



20-0857

**TITLE:** Consider/Discuss/Act on a Resolution Authorizing the City Manager to Execute a Contract with North Rock Construction, LLC of Denton, Texas, for the Construction of a 10 Acre Neighborhood Park Located within the Prestwyck Subdivision

**COUNCIL GOAL:** Enhance the Quality of Life in McKinney  
(5A: Create affordable recreational and cultural arts activities for all ages throughout the city)  
(5C: Continue to market and highlight McKinney as a unique destination for residents and visitors alike)  
(5E: Develop sustainable quality of life improvements within the City of McKinney)

**MEETING DATE:** October 6, 2020

**DEPARTMENT:** Parks and Recreation

**CONTACT:** Michael Kowski, Director of Parks and Recreation

**RECOMMENDED ACTION:**

- Approval of the Resolution

**ITEM SUMMARY:**

- The 10 acre neighborhood park will include play equipment, splash pad, pavilion, sport-court, shade structures, off street parking, learning stations, fitness stations, pedestrian connectivity and landscaping.
- City staff worked with DCBA on preparing the construction plans and specifications as needed for project bidding.
- The project includes a base bid and 8 alternates:
  - Alternate 1: Playground shade structure
  - Alternate 2: Playground shade structure

- Alternate 3: Playground swing shade structure
  - Alternate 4: Concrete ping pong table
  - Alternate 5: Solid Sod Bermuda grass
  - Alternate 6: Color concrete at exercise station
  - Alternate 7: Sawcut and sandblasted giant chess board
  - Alternate 8: Concrete art wall, decomposed granite and mow strip
- Staff, along with DCBA support, recommends awarding the construction bid to North Rock Construction, LLC in an amount of \$2,633,249.81 (includes base bid + All Alternates) along with a \$75,000 contingency for a total not to exceed amount of \$2,708,249.81.

#### **BACKGROUND INFORMATION:**

- A total of seven (7) bids were received for this project on August 27, 2020.
- MSB Constructors, Inc, the apparent low bidder, was deemed nonresponsive for the following reasons:
  - a. Total percentage of work subcontracted by MSB Constructors exceeded the City's maximum 30% allowance by 45% as MSB Constructors stated 75% of the work would be subcontracted to others.
  - b. MSB Constructors wrote “\*ESTIMATES\*” adjacent to their base bid, bid alternates and total not to exceed bid amounts on page 44 of the submitted form calling into question the accuracy of the bid amounts.
  - c. MSB Constructors wrote “\*SUBJECT TO CHANGE AS BIDS COME IN\*” above the list of subcontractors on page 44 of their submitted bid form again calling into question the accuracy of the bid amounts because 28% of the work to be performed by the subcontractors is concrete work, and the concrete prices quoted by MSB Constructors are 50% less than the other contractors' bids for concrete.
  - d. MSB Constructors submission does not list experience within project history that parallels a project like Prestwyck Park.
- North Rock Construction is the second lowest, responsible bidder and meets all qualifications and requirements
- North Rock Construction has completed projects for the City of McKinney in the past, including Dr. Mack Hill Park and various trail projects. They are currently the contractor for the Finch Park Renovation project.

- If approved, construction should begin in November 2020 with a 240-day contract schedule.

#### **FINANCIAL SUMMARY:**

- The Prestwyck Neighborhood Park (PK1643) is a FY20-21 Capital Improvements Program funded by MCDC funds and Parkland Dedication Funds Zone 3.
- Below is a breakdown showing the total project budget of \$3,300,000.00

○ Architectural and Engineering Design Fees	\$ 200,612.50
○ <b>Construction Contract</b>	<b>\$2,633,249.81</b>
○ Construction Contract Contingency	\$ 75,000.00
○ Splash Pad Allowance	\$ 300,000.00
○ Estimated Materials Testing	\$ 63,102.00
○ Project Contingency	<u>\$ 28,035.69</u>
<b>Total</b>	<b>\$3,300,000.00</b>

- With the approval of this item and accompanying item for the Prestwyck Neighborhood Park, \$328,035.69 will remain in Project PK1643.
- In a concurrent agenda item, staff will also be bringing forward a recommendation to award a contract for materials testing of this project.

#### **BOARD OR COMMISSION RECOMMENDATION:**

- On September 10, 2020, the Parks, Recreation and Open Space Advisory Board recommended to City Council the award of the construction contract.

#### **SUPPORTING MATERIALS:**

[Resolution](#)

[Award Recommendation](#)

[Bid Tabulation](#)