

REQUEST FOR BOARD ACTION

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: September 7, 2010

SUBJECT: Construction Management Update

ATTACHMENTS: Yes

SUMMARY OF REQUEST:

Attached is the Henderson County Facility Projects Monthly Status Report from David H. Berry & Associates, LLC.

BOARD ACTION REQUESTED:

This presentation is being made to provide information to the Board of Commissioners. No specific Board action is requested.

Suggested Motion:

No motion suggested.

David H. Berry & Associates, LLC
A Construction Management Company

August 30, 2010

Henderson County
Hendersonville, NC 28792

RE: Henderson County Facility Projects Monthly Status Report

This monthly report is a review of the scope of our assigned construction management responsibilities and includes specific updates in regard to county funded construction activities. This report is a continuation of county construction activity statuses.

Henderson County School Projects

We and the school staff continue to work together diligently on the completion of the 2009-2010 school project work. Only a few of the seventy seven (77) projects that were included in the budgeted four million dollars of Henderson County Public Schools Facility Projects are still ongoing and remain to be completed.

The following are the statuses of the listed school projects which required Architectural/Engineer designs to be able to bid and perform the work. Those projects included Roof Replacements, HVAC System Repairs/Replacements, Paving, and Electrical Upgrades.

Roof Replacements: All listed Roof Replacement projects have now been completed with the exception of Hendersonville High and West High which should be completed this week.

HVAC and Mechanical Systems Repairs/Replacements: All listed HVAC and Mechanical Systems Repairs/Replacements projects have now been completed with the exception of #11, Flat Rock Middle boiler replacement, #12, Rugby Middle boiler replacement and the separately budgeted HVAC Piping Repairs at Apple Valley/North Henderson. The HVAC piping project only lacks minor punch list components to be addressed and corrected. Projects 11 & 12 are expected to be completed this week.

School Paving Projects: All listed Paving projects including repairs, replacements, or paving overlays have been completed.

School Electrical Projects: All listed Electrical projects have now been completed.

School Window Replacement Projects: All listed Window Replacement/Repair Projects have now been completed.

Miscellaneous School Projects: All Miscellaneous School Projects which included Classroom renovations, Cooler/Freezer projects, and Office Renovation, have all been completed.

NOTE: All other projects that did not require Architectural/Engineering designs to be able to bid and perform the work have been completed.

NOTE: The cumulative total project cost for the seventy seven (77) projects estimated and projected to be completed with the allocated budgeted four million was achieved.

Henderson County School Staff: Although 99% of 2009 & 2010 budget items are complete we continue to assist Henderson County School Staff with facility projects allowed for with 2010-2011 budgeted funds.

Apple Valley/North Henderson Schools Expansion: Construction continues with Beam Construction and Moseley Architects. The overall project includes three buildings. Building One is the main new two story building. Building Two is the cafeteria addition. Building Three is the locker room addition. Although the delays with underground unforeseen issues at Building One are now behind us there has been a continuing concern in regard to the overall performance of the general contractor. The concerns which primarily included the perception of a lack of man power on the project and quality control issues were recently and formally brought to the attention of Beam Construction. Beam has now responded by increasing man power, revising schedules, and taking corrective action as needed and where directed. We, School Staff, and Moseley Architects are monitoring the situation carefully and will continue to keep the County abreast of the situation and status of the project.

Henderson County Projects

Law Complex/County Administration Building/1995 Courthouse: Bids for the Henderson County Law Enforcement Center were received on August 17, 2010. The bids were very competitive and within budget. The spread from the bid tab ranged from \$6,400,129 to \$7,149,991 with the apparent low bidder being J. E. Dunn Construction. All of the bids and required submitted bid documents were reviewed and checked by Moseley Architects. Experience references and qualifications for J.E. Dunn have since been checked out and a letter of recommendation, dated August 23, 2010 (please see attached), was sent to the County Manager. A total cost projection for the project will be presented at the upcoming September 7th Board of Commissioners meeting. It will include the total costs to date inclusive of all necessary preliminary studies (i.e. traffic studies, environmental testing, etc), submittals, surveys, demolition, and design, as well as the construction bid and the estimated fee required for independent construction testing. Proposals for the independent testing will be submitted by invited bidders on

September 1st. We will be requesting a directive from the Board of Commissioners at the September 7th meeting for Henderson County to contract with J.E. Dunn Construction, the low bid contractor, for the construction of the new Henderson County Law Enforcement Center.

