



☒ AMENDMENT OF SOLICITATION  
☐ MODIFICATION OF CONTRACT

City of New Braunfels  
Purchasing  
550 Landa Street  
New Braunfels, Texas 78130

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<b>1. Solicitation No.</b>  RFB 24-018 Common Street Pedestrian Improvements	<b>2. Contract No.</b>	<b>3a. Amendment No.</b> 1 <b>3b. Modification No.</b>	<b>4. Effective Date of this Action</b>  8-May-24
<b>5. Name and Address of Offeror or Contractor</b>		<b>6. For Information Call:</b> Barbara Coleman Purchasing Manager Phone No.: 830-221-4389 Email: <a href="mailto:bcoleman@newbraunfels.gov">bcoleman@newbraunfels.gov</a>	<b>7. Amount of Contract/Order is:</b> Increased by: Decreased by: \$ _____ New Total: <input type="checkbox"/> Unchanged
<b>8. THIS BLOCK APPLIES TO AMENDMENTS OF SOLICITATIONS ONLY:</b>  The above numbered solicitation is amended as set forth in Block 10 below. <input checked="" type="checkbox"/> The date and time specified for receipt of offers IS NOT extended. <input type="checkbox"/> <b>THE DATE AND TIME SPECIFIED FOR RECEIPT OF OFFERS IS CHANGED TO:</b>  Offerors must acknowledge receipt of this amendment prior to the date and time specified in the solicitation or as amended by one of the following methods: (i) By completing Blocks 5 and 11 and returning this Amendment in the number of copies specified for the solicitation; (ii) By acknowledging receipt of this Amendment on each copy of the bid submitted; or, (iii) By separate letter, telegram, or fax referencing the solicitation and amendment.  If by virtue of this Amendment offeror desires to change an offer already submitted, such change may be made by letter or email, provided each such notice makes reference to the solicitation AND this Amendment and is received prior to the date and time specified.  <b>NOTICE: NON-RECEIPT OF YOUR OFFER AND THIS AMENDMENT AT THE DESIGNATED PLACE WITHIN THE DATE AND TIME SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER.</b>			
<b>9. THIS BLOCK APPLIES TO MODIFICATIONS TO CONTRACTS, DELIVERY OR PURCHASE ORDERS ONLY.</b>  The above numbered Contract, Delivery, or Purchase order is modified as set forth in block 10 below. <input type="checkbox"/> This Change Order is issued in accordance with authority granted by instrument referenced in block 2. <input type="checkbox"/> The instrument in Block 2 is modified to reflect administrative changes. <input type="checkbox"/> This Supplemental Agreement is entered into pursuant to the Authority of: General Provision #2 Changes. <input type="checkbox"/> Other (Specify type of modification and authority): _____ <input type="checkbox"/> CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT. <input type="checkbox"/> Contractor is not required to sign this document but is requested to acknowledge receipt.			
<b>10. DESCRIPTION OF CHANGES:</b>  <b>a. This addendum is issued to provide the minutes to the Pre-Bid Conference hosted on May 3, 2024 at 10 a.m. and answers to questions received before the close of the discovery period on May 6, 2024 at 5:00 p.m. CDT.</b>  <b>- Attached are:</b> <ul style="list-style-type: none"><li>o Minutes to the Pre-Bid Conference</li><li>o Updated plans for the revised EPIC/SWP3 sheets</li></ul> <b>- Clarifications:</b> <ul style="list-style-type: none"><li>o that Certificate of Insurability (not TxDOT Form 1560) required with bid</li><li>o Stormwater Management Program Acknowledgment (Exhibit 15) required with bid</li><li>o References were made to TxDOT SP 506-001L, TPDES permitting requirements, and the SWPPP (sheets 30-37 and 90-95) in the plans</li><li>o This is a Federal-aid and TxDOT-approved project and is subject to relevant Federal and State laws and provisions (it is contractor's responsibility to know and comply with all provisions in the contract); this includes but is not limited to:<ul style="list-style-type: none"><li>* Buy America: only US-produced iron, steel, manufactured products, and construction materials permanently incorporated into the project</li><li>* Davis-Bacon and Contract Work Hours and Safety Standards: monthly work site audits and weekly certified payrolls</li><li>* Subletting / Own Work and Commercially Useful Function requirements</li><li>* Licensed Electrician certification</li></ul></li></ul>			
- Continued -			



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**- Questions & Answers:**

Q1. If any irrigation is found in the limits of construction what will be the process for the contract to follow regarding this?

