

**ADDENDUM No.   2**

Date   January 31, 2013  

City of Austin

Project Name **2013 Miscellaneous Streets Slurry Seal and Micro-Surfacing Project**

C.I.P. No.   5874.020  

This Addendum forms a part of Contract and clarifies, corrects or modifies original Bid Documents, dated   January 21, 2013  . Acknowledge receipt of this addendum in space provided on bid form. Failure to do so may subject bidder to disqualification.

**A. Project Manual Revisions:**

- 1) Replace the Table of Contents with the revised Table of Contents (3 pages).

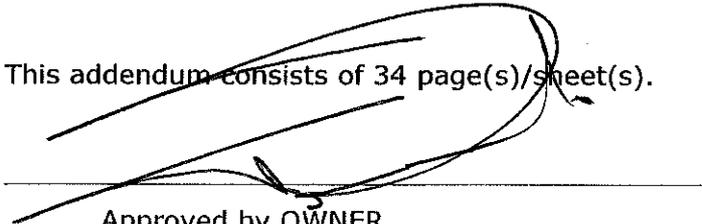
**Section 01030 ALTERNATES**

Add the following to Paragraph 3.1.A:

“A list of defined streets has been issued for the Alternate Bid and is included in the back of this Manual.”

- 2) Include List of Alternate Bid Streets (1 page).
- 3) Replace MBE/WBE Procurement Program Vol. 2 (29 pages)

This addendum consists of ~~34~~ page(s)/sheet(s).



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Approved by OWNER



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Approved by ENGINEER/ARCHITECT

**END**

**Document  
Number**

**Title**

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**VOLUME 1**

**INTRODUCTORY INFORMATION**

05/06/11 Title Page  
01/11/13 Table of Contents

**BIDDING REQUIREMENTS, CONTRACT FORMS, & CONDITIONS OF THE CONTRACT**

**Pre-Bid Information**

00020 03/12/12 Invitation for Bids

**Instructions to Bidders**

00100 08/09/12 Instructions to Bidders

**Bid Forms**

00300U 03/12/12 Bid Form (Unit Price)

**Supplements to Bid Forms**

00405 09/25/05 Certificate of Non-Suspension or Debarment  
00410 05/06/11 Statement of Bidder's Safety Experience  
00440 05/06/11 Affidavit - Prohibited Activities  
00475 05/06/11 Nonresident Bidder Provisions

**Agreement Form**

00500 03/12/12 Agreement

**Bonds and Certificates**

00610 02/23/10 Performance Bond  
00620 02/23/10 Payment Bond  
00630 08/09/12 Nondiscrimination Certificate  
00631 03/12/12 Title VI Assurances Appendix A  
00650 07/30/12 Certificate of Insurance  
00670 08/09/12 Sales Tax Exemption Certificate  
00680 06/05/06 Non-Use of Asbestos Affidavit (Prior to Construction)  
00681 06/05/06 Non-Use of Asbestos Affidavit (After Construction)

**General Conditions**

00700 03/12/12 General Conditions

**Supplementary Conditions**

00810 08/09/12 Supplemental General Conditions  
00810GP 03/25/12 City of Austin General Development Permit  
00820 03/12/12 Modifications to Bidding Requirements and Contract Forms  
00830 03/12/12 Wage Rates and Payroll Reporting  
00830HH 01/11/13 Wage Rates Highway Heavy

**Addenda**

00900 02/23/10 Addendum

| Document Number | Title |
|-----------------|-------|
|-----------------|-------|

## SPECIFICATIONS

### Division 1 - General Requirements

|       |          |   |
|-------|----------|---|
| 01010 | 08/09/12 | Summary of Work   |
| 01030 | 01/09/13 | Alternates  |
| 01095 | 07/21/03 | Reference Standards and Definitions {Terminology, acronyms, symbols, trade names and addresses, etc.} |
| 01200 | 08/09/12 | Project Meetings  |
| 01300 | 05/06/11 | Submittals  |
| 01353 | 08/09/12 | Construction Equipment Emissions Reduction Plan   |
| 01500 | 08/09/12 | Temporary Facilities  |
| 01505 | 09/13/10 | Construction and Demolition Waste Management  |
| 01550 | 08/09/12 | Public Safety and Convenience   |
| 01900 | 03/12/12 | Prohibition of Asbestos Containing Materials  |

### City Standard Technical Specifications

|      |            |  |
|------|------------|--|
| 101S | 1/04/2011  | Preparing Right of Way   |
| 301S | 8/20/2007  | Asphalts, Oils and Emulsions                                   |
| 302S | 8/20/2007  | Aggregates for Surface Treatments                              |
| 313S | 2/24/2010  | Cleaning and/or Sealing Joints and Cracks (Asphaltic Concrete) |
| 340S | 04/04/2012 | Hot Mix Asphaltic Concrete Pavement                            |
| 802S | 2/24/2010  | Project Signs  |
| 803S | 6/21/2007  | Barricades, Signs and Traffic Handling                         |
| 829S | 8/20/2003  | Designated Bicycle Lane Markings                               |
| 871S | 6/21/2007  | Reflectorized Pavement Markings                                |
| 873S | 2/24/2010  | Raised Pavement Markings                                       |
| 874S | 4/03/2009  | Eliminating Existing Pavement Markings and Markers             |
| 875S | 11/21/2005 | Pavement Surface Preparation for Markings                      |

### Special Provisions to City Standard Technical Specifications

|        |            |                                       |
|--------|------------|---------------------------------------|
| SP340S | 01/17/2005 | Hot Mix Asphaltic Concrete Pavement   |
| SP829S | 01/25/2013 | Designated Bicycle Lane Markings      |
| SP803S | 06/21/2007 | Barricades Signs and Traffic Handling |
| SP873S | 03/01/2004 | Raised Pavement Markings              |

### City of Austin Standard Technical Details, General Information and General Permit

|        |           |  |
|--------|-----------|--|
| 802S-2 | 1/04/2011 | C.I.P.MOVABLE SIGN TYPE II                         |
| 804S-2 | 3/13/2006 | COLLECTOR / RESIDENTIAL STREET FLAGGING OPERATIONS |
| 804S-3 | 3/13/2006 | TEMPORARY TRAFFIC CONTROL PAVEMENT MARKINGS        |
| 804S-5 | 1/04/2010 | CHANNELIZING DEVICES                               |
| 863S-1 | 9/29/1999 | PAVEMENT MARKERS (REFLECTORIZED - TYPE I& II)      |

### Special Specifications

|       |                                    |            |
|-------|------------------------------------|------------|
| SS314 | Emulsified Asphalt Slurry Seal     | 13/20/2012 |
| SS330 | Micro-Surfacing (Polymer Modified) | 04/02/2007 |

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**Document  
Number**                      **Title**

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**Additional Information**

|         |            |                               |
|---------|------------|-------------------------------|
| 1 Page  |            | Detail for SP829S             |
| 8 Pages | 12/06/2012 | List of Project Areas         |
| 1 Page  |            | List of Alternate Bid Streets |
| 1 Page  |            | Door Hanger Notification      |

**VOL. 2      10/09/00      MBE/WBE Procurement Program**

**END**

2013 Miscellaneous Streets Slurry Seal and Micro-Surfacing  
Alternate Bid Street List

| Street                         | From                       | To                              |
|--------------------------------|----------------------------|---------------------------------|
| Congress                       | Congress Bridge S Abutment | Cesar Chavez                    |
| Guadalupe                      | MLK                        | 24th Street                     |
| Trinity Blvd.                  | 200' South of 12th St      | 15th St. Outside ~15' east side |
| Cameron Road / Misc            | Cameron (290 to Braker)    | (Misc Segments)                 |
| S 1st Street Bridge            | Riverside                  | Cesar Chavez                    |
| S 1st Street Bridge and Lavaca | Cesar Chavez               | 2nd St                          |
| Holly Street                   | Rainey                     | I35 (10' wide lane width)       |
| Holly Street                   | Chicon                     | Mildred (10' wide lane width)   |
| Pedernales                     | Webberville                | Lyons                           |