Old Health Department: Bids for the renovation of the old Health Department Building were received on August 10, 2010. The bids were very competitive and within budget. The spread from the bid tab ranged from \$1,334,200 to \$1,695,500 including all of the bid alternates. The apparent low bidder is H & M Constructors. All bids and required submitted bid documents were reviewed and checked by Moseley Architects. A letter of recommendation dated August 30, 2010 (please see attached), was sent to the County Manager. A total cost projection for the project will be presented at the upcoming September 7th Board of Commissioners meeting. It will include the total costs to date inclusive of all necessary preliminary studies (i.e. environmental testing, asbestos abatement, etc), submittals, and surveys, as well as the construction bid and the estimated fee required for independent construction testing. We will be requesting a directive from the Board of Commissioners at the September 7th meeting for Henderson County to contract with H & M Constructors, the low bid contractor, for the construction of the renovation of the Henderson County Old Health Department Building.

2010 Solid Waste Capital Improvements: Bids for the Stoney Mountain Road Landfill Capital Improvements Project are currently being advertised. The bid date for the project is October 5, 2010. We will assist Henderson County staff in anyway necessary on this project.

Tuxedo Mill Demolition: A recommendation to the Board of Commissioners to contract with Mark Pace Construction, the low bidder, for the demolition of the Tuxedo Mill was previously presented. A directive from the board to contract with Mark Pace Construction was given provided he would honor his submitted bid price. Mark Pace Construction agreed to honor his bid price and we are now under contract with them. Henderson County Attorney Russ Burrell assisted with the procurement of the contract. All necessary permits, insurances, and bonds are in place and the demolition has started. It should be noted that it was discussed and recommended that once the demolition is complete, a Phase II Site Assessment study should be performed to determine if there is any evidence of soil contamination before the county proceeds with any plans of obtaining ownership of the property.

Park Maintenance Projects: As per the request and directive of the Henderson County Board of Commissioners a priority listing for the best use of the budgeted \$750,000 for park projects was established by me, Tim Hopkins, and Marcus Jones. At the specially called meeting on August 19th the board, based on our recommendations, budget numbers, and community comment, made the decision on exactly which projects the approved funds would be used for. The majority of the projects are Jackson Park repairs and renovations. Instructions were received to obtain pricing for all approved projects

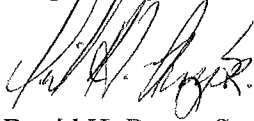
and report back to the board. The survey and design work necessary to perform the projects at Jackson Park is the first listed project. This has already been priced and released. These costs are under estimated budgeted amounts included in the project listing estimates.

Blue Ridge Community College

Bids for the project work at BRCC are currently being advertised. The project is inclusive by building of all project work they had listed and included to be funded by county funds for the 2009-2010 fiscal year. All required state approvals have now been obtained. A mandatory pre-bid meeting is schedule for August 31st, with bids to be submitted on September 16, 2010. We look forward to receiving the bids and working with BRCC in getting this work started and completed.

Please feel free to contact me at any time should you have any questions in regard to the information contained in this report.

Respectfully submitted,



David H. Berry, Sr.
Construction Manager

MOSELEYARCHITECTS

CHARLOTTE
HARRISONBURG
RALEIGH-DURHAM
RICHMOND
VIRGINIA BEACH
WARRENTON

August 23, 2010

**Steve Wyatt
County Manager
Henderson County, NC
1 Historic Courthouse Square, Suite #2
Hendersonville, NC 28792**

Re: Henderson County Law Enforcement Center - Bid Package

Dear Mr. Wyatt,

Moseley Architects is pleased to present to Henderson County the bid tabulation for the Henderson County Law Enforcement Center. The tabulation of bids is enclosed for your reference. This Project received very good bidders' attention and response, as there were over 50 plan holders (27 General Contractors) and 20 actual bidders. All base bids were within your construction budget. Also, the base bid plus all alternates were under budget for 17 of the 20 bidders. Therefore, it appears at this time that the Henderson County Law Enforcement Center may be built with all the proposed alternates.

