



CITY of NOVI CITY COUNCIL

Agenda Item 2
September 9, 2019

SUBJECT: Consideration of Approval to award the construction contract to Toebe Construction, LLC, for site fill project at the Water Tower property (25460 Novi Road), in the amount of \$136,862.75, and amend the budget.

SUBMITTING DEPARTMENT: Department of Public Works, Engineering Division
Parks, Recreational and Cultural Services

EXPENDITURE REQUIRED	\$ 136,862.75
AMOUNT BUDGETED	\$ 0
APPROPRIATION REQUIRED	\$ 177,963
LINE ITEM NUMBER	400-691.00-977-031

BACKGROUND INFORMATION: The approximately 3.64-acre parcel of property at the intersection of Novi Road and Trans-X Drive was purchased for potential park use; with the funding for the purchase coming from the Capital Improvement Program (CIP) millage approved by the voters.

The Water Tower site has a long history of industrial use, and is known to have been contaminated by arsenic, chromium, selenium and several volatile organic compounds. A Phase II Environmental Site Assessment was completed for the site on November 2, 2017. The study classifies the site as a facility under the Michigan Natural Resources and Environmental Protection Act. Since it is an open Leaking Underground Storage Tanks (LUST) site, a Due Care Plan was completed on December 19, 2017.

The Due Care Plan recognized the potential reuse of the property as a splash pad and urban park. All construction is to be conducted on top of the existing slab and paved parking areas. To mitigate any risk, the concrete is to be maintained as a barrier to the impacted soils.

The renovation at the Department of Public Works building has resulted in excess fill material that must be relocated off site. This presents an opportunity to utilize the fill at the Water Tower property to begin base preparations for future development of the park. City staff engaged consulting engineer AECOM to provide a proposal to transport the clean DPW soil and grade the fill at the water tower location.

The proposed earthwork at the site must comply with the provisions of the Due Care Plan. In general, the work will include earth excavation, trucking and placement of the fill, followed by compaction and turf restoration. A Soil Erosion and Sediment Control Plan and a basic grading plan for placing fill have also been provided.

Four bids were received and opened on August 23, 2019. Toebe Construction, the low bidder of the project, meets or exceeds the minimum bid requirements. Attached in the packet are the award recommendation letter and bid tabulation. The summary of the bid tabulation is as follows:

Contractor	Base Bid (including Crew Days)*
Toebe Construction, LLC	\$ 145,262.75
Fonson Company, Inc.	\$ 207,244.74
Anglin Civil, LLC	\$ 264,992.50
Merlo Construction Company, Inc.	\$ 278,484.24

*** Crew Days are included to compare bids, but are not included in the award.**

The construction engineering services and geotechnical engineering services related to this project will be awarded to the following pre-qualified firms using the fee percentages in the Agreements for Professional Engineering Services and Geotechnical Engineering Services for Public Projects.

AECOM		
Contract Administration	7.25% of the construction award	\$9,922.55
Crew Days	\$700 daily inspection fee x 12 days	\$8,400.00
Testing Engineers and Consultants (TEC)		
Material testing services	1.5% of the construction award	\$2,052.94

RECOMMENDED ACTION: Approval to award the construction contract to Toebe Construction, LLC, for site fill project at the Water Tower property (25460 Novi Road), in the amount of \$136,862.75, and amend the budget.

RESOLUTION

NOW, THEREFORE BE IT RESOLVED that the following
Budget Amendment for the contract award with
Toebe Construction, LLC, for the site fill project associated with
the Water Tower property is authorized:

	INCREASE (DECREASE)
CAPITAL IMPROVEMENT PROGRAM FUND	
APPROPRIATIONS	
Capital Outlay	177,963
TOTAL APPROPRIATIONS	<u>\$ 177,963</u>
Net Increase (Decrease) to Fund Balance	<u><u>\$ (177,963)</u></u>

I hereby certify that the foregoing is a true and complete copy of a
resolution adopted by the City Council of the City of Novi
at a regular meeting held on September 9, 2019.

