



☒ AMENDMENT OF SOLICITATION
☐ MODIFICATION OF CONTRACT

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

Page 1 of 1

1. Solicitation No. CSP 24-033 Last Tubers Exit-Re-Post		2. Contract No.	3a. Amendment No. 2 3b. Modification No.	4. Effective Date of this Action 2-Aug-24
5. Name and Address of Offeror or Contractor		6. For Information Call: Barbara Coleman Purchasing Manager Phone No.: 830-221-4389 Email: ggutierrez@newbraunfels.gov		7. Amount of Contract/Order is: Increased by: Decreased by: \$ _____ New Total: <input checked="" type="checkbox"/> Unchanged
8. THIS BLOCK APPLIES TO AMENDMENTS OF SOLICITATIONS ONLY: 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"/> THE DATE AND TIME SPECIFIED FOR RECEIPT OF OFFERS IS CHANGED TO: 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. 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.				
9. THIS BLOCK APPLIES TO MODIFICATIONS TO CONTRACTS, DELIVERY OR PURCHASE ORDERS ONLY. 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.				
10. DESCRIPTION OF CHANGES: This Addendum is issued to provide the following clarifications and support. - Attached are the Pre-Proposal Minutes and Questions and Answers received during the Pre-proposal meeting and those received by the Question deadline. 11. Addendum to the Drawings				
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 2-Aug-24		



**CSP 24-033 Last Tuber's Exit Improvement
PRE-PROPOSAL CONFERENCE MINUTES
July 25, 2024 at 10 a.m.**

THIS IS A JOINT SOLICITATION WITH THE CITY OF NEW BRAUNFELS AND NEW BRAUNFELS UTILITY (NBU)

A. Announcement of Solicitation: CSP 24-033 Last Tuber's Exit Improvement

1. Solicitation Schedule:
 - a. Date issued: July 10, 2024
 - b. Non-mandatory Pre-Proposal Conference: July 25, 2024 at 10:00 A.M. (Central Time)
Hosted via Teams. Please click the link below to join the webinar:
[Join the meeting now](#)
 - c. Sign-in – Please provide your company name, contact person, email, and phone # in the chat window of this Teams meeting.
 - d. All questions must be submitted to Greg Gutierrez no later than **July 29, 2024, by 5:00 P.M. (Central Time)**.
 - e. All proposals are due to New Braunfels City Hall, City Secretary Office - Attention: Purchasing, **no later than 3:00 P.M. (Central Time) on August 7, 2024.**
 - f. Proposals will be read aloud at City Hall and posted on the city website:
 - City of New Braunfels' website, <https://www.newbraunfels.gov/2694/Solicitations>.
 - g. **Notice of Award:** It is the City's intent to make its recommendation to City Council for approval in August 2024, with Notice to Proceed in December 2024.

B. Introductions (Staff)

1. Barbara Coleman, Purchasing Manager – ***primary point of contact until the contract is awarded.***
Phone: (830) 221-4389 Email: bcoleman@newbraunfels.gov
2. Adam Michie, City Project Manager – Project Contact
Phone: (830) 221-4079 Email: amichie@newbraunfels.gov
3. Jessica Robles, NBU Project Manager
4. Freese & Nichols, Inc., Design Engineer

C. Description of Work:

Technical description will be discussed during this meeting.

The City of New Braunfels (City) and NBU is seeking a construction company with quality experience as a general contractor with specific experience in cofferdam construction, cofferdam dewatering, concrete construction, micro-pile design and installation, underground utilities and storm sewer, and general construction activities of the same or similar type, size, nature, and class.

Estimated Budget: Project Construction Budget \$750,000 - \$900,000



D. Review of Bidding Procedures

1. Solicitation documents may be obtained at:
 - The BidNet Direct website, <https://www.bidnetdirect.com/texas/city-of-new-braunfels>
 - The City of New Braunfels' website, <https://www.newbraunfels.gov/2694/Solicitations>
2. **Submission:** Proposer must follow proposal instructions notated within Sections 1 through 5 of the solicitation documents to provide consistency for the evaluation committee.
 - a. Deadline for submittal of Questions and Requests for clarifications will be **July 29, 2024, at 5:00 p.m.**
 - b. All proposals are due to New Braunfels City Hall, City Secretary Office - Attention: Purchasing, **no later than 3:00 P.M. (Central Time) on August 7, 2024.**
 - c. All proposals must be time stamped by the City Secretary's Office at the New Braunfels City Hall.
 - d. Proposals received after the time and date set for submission will be returned, unopened, upon request.
 - e. Label as follows:

