

BA ✓
CPW ✓
PA ✓

Cory Logan
Rachel



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Signature Copy

Resolution: 21-1191-RES

File Number: 21-0317

Enactment Number: 21-1191-RES

A Resolution to Accept the Bid Submitted by Ameriseal of Ohio, Inc. in the amount of \$486,293.55 for the Runway 18/36 & Taxiway A Pavement Maintenance Project at the Foley Municipal Airport

WHEREAS, bids were solicited and received on Tuesday, April 20, 2021 at 10 a.m. for the Runway 18/36 & Taxiway A Pavement Maintenance Project at the Foley Municipal Airport, and,

WHEREAS, bids were received from Axtell's, Inc., Dortch, Figures & Sons, Inc., and Ameriseal of Ohio, Inc., and,

WHEREAS, the bids from Axtell's Inc. and Dortch, Figures & Sons, Inc. were both determined to contain errors and/or irregularities that deemed them as non-responsive; therefore disqualifying the bids, and,

WHEREAS, Ameriseal of Ohio, Inc., the remaining bidder, submitted the lowest, responsible bid in the amount of \$486,293.55.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Foley, Alabama, as follows:

SECTION 1: Accepts the lowest, responsible bid submitted by Ameriseal of Ohio, Inc. in the amount of \$486,293.55.

SECTION 2: Appropriates \$486,293.55 plus a 10% contingency in the amount of \$48,629.36 for a total of \$534,922.91 to account 400-1070-5106 R63 CONST.

SECTION 3: This Resolution shall become effective immediately upon its adoption as required by law.

PASSED, APPROVED AND ADOPTED this 21st day of June, 2021.



President's Signature

[Signature]

Date

6-21-21

Attest By City Clerk

[Signature]

Date

6-21-21

Mayor's Signature

[Signature]

Date

6/21/21

Volkert, Inc.
1110 Montlimar Drive, Suite 1050
Mobile, Alabama 36609
(251) 342-1070
www.volkert.com

VOLKERT

April 21, 2021

VIA E-MAIL

Ms. Rachel Keith
Project & Risk Manager/EMA Director
City of Foley
407 East Laurel Avenue
Foley, Alabama 36530

A.I.P. No. 3-01-0031-020-2021
Contract No. 1059403.19
Runway 18/36 & Taxiway A Pavement Maintenance
at Foley Municipal Airport
Foley, Alabama

Dear Ms. Keith:

Sealed bids were received by the City of Foley at Foley City Hall until 10:00 a.m. on Tuesday, April 20, 2021 for the above referenced project. The bids were opened and publicly read aloud by the Engineer of Record, Volkert, Inc. Please find the attached Tabulation of Bids describing the unit cost for each item specified within the proposed contract. The following is a summary of the bids submitted.

CONTRACTOR	BASE BID	ALT 1	ALT 2	BASE BID + ALT 1 + ALT 2
Axtell's, Inc.	\$ 315,870.90	\$ 61,811.50	\$ 32,238.75	\$ 409,921.15
Dortch, Figures & Sons, Inc.	\$ 347,804.00	\$ 66,340.00	\$ 36,121.25	\$ 450,265.25
Ameriseal of Ohio, Inc.	\$ 380,521.80	\$ 69,303.00	\$ 36,468.75	\$ 486,293.55

We have reviewed the bids and found the following errors and/or irregularities:

1. Axtell's, Inc.

- The Contractor did not meet the 7% DBE goal established for this project and did not submit a Good Faith Effort for consideration.
- The Contractor is considered a Woman Owned Business; however, they are not certified as a Disadvantaged Business Enterprise in the State of Alabama.

2. Dortch, Figures & Sons, Inc.

- The Contractor did not meet the requirements of Division III, Section 80-01 of the Contract Documents and Specifications which states, "The Contractor shall perform with his organization, an amount of work equal to at least 25 percent of the total contract cost."

3. Ameriseal of Ohio, Inc.

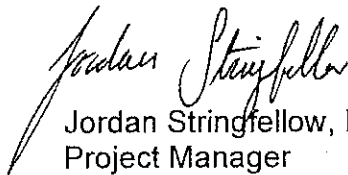
- The Contractor had no errors or irregularities.

All bidders have been found to be in compliance with the license requirements set by the Alabama Licensing Board for General Contractors. See the attached email from Andy Earl.

Please review the bids and irregularities and determine which Contractor the City would like to proceed with for the grant application. Once determined, please notify us and we will prepare the grant application accordingly.

