

CITY COUNCIL CONFERENCE

**MUNICIPAL BUILDING CONFERENCE ROOM
201 WEST GRAY, NORMAN, OK**

JANUARY 8, 2019

5:00 P.M.

1. **CHANGE ORDER NO. ONE TO CONTRACT K-1718-127: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RUDY CONSTRUCTION COMPANY INCREASING THE CONTRACT AMOUNT BY \$11,059.95 FOR A REVISED CONTRACT AMOUNT OF \$297,386.95 FOR THE MAIN STREET PAVING PROJECT FROM JONES STREET TO PORTER AVENUE AND FINAL ACCEPTANCE OF THE PROJECT.**
2. **CHANGE ORDER NO. ONE TO CONTRACT K-1819-9: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND MTZ CONSTRUCTION, INC., INCREASING THE CONTRACT AMOUNT BY \$29,089.49 FOR A REVISED CONTRACT AMOUNT OF \$111,553.49 FOR THE BURLINGTON DRIVE DRAINAGE IMPROVEMENT PROJECT.**
3. **CONTINUED DISCUSSION REGARDING A STORMWATER CAPITAL BOND PROGRAM AND A STORMWATER UTILITY – FOLLOW-UP ON SURVEY RESULTS.**

ITEM 1

**CHANGE
ORDER
K-1718-127**



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: K-1718-127 CO1

File ID: K-1718-127 CO1

Type: Contract

Status: Consent Item

Version: 1

Reference: Item 33

In Control: City Council

Department: Public Works
Department

Cost: \$11,059.95

File Created: 12/21/2018

File Name: Final Change Order and Final Acceptance to Contract
for Main Street Streetscape Resurfacing Project

Final Action:

Title: CHANGE ORDER NO. ONE TO CONTRACT K-1718-127: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RUDY CONSTRUCTION COMPANY INCREASING THE CONTRACT AMOUNT BY \$11,059.95 FOR A REVISED CONTRACT AMOUNT OF \$297,386.95 FOR THE MAIN STREET PAVING PROJECT FROM JONES STREET TO PORTER AVENUE, FINAL ACCEPTANCE OF THE PROJECT, AND BUDGET TRANSFER BETWEEN PROJECT ACCOUNTS.

Notes: ACTION NEEDED: Motion to approve or reject Change Order No. One to Contract K-1718-127 with Rudy Construction Company increasing the contract amount by \$11,059.95 for a revised contract amount of \$297,386.95; and if approved, authorize the execution thereof, accept the project, direct final payment in the amount of \$25,376.30 to Rudy Construction Company; and transfer \$14,712.95 from Project SC0584, Construction (050-9511-431.61-01) designating \$11,059.95 to Project TR0047, Construction (050-9300-431.61-01) and \$3,653 to Project TR0047, Design (050-9300-431.62-01).

ACTION TAKEN: _____

Agenda Date: 01/08/2019

Agenda Number: 33

Attachments: Location Map, CO#1 K-1718-127, Requisitions

Project Manager: Tim Miles, Capital Projects Engineer

Entered by: rachel.warila@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File K-1718-127 CO1

Body

BACKGROUND: The Main Street Streetscape Project from Park Avenue to James Garner Avenue was completed utilizing City and Federal funding. This project included a mill and overlay of Main Street through this corridor. On June 5, 2017, the Oklahoma Department of Transportation (ODOT) Transportation Commission awarded the ODOT participating Main Street Streetscape Project to Rudy Construction in the amount of

\$3,052,446.98. Proposed improvements for the Main Street Streetscape Overlay Project included:

1. Pavement mill and overlay
2. Pavement markings
3. Stamped and colored asphalt at intersections

The remaining blocks of Main Street from Jones Avenue to Porter Avenue had been completed previously and the stamped and colored asphalt at the intersections were in need of repair and there were several sections of the asphalt that needed repair. To capitalize on the Main Street Streetscape Project, on May 22, 2018, City Council approved Contract K-1718-127 with Rudy Construction Company to complete the Main Street Streetscape Overlay Project between Jones Avenue and Porter Avenue in the amount of \$286,327 using City Capital Funds. This contract utilized the contractor for the Main Street Streetscape Project ensuring that the pattern and colors used at the intersections would be consistent through the corridor and to provide for a uniform fresh look for all of Downtown Main Street.