The apparent low bid was provided by Dunn Southeast (JE Dunn Construction). Their base bid, plus all the bid alternates, amounted to \$6,400,129. A review of the contractor's license of this bidder reveals it is "active" and is classified as "Building". To the best of our knowledge, this bidder submitted its bid in accordance with the requirements of the bidding documents. You may wish to have your attorney confirm that the legal requirements for award of bid have been complied with.

As a requirement of the Contract Documents, the Contractor awarded the Contract must provide a Performance Bond and a Payment Bond as required by State law, to provide the protection to the Owner required by statute.

Therefore, Dunn Southeast (JE Dunn Construction) appears to have met the bidding requirements. Moseley Architects is not aware of any reason the County should not award this contract to Dunn Southeast (JE Dunn Construction).

Sincerely,



Dan Mace, AIA, LEED AP
Vice President,
MOSELEY ARCHITECTS, PC

MOSELEY ARCHITECTS

Project: Henderson County Law Enforcement Center				Architect's Commission No.: 493970				Bids Receipt Time: August 17, 2010 at 2:00 PM Bids Opening Time: Immediately thereafter				
General Contractor Name	Sealed Envelope (Y/N)	List of Subcontractors (Y/N)	Base Bid Price	Total Base Bid Price	Add Alt #1	Add Alt #2	Add Alt #3	Receipt of Addenda (Y/N)	GC License # (Y/N)	Minority Business Utilization Commitment Form (Y/N)	BID BOND (Y/N)	A305 (Y/N)
Brantley Construction Company, LLC	Y	Y	\$6,762,000.00	\$6,925,691.00	\$69,400.00	\$23,900.00	\$125,000.00	Y	Y	Y	Y	Y
China Construction America of SC, Inc.	Y	Y	\$6,680,000.00	\$6,680,000.00	\$65,975.00	\$28,460.00	\$118,000.00	Y	Y	Y	Y	Y
Cooper Construction Company, Inc.	Y	Y	\$8,445,000.00	\$6,571,505.00	\$69,600.00	\$30,000.00	\$125,000.00	Y	Y	Y	Y	Y
Edison Ford, Inc.	Y	Y	\$6,380,000.00	\$6,538,420.00	\$50,000.00	\$99,000.00	\$110,000.00	Y	Y	Y	Y	Y
H & M Constructors	Y	Y	\$6,619,000.00	\$6,747,050.00	\$66,300.00	\$28,600.00	\$119,400.00	Y	Y	Y	Y	Y
Hickory Construction Company	Y	Y	\$8,380,000.00	\$6,539,795.00	\$50,700.00	\$99,800.00	\$105,100.00	Y	Y	Y	Y	Y
JE Dunn Construction	Y	Y	\$6,072,000.00	\$6,230,420.00	\$49,000.00	\$21,708.00	\$100,000.00	Y	Y	Y	Y	Y
John S. Clark Company, LLC	Y	Y	\$6,515,685.00	\$6,650,000.00	\$50,900.00	\$100,700.00	\$108,000.00	Y	Y	Y	Y	Y
M.B. Kahn Construction Co.	Y	Y	\$6,612,135.00	\$6,685,000.00	\$69,600.00	\$30,000.00	\$125,000.00	Y	Y	Y	Y	Y
McCarroll Construction, Inc.	Y	Y	\$5,641,615.00	\$6,799,645.00	\$83,600.00	\$16,200.00	\$155,700.00	Y	Y	Y	Y	Y
Mellott-Blamley Construction	Y	Y	\$6,728,570.00	\$6,880,000.00	\$67,000.00	\$29,000.00	\$119,000.00	Y	Y	Y	Y	Y
New Atlantic Contracting Inc.	Y	Y	\$6,471,135.00	\$6,619,000.00	\$30,000.00	\$29,200.00	\$122,000.00	Y	Y	Y	Y	Y
Perry Bartsch, Jr. Construction Co.	Y	Y	\$6,562,000.00	\$6,724,940.00	\$65,000.00	\$28,000.00	\$120,980.00	Y	Y	Y	Y	Y
R.L. Casey, Inc.	Y	Y	\$6,531,135.00	\$6,679,000.00	\$50,400.00	\$99,750.00	\$105,000.00	Y	Y	Y	Y	Y
Randolph & Son Builders, Inc.	Y	N	\$6,143,999.00	\$6,295,529.00	\$50,760.00	\$100,460.00	\$105,750.00	Y	Y	Y	Y	Y
Shelco	Y	Y	\$6,276,130.00	\$6,393,000.00	\$49,500.00	\$98,000.00	\$100,000.00	Y	Y	Y	Y	Y
Shiel Sexton Company, Inc.	Y	Y	\$6,239,000.00	\$6,398,795.00	\$67,900.00	\$29,000.00	\$121,000.00	Y	Y	Y	Y	Y
Southside Constructors, Inc.	Y	Y	\$6,410,280.00	\$6,568,700.00	\$49,440.00	\$100,300.00	\$105,600.00	Y	Y	Y	Y	Y
VCC	Y	Y	\$6,461,000.00	\$6,617,550.00	\$55,000.00	\$105,000.00	\$115,000.00	Y	Y	Y	Y	Y
Wetly Building Company LLC	Y	Y	\$6,119,135.00	\$6,267,000.00	\$71,500.00	\$30,850.00	\$128,000.00	Y	Y	Y	N	Y