Cortney Hanson
City Clerk

25460 Novi Rd - Water Tower Fill Location Map



Map Author: Rebecca Runkel
 Date: 8-29-19
 Project: Water Tower Fill
 Version #: 1.0

MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.



City of Novi
 Engineering Division
 Department of Public Works
 26300 Lee BeGole Drive
 Novi, MI 48375
 cityofnovi.org





August 26, 2019
Mr. Ben Croy, PE
City of Novi
Engineering Department
26300 Lee BeGole Drive
Novi, MI 48375

Reference: Bid Analysis and Contract Award Recommendation
Site Fill for 25460 Novi Road (Novi Rd at Trans-X Rd)

Dear Mr. Croy:

Attached is the Bid Tabulation for the above referenced project. Four bids were received and opened on August 23, 2019. Competition appears to have been very good. No irregularities are noted in the bids.

The low bid is under the Engineer's Estimate.

Toebe Construction, the low bidder for the project, has completed similar projects for the city and has performed well. Their bonding company listed in the Statement of Qualifications has an AM Best rating that exceeds the minimum requirements.

We recommend award of contract for the project to Toebe Construction for \$136,862.75. The amount bid for Inspection (Crew Days) is not included in the award amount.

Please feel free to contact me if you need anything else or wish to discuss the project.

Sincerely,

A handwritten signature in blue ink that reads 'Sean Kelsch'.

Sean Kelsch, P.E.
Project Manager

cc: Mark Koskinen, AECOM
Rebecca Runkel, City of Novi

BID
SITE FILL FOR 25460 NOVI ROAD

Bid of Toebe Construction LLC hereinafter called Bidder, organized and existing under the laws of or a resident of the State of Michigan, doing business as a partnership *.
 Insert as applicable: "a corporation", "a partnership" or "an individual".

TO THE CITY OF NOVI, MICHIGAN, hereinafter called OWNER:

The undersigned as Bidder hereby declares: that this Bid is made in good faith without fraud or collusion with any person or persons bidding on the same Contract; that the Bidder has read and examined the Advertisement for Bids, Instructions to Bidders, Bid, General Conditions, Supplementary Conditions, Agreement, Forms of Bond, Specifications and Drawings, as prepared by the ENGINEER, and understands all of the same; that the Bidder of its representative has made personal investigation at the site and has become fully familiar with regard to the conditions to be met in the execution of this Contract, and the undersigned proposes to furnish all labor, materials, tools, power, transportation, and construction equipment necessary for the construction of the Project and performing related work in full accordance with the aforesaid Contract Documents, including any and all Addenda officially issued, their receipt of which is hereby acknowledged:

Addendum No.	Addendum Date
_____	_____
_____	_____

The Contract will be awarded to the lowest responsive, responsible Bidder based on the unit prices for all Work specified. The Bidder agrees to complete the Project for the following unit prices:

BID

Item No.	Item Description	Unit	Quantity	Unit Price	Total Price
1	Mobilization (10%)	LSUM	1	\$ 14,000.00	\$ 14,000.00
2	Pre-Construction Audio-Visual	LSUM	1	\$ 5,000.00	\$ 5,000.00
3	Erosion Control, Silt Fence	Ft	2,000	\$ 6.00	\$ 12,000.00
4	Erosion Control, Inlet Protection, Fabric Drop	Ea	10	\$ 160.00	\$ 1,600.00
5	Erosion Control, Inlet Protection, Sediment Trap	Ea	10	\$ 125.00	\$ 1,250.00
6	Erosion Control, Maintenance, Sediment Removal	Cyd	10	\$ 5.00	\$ 50.00
7	Site Grading and Hauling	Cyd	9,640	\$ 8.00	\$ 77,120.00
8	Barricade, Type III, High Intensity, Double Sided, Lighted, Furn	Ea	2	\$ 95.00	\$ 190.00

