



JOINT MEETING AGENDA (AMENDED)

CITY COUNCIL
&
SEAGOVILLE ECONOMIC DEVELOPMENT
CORPORATION

MONDAY, DECEMBER 18, 2017

7:00 P.M.

City Council Chambers, City Hall

702 N. Hwy 175

Seagoville, Texas 75159

City Council Call to Order

SEDC Call to Order

Invocation

Pledge of Allegiance

1. Destination Imagination Presentation – Central Elementary School

2. Retail Coach Presentation

SEDC Adjourn

3. Executive Session

(A) § 551.071. Consultation with City Attorney: receive legal advice related to the award of a bid

(B) § 551.071. Consultation with City Attorney: receive legal advice related to offers of gifts

4. Reconvene into Regular Session

Council will reconvene into open session, and take action, if any, on matters discussed in Executive Session.

(A) § 551.071 Consultation with City Attorney: receive legal advice related to the award of a bid

(B) § 551.071 Consultation with City Attorney: receive legal advice related to offers of gifts

5. Discuss and consider whether to reconsider the bid awarded to Advanced Paving Co. for Hall Street Paving Improvements from Kaufman Street to Shady Lane (Community Development)

6. Discuss and consider approving a Resolution awarding a bid for Hall Street asphalt paving improvements from Kaufman Street to Shady Lane. (Community Development) (If Agenda Item 5 is not approved, this Item will not be considered)

City Council Adjourn

Posted Friday, December 15, 2017 by 5:00 P.M.


Kandi, Jackson, City Secretary



As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed executive session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

The City of Seagoville does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities. If you have a request for services that will make this program accessible to you, please contact the City of Seagoville at least 72 hours in advance at (972) 287-6819. (TDD access 1-800-RELAY-TX)

DATES TO REMEMBER

- **Monday, January 8, 2018 regular City Council meeting.**
- **Monday, February 5, 2018 regular City Council meeting.**

Regular Session Agenda Item: 5

Meeting Date: December 18, 2017

ITEM DESCRIPTION

Reconsider the awarding of a bid to Advanced Paving Co. for Hall Street Paving Improvements from Kaufman Street to Shady Lane.

BACKGROUND OF ISSUE:

Bids were received on November 14, 2017 for the Hall Street asphalt paving improvements from Kaufman Street to Shady Lane. At the December 4, 2017 Regular City Council Meeting, Resolution 84-R-2017 was approved awarding the bid to Advanced Paving Co. At the time this item was being presented, staff advised the City Council that Advanced Paving had performed work in the City of Seagoville. In response, the City Councilmembers specifically asked what work Advanced Paving had done in the City of Seagoville. A review of the documents submitted did not provide that information. However, the City Council approved Resolution No. 84-R-2017 awarding the bid to Advanced Paving Co.

In a pre-construction meeting on December 13, 2017, staff learned what work had been performed by Advanced Paving Co. Some of the streets wherein Advanced Paving Co. had performed work were found to be unacceptable. Therefore, staff is bringing this matter before the City Council to allow the Council the opportunity to reconsider the awarding of the bid to Advanced Paving Co.

FINANCIAL IMPACT:

There is not any financial impact for the reconsideration.

EXHIBITS

None

Asphalt & Concrete for Hall Street Paving Improvements from Kaufman Street to Shady Lane in the amount of Two Hundred Sixty-Six Thousand Eight Seven Dollars (\$266,087) and authorizing the City Manager to execute any and all necessary documents.

FINANCIAL IMPACT:

The financial impact for Option 1 will be \$255,385.

The financial impact for Option 2 will be \$266,087.

This expenditure was approved in the street improvement project for FY 2017-2018.

EXHIBITS

Resolution No. 84-R-2017 for ratification

Resolution awarding bid to Anderson Asphalt & Concrete

Attachment "A" – Anderson Asphalt & Concrete bid

Bid Tabulation Sheet

Regular Session Agenda Item: 6

Meeting Date: December 18, 2017

ITEM DESCRIPTION

This item will require the City Council to either (1) ratify Resolution No. 84-R-2017 awarding a bid to Advanced Paving Co. for Hall Street Paving Improvements from Kaufman Street to Shady Lane, in the amount of Two Hundred Fifty Five Thousand Three Hundred Eighty Five Dollars (\$255,385) or (2) approve Resolution No. 85-R-2017 repealing Resolution No. 84-R-2017, withdrawing the award of the previous bid and awarding the bid to Anderson Asphalt & Concrete in the amount of Two Hundred Sixty-Six Thousand Eight Seven Dollars (\$266,087) and authorizing the City Manager to execute any and all necessary documents.

