



CITY OF TRINIDAD

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February 22, 2016

Don Scanga
Region 2 Local Agency Coordinator
Colorado Department of Transportation
902 Erie Avenue
Pueblo, CO 81001

Re: CDOT Project Number: TAP M296-011
CDOT Project Code: 19421
CDOT Project Name: Trinidad Welcome Center Rehab

Mr. Scanga;

This letter is submitted to The Colorado Department of Transportation and the Federal Highway Administration for consideration of a Lump Sum Contract variance for the above listed Project. The Project, which is funded in part by the National Scenic Byway Program, is a facility remodel project designed to bring the Trinidad Welcome Center into compliance with ADA guidelines through installation of automatic doors, a handicap compliant access ramp, and accessible restroom facilities.

WORK PLAN:

INTRODUCTION:

The original Submission date for this project was December 2011. Due to numerous personnel changes within the City of Trinidad, and other projects taking priority of limited staff, the Project was in jeopardy of losing funding if the design portion was not submitted to the state by August 29th, 2015.

A Request for Proposal for this project was published on June 30th, 2015 through July 16th, 2015, at which time four companies responded with proposals. After consideration by the City, Weidner and Associates of Pueblo, Colorado was chosen for the design portion of the project. With the approval of Trinidad City Council, Weidner and Associates was awarded the contract for design on July 21, 2015.

Weidner and Associates completed the design phase and all clearance letters were submitted to the State by August 28th, 2015 and notice that the Project had completed the

clearance process was received on September 1st, 2015. The State reviewed the Project Specification Book and Plans as well as all clearance letters and issued a Notice to Proceed on October 14, 2015, followed by a Notice to Proceed to Advertise on October 15th, 2015. Advertisements for Bids were published on November 6th, 2015 with a bid opening date of December 4th, 2015.

Schauer Construction, of Colorado Springs, was the low bidder of the four responding companies. Their lump sum bid, as requested in the approved Project Manual, was \$355,300.00. City Council approved the recommendation of accepting Schauer's bid on January 5th, 2016. All of the required forms and documents were submitted to the State on January 8th, 2016. On the 11th of January, Marci Gray with the State of Colorado Contracts and Market Analysis department, requested the line by line pricing for the bid tab from the bidders. Don Scanga, Region 2 Local Agency Coordinator with CDOT reviewed the submitted bid tabs and concurred that Schauer Construction could move forward. Ms. Gray responded that this was unusual and she needed to do more research. Later that same day, Don Scanga requested an itemized bid tab from Schauer for the Project. Schauer submitted a Schedule of Values on January 15th, 2016, at which time Ms. Gray requested bid tabs from the three other bidders as well. The City replied that we did not have bid tabs because they were not asked for in the bid package, only a lump sum. The responding bidders did submit their Design Summary Statements, but these documents did not contain the quantity and multiplier requested by the State.

In an email dated January 20th, 2016, Mr. Hayson informed the City that itemized breakdowns were going to be required by FHWA to facilitate their measurement and payment process. In a follow up email on January 22nd, 2016, Mr. Hayson notified the City that the itemized bid tabs would be required by January 28th, 2016. On February 4th, 2016, the City received notice from FHWA through Mr. Hayson that we would need to request a SEP-14 approval for this Project for a lump sum variance.

PURPOSE:

The purpose for this SEP-14 waiver request is to utilize the received lump sum bids for this Project, since that is how the Project Manual was organized. This is a facility remodel project with specific goals, yet with unknown quantities due to the very nature of the remodel work. Lump sum bidding will allow the level of risk quantities to be placed on the contractor to establish a more accurate total construction cost. In this particular project, lump sum pricing will reduce the cost of construction management in performing field measurements and preparing pay documents.

SCOPE:

The scope of this SEP-14 request is for a one time waiver for the Trinidad Welcome Center Rehab located in Trinidad, Colorado. As noted above, the bid documents were approved, advertised and received with a lump sum bid form for a project consisting of replacement of all existing, various shaped windows, and the entry door systems. Remodeling of the existing restrooms, for ADA accessibility, replacement of the HVAC system, new carpet and paint, and construction of an ADA entrance ramp on the east side of the building are also included.

SCHEDULE:

The City wishes to complete this Project before the beginning of the 2016 tourist season which starts in early May. A design RFP was published June 30th, 2015. A firm was selected based on that RFP on July 21st, 2015. The design and clearance portions were completed August 28th, 2015. State reviews of design, clearances and Bid Documents were completed on October 14, 2015. An Advertisement for Bid was published November 6th, 2015 and opened December 4th, 2015. Trinidad City Council awarded the Bid on January 5th, 2016.

Because time is of the essence, The City would like to move forward with this process at once and use the lump sum bid form as approved previously by the State. This would allow construction to begin immediately, with completion in 60 days, so as not to impede on the valuable tourist business during the summer months.

A completion date of June 1st, 2016 and contract closeout by September 1st, 2016 would be a realistic timeline.

MEASURES/EVALUATION:

The contract is a lump sum that provides for no adjustment mechanisms during this project. The scope of work was well defined in the Bid documents and contractors have bid accordingly to complete the project as listed.

Construction Costs will be evaluated when the project is completed to determine the validity of a lump sum bid form versus a line by line bid tabulation for this type of remodel project.

REPORTING:

The City of Trinidad will submit a final report to FHWA and CDOT upon completion of the project that will include an evaluation of the lump sum technique and recommendations for future project of this type.

CONCLUSION:

The City of Trinidad believes that the figures provided by all of the bidders for this project are adequate to allow for an accurate dispersion of funds when the contractor requests payment for work performed. The fact that the State approved Project Manual did not contain a bid form and only requested a lump sum bid price, should not further delay this already time sensitive project any further. We respectfully request that this waiver be granted and the award notice be issued.

Sincerely,

Tom Beach
Public Works Director
City of Trinidad, Colorado