A1. Remove and cap if it presents an obstruction to proposed features (protect/preserve if not in conflict); included in Preparing ROW item.

Q2. Is the Bid Item for Adjusting Water Meter Box To Match Finish Grade Of Sidewalk included in Item 479-6003 Adjusting Manholes and Inlets?

A2. Yes, Item 479-6003 should be priced to include adjusting communications manholes and water valve/meter boxes as identified in the plans. Water valve/meter boxes should be adjusted according to NBU standards.

Q3. Would the Adjusting Water Meter only include a vertical adjustment of the water meter box? No horizontal adjustment of actual adjustment of the meter or water piping?

A3. Adjustments may include horizontal adjustment if feasible to not conflict with walking surface of sidewalk and if sidewalk alignment cannot be adjusted around the meter box.

Q4. Will the days that are shown to not be able to have lane closures (like the Comal County Fair) have time extensions granted or will those days not be counted as a Working Day?

A4. Contractor will be expected to arrange their construction schedule to avoid lane closures on specified dates. No additional time extensions will be granted.

Q5. Can materials be stored in the Limits of Construction with fencing provided for protection? This would exclude areas in the 100 Year Flood Plain.

A5. Materials may be stored within the work site boundaries (outside of the 100-year floodplain) as long as pedestrian and vehicle access is maintained in accordance with the TCP. All material and equipment shall be protected by visible fencing, barricades, etc., or any combination thereof per TMUTCD, this protection shall also include the compliant nighttime reflectivity.

Except as provided herein, all terms and conditions of the document referenced above remain unchanged and in full force and effect.

11a. SIGNATURE OF OFFEROR OR CONTRACTOR		CITY OF NEW BRAUNFELS, TEXAS	
		<i>Barbara Coleman</i>	
11b. PRINTED NAME AND TITLE	11c. DATE	SIGNED Barbara Coleman Purchasing Manager	Date 8-May-24



## PRE-BID CONFERENCE - MINUTES

May 3, 2024 at 10:00 am

### 1. Announcement of Solicitation: IFB 1824-018 Common Street Pedestrian Improvements

Bid for construction for the Common Street Pedestrian Improvements in New Braunfels. This is a TxDOT oversight project receiving Federal Funds and managed by the City of New Braunfels.

#### A. Solicitation Schedule:

1. Date issued: April 14, 2024
2. Pre-Bid conference: May 3, 2024, 10:00 a.m.

[Join the meeting at this link](#)

Meeting ID: 224 493 295 645: Passcode: M6kfGw

**Dial-in by phone:** [+1 346-352-9877,,548429628#](#) United States, Houston | Phone conf. ID: 548 429 628#

3. All questions must be submitted via email to **Barbara Coleman** no later than **May 6, 2024** by **5:00 P.M. CDT**.
4. **All bids are due to New Braunfels City Hall, Office of the City Secretary – Attention: Purchasing, no later than 3:00 P.M. CDT on May 16, 2024. Bids will be read aloud at the New Braunfels City Hall and virtually:**

- a. All bids must be time stamped at the New Braunfels City Hall, Office of the City Secretary.
- b. Bids received after the time and date set for submission will not be accepted.

c. [Join the meeting at this link](#)

Meeting ID: 299 158 041 79 | Passcode: BGDYrk

**Dial-in by phone**

[+1 346-352-9877,,105916536#](#) United States, Houston |  
Phone conference ID: 105 916 536#

### 2. Introductions (Staff)

- A. Barbara Coleman, Purchasing – ***primary point of contact until the contract is awarded.***  
Phone: (830) 221-4389 Email: [BColeman@nbtexas.org](mailto:BColeman@nbtexas.org)
- B. Nathan Garza, Project Manager  
Phone: (830) 221-4082 Email: [NGarza@nbtexas.org](mailto:NGarza@nbtexas.org)
- C. Engineer: The Goodman Corporation  
Ashish Ghosh, P.E., Principal Engineer

### 3. Sign-In Sheet: Please provide your Company Name, Contact person, email, and phone # in the chat window of this Teams meeting.