BACKGROUND OF ISSUE:

Bids were received on November 14, 2017 for the Hall Street asphalt paving improvements from Kaufman Street to Shady Lane. The scope of the work includes milling 2-inches of asphalt consisting of 18,860 square yards and replacing with 2-inches of Type "D" HMAC. Approximately 400 linear feet of asphalt is required to be saw cut. Striping will include 2 4-inch yellow stripe paving lines, being of thermoplastic type paint. If curb and gutter are damaged it will be replaced. This will include traffic control, erosion control, and all other appurtenances for asphalt paving improvements on this portion of Hall Street.

The bid was previously awarded to Advanced Paving Co on December 4, 2017, which has now been brought back to you for reconsideration. Based on your decision as a result of the reconsideration of Item 3, action will need to be taken to:

Option 1: Ratify Resolution No. 84-R-2017 awarding a bid to Advanced Paving Co. for Hall Street Paving Improvements from Kaufman Street to Shady Lane, in the amount of Two Hundred Fifty Five Thousand Three Hundred Eighty Five Dollars (\$255,385) and authorizing the City Manager to execute any and all necessary documents.

Or

Option 2: Approve Resolution No. 85-R-2017 repealing Resolution No. 84-R-2017, withdrawing the award of the previous bid and awarding the bid to Anderson Asphalt & Concrete for Hall Street Paving Improvements from Kaufman Street to Shady Lane in the amount of Two Hundred Sixty-Six Thousand Eight Seven Dollars (\$266,087) and authorizing the City Manager to execute any and all necessary documents.

FINANCIAL IMPACT:

The financial impact for Option 1 will be \$255,385.

The financial impact for Option 2 will be \$266,087.

This expenditure was approved in the street improvement project for FY 2017-2018.

EXHIBITS

Resolution No. 84-R-2017 for ratification

Resolution awarding bid to Anderson Asphalt & Concrete

Attachment "A" – Anderson Asphalt & Concrete bid

Bid Tabulation Sheet

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. 85-R-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS REPEALING RESOLUTION NO. 84-R-2017 AND AWARDED A BID TO ANDERSON ASPHALT & CONCRETE FOR HALL STREET ASPHALT PAVING IMPROVEMENTS FROM KAUFMAN STREET TO SHADY LANE IN THE AMOUNT OF TWO HUNDRED SIXTY-SIX THOUSAND EIGHTY-SEVEN DOLLARS (\$266,087); PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City sought bids for this project under Bid # 2017-11; and

WHEREAS, on December 4, 2017, the City Council awarded the bid to Advanced Paving Co by and through the adoption of Resolution No. 84-R-2017; and

WHEREAS, after being informed by City staff that information provided to the City Council at the time the bid was previously considered was inaccurate, the City Council has determined it to be in the best interest of the City to reconsider the bid; and

WHEREAS, the City Council finds it is in the best interest of the City and its citizens to repeal Resolution No. 84-R-2017 and withdraw the previous award of the bid to Advanced Paving Co.; and

WHEREAS, the City Council further finds that Anderson Asphalt & Concrete submitted the lowest most responsible bid in the amount of \$266,087.00; and

WHEREAS, that it is in the best interest of the City and its citizens to award the bid to Anderson Asphalt & Concrete.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS:

Section 1. The City Council of Seagoville, Texas hereby repeals Resolution No. 84-R-2017 and withdraws the previous award of the bid to Advanced Paving Co.

Section 2. The City Council of the Seagoville, Texas hereby awards the bid to Anderson Asphalt & Concrete in the amount of \$266,087 for Hall Street asphalt paving improvements from Kaufman Street to Shady Lane, a copy of which is attached hereto and incorporated herein as Exhibit "A" and the City Manager is hereby authorized to execute any and all necessary documents to complete the project.

Section 3. All resolutions of the City of Seagoville heretofore adopted which are in conflict with the provisions of this resolution be, and the same are hereby repealed, and all resolutions of the City of Seagoville not in conflict with the provisions hereof shall remain in full force and effect.

Section 4. If any article, paragraph, subdivision, clause or provision of this resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgment or holding shall not affect the validity of this resolution as a whole or any part or provision thereof, as amended hereby, other than the part declared to be invalid or unconstitutional.

Section 5. This resolution shall take effect immediately from and after its passage, and it is accordingly so resolved.

DULY ORDERED by the City Council of the City of Seagoville on the 18th day of December, 2017.

