



## MEMORANDUM

TO: ROBERT A. KUNTZ, CITY ADMINISTRATOR

FROM: GARY R. KRAMER, P.E., CITY ENGINEER/DIRECTOR OF PUBLIC WORKS GRK

DATE: MAY 6, 2014

SUBJECT: REHABILITATION OF THE HOLLOWAY CULVERT CONSTRUCTION

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The above referenced project consist of cold milling, hydro demolition, spot repairs, overlay of the culvert floor slab, expansion joint sealing of the culvert walls and roof, and extension of the outfall slab to support the downstream gabion walls.

We began advertising for bids on March 14, 2014 in the St. Louis Post-Dispatch, MoDOT website, Ballwin website, and through several plan rooms. On April 9, 2014 four bids were received and opened. Below is a summary of those bids. This project is 80% federally funded.

TABLE 1	DBE	BASE BID	ALT. A	ALT. B	ALT. C	TOTAL
Kozeny-Wagner, Inc.	0.48%	\$ 411,993.00	\$ 25,955.00	\$ 25,542.00	\$ 33,490.00	\$496,980.00
Concrete Strategies LLC	16.35%	\$ 592,798.00	\$ 14,500.00	\$ 28,251.00	\$ 15,300.00	\$650,849.00
St. Louis Bridge Construction Co.	6.54%	\$ 620,853.54	\$ 21,750.00	\$ 27,090.00	\$ 21,250.00	\$690,943.54
RV Wagner, Inc.	13%	\$ 526,630.00	\$ 29,290.00	\$ 116,100.00	\$ 34,340.00	\$706,360.00

Alternate A: roof repairs.  
 Alternate B: pressure injecting joints  
 Alternate C: wall repairs.

As required by MoDOT and FHWA, the lowest responsive, responsible contractor shall be determined in the following order:

1. Base Bid + Add Alt. A + Add Alt. B + Add Alt. C
2. Base Bid + Add Alt. A + Add Alt. B
3. Base Bid + Add Alt. A
4. Base Bid

TABLE 2	BASE BID	BASE + ALT. A	BASE + ALT A + ALT. B	BASE + ALT A + ALT B + ALT. C
Kozeny-Wagner, Inc.	\$411,993.00	\$437,948.00	\$463,490.00	\$496,980.00
Concrete Strategies LLC	\$592,798.00	\$607,298.00	\$635,549.00	\$650,849.00
St. Louis Bridge Construction Co.	\$620,853.54	\$642,603.54	\$669,693.54	\$690,943.54
RV Wagner, Inc.	\$526,630.00	<b>\$555,920.00</b>	\$672,020.00	\$706,360.00

Our application for federal funding requested \$612,000 for the construction phase. Construction was to include repair the culvert floor and stabilize the downstream gabion walls. Our design engineer

recommended the three alternate bid items noted above should funds be available. They are included in order of importance.

The 2014 capital budget includes \$756,000 in expenditures, offset by \$489,600 in revenue from federal reimbursement. However, 80% federal funding is based on the application total of \$612,000, not actual bids. Any expenditure exceeding the \$612,000 amount will not be reimbursable. Deducting inspection, material testing, and advertising costs, construction cost is limited to \$582,622.70. Considering the severe winter and associated cost overruns in early 2014, we do not recommend exceeding this amount.

As noted in Table 2, the apparent low bidder, Kozeny-Wagner's base bid plus all three alternates does not exceed this amount. However, MoDOT established a goal of 13% DBE participation. Kozeny-Wagner, Inc. bid included only 0.48% DBE participation. After reviewing actions taken by Kozeny-Wagner, MoDOT determined that they failed to provide a Good Faith Effort to meet the DBE participation of 13%. Therefore, MoDOT recommended that Kozeny-Wagner's bid be rejected as non-responsive. Kozeny-Wagner has waived their right to a reconsideration hearing.

The second low bidder, RV Wagner, Inc., base bid plus add alternate A of \$555,920.00 does not exceed the above noted construction cost limitation. Alternate bids B and C could be included in future budget years.

The second low bidder, RV Wagner, Inc. submitted their proposed 13% DBE participation. MoDOT has determined that they satisfy the DBE requirement and concur with awarding the contract to RV Wagner, Inc.

**RECOMMENDATION:** We recommend awarding this unit price contract, including add alternate bid A, totaling \$555,920.00, to RV Wagner, Inc., the lowest, responsive, responsible bidder.