

AGENDA ITEM 28

Consider awarding bids received for the 2003 paving improvements – Pct. #2 to the low bidder meeting specifications – Viking Construction, Inc.

Moved: **Commissioner Heiligenstein**

Seconded: **Commissioner Boatright**

Motion: To award bids received for the 2003 paving improvements – Pct. #2 to the low bidder meeting specifications

Vote: 5 - 0

< Attachment >

COPY

PROPOSAL

TO

WILLIAMSON COUNTY, TEXAS

FOR

2003 PAVING IMPROVEMENTS

Date: 3 SEPTEMBER, 2003

Proposal of VIKING CONSTRUCTION INC (hereinafter called "Bidder") a (proprietorship)(corporation) organized and doing business under the laws of the State of _____ to Williamson County, Texas (hereinafter named "County" or "Owner"):

GENTLEMEN:

The Bidder, in compliance with your advertisement and Instructions to Bidders for construction of the 2003 PAVING IMPROVEMENTS – WILLIAMSON COUNTY PRECINCT TWO ("Project"); having examined the drawings and technical specifications with related documents, the site of the proposed work, and being familiar with all the conditions and requirements for construction of the proposed Project, including the availability of labor, materials and equipment for proper prosecution of the work, hereby proposes to furnish all labor, materials, plant and equipment to construct the Project in strict accordance with the Contract Documents and Specifications, within the time set forth herein and at the price(s) stated in the following schedule. The stated prices are sufficient to cover all expenses incurred in performing the work required under the Contract Documents of which this Proposal is a part.

Bidder acknowledges receipt of the following Addenda, as evidenced by the authorized signature(s) following:

ADDENDUM NO. #1 AUG 29, 03 BY: Bit 1

ADDENDUM NO. _____ BY: _____

ADDENDUM NO. _____ BY: _____

VIKING CONSTRUCTION, INC.
2592 SHELL ROAD
GEORGETOWN, TX 78628

BID SCHEDULE

<u>Item No.</u>	<u>Quantity</u>	<u>Unit</u>	<u>Description of Item and Unit Price of Item in Words</u>	<u>Unit Price</u>	<u>Total Item Cost</u>
<u>BASE BID ITEMS</u>					
1.	1	LS	Install and Maintain Traffic Control Plan per MUTCD, as Approved, Complete for the Lump Sum Amount of <u>TWO THOUSAND FIVE HUNDRED</u> Dollars and <u>NO</u> Cents.	<u>\$2500.⁰⁰</u>	<u>\$ 2500.⁰⁰</u>
2.	3	EA	Project Signs, Installed as Directed and Removed at Project Completion, Complete in Place per Each, for <u>FIFTY</u> Dollars and <u>NO</u> Cents.	<u>\$50.⁰⁰</u>	<u>\$ 150.⁰⁰</u>
3.	10	Tons	HMAC (Type D) Levelup as Full Compensation for All Required Levelup on Project, complete and in place per Ton for <u>FIVE HUNDRED</u> Dollars and <u>NO</u> Cents.	<u>\$500.⁰⁰</u>	<u>\$ 5,000.⁰⁰</u>
4.	68,574	SY	Microsurfacing, Type II, Polymer Modified as Shown on Drawing Sheets 3-10, complete and in place per Square Yard for <u>ONE</u> Dollars and <u>SIXTY FIVE</u> Cents.	<u>\$1.65</u>	<u>\$113147.¹⁰</u>
5.	27	EA	Raised Pavement Markers, Class B, Type 2-B-B, Blue, complete in place Per Each for <u>SIX</u> Dollars and <u>SEVENTY FIVE</u> Cents.	<u>\$6.75</u>	<u>\$ 182.²⁵</u>

Item No.	Quantity	Unit	Description of Item and Unit Price of Item in Words	Unit Price	Total Item Cost
6.	77	EA	Raised Pavement Markers, Class E, Type 2-A-A, Yellow, complete in place Per Each for <u>Six</u> Dollars and <u>SEVENTY FIVE</u> Cents.	\$ <u>6.75</u>	\$ <u>519.75</u>
7.	31	EA	Stop Sign Bar (Type 1), Single 12-inch White, Solid, complete in place per Each for <u>Forty</u> Dollars and <u>NO</u> Cents.	\$ <u>40.00</u>	\$ <u>1240.00</u>
8.	3060	LF	Double 4" Solid Yellow Center Stripe (Type 1), complete in place per Linear Foot for <u>NO</u> Dollars and <u>NINETY FIVE</u> Cents.	\$ <u>0.95</u>	\$ <u>2907.00</u>
9.	3060	LF	Single 4" Solid White Stripe (Type 1), complete in place per Linear Foot for <u>NO</u> Dollars and <u>Forty Five</u> Cents.	\$ <u>0.45</u>	\$ <u>1377.00</u>
<u>TOTAL BASE BID AMOUNT</u>					\$ <u>127,023.10</u>