# CITY OF AUSTIN



## CITY CODE CHAPTER 2-9A CONSTRUCTION SERVICES MBE/WBE PROCUREMENT PROGRAM

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**Project Name:** 2013 Miscellaneous Streets Slurry Seal And Micro-Surfacing P

**Project/Solicitation Number:** IFB 6100 CLMC422

**Date:** 01/21/2013

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*JANUARY 2011*

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**MBE/WBE GOALS**

| <b>Annual/Project Participation Goals:</b> |      |   |           | <b>Annual/Project Participation Subgoals:</b> |           |   |
|--|------|---|-----------|---|-----------|---|
| MBE  | 9.90 | % |           | African American                              | N/A       | % |
| WBE  | 0.11 | % | <b>OR</b> | Hispanic                                      | N/A       | % |
|  |      |   |           | Asian/Native American                         | N/A / N/A | % |
|  |      |   |           | WBE   |           | % |

**OVERVIEW**

This document should be read in conjunction with the City of Austin’s Minority-owned and Women-owned Business Enterprise Procurement Program for Construction (Chapter 2-9A of the Austin City Code) and the Small and Minority Business Resources Department (SMBR) Rules. The definitions contained in Chapter 2-9A applies to this document. Copies of Chapter 2-9A and SMBR Rules may be obtained online at <http://www.ci.austin.tx.us/smbr/rules.htm> or from SMBR, 4201 Ed Bluestein, Austin, Texas 78721 (512) 974-7600.

Firms or individuals submitting bids for this solicitation agree to abide by the City’s MBE/WBE Procurement Program Ordinance and Rules. The City’s MBE/WBE program is intended (1) to promote and encourage MBEs and WBEs to participate in business opportunities with the City of Austin; (2) to afford MBEs and WBEs an equal opportunity to compete for work on City contracts; and (3) to encourage contractors to provide subcontracting opportunities to certified MBEs and WBEs by soliciting such Firms for subcontracting opportunities. The City of Austin and its contractors shall not discriminate on the basis of race, color, national origin, disability, or gender in the award and performance of contracts.

The City encourages Bidders to achieve the MBE/WBE participation goals and subgoals for this contract. However, Bidders may comply with the City Code and Rules without achieving the participation goals so long as they make and document Good Faith Efforts that would allow MBE and WBE participation per Section 2-9A-21 of the City Code and Section 9.1 of the Rules. Bidders that do not meet the project’s goals and subgoals are subject to Good Faith Efforts review.

Prior to the due date and time specified in the City’s solicitation documents, all Bidders (including those Firms certified as MBE/WBEs) shall submit: (1) an *MBE/WBE Compliance Plan* (Appendix A); and (2) if the project goals are not met, all appropriate documentation to demonstrate Good Faith Efforts to meet the project goals. Any questions regarding preparation of the *Compliance Plan* should be directed to SMBR at (512) 974-7600. Such contact will not be a violation of the Anti-Lobbying Ordinance.

The City has implemented Anti-Lobbying Ordinance 20071206-045 (Chapter 2-7 of the Austin City Code). Under Chapter 2-7, there is a “no-contact” period from the date the City issues a solicitation until

the contract is executed. During the “no-contact” period, a person responding to a City solicitation can speak only to the contract’s authorized contact person regarding their solicitation response. Chapter 2-7 allows certain exceptions; for instance, a person responding to a City solicitation may speak to SMBR regarding this *Compliance Plan*. See the full language of the Ordinance, City Chapter, or solicitation documents for further details.

**If the *Compliance Plan* and Good Faith Efforts documentation are not submitted prior to the due date and time specified in the solicitation documents, the bid will be deemed non-responsive and not be accepted for consideration.**

## **COMPLIANCE PLAN INSTRUCTIONS**

(See Appendix A)

SMBR may request written clarification of items listed on the *Compliance Plan*. However, there will be no further opportunity for the Bidder to augment the MBE/WBE participation originally listed in the *Compliance Plan* or to demonstrate Good Faith Efforts that were not made prior to the submission of the *Compliance Plan*. Changes to the *Compliance Plan* are permitted only after contract execution and only with prior written approval of SMBR.

Please type or clearly print all information, use “none” or “N/A” where appropriate, and sign and date the *Compliance Plan* as indicated. Please fill in all the blanks and use EXACT numbers. DO NOT USE: “approximate,” “plus or minus (+ -),” “up to,” “to be determined (TBD),” < >, or any other qualifying language.

***Compliance Plans* not complying with *Compliance Plan* Instructions shall be rejected as non-responsive. Submissions not utilizing the forms provided with the solicitation may render the submission nonresponsive or noncompliant.**

### **Section I Project Identification and Goals**

This section includes the pre-printed Project Name, Project/Solicitation Number, and goals and/or subgoals. The Bidder does not need to fill in any information under Section I.

### **Section II Prime Company Information**

The Bidder should complete this section with its information and sign in the space provided. The portion of Section II marked as “Reserved for City of Austin SMBR Only” should be left blank.

### **Section III *Compliance Plan* Summary**

This section is a summary of subcontractor participation in this Bid. Bidder should complete Sections IV-VII, described below, before attempting to complete Section III. After completing Sections IV-VII, calculate the percentage of MBE/WBE participation for each goal and enter the information in the blanks provided. Because Section III is a summary, if there are any inconsistencies between Sections IV-VII and Section III, the calculations contained in Sections IV-VII will prevail.

### **Section IV Disclosure of MBE and WBE Participation**

Please list all certified MBE/WBEs subcontractors using the legal name under which they are registered to do business with the City of Austin and the value of the work they will be performing themselves except for subcontractor(s) that will be performing the trucking or hauling scope of work (see Section VII below). Do not include the value of work that the MBE/WBE’s subcontractors will be subcontracting to second-level subcontractors. By listing certified MBE and WBE Firms on the *Compliance Plan*, the Bidder indicates that both parties acknowledge the price and scope of work and that they are prepared to contract for that price and scope if the City awards the project to the Bidder. Unit price subcontracts are acceptable if appropriate to the type of work being performed. A Letter of Intent (LOI) does not replace a binding contract between a prime contractor and a subcontractor.

Before completing Section IV of the *Compliance Plan*, please read the following instructions regarding how to count MBE/WBE participation:

(A) Only the value of the work actually performed by the MBE/WBE shall be counted toward the goals. This includes:

- (1) work performed by the MBE/WBE's own forces;
- (2) the cost of supplies, materials, or equipment purchased, leased, or otherwise obtained by the MBE/WBE for the work of the contract (except that supplies, materials, and equipment purchased or leased from the prime contractor or its affiliate may not be counted toward the goal); and
- (3) fees or commissions charged by an MBE/WBE for providing a bona fide service, such as professional, technical, consultant, or managerial services, or for providing bonds or insurance specifically required for the performance of a contract, provided the fee is reasonable and not excessive as compared with fees customarily allowed for similar services.

(B) When a Bidder purchases supplies, materials, or equipment from an MBE/WBE, the cost of those supplies, materials, or equipment shall be counted toward the goals as follows:

- (1) If the supplies, materials, or equipment are obtained from an MBE/WBE that is a Manufacturer or Regular Dealer, 100 percent of the payment for the supplies, materials, or equipment shall be counted toward the goals.
- (2) If the supplies, materials, or equipment are obtained from an MBE/WBE that is neither a Manufacturer nor a Regular Dealer, the cost of the materials and supplies themselves shall not be counted toward the goals. However, fees or commissions charged for assistance in the procurement of the materials and supplies, or fees or transportation charges for the delivery of materials or supplies required on a job site, may be counted toward the goals if the payment of such fees is a customary industry practice and such fees are reasonable and not excessive as compared with fees customarily allowed for similar services.

(C) When an MBE/WBE subcontractor listed on the *Compliance Plan* subcontracts part of the work of its contract to another Firm, the value of that second-level subcontracted work may not be counted toward the goals based on the initial subcontractor's MBE/WBE certification. Please see Section VI for an explanation of how to count the value of second-level subcontractors' work.