Item No.	Item Description	Unit	Quantity	Unit Price	Total Price
9	Barricade, Type III, High Intensity, Double Sided, Lighted, Oper	Ea	2	\$ 0.01	\$ 0.02
10	Barricade, Type III, High Intensity, Lighted, Furn	Ea	2	\$ 85.00	\$ 170.00
11	Barricade, Type III, High Intensity, Lighted, Oper	Ea	2	\$ 0.01	\$ 0.02
12	Minor Traf Devices	LSUM	1	\$ 11,000.00	\$ 11,000.00
13	Plastic Drum, High Intensity, Furn	Ea	50	\$ 25.00	\$ 1,250.00
14	Plastic Drum, High Intensity, Oper	Ea	50	\$ 0.01	\$ 0.50
15	Sign, Type A, Temp, Prismatic, Furn	Sft	20	\$ 7.00	\$ 140.00
16	Sign, Type A, Temp, Prismatic, Oper	Sft	20	\$ 0.01	\$ 0.20
17	Sign, Type B, Temp, Prismatic, Furn	Sft	1700	\$ 5.25	\$ 8,925.00
18	Sign, Type B, Temp, Prismatic, Oper	Sft	1700	\$ 0.01	\$ 17.00
19	Traf Regulator Control	LSUM	1	\$ 0.01	\$ 0.01
20	Pedestrian Type II Barricade, Temp	Ea	2	\$ 150.00	\$ 300.00
21	Fence, Protective	Ft	100	\$ 4.00	\$ 400.00
22	Surface Restoration	Syd	2450	\$ 1.00	\$ 2,450.00
23	Erosion Control, Gravel Access Approach	Ea	1	\$ 1,000.00	\$ 1,000.00
24	Crew Days	Day	12	\$700.00	\$ 8,400.00
TOTAL BID:				\$ 145,262.75	

Bidders must provide unit prices for all items and a quantity for the Crew Day Item.

The City's intent is to award to the lowest responsible bidder. Funding for the project is limited and the City may elect to eliminate roadways from the contract, reduce the length of roadways included in the project, or potentially add roadways with similar work to the project in order to match the available budget.

If the foregoing Bid shall be accepted by the OWNER, the undersigned agrees to enter into the attached form of Agreement within ten (10) days after receiving notice of such acceptance, will furnish the OWNER satisfactory bonds and certificates of insurance coverage, and will complete the Project, at the price and within the time stated in this Bid.

The undersigned further agrees that if the foregoing Bid shall be accepted, work will commence immediately after the Contract has been awarded, the Agreement executed, and a Notice to Proceed received.

Work shall begin within 10 days of Award.

Substantial Completion (all fill material placed) shall be no later than 30 days after start.

Final Completion shall be no later than 60 days after start.

The undersigned attaches hereto its Bid security, as required by the Advertisement for Bids and Instructions to Bidders. The undersigned agrees that in case it shall fail to fulfill its obligations under the foregoing Bid, and/or shall fail to furnish bonds, as specified, the OWNER may, at its option determine that the undersigned has abandoned its rights and interests in such Contract and that its Bid security accompanying its Bid; has been forfeited to the said OWNER, but otherwise the Bid security shall be returned to the undersigned upon the execution of the Contract and the acceptance of the bonds.

The undersigned also agrees that for each and every calendar day that he may be in default of any of the completion dates listed above, the OWNER will suffer a damage of One Thousand Five Hundred Dollars (\$1500.00) per day, and said OWNER shall be compensated therefore at the rate as liquidated damages in accordance with the Agreement.

In submitting this Bid, it is understood that the right is reserved by the OWNER to accept any bid, to reject any or all Bids, and to waive irregularities in bidding in the interest of the OWNER.

SUBMITTED on 8-23-19
Date*


28990 Wixom Rd.
Street*

Wixom, MI 48393
City, State, ZIP*

(248) 349-7500
Telephone Number*

(248) 349-4870
Facsimile Number*

BY: Toebe Construction LLC
Name of Bidder*


Signature

B. THOMAS STOVER
PRESIDENT
Name and Title of Signatory*

*Typed or printed in ink.