



## COUNCIL AGENDA ITEM MEMORANDUM

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12/04/08  
Item #5  
Regular Agenda  
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### **DEPT. /DIVISION SUBMISSION & REVIEW:**

Ken Cicora, Director of Parks and Leisure Services

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a construction contract with Workman Commercial Construction of Austin, for the construction of an indoor swimming pool in Sammons Community Park in the amount of \$1,553,183.

**STAFF RECOMMENDATION:** Adopt resolution as presented in item description.

**ITEM SUMMARY:** One of the projects approved in the Parks bond package last fall was the construction of an indoor swimming pool to serve the residents of Temple. This facility will be constructed in Sammons Community Park adjacent to the Sammons Park Community Center. Features of this facility will include a heated pool that will be 75 feet long and 4 swimming lanes wide and the depth of the pool will range from 3½ feet to 6 feet. There will be several ways to access the pool including a ramp, stairs, ladders and a handicap lift. The rest of the building will house a lobby, a check-in area, office, pool storage, pump/filter room, and men's and women's changing rooms and restroom/shower facilities.

The City employed Kimley-Horn and Associates to develop the plans and specifications for this facility. Kimley-Horn is very well known and respected in the industry and they developed a package for bidding purposes that was comprised of a base bid and three alternates. The two add alternates are (1) a 10 car parking area and (2) an ultraviolet water treatment system. The deductive alternate would replace the metal roof of the building with a shingle roof.

Bids were opened on November 18, 2008 with 7 bidders responding. Bids ranged from a low of \$1,553,183.00 to a high of \$1,664,940.00 for the base bid plus the two add alternates. The low bid of \$1,553,183.00 was submitted by Workman Commercial Construction of Austin, Texas.

In his letter of recommendation on the bid, Adam Brewster of Kimley-Horn stated, "Workman's relevant experience includes two pool projects for Kimley-Horn; for the City of Saginaw, Texas and North Richland Hills, Texas. They performed in an acceptable manner on both of these projects and they are familiar with the scheduling of this type of work."

Workman has indicated that, if awarded the bid, they plan on utilizing Temple based sub-contractors whenever possible and purchasing supplies from Temple businesses.

The second low bidder, Chaney-Cox is located in Temple. Their bid (base bid, 2 add alternates and 1 deductive alternate) exceeds the low bid amount by \$40,373.00 (\$1,593,556.00) which is **2.6% higher than the low bid.**

**The City of Temple has the ability to award the work to a local contractor if the bid is within 5% of the low bid through the local preference legislation adopted by the State of Texas and the City of Temple.**

We are recommending awarding the base bid and alternates #1 and #2 and rejecting the deductive alternate for a total of \$1,553,183.00 to Workman Commercial Construction of Austin.

**FISCAL IMPACT:** Total project cost for the Sammons Indoor Aquatic Center is \$1,900,000, which is funded in account 362-3500-552-68-39, project #100357. In December 2008, Kimley-Horn was awarded the design contract in the amount of \$156,800. In addition, there were miscellaneous costs related to the project incurred leaving a current balance of \$1,734,288 available to fund the construction contract in the amount of \$1,533,183. After funding this contract, \$181,105 remains available to complete this project.

**ATTACHMENTS:**

[Recommendation Letter](#)  
[Bid Tabulation](#)  
[Resolution](#)



November 19, 2008

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Suite 275  
2201 West Royal Lane  
Irving, Texas  
75063-3206

Mr. Val Roming  
City of Temple  
Parks and Leisure Services  
2727 West Adams Ave.  
Temple, TX 76504

**RE: Sammon's Park Indoor Aquatic Center- Bid Recommendation Letter  
City of Temple, Texas**

Dear Mr. Roming:

As requested, we have reviewed the bid proposal forms, bonds, and references for the above referenced project.

The bids were publicly opened and recorded by the City on Tuesday, November 18, 2008 at 2:00 PM. A total of seven (7) bids were received for this project and the bid spread for this project was very tight, only \$111,757.00 difference (7%) between the low bidder and high bid bidder. Additionally, we understand that all seven (7) bids are within the available funding for this project. The average base bid plus the two add alternates was \$1,616,372.00.