<u>Delivery Address</u>	<u>Labeled:</u>
Purchasing Department	CSP 24-033
City of New Braunfels	Last Tuber's Exit Improvement
550 Landa Street	Due: August 7, 2024 – 3pm
New Braunfels, TX 78130	

E. Required Proposal Documents:

- 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 – Executive Summary**: A brief summary highlighting the most important points of the proposal.
- TAB 4 – Cost Proposal Form**
- TAB 5 – Vendor Certifications**
- TAB 6 – Plan and Schedule**
- TAB 7 – Acceptable Documentation**
- Bond Form – Proposal Guaranty/Bid Bond
 - Certificate of Insurance
 - Conflict of Interest
 - Certificate of Interested Parties
- TAB 8 – Required information indicated in Drawings**, if applicable
- Required after contract award – Performance, Payment and Maintenance Bonds**

F. General Information

1. **Project Schedule:**
 - a. Construction – 120 Calendar Days for substantial completion and **150** Calendar Days for final completion. Clarification is issued.



2. **Liquidated Damages:** **\$1,285** for each calendar day that expires after the time specified.

G. Other Instructions

1. **Evaluation Criteria –**

Score	Description
65	Cost Proposal Price
25	Experience and Qualifications
10	Proposed Project Timelines

2. **Retainage:** (5%)

3. **Bonding & Insurance –**

- Bid Bond (5%)
- Performance (100%) Equal to Contract Amount
- Payment (100%) Equal to Contract Amount
- Insurance and Liability Coverage – Attachment 4

4. **Prevailing wage rates:** Davis Bacon Wage Rates – Prevailing Wage Schedule

5. **General Contractor Registration with the City**

6. **Anti-Lobbying:** Section 2.14

H. Technical Discussion – Project Managers and Engineers:

Contractor shall complete all work as specified or indicated in the plans, specifications and contract documents. The work is generally described as follows:

Statement of Work:

- Installation of concrete landing, stairway, and other associated features of the landing.
- Installation of ADA grab bars and transfer system
- Installation of signage and buoys
- Installation of micropiles
- Installation of handrails
- Installation of permeable concrete to cover vegetation areas
- Plugging 8-in waterline and removal of a section of the waterline
- Installation of water spigots and drinking fountain and associated waterlines
- Contractor shall coordinate all work, inspections, and approvals with the City of New Braunfels.
- Project shall comply with the United States Occupational Safety & Health Administration regulations.
- Methods & Means of construction shall be compliant with all applicable Federal, State, and Local regulations. This includes obtaining all necessary permits and inspections.
- Contractor to adhere to City of New Braunfels construction administration procedures.
- Maintain and submit all project records such as record drawings, project manuals, and warranties for approval by the City of New Braunfels.

The above list is intended to enhance the statement of work and is not intended to limit the respondent's description of the project's process or services provided. This project shall require expertise in the following construction areas:



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- Micro-piles and micro-pile installation
- Concrete placement
- Cofferdam and dewatering

I. Questions and Answers:

The City's official response(s) will be provided in an Addendum released after the final date for questions.

Questions received at the Pre-Proposal Meeting:

1. Addendum 1 is issued – Provides updated Attachment A-Supplemental Conditions and Attachment B-Special Provisions
2. **Update to Days to Achieve Substantial Completion and Final Payment -**
The Work will be substantially completed within **120** calendar days after the date when the Contract Times commence to run as provided in Section 6 of the Project Manual, Article 2.03 of the General Conditions and completed and ready for final payment in accordance with Section 6 of the Project Manual, Article 14.07 of the General Conditions within **150** calendar days after the date when the Contract Times commence to run. The substantial completion schedule will be further defined with the final contract.
3. Access Options are called out on C-4.
Answer: The City will coordinate temporary construction easement. Note that the temporary easement will not be finalized before award of the contract. The City will coordinate with the awarded contractor and assist with communication to the property owner.
4. Biometric Survey – Will the Biometric Survey be provided by the City?
Answer: The Biometric Survey is the responsibility of the contractor.
5. Will the City remove or mitigate the liability related to the Bag Concrete Wall due to water behind the dewatered area.
Answer: No, the City and NBU team will review the contractors plan and provide input to address and mitigate liability.

