

**ACTION ITEM  
BOARD MEETING  
July 21, 2009**

**TOPIC: AUTHORIZATION TO NEGOTIATE AND ENTER INTO  
CONTRACT WITH A GENERAL CONTRACTOR FOR THE 2007  
CAPITAL IMPROVEMENT PROGRAM BID PACKAGE #014  
(FWISD RFCSP # 09-100)**

**BACKGROUND:**

The process of advertising and releasing a Request for Competitive Sealed Proposals #09-100 for the construction of the 2007 CIP Bid Package #014 has been completed.

BP #014 includes the following projects:

TEA #053 Monnig Middle School  
TEA #154 M.L. Phillips Elementary School

Proposals have been received, opened, and reviewed for completeness and validity.

RFCSP Statistics

Proposals requested: Open  
Proposals received: 11  
HUB Firms: 1  
Compliant proposals: 11

The Evaluation and Selection Committee members have completed their evaluation of the proposals and have collectively ranked the Proposers according to the scoring of their proposals utilizing the published evaluation criteria. The Procurement Record Memo containing detailed information is attached to this Action Item for the consideration of the Board. The list of top ranked Contractors follows:

1. Turner Construction Company of Texas, Inc.
2. MDI, Inc.
3. RBR Construction, Inc.

The Capital Improvement Program (CIP) seeks authorization from the Board to proceed with formal negotiations with the best value Contractor. Should the first ranked Contractor decline or otherwise fail to enter into an agreement, the CIP shall formally end negotiations and proceed into negotiations with the next ranked Contractor, until an agreement is reached or the contract will be rebid.

Furthermore, the CIP seeks authorization from the Board to enter into an agreement with a General Contractor upon conclusion of successful negotiations. In accordance with the

District's HUB expectation, for this contract HUB participation is requested at 25% of the contract amount.

**ALTERNATIVES:**

1. Authorize the CIP to negotiate and enter into contract with a General Contractor for 2007 CIP Bid Package #014.
2. Decline to authorize the CIP to negotiate and enter into contract with a General Contractor for 2007 CIP Bid Package #014.
3. Remand to CIP staff for further study.

**SUPERINTENDENT'S RECOMMENDATION:**

Authorize the CIP to negotiate and enter into contract with a General Contractor for 2007 CIP Bid Package #014.

*Board approved recommendation -  
J. Kern*

**FUNDING SOURCE:**

Capital Improvement Program Funds

**COST:**

Not to Exceed \$5,265,452.00

**RATIONALE:**

On January 22, 2008, the Board of Education authorized the District to use competitive sealed proposals (CSP) as the procurement method for projects in conjunction with the 2007 Capital Improvement Program. The CSP statutes for Texas were used to select the best value Contractor and will be used to negotiate and enter into a contract to provide these construction services.

On November 20, 2008, the Board of Education approved the Standard Form of Agreement and General Conditions for Construction. This approved template will be used to contract for these services. The negotiation and execution of this contract will follow the procedures established by Board policy and law.

**INFORMATION SOURCES:**

Walter Dansby  
Robert Palmer