

**CIP DESIGN AND ENGINEERING MEMORANDUM**  
**#09-12**

April 23, 2009

**TO:** Honorable Mayor Kathleen M. Novak and City Council Members

**FROM:** William A. Simmons, City Manager *WAS*  
Amy Ward, Acting Logistics Manager *AW*

**SUBJECT:** CR-51-2009, W. 99<sup>th</sup> Avenue Waterline Improvements Project

**RECOMMENDATION:**

Attached to this memorandum is a Resolution which, if approved would:

- 1) authorize the Mayor to execute a contract between the City of Northglenn and T. Lowell Construction, Inc. for the W. 99<sup>th</sup> Avenue Waterline Improvements Project in the amount of \$78,000.00 and authorize a contingency in the amount of \$15,600.00.
- 2) authorize the City Manager to expend funds in the amount of \$3,000, to provide field quality control testing during construction.
- 3) authorize the City Manager to approve minor changes in the scope of work and execute relevant change orders up to the approved expenditure limit of \$96,600.00.

The total project cost is \$96,600.00. Staff recommends approval of the proposed Resolution.

**BACKGROUND:**

The existing asbestos cement waterline on W. 99<sup>th</sup> Avenue between Huron St. and Dodge Dr. is showing signs of significant deterioration with numerous failures occurring each year. On April 6, 2009, the City accepted thirteen (13) formal bids to replace the waterline. The low bidder is T. Lowell Construction, Inc. with a bid of \$78,000.00. City staff contacted the submitted references and determined the Contractor's past performance was satisfactory. Results of the reference checks are on file at City Hall. Based on the reference checks and review of the bid documents, City staff recommends that a contract be executed with T. Lowell Construction, Inc. with a fee of \$78,000.00 and a contingency of 20% for the construction of the W. 99<sup>th</sup> Avenue Waterline Improvements Project. Staff is requesting the 20% contingency due to potential construction issues once the existing pipe connections are excavated. Copies of the bid tabulation and the standard construction agreement are attached.

**POTENTIAL OBJECTION:**

City Staff is not aware of any specific opposition to the proposed Resolution.

**BUDGET/TIME IMPLICATIONS:**

There is no impact to the General Fund. The budget as proposed for the contract is \$96,600.00. Funding is available in the 2009 Water and Wastewater Fund account no. 516.69263.000.3999.673 in the amount of \$200,000.00.

**STAFF REFERENCE:**

Please contact Amy Ward, Acting Logistics Manager at [award@northglenn.org](mailto:award@northglenn.org), or (303) 450-8837.

SPONSORED BY: MAYOR NOVAK

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-51  
Series of 2009

\_\_\_\_\_  
Series of 2009

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF NORTHGLENN AND T. LOWELL CONSTRUCTION FOR THE W. 99<sup>TH</sup> AVENUE WATERLINE IMPROVEMENTS PROJECT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The Agreement between the City of Northglenn and T. Lowell Construction, attached hereto, in the amount of \$78,000.00 with a twenty percent (20%) contingency of \$15,600.00 for a total amount not to exceed \$96,600.00 for construction of the W. 99<sup>th</sup> Avenue Waterline Improvements Project is hereby approved and the Mayor is authorized to execute same on behalf of the City of Northglenn.

DATED at Northglenn, Colorado, this \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
KATHLEEN M. NOVAK  
Mayor

ATTEST:

\_\_\_\_\_  
JOHANNA SMALL, CMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
COREY Y. HOFFMANN  
City Attorney

## **AGREEMENT**

**PROJECT NAME: 2009 W. 99<sup>th</sup> Avenue Waterline Improvements**

**PROJECT NUMBER: 2009 IFB-08**

**PROJECT MANAGER: Joliette Woodson**

**THIS AGREEMENT**, made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between the City of Northglenn, hereinafter called "CITY", and T. Lowell Construction, Inc., hereinafter called "CONTRACTOR".

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR will commence and complete the project named:

**"2009 W. 99<sup>th</sup> Avenue Waterline Improvements"**

2. The CONTRACTOR will furnish all of the materials, supplies, tools, equipment, labor supervision, and other services necessary for the completion of the PROJECT described herein.

3. The CONTRACTOR will provide performance and payment bonds and a certificate of insurance naming the City as an additional insured for purposes of said project within 10 days after the date of the NOTICE OF AWARD.

4. The CONTRACTOR agrees to perform all of the WORK described in the CONTRACT DOCUMENTS and comply with the terms therein for the sum of \$78,000.00, or as shown in the BID schedule. The CONTRACTOR will commence the work within 10 calendar days after the date of NOTICE TO PROCEED. The CONTRACTOR will complete the work within 10 working days after the date of NOTICE TO PROCEED unless the period for completion is extended otherwise by the CONTRACT DOCUMENTS.

5. The term "CONTRACT DOCUMENTS" means and includes all items as set forth in Section 1.01 of the General Conditions.

6. The CITY will pay to the CONTRACTOR in the manner and at such times as set forth in the General Conditions such amounts as required by the CONTRACT DOCUMENTS.

7. This AGREEMENT shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

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IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in TWO copies, each of which shall be deemed an original on the date first above written.

**CITY:**

City of Northglenn

By \_\_\_\_\_

Name Kathleen M. Novak

Title Mayor

**ATTEST:**

\_\_\_\_\_  
Name \_\_\_\_\_

Title City Clerk

(SEAL)

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Corey Y. Hoffmann, City Attorney

(SEAL)

**ATTEST:**

TIM LOWELL  
\_\_\_\_\_  
TIM LOWELL

Name (Please Print or Type)

Title ASST. SECT.