DISCUSSION: Roadway construction projects are awarded to the lowest responsible bidder. Contractor bids are determined using plan quantities multiplied by the contractor's unit prices for all bid items of the contract. The total of all of these costs represent the contractor's bid. During construction, each quantity is verified in the field and the contractor is to be reimbursed; based on the actual quantity.

Quantity adjustments for Change Order No. 1 addressed a small pavement mill and overlay overrun of 194 square yards and an additional 84 square yards of stamped and colored asphalt. The mill and overlay adjustments were a result of minor tie in changes at the side streets. The stamped and colored asphalt overrun was the result of a field change to the plans. The intent of the Main Street Streetscape Project was to have all intersections between University Boulevard and Porter Avenue receive the stamped and colored asphalt improvements. However, the Legacy Trail crosswalk and the two Jones Avenue crosswalks were inadvertently left off the plans. As a result, a field change was made to include this work in the project. All work is now complete on this phase of the project so Change Order No. 1 will be the only change order to Contract K-1718-127.

Change Order No. 1 results in an increase of \$11,059.95, increasing the total contract amount from \$286,327 to \$297,386.95, which is a 3.9% increase. This portion of the streetscape project is 100% City funded. The original Contract K-1718-127 with Rudy Construction was partially funded from the remaining balance in the construction account of the adjacent ODOT Main Street Streetscape Project located between Park Drive and James Garner Avenue. The remainder of the balance was paid for from excess funds in a completed Streets Bond Project. Staff proposes to pay for Change Order No. 1 from excess funds in Street Capital Project SC0584, Construction Account 050-9511-431.61-01, which will require a transfer to the Main Street Streetscape Project TR0047, Construction Account 050-9300-431.61-01.

Since this overlay project is City administered, the construction inspection tasks are completed by city staff. Like all other City administered projects, City staff utilize on-call contracts to perform the testing of the materials used on the project to ensure they meet the City specifications and that they are installed in conformance with these requirements.

CEC was the testing firm used on this specific project and the total cost of their services was \$3,653.0 Since 100% of the project funds were used toward the construction of the project, a transfer of funds from a project with excess funds available is necessary to pay for the testing services.

Staff proposes to pay for CEC's testing services from excess funds in Street Capital Project SC0584, Construction Account 050-9511-431.61-01, which will require a transfer to the Main Street Streetscape Project, Design (account 050-9300-431.62-01; project TR0047).