(D) A Firm owned by a minority woman may be certified as both an MBE and a WBE (dual certified). On a single contract, the value of the work performed by a dual certified subcontractor may not be counted toward both the MBE and the WBE goals. The Bidder must decide whether to designate the dual certified subcontractor as an MBE or a WBE in the *Compliance Plan* for the purpose of meeting the goals set for that contract. That designation may not be changed for the duration of the contract.

(E) When an MBE/WBE performs as a participant in a certified Joint Venture, only the portion of the contract value that is the result of the distinct, clearly defined portion of the work that the

MBE/WBE performs with its own forces and for which it is at risk shall be counted towards the project goals. For more specific information regarding requirements and evaluations of certified MBE/WBE Joint Ventures, please see the City's MBE/WBE Procurement Program Rules or contact SMBR's Certification Division.

(F) Only expenditures to an MBE/WBE contractor that is performing a Commercially Useful Function shall be counted toward the project goals. If SMBR makes an initial determination that an MBE/WBE is not performing a Commercially Useful Function given the type of work involved and normal industry practices, the MBE/WBE may present evidence to rebut this presumption.

(G) To be counted toward project goals, MBE/WBEs must be certified by SMBR prior to the due date to submit the *Compliance Plan* as specified in the City's solicitation documents. A Firm that is certified as an MBE/WBE at the time that the *Compliance Plan* is filed may cease to be a certified Firm before the contract is completed. Only the value of the work performed by such a Firm while it is certified may be counted toward the project goals.

### **Section V Disclosure of Non-Certified Subcontractors**

Please list all known non-certified subcontractors, using the legal name under which they will be registered to do business with the City, to be used in the performance of this contract, except for subcontractor(s) that will be performing the trucking or hauling scope of work (see Section VII below). If Bidder will not use any non-certified Firms, please write "N/A" in the first box on this page.

**If additional scopes of work are identified in this section as available for subcontracting beyond those identified in the availability lists provided, Bidder must contact SMBR to request an availability list of certified Firms for those additional scopes of work.**

The scopes of work indicated in Section V will be considered subcontracting opportunities for MBEs and WBEs, unless it is demonstrated that certified MBEs or WBEs are unavailable or do not possess the requirements in the technical portion of the solicitation to perform the work involved. If Bidder did not meet the project goals, Bidder must explain in the space provided why MBEs/WBEs were not used as subcontractors. If Bidder did meet the project goals, please write "Goals Met" in the space provided.

### **Section VI Disclosure of Second-Level Subcontractors**

Please complete this section if Bidder knows that one or more of their subcontractors will subcontract part of the work of their contracts to second-level subcontractors. Identify second-level contractors by the legal name under which they will be registered to do business with the City. In the last line of each entry box, please write the name of the first-level subcontractor that will be subcontracting work to the second-level subcontractor. The first-level subcontractor should be listed in Section IV or Section V. If Bidder is not aware of any second-level subcontractors, please write "N/A" in the first box on this page.

As discussed in Section IV above, when an MBE/WBE subcontractor subcontracts part of the work of its contract to another Firm, the value of that second-level subcontracted work may not be counted toward the goals based on the initial subcontractor's MBE/WBE certification. The value of the second-level subcontracted work may be counted toward the project goals only based on the second-level subcontractor's own MBE/WBE certification, if any. Work that an MBE/WBE subcontracts to a non-

certified Firm does not count toward the goals. Work that an MBE/WBE subcontractor contracts to another certified Firm shall not be counted twice towards the goal.

## **Section VII Disclosure of Primary and Alternate Trucking Subcontractors**

Please complete this section if the project includes trucking or hauling services as a scope of work. Each time this scope of work is required on the project, Bidder must contact the Firm listed as the primary trucking subcontractor in this section. If the primary trucking subcontractor is not available or cannot perform the entirety of the work at the time required, Bidder may contact the alternate trucking subcontractors in the order that Bidder lists them in this section. Identify primary and alternate trucking subcontractors by the legal name under which they will be registered to do business with the City. Bidder must contact the primary trucking subcontractor at least 24 hours before the work is to be performed. Bidder will not need to submit a Request for Change to use the alternate trucking subcontractors if Bidder contacted the primary trucking subcontractor first and then proceeded to contact the alternates in the order Bidder listed them on this section.

For purposes of meeting the project goals or subgoals at the *Compliance Plan* stage, the entire value of this scope of work shall be assigned to the primary trucking subcontractor. At contract closeout, MBE/WBE participation will be counted based on the actual usage of the primary and alternate trucking subcontractors.

## **Section VIII MBE/WBE *Compliance Plan* Check Sheet**

Please complete the MBE/WBE *Compliance Plan* Check Sheet with the information requested.

## **GOOD FAITH EFFORTS INSTRUCTIONS**

**(See Appendices B and D)**

The Bidder has a responsibility to make a portion of the work available to MBE/WBE subcontractors so as to facilitate meeting the goals or subgoals. If the Bidder cannot achieve the goals or subgoals, documentation of the Bidder's Good Faith Efforts to achieve the goals or subgoals must be submitted at the same time as the *Compliance Plan*. The SMBR Director will review the documentation provided and determine if the Bidder made sufficient Good Faith Efforts. That there may be some additional costs involved in soliciting and using MBEs and WBEs is not a sufficient reason for a Bidder's failure to meet the goals and subgoals, as long as such costs are reasonable. However, a Bidder is not required to accept a higher quote from a subcontractor in order to meet a goal or subgoal.

### **Contacting Potential MBE/WBE Subcontractors**

The City has determined the scopes of work for this project and provided an Availability List of all the MBE and WBE firms certified to perform those scopes. The Availability List is found at Appendix D and has two sections: *Vendors Within the Significant Local Business Presence (SLBP) Area* and *Vendors Outside the Significant Local Business Presence (SLBP) Area*. As part of Good Faith Efforts, Bidders **must** contact **all** the firms in the *Vendors Within the SLBP Area* section. Please note that every firm on the Availability List – within and outside the SLBP – is certified as an MBE or WBE for purposes of meeting the project goals, and Bidders are encouraged to contact all the firms. If a Bidder identifies an additional scope of work for this project, the Bidder must request an Availability List for that scope. The SMBR Director determines whether the Bidder has made sufficient Good Faith Efforts if goals or subgoals are not met.

**The City neither warrants the capacity nor guarantees the performance of any Firm indicated on the availability list.**

The availability list is sorted in numerical sequence by the National Institute of Governmental Purchasing (NIGP) Commodity Code. It includes all certified MBE/WBE vendors for the scopes of work identified by the City as being potentially applicable to this project. However, the availability list is not a comprehensive identification of all areas of potential subcontracting opportunities. If a Bidder identifies one or more work areas that are appropriate subcontracting opportunities that are not included on the availability list, the Bidder shall contact SMBR to request the availability of MBE and WBE Firms in those areas. Requests for supplemental availability lists will be evaluated as a part of the Bidder's Good Faith Efforts to meet the goals.

If the Bidder believes any of the work areas on the availability list are not applicable to the project's scope of work or if the Bidder believes that the lists are inaccurate, notify the authorized contact person of the concern. All the Bidders will be notified in writing of any inaccuracy by addendum to the solicitation. Concerns about a particular MBE/WBE's certification status may be addressed to SMBR at (512) 974-7600 or the SMBR Certification Division at (512) 974-7645. If the Bidder wants to use a certified subcontractor that does not appear on this list, Bidder may either request the certified subcontractor to furnish proof of certification and the specific work areas for which it has been certified or request such information from SMBR.

Appendix B shows the format for collecting required information from the subcontractors on the *Vendors Within SLBP Area* availability list. The information must be obtained at least seven (7) business days prior

to the submission of the *Compliance Plan*; alternate formats may be acceptable as long as they gather the same required information. Attached to the Subcontractor Vendor List at Appendix D is a list containing the names and addresses of all the MBE/WBE Firms in alphabetical order. This list is in label format and is designed to facilitate the printing of mailing labels.