**CONTRACTOR:**

By \_\_\_\_\_

Name TIM LOWELL

(Please Type or Print)

Title PRES.

Address 3211 South I-25

CASTLE ROCK, CO 80109

**CITY's CONTRACT # \_\_\_\_\_**

Joliette Woodson

Print Name of City's Project Manager

**PROSPECTIVE CONTRACTOR'S CERTIFICATE REGARDING  
EMPLOYING OR CONTRACTING WITH AN ILLEGAL ALIEN**

FROM: T. LOWELL CONSTRUCTION, INC.  
(Prospective Contractor)

TO: CITY OF NORTHGLENN  
c/o Tammy Guenther  
11701 Community Center Drive  
Northglenn, Colorado 80233

Project Name W. 99TH AVENUE WATERWAYS IMPROVEMENT TRACT

Bid Number 15B 700A-03 Project No. \_\_\_\_\_

As a prospective contractor for the above-identified bid, I (we) do hereby certify that, as of the date of this certification, I (we) do not knowingly employ or contract with an illegal alien and that I (we) have confirmed or attempted to confirm the employment eligibility of all employees who are newly hired for employment in the United States through participation in the basic pilot program administered by the United States Department of Homeland Security.

Executed this 6 day of APRIL, 2009.

Prospective Contractor T. LOWELL CONSTRUCTION, INC.

By: [Signature]

Print name TIM LOWELL II

Title: V.P.

**Finance Dept Use Only**

Initials \_\_\_\_\_

Date \_\_\_\_\_

PO # \_\_\_\_\_



**CITY OF NORTHGLENN  
FORMAL BID SUMMARY**

BID NUMBER: IFB 2009-08

PAGE 1 OF 3

BID NAME W. 99th Avenue Waterline Improvements

DEPARTMENT: Water

	EDGE Contracting Inc.	T. Lowell Construction Inc.	DeFalco Construction Co.	Quality Pipe Services	R&D Pipeline Construction Inc
DATE DUE: 4/06/09	BID RECEIVED:	BID RECEIVED:	BID RECEIVED:	BID RECEIVED:	BID RECEIVED:
	DATE: 4/3/09	DATE: 4/6/09	DATE: 4/6/09	DATE: 4/6/09	DATE: 4/6/09
TIME: 2:00 PM	TIME: 3:11 PM	TIME: 12:35 PM	TIME: 1:03 PM	TIME: 1:34 PM	TIME: 1:58 PM
Total Contract Bid amount	\$ 88,210.00	\$ 78,000.00	\$ 91,771.70	\$ 101,115.00	\$ 115,158.00
Addendum Acknowledged	yes	yes	yes	yes	yes

John K. Krumholz  
Mayor

Adam Small  
City Clerk

4/6/09  
Date



**CITY OF NORTHGLENN  
FORMAL BID SUMMARY**

BID NUMBER: IFB 2009-08

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BID NAME W. 99th Avenue Waterline Improvements

DEPARTMENT: Water

	Levi Contractors Inc.	Duran Excavating Inc.	Quicks Hoe & Landscape Service	Northern Colorado Constructors Inc.	Twin Peaks Utilities
DATE DUE: 4/06/09	BID RECEIVED:	BID RECEIVED:	BID RECEIVED:	BID RECEIVED:	BID RECEIVED:
	DATE: 4/6/09	DATE: 4/6/09	DATE: 4/6/09	DATE: 4/6/09	DATE: 4/6/09
TIME: 2:00 PM	TIME: 1:30 pm	TIME: 1:32 pm	TIME: 1:56 pm	TIME: 1:49 pm	TIME: 1:49 pm
Total Contract Bid amount	\$136,650.00	\$103,015.00	\$150,883.20	\$99,215.00	\$125,451.50
Addendum Acknowledged	yes	yes	yes	yes	yes

Hilda Kessel  
City Clerk

Shawn Small  
City Clerk

4/6/09  
Date



**CITY OF NORTHGLENN  
FORMAL BID SUMMARY**

BID NUMBER: IFB 2009-08

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PAGE 1 OF 3

BID NAME W. 99th Avenue Waterline Improvements

DEPARTMENT: Water

	American West Construction	MSI Enterprises Inc.	CG Construction Inc.		
DATE DUE: 4/06/09	BID RECEIVED:	BID RECEIVED:	BID RECEIVED:	BID RECEIVED:	BID RECEIVED:
	DATE: 4/6/09	DATE: 4/6/09	DATE: 4/6/09	DATE:	DATE:
TIME: 2:00 PM	TIME: 1:45pm	TIME: 1:43pm	TIME: 12:50pm	TIME:	TIME:
Total Contract Bid amount	\$119,450.00	\$96,975.00	\$88,717.85		
Addendum Acknowledged	yes	yes	yes		

Michelle Branch  
Mayor

John Small  
City Clerk

4/6/09  
Date



### Reference Check

Project: W. 99<sup>th</sup> Avenue Waterline Improvements Project  
Consultant/Contractor: T. Lowell Construction, Inc.  
Date: April 13, 2009  
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Project Name:	Contact for Reference:	Contact Phone Number:	Reference:
Miscellaneous Water Projects	Tetra Tech, B. Rapp	303-741-6000	Contractor has completed many water projects for them and has performed well with very few contractor initiated change orders.
South Adams Water District	Muller Eng., L. Motkin	303-988-4939	Very satisfied with the quality of the work.
Green Mnt. Sanitation	McLaughlin Water Engineers, T. Kenyon	303-964-3333	Great work with only legitimate change orders.