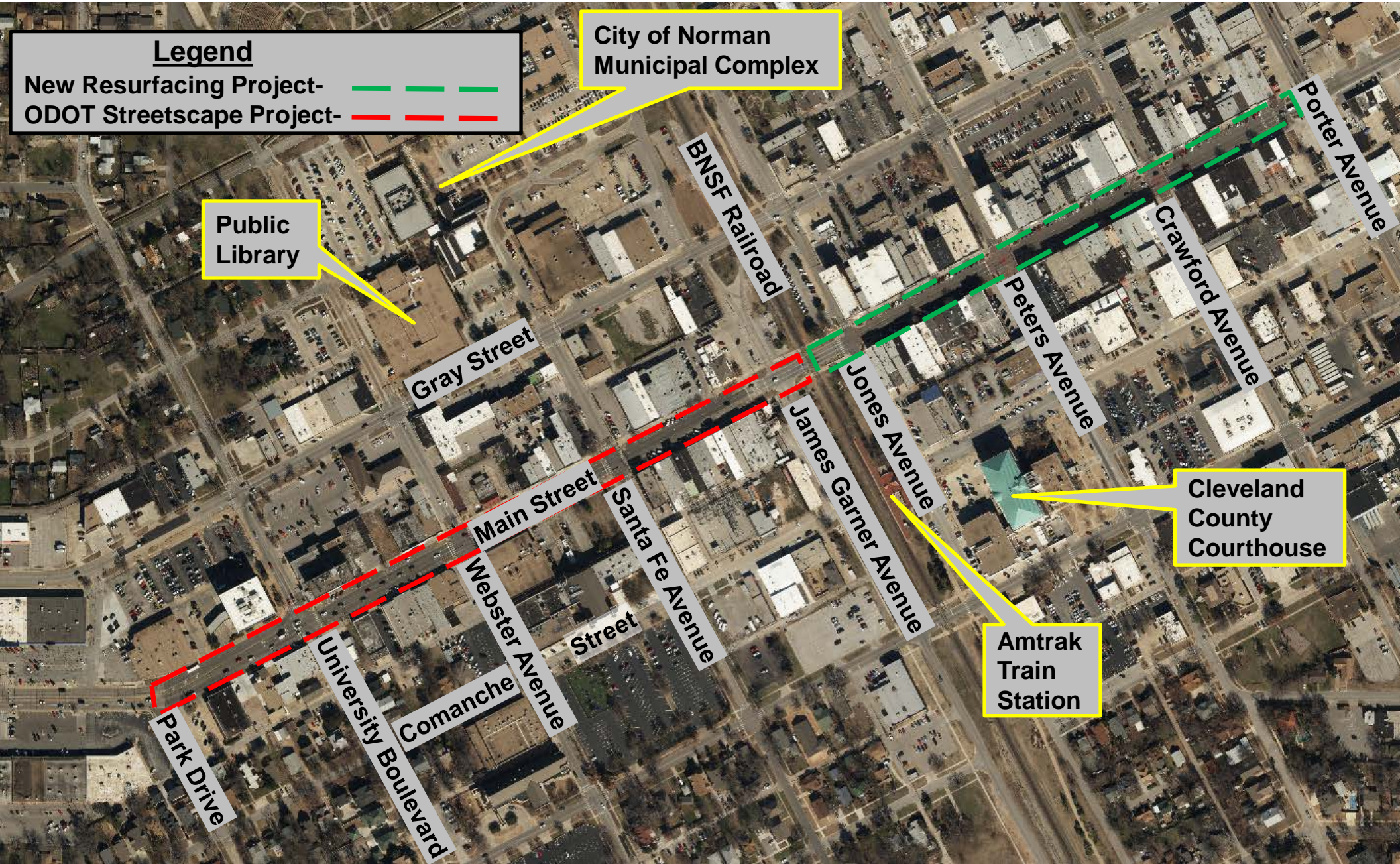
RECOMMENDATION NO. 1: Staff recommends that City Council transfer funds in the amount of \$11,059.95 from Street Capital Project, Construction (account 050-9511-431.61-01; project SC0584) to the Main Street Streetscape Project TR0047, Construction (account 050-9300-431.61-01; project TR0047).

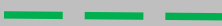

RECOMMENDATION NO. 2: Staff further recommends that City Council transfer funds in the amount of \$3,653 from Street Capital Projects, Construction (account 050-9511-431.61-01; project SC0584) to the Main Street Streetscape Project, Design (account 050-9300-431.62-01; project TR0047).

RECOMMENDATION NO. 3: Staff further recommends that Change Order No. 1 increasing the contract amount by \$11,059.95 be approved.

RECOMMENDATION NO. 4: Staff further recommends final acceptance of the Main Street Streetscape Overlay Project Contract K-1718-127 and final payment in the amount of \$25,376.30. Funds will be paid from the Main Street Streetscape Project, Construction (account 050-9300-431.61-01; Project TR0047).

