

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: Monday, April 4, 2011

SUBJECT: Construction Contract
ICE / Detention Center Vehicle Building

PRESENTER: David Berry

ATTACHMENTS: Yes,
1. Arial Map of Location of the building
2. Carolina Specialties Construction, LLC Proposal
3. Cooper Construction, Inc. Proposal
4. Line Item Transfer Request

SUMMARY OF REQUEST:

As per the attached proposals, the apparent low bid for the referenced construction contract is provided for Board approval. The proposed contract is for \$69,228.00 with Carolina Specialties, LLC. The other proposal was from Cooper Construction Company, Inc. for \$85,000.00

By State Statute this project was estimated to be in the informal construction range and a formal bidding process was not required. However, both proposals are licensed appropriately for the work and insured. The bids were solicited directly from Henderson County Engineering staff, who advertised this bid online on the Henderson County webpage. The scope of the work is included in the attached proposals. The building will be located behind the Detention Center within the gated perimeter and on the railroad side of the parking lot. Zoning approval for the building was approved with the Law Enforcement Center application.

BOARD ACTION REQUESTED:

Approve the construction contract for construction of the ICE / Detention Center Vehicle Building with the apparent low bidder Carolina Specialties Construction, LLC for \$69,228.00

Suggested Motion:

I move that the Board of Commissioners approve the construction contract for construction of the ICE / Detention Center Vehicle Building with the apparent low bidder Carolina Specialties Construction, LLC for \$69,228.00.

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Project Location:



Proposal

**To: Henderson County
Engineering Department
One Historic Courthouse Square, Suite 6
Hendersonville, NC 28792**

We propose to furnish the necessary supervision, labor, materials, supplies, tools and equipment (except as modified hereafter) to construct a new ICE Vehicle Building for the Henderson County Sheriff's Department as per Request for Proposals dated February 24, 2011 and the on-site Prebid meeting on March 14, 2011.

Note: All sheets attached hereto and installed shall be part of this contract and all sheets attached hereto are incorporated herein and are a part of this contract.

Location of work:
**Rear Parking Lot
Henderson County Detention Center
375 First Avenue East
Hendersonville, NC 28792**

Price for the work: **\$69,228.00**

This proposal is offered for acceptance by you, within 10 days from this date and upon your approval a contract will be issued covering the work herein described. The terms and conditions are a part of the agreement and must be stipulated in any subsequent purchase order or contract issued.

Accepted and approved:

Owner/Representative

Signature

Date

Carolina Specialties Construction, LLC

Chris Cornier, Manager Member

Signature

3-23-11

Date

DIVISION 1, GENERAL REQUIREMENTS:

This division consists of the following: Permits, testing, engineering, temporary toilet, water, electricity and heating, clean-up, dumping fees, storage trailers, expendable tools and truck expenses.

Only the following is included:

- Henderson County building inspection permit.
- Engineering fee.
- Termite treatment on new floor slab.
- Temporary toilet
- Clean up.
- Testing fees.

DIVISION 2, SITE WORK:

This would include such items as follows: Clearing, earthwork, site drainage, site utilities (water, sewer work), landscaping, erosion control, termite treatment, and building layout.

Only the following is included:

- Dirt fill 3' out around new structure and with 60 degree slope bank.
- Silt fence, black 6 mil poly with stakes 8' on center.
- Seed and straw disturbed area.
- 6' tall Chain link fence to match & tie into existing on rear and side of building.

DIVISION 3, CONCRETE WORK:

This would include such items as follows: Concrete formwork, concrete reinforcing, cast-in place concrete, cementitious decks and concrete removal, digging and pouring footings, stone underslab, sealer and anchor bolts.

Only the following is included:

- Concrete footings for metal building structure.
- 4" thick stone under all new floor slab.
- 6" thick 3000psi concrete for metal building slab and dumpster pad.

DIVISION 4, MASONRY:

This would include all mortar, sand, unit masonry, foundation bolts, reinforcing wire (durawall), and blockfill cement.

Only the following is included: NONE.

DIVISION 5, METALS:

This would include structural metal framing, metal decking, metal fabrication, ornamental metals, handrails, etc.

Only the following is included: NONE.

DIVISION 6, CARPENTRY:

This would include rough carpentry, finish carpentry, lumber, nails, trusses, metal studs, blocking, trim, etc.

Only the following is included: NONE.