The following codes are used on the availability lists:

|       |  |       |  |
|-------|--|-------|--|
| GND   | A firm's two-digit gender/ethnicity code (e.g., FA, MA, or FB)                           | LCTN  | A firm's two-digit location code (e.g., SL or TX)  |
| FA    | Female / Asian-American  | FN    | Female / Native American   |
| MA    | Male / Asian-American  | MN    | Male / Native American   |
| FB    | Female / African-American  | FW    | Female   |
| MB    | Male / African-American  | SL    | Significant Local Business Presence (SLBP)   |
| FH    | Female / Hispanic  | TX    | Outside SLBP   |
| MH    | Male / Hispanic  |       |  |
| MBE   | A firm certified as a Minority-owned Business Enterprise                                 | WBE   | A firm certified as a Woman-owned Business Enterprise                                    |
| M/WB  | A firm certified as both a Minority-owned & Woman-owned Business Enterprise              | W/MB  | A firm certified as both a Minority-owned & Woman-owned Business Enterprise              |
| M/WDB | A firm certified as a Minority-owned; Woman-owned; and Disadvantaged Business Enterprise | W/MDB | A firm certified as a Minority-owned; Woman-owned; and Disadvantaged Business Enterprise |

### **Good Faith Efforts Review**

If goals are not met, SMBR will examine the *Compliance Plan* and the Good Faith Efforts documentation submitted with the *Compliance Plan* to ensure that the Bidder made Good Faith Efforts to meet the project goals or subgoals. In determining whether the Bidder has made Good Faith Efforts, SMBR will consider, at a minimum, the Bidder's efforts to do the following:

- (A) Solicit certified MBE/WBE subcontractors with a Significant Local Business Presence (SLBP) and request a response from those interested subcontractors who believe they have the capability to perform the work of the contract through at least two reasonable, available, and verifiable means. The Bidder must solicit this interest more than seven (7) business days prior to submission of the Compliance Plan to allow sufficient time for the MBEs or WBEs to respond. (The date bids/proposals are due to the City should not be included in the seven day solicitation criteria.) The Bidder must take appropriate steps to follow up with subcontractors who respond. The Bidder must state a specific and verifiable reason for not contacting each certified Firm with a significant local business presence.
- (B) Provide interested MBEs/WBEs with adequate information about the plans, specifications, and requirements of the contract, including addenda, in a timely manner, to assist them in responding and submitting a bid.

- (C) Negotiate in good faith with interested MBEs/WBEs that have submitted bids/proposals to the Bidder. An MBE/WBE that has submitted a bid to a Bidder but has not been contacted within five (5) business days of submission of the bid may contact SMBR to request a meeting with the Bidder. Evidence of good faith negotiation includes the names, addresses, and telephone numbers of MBEs/WBEs that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why additional agreements could not be reached for MBEs/WBEs to perform the work. Bid shopping is prohibited.
- (D) Select portions of the work to be performed by MBEs/WBEs in order to increase the likelihood that the MBE/WBE goals or subgoals will be met. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate MBE/WBE participation, even when the Bidder might otherwise prefer to perform these work items with its own forces.
- (E) Publish solicitation notice in a local publication (i.e. newspaper, trade association publication, or via electronic/social media).
- (F) Use the services of available community organizations; minority persons/women contractors' groups; local, state, and federal minority persons/women business assistance offices; and other organizations as allowed on a case-by-case basis to provide assistance in the recruitment and placement of MBEs/WBEs.
- (G) Seek guidance from SMBR on any questions regarding compliance with this section.

The following factors may also be considered by SMBR in determining compliance through good faith efforts; however, they are not intended to be a mandatory checklist, nor are they intended to be exclusive or exhaustive:

- (A) Whether the Bidder made efforts to assist interested MBEs/WBEs in obtaining bonding, lines of credit, or insurance as required by the City or contractor.
- (B) Whether the Bidder made efforts to assist interested MBEs/WBEs in obtaining necessary equipment, supplies, materials, or related assistance or services.

In assessing minimum good faith efforts, SMBR may consider whether the Bidder sought assistance from SMBR on any questions related to compliance with this section. In addition, SMBR may also consider the performance of other Bidders successfully meeting the goals.

The ability or desire of a Bidder to perform the work of a contract with its own organization does not relieve the Bidder of the responsibility to make Good Faith Efforts.

Bidders may reject MBE/WBEs as unqualified only following thorough investigation of their capabilities. The MBE/WBE's membership or lack of membership in specific groups, organizations, or associations, and political or social affiliations (for example union or non-union employee status), are not legitimate causes for the rejection or non-solicitation of bids/proposals in the Bidder's efforts to meet the project goals or subgoals.

**At a minimum, the following should be submitted to support Good Faith Effort documentation (documentation is not limited to this list):**

- Fax logs, emails, and/or copies of documents sent to firms within the SLBP area.
- Copies of written correspondence to certified firms (include names, addresses, and other identifying information).
- Phone logs with responses (*Phone contacts, alone, will not be sufficient.*).
- Lists and copies of letters sent by mail, hand delivered, or e-mailed.
- Breakdown of negotiations made with certified firms.
- Copies of advertisements with local newspapers, trade associations, Chambers of Commerce and/or any other public media.
- Other communications regarding contacts with trade associations and Chambers of Commerce.

**The following additional Good Faith Efforts factors may also be considered**

- Copies of emails or phone logs regarding assistance in bonding, lines of credit, or insurance (as required by City or Contractor).
- Copies of emails or phone logs regarding assistance in obtaining equipment, supplies, materials, or services.
- Copies of all bids received in response to Bidder contacting other Firms.

**POST-AWARD INSTRUCTIONS**  
**(See Appendix C)**

**Letter of Intent**

The low Bidder according to the Certified Bid Tab is required to submit a signed and notarized Letter of Intent (LOI) from each subcontractor, supplier, or manufacturer that is identified in the *Compliance Plan* within three (3) business days after receipt of a written request by the City. LOIs are to be signed by both parties, and each signature is to be notarized. The LOIs must be in the format shown on the sample at Appendix C and must contain all information included in the sample. LOIs are required for all levels of subcontracting, and a separate LOI for each subcontractor, supplier, or manufacturer is required. **The amount and scope of work indicated on each LOI shall be the actual amount indicated on the Compliance Plan submitted with the bid and approved by the City.**

Changes to the *Compliance Plan* including additions, deletions, contract changes, or substitutions of subcontractors, suppliers, or manufacturers are permitted only after contract execution and only with prior written approval of SMBR. Request for changes to the *Compliance Plan* must be submitted on the *Request for Change of Compliance Plan Form* for all levels of subcontracting. LOIs must be submitted for all additions of subcontractors, suppliers, or manufacturers to the *Compliance Plan* prior to the start of work.

**Post-Award Monitoring**

The City will monitor post-award compliance information regarding the use of certified MBE/WBE Firm(s) listed on the *Compliance Plan*. The contractor will be required to submit post award reports detailing the utilization of all subcontractors. The reports and other information regarding post-award compliance will be discussed with the successful Bidder. The following information on Payment Verification, Change Order/Contract Amendments, and Progressive Sanctions provides an overview of some of the post-award monitoring process.

▪ **Payment Verification**

Bidders are advised that the contract resulting from this solicitation includes a subcontractor payments clause. This clause requires all subcontractors to be paid within ten (10) calendar days from the date that the prime contractor has been paid by the City for invoices submitted by subcontractors.

The prime contractor shall submit a *Subcontractor/Supplier Awards and Expenditures Report* to the project manager and/or contract administrator at the time specified by the managing department. The report shall be in the format required by the City and shall include all awards and payments to subcontractors for goods and services provided under the contract during the previous month. This report may be used by the City to verify utilization of and payment to MBEs and WBEs.

The prime contractor and/or any subcontractor whose subcontracts are being counted toward the MBE/WBE requirements shall allow the City access to records relating to the contract, including but not limited to, subcontracts, payroll records, tax information, and accounting records, for the purpose of determining whether the MBEs/WBEs are performing the scheduled subcontract work.

In determining achievement of MBE/WBE goals, the participation of an MBE/WBE subcontractor shall not be counted until the amount being counted toward the goal has been paid.

▪ **Change Order/Contract Amendments**

The goals on this contract shall also apply to change orders that require work beyond the scope(s) of trades originally required to accomplish the project. The contractor is required to make Good Faith Efforts to obtain MBE/WBE participation for additional scopes of work.