Questions Received after the Pre-Proposal and before the close of the Question Period.

- 1) Please confirm that this project is sales tax exempt.
Answer: Yes, this project is Tax Exempt.
- 2) The Solicitation Article 2 – Work "Statement of Work" indicates work shall include "obtaining all necessary permits and inspections." Will the City of New Braunfels and/or New Braunfels Utilities provide a summary of the necessary permits they each will require in addition to any that may be required by the Texas Commission on Environmental Quality, Texas Natural Resource Conservation Commission, or Texas Parks and Wildlife?
Answer: The design team (FNI) evaluated permitting requirements and performed USACE coordination, The USACE requirements for the Contractor are included in the bid documents. FNI will obtain an aquatic resource relocation plan (ARRP) from Texas Parks and Wildlife Department (TPWD). Upon dewatering, FNI will perform a field effort to survey for, and relocate, native mussel and fish species occurring within dewatered area per the ARRP.



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3) Have any permits already been obtained?

Answer: The City/Design Engineer has coordinated with USACE and TPWD, as well as City permitting. A Nationwide Permit 3 was obtained from the USACE to authorize the construction activities under Section 404 of the Clean Water Act.

4) The Exhibit 1 Cost Proposal form does not appear to have a line item for permitting costs. Should the Contractors assume there are no permitting costs for this project?

Answer: There are no fees for City permits on this project.

5) Section 04.17 Insurance and Liability Coverage in the RFCSP requires Excess Liability coverage of \$5M in addition to the \$2M of aggregate General Liability coverage. This is an atypical requirement for a project this size and will add significant insurance cost for a small commercial project. We recommend removing the requirement for Excess Liability and accept an aggregate of \$2M. Please advise.

Answer: The Limit of liability are being adjusted to remove the Excess Liability. The General Liability limit remains \$2,000,000.

6) Specification 03 30 00, 31 05 16, 31 23 10, and 31 63 33 make several references to materials testing to be paid by the Contractor. Materials testing is not on the Exhibit 1 Cost Proposal Form. Should this testing be included in each description of work respective to the testing, or will the Form be revised to include this as a line item?

Answer: The City will hire a 3rd party testing lab for material testing. Testing is coordinated through the contractor and our inspector to schedule any material testing. The City, therefore, pays for the initial test and any failed test will subject to contractor payment for additional testing.

7) The NBU Drawings refer to Erosion Control requirements and provide typical erosion control details, but the design drawings do not include an Erosion Control Plan. Will the City or MBU provide an erosion control plan?

Answer: The contractor is required to perform work in accordance with City requirements to reduce stormwater runoff. Since it is anticipated that construction disturbance is less than 1 acre, coverage under a TCEQ TPDES Construction General Permit is not required, and therefore, a SWPPP submittal is not required.

8) Will the Contractor be required to have a full-time superintendent on site at all times?

Answer: Yes, during all working hours and available for 24hr emergency response.

9) Will the Contractor be required to provide red-lined as-builts to the Client at the end of the project?

Answer: Yes, Contractor shall maintain current as-builts throughout the project.

10) Will the Client provide the original CAD files for Contractor use?

Answer: Yes, the selected contractor will be able to acquire the CAD files from the design team (subject to their release requirements).

11) Will the Contractor be required to provide a CAD produced set of Record Drawings at the end of the project?

Answer: No, marked up PDF's will be sufficient.

12) Sheet G-2 Erosion Control note #4 states "STABILIZED CONSTRUCTION AREA SHALL BE CONSTRUCTED OF 3 IN X 5 IN ROCK TO BE PLACED AT A MINIMUM LENGTH OF 25 FT AND MAINTAINED SO THAT CONSTRUCTION DEBRIS DOES NOT FALL WITHIN THE CITY RIGHT-OF-WAY. THE RIGHT-OF-WAY MUST BE CLEARED OF MUD, ROCKS, DUST, ETC., AT ALL TIMES." Is this required on this project?