I certify this to be a true & accurate copy of the bids:

Dan Maco, AIA, Vice President
 Mosley Architects

Bid Alt #1: Interview Room Recording System
 Bid Alt #2: Proprietary Access Control System; Hirsch Electronics
 Bid Alt #3: Generator

MOSELEYARCHITECTS

CHARLOTTE
HARRISONBURG
RALEIGH-DURHAM
RICHMOND
VIRGINIA BEACH
WARRENTON

August 30, 2010

**Steven D. Wyatt
County Manager
Henderson County
1 Historic Courthouse Square
Hendersonville, North Carolina 28792**

Re: Old Health Building Renovation – Bid Package

Dear Mr. Wyatt,

Moseley Architects is pleased to present to Henderson County the bid tabulation for the Old Health Building Renovation bid package, which was received on August 10, 2010. The tabulation of bids is enclosed for your review, and is located on the Moseley Projects website as well. The public bidding for this project received very good bidders' attention and response, as there were over 16 plan holders and 11 actual bidders. The bid spread among all bidders was very reasonable and the spread between the top five bidders was less than \$70,000. This is important to note because it appears the bidders were consistent with their understanding of the Bidding Documents, and that the bids were competitive. The three lowest base bids were submitted by the following firms:

Lowest submitted bid	H&M Constructors
Second lowest submitted bid	Cooper Construction Company, Inc.
Third lowest submitted bid	Davie Construction Co.

The apparent low bid was provided by H&M Constructors. Their base bid, plus all the bid alternates, amounts to \$1,334,200. A review of the Contractor's license of this Bidder reveals it is "active" and is classified as "Building", "General Contractor" and the financial limitation per project is "unlimited". Also reviewed, and included with their bid, were two of their "In progress and Under Contract" projects. We contacted the Architectural teams for each project, and found that their past and present observations of H&M Constructors are very positive.

The Bidder provided a bid bond with his bid as well. It is customary to retain the Bid Bonds of those Bidders who are under consideration and return the others. The Bid Bonds that are retained are usually held until a Contract is executed and the Contractor has furnished the required performance and payment bonds, and then the Bid Bonds are returned. In consultation with your attorney, you may wish to retain them all until the award is made.