Location Map



Legend
New Resurfacing Project- 
ODOT Streetscape Project- 

City of Norman
Municipal Complex

Public
Library

Cleveland
County
Courthouse

Amtrak
Train
Station

Gray Street

Main Street

Webster Avenue

University Boulevard

Comanche Street

Santa Fe Avenue

James Garner Avenue

Jones Avenue

Peters Avenue

Crawford Avenue

Porter Avenue

BNSF Railroad

CHANGE ORDER SUMMARY
CITY OF NORMAN
CLEVELAND COUNTY, OKLAHOMA

CHANGE ORDER NO. 1

DATE: December 20, 2018

CONTRACT NO.: K-1718-127

SUBMITTED BY: Tim Miles

PROJECT: Main Street Streetscape Overlay Project

CONTRACTOR: Rudy Construction Co.
P.O. Box 14575
Oklahoma City, OK 73113-4575

Original Completion Date: N/A

Previous Completion Date: N/A

ORIGINAL CONTRACT AMOUNT \$ 286,327.00

(Increase) this change order 0 Calendar days

New Completion Date N/A

PRESENT CONTRACT AMOUNT \$ N/A

DESCRIPTION	DECREASE	INCREASE
See Attached Itemization		\$11,059.95

NET CHANGE \$11,059.95

REVISED CONTRACT AMOUNT \$297,386.95

CONTRACTOR: *Sharon Atty*

DATE: 12/20/18

ENGINEER: *Tim Miles*

DATE: 12/27/18

CITY ATTORNEY: *VJD*

DATE: 12/27/18

ACCEPTED BY: _____

DATE: _____

(Mayor)

CHANGE ORDER DETAIL
CHANGE ORDER NO. 1
City of Norman
Cleveland Co., Oklahoma

Project Name: Main Street Streetscape Overlay Project

Design Engineer: R. L. Shears Company
Address/Phone: 1522 S. Carson Ave.
Tulsa, OK 74119
(918) 582-0612

Project Account Number: 050-9300-431.61-01

Contract No. K-1718-127

- A. Change Orders or addenda to public construction contracts of One Million Dollars (\$1,000,000.00) or less shall not exceed a fifteen percent (15%) cumulative increase in the original contract amount.
- B. Change orders or addenda to public construction contracts of over One Million Dollars (\$1,000,000.00) shall not exceed the greater of One Hundred Fifty Thousand Dollars (\$150,000.00) or a ten percent (10%) cumulative increase in the original contract amount.
- C. Change orders or cumulative change orders which exceed the limits of subsection A or B of this section shall require a re-advertising for bids on the incomplete portions of the contract.
- H. All change orders shall contain a unit price and total for each of the following items:
1. All materials with cost per item;
 2. Itemization of all labor with number of hours per operation and cost per hour;
 3. Itemization of all equipment with the type of equipment, number of each type, cost per hour for each type, and number of hours of actual operation for each type;
 4. Itemization of insurance cost, bond cost, social security, taxes, workers' compensation, employee fringe benefits and overhead cost; and
 5. Profit for the contractor.
- I. 1. If a construction contract contains unit pricing, and the change order pertains to the unit price, the change order will not be subject to subsection A or B of this section.
2. When the unit price change does not exceed Ten Thousand Dollars (\$10,000.00), the unit price change order computation may be based on an acceptable unit price basis in lieu of cost itemization as required in paragraphs 1,2,3,4 and 5 of subsection H of this section.
- J. Alternates or add items bid with the original bid and contained in the awarded contract as options of the awarding public agency shall not be construed as change orders under the provisions of the Public Competitive Bidding Act of 1974.

DETAILED COST ITEMIZATION

CHANGE ORDER NO. 1 (Continued)

PROJECT NAME: Main Street Streetscape Overlay Project

Item No.	Description	Decrease	Increase
72	Stamped Asphalt 84.02 SY@ \$100/SY		\$8,402.00
73	Superpave Type S5- 19.81 Ton@ \$95/Ton		\$1,881.95
74	Cold Milling- 194 SY @ \$4/SY		\$776.00
	Totals		\$11,059.95

ITEM 2

**CHANGE ORDER
K-1819-9**



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: K-1819-9 CO#1

File ID: K-1819-9 CO#1

Type: Contract

Status: Consent Item

Version: 1

Reference: Item 34

In Control: City Council

Department: Public Works
Department

Cost: \$29,089.49

File Created: 12/27/2018

File Name: Burlington Drive Drainage Improvements CO#1

Final Action:

Title: CHANGE ORDER NO. ONE TO CONTRACT K-1819-9: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND MTZ CONSTRUCTION, INC., INCREASING THE CONTRACT AMOUNT BY \$29,089.49 FOR A REVISED CONTRACT AMOUNT OF \$111,553.49 FOR THE BURLINGTON DRIVE DRAINAGE IMPROVEMENT PROJECT.