Answer: A construction entrance is not likely depending on the contractor's means & methods. The contractor will be required keep the ROW and adjacent properties free from construction debris.

13) Sheet G-2 Traffic note #2 states "THE CONTRACTOR SHALL SUBMIT A TRAFFIC CONTROL PLAN TO THE CITY FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION." Is this plan required to be prepared and sealed by a Texas professional engineer?

Answer: No, but a traffic control plan will be required for City approval.



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- 14) Sheet G-3 General Note #10 refers to staging area. Sheet C-4 has a note in the adjacent private parking lot that states "POTENTIAL STAGING AREA CONTRACTOR TO COORDINATE WITH PROPERTY OWNER." Has the City had any discussions with the Property Owner about available square footage, access from Lincoln Street, and cost (if any) to utilize? If not, will the City provide contract information for the owner of this lot?
Answer: The City will acquire the Temporary Construction Easement with the property owner. The contractor will be required to maintain the site and repair any damage to the site prior to completion of the project. The TCE will include the full parking lot area at 145 Lincoln.
- 15) Will the Contractor be able to use the lot directly across the river for staging area (River Access A Guada-Coma Addition VOL 87, PG 41)
Answer: The City is coordinating with the property owners for possible access but does not have an agreement at this time. For bidding purposes, the contractors are to assume no access from that site.
- 16) Please confirm that the ADA Transfer System noted on Sheet C-6 consists of concrete steps and ADA Grab Bars as shown on this sheet and no other "system" to be procured and installed.
Answer: Correct, the transfer "system" to be constructed is as shown on the plans (concrete steps and Grab Bars).
- 17) Sheet C-6 indicates that submerged concrete steps and landing are to receive a specific SikaStamp pattern and must not be floated, sealed, or polished. Are "non-submerged" concrete steps to receive the broom finish noted on Sheet G-3 "Concrete and Reinforcement" note 10?
Answer: Correct.
- 18) Sheet C-6 plan detail 1/C-5 indicates two construction joints placed 20 feet apart. Are these construction joints required or can these be control joints?
Answer: Note 3 reads, "CONSTRUCTION JOINTS MAY BE RELOCATED BUT ANY CHANGES MUST BE APPROVED BY THE ENGINEER." Besides relocation, consideration will be given to allowing the replacement of construction joints with control joints.
- 19) Detail 5 on Sheet C-8 indicates typical Grab Bar details and plan note 2 says to comply with 2010 ADA standards. Can the owner/designer confirm that the distance between concrete and inside of grab bar must be 1 ½"
Answer: ADA standards require the top of the grab bar to be at least 4 inches above "the tread surface but not more than 6 inches above the tread surface". Therefore, since the grab bar diameter is 1 ½" then the minimum vertical distance between the concrete and the inside of the grab bar would be 2 ½" but should not be more than 4 ½". Note: if we have not interpreted the question correctly, please submit a clarification question.
- 20) Detail 5 on Sheet C-8 indicates typical Grab Bar details and plan note 2 says to comply with 2010 ADA standards. Can the owner/designer provide the minimum "L-shaped" grab bar length for the typical 1'-2" wide step?
Answer: The length of the L-shaped grab bar should be such that the center of the grab bar to the face of the riser should be 3".
- 21) On the cost proposal form items 15 & 16 already have an allowance for pricing. How will this number be reconciled after the award (if actual value is more or less than allowance)?
Answer: These are lump sum values included to provide budget for accomplishing those tasks. There will be no reconciliation after award.
- 22) Sheet W-1 of the NBU Drawings indicates that the existing water meter adjacent to the river is to be removed and relocated at the top of the Tuber Exit near Lincoln Street. Please confirm whether the Contractor or NBU will be responsible for this removal and reinstallation.
Answer: Contractor is responsible for the removal and reinstallation of water meter.



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- 23) Handrail base detail 4 on Sheet C-8 indicates exposed bolt heads and gusset plates with pointed edges. Although simple for constructability, this seems to be a hazard for tubers who are often barefoot. Has there been any consideration to revise this detail to embed the anchorage/change the gussets?

