



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 6/27/2023

REQUESTER: Paul D'Andrea, Capital Projects Engineer

PRESENTER: Shawn O'Leary, Public Works Director

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER ONE TO CONTRACT K-2223-33: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND L5 CONSTRUCTION, LLC, INCREASING THE CONTRACT AMOUNT BY \$97,648 FOR A REVISED CONTRACT AMOUNT OF \$2,283,148.96 FOR VARIOUS CHANGES TO PROJECT DESIGN AND UNFORSEEN SITE CONDITIONS, AT THE NORTH BASE PHASE TWO VEHICLE WASH FACILITY AND BUDGET APPROPRIATIONS AS OUTLINED IN THE STAFF REPORT.

BACKGROUND:

Parks Maintenance Facility: On October 13, 2015, the citizens of Norman voted to fund the Norman Forward Program with a limited term ½ percent sales tax increase for 15 years. This initiative included a number of high-priority projects outlined in the 2014 Library Master Plan Update, the 2009 Norman Parks and Recreation Master Plan and additional projects designed to provide recreational opportunities for Norman residents. One such project was the construction of the Griffin Park Sports Complex.

The Norman Forward Program includes a Maintenance Facility for the City of Norman Parks and Recreation Department. This facility was originally to be relocated from Reaves Park to Griffin Park; however, the City subsequently changed the plans to construct a new Parks & City Transit/Public Safety Maintenance Facility adjacent to the City's current Fleet Maintenance Facility at the North Base Complex, located at 1310 Da Vinci Street, near the Norman Municipal Airport. The multi-departmental facility provides maintenance for City Parks and Recreation vehicles and equipment, City Transit System buses, and large chassis public safety vehicles and equipment.

North Base Complex Design: On March 14, 2017, the Norman City Council approved Contract K-1617-114 between the City of Norman and PDG, LLC d.b.a. Planning Design Group, in the amount of \$761,000 for Professional Architectural Design Services for the Griffin Park Sports Complex.

Because PDG, LLC was performing the professional architectural design services for the Griffin Park Sports Complex, City staff recommended amending their contract to include design of the new Parks Maintenance Facility. These services were over and above those included in contract K-1617-114. Due to the desire to co-locate the Parks, City Transit and Public Safety Maintenance Facilities at the North Base Campus, staff further recommended including master planning and design of the City Transit and Public Safety Maintenance Facilities in the amended contract.

On August 27, 2019, the Norman City Council approved Amendment 1 to Contract K-1617-114 between the City of Norman and PDG, LLC d.b.a. Planning Design Group, in the amount of \$430,280 for additional Professional Architectural Design Services to add the City Park Maintenance Facility and Transit/Public Safety Maintenance Facility to the existing contract for the Griffin Park Sports Complex.

On April 14, 2020, the Norman City Council approved Amendment 3 to Contract K-1617-114 between the City of Norman and PDG, LLC d.b.a. Planning Design Group, in the amount of \$316,370 for additional Professional Architectural Design Services to provide for an increased project scope and to add bidding services and construction administration services for the City Park Maintenance Facility and Transit/Public Safety Maintenance Facility to the existing contract for the Griffin Park Sports Complex.

On September 8, 2020, the Norman City Council approved Amendment 5 to Contract K-1617-114 between the City of Norman and PDG, LLC d.b.a. Planning Design Group, in the amount of \$49,500 for additional architectural design services for the proposed City Parks and Transit/Public Safety Maintenance Facility to include proposed building and parking revisions, project phasing, renderings, and inclusion of federal third party contracting requirements needed for FTA Grant funding.

On September 8, 2020, the Norman City Council approved Amendment 4 to Contract K-1516-110 between the City of Norman, Oklahoma, The Norman Municipal Authority, and ADG, P.C., in the amount of \$157,180 adding Construction Phase Services for the North Base Complex, Phase 1 Project to the scope of projects receiving program management services.

On October 13, 2020, the Norman City Council awarded contract K-2021-35 between the City of Norman, Oklahoma, and Flintco LLC, in the amount of \$8,648,000, for the construction of the City Park Maintenance Facility and the Transit/Public Safety Maintenance Facility.

On March 9, 2021, the Norman City Council approved Change Order 1 to Contract K-2021-35 between the City of Norman, Oklahoma, and Flintco LLC, in the amount of \$64,737.65 and 20 Calendar Days, for the construction of the City Park Maintenance Facility and the Transit/Public Safety Maintenance Facility.

On May 25, 2021, the Norman City Council approved Amendment 6 to Contract K-1617-114 with PDG, LLC d.b.a. Planning Design Group, in the amount of \$40,000, for design services to add an additional manual wash bay to the North Base Phase 2 Vehicle Wash Facility.

On July 13, 2021, the Norman City Council approved Change Order 2 to Contract K-2021-35 between the City of Norman, Oklahoma, and Flintco LLC, in the amount of \$76,156.98 and 39

Calendar Days, for the construction of the City Park Maintenance Facility and the Transit/Public Safety Maintenance Facility.