DIVISION 7, THERMAL/MOISTURE:

This would include waterproofing, damp proofing, insulation, shingles and roofing tiles, flashings, roof accessories and sealant, poly vapor barriers, polystyrene insulation, gutters (other than metal buildings) and roof felt.

Only the following is included:

- **3" thick WMPVR insulation on metal building roofing system.**

DIVISION 8, DOORS AND WINDOWS:

This would include doors and frames, special doors, windows, door hardware, glass and glazing.

Only the following is included: NONE.

DIVISION 9 FINISHES:

This would include gypsum wallboard, plaster and lath, tile and terrazzo floors, acoustical ceilings, floor coverings, and painting and wall coverings.

Only the following is included: NONE.

DIVISION 10, SPECIALTIES:

This would include toilet accessories like grab bars, mirrors, paper holders, etc.

Only the following is included: NONE

DIVISION 11, EQUIPMENT:

This would include kitchen appliances, medical equipment, etc.

Only the following is included: NONE

DIVISION 12, FURNISHINGS:

This would include furniture type goods and accessories.

Only the following is included: NONE

DIVISION 13, SPECIAL CONSTRUCTION:

This includes all metal building work, from setting steel to sheeting and trim work. This includes metal building doors and windows, insulation, etc. Anything to do with a metal building package.

Only the following is included:

60'wide x 40' long x 16' eave height pre-engineered building with a 1 on 12 roof pitch with screw down Galv-alum roof sheeting. Sides of the building to remain open, 3' sidewall and end wall overhangs, gutter, downspouts, rake and eave trim in any standard color.

DIVISION 14, CONVEYING SYSTEMS:

This would include elevators, escalators, etc.

Only the following is included: NONE

DIVISION 15-A, MECHANICAL-PLUMBING:

Only the following is included: NONE

DIVISION 15-B, MECHANICAL-HVAC:

This would include such items as follows: Power or heat generation, cooling system, air distribution, refrigeration, controls and instrumentation.

Only the following is included: NONE.

DIVISION 16, ELECTRICAL:

This would include such items as follows: Basic materials and methods, service and distribution, electrical heating, lighting, communications, controls and instrumentation.

Only the following is included:

- **(4) 4-tube fluorescent high-bay T8 lights on single pole switch (power from yard light circuit)**
- **(2) 250W wall pack fixtures**
- **(4) 110V outlet (power from gate circuit)**

Special Conditions

The cost of materials stored and work performed during each billing period shall be paid to Carolina Specialties Construction, LLC, by the Owner within ten (10) days from the date of the invoice unless otherwise specified. The balance shall be paid by the Owner upon completion of the building or acceptance by the Owner (possession of the building by the Owner shall constitute acceptance). All invoices not paid when due shall bear interest at a rate of 1 1/2% per month, (an annual rate of 18%). Non-payment of full amount of Applications for Payment within the time allotted by the Contract is construed as a breach of contract. Contractor may stop work for non-payment. Contractor's continuation of the Work does not nullify its right to any and all legal remedies available to it.

NOTE 1:

Temporary water and power are to be furnished by Owner. We do not include any items other than those listed in the specifications.

NOTE 2:

All materials remaining at job completion are the sole property of Carolina Specialties Construction, LLC.

NOTE 3:

It will be the Owner's responsibility to furnish an All Risk Builders Insurance Policy. The policy should cover the theft of materials from the job site. The value of the policy should equal 100% of the contract amount. A copy of this policy or a certificate showing the policy number and effective date must be furnished to Carolina Specialties Construction, LLC prior to starting any work. This policy must show Carolina Specialties Construction, LLC as an additional insured.

NOTE 4:

Should it become necessary to make changes in any of the work outlined in this contract, whether addition or deletions, these changes will be made only after the Owner's acceptance of a written Change Order detailing the work changes and the lump sum cost change.

NOTE 5:

In the event of any controversy or claim arising out of or relating to this contract, the parties hereto shall consult and negotiate with each other and, recognizing their mutual interests, attempt to reach a solution satisfactory to both parties. If they do not reach settlement within a period of 10 days either party shall serve a written demand for mediation by a third-party professional, mutually agreed upon by the parties who will serve as a mediator to resolve any disputes between the parties. Cost for the third-party mediator will be shared equally by all parties. If within 30 days after service of a written demand for mediation, the mediation does not result in settlement of the dispute, then any unresolved controversy or claim arising from or relating to this contract or breach thereof shall be settled by arbitration administered by the American Arbitration Association in accordance with its Construction Industry Arbitration Rules and judgment on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.

