

## Agenda Item Summary

Item No. 8c(6)

<b>Council Meeting Date</b>	September 07, 2021
<b>Department</b>	Engineering Services
<b>Submitted By</b>	Alison Frazier
<b>Agenda Section</b>	Consent Agenda

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### **Name and address of person(s) or business(es) this item affects:**

D & J Enterprises, Inc.  
3495 Lee Road 10  
Auburn, AL 36832

### **Description of item under consideration**

Resolution authorizing the City Manager to execute a contract with the lowest responsible bidder, D & J Enterprises, Inc., in the amount of \$279,389 for the cost of labor, equipment, and material necessary to complete the FY 21 Community Development Block Grant (CDBG) Resurfacing Project. The following streets are included in the project: Slaughter Avenue (Foster Street to Boykin Street), Stubb Avenue, and Byrd Street.

### **Why is Council action needed?**

Section 11-45-2(c) of the Code of Alabama requires City Council to approve a resolution to award contracts where bids are received. Sealed bids are required for all public works contracts in excess of \$50,000 per Section 39-2-2 of the Code of Alabama.

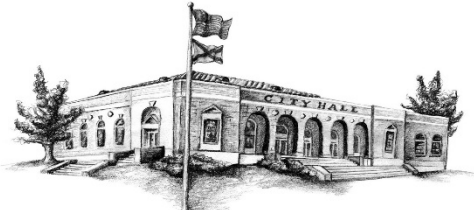
### **Are there deadlines involved with this item?**

No

### **Is this a budgeted item?**

Yes

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**City of Auburn**  
Home of Auburn University

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**MEMORANDUM**

**To:** Megan McGowen Crouch, City Manager

**From:** Alison Frazier, Engineering Services Director/City Engineer

**Subject:** FY 21 Community Development Block Grant (CDBG) Resurfacing Project

**Date:** August 24, 2021

We solicited bids from area contractors for the cost of labor, equipment and material necessary to complete the FY 21 Community Development Block Grant (CDBG) Resurfacing Project. The following bids were received:

<b>CONTRACTOR</b>	<b>BID PRICE</b>
D & J Enterprises, Inc. Auburn, AL	\$279,389.00
Wayne Gentry Phenix City, AL	\$303,908.16

The project consists of the resurfacing of the following streets:

Slaughter Avenue (Foster Street to Boykin Street)  
Stubb Avenue  
Byrd Street

I recommend awarding the contract for the project to D & J Enterprises, Inc. for \$279,389.

RESOLUTION NO. \_\_\_\_\_

**WHEREAS**, the City Council of the City of Auburn recognizes that it is in the best interest of the City of Auburn to construct the FY 21 Community Development Block Grant (CDBG) Resurfacing Project; and

**WHEREAS**, the City Council of the City of Auburn solicited sealed bids as required under Alabama Law; and

**WHEREAS**, sealed bids were opened on August 24, 2021 and D & J Enterprises, Inc. was identified as the lowest responsible bidder meeting the specifications for the FY 21 Community Development Block Grant (CDBG) Resurfacing Project with a bid of \$279,389; and

**WHEREAS**, the City of Auburn requests a contract agreement with D & J Enterprises, Inc. for \$279,389 for the FY 21 Community Development Block Grant (CDBF) Resurfacing Project.

**NOW THEREFORE, BE IT RESOLVED** that the City Council of the City of Auburn, Alabama does hereby authorize the City Manager to execute a contract agreement with D & J Enterprises, Inc. for the FY 21 Community Development Block Grant (CDBG) Resurfacing Project for \$279,389 and further authorizes up to ten percent (10%) of the contract amount (\$27,938.90) as contingency to be used for unforeseen conditions.

**ADOPTED AND APPROVED** by the City Council of the City of Auburn, Alabama, this the 7<sup>th</sup> day of September 2021.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Manager

PROPOSAL

**COPY**

TO: CITY OF AUBURN, ALABAMA

Submitted: August 24, 2021.

The undersigned, as Bidder, hereby declares that he has examined the site of the work and informed himself fully in regard to all conditions pertaining to the place where the work is to be done; that he has examined the plans and specifications for the work and contractual documents relative thereto; and has read all Special provisions furnished prior to the opening of bids; that he has satisfied himself relative to the work to be performed.

The Bidder proposes and agrees, if this proposal is accepted, to contract with the City of Auburn, Alabama, in the form of contract specified, to furnish all necessary materials, equipment, machinery, tools, apparatus, means of transportation, and labor necessary to and to complete

**FY 21 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RESURFACING PROJECT**

in full and complete accordance with the shown, noted, described and reasonably intended requirements of the plans, specifications and contract documents, to the full and entire satisfaction of the City of Auburn, Alabama, with a definite understanding that no money will be allowed for extra work except as set forth in the attached General Conditions and Contract Documents, for the unit prices listed opposite each item in the attached schedule of estimated quantities and bid prices.

It is agreed that the description under each item, being briefly stated, implies, although it does not mention, all incidentals and that the prices stated are intended to cover all such work, materials and incidentals as constitute Bidder's obligations as described in the specifications and any details not specifically mentioned, but evidently included in the contract shall be compensated for in the item which most logically includes it.

The quantities for bid items listed on the proposal sheets are estimated quantities only for the purpose of comparing bids. Any difference between these estimated quantities and actual quantities required for construction shall not be taken as a basis for claims by the Contractor for extra compensation. Compensation will be based on the unit prices and actual construction quantities.

The Bidder further proposes and agrees hereby to commence the work with an adequate force, plant and equipment at the time stated in the notice to the Contractor from the Engineer to proceed and fully complete performance of the base bid work within sixty **(60)** or less consecutive calendar days from and after the date stated in said notice.

The undersigned further agrees that, in case of failure on his part to execute the said contract and the bonds within ten **(10)** consecutive calendar days after written notice being given of the

award of the contract, the check or bid bond in the amount of 5%, (not to exceed \$10,000.00) and the monies payable thereon, shall be paid into the funds of the City of Auburn, Alabama as liquidated damages for such failure; otherwise, the check or bid bond accompanying this proposal shall be returned to the undersigned.

Attached hereto is a certified or cashier's check on the \_\_\_\_\_

or bid bond for the sum of 5% OASB dollars (\$ 5% OASB)  
(5% of AMOUNT BID (not to exceed \$10,000.00))

made payable to the City of Auburn, Alabama.

Base Bid: Two hundred seventy nine thousand three hundred eighty-nine dollars and no cents  
(in words)

TOTAL LUMP SUM <sup>Base</sup> BID PRICE: \$ 279,389.00

EXCEPTIONS: If "none", so state here: "None"  
If any exceptions of Owner's specifications are offered, attach full explanations to this bid.

BY: [Signature]

PRINTED NAME William Liveak

TITLE Office Engineer

CONTRACTOR A + J Enterprises, Inc.

ADDRESS: 3495 Lee Rd 10

CITY Auburn

STATE Alabama

16643  
CONTRACTOR'S LICENSE NUMBER

334-821-1249  
TELEPHONE NUMBER