Change orders that do not alter the type of trades originally required to accomplish the project may be undertaken using the subcontractors already under contract to the prime contractor. Project managers will have automatic SMBR approval to authorize any change order that **increases** the contract amount for an **existing** certified subcontractor and is **within** the existing scope being performed by that subcontractor.

▪ **Progressive Sanctions**

The successful Bidder's *Compliance Plan* will be incorporated into the resulting contract with the City. As described in Section 16.5 of the 00700 General Conditions to the Contract, progressive sanctions may be imposed for failure to comply with Chapter 2-9A of the City Code, including:

- Providing false or misleading information to the owner in connection with the submission of a Bid, in responses to Requests for Qualifications or Requests for Proposals, in Good Faith Efforts documentation, in post award compliance, or in other Program operations;
- Substituting Subcontractors without first receiving approval for such substitutions, which may include the addition of an unapproved Subcontractor and failure to use a Subcontractor listed in the approved *Compliance Plan*; and
- Failure to comply with the approved *Compliance Plan* without an approved Request for Change, an approved Change Order, or other approved change to the Contract.

Please refer to Section 2-9A-25 of the City Code and SMBR Rule 11.5 for additional information.

**IFB – MBE/WBE COMPLIANCE PLAN**  
*All sections (I-VIII) must be completed and submitted prior to the due date in the solicitation documents*

**Section I — Project Identification and Goals**

|                            |  |
|----------------------------|--|
| <b>Project Name</b>        | 2013 Miscellaneous Streets Slurry Seal And Micro-Surfacing P |
| <b>Solicitation Number</b> | IFB 6100 CLMC422   |

| Project Goals or Subgoals |           |   |
|---------------------------|-----------|---|
| MBE                       | 9.90      | % |
| African American          | N/A       | % |
| Hispanic                  | N/A       | % |
| Native/Asian American     | N/A / N/A | % |
| WBE                       | 0.11      | % |

**Section II — Prime Company Information**

|                                  |   |
|----------------------------------|---|
| Name of Company                  |   |
| Address                          |   |
| City, State Zip                  |   |
| Phone                            |   |
| Fax                              |   |
| Name of Contact Person           |   |
| Is prime company City certified? | Yes <input type="checkbox"/> No <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> MBE/WBE Joint Venture <input type="checkbox"/> |

I certify that the information included in this Compliance Plan is true and complete to the best of my knowledge and belief. I further understand and agree that this Compliance Plan shall become a part of my contract with the City of Austin.

\_\_\_\_\_  
Name and Title of Authorized Representative

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

|   |            |
|---|------------|
| <b>For SMBR Use Only:</b>   |            |
| I have reviewed this compliance plan and found that the Bidder HAS <input type="checkbox"/> or HAS NOT <input type="checkbox"/> complied as per the City Code Chapter 2-9A. |            |
| Reviewing Counselor _____   | Date _____ |
| Director/Assistant Director _____   | Date _____ |

Section III — Compliance Plan Summary

**Note:**

- Fill in all the blanks.
- For project participation numbers use an EXACT number. DO NOT USE: approximate, plus or minus (+ -), up to, to be determined (TBD), < >, or any other qualifying language.
- Compliance plans not complying with these requirements shall be rejected as non-responsive.

Total Base Bid (if applicable): \$ \_\_\_\_\_

| Goals: Proposed Participation |    |   |
|-------------------------------|----|---|
| MBE                           | \$ | % |
| WBE                           | \$ | % |
| Non-Certified                 | \$ | % |

| SubGoals: Proposed Participation |    |   |
|----------------------------------|----|---|
| African American                 | \$ | % |
| Hispanic                         | \$ | % |
| Native/Asian American            | \$ | % |
| WBE                              | \$ | % |
| Non-Certified                    | \$ | % |

Bidder's own participation in base bid (less any amount subcontracted):

Amount: \$ \_\_\_\_\_ Percentage: \_\_\_\_\_%

Are the stated goals or subgoals of the solicitation met? (If no, attach documentation of Good Faith Efforts)

Yes  No

**For SMBR Use Only:**

Verified Goals OR Subgoals:

MBE \_\_\_\_\_ % WBE \_\_\_\_\_ %

African-American \_\_\_\_\_ %; Hispanic \_\_\_\_\_ %; Native/Asian American \_\_\_\_\_ %; WBE \_\_\_\_\_ %

**Section IV — Disclosure of MBE and WBE Participation**  
Duplicate As Needed

**Note:**

- Fill in all the blanks.
- For project participation numbers use an EXACT number. DO NOT USE: approximate, plus or minus (+ -), up to, to be determined (TBD), < >, or any other qualifying language.
- Compliance plans not complying with these requirements shall be rejected as non-responsive.
- Fill in names of MBE/WBE Certified Firms as registered with the City of Austin.

|                                   |                              |                              |                     |
|-----------------------------------|------------------------------|------------------------------|---------------------|
| Name of MBE/WBE Certified Firm    |                              |                              |                     |
| City of Austin Certified          | MBE <input type="checkbox"/> | WBE <input type="checkbox"/> | Ethnic/Gender Code: |
| Vendor Code                       |                              |                              |                     |
| Address/ City / State / Zip       |                              |                              |                     |
| Contact Person                    | Phone #:                     |                              |                     |
| Amount of Subcontract             | \$                           |                              | %                   |
| Commodity codes/describe services |                              |                              |                     |

|                                   |                              |                              |                     |
|-----------------------------------|------------------------------|------------------------------|---------------------|
| Name of MBE/WBE Certified Firm    |                              |                              |                     |
| City of Austin Certified          | MBE <input type="checkbox"/> | WBE <input type="checkbox"/> | Ethnic/Gender Code: |
| Vendor Code                       |                              |                              |                     |
| Address/ City / State / Zip       |                              |                              |                     |
| Contact Person                    | Phone #:                     |                              |                     |
| Amount of Subcontract             | \$                           |                              | %                   |
| Commodity codes/describe services |                              |                              |                     |

|                                   |                              |                              |                     |
|-----------------------------------|------------------------------|------------------------------|---------------------|
| Name of MBE/WBE Certified Firm    |                              |                              |                     |
| City of Austin Certified          | MBE <input type="checkbox"/> | WBE <input type="checkbox"/> | Ethnic/Gender Code: |
| Vendor Code                       |                              |                              |                     |
| Address/ City / State / Zip       |                              |                              |                     |
| Contact Person                    | Phone #:                     |                              |                     |
| Amount of Subcontract             | \$                           |                              | %                   |
| Commodity codes/describe services |                              |                              |                     |

|                                   |                              |                              |                     |
|-----------------------------------|------------------------------|------------------------------|---------------------|
| Name of MBE/WBE Certified Firm    |                              |                              |                     |
| City of Austin Certified          | MBE <input type="checkbox"/> | WBE <input type="checkbox"/> | Ethnic/Gender Code: |
| Vendor Code                       |                              |                              |                     |
| Address/ City / State / Zip       |                              |                              |                     |
| Contact Person                    | Phone #:                     |                              |                     |
| Amount of Subcontract             | \$                           |                              | %                   |
| Commodity codes/describe services |                              |                              |                     |

Section V — Disclosure of Non-Certified Subcontractors

Duplicate As Needed

**Note:**

- Fill in all the blanks.
- For project participation numbers use an EXACT number. DO NOT USE: approximate, plus or minus (+ -), up to, to be determined (TBD), < >, or any other qualifying language.
- Compliance plans not complying with these requirements shall be rejected as non-responsive.
- Fill in names of Non-Certified Subcontractors as registered with the City of Austin.

