

File Attachments for Item:

22. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT THREE TO CONTRACT K-1617-113:
BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY, AND HALFF ASSOCIATES IN THE AMOUNT OF \$91,750 FOR ADDITIONAL DESIGN SERVICES FOR THE NORMAN FORWARD PROGRAM REAVES PARK RENOVATION PROJECT, AS OUTLINED IN THE STAFF REPORT.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 9/12/2023

REQUESTER: James Briggs, Park Development Manager

PRESENTER: Jason Olsen, Director of Parks and Recreation

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT THREE TO CONTRACT K-1617-113: BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY, AND HALFF ASSOCIATES IN THE AMOUNT OF \$91,750 FOR ADDITIONAL DESIGN SERVICES FOR THE NORMAN FORWARD