Please call should you have any questions regarding these items.

Sincerely,
VOLKERT, INC.



Jordan Stringfellow, P.E.
Project Manager

JHS/

Attachment

VOLKERT

From: Earl, Andy
To: Stringfellow, Jordan
Subject: RE: Project 1059403 - Bid Proposals - Runway 18/36 & Taxiway A Pavement Maintenance at Foley Municipal Airport
Date: Wednesday, April 21, 2021 1:29:10 PM

EXTERNAL EMAIL. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Jordan,

Sorry, I have been in hearing all morning. The three bidders appear to be in compliance

From: Stringfellow, Jordan <jordan.stringfellow@volkert.com>
Sent: Wednesday, April 21, 2021 9:09 AM
To: Earl, Andy <Andy.Earl@genconbd.alabama.gov>
Subject: Project 1059403 - Bid Proposals - Runway 18/36 & Taxiway A Pavement Maintenance at Foley Municipal Airport

Mr. Andy,

We received three bid proposals at the bid opening yesterday for Project No. 1059403 – Runway 18/36 & Taxiway A Pavement Maintenance at the Foley Municipal Airport.

The project will consist of crack and joint sealing, application of a thermoplastic coal tar emulsion slurry seal, and installation of new markings on Runway 18/36 and Taxiway A.

Would you please review the proposals and determine if each of the bidders is qualified and properly licensed to perform this work?

The proposals were too large to send via email. The link below will allow you to download each proposal:

https://volkertcompany-my.sharepoint.com/:f/g/personal/jordan_stringfellow_volkert_com/EruvltD2J5tNp6qZ7JGSAuEBSpywY86tPZ43OwFtLNdAdA?e=9KOJHw

Please give me a call if you have any questions.

Thanks,

Jordan Stringfellow, P.E.

Project Engineer | [Volkert, Inc.](#)

1110 Montlimar Dr., Suite 1050, Mobile, AL 36609

251.342.1070 x1321 | cell: 251.605.6020 | jordan.stringfellow@volkert.com

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the intended recipient, be aware that any disclosure, dissemination, distribution, copying or use of the contents of this message is strictly prohibited. If you have received this message in error, please notify Volkert immediately at our corporate office (251) 342-1070. Thank you for your cooperation.

CITY OF FOLEY
 TABULATION OF BIDS RECEIVED APRIL 20, 2021
 A.I.P. NO. 3-01-0031-020-2021
 PROJECT NO. 1059403.19
 RUNWAY 18/36 & TAXIWAY A PAVEMENT MAINTENANCE
 at FOLEY MUNICIPAL AIRPORT