Will non-certified subcontractors/suppliers be used? Yes  No

|                                   |          |
|-----------------------------------|----------|
| Subcontractor                     |          |
| Vendor Code                       |          |
| Address/ City / State / Zip       |          |
| Contact Person                    | Phone #: |
| Amount of Subcontract             | \$ %     |
| Commodity codes/describe services |          |
| Reason MBE/WBE not used           |          |

|                                   |          |
|-----------------------------------|----------|
| Subcontractor                     |          |
| Vendor Code                       |          |
| Address/ City / State / Zip       |          |
| Contact Person                    | Phone #: |
| Amount of Subcontract             | \$ %     |
| Commodity codes/describe services |          |
| Reason MBE/WBE not used           |          |

|                                   |          |
|-----------------------------------|----------|
| Subcontractor                     |          |
| Vendor Code                       |          |
| Address/ City / State / Zip       |          |
| Contact Person                    | Phone #: |
| Amount of Subcontract             | \$ %     |
| Commodity codes/describe services |          |
| Reason MBE/WBE not used           |          |

|                                   |          |
|-----------------------------------|----------|
| Subcontractor                     |          |
| Vendor Code                       |          |
| Address/ City / State / Zip       |          |
| Contact Person                    | Phone #: |
| Amount of Subcontract             | \$ %     |
| Commodity codes/describe services |          |
| Reason MBE/WBE not used           |          |

Section VI Disclosure of Second-Level Subcontractors

Duplicate as Needed

- Note:**
- Fill in all the blanks.
  - For project participation numbers use an EXACT number. DO NOT USE: approximate, plus or minus (+ -), up to, to be determined (TBD), < >, or any other qualifying language.
  - Compliance plans not complying with these requirements shall be rejected as non-responsive.
  - Fill in names of Second-Level Subcontractors as registered with the City of Austin.

|                                    |   |
|------------------------------------|---|
| Second-Level Subcontractor         |   |
| City of Austin Certified?          | No <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Ethnic/Gender Code: |
| Vendor Code                        |   |
| Address/ City / State / Zip        |   |
| Contact Person                     | Phone #:  |
| Amount of Second-Level Subcontract | \$ %  |
| Commodity codes/describe services  |   |
| First-Level Subcontractor          |   |

|                                    |   |
|------------------------------------|---|
| Second-Level Subcontractor         |   |
| City of Austin Certified?          | No <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Ethnic/Gender Code: |
| Vendor Code                        |   |
| Address/ City / State / Zip        |   |
| Contact Person                     | Phone #:  |
| Amount of Second-Level Subcontract | \$ %  |
| Commodity codes/describe services  |   |
| First-Level Subcontractor          |   |

|                                    |   |
|------------------------------------|---|
| Second-Level Subcontractor         |   |
| City of Austin Certified?          | No <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Ethnic/Gender Code: |
| Vendor Code                        |   |
| Address/ City / State / Zip        |   |
| Contact Person                     | Phone #:  |
| Amount of Second-Level Subcontract | \$ %  |
| Commodity codes/describe services  |   |
| First-Level Subcontractor          |   |

|                                    |   |
|------------------------------------|---|
| Second-Level Subcontractor         |   |
| City of Austin Certified?          | No <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Ethnic/Gender Code: |
| Vendor Code                        |   |
| Address/ City / State / Zip        |   |
| Contact Person                     | Phone #:  |
| Amount of Second-Level Subcontract | \$ %  |
| Commodity codes/describe services  |   |
| First-Level Subcontractor          |   |

Section VII Disclosure of Primary and Alternate Trucking Subcontractors

Duplicate as Needed

**Note:**

- Fill in all the blanks.
- For project participation numbers use an EXACT number. DO NOT USE: approximate, plus or minus (+ -), up to, to be determined (TBD), < >, or any other qualifying language.
- *Compliance Plans* not complying with these requirements shall be rejected as non-responsive.
- Fill in the names of Trucking Subcontractors as registered with the City of Austin.

|                                   |   |
|-----------------------------------|---|
| Primary Trucking Subcontractor    |   |
| City of Austin Certified?         | No <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Ethnic/Gender Code: |
| Vendor Code                       |   |
| Address/ City / State / Zip       |   |
| Contact Person                    | Phone #:  |
| Amount of Subcontract             | \$ _____ %  |
| Commodity codes/describe services |   |

|                                  |   |
|----------------------------------|---|
| Alternate Trucking Subcontractor |   |
| City of Austin Certified?        | No <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Ethnic/Gender Code: |
| Vendor Code                      |   |
| Address/ City / State / Zip      |   |
| Contact Person                   | Phone #:  |

|                                  |   |
|----------------------------------|---|
| Alternate Trucking Subcontractor |   |
| City of Austin Certified?        | No <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Ethnic/Gender Code: |
| Vendor Code                      |   |
| Address/ City / State / Zip      |   |
| Contact Person                   | Phone #:  |

|                                  |   |
|----------------------------------|---|
| Alternate Trucking Subcontractor |   |
| City of Austin Certified?        | No <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Ethnic/Gender Code: |
| Vendor Code                      |   |
| Address/ City / State / Zip      |   |
| Contact Person                   | Phone #:  |

|                                  |   |
|----------------------------------|---|
| Alternate Trucking Subcontractor |   |
| City of Austin Certified?        | No <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Ethnic/Gender Code: |
| Vendor Code                      |   |
| Address/ City / State / Zip      |   |
| Contact Person                   | Phone #:  |

**SECTION VIII — MBE/WBE COMPLIANCE PLAN CHECK LIST**

The MBE/WBE *Compliance Plan* must be completed and submitted by the time specified in the solicitation documents. If the goals or subgoals were not achieved, Good Faith Efforts documentation must be submitted with the MBE/WBE *Compliance Plan*. All questions in Section VIII MUST be completed and submitted with the *Compliance Plan* if goals or subgoals are not met.

1. Were written notices sent to all MBE/WBEs from the Significant Local Business Presence (SLBP) availability list at least seven (7) business days prior to the submission of this *Compliance Plan*?

Yes  No

2. Were two separate methods used to contact all MBE/WBEs from the SLBP availability list at least seven (7) business days prior to the submission of this *Compliance Plan*? Please list the two methods used to contact MBE/WBEs. (i.e. fax, email, mail, and/or phone)

Yes  No

List Methods: \_\_\_\_\_

3. Were steps taken to follow up with interested MBE/WBEs? Yes  No

4. Were advertisements placed with a local publication? (i.e. newspaper, minority or women organizations, or electronic/social media)?

Yes  No

5. Were written notices sent to Minority or Women organizations? Yes  No

6. Were additional elements of work identified to achieve the goals or subgoals?

Yes  No

If yes, please explain: \_\_\_\_\_

\_\_\_\_\_

SECTION VIII — MBE/WBE COMPLIANCE PLAN CHECK LIST CONTINUED....

7. Was SMBR contacted for assistance? Yes  No

If yes, complete following:

Contact Person: \_\_\_\_\_

Date of Contact: \_\_\_\_\_

Summary of Request: \_\_\_\_\_

8. Were Minority or Women organizations contacted for assistance? Yes  No

If yes, complete following:

Organization(s): \_\_\_\_\_

Date of Contact: \_\_\_\_\_

Summary of Request: \_\_\_\_\_

9. Is the following documentation attached to support good faith effort requirements to achieve goals or subgoals? (*Documentation is not limited to this list.*)

Yes  No  Copy of written solicitation sent to MBE/WBEs in SLBP area.

Yes  No  Two separate methods of notices sent to MBE/WBEs in SLBP area (fax transmittals, emails, and/or phone log).

Yes  No  Copy of advertisements.

Yes  No  Copy of notices sent to Minority and Women organizations.

Yes  No  Documentation that demonstrates efforts made to reach agreements with the MBE/WBEs who responded to Bidder's written notice? (i.e. copy of bids/proposals, spreadsheet breakdown of MBE/WBEs considered follow-up emails/phone logs and/or correspondence between Bidder and interested MBE/WBEs).

**LETTER TO POTENTIAL SUBCONTRACTORS**

\_\_\_\_\_ is soliciting Minority and Women-Owned Business Enterprise participation for the following City of Austin project. Plans are available at the Austin area plan rooms, our office, and the locations listed in the Invitation for Bids.