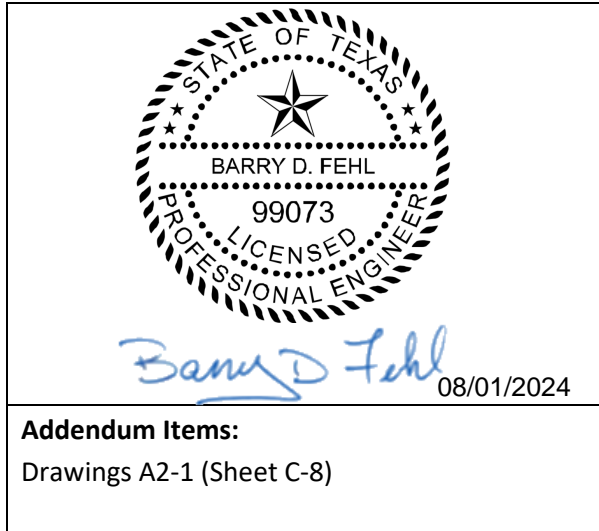
Answer: This item will be bid as is. Any design consideration will be discussed with the selected contractor.

CITY OF NEW BRAUNFELS, TEXAS
LAST TUBER'S EXIT IMPROVEMENTS – UNDERWATER LANDING

ADDENDUM NO. 2

August 1, 2024

Prepared by Freese and Nichols, Inc.
Texas Registered Engineering Firm F-2144



00 91 01 ADDENDUM NUMBER 2

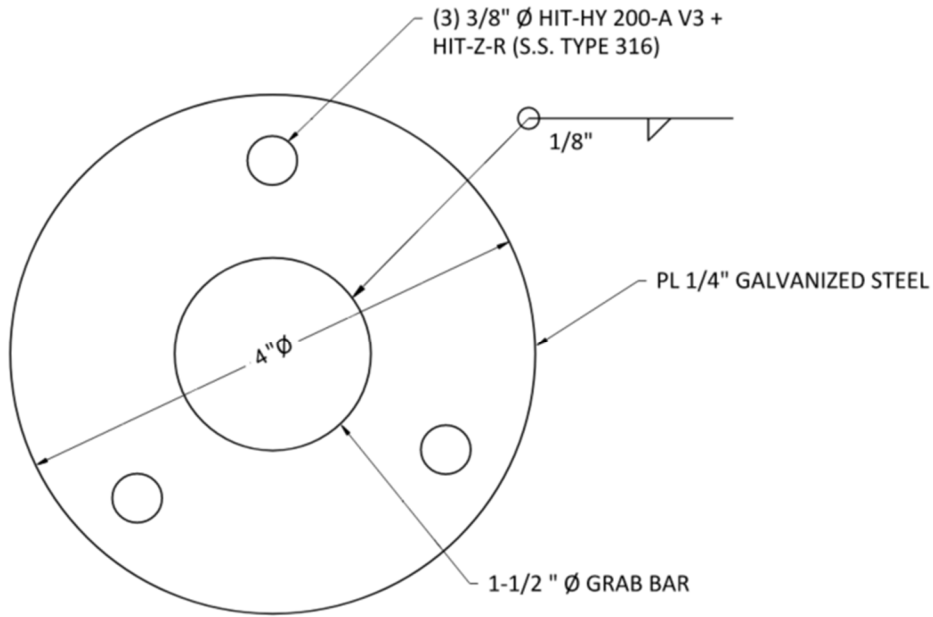
The following additions, deletions, modifications, or clarifications shall be made to the appropriate sections of the Contract Documents. Proposers shall acknowledge receipt of this Addendum in the space provided on the Proposal Form.

DRAWINGS

A2-1 SHEET C-8, HANDRAIL DETAILS, SEQ. 12 OF 14

Reference: DETAIL 6, GRAB BAR FLANGE DETAIL AND ANCHORAGE DETAIL

Modification: Replace the detail shown in DETAIL 6 with the following detail:



GRAB BAR FLANGE DETAIL AND ANCHORAGE DETAIL

N.T.S.

NOTE:

1. INSTALL (3) 3/8" Ø HIT-HY-200-A VC + HIT-Z-R (S.S. TYPE 316) OR APPROVED EQUAL
2. GRAB BAR MUST COMPLY WITH 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN SECTION 1009.5
3. CONTRACTOR TO ROTATE ANCHORAGE ORIENTATION TO AVOID INTERFERENCE AT STAIR CORNERS

END OF ADDENDUM NO. 2