Old Health Building Renovation – Bid Package

Page 2

August 26, 2010

A few informalities were noted with the Bid of H&M Constructors, which led to discussions with Henderson County of their contractual obligation to waiver. H&M Constructors has been requested by Moseley Architects, on behalf of Henderson County, to provide information regarding the informalities of the Bid, so that compliance with the Bidding Documents can be confirmed. This Bidder has responded to the request for information about the informalities, and in our professional opinion, has provided the requested information. Further, it is also our professional opinion that this Bidder does not appear to have any competitive advantage or benefit over the other Bidders as a result of the informalities or the information provided in response to our request.

Therefore, to the best of our knowledge, information and belief, we are not aware of any reason the County should not award this contract to H&M Constructors, and if necessary, waive any informalities of the Bid. Please call if you have any questions or if we may be of further assistance.

Sincerely,



Dan Mace, AIA, LEED ap
Vice President,

Enclosure

cc: Russell Burrell, County Attorney
Steve Wyatt, County Manager
David Berry, County Construction Manager
Marcus Jones, County Engineer
Bryan Rider, Moseley Architects

MOSELEYARCHITECTS

A PROFESSIONAL CORPORATION

Project: Henderson County Old Health Building Renovation	Architect's Commission No.: 492971	Bid Receipt Time: August 10, 2010 at 2:00 PM Bus Opening Time: Immediately thereafter
--	------------------------------------	--

General Contractor Name	Sealed Envelope (Y/N)	List of Subcontractor's (Y/N)	Base Bid Price	Total Base Bid Price	Add Alt #1	Add Alt #2	Add Alt #3	Receipt of Addenda (Y/N)	OC License #	Minority Business Utilization Commitment Form (Y/N)	BID BOND (Y/N)	A305 (Y/N)
Cooper Construction Company, Inc.	Y	Y	\$1,108,400.00	\$1,144,710.00	\$29,500.00	\$157,300.00	\$19,000.00	Y	Y	Y	Y	Y
Davis Construction Company	Y	Y	\$1,109,785.00	\$1,180,641.00	\$25,372.11	\$159,216.00	\$18,832.00	Y	Y	Y	Y	Y
Ecowise Construction	Y	Y	\$1,104,000.00	\$1,167,007.00	\$53,000.00	\$165,000.00	\$18,500.00	Y	Y	Y	Y	Y
Edison Ford, Inc.	Y	Y	\$1,230,000.00	\$1,288,700.00	\$45,000.00	\$133,000.00	\$20,400.00	Y	Y	Y	Y	Y
G E M. Constructors, Inc.	Y	Y	\$1,174,780.00	\$1,236,627.00	\$27,814.00	\$169,360.00	\$32,476.00	Y	Y	Y	Y	N
H & M Constructors	Y	Y	\$1,094,160.00	\$1,095,000.00	\$96,700.00	\$162,500.00	\$19,000.00	Y	Y	Y	Y	Y
Harfield Builders Inc.	Y	Y	\$1,258,000.00	\$1,360,398.00	\$98,394.00	\$173,421.00	\$21,541.00	Y	Y	N	Y	Y
Hickory Construction Company	Y	Y	\$1,152,000.00	\$1,189,850.00	\$48,380.00	\$155,500.00	\$19,900.00	Y	Y	Y	Y	Y
McCarroll Construction, Inc.	Y	Y	\$1,228,000.00	\$1,279,100.00	\$26,500.00	\$159,600.00	\$18,800.00	Y	Y	Y	Y	Y
Merleth Construction Corporation	Y	Y	\$1,123,871.00	\$1,189,800.00	\$27,700.00	\$160,740.00	\$18,100.00	Y	Y	Y	Y	Y
Sherman Construction	Y	Y	\$1,275,150.00	\$1,400,000.00	\$124,000.00	\$163,000.00	\$18,500.00	Y	Y	Y	Y	Y

I certify this to be a true & accurate copy of the bids.

For Dan Mace, AIA, Vice President

Moseley Architects

Bid Alt #1: Asphalt Overlay

Bid Alt #2: Partial Existing Roof Removal and Replacement

Bid Alt #3: Proprietary Access Control System; Hish Electronics