Name of Project: \_\_\_\_\_

Project/Solicitation Number: \_\_\_\_\_

Location of Pre-bid Conference (if any): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Bid Date and Time: \_\_\_\_\_

**This Project Includes the Following Scopes of Service:**

- |   |   |
|---|---|
| <input type="checkbox"/> Asbestos Abatement           | <input type="checkbox"/> HVAC                           |
| <input type="checkbox"/> Carpentry                    | <input type="checkbox"/> Insulation                     |
| <input type="checkbox"/> Carpeting                    | <input type="checkbox"/> Lab and Field Testing Services |
| <input type="checkbox"/> Concrete                     | <input type="checkbox"/> Landscaping                    |
| <input type="checkbox"/> Demolition Services          | <input type="checkbox"/> Masonry                        |
| <input type="checkbox"/> Doors and Frames             | <input type="checkbox"/> Millwork                       |
| <input type="checkbox"/> Drilling                     | <input type="checkbox"/> Painting                       |
| <input type="checkbox"/> Drywall                      | <input type="checkbox"/> Paving and Resurfacing         |
| <input type="checkbox"/> Electrical                   | <input type="checkbox"/> Plumbing                       |
| <input type="checkbox"/> Excavation Services          | <input type="checkbox"/> Roofing                        |
| <input type="checkbox"/> Fabricated Steel             | <input type="checkbox"/> Stone                          |
| <input type="checkbox"/> Flooring                     | <input type="checkbox"/> Tile                           |
| <input type="checkbox"/> Glazing Services             | <input type="checkbox"/> Weather and Waterproofing      |
| <input type="checkbox"/> Hardware                     | <input type="checkbox"/> Welding                        |
| <input type="checkbox"/> Heavy Construction Equipment | <input type="checkbox"/> Windows                        |
| <input type="checkbox"/> Other _____                  | <input type="checkbox"/> Other _____                    |

Contact our office for detailed information on the scopes of work being subcontracted and the relevant terms and conditions of the contract.

Please contact: \_\_\_\_\_ at \_\_\_\_\_ or \_\_\_\_\_  
 (Name) (Telephone) (Fax)

All bids MUST be received by: \_\_\_\_\_

LETTER OF INTENT

Name of Prime Contractor: \_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip Code

Telephone: (\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_) \_\_\_\_\_ Proposed Contract Amount: \$ \_\_\_\_\_

Project/Solicitation Number: \_\_\_\_\_

Project Name: \_\_\_\_\_

Type of Agreement (check one):  Lump Sum  Unit Price  Commodity

Period of Performance: \_\_\_\_\_ Level of Subcontracting (check one):  1<sup>st</sup>  2<sup>nd</sup>  3<sup>rd</sup>

Legal Name of Subcontractor\*: \_\_\_\_\_

Subcontractor\* Vendor Code: \_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip Code

Telephone: (\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_) \_\_\_\_\_ Proposed Subcontract Amount: \$ \_\_\_\_\_

Commodity Code and description of work to be performed by Subcontractor Firm:

The Prime Contractor and the Subcontractor listed above agree that the Prime Contractor has provided the Subcontractor with a copy of the City's prevailing wage requirements.

Prime Contractor:

Subcontractor:

\_\_\_\_\_  
Legal Name of Firm, as registered with the City

\_\_\_\_\_  
Legal Name of Firm, as registered with the City

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_  
SUBSCRIBED AND SWORN TO before me on the  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_  
SUBSCRIBED AND SWORN TO before me on the  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Notary Public

\*Including Suppliers or Manufacturers

**CITY OF AUSTIN  
Subcontract Vendor List - VCRCVS**

Solicitation No.: IFB 6100 CLMC422 2013 Miscellaneous Streets Slurry Seal And Micro-Surfacing P  
Version No.: 1 Phase: 1

| C Code & Description | Vend Code/Adr | Phone/Fax/Email | W/MB Code | G/E | LCTN |
|----------------------|---------------|-----------------|-----------|-----|------|
|----------------------|---------------|-----------------|-----------|-----|------|

**Vendors Within the SLBP Area**

|  |   |  |     |             |    |
|--|---|--|-----|-------------|----|
| 5507818 BARRICADES, TRAFFIC, PORTABLE                    | CEN7157640<br>CENTRAL TEXAS BARRICADE INC<br>Po Box 1088<br>Bastrop Tx 78602-1088     | 512-581-9555<br>512-303-9977<br>centraltexasbarricades@msn.com | MWB | F/Hispanic  | SL |
|  | EAS7169470<br>EASY DRIVE STAKE INC<br>Suite H<br>Austin Tx 78744                      | 512-447-9879<br>512-916-8099<br>WRODRIGUEZ@EASYDRIVE.NET       | MDB | M/Hispanic  | AU |
| 74502 Asphalt, AC (Asphalt/Cement)                       | V00000902872<br>Eduardo Zuniga, Jr.<br>10232 English Oak Drive<br>Austin Tx 78748     | 5129393787<br>trucking@power-hauling.com                       | MDB | M/Hispanic  | AU |
|  | VC0000101859<br>JB ASPHALT PAVING & GRADING<br>LLC<br>Po Box 92856<br>Austin Tx 78709 | 512-851-7202<br>512-288-1560<br>NORMA@JBASPHALTANDGRADING.COM  | MDB | M/Hispanic  | AU |
| 74584 Slurry Seal  | VC0000101859<br>JB ASPHALT PAVING & GRADING<br>LLC<br>Po Box 92856<br>Austin Tx 78709 | 512-851-7202<br>512-288-1560<br>NORMA@JBASPHALTANDGRADING.COM  | MDB | M/Hispanic  | AU |
| 91276 Striping Streets, Parking Facilities, Lane Divisio | V00000900503<br>Alpha Paving Industries LLC<br>Po Box 6565<br>Round Rock Tx 78664     | 5126779001<br>5126779002<br>andrew@alphapavingtexas.com        | MDB | M/Asian     | SL |
|  | DES8312935<br>DESA P. HINDS<br>3543 North Us Hwy 281<br>Burnet Tx 78611               | 512-755-0198<br>desa_hinds25@yahoo.com                         | WDB | F/Caucasian | LO |

Addendum No. 2

**CITY OF AUSTIN  
Subcontract Vendor List - VCRCVS**

Solicitation No.: IFB 6100 CLMC422 2013 Miscellaneous Streets Slurry Seal And Micro-Surfacing P  
Version No.: 1 Phase: 1

| C Code & Description  | Vend Code/Adr | Phone/Fax/Email   | W/MB Code | G/E         | LCTN |
|---|---------------|---|-----------|-------------|------|
| VC0000102916<br>FRANCES TORRES<br>10506 Brownie Dr<br>Austin Tx 78753                     |               | 512-659-5855<br>TORRESSTRIPING@HOTMAIL.COM                    | MWDB      | F/Hispanic  | AU   |
| VC0000101859<br>JB ASPHALT PAVING & GRADING<br>LLC<br>Po Box 92856<br>Austin Tx 78709     |               | 512-851-7202<br>512-288-1560<br>NORMA@JBASPHALTANDGRADING.COM | MDB       | M/Hispanic  | AU   |
| LEY8304176<br>LNV INC<br>Suite C220<br>Austin Tx 78746                                    |               | 512-381-8333<br>512-381-8334<br>ssmith@lnvinc.com             | MDB       | M/Hispanic  | AU   |
| ZET7161210<br>ZETA GROUP INC<br>Po Box 40157<br>Austin Tx 78704-0003                      |               | 512-928-9382<br>512-928-9383<br>luis@zetagroupinc.com         | MDB       | M/Hispanic  | AU   |
| <b>9135082 SURFACE COURSE, BITUMINOUS CONCRETE CLASS I. THIS</b>                          |               |   |           |             |      |
| V00000900503<br>Alpha Paving Industries LLC<br>Po Box 6565<br>Round Rock Tx 78664         |               | 5126779001<br>5126779002<br>andrew@alphapavingtexas.com       | MDB       | M/Asian     | SL   |
| LEY8304176<br>LNV INC<br>Suite C220<br>Austin Tx 78746                                    |               | 512-381-8333<br>512-381-8334<br>ssmith@lnvinc.com             | MDB       | M/Hispanic  | AU   |
| MYE8321732<br>MYERS CONCRETE<br>CONSTRUCTION LP<br>Po Box 2928<br>Wimberley Tx 78676-2928 |               | 512-847-8000<br>512-847-3831<br>MARGI@MYERSCONCRETE.COM       | WB        | F/Caucasian | SL   |
| VC0000101184<br>TRAVIS PAVING & EXCAVATING INC<br>1190 Fm 969<br>Bastrop Tx 78602         |               | 512-303-9888<br>512-303-9977<br>TRAVISPAE@AOL.COM             | MWDB      | F/Hispanic  | SL   |
| <b>9139632 CRACK SEALING. THIS WORK SHALL CONSIST OF SEALING</b>                          |               |   |           |             |      |
| ARM7140925<br>ARMOR SEALANTS &<br>FIRESTOPPING<br>Po Box 5160<br>Round Rock Tx 78683-5160 |               | 512-671-9727<br>512-671-9757<br>tom@armorsealants.com         | MB        | M/Hispanic  | SL   |