				1 Axtell's, Inc.		2 Dortch, Figures & Sons Inc.		3 Ameriseal of Ohio, Inc.		4 Engineer's Estimate	
Item No.	Item Description	Quantity	Unit	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
BASE BID											
FAA PAY ITEMS											
C-105	MOBILIZATION (MAX. 10% OF BASE BID)	1	LS	\$30,000.00	\$30,000.00	\$31,500.00	\$31,500.00	\$25,000.00	\$25,000.00	\$35,250.00	\$35,250.00
P-101-5.2	JOINT AND CRACK REPAIR	32102	LF	\$0.95	\$30,496.90	\$0.75	\$24,076.50	\$2.15	\$69,019.30	\$2.15	\$69,019.30
P-620-5.1	SURFACE PREPARATION (REMOVE EXISTING MARKINGS)	30000	SF	\$1.25	\$37,500.00	\$1.40	\$42,000.00	\$0.75	\$22,500.00	\$0.40	\$12,000.00
P-620-5.2	SURFACE PREPARATION (PREPARATION OF NEW SURFACE)	34850	SF	\$0.10	\$3,465.00	\$0.30	\$10,395.00	\$0.20	\$6,930.00	\$0.40	\$13,880.00
P-620-5.3	PERMANENT MARKING, WHITE, WATERBORNE TYPE I	23500	SF	\$0.85	\$19,975.00	\$0.75	\$17,625.00	\$1.11	\$26,085.00	\$1.30	\$30,550.00
P-620-5.4	PERMANENT MARKING, YELLOW, WATERBORNE TYPE I	2400	SF	\$1.90	\$4,560.00	\$1.15	\$2,760.00	\$1.11	\$2,664.00	\$1.30	\$3,120.00
P-620-5.5	PERMANENT MARKING, BLACK NON-REFLECTORIZED, WATERBORNE TYPE I	8750	SF	\$0.50	\$4,375.00	\$1.15	\$10,062.50	\$1.11	\$9,712.50	\$1.30	\$11,375.00
P-620-5.6	REFLECTIVE MEDIA, TYPE III	2300	LB	\$5.25	\$12,075.00	\$5.00	\$11,500.00	\$7.80	\$17,940.00	\$7.80	\$17,940.00
P-620-5.7	TEMPORARY MARKING, WHITE, WATERBORNE TYPE I	23500	SF	\$0.45	\$10,575.00	\$0.75	\$17,625.00	\$1.11	\$26,085.00	\$1.00	\$23,500.00
P-620-5.8	TEMPORARY MARKING, YELLOW, WATERBORNE TYPE I	2400	SF	\$1.00	\$2,400.00	\$1.15	\$2,760.00	\$1.11	\$2,664.00	\$1.00	\$2,400.00
P-629-8.1	THERMOPLASTIC COAL TAR EMULSION SAND SLURRY SEAL	34780	SY	\$4.55	\$158,249.00	\$5.00	\$173,900.00	\$4.90	\$170,422.00	\$4.65	\$161,727.00
CONSTRUCTION PAY ITEMS											
SP-5	AIRFIELD BARRICADE	20	EA	\$30.00	\$600.00	\$130.00	\$2,600.00	\$50.00	\$1,000.00	\$250.00	\$5,000.00
SP-6	RUNWAY CLOSURE X	2	EA	\$800.00	\$1,600.00	\$500.00	\$1,000.00	\$250.00	\$500.00	\$1,000.00	\$2,000.00
ADD. ALT. 1											
FAA PAY ITEMS											
C-105	MOBILIZATION (MAX. 10% OF ADD. ALT. 1)	1	LS	\$8,000.00	\$8,000.00	\$2,000.00	\$2,000.00	\$4,500.00	\$4,500.00	\$6,340.00	\$6,340.00
P-101-5.2	JOINT AND CRACK REPAIR	4020	LF	\$0.95	\$3,819.00	\$1.50	\$6,030.00	\$2.15	\$8,643.00	\$2.15	\$8,643.00
P-620-5.1	SURFACE PREPARATION (REMOVE EXISTING MARKINGS)	1400	SF	\$1.25	\$1,750.00	\$1.40	\$1,960.00	\$0.75	\$1,050.00	\$0.40	\$560.00
P-620-5.2	SURFACE PREPARATION (PREPARATION OF NEW SURFACE)	4200	SF	\$0.10	\$420.00	\$0.30	\$1,260.00	\$0.20	\$840.00	\$0.40	\$1,680.00
P-620-5.4	PERMANENT MARKING, YELLOW, WATERBORNE TYPE I	1400	SF	\$1.90	\$2,660.00	\$1.15	\$1,610.00	\$1.11	\$1,554.00	\$1.30	\$1,820.00
P-620-5.5	PERMANENT MARKING, BLACK NON-REFLECTORIZED, WATERBORNE TYPE I	2800	SF	\$0.50	\$1,400.00	\$1.15	\$3,220.00	\$1.11	\$3,108.00	\$1.30	\$3,640.00
P-620-5.6	REFLECTIVE MEDIA, TYPE III	130	LB	\$5.25	\$682.50	\$5.00	\$650.00	\$7.80	\$1,014.00	\$7.80	\$1,014.00
P-620-5.8	TEMPORARY MARKING, YELLOW, WATERBORNE TYPE I	1400	SF	\$1.00	\$1,400.00	\$1.15	\$1,610.00	\$1.11	\$1,554.00	\$1.00	\$1,400.00
P-629-8.1	THERMOPLASTIC COAL TAR EMULSION SAND SLURRY SEAL	9600	SY	\$4.55	\$43,680.00	\$5.00	\$48,000.00	\$4.90	\$47,040.00	\$4.65	\$44,640.00

CITY OF FOLEY
 TABULATION OF BIDS RECEIVED APRIL 20, 2021
 A.I.P. NO. 3-01-0031-020-2021
 PROJECT NO. 1059403.19
 RUNWAY 18/36 & TAXIWAY A PAVEMENT MAINTENANCE
 at FOLEY MUNICIPAL AIRPORT