The apparent low bidder for the project was Workman Commercial Construction with offices in Austin, Dallas-Fort Worth, and Houston, Texas. Their low base bid plus the two add alternates is \$1,553,183.00. Workman's relevant experience includes two pool projects for Kimley-Horn; for the City of Saginaw, Texas and North Richland Hills, Texas. They performed in an acceptable manner on both of these projects and they are familiar with the scheduling of this type of work.

Sunbelt Pools was listed as Workman's pool subcontractor for this project. We have worked with Sunbelt Pools before on similar projects in Lewisville, TX; McKinney, TX; Saginaw, TX; and Fort Worth, TX. They are also an approved swimming pool subcontractor for work of this type and have a very good reputation. They have performed in an acceptable manner on many projects for both Kimley-Horn and Counsilman-Hunsaker.

As you are aware, the City of Temple has, by State law, the ability to award the work based upon local preference if there is a local contractor's bid within 5% of the low bidder and they can demonstrate the benefits of using their local firm to the City.

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TEL 214 420 5600  
FAX 214 420 5680

The second low bidder, Chaney-Cox (located in Temple, Texas), did not check the local preference box on this bid. However, they did write in a brief explanation of their value in being located in the City of Temple. Chaney-Cox is the contractor on the South Temple Family Aquatic Center project and they (and their pre-approved pool contractor Aqua Artists) are performing in a timely and acceptable manner to date on that project. The second low bid (base bid plus both add alternates) from Chaney-Cox was in the amount of \$1,593,556.00. This bid exceeds the low bid amount by \$40,373.00.

Based on the above, we can find no reason why the City should not award the project to the low bidder, Workman Commercial. However, if the City deems that Chaney-Cox meets the requirements for local preference as defined by State Law, then, the City may choose to award the project to the second low bidder, Chaney-Cox.

Very truly yours,

**KIMLEY-HORN AND ASSOCIATES, INC.**

A handwritten signature in black ink, appearing to read "Adam Brewster". The signature is fluid and cursive, with a long horizontal stroke at the end.

Adam Brewster, RLA, ASLA  
Project Manager



**PROJECT:** Sammon's Indoor Aquatic Center  
**LOCATION:** Temple, Texas  
**BID LOCATION:** City of Temple, Purchasing Dept.  
**BID DATE/TIME:** 11/18/08 2:00 PM



**Kimley-Horn and Associates, Inc.**

**BID TABULATION FORM**

Bidder's Name	Credit Check	Bid Bond, Insurance, Etc.	Local Preference	Add No. 1 Received	Add. No. 2 Received	Total Base Bid	Add Alternate Bid Items		Deduct Alternate Bid Item Roofing	Base Bid Plus AA#1 and AA#2
							AA # 1	AA # 2		
1 S&G Contracting Inc	X	X	No	X	X	\$1,587,000.00	\$7,000.00	\$34,850.00	\$23,000.00	\$1,628,850.00
2 Workman Commercial Construction	X	X	No	X	X	\$1,514,183.00	\$12,000.00	\$27,000.00	\$11,000.00	\$1,553,183.00
3 Vanguard Contractors, LP	X	X	(1) Yes	X	X	\$1,559,000.00	\$13,000.00	\$27,400.00	\$41,400.00	\$1,599,400.00
4 Alpha Constructors	X	X	No	X	X	\$1,619,250.00	\$15,100.00	\$30,590.00	\$39,000.00	\$1,664,940.00
5 Chaney-Cox Construction, Inc.	X	X	(1) Yes	X	X	\$1,553,459.00	\$14,028.00	\$26,069.00	\$39,000.00	\$1,593,556.00
6 JL Construction (3)	X	(4) X	(2) No	X	X	\$1,569,375.00	\$12,800.00	\$30,500.00	\$30,000.00	\$1,612,675.00
7 Stewart Builders	X	X	No	X	X	\$1,624,000.00	\$12,000.00	\$26,000.00	\$39,500.00	\$1,662,000.00
Notes:							City Budget		\$1,730,000.00	
(1) Local company but box in bid form was not checked.							Bid Spread		\$111,757.00	
(2) Local preference claimed but did not meet criteria.							Average Bid		\$1,616,372.00	
(3) Bid included Exclusions for Atmos Fees incurred										
(4) Bond information not on correct form										
<b>TOTAL</b>										