



## Legislation Details (With Text)

**File #:** ID-433-20      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Agenda Ready  
**File created:** 8/25/2020      **In control:** City Council  
**On agenda:** 9/1/2020      **Final action:**  
**Title:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE BID OF GARNEY COMPANIES, INC. AND AWARDING THE CONTRACT FOR THE WATER TREATMENT PLANT EXPANSION AND DENITRIFICATION – CONSTRUCTION MANAGER AT RISK, PROJECT #20-006280, TO GARNEY COMPANIES, INC. FOR THE CONTRACT AMOUNT OF \$369,068.00 (THREE HUNDRED SIXTY-NINE THOUSAND SIXTY-EIGHT DOLLARS), AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO SIGN THE CONTRACT ON BEHALF OF THE CITY AND THE CITY CLERK TO ATTEST THERETO

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CMAR Greensand Resolution, 2. Council Presentation - WTP Expansion & Denit CMAR, 3. 433 PPT

| Date     | Ver. | Action By    | Action | Result |
|----------|------|--------------|--------|--------|
| 9/1/2020 | 1    | City Council |        |        |

[Department of Utilities](#)

Reference: Approving the procurement of #20-006280 Water Treatment Plant Expansion and Denitrification - Construction Manager at Risk

**To:** Mayor Gregory Mills and Members of City Council

**Through:** Marv Falconburg, Acting City Manager

**Prepared By:** Brett Sherman, Director of Utilities

**Date Prepared:** August 18, 2020

**PURPOSE**

Requesting City Council approval of formal solicitation for project #20-006280 Water Treatment Expansion and Denitrification - Construction Manager at Risk to the most responsive and responsible bidder, and approving the resolution giving the City Manager, or Designee, authority to sign the contract. Municipal Code Section 3.08.090, "...All bids and proposals in excess of \$50,000 shall be awarded through formal written procedures by the City Council."

**BACKGROUND/HISTORY**

The City of Brighton (City) is under a compliance schedule by the Colorado Department of Public Health and Environment (CDPHE) to reduce the nitrate concentration in the waste discharge (brine) produced during the Reverse Osmosis (RO) treatment process. The City's peak day water demand is also nearing the existing treatment plants capacity and needs to be expanded to ensure dependable water supply moving forward. To address these issues the City contracted with Brown and Caldwell in September 2019 to pilot treatment

alternatives that can both meet the new CDPHE discharge permit as well as increase the treatment capacity for future growth in the City.

Before you tonight is the Construction Manager at Risk (CMAR) contract award. At this time the contract amount is only for the pre-construction or design phase of the project but it is the full intent to retain the same contractor for the construction phase as well. The construction phase cost will come back once design has progressed to a level where a Guaranteed Maximum Price (GMP) can be established. The reason for getting the contractor on board during design is to maintain better cost certainty, help value engineer the design, provide constructability review, and many more beneficial aspects that will save the City money on the larger construction cost.

To select the CMAR the City went through a Request for Qualifications (RFQ) process where 4 CMAR firms were shortlisted. Once the shortlist was established the City then issued a Request for Proposal (RFP) to the 4 shortlisted firms. We then reviewed the RFP's and made a decision to interview 3 of the firms virtually to further clarify certain portion of their proposals and ensure they understood absolutely everything about the project and needs of the City. After the interviews staff got together and discussed to pros and cons of each CMAR and ranked them accordingly. It was very apparent that Garney Companies Inc. was the favorite due to their extremely competitive pricing, experience in similar projects, and local presence. Since the intent is to use the same CMAR contractor for both the preconstruction and construction services, the City requested overhead and profit percentages as well as staff multipliers to be submitted for review. Doing this while the contractors are competitively bidding ensures the City will be getting the best pricing during the construction phase and when GMPs and being developed.

Information regarding the bidding process is below.

**RFQ Shortlisted Firms:**

- Garney Companies, Inc.
- Archer Western Construction, LLC
- Moltz Construction, Inc.
- PCL Construction, Inc.

**RFP Interviewed Firms with Preconstruction Phase Cost:**

- Garney Companies, Inc. - \$ 369,068.00
- Moltz Construction, Inc. - \$ 457,969.00
- PCL Construction, Inc. - \$ 385,000.00

**FINANCIAL IMPACT**

Sufficient appropriation was budgeted and exists for the project

**STAFF RECOMMENDATION**

After complete and thorough review of the submitted proposals, as well as individual interviews with the proposing firms, the recommendation is to award the contract to Garney Companies Inc. for the CMAR preconstruction services in the amount of \$369,068.00.

**OPTIONS FOR COUNCIL CONSIDERATION**

- Approval as presented
- Reject
- Require new proposals be prepared

**ATTACHMENTS:**

- Resolution