				1 Axtell's, Inc.		2 Dortch, Figures & Sons Inc.		3 Ameriseal of Ohio, Inc.		4 Engineer's Estimate	
Item No.	Item Description	Quantity	Unit	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
	ADD. ALT. 2										
	FAA PAY ITEMS										
C-105	MOBILIZATION (MAX. 10% OF ADD. ALT. 2)	1	LS	\$3,000.00	\$3,000.00	\$2,000.00	\$2,000.00	\$3,500.00	\$3,500.00	\$3,240.00	\$3,240.00
P-101-5.2	JOINT AND CRACK REPAIR	1225	LF	\$0.95	\$1,163.75	\$2.05	\$2,511.25	\$2.15	\$2,633.75	\$2.15	\$2,633.75
P-620-5.1	SURFACE PREPARATION (REMOVE EXISTING MARKINGS)	900	SF	\$1.25	\$1,125.00	\$1.40	\$1,260.00	\$0.75	\$675.00	\$0.40	\$360.00
P-620-5.2	SURFACE PREPARATION (PREPARATION OF NEW SURFACE)	2700	SF	\$0.10	\$270.00	\$0.30	\$810.00	\$0.20	\$540.00	\$0.40	\$1,080.00
P-620-5.4	PERMANENT MARKING, YELLOW, WATERBORNE TYPE I	900	SF	\$1.90	\$1,710.00	\$1.15	\$1,035.00	\$1.11	\$999.00	\$1.30	\$1,170.00
P-620-5.5	PERMANENT MARKING, BLACK NON-REFLECTORIZED, WATERBORNE TYPE I	1800	SF	\$0.50	\$900.00	\$1.15	\$2,070.00	\$1.11	\$1,998.00	\$1.30	\$2,340.00
P-620-5.6	REFLECTIVE MEDIA, TYPE III	80	LB	\$5.25	\$420.00	\$5.00	\$400.00	\$7.80	\$624.00	\$7.80	\$624.00
P-620-5.8	TEMPORARY MARKING, YELLOW, WATERBORNE TYPE I	900	SF	\$1.00	\$900.00	\$1.15	\$1,035.00	\$1.11	\$999.00	\$1.00	\$900.00
P-629-8.1	THERMOPLASTIC COAL TAR EMULSION SAND SLURRY SEAL	5000	SY	\$4.55	\$22,750.00	\$5.00	\$25,000.00	\$4.90	\$24,500.00	\$4.85	\$23,250.00
	Total Base Bid Amount				\$315,870.90		\$347,804.00		\$380,521.80		\$387,741.30
	Total Additive Alternate 1 Amount				\$61,811.50		\$66,340.00		\$69,303.00		\$69,737.00
	Total Additive Alternate 2 Amount				\$32,238.75		\$35,121.25		\$36,468.75		\$35,597.75
	Total Base Bid + Additive Alternate 1 + Additive Alternate 2 Amount				\$409,921.15		\$450,265.25		\$486,293.55		\$493,076.05

I, Jordan Stringfellow, P.E., Volkert, Inc., do hereby certify that this tabulation of bids received by the City of Foley on April 20, 2021 for construction of the herein referenced project, is a true and correct copy of the bids submitted by the within named corporations.

 04-21-2020
 Jordan Stringfellow, P.E.
 Project Manager
 Volkert, Inc.



HELMSING
LEACH
ATTORNEYS AT LAW

CASEY PIPES
jcp@helmsinglaw.com

May 21, 2021

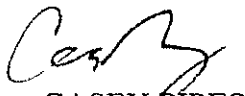
VIA EMAIL (peter@axtells.com) and U.S. MAIL
AXTELL'S, Inc.
c/o Peter C. Mills, Jr.
1586 Heart Lake Rd.
Jermyn, PA 18433

RE: City of Foley-Foley Airport Runway 18/36 Rehabilitation

Dear Mr. Mills:

Thank you for your letter of May 14, 2021 and for your bid on this project. The City's position is that Axtell's bid is not response due to its failure to meet the DBE requirements. Thank you for your time.

Very truly yours,



CASEY PIPES

cc: Logan Eberly
Rachel Keith
Jordan Stringfellow

JCP/mcn

Phone 251-432-5521 | Fax 251-432-0633 | www.HelmsingLaw.com
Post Office Box 2767, Mobile, AL 36652 | 150 Government Street, Suite 2000, Mobile, AL 36602

HELMSING LEACH HERLONG NEWMAN & ROUSE, PC