

KEY FOCUS AREA: Better Cultural, Arts and Recreational Amenities

AGENDA DATE: November 9, 2009

COUNCIL DISTRICT(S): 7

DEPARTMENT: Park & Recreation
Trinity Watershed Management

CMO: Paul D. Dyer, 670-4071
Jill A. Jordan, P.E., 670-5299

MAPSCO: 55-C

SUBJECT

Authorize **(1)** a contract for the installation of standing wave structures, kayak launch, access trails, parking and access road for the Trinity Standing Wave located at 1900 East Eighth Street - Ark Contracting Services, LLC, best value proposer of two; and **(2)** execution of a Municipal Corridor Use License Agreement with DART for the Santa Fe Trestle Trail and the Trinity Standing Wave - \$3,376,359 - Financing: 1998 Bond Funds (\$200,000) and 2006 Bond Funds (\$3,176,359)

BACKGROUND

This action will award a contract for the installation of standing wave structures, kayak launch, access trails, parking and access road for the Trinity Standing Wave located at 1900 East Eighth Street to Ark Contracting Services, LLC, best value proposer of two, in the amount of \$3,376,359. The execution of a license agreement with DART is necessary because the Trinity Standing Wave project, as well as other future City of Dallas projects, including the Santa Fe Trestle Trail will be constructed in a portion of the DART right-of-way.

On October 23, 2008, two proposals were received and it was determined that Ark Contracting Services, LLC, was the best value proposer. Proposals based on RFCSP are evaluated on pre-set criteria which includes cost, qualifications of the prime contractor, construction amount and schedule ratings, which are based on mathematical formulas, with the best prices and best schedule being given the highest scores. Ratings "1" to "10" are given for each criteria with "10" being the best rating. These ratings are multiplied by the weighting to obtain the score for each criteria.

BACKGROUND (Continued)

The following is a list of the rating criteria and values for each criteria:

| <u>Rating Criteria</u> | <u>Value</u> |
|---|--------------|
| 1. Proposed Construction Contract Award | 45% |
| 2. Qualifications/Experiences/References for Prime Firm | 20% |
| 3. Subcontractor Experience | 10% |
| 4. Good Faith Effort Plan | 10% |
| 5. Financial Sufficiency | 5% |
| 6. Schedule/Time of Completion | <u>10%</u> |
| | 100% |

ESTIMATED SCHEDULE OF PROJECT

| | |
|-----------------------|---------------|
| Began Design | December 2006 |
| Completed Design | April 2007 |
| Begin Construction | January 2010 |
| Complete Construction | August 2010 |

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized the advertisement for a Request for Competitive Sealed Proposals on June 21, 2007.

The Park and Recreation Board authorized award of the contract on February 5, 2009.

FISCAL INFORMATION

1998 Bond Funds - \$200,000
2006 Bond Funds - \$3,176,359

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Ark Contracting Services, LLC

| | | | |
|---------------|----|-----------------|---|
| White Male | 12 | White Female | 1 |
| Black Male | 0 | Black Female | 0 |
| Hispanic Male | 84 | Hispanic Female | 0 |
| Other Male | 0 | Other Female | 0 |

PROPOSAL INFORMATION

The following two proposals with quotes were received and opened on October 23, 2008.

*Denotes successful proposer

| <u>Proposers</u> | <u>Base Bid</u> | <u>Alternate Nos. 1, 2, 3, & 4**</u> | <u>Total Bid</u> | <u>Scores</u> |
|--|------------------------|---|-------------------------|----------------------|
| *Ark Contracting Services, LLC 420 South Dick Price Road Kennedale, TX | \$2,836,988 | \$539,371 | \$3,376,359 | 3845.0 |
| Rebcon, Inc. | \$7,534,000 | \$1,277,500 | \$8,811,500 | 2911.0 |

**Alternate No. 1 - provides for kayak access trails.

**Alternate No. 2 - provides for canoe launch.

**Alternate No. 3 - provides for gravel parking.

**Alternate No. 4 - provides for gravel access.

Note: After value engineering, the final offer from Ark Contracting Services, LLC for Base Price and Alternate Nos. 1, 2, 3, and 4 was \$3,376,359.

