



## Legislation Text

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File #: 18-356, Version: 1

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**TO:** Mayor and Commissioners  
**FROM:** Marjorie Craig, P.E., Utilities Director  
Susan Goebel-Canning, Public Works Director  
**THROUGH:** Mark R. Lauzier, City Manager  
**DATE:** June 19, 2018

APPROVAL OF RESOLUTION NO. 71-18 TO AWARD AN AGREEMENT WITH AUSTIN TUPLER TRUCKING, INC. FOR ROAD CONSTRUCTION MATERIALS IN A TOTAL AGREEMENT VALUE NOT-TO-EXCEED \$140,000 THROUGH THE INITIAL TWO-YEAR AGREEMENT TERM

**Recommended Action:**

Motion to approve Resolution No. 71-18 to award an agreement with Austin Tupler Trucking, Inc. for road construction materials in a total agreement value not-to-exceed \$140,000 through the initial two-year agreement term.

**Background:**

On March 19, 2018, the City of Delray Beach (City) advertised Invitation to Bid (ITB) No. 2018-038 for the purchase of road construction materials used by the Utilities Department in the course of repairing water, sewer, and stormwater utilities, and by the Public Works Department for street maintenance and repairs. The ITB was viewed by 53 suppliers via BidSync. In addition to the supplier's notified via BidSync, six local suppliers were sent an email notification inviting them to submit a bid.

The City received one bid in total, from Austin Tupler Trucking, Inc. (Austin Tupler). Hardrives, Inc. submitted a bid after the deadline and via email, so the City was unable to accept it. Staff reached out to the other five local suppliers that were invited to bid in order to gather information on why they did not bid for the agreement. Only one response was received, stating that they don't offer the product that we're requesting. Staff performed market research (stated below) to ensure that the City was receiving a good value, despite only receiving one bid.

Austin Tupler's bid was for non-asphalt materials only in a total annual amount of \$286,587.50 (delivered) based on the estimated annual usage. Staff re-evaluated the estimated annual usage from the bid and arrived at a lower estimated expenditure amount. Therefore, a total agreement value not-to-exceed \$140,000 for the initial two-year agreement term is requested by staff. This amount includes an annual amount of \$60,000 for the Utilities Department and \$10,000 for the Public Works Department. This agreement includes options to renew for up to an additional three years, subject to mutual acceptance by the City and Austin Tupler.

This non-asphalt road material is primarily purchased for the purpose of providing trench restoration and temporary pavement surfaces after water, sewer, and stormwater utilities have been repaired or installed. Materials include crushed lime rock, shell rock, drainfield rock, mason sand, clean fill, and

concrete. Due to the equipment required to load, transport, and unload the materials, as well as the labor costs and time associated with these tasks, it's more cost effective for the Utilities Department to order the materials delivered. The Public Works Department purchases these materials to perform minor road, sidewalk, and alike repairs to maintain the City's streets and pedestrian walkways.

To ensure the City is receiving competitive pricing for non-asphalt road materials, staff located a nearby agency's agreement for eleven of the thirteen non-asphalt road materials requested to be awarded pursuant to ITB No. 2018-038. Ultimately, staff found that awarding this agreement will result in a total savings of over \$50,000 (\$17,241.95 annually).

This motion is in accordance with Code of Ordinances Section 36.02 Commission Approval Required.

**Attachments:**

1. Resolution
2. Agreement, executed by vendor
3. Legal Review Checklist
4. Solicitation
5. Addendum No. 1
6. Addendum No. 2
7. Bid Tabulation

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

Funding is available from 441-36-283-536.53-15 - Road Materials & Supplies / Other Road Materials for the Utilities Department (after a budget transfer) and 001-41-310-541.53-15 - Road Materials & Supplies Repairs / Other Road Materials for the Public Works Department.