APPROVED:

DENNIS K CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

ALEXIS G ALLEN, CITY ATTORNEY

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. 84-R-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS AWARDED A BID TO ADVANCED PAVING CO FOR HALL STREET ASPHALT PAVING IMPROVEMENTS, FROM KAUFMAN STREET TO SHADY LANE IN THE AMOUNT OF TWO HUNDRED FIFTY-FIVE THOUSAND THREE HUNDRED EIGHTY-FIVE DOLLARS (\$255,385); AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City sought bids under Bid # 2017-11; and

WHEREAS, the City Council determined that Advanced Paving Co has met all bid specifications and is the lowest responsible bidder; and

WHEREAS, the City Council awards Advanced Paving Co. the bid of \$255,385 for Hall Street asphalt improvements from Kaufman Street to Shady Lane; and

WHEREAS, the City Council has determined this work is in the best interest of the citizens of Seagoville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS:

Section 1. The City Council of Seagoville, Texas hereby awards Advanced Paving Co. the bid in the amount of \$255,385 for Hall Street asphalt paving improvements from Kaufman Street to Shady Lane, a copy of which is attached hereto and incorporated herein as Exhibit "A" and the City Manager is hereby authorized to execute any and all necessary documents to complete the project.

Section 2. All resolutions of the City of Seagoville heretofore adopted which are in conflict with the provisions of this resolution be, and the same are hereby repealed, and all resolutions of the City of Seagoville not in conflict with the provisions hereof shall remain in full force and effect.

Section 3. If any article, paragraph, subdivision, clause or provision of this resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgment or holding shall not affect the validity of this resolution as a whole or any part or provision thereof, as amended hereby, other than the part declared to be invalid or unconstitutional.

Section 4. This resolution shall take effect immediately from and after its passage, and it is accordingly so resolved.

DULY ORDERED by the City Council of the City of Seagoville on the 4th day of December, 2017.

APPROVED:



DENNIS K CHILDRESS, MAYOR

ATTEST:



KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:



ALEXIS G ALLEN, CITY ATTORNEY

PROPOSAL
TO
THE CITY OF SEAGOVILLE, TEXAS (OWNER)
FOR THE CONSTRUCTION OF
ASPHALT PAVING IMPROVEMENTS
HALL ROAD

The undersigned, as bidder, declares that the only person or parties interested in this proposal as principals are those named herein; that this proposal is made without collusion with any person, firm, or corporation; that he has carefully examined the form of contract, Notice to Contractors, specifications and the plans therein referred to; has carefully examined the locations, conditions, and classes of materials of the proposed work; and agrees that he will provide all the necessary labor, machinery, tools, apparatus, and other items incidental to construction, and will do all the work and furnish all the materials called for in the contract and specifications in the manner prescribed therein and according to the requirements of the Engineer as therein set forth.

It is understood that the following quantities of work to be preformed at unit prices are approximate only, and are intended principally to serve as a guide in evaluating bids.

It is agreed that the quantities of work to be preformed at unit prices and materials to be furnished may be increased or diminished as may be considered necessary, in the opinion of the Engineer, to complete the work fully as planned and contemplated, and that all quantities of work whether increased or decreased are to be performed at unit prices set forth below except as provided for in the specifications.

It is understood and agreed that the bid security accompanying this proposal will be returned to the bidder, unless in case of the acceptance of the proposal the bidder shall fail to execute a contract and file a performance bond and a payment bond within ten days after its acceptance, in which case the bid security shall become the property of the Owner and shall be considered as payment for damages caused by delay and other inconveniences suffered by the Owner because of such failure of the bidder.

The time allotted for completion of this project is agreed to be as indicated in this Proposal.

The undersigned hereby proposes and agrees to perform all work of what ever nature required, in strict accordance with the plans and specifications, for the following sum or prices, to wit:

HALL ROAD
ASPHALT PAVING IMPROVEMENTS

ITEM NO.	APPROX. QUANTITY	DESCRIPTION WITH UNIT PRICES WRITTEN IN WORDS	UNIT PRICE	AMOUNT
	18,860	Mill 2 inch Asphalt Paving, Complete <i>Two</i> Dollars <i>Twenty - Five</i> Cents Per Square Yards	<i>2.25</i>	<i>42,435.00</i> ✓
	18,860	2 inch Type "D" HMAc, Complete <i>Nine</i> Dollars <i>Ninety - Five</i> Cents Per Square Yards	<i>9.95</i>	<i>187,657.00</i> ✓
	400	Sawcut Line <i>One</i> Dollars <i>Sixty - Five</i> Cents Per Linear Feet	<i>1.65</i>	<i>660.00</i> ✓
	1	Traffic Control <i>Six Hundred</i> <i>Seventy - Thousand</i> Dollars <i>Zero</i> Cents Per Lump Sum	<i>7,600.</i>	<i>7,600.00</i> ✓
	1	Erosion Control <i>One Thousand Two</i> <i>Hundred Fifty</i> Dollars <i>Zero</i> Cents Per Lump Sum	<i>1,250</i>	<i>1,250.00</i> ✓
	1	Bonds and Insurance <i>Two Hundred + F.fty</i> <i>Four Thousand</i> Dollars <i>Zero</i> Cents Per Lump Sum	<i>4,250</i>	<i>4,250.00</i> ✓