OWNERS

Ark Contracting Services, LLC

Steven C. Bowman, President
Mark North, Vice President
Michael Calvert, Partner
Mary Beth Shipka, Treasurer/Secretary

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize (1) a contract for the installation of standing wave structures, kayak launch, access trails, parking and access road for the Trinity Standing Wave located at 1900 East Eighth Street - Ark Contracting Services, LLC, best value proposer of two; and (2) execution of a Municipal Corridor Use License Agreement with DART for the Santa Fe Trestle Trail and the Trinity Standing Wave - \$3,376,359 - Financing: 1998 Bond Funds (\$200,000) and 2006 Bond Funds (\$3,176,359)

Ark Contracting Services, LLC is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

| | <u>Amount</u> | <u>Percent</u> |
|---------------------------|-----------------------|----------------|
| Total local contracts | \$491,000.00 | 14.54% |
| Total non-local contracts | \$2,885,359.00 | 85.46% |
| TOTAL CONTRACT | \$3,376,359.00 | 100.00% |

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

| <u>Local</u> | <u>Certification</u> | <u>Amount</u> | <u>Percent</u> |
|-------------------------------|----------------------|---------------------|----------------|
| D.E.E.R. Trucking | BMDB40703Y0410 | \$414,000.00 | 84.32% |
| One Engineering Group | WFWB38989N1009 | \$36,000.00 | 7.33% |
| ANA Consultants | WFDB40716Y0410 | \$16,000.00 | 3.26% |
| Universal Fence Co. | WFWB41559N0610 | \$15,000.00 | 3.05% |
| Total Minority - Local | | \$481,000.00 | 97.96% |

Non-Local Contractors / Sub-Contractors

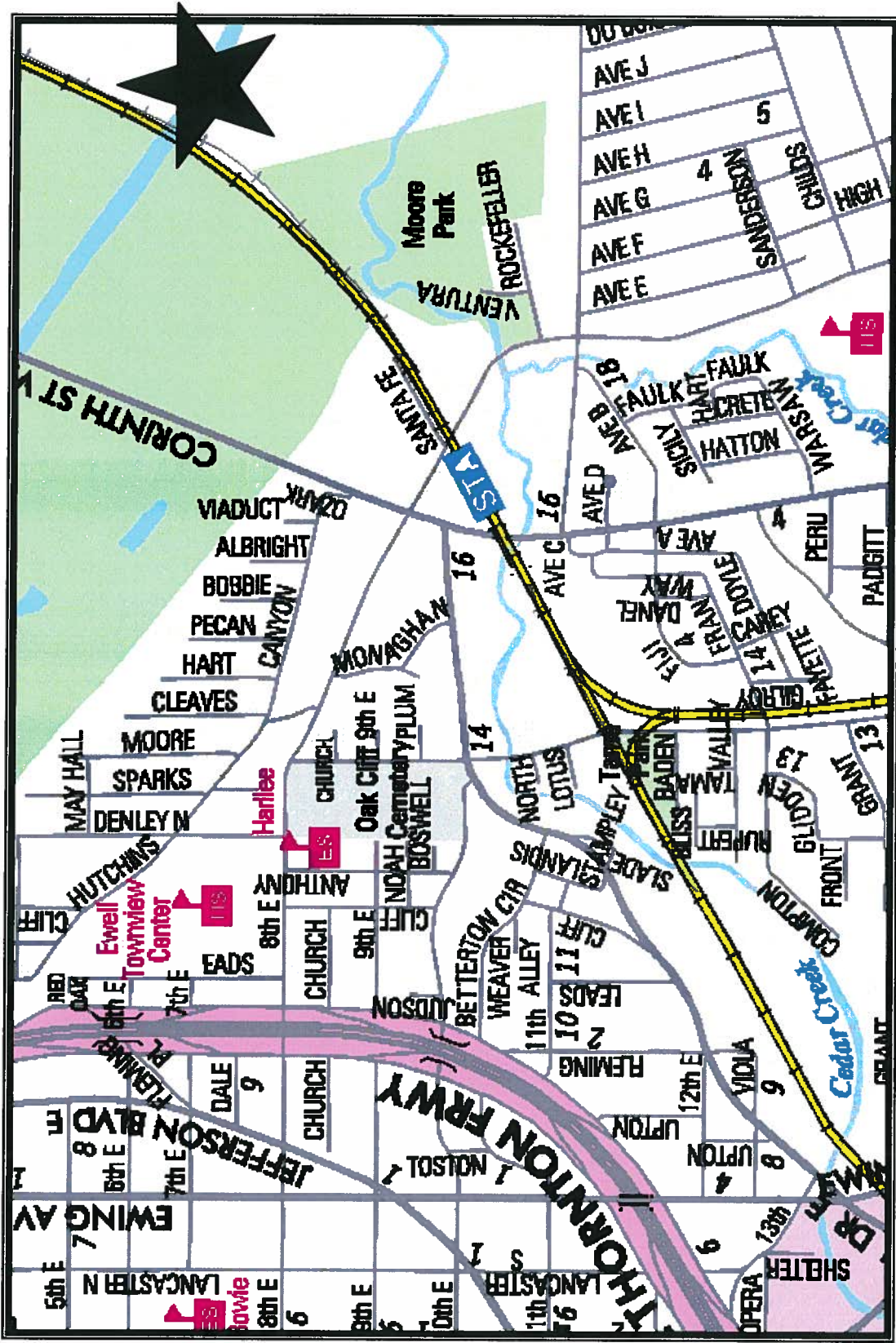
| <u>Non-local</u> | <u>Certification</u> | <u>Amount</u> | <u>Percent</u> |
|-----------------------------------|----------------------|---------------------|----------------|
| Gar-Tex Construction | HMDB42151Y0810 | \$417,000.00 | 14.45% |
| Total Minority - Non-local | | \$417,000.00 | 14.45% |