Notes: ACTION NEEDED: Motion to approve or reject Change Order No. One to Contract K-1819-9 with MTZ Constrctions, Inc., increasing the contract amount by \$29,089.49 for a revised contract price of \$111,553.49; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Agenda Date: 01/08/2019

Agenda Number: 34

Attachments: Burlington Drive Signed Change Order, Req for
Burlington Drive CO#1

Project Manager: Carrie Evenson, Stormwater

Entered by: amy.shepard@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File K-1819-9 CO#1

Body

BACKGROUND: In response to multiple citizen complaints regarding inadequate drainage and safety concerns along Burlington Drive over several years, the City's fiscal year 2018-2019 (FYE 2019) Capital Fund includes a project to address the problem. In 2017, Public Works Stormwater Division began working with Cardinal Engineering to design improvements to the stormwater system along this street to prevent stormwater from ponding along the gutter or surfacing through cracks and joints in the street. Based on Cardinal's analysis, it was determined that the installation of a perforated pipe beneath the curb and gutter along both sides of Burlington Drive from 3621/3620 Burlington Drive to 1501 Pembroke Drive connected to the stormwater pipe near 36th Ave NW on Burlington Drive was the most cost effective way to address the drainage and safety concerns reported by the citizens.

On September 25, 2018, City Council approved Contract K-1819-9 between the City of Norman and MTZ Construction, Inc., for furnishing of all labor and materials for the Burlington Drive Drainage Improvements Project

for an amount of \$82,464.

DISCUSSION: This agenda item is a request to amend the current contract with MTZ Construction, Inc., for furnishing additional labor and materials for concrete pavement replacement and installation of Americans with Disabilities Act (ADA)-compliant sidewalks completed during the course of the Burlington Drive Drainage Improvements Project. Additional concrete was required to replace panels on Pembroke Drive due to cracking, and sidewalks and driveway approaches on the north and south sides of Burlington Drive needed to be brought into compliance with the ADA throughout the length of the project.

MTZ Construction, Inc. provided the additional labor and material to complete the pavement and sidewalk in the amount of \$29,089.49.

RECOMMENDATION: Staff recommends approval of Change Order No. 1 in the amount of \$29,089.49 to Contract K-1819-9, between the City of Norman and MTZ Construction, Inc., for furnishing labor and materials for concrete pavement and sidewalk replacement during the completion of the Burlington Drive Drainage Improvements Project. If approved, funding for Change Order No. 1 to Contract K-1819-9 in the amount of \$29,089.49 is available in the FYE 2019 Capital Fund, Stormwater Drainage Projects, Construction (account 050-9968-431.61-01; project DR0057).

Total project costs for the Burlington Drive Drainage Improvements Project, with approval of Change Order No. 1, are \$111,553.49.

CHANGE ORDER SUMMARY
CITY OF NORMAN
CLEVELAND COUNTY, OKLAHOMA

CHANGE ORDER NO. 1 DATE: December 18, 2018

CONTRACT NO: K-1819-9 SUBMITTED BY: Carrie Evenson

PROJECT: Burlington Drive Drainage Improvements Project

CONTRACTOR: MTZ Construction, Inc.
3545 SW 37th Street
Oklahoma City, OK 73119

Original Completion Date: _____

Previous Completion Date N/A ORIGINAL CONTRACT AMOUNT \$ 82,464.00

(Increase) this change order N/A Calendar days

New Completion Date _____ PRESENT CONTRACT AMOUNT \$ 111,553.49

DESCRIPTION	DECREASE	INCREASE
<u>See Attached "Change Order Detail"</u>		<u>\$29,089.49</u>

