

**ACTION ITEM
BOARD MEETING
September 22, 2009**

**TOPIC: AUTHORIZATION TO NEGOTIATE AND ENTER INTO
CONTRACT WITH A GENERAL CONTRACTOR FOR THE 2007
CAPITAL IMPROVEMENT PROGRAM BID PACKAGE #031
(FWISD RFCSP #10-001)**

BACKGROUND:

The process of advertising and releasing a Request for Competitive Sealed Proposals #10-001 for the construction of the 2007 CIP Bid Package #031 has been completed.

BP #031 includes the following projects:

- TEA #018 – Middle Level Learning Center – Renovation
- TEA #019 – Metro Opportunity High School – Renovation
- TEA #042 – E.M. Daggett Middle School – Renovation
- TEA #121 – De Zavala Elementary School – Renovation

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

RFCSP Statistics

- Proposals requested: Open
- Proposals received: 13
- HUB Firms: 4
- Compliant proposals: 13

Note: One Contractor (3i Construction) withdrew their bid on September 16, 2009; therefore, only 12 proposals were evaluated.

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. Sedalco, Inc.
2. MDI, Inc.
3. EMJ Corporation

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 #031.
2. Decline to authorize the CIP to negotiate and enter into contract with a General Contractor for 2007 CIP Bid Package #031.
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 #031.

*Board approved
J. Keam*

FUNDING SOURCE:

Capital Improvement Program Funds

COST:

Not to Exceed \$3,391,775

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
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