TOTAL \$ *See 2A*

HALL ROAD - ADDENDUM NO.1
 ASPHALT PAVING IMPROVEMENTS

ITEM NO.	APPROX. QUANTITY	DESCRIPTION WITH UNIT PRICES WRITTEN IN WORDS	UNIT PRICE	AMOUNT
	3,400	2 - 4" Yellow Stripe Paving Lines, Thermoplastic Paint, Complete <i>One</i> Dollars <i>Sixty - Five</i> Cents Per Linear Feet	1.65	5,610.00 ✓
	500	Remove and Replace 24" Concrete Curb and Gutter <i>Thirty - Three</i> Dollars <i>Twenty - Five</i> Cents Per Linear Feet	33.25	16,625.00 ✓

TOTAL \$ 266,087.00 ✓
Am
 11-21-17

The undersigned further agrees to complete all work described herein within the working days indicated, starting from date specified in the WORK ORDER.

Calendar Days to Complete Work: 90

The undersigned further agrees that, from the compensation otherwise to be paid, the Owner may retain the sum as specified in ITEM 1.36.1 of the Specifications for each working day after the completion date that the work remains incomplete, which sum is agreed upon as the proper measure of liquidated damages which the owner will sustain per diem by the failure of the Undersigned to complete the work at the time stipulated in the Contract. This sum is not to be construed in any sense a penalty.

It is understood that the work proposed to be done will be accepted when fully completed in accordance with the plans and specifications as determined by the Engineer.

Accompanying this proposal is a certified check, cashier's check or bid bond in the amount of five (5) percent of the total amount bid.

It is understood that the Owner reserves the right, as the interest of the Owner may require, to reject any and all bids and to waive any informality in the bids received.

In the event of the award of a contract to the undersigned, the undersigned will furnish all labor, materials, tools and equipment, perform all work required by the plans and specifications referenced in the contract, guarantee the work until final completion and acceptance, and guarantee payment of all lawful claims for labor performed and materials furnished in the fulfillment of the contract.

The undersigned certifies that the bid prices contained in this proposal have been carefully checked and are submitted as correct and final.

The unit prices have been shown in words and figures for each item listed in this proposal and it is understood that in the event of a discrepancy, the words shall govern.

Receipt is hereby acknowledged of the following addenda to the plans and specifications:

ADDENDUM NO. 1, dated	<u>11-7-17</u>	Received	<u>CH 11-7-17</u>
ADDENDUM NO. 2, dated	_____	Received	_____
ADDENDUM NO. 3, dated	_____	Received	_____
ADDENDUM NO. 4, dated	_____	Received	_____
ADDENDUM NO. 5, dated	_____	Received	_____

Anderson Asphalt + Concrete Paving, LLC
CONTRACTOR

BY Camela Thompson
(Signature)

President
(Title)

2351 W. Northwest Hwy. Ste 1232
(Address)

Dallas, Texas 75220
(City, State and Zip Code)

Seal and Authorization
(if a Corporation)

(214) 352-3400
(Area Code) (Telephone Number)

Hall Rd Asphalt Improvements
Proposal

<p>City of Seagoville, Dallas and Kaufman County, Texas Asphalt Paving Improvements along Hall Road, from Kaufman Street to Shady Lane</p> <p>Bid Number: 2017-11</p> <p>Bid Opening: November 14, 2017 at 10:00 a.m.</p>	<p>Bidders Name & Address</p> <p><i>Advanced Paving Co. 2311 Joe Field Rd. Dallas, Tx 75229</i></p>	<p>Bidders Name & Address</p> <p><i>Anderson Asphalt + Concrete 2351 W. Northurst Hwy. Suite 1232 Dallas Tx 75220</i></p>	<p>Bidders Name & Address</p>
	Total Bid	Total Bid	Total Bid
Description			
Asphalt Paving Improvements along Hall Road, from Kaufman Street to Shady Lane	<i>255,385 -</i>	<i>266,087 -</i>	
Complete Bid			
TOTAL			