ALTERNATE BID A ITEMS

1-A.	1	Tons	HMAC (Type D) Levelup as Full Compensation for All Required Levelup on Project, complete and in place per Ton for <u>FIVE HUNDRED</u> Dollars and <u>NO</u> Cents.	\$ <u>500.00</u>	\$ <u>500.00</u>
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VIKING CONSTRUCTION, INC.
2592 SHELL ROAD
GEORGETOWN, TX 78628

Item No.	Quantity	Unit	Description of Item and Unit Price of Item in Words	Unit Price	Total Item Cost
2-A.	9,285	SY	Microsurfacing, Type II, Polymer Modified as Shown on Drawing Sheets 6, 9-11, complete and in place per Square Yard for <u>ONE</u> Dollars and <u>SIXTY FIVE</u> Cents.	<u>\$ 1.65</u>	<u>\$ 15320.25</u>
3-A.	6	EA	Stop Sign Bar (Type 1), Single 12-inch White, Solid, complete in place per Each for <u>FORTY</u> Dollars and <u>NO</u> Cents.	<u>\$ 40.00</u>	<u>\$ 240.00</u>
4-A.	5	EA	Raised Pavement Markers, Class B, Type 2-B-B, Blue, complete in place Per Each for <u>Six</u> Dollars and <u>SEVENTY FIVE</u> Cents.	<u>\$ 6.75</u>	<u>\$ 33.75</u>
TOTAL ALTERNATE BID A AMOUNT				<u>\$ 16094.00</u>	
TOTAL BASE AND ALTERNATE BID A AMOUNTS				<u>\$ 143117.10</u>	

VIKING CONSTRUCTION, INC.
2592 SHELL ROAD
GEORGETOWN, TX 78628

Bidder hereby agrees to commence work under this contract on or before a date to be specified in a written "Notice to Proceed" from the County and to fully complete the project within forty-five (45) calendar days, BASE BID AND ALTERNATE BID work, as awarded.

Upon receipt of a written notice to the acceptance of this bid, Bidder will execute the formal contract Agreement within ten (10) days and shall deliver the Surety Bonds and Insurance Certificate as required by the Instructions to Bidders.

Bid security as required by the Instructions to Bidders in the sum of 5% OF AMOUNT BID

(\$ _____) is hereto attached.

The bid security is to become the property of the County in the event the Proposal is accepted by the County and the Agreement and bond are not executed within the time above set forth, as liquidated damages for the delay and additional expense to the County caused thereby.

Respectfully Submitted,

By BCHD BARRY H DUNN

Title PRESIDENT

VIKING CONSTRUCTION INC
Business Name

2592 SHELL ROAD

GEORGETOWN, TX 78628
Address

512 930 5777
Telephone

512 868 1955
Fax

VIKING3D@FLASH.NET
E-Mail

(Corporate Seal,
if applicable)

VIKING CONSTRUCTION, INC.
2592 SHELL ROAD
GEORGETOWN, TX 78628

AFFIRMATION OF

DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION

The undersigned hereby affirms that the Disadvantaged Business Enterprise (DBE) requirements of the proposed contract will be met and that 25% participation by DBE's will be achieved or that good faith efforts as described in the DBE program will be demonstrated in pursuit of the goal.

VIKING CONSTRUCTION INC
COMPANY

3 SEPT 03
DATE

B. Q. AD
SIGNATURE

PRESIDENT
TITLE

This form must be completed and submitted with the contractor's proposal for the project. For DBE program requirements, call Capital Metro at (512) 389-7525.

VIKING CONSTRUCTION, INC.
2592 SHELL ROAD
GEORGETOWN, TX 78628

THE AMERICAN INSTITUTE OF ARCHITECTS

AIA Document A310 Bid Bond

KNOW ALL MEN BY THESE PRESENTS, THAT WE Viking Construction, Inc.

2592 Shell Road, Georgetown, TX 78628-9235

as Principal, hereinafter called the Principal, and Safeco Insurance Company of America

Safeco Plaza, Seattle, WA 98185

a corporation duly organized under the laws of the State of WA

as Surety, hereinafter called the Surety, are held and firmly bound unto Williamson County

710 Main Street, Suite 303, Georgetown, TX 78626

as Obligor, hereinafter called the Obligor, in the sum of Five Percent of Amount Bid

Dollars (\$ 5%),
for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for 2003 Paving Improvements

NOW, THEREFORE, if the Obligor shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligor in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and materials furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligor the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligor may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 3rd day of September, 2003

Carol McShuie
(Witness)

Viking Construction, Inc.