On October 12, 2021, the Norman City Council approved Change Order 3 to Contract K-2021-35 between the City of Norman, Oklahoma, and Flintco LLC, in the amount of \$102,609.21 and 58 Calendar Days, for the construction of the City Park Maintenance Facility and the Transit/Public Safety Maintenance Facility.

On January 25, 2022, the Norman City Council approved Change Order 4 to Contract K-2021-35 between the City of Norman, Oklahoma, and Flintco LLC, in the amount of \$93,249.12 and 41 Calendar Days, for the construction of the City Park Maintenance Facility and the Transit/Public Safety Maintenance Facility.

On January 22, 2022 City staff issued substantial completion for the City Park Maintenance Facility and the Transit/Public Safety Maintenance Facility. Upon issuance of substantial completion, the City moved all Transit/Public Safety Maintenance operations into the new facilities, and out of the University of Oklahoma-owned facilities.

On February 8, 2022, the Norman City Council approved appropriation of funds, in the amount of \$1,800,000 for the construction of the North Base Complex Vehicle Wash Facility.

On June 2, 2022, The City of Norman opened bids for the North Base Phase 2 Vehicle Wash Facility project. The low bid, from L5 Construction, was \$2,688,000. This was nearly \$900,000 over the project budget. Consequently, the bids were rejected.

On November 8, 2022, after rebidding the project, the Norman City Council awarded Contract K-2223-33, with L5 Construction, LLC, in the amount of \$2,185,500, for construction of the North Base Phase 2 Vehicle Wash Facility project.

DISCUSSION:

When the project was awarded, Council opted to not award Alternate 1, which would have provided for a covered manual wash bay in addition to the automatic wash bay in the base bid. After award, it was decided that, at minimum, a manual wash wand should be added to the outside of the wash facility in the location where the covered manual bay would have been located. This was to provide a way for heavily soiled vehicles to “pre-wash” excessive mud and debris from vehicles in the outdoor area, as well as to help prevent clogging of the automatic bay, and to ease in any cleanup up at the site that may be necessary after servicing heavily soiled vehicles.

The addition of this wash wand required changes to the wash system plumbing and site utility conduits as well as additional wash equipment. Finally, a second control pedestal to both operate and bill independently from the automatic wash was required.

In addition to the wash wand, another major item covered by this change order is Fuelmaster control pedestals. These pedestals are necessary to control the wash and to “bill” (through inter-department charges) individual City departments for the use of the wash system. These pedestals were not originally included in the construction contract, because they were going to be purchased directly by the City and provided to the contractor. However, upon further discussion with the suppliers, it was deemed that, for the purposes of coordinating the integration

of the pedestals within the wash system, it made more sense to allow the contractor to purchase these items under the contract.

Furthermore, during excavation for the sand/oil separator, the contractor encountered an abnormal amount of groundwater flowing into the excavation site. It was determined that this was due to a damaged abandoned sewer line, which was allowing water to flow into the excavation site. The change order covers the cost to dewater the pit, as well as structural measures that were taken to prevent the water infiltration and ensure that the groundwater does not compromise the new separator in the future.

Finally, due to multiple rain events to date, construction of the project has been delayed. This change order adds 22 calendar days to the contract to adjust for these weather days. The new contract completion date is July 24, 2023.

A complete list of items covered by Change Order 1 is as follows:

1. Addition of a manual wash wand to the building and associated appurtenances.
2. Fuelmaster wash control pedestals to be added to the construction contract that were originally intended to be purchased directly by the City.
3. Bollards to protect the control pedestals.
4. Measures taken to correct/prevent groundwater infiltration into the sand/oil separator.
5. Minor changes to door frames to coordinate with security locks and equipment.
6. Additional electrical conduit required after coordination with the City's CCTV and Security supplier.
7. Addition of 22 Calendar days to the contract time to account for weather delays outside the control of the contractor.

The cost of Change Order No. 1 is \$97,648 or 4.46% of the original construction contract amount of \$2,185,500. Of that, 32%, or \$31,247.36, of the cost is eligible for reimbursement through an FTA grant, making the total ultimate cost to the City \$66,400.64. The total amount will need to be allocated to the project to cover the cost until reimbursement is received. Staff recommends appropriating funds from the General Fund Balance to cover this change order.

RECOMMENDATION No. 1:

Staff recommends Approval of Change Order No. 1 to Contract K-2223-33, in the amount of \$97,648, for the North Base Phase 2 Vehicle Wash Facility project.

RECOMMENDATION No. 2:

Staff recommends the appropriation of General Fund balance (Account 10-29000) in the amount of \$97,648. with \$66,400.64, to be allocated the Capital Fund, North Base Phase 2 Vehicle Wash Facility, Construction (Account 50590078-46101; Project BG0260), and \$31,247.36 to be allocated to the

Special Grants Fund, North Base Phase 2 Vehicle Wash Facility Construction (Account 22590303-46101; Project BG0260); this amount will be reimbursed upon receipt of the FTA Grant revenue.