### 4. Review of Bidding Procedures

#### A. Solicitation documents may be obtained at:

- BidNet Direct website, <http://www.bidnetdirect.com/texas>
- The City of New Braunfels' website, <https://www.nbtexas.org/2694/Solicitations>



## PRE-BID CONFERENCE - MINUTES

May 3, 2024 at 10:00 am

**B. Submission:** Bidders must follow bid instructions in Section B, the Invitation to Bid and Item 2L-Instruction to Bidders.

1. Eligibility – Bidders must be prequalified through TxDOT. Refer to TxDOT's website for prequalification requirements.
2. Delivery: City Secretary, Attn: Purchasing IFB – 24-018  
City of New Braunfels Project Name: Common St. Ped, Imp.  
550 Landa Street Due: May 14, 2024 at 3:00 pm CDT  
New Braunfels, TX 78130

**C. Required Proposal Documents:**

Companies responding to the Bid must follow the instructions below.

To achieve a uniform review process and to obtain a maximum degree of comparability, the City of New Braunfels requires that Bids be submitted with **1 original master (marked original) and one (1) electronic copy on USB. The following items need to be completed and returned with your Bid submission and shall be tabbed and labeled as indicated for consistency.**

**TAB 1 – Solicitation and Offer Form;** completed and signed.

**TAB 1 – Acknowledgment of Addenda,** if applicable.

**TAB 2 – Cover Letter:** Name and address of the Proposer, as well as a brief description of the firm and its history.

**TAB 3 – Bid Guaranty/Bid Bond** in an amount no less than five percent (5%) of price proposal - (Exhibit 10).

**TAB 4 – Bid Form** (Exhibit 1)

**TAB 5 – Plan and Schedule** as required in Exhibit 4

**TAB 6 - Qualifications of Proposer, Section Qualifications of Proposer** (Exhibit 4)

**TAB 6 - Contractors Certifications** (Exhibit 2)

**TAB 7 - DBE Certificate of DBE Goal Attainment – Section D** (pg. 155)

**TAB 7 - DBE -Summary of Proposed Participation Goals - 6%** (pg. 156)

**TAB 7 - DBE- TxDOT Form SMS 4904** (pg. 172)

**TAB 8 – Acceptable Documentation**

- One copy of Certificate of Insurability completed and signed
- Disclosure of Lobbying Activities (Exhibit 3)
- Certificate of Non-Suspension or Debarment (Exhibit 6)
- Child Support Statement (Exhibit 7)
- Conflict of Interest Questionnaire (Exhibit 8)
- TxDOT Form 1560 Certificate of Insurance (Exhibit 13)
- Stormwater Management Program Acknowledgment (Exhibit 15)

***Required after Selection and before contract award –***

- DBE Program Commitment – Section D pages 157-160
- Certificate of Interested Parties Form 1295 (Exhibit 11)
- Performance and Payment Bonds (Exhibit 10)



## PRE-BID CONFERENCE - MINUTES

May 3, 2024 at 10:00 am

- Certificate of Insurance (TxDOT Form 1560)
- City Contractor Agreement – Section C (pg. 143-149)

**D. Notice of Award** – The Owner will award, reject, or defer the Contract within 120 days after the opening of the bid. This bid requires City Council approval for award. It is the City's intent to request approval from City Council in June 2024.

### E. General Information

1. **THE PROJECT:** The Project is generally described as follows:

Common Street Sidewalk Pedestrian Improvements Project.  
Estimated cost of this project is \$1,583,000.