NET CHANGE \$29,089.49

REVISED CONTRACT AMOUNT \$111,553.49

CONTRACTOR: *Carrie Evenson* DATE: _____

ARCH./ENGINEER: *Carrie Evenson* DATE: 12/19/2018

CITY ATTORNEY: *[Signature]* DATE: 12/20/18

ACCEPTED BY: *Mary Sue* DATE: 12/26/18
(Mayor)
Interim City Manager

CHANGE ORDER DETAIL
CHANGE ORDER NO. 1
City of Norman
Cleveland Co., Oklahoma

Project Name: Burlington Dr Drainage Improvements Design Engineer: City of Norman
Address/Phone: 201 West Gray, Bldg. A
Norman, OK 73069
Phone: (405) 329-2524

Project Account Number: from Account No. 050-9968-431.61-01, Project No. DR0057
Contract No. K-1819-9

A. Change Orders or addenda to public construction contracts of One Million Dollars (\$1,000,000.00) or less shall not exceed a fifteen percent (15%) cumulative increase in the original contract amount.

B. Change orders or addenda to public construction contracts of over One Million Dollars (\$1,000,000.00) shall not exceed the greater of One Hundred Fifty Thousand Dollars (\$150,000.00) or a ten percent (10%) cumulative increase in the original contract amount.

C. Change orders or cumulative change orders which exceed the limits of subsection A or B of this section shall require a re-advertising for bids on the incomplete portions of the contract.

H. All change orders shall contain a unit price and total for each of the following items:

1. All materials with cost per item;
2. Itemization of all labor with number of hours per operation and cost per hour;
3. Itemization of all equipment with the type of equipment, number of each type, cost per hour for each type, and number of hours of actual operation for each type;
4. Itemization of insurance cost, bond cost, social security, taxes, workers' compensation, employee fringe benefits and overhead cost; and
5. Profit for the contractor.

I. 1. If a construction contract contains unit pricing, and the change order pertains to the unit price, the change order will not be subject to subsection A or B of this section.

2. When the unit price change does not exceed Twenty Thousand Dollars (\$20,000.00), the unit price change order computation may be based on an acceptable unit price basis in lieu of cost itemization as required in paragraphs 1,2,3,4 and 5 of subsection H of this section.

3. When the unit price change exceeds Twenty Thousand Dollars (\$20,000.00), any unit price for a new item established at or below the average eighteen-month-price history for the new item may be used in lieu of cost itemization as required in paragraphs 1, 2, 3, 4 and 5 of subsection H.

J. Alternates or add items bid with the original bid and contained in the awarded contract as options of the awarding public agency shall not be construed as change orders under the provisions of the Public Competitive Bidding Act of 1974.

DETAILED COST ITEMIZATION

CHANGE ORDER NO. 1 (Continued)PROJECT NAME: Burlington Drive Drainage Improvements Project

Item No.	Description	Decrease	Increase
1	Remove and Replace 6" Curb and Gutter 499 LF @ \$30.00/LF		\$540.00
2	Remove and Replace Concrete Driveway 388.37 SY @ \$75.00/SY		\$14,127.75
3	Remove and Replace Concrete Paving 76.38 SY @ \$85.00/SY		\$4,197.30
5	Connect French Drain to 4" Perforated Pipe 11.00 EA @ \$250.00/EA		\$1,000.00
7	Repair Disturbed Waterline Service 0 EA @ \$500.00/EA	\$2,500.00	
8	Repair Disturbed 1" Private Sprinkler Lines 98.00 LF @ \$25.00/LF	\$50.00	
9	Repair Damaged Sprinkler Heads 0 EA @ \$50.00 EA	\$1,000.00	
13	Sod Disturbed Turf from Curb to Sidewalk As Needed 277.77 SY @ \$5.50/SY	\$798.76	
16	4 Inch Concrete Sidewalk 226.22 SY @ \$60.00/SY		\$13,573.20
	Total Change	\$4,348.76	\$33,438.25
	Net Increase		\$29,089.49

ITEM 3

STORMWATER BOND PROGRAM & UTILITY