(Principal) (Seal)
By: B. A. D. PRESIDENT
(Title)

Brenda L. Linze
(Witness)

Safeco Insurance Company of America

(Surety) (Seal)
By: Lisa M. Tortora
Attorney-in-Fact Lisa M. Tortora (Title)
Surety Phone No. 206-545-5000



SAFECO

POWER
OF ATTORNEYSAFECO INSURANCE COMPANY OF AMERICA
GENERAL INSURANCE COMPANY OF AMERICA
HOME OFFICE: SAFECO PLAZA
SEATTLE, WASHINGTON 98185

No. 5468

KNOW ALL BY THESE PRESENTS:

That SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA, each a Washington corporation, does each hereby appoint

*****J. DOUGLAS JOYCE; JEROME J. REARDON; ERIC VAN BUSKIRK; LINDA L. NUTT; BARBARA A. MILLER; MICHAEL T. KELLY; BRENDA L. LINZE; LISA M. TORTORA; Kansas City, Missouri; EUGENE A. KLEIN; THOMAS P. LATZ; LAWRENCE S. KAMINSKY; THOMAS M. ENGLISH; Shawnee Mission, Kansas*****

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA have each executed and attested these presents

this 28th day of May, 2003

CHRISTINE MEAD, SECRETARY

MIKE MCGAVICK, PRESIDENT

CERTIFICATE

Extract from the By-Laws of SAFECO INSURANCE COMPANY OF AMERICA
and of GENERAL INSURANCE COMPANY OF AMERICA:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business... On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of SAFECO INSURANCE COMPANY OF AMERICA
and of GENERAL INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
- (ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
- (iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Christine Mead, Secretary of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 3rd day of September, 2003



CHRISTINE MEAD, SECRETARY

"DISCLOSURE OF GUARANTY FUND NONPARTICIPATION"**TEXAS SENATE BILL 255**

In the event SAFECO INSURANCE COMPANY OF AMERICA is unable to fulfill its contractual obligations under this policy or contract or application or certificate of evidence of coverage, the policyholder or certificate holder is not protected by an insurance guaranty fund or other solvency protection arrangement.

COMPLAINT NOTICE: Should any dispute arise about your premium or about a claim that you have filed, write to the company that issued the bond or policy. If the problem is not resolved, you may also write to the State Board of Insurance, P. O. Box 149091, Austin, Texas 78714-9091, Fax # (512) 475-1771. This notice of complaint procedure is for information only and does not become a part or condition of this bond or policy.

State of Texas

Claim Notice Endorsement

In accordance with Section 2253.021(f) of the Texas Government Code and Section 53.202(6) of the Texas Property Code any notice of claim to the named surety under this bond(s) should be sent to:

1-206/545-5020 PL 1 A 1
SAFECO INSURANCE COMPANY OF
AMERICA
SAFECO PLAZA
SEATTLE WA 98185

VIKING CONSTRUCTION, INC.

2592 SHELL ROAD
GEORGETOWN, TX 78626-9235
(512) 930-5777

REFERENCES:

CITY OF CEDAR PARK

ENGINEER: DON J. CUNNINGHAM, P.E.
10709 PLUMEWOOD DRIVE
AUSTIN, TX 78750
(512) 250-1773
(512) 848-8848 MB

CITY OF GEORGETOWN

MARK MILLER
TRANSPORTATION SERVICES MANAGER
P.O. BOX 409
GEORGETOWN, TX 78627
(512) 930-3555

CITY OF WACO

ENGINEER: JAMES SMITH, P.E.
P.O. BOX 2570
WACO, TX 76702-2570
(254) 750-6622

JAY ENGINEERING COMPANY, INC.
P.O. Box 1220 (512) 259-3882
Leander, TX 78646 Fax 259-8016

September 3, 2003

Commissioner Greg Boatright
Williamson County
350 Discovery Park Boulevard, Suite 201
Cedar Park, TX 78613

Re: 2003 Paving Improvements Project
Letter of Award Recommendation

Dear Commissioner Boatright:

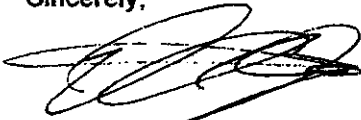
Bids were publicly opened and read on September 3, 2003 for the above referenced project. As reflected on the attached Bid Tabulation, two (2) responsive bids were received. The lowest responsive, responsible bidder was Viking Construction, Inc. We have contacted Barry Dunn with Viking Construction, Inc., and confirmed he wants the contract at the amount bid.

