



AGENDA MEMORANDUM

Future item for the City Council Meeting of March 19, 2019
Action item for the City Council Meeting of March 26, 2019

DATE: February 27, 2019

TO: Keith Selman, Interim City Manager

THRU: Mark Van Vleck, Assistant City Manager
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<p style="text-align: center;">Master Agreements Facilities Multiple Award Contract (FMAC)</p>
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CAPTION:

Motion authorizing the City Manager or designee to execute a Master Agreement for the Facilities Multiple Award Contract (FMAC) program for a two-year term with the option to administratively renew annually for not more than three additional years, with no guaranteed minimum and a maximum aggregate of \$2,500,000 per agreement in any one year with the following:

- Barcom Construction, Inc. of Corpus Christi, Texas
- Davila Construction, Inc. of Corpus Christi, Texas
- Gourley Contracting, LLC of Corpus Christi, Texas
- Teal Construction Company, Inc. of Corpus Christi, Texas
- Abba Construction, LLC of Laredo, Texas (Alternate Contractor)

PURPOSE:

Provides five (5) FMAC Master Agreements for Contractors to subsequently compete for minor construction, repair, rehabilitation, and alteration services for city facilities.

BACKGROUND AND FINDINGS:

The FMAC Program utilizes a set of pre-approved contractors to bid on individual projects or packages of small facilities projects. The construction value of FMAC projects typically ranges from \$50,000 to \$250,000. FMAC projects are often funded by departmental operating budgets, but the FMAC contracts can be utilized for Bond or CIP projects, as well. Single projects expected to have values greater than \$500,000 typically are open bid rather than procured through the FMAC contracts.

The FMAC Program was created in 2016 to replace the Job Order Contracting (JOC) program that was established in 2007. The JOC program provided an expedited process for implementing minor facility improvement projects. Over time, the JOC Program began handling larger and more complex projects. Concerns began to develop during 2015 about the fairness of work distribution among the JOC contractors and the use of a unit cost estimating book, such as RS Means, for pricing.

In 2015, the City Manager (Ron Olson) tasked Engineering Services with developing a new approach that would incorporate competitive bidding among contractors and remove subjectivity from the contracting process. The City Manager communicated the change from JOC to FMAC to City Council via an email on 12/31/15. Although carried out under the same enabling legislation as JOC, the FMAC program, utilizes competitive bids among pre-approved contractors rather than using RS Means, for negotiating task orders (TO's). This change allows full competition among the FMAC contractors on each TO. The current FMAC contracts were awarded on July 26, 2017. This item will replace those contracts.

The current FMAC contracts are established as a 2-year base period plus three one-year optional extensions with indefinite amount of subsequent task orders for competitively priced projects. All contractors approved in the Master Agreements will be invited to submit bids on subsequent task orders. The contracts have no guaranteed minimum with a maximum aggregate amount not to exceed \$2,500,000 in any one year. Each TO will establish project requirements including scope, performance and payment bonds, insurance, project schedules, liquidated damages, submission requirements, etc. Per state statute and City policy, task orders under \$500,000 and option year renewals may be administratively awarded by the City Manager or their designee.

On October 22, 2018, the Department of Engineering Services issued Request for Proposals (RFP) No. 2018-06 Facilities Multiple Award Contract (FMAC) for the Minor Construction, Repair, Rehabilitation, and Alteration of Facilities Program. The RFP was posted online at www.civcastusa.com that established a 2-year base term contract with the option of three (3) one-year extensions for a total of five years. The individual contractors have no guaranteed minimum with a maximum aggregate amount not to exceed \$2,500,000 in any one year. The City received eight (8) proposals from the following contractors:

1. Abba Construction
2. Barcom Construction
3. Centennial Contractors
4. Davila Construction
5. Gourley Contracting
6. JE Construction Services
7. LMC Corporation
8. Teal Construction

All eight (8) of the respondent proposals were deemed administratively complete and reviewed by the selection committee. The selection committee evaluated each proposal based on the following criteria:

1. Experience and Qualifications (20%)
2. Technical Approach, Quality Control, Safety Plans (20%)
3. Past Performance (30%)
4. Price Factor (proposed coefficients) (30%)

The selection committee recommended the five contractors below as the most highly qualified contractors with proposals that offered the best value to the City. Staff is recommending award of

the Master Agreements to five contractors to increase competition, capacity and range of services. One contractor is recommend as an Alternate in the event that an additional contractor is needed for overall capacity or if one of the four contractors are unable to continue participation based on performance or contract capacity.

1. Barcom Construction
2. Davila Construction
3. Gourley Contracting
4. Teal Construction
5. Abba Construction (Alternate Contractor)

ALTERNATIVES:

1. Award a FMAC Master Agreements per staff recommendation.
2. Do not authorize execution of the Master Agreements.

OTHER CONSIDERATIONS:

Approval of these FMAC Master Agreements authorizes City Manager, or designee, to administratively issue TO's that do not exceed \$500,000 and to extend the option years based on performance of the contractor(s). Any TO (project) exceeding \$500,000 will be presented to City Council for consideration and approval.

CONFORMITY TO CITY POLICY:

Conforms to City policy relating to RFP's and competitive sealed proposals, Chapter 2269 of the Texas Government Code relating to Job Order Contracts, and Section 2, Article X, City Charter related to contracts.

EMERGENCY / NON-EMERGENCY:

Not applicable

DEPARTMENTAL CLEARANCES:

Not applicable

FINANCIAL IMPACT: N/A

Fiscal Year 2018-2019	Project to Date Expenditures	Current Year	Future Years	TOTALS
Budget				
Encumbered / Expended Amount				
This item				
Future Anticipated Expenditures This Project				
BALANCE				

Fund(s): Not applicable

RECOMMENDATION:

Staff recommends awarding Facilities Multiple Award Contract Master Agreements to Teal Construction, Barcom Construction, Gourley Contracting, Davila Construction, and Abba Construction (Alternate Contractor).

LIST OF SUPPORTING DOCUMENTS:

Master Agreement – Barcom Construction
Master Agreement – Davila Construction
Master Agreement – Gourley Contracting
Master Agreement – Teal Construction
Master Agreement – Abba Construction (Alternate Contractor)
Presentation