TOTAL M/WBE CONTRACT PARTICIPATION

| | <u>Local</u> | <u>Percent</u> | <u>Local & Non-Local</u> | <u>Percent</u> |
|-------------------|---------------------|-----------------------|-------------------------------------|-----------------------|
| African American | \$414,000.00 | 84.32% | \$414,000.00 | 12.26% |
| Hispanic American | \$0.00 | 0.00% | \$417,000.00 | 12.35% |
| Asian American | \$0.00 | 0.00% | \$0.00 | 0.00% |
| Native American | \$0.00 | 0.00% | \$0.00 | 0.00% |
| WBE | \$67,000.00 | 13.65% | \$67,000.00 | 1.98% |
| Total | <u>\$481,000.00</u> | <u>97.96%</u> | <u>\$898,000.00</u> | <u>26.60%</u> |

Trinity Standing Wave

Council District 7



1900 E. Eighth St.

Mapsco # 55-C

November 9, 2009

WHEREAS, on October 23, 2008, two proposals were received for the installation of standing wave structures, kayak launch, access trails, parking and access road for the Trinity Standing Wave with the proposal provided by Ark Contracting Services, LLC, best value for the City of Dallas; and

| <u>Proposers</u> | <u>Base Bid</u> | <u>Alternate Nos. 1, 2, 3, & 4**</u> | <u>Total Bid</u> | <u>Scores</u> |
|-------------------------------|-----------------|--|------------------|---------------|
| Ark Contracting Services, LLC | \$2,836,988 | \$539,371 | \$3,376,359 | 3845.0 |
| Rebcon, Inc. | \$7,534,000 | \$1,277,500 | \$8,811,500 | 2911.0 |

**Alternate No. 1 - provides for kayak access trails.

**Alternate No. 2 - provides for canoe launch.

**Alternate No. 3 - provides for gravel parking.

**Alternate No. 4 - provides for gravel access.

Note: After value engineering, the final offer from Ark Contracting Services, LLC for Base Price and Alternate Nos. 1, 2, 3, and 4 was \$3,376,359.

WHEREAS, it has been determined that acceptance of the final and best offer from Ark Contracting Services, LLC in the amount of \$3,376,359 is the best value for the City of Dallas.

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the 2006 Bond Funds originally allocated as indicated below be reprogrammed for the Trinity Standing Wave as approved by the Park and Recreation Board.

| <u>Project</u> | <u>Program Allocation</u> | <u>Revised Allocation</u> | <u>Unit</u> |
|----------------------------------|-------------------------------|-------------------------------|-------------|
| Belleview/McKee Trail Connection | \$2,000,000 | \$187,344 | T024 |
| Reunion Gateway | \$1,200,000 | \$406,656 | T352 |
| Trinity Standing Wave | \$1,000,000 | \$3,606,000 | T302 |

SECTION 2. That the execution of a Municipal Corridor Use License Agreement with DART be approved for the Santa Fe Trestle Trail and the Trinity Standing Wave.

SECTION 3. That the President of the Park and Recreation Board and the City Manager be authorized to execute the Municipal Corridor Use License Agreement with DART for the Santa Fe Trestle Trail and the Trinity Standing Wave.

November 9, 2009

SECTION 4. That the City Manager is hereby authorized to enter into a contract with Ark Contracting Services, LLC for the installation of standing wave structures, kayak launch, access trails, parking and access road for the Trinity Standing Wave, in an amount not to exceed \$3,376,359.

SECTION 5. That the President of the Park and Recreation Board and the City Manager be authorized to execute a contract with Ark Contracting Services, LLC, after approval as to form by the City Attorney's Office.

SECTION 6. That the City Controller be and is hereby authorized to pay the amount of \$3,376,359 to Ark Contracting Services, LLC, as follows:

| | |
|--|--------------------|
| (1998) Trinity River Corridor Fund 6P14, Department PBW, Unit N966, Object 4510, Activity TRPP, Program PBW98N966, CT-PBW98N966E2, Commodity 91200, Vendor VS0000017816 | \$200,000 |
| (2006) Park and Recreation Facilities Improvement Fund 7T00, Department PKR, Unit T302, Object 4599, Activity RFSI, Program PK98N966, CT-PBW98N966E2, Commodity 91200, Vendor VS0000017816 | <u>\$3,176,359</u> |
| Total amount not to exceed | \$3,376,359 |

SECTION 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.