2. **WORK:** Contractor shall complete all Work as specified or indicated in the Plans, Specifications and Contract Documents. The Work is generally described as follows:

Construction of six-foot sidewalks on both sides of Common St from Liberty Ave to Loop 337 and installation of enhanced pedestrian crossings at key intersections. The work includes, but is not limited to, the following estimated quantities:

- 6,065 SY sidewalk
- 52 curb ramps
- 1,833 SY driveway reconstructions
- 593 LF of curb and curb/gutter
- 3,042 LF of 12" and 24" pavement markings
- 2 Pedestrian Hybrid Beacons (PHB)
- 25 utility adjustments (manholes, water meters/valves)
- Concrete flume crossing and reconstruction

The improvements are located along existing commercial and residential streets with sporadic existing sidewalks. The primary objective of this project is to provide continuous pedestrian access from Loop 337 to Prince Solms Park on Liberty Ave.

The proposed improvements will connect with adjacent City bond program projects to be constructed by others concurrently or subsequent to this work.

3. **CONTRACT TIMES:**

**Days to Achieve Substantial Completion and Final Payment:**

The work will be substantially completed within **120** working days after the date when the Contract Times commence to run as provided in Item 3L.8 and completed and ready for final payment in accordance with Item 5L.12 within **150** working days after the date when the



## PRE-BID CONFERENCE - MINUTES

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Contract Times commence to run. Working days are defined in Item 8L.3.1.4 Five-Day Workweek.

4. **Liquidated Damages:** \$1,200 for every **Working Day** the Work or any portion thereof, remains incomplete after the **Final Completion** date as established by the time specified in "Contract Times." Liquidated damages are required as a means of recovering, at a minimum, construction engineering costs, Project Manager and other City related resources from a contractor.
5. **DBE Requirements – 6%**  
**Per Special Provisions SP000 3941-2.3.3 Apparent Low Bidder.** The apparent low bidder must submit DBE commitments to satisfy the DBE goal for this project of 6% or submit good faith effort Form 2603 and supporting documentation demonstrating why the goal could not be achieved, in whole or part, no later than 5 calendar days after bid opening.
6. **Retainage – 5%**  
The owner will retain five percent (5%) retainage of each application for Payment from the Contractor. Upon Final Completion of the work, the retainage shall be released.
7. **Bonding –**  
Bid Bond – 5%  
Performance - 100% - on Awarded Contract  
Payment – 100% - on Awarded Contract
8. **Prevailing wage rates –** DOL General Decision TX20240007 (Exhibit 5)
9. **Anti-Lobbying –** as indicated in the Supplemental Conditions.
  - Lobbying activities or representations by the Bidder are prohibited between the date that the Invitation for Bid (IFB) is issued and the date of contract execution. During a no-contact period, a bidder shall make a representation only through the authorized contact person.
  - During the no-contact period, a bidder may not make a representation to a City official or to a City employee other than to the authorized contact person. This prohibition also applies to a vendor that makes a representation and then becomes a bidder.
10. **Evaluation and Selection Factors –** The Contract is to be awarded on the basis of **Lowest Responsible and Responsive Bidder**. In identifying these criteria the City will consider: 1) lowest total bid price for all work listed and specifically requested, including but not limited to: Base Bid, Extra Work items and selected Alternates. The City reserves the right to award a contract to the low Bidder as determined by "Tabulating Bids." The City will award a Contract to the second lowest Bidder when the following requirements have been met: 1) The low Bidder withdraws its bid. 2) The low Bidder fails to enter into a contract with the Owner



## PRE-BID CONFERENCE - MINUTES

May 3, 2024 at 10:00 am

after Award. 3) The Low Bidder's unit bid prices are unreasonable 4) The Low Bidder is disqualified. 5) The Low Bidder is non-responsive.

- Pay attention to Bid Errors – notes in Section 2L.11, Award and rejection information in Section 3L 1.1, Qualifications noted in 2L, Exhibit 4, and 7L 17.2-Work Requirements.

