, agrees, for himself, his heirs, executors, administrators, successors, and assigns as follows:

SECTION 1 - SCOPE OF WORK: The Contractor will furnish any and all labor, materials, equipment, transportation, utilities, services and facilities required to perform all work for Bid No. 12PB042, Project No. G1201 and to completely and totally construct the project and install the material in the project for the City, in a good workmanlike and substantial manner to the satisfaction of the City and under the direction and supervision of the City, or other properly authorized agents and strictly in accordance with the Plans and Specifications prepared for the City, and with any modifications of the Plans and Specifications and other documents that may be made by the City or other properly authorized agents, as provided in this Contract.

The Contractor agrees that this Contract, as awarded, is for Bid No. 12PB042, Project No. G1201, ARIZONA CANAL MULTI-USE PATHWAY 60TH ST. TO GOLDWATER BLVD., along the south bank of the Arizona Canal, in the amount of $1,376,971.95, and understands that payment for the total work will be made on the basis of the indicated amount(s), as bid in the Bid Form.

SECTION 2 - CONTRACT DOCUMENTS: The Contract Documents consist of the Invitation for Bid, Bid No. 12PB042, Plans, Standard Specifications and Details, Project Manuals, General and Special Provisions, Addenda, if any, and Contractor's Bid, as accepted by the Mayor and Council. Performance Bond, Payment Bond, Certificates of Insurance, and Change Orders, if any, are by this reference made a part of this Contract.

ATTACHMENT 3

BID NUMBER: 12PB042 **PROJECT NUMBER: G1201**

PROJECT NAME: ARIZONA CANAL MULTI-USE PATHWAY 60TH ST. TO GOLDWATER BLVD.

SECTION 3 - TIME OF COMPLETION: The Contractor further covenants and agrees at his own proper cost and expense, to do all work as required for the construction of the improvements and to completely construct the project and install the materials, as called for by the Contract Documents free and clear of all claims, liens, and charges whatsoever, in the manner and under the conditions specified within the time, or times, stated in the bid documents.

SECTION 4 - PAYMENTS: In consideration of the faithful performance of the work as stated in the Contract Documents, which have been made a part of this Contract by reference, and in accordance with the directions of the City, through its Contract Administrator or other properly authorized agent and to City's satisfaction, the City agrees to pay the Contractor the amount earned, computed from actual quantities of work performed and accepted or materials furnished at the unit bid and/or lump sum price on the Bid Form. Any progress payments made must be in accordance with the General Terms and Conditions as stated in the Contract Documents and final payment will be made within 60 days after final inspection and acceptance of the work.

SECTION 5 - CONTRACT ADMINISTRATOR IS: Chris Perkins or designee.

IN WITNESS WHEREOF, 3 identical counterparts of this contract, each of which are for all purposes considered an original, have been duly executed by the parties on the date and year first above written.

CONTRACTOR:

_____
(Company Name)

_____
(Address)

_____
(City, State, Zip)

_____
(Printed Name/Title)

By: _____
(Signature of Authorized Representative)

REVIEWED:

_____
Edward M. Howard
Risk Management Director

_____
James Flanagan
Purchasing Director

_____
Chris Perkins
Contract Administrator

APPROVED AS TO FORM:

Clifford J. Frey

Bruce Washburn, City Attorney

By: Clifford J. Frey
Senior Assistant City Attorney

ATTEST:

CITY OF SCOTTSDALE

By: _____
W.J. "Jim" Lane, Mayor

BY: _____
Carolyn Jagger, City Clerk