The low bid was 7.4% below our estimate for construction costs. Although the amount bid results in a total project cost that is 19.7% above the available BGA funds, it is within an acceptable fundable range. We have contacted Greg Bergeron's office to confirm that Williamson County Road and Bridge has sufficient money within their budget to fund the project completely.

As a result of our evaluation, and verification of contractor references, we hereby recommend the County award a construction contract to Viking Construction, Inc. in the amount of \$143,117.10 for all Base Bid and Alternate Bid A work, with final amounts dependent on the actual installed quantities.

We will prepare a Notice of Award and Agreement for execution by the Court in the event the Court votes to follow this recommendation. Please call if you should have any questions in this regard.

Sincerely,



Frederick A. Jay, P.E.

FAJ/FTP/s

Attachments

Approved 9-9-03
John C. Daifler

BID TABULATION

Bid Date: September 3, 2003

Project: 2003 Paving Improvements

Owner: Williamson County, Texas - Precinct Two

Engineer: Jay Engineering Company, Inc.

Checked By: Frank T. Phelan, E.I.T.

[illegible]

BID TABULATION

Bid Date: September 3, 2003

Project: 2003 Paving Improvements

Owner: Williamson County, Texas - Precinct Two

Engineer: Jay Engineering Company, Inc.

Checked By:

	1 - A	2 - A	3 - A	4 - A	Total Alternate Bid A	Total Base and Alternate Bld A
Bidder	HMAC Levelup Ton	Micro-surfacing Type II SY	Stop Sign Bar 12" Single Thermo EA	Raised Pavement Markers Type 2-B-B EA		
Viking Construction , Inc.	\$500.00 /	\$1.65 /	\$40.00 /	\$6.75 /	\$16,094.00	\$143,117.10
2592 Shell Road	\$500.00	\$15,320.25	\$240.00	\$33.75		
Georgetown, TX 78628						
Ballou Construction, Co. Inc.	\$300.00 /	\$1.75 /	\$40.00 /	\$7.00 /	\$16,823.75	\$153,798.25
P O Box 2300	\$300.00	\$16,248.75	\$240.00	\$55.00		
Sallina, KS 67402	/	/	/	/		
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	\$60.00 /	\$1.80 /	\$35.00 /	\$5.00 /	\$17,008.00	\$153,486.20
Engineer's Estimate	\$60.00	\$16,713.00	\$210.00	\$25.00		

AGENDA ITEM 29

Consider authorizing Rosenbusch Auction Company to hold auction for sale of county surplus property on October 11, 2003 at the Inner Loop Annex.

Moved: **Commissioner Boatright**

Seconded: **Commissioner Hays**

Motion: To authorize Rosenbusch Auction Company to hold auction for sale of county surplus property on October 11, 2003 at the Inner Loop Annex.

Vote: **5 - 0**

COMMISSIONERS' COURT ADJOURNED TO EXECUTIVE SESSION AT 10:37 A.M. ON TUESDAY, SEPTEMBER 9, 2003.

AGENDA ITEM 30

Discuss real estate (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.071 consultation with attorney.)

There was no action taken in executive session.

COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 11:03 A.M. ON TUESDAY, SEPTEMBER 9, 2003.

AGENDA ITEM 31

Discuss and take appropriate action on real estate.

There was no action taken on this agenda item.

AGENDA ITEM 32

Comments from Commissioners

There will be no Commissioners Court on October 7, 2003 due to the 81st County Judges and Commissioners Association Annual Conference in Corpus Christi.

Charlie Crossfield commended Julie Wolff Petrich for her work on the road bond program.

Commissioner Boatright addressed Greg Bergeron regarding inspections and engineers. His concern was that there is too much expectation on the personnel as far as their level of expertise and workload. He suggested that Greg look into a position of a field engineer to make sure the inspectors are looking at the plans and that the work being done is done according to specifications, and let Joe England concentrate on subdivisions exclusively.

COMMISSIONERS' COURT ADJOURNED AT 11:10 A.M. ON TUESDAY, SEPTEMBER 9, 2003.

The Road District Meeting scheduled for September 9, 2003 was cancelled.

THE FOREGOING MINUTES recorded on Minutes Pages 1 through 229 inclusive, had at a Regular Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 16th day of September, 2003.

ATTEST: Nancy E. Rister, Clerk County Court & Ex-officio Clerk,
Commissioners' Court, Williamson County, Texas

By: Marilynn Cavender
Deputy Clerk