It is stipulated and agreed that if Carolina Specialties Construction, LLC resorts to the employment of an Attorney to collect any past due indebtedness or payments due under this contract, if not paid on time, then Carolina Specialties Construction, LLC shall be entitled to collect, in addition to the amount owed, a reasonable fee not to exceed 25% of the amount collected by the efforts of the Attorney for Carolina Specialties Construction LLC. The Attorney fee shall be in addition to all other amounts collected.

NOTE 6:

The foundation design is based on the soil having a minimum bearing capacity of 2500 PSF. All site grading by Carolina Specialties Construction, LLC to be within plus or minus one-tenth of the foot and have a minimum compaction of 95% Standard Proctor. Soil tests to be paid for from the allowance. If rock, unsuitable soil or contaminated soil is encountered during excavation, the removal will be at an extra cost.

NOTE 7:

Should the governing agency issuing permits, where applicable, require plans, drawings, changes or additional details for review or approval, any changes to the plans by a registered architect or engineer and any subsequent changes in the scope of work as a result of the changed plans, drawings, or details will be an additional cost.

COOPER

CONSTRUCTION COMPANY, INC.

GENERAL AND DESIGN / BUILD CONTRACTOR

MAIL: P.O. Box 806
Hendersonville, NC 28793-0806

LOCATION: 761 S. Allen Road
Flat Rock, NC 28731

PH: 828/692-7238

FAX: 828/696-9978

WEB: www.cooperconst.com

(3RD GENERATION/FAMILY OWNED)

PRINCIPALS

THOMAS L. (TOM) COOPER
President
Chief Executive Officer

J. MICHAEL COOPER
Executive Vice President & Secretary
Chief Operations Officer

OFFICERS

DELAINE DEBRUHL
Vice President & Field Operations Manager

LANE E. FEAVER
Treasurer/Chief Financial Officer

OPERATIONS

KELLY COOPER-FORD
Assistant Controller/Human Resources

CINDY LANDRETH
Sr. Administrative Assistant

KATHERINE WRIGHT
Administrative Assistant

GENERAL CONSTRUCTION/ UTILITY GROUPS

ZACH COOPER, LEED AP
Estimator/Project Manager
Safety Director

STEWART CROSS
Estimator/Project Manager

TREY FORD
Estimator/Project Manager

GREG HEDRICK
Estimator/Project Manager

MICHAEL WEISER
Estimator/Project Manager

JERRY YOUNG
Estimator/Project Manager

HVAC GROUP

BARRY HOLBERT
Estimator/Project Manager

March 22, 2011

Marcus A. Jones, PE
Director of Engineering
Engineering Department
One Historic Courthouse Sq, Ste 6
Hendersonville, NC 28792

Re: Henderson County Sheriff's Dept.
ICE Building

Dear Mr. Jones:

In response to your memorandum of February 24, 2011 on the referenced project, we are pleased to submit our proposal of \$ 85,000.00 to perform this work.

We will begin work upon acceptance of this proposal within 10 days and will be completed in approximately 60-90 days.

A Certificate of Insurance and a copy of our license and Contractor's Warranty are enclosed.

Exceptions are as follows:

- Building is 40' wide rather than 24' as noted in memorandum
- Eave height is 17' to achieve 14' clearance requested
- This proposal is offered for 30 days acceptance due to the current volatility of steel prices

Please contact Zach Cooper if you have any questions.

Sincerely yours,


Thomas L. Cooper
President/CEO

**LINE-ITEM TRANSFER REQUEST
HENDERSON COUNTY**



Department: ICE

Please make the following line-item transfers:

What expense line-item is to be increased?

Account	Line-Item Description	Amount
<u>385432-555000</u>	<u>Capital Outlay - Buildings</u>	<u>\$69,228</u>

What expense line-item is to be decreased? Or what additional revenue is now expected?

Account	Line-Item Description	Amount
<u>384432-445500</u>	<u>Federal ICE Program Revenue</u>	<u>\$69,228</u>

Justification: Please provide a brief justification for this line-item transfer request.

For an ICE / Detention Center Vehicle Building, as approved by the Board of Commissioners at their April 4, 2011 meeting.

M. V. Davis 3/25/11
 Authorized by Department Head Date

 Authorized by Budget Office Date

 Authorized by County Manager Date

For Budget Use Only

Batch # _____

BA # _____

Batch Date _____