Addendum No. 2

Subcontract Vendor List - VCRCVS

Solicitation No.: IFB 6100 CLMC422 2013 Miscellaneous Streets Slurry Seal And Micro-Surfacing P  
 Version No.: 1 Phase: 1

| C Code & Description  | Vend Code/Adr | Phone/Fax/Email   | W/M/B Code | G/E                | LCTN |
|---|---------------|---|------------|--------------------|------|
| VS000026130<br>Armadio Works, LLC<br>7801 N Lamar Blvd #B161<br>Austin Tx 78752           |               | 512-418-0800<br>512-231-0024<br>rene_a_salazar@yahoo.com      | MB         | M/Hispanic         | AU   |
| BOO0747500<br>BOO THE BROTHERS PAVING CO<br>5155 Fm 3237<br>Wimberley Tx 78676            |               | 512-847-6324<br>512-847-6402<br>boothebothers@gmail.com       | WDB        | F/Caucasian        | SL   |
| CED7142775<br>CEDA-TEX SVCS INC<br>1703 Dungan Lane<br>Austin Tx 78754                    |               | 512-918-1368<br>512-335-1995<br>CEDATEX98@YAHOO.COM           | MB         | M/African American | AU   |
| DES8312935<br>DESA P. HINDS<br>3543 North Us Hwy 281<br>Burnet Tx 78611                   |               | 512-755-0198<br>512-756-1569<br>desa_hinds26@yahoo.com        | WDB        | F/Caucasian        | LO   |
| FOU7151270<br>FOUR-B PAVING<br>Po Box 1065<br>Spring Branch Tx 78070-1065                 |               | 830-228-5849<br>830-228-5869                                  | DB         | F/Caucasian        | LO   |
| VC0000101859<br>JB ASPHALT PAVING & GRADING<br>LLC<br>Po Box 92856<br>Austin Tx 78709     |               | 512-851-7202<br>512-288-1560<br>NORMA@JBASPHALTANDGRADING.COM | MDB        | M/Hispanic         | AU   |
| MUN7143465<br>MUNIZ CONCRETE &<br>CONTRACTING INC<br>Po Box 6596<br>Austin Tx 78762       |               | 512-385-2334<br>512-389-1446<br>rudy@munizcontracting.com     | MDB        | M/Hispanic         | AU   |
| MYE8321732<br>MYERS CONCRETE<br>CONSTRUCTION LP<br>Po Box 2928<br>Wimberley Tx 78676-2928 |               | 512-847-8000<br>512-847-3831<br>MARC@MYERSCONCRETE.COM        | WB         | F/Caucasian        | SL   |

Addendum No. 2

**City of Austin  
Subcontract Vendor List - VCRCVS**

Solicitation No.: IFB 6100 CLMC422 2013 Miscellaneous Streets Slurry Seal And Micro-Surfacing P  
Version No.: 1 Phase: 1

| C Code & Description | Vend Code/Adr | Phone/Fax/Email | W/MB Code | G/E | LCTN |
|----------------------|---------------|-----------------|-----------|-----|------|
|----------------------|---------------|-----------------|-----------|-----|------|

**Vendors Outside the SLBP Area**

|                                       |  |  |    |             |    |
|---------------------------------------|--|--|----|-------------|----|
| 5507818 BARRICADES, TRAFFIC, PORTABLE | VS000028351<br>5M Rope & Supply, LLC<br>2505 Max Road<br>Pearland Tx 77581     | 281-997-3330<br>281-997-9755<br>flickym@5mrope.com       | MB | M/Asian     | TX |
|                                       | SAF4069750<br>SAFETY SUPPLY INC<br>11827 Tech Com #114<br>San Antonio Tx 78233 | 800-873-9033<br>800-873-9036<br>joan@safetysupplyinc.com | WB | F/Caucasian | TX |

**74584 Slurry Seal**

|   |   |     |            |    |
|---|---|-----|------------|----|
| STA8309511<br>STANDARD CEMENT MATERIALS<br>INC<br>5710 W 34th St Ste A<br>Houston Tx 77092-6520 | 713-680-0482<br>713-680-1017<br>mtamez@standardcement.com | MDB | M/Hispanic | TX |
|---|---|-----|------------|----|

**9139632 CRACK SEALING. THIS WORK SHALL CONSIST OF SEALING**

|   |   |     |                    |    |
|---|---|-----|--------------------|----|
| STA8309511<br>STANDARD CEMENT MATERIALS INC<br>5710 W 34th St Ste A<br>Houston Tx 77092-6520                | 713-680-0482<br>713-680-1017<br>mtamez@standardcement.com | MDB | M/Hispanic         | TX |
| STR8309656<br>STRUCTURAL CONCRETE SYSTEMS<br>LLC<br>20810 Imperial Oak Dr<br>Magnolia Tx 77355-5523         | 281-583-7776 10<br>281-583-0110<br>info@scs.net           | WDB | F/Caucasian        | TX |
| TUN8302125<br>TUNNELS & SHAFTS<br>CONSTRUCTION CONTRACTORS INC<br>9322 Bertwood St<br>Houston Tx 77016-4732 | 713-631-9251<br>713-633-9242                              | MDB | M/African American | TX |

Total in SLBP: 24  
Total Outside SLBP: 6

Addendum No. 2

5m Rope & Supply, Llc  
2505 Max Road  
Pearland Tx 77581

Armor Sealants & Firestopping  
Po Box 5160  
Round Rock Tx 78683-5160

Alpha Paving Industries Llc  
Po Box 6565  
Round Rock Tx 78664

Armadillo Works, Llc  
7801 N Lamar Blvd #B161  
Austin Tx 78752

Boothe Brothers Paving Co  
5155 Fm 3237  
Wimberley Tx 78676

Ceda-Tex Svcs Inc  
1703 Dungan Lane  
Austin Tx 78754

Central Texas Barricade Inc  
Po Box 1088  
Bastrop Tx 78602-1088

Desa P. Hinds  
3543 North Us Hwy 281  
Burnet Tx 78611

Easy Drive Stake Inc  
4111 Todd Lane Suite H  
Austin Tx 78744

Eduardo Zuniga, Jr.  
10232 English Oak Drive  
Austin Tx 78748

Four-B Paving  
Po Box 1065  
Spring Branch Tx 78070-1065

Frances Torres  
10506 Brownie Dr  
Austin Tx 78753

Jb Asphalt Paving & Grading Llc  
Po Box 92856  
Austin Tx 78709

Lnv Inc  
1101 Capital Of Tx Hwy S Suite C220  
Austin Tx 78746

Muniz Concrete & Contracting Inc  
Po Box 6596  
Austin Tx 78762

Myers Concrete Construction Lp  
Po Box 2928  
Wimberley Tx 78676-2928

Safety Supply Inc  
11827 Tech Com #114  
San Antonio Tx 78233

Standard Cement Materials Inc  
5710 W 34th St Ste A  
Houston Tx 77092-6520

Structural Concrete Systems Llc  
20810 Imperial Oak Dr  
Magnolia Tx 77355-5523

Travis Paving & Excavating Inc  
1190 Fm 969  
Bastrop Tx 78602

Tunnels & Shafts Construction Contractors Ir  
9322 Bertwood St  
Houston Tx 77016-4732

Zeta Group Inc  
Po Box 40157  
Austin Tx 78704-0003