11. **Equal Opportunity** - All responsible bidders will receive consideration for award of contract without regard to race, color, religion, sex, or national origin.
12. **NONDISCRIMINATION** - The City, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.
13. **General Contractor Registration with the City** – Section 2L 8.2.8  
Ordinance 2008-43 requires all general Contractors and their Subcontractors to be registered with the City of New Braunfels before commencing work within city limits. All information may be obtained from the Planning & Community Development department, Building Division on the City's website <https://newbraunfels.gov/>. In addition to topics such as permitting and fees, et cetera, the "Forms and Applications" hyperlink has links to the required "**Contractor's Registration Packet**" and "**Sub-Contractor Registration**" forms. Additional information may be provided by calling the Building Division at (830) 221-4060.
14. **FHWA Requirements:**
  - FHWA-1273 must be physically incorporated into all contracts and subcontracts
  - Nondiscrimination, Equal Opportunity, and Title VI Provisions
  - Davis-Bacon and Related Acts Provisions
  - Contract Work Hours and Safety Standards
  - Subletting/assigning Contract Limits
  - Construction Safety and Health Standards
  - False Statements, Air and Water Pollution Controls, and Debarment and Lobbying Certification Requirements
15. **Federal-aid and TxDOT Requirements:**
  - Buy America and Convict Produced Materials
  - General Control of Materials Provisions
  - Traffic Control Plan Requirements





## PRE-BID CONFERENCE - MINUTES

May 3, 2024 at 10:00 am

- Contractor's Responsibility for Work Until Acceptance
- Licensed Electrician Certification for Electrical Work
- Performing Own Work and Subcontracting Commercially Useful Function
- Standard Work Week Contract Time

### 16. Environmental Requirements:

- NEPA Categorical Exclusion (CE) approved
- Environmental Protection Measures provided in EPIC and SWP3 sheets in plans
- TPDES Permits and Temporary Erosion Controls in accordance with TxDOT Special Provision 506-001L
- No Fill, Storage, or Dumping in/near 100-year Floodplain

### 5. Technical

The project was designed based on a standard topographic roadway survey. Property information shown in the plans was obtained from deed, plat and GIS data and are for reference only. Existing and proposed coordinates and elevations are surface values based on site and temporary benchmarks and are intended to be used to guide the placement of proposed features relative to one another. Actual coordinates and elevations may vary based on site conditions.

Any restoration of existing pavement edges will be incidental to bid times and will require saw-cutting the existing pavement in a straight alignment relative to the new curb line. Where reestablishment of paving is anticipated, the contractor shall notify the engineer in writing prior to performing work to establish dimensions and limits of paving.

An existing concrete flume for stormwater drainage along the County Fairgrounds frontage is proposed to be replaced by a new riprap channel with grate & frame pedestrian crossing. Construction will require saw-cutting and removing existing concrete and tying in grate & frame footings and new riprap with existing concrete as shown in the plans. Replacement of existing culverts is not required. A temporary lane closure in accordance with the standard TCP is anticipated for this work.

The Contractor will be responsible for adjusting existing communications manholes and NBU water valves and meters where indicated in the plans. The work will be performed per NBU specifications and inspected by NBU personnel for acceptance.

All Right of Entry agreements for driveway penetrations have been procured.

### 6. Questions and Answers: No Questions Received During Meeting.

Attendance on next page.





IFB 24-018  
CSJ 0915-17-076 Common Street Pedestrian  
Improvements

## **PRE-BID CONFERENCE - MINUTES**

May 3, 2024 at 10:00 am

### Attendance – Virtual

Jesse Hoover – Sullivan Contracting Services  
Bryan Tew – Guido Construction  
Brad Bechtol – MAC  
Brandon Zientek – E-Z Bel Construction  
Austin - Unknow  
Ashish Ghosh – Goodman Corp – Engineering Team  
Kirk Myers – Goodman Corp - Engineering Team  
Jeremy Hodson – City Team  
Claudia O'Connell – City Team  
Greg Gutierrez – City Team