



**CITY OF BURLINGTON  
DEPARTMENT OF PUBLIC WORKS**

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*ASSISTANT DIRECTOR OF PUBLIC WORKS*

October 23, 2012

**TO: Burlington City Council  
Finance Board**

**FROM: Norman Baldwin, P.E.**   
**Assistant Director-Technical Services**

**RE: Request Authorization to award construction contract for 127 BIKE PATH  
SLOPE FAILURE REMEDIATION PROJECT**

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**BACKGROUND**

In May of 2011 we experience unprecedented high lake levels and extremely wet conditions causing soils to be saturated and leading to significant damage to private property and public facilities. The City of Burlington suffered damage to a handful of public buildings but had seen more significant damage to its Bike Path. The bike path had segments washed out entirely while other sections had seen significant slope failures that affected the long term stability of the bike path. Given the destructive force of high lake levels and the damage left in its wake a Federal disaster was declared making public assistance funds available to Burlington to aid in its recovery.

As a result, the Department of Public Works has been working to advance recovery projects that need to advance through design, permitting and construction. More particularly the 127 BIKE PATH SLOPE FAILURE REMEDIATION PROJECT is in the later stages of the process by seeking to procure and award a construction contract to repair this segment of the Bike Path.

**PROJECT DESCRIPTION**

The slope failure is located on the west side of the existing recreation path about 2,500 feet north of Ethan Allen Homestead (Longitude W 73-14-12.81, Latitude N 44-30-55.14). The slope failure was caused by exceptionally high groundwater that was seeping out of the bank, which softened an already compromised existing soil condition (10' clay layer above bedrock that has limited bearing capacity, for the overburden of the existing bike path). The bulging slope failure resulted in a 150' section of the bike path collapsing and displacement of the shoulder of the high bank, leaving an open trench where once a bike path existed.

Our repair calls for the

- removal of 5 feet of thickness of the 10 foot thick clay layer and

- replace the removed 5 foot thick layer of clay with a 6 inch bed of sand, 4 foot-6 foot layer of lightweight aggregate made up of geo-foam blocks, followed by 2 foot thick layer of gravel and then the 3 inches of asphalt representing the finished surface of the bike path.

## PROJECT STATUS

For **127 BIKE PATH SLOPE FAILURE REMEDIATION PROJECT** we have:

- met with FHWA officials,
- defined a scope of work, developed preliminary budgets,
- procured a designer under our existing On-Call Consultant Contract
- completed our design
- have prepared bid documents
- received bids

## FUNDING

Under FHWA's Public Assistance Program,

- FHWA 75%,
- CITY- Local Match Obligation 25%
- The total project cost is anticipated to be approximately \$400,000.
- The City local match obligation will be approximately \$100,000 funded by use of the City's General Fund Capital which has already been approved and placed in reserve for this purpose.
- The city will need to assume all project expenses and seek reimbursement from FHWA.
- Progress payments can be submitted on a monthly basis as the project is advanced.

## BID RESULTS

We are now at the stage of seeking to award a construction contract that will restore this damaged portion of the bike path.

Our bid opening was on October 18, 2012, 12:00 p.m.. The city:

- received 5 bids.
- one of the five bids were rejected given the bidder did not provide the required documentation; they were missing the Collusion Affidavit and the Equal Employment Certification form.
- Our construction estimate for this project was \$376,000

Contractor	Base Bid Total	Comments
Kingsbury Companies, LLC.	\$ 368,295.80	
G.W. Tatro Construction	N/A	Bid was rejected for missing required documentation
S.D.Ireland Brothers	\$ 313,050.00	
Engineers Construction, Inc.	\$ 280,075.00	
<b>Don Weston Excavation, Inc.</b>	<b>\$ 277,700.00</b>	<b>Apparent Low Bidder</b>

After reviewing the bids and the qualifications of the apparent low bidder we are confident the apparent low bidder **Don Weston Excavation, Inc.** can complete the work as specified on time, on schedule and within budget. Don Weston, Excavation, Inc. has had experience in successfully completing a similar project in Weybridge, Vermont using geo-foam blocks. Given their experience, we would recommend to the Finance

Board and City Council that the bid for the 127 Bike Path Remediation Project be awarded to Don Weston Excavation, Inc.

**SUMMARY**

Timing is critical to completing this work during the fall construction season; we have purposely sought to complete the work in the fall when the on-going uses on the bike path are at a seasonal low.

As a result of our need to act swiftly, we are seeking:

- the Finance Board and Burlington City Council to approve the award of 127 BIKE PATH SLOPE FAILURE REMEDIATION PROJECT to our recommended contractor, Don Weston Excavation, Inc..
- the Finance Board and City Council to authorize the Director of Public Works, Steven Goodkind to award and execute the contract with Don Weston Excavation, Inc.

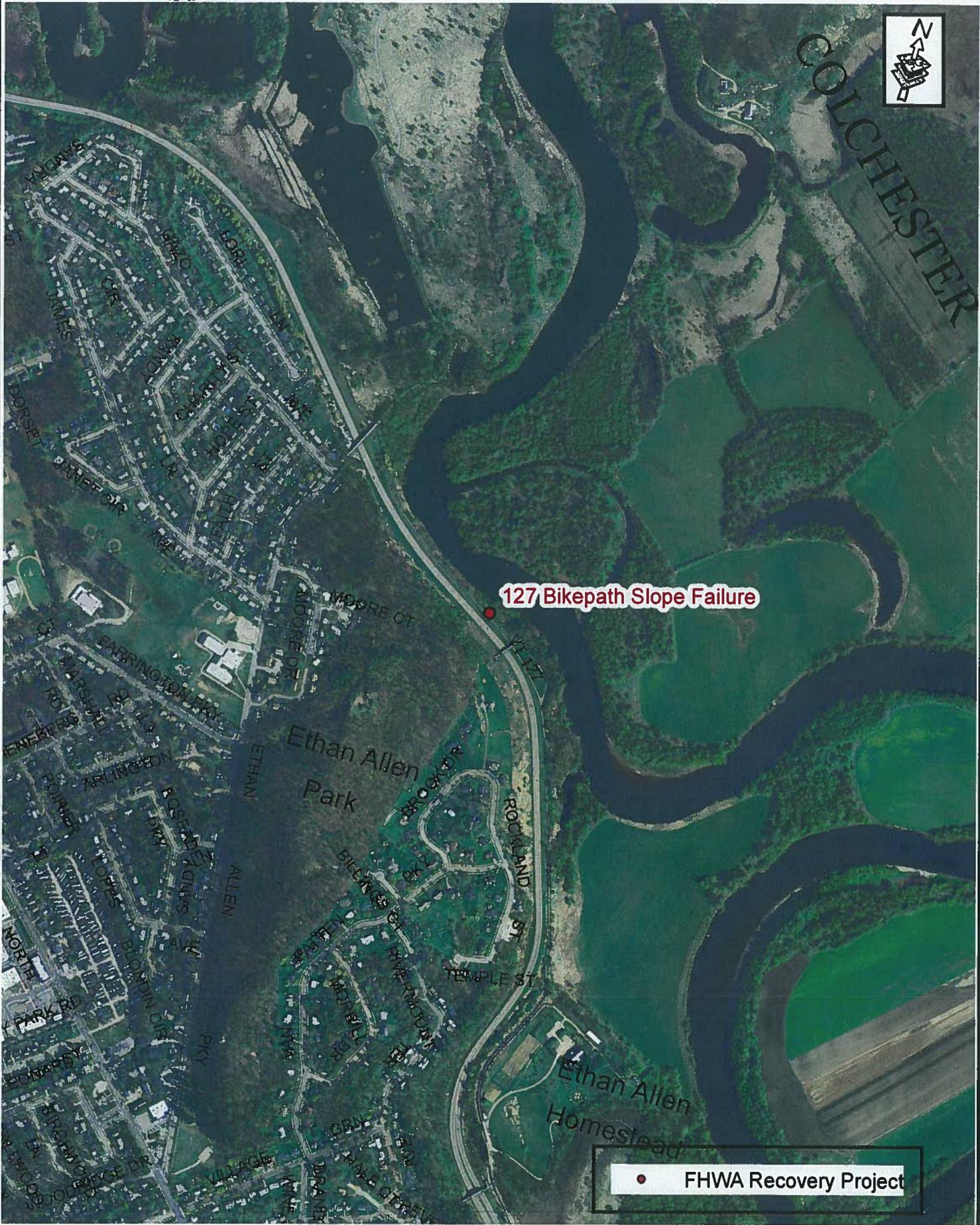
If there are any questions please do not hesitate to call me, I will be at the meeting to answer any additional questions.

**127 BIKE PATH RECOVERY PROJECT-FHWA ER VT11-1-CONSTRUCTION BID TAB RESULTS**

		CITY					ADDENDUM				
<b>CONTRACTOR</b>	<b>CALCULATED</b>	<b>CONTRACTOR BASE</b>	<b>EEO</b>	<b>NON-COLLUSION</b>	<b>BID BOND</b>	<b>ACKNOWLEDGEMENT</b>	<b>COMMENT</b>				
<b>BASE BID TOTAL</b>	<b>BID SUBMITTED</b>	<b>EEO</b>	<b>NON-COLLUSION</b>	<b>BID BOND</b>	<b>ACKNOWLEDGEMENT</b>	<b>COMMENT</b>					
Kingsbury Companies, LLC	\$368,295.80	\$368,295.80	✓	✓	✓	✓	Item 12D Information to bidders-a proposal submitted without a completed Debarment, and non-collision affidavit will be rejected, Item 12E-A proposal submitted without a signed contractor's equal employment certification form will be				
G.W. Tatro Construction	N/A	N/A	Missing	Missing	✓	✓	Discrepancy between base bid and calculated items, Item 9D information to bidders-the unit pricing figures shall govern and the extended totals in each case shall be corrected accordingly.				
S.D.Ireland Brothers	\$313,050.00	\$313,050.00	✓	✓	✓	✓	Discrepancy between base bid and calculated items, Item 9D information to bidders-the unit pricing figures shall govern and the extended totals in each case shall be corrected accordingly.				
Engineers Construction, Inc.	\$280,075.00	\$278,575.00	✓	✓	✓	✓	Discrepancy between base bid and calculated items, Item 9D information to bidders-the unit pricing figures shall govern and the extended totals in each case shall be corrected accordingly.				
<b>Don Weston Excavation, Inc.</b>	<b>\$277,700.00</b>	<b>\$277,700.00</b>	✓	✓	✓	✓	<b>Apparent Low Bidder</b>				



City of Burlington-FHWA Lake Flooding Recovery Project



127 Bikepath Slope Failure

● FHWA Recovery Project