

## Legislation Details (With Text)

<b>File #:</b>	BILL NO. 23-134	<b>Name:</b>	
<b>Type:</b>	Ordinance - Committee	<b>Status:</b>	Passed
<b>File created:</b>	5/18/2023	<b>In control:</b>	City Council - Regular Session
<b>On agenda:</b>	6/20/2023	<b>Final action:</b>	6/20/2023
<b>Title:</b>	An Ordinance awarding the bid for Project No. 795 for the Curb Repair FY24 Program to Phoenix Concrete & Underground, LLC in the amount of \$2,740,197.93, and authorizing the City Manager to execute an agreement for the same. (PWC 6/12/23)		
<b>Sponsors:</b>	Public Works Admin & Engineering		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Ordinance, 2. Supporting Document: Bid Tabulation, 3. Supporting Document: Maps		

Date	Ver.	Action By	Action	Result
6/20/2023	1	City Council - Regular Session	for second reading	Pass
6/20/2023	1	City Council - Regular Session	adopted and numbered	Pass
6/12/2023	1	Public Works Committee	recommended for approval	

An Ordinance awarding the bid for Project No. 795 for the Curb Repair FY24 Program to Phoenix Concrete & Underground, LLC in the amount of \$2,740,197.93, and authorizing the City Manager to execute an agreement for the same. (PWC 6/12/23)

### Issue/Request:

An Ordinance awarding the bid for Project No. 795 for the Curb Repair FY24 Program to Phoenix Concrete & Underground, LLC in the amount of \$2,740,197.93, and authorizing the City Manager to execute an agreement for the same.

### Key Issues:

- The annual Curb Repair Program replaces damaged and deteriorated curb on some of the streets scheduled for overlay the following fiscal year and updates sidewalk approaches to current specifications as required by the Federal Americans with Disabilities Act
- The Curb Repair FY24 Program will replace 89,875 lineal feet of curb line (17 miles) and renovate 85 sidewalk ramps (hereinafter "Project No. 795").
- Project No. 795 is funded by the Transportation Sales Tax Fund and supplemented with the 2017 CIP Sales Tax Renewal.
- Public Works issued an advertisement for bids for the construction of Project No. 795 on May 10, 2023, guided by local policies and state statutes.

- Phoenix Concrete & Underground, LLC (hereinafter "Contractor") was determined to be the lowest and best bidder by City staff.
- The City desires to enter into an agreement with the Contractor to construct Project No. 795.

Proposed Committee Motion:

I move to recommend to the City Council approval of an Ordinance awarding the bid for Project No. 795 for the Curb Repair FY24 Program to Phoenix Concrete & Underground, LLC in the amount of \$2,740,197.93, and authorizing the City Manager to execute an agreement for the same.

Proposed Council Motion:

FIRST MOTION: I move for a second reading of an Ordinance awarding the bid for Project No. 795 for the Curb Repair FY24 Program to Phoenix Concrete & Underground, LLC in the amount of \$2,740,197.93, and authorizing the City Manager to execute an agreement for the same.

SECOND MOTION: I move for adoption of an Ordinance awarding the bid for Project No. 795 for the Curb Repair FY24 Program to Phoenix Concrete & Underground, LLC in the amount of \$2,740,197.93, and authorizing the City Manager to execute an agreement for the same.

Background:

The primary purpose of the annual Curb Repair Program is to replace deteriorating curb and gutter on streets scheduled to be part of the City's Overlay program the following year. Federal law and court ruling also require updating sidewalk approaches intersecting streets to be overlaid to current specifications as required by the Federal Americans with Disabilities Act. The City has been replacing curb in this manner for over 20 years.

Much of the curb and gutter placed in the KC Metro between 1985 and 2008 was installed using local limestone aggregate that was of poor quality. Limestone aggregates produced from local quarries during this era were relatively soft compared to previous sources of limestone rock. The frequent and harsh freeze-thaw cycling, combined with wet conditions, accelerated the concrete failure process "D-cracking." The soft limestone absorbs water, then as the water freezes, it expands and cracks the aggregate and concrete from the inside out. This process took several years to surface, and then some time later the concrete industry and builders adopted new codes for durable aggregates in concrete.

The local limestone aggregates continue to work well for buildings, foundations and most structures not subjected to freezing and saturation. However, when used for exterior paving, curb and sidewalks, the aggregate was prone to fail within 10 years. The limestone aggregate in concrete was replaced by durable aggregates for capital projects in 2004. New development was not required to use durable aggregates until 2009.

The need for the annual curb program has been driven by the need to replace over 612 miles (3.23 million linear feet) of curb installed from about 1985 through 2008. The City started replacing small pieces of curb around 1998. The curb failure became widespread around 2000-2003, so larger curb replacement programs began in 2004 to address the need with the resources available. The combination of annual curb programs from 2004 to present, plus a \$12 million bond issue in 2011, enabled Public Works to replace approximately

305 miles of curb thus far. 19 years of consistent work has now replaced about 50% of the curb expected to need replacement.

Curb replacement triggers the requirement to install or improve curb ramps to create accessible routes that are compliant with the Americans with Disabilities Act. Ensuring the ramps properly connect to sidewalks, it is also necessary to remove and replace some sidewalk at some locations, so that work is included in this project.

The volume of work over this time has, on rare occasions, caught up with the overlay program. This year happens to be the third time in 20 years that the annual Curb Repair Program includes spot curb and gutter replacement on streets not tied to next year's overlay plans. This year's program will be focused in residential neighborhoods, replacing 89,875 lineal feet (17 miles) of curb, replacing 10,480 square feet of sidewalk, and renovating 85 curb ramps.

Impact/Analysis:

Public Works Engineering advertised for bids for Project No. 795 on May 10, 2023. Potential bidders were notified through QuestCDN, the City website, and a mass email notification. Two (2) responsive bids were received by the May 31, 2023 bid opening date. The bids were evaluated, and City staff determined Phoenix Concrete & Underground, LLC, to be the lowest and most responsible bidder. The recommended bid is approximately 23% lower than City staff's estimate.

Timeline:

Start: mid-July

Completion: late-November

Vince Schmoeger, Project Manager

Staff recommends approval.

Committee Recommendation:

The Public Works Committee voted unanimously 3-0 (Councilmember Lovell "Absent"), to recommend to City Council approval of an Ordinance awarding the bid for Project No. 795 for the Curb Repair FY24 Program to Phoenix Concrete & Underground, LLC in the amount of \$2,740,197.93, and authorizing the City Manager to execute an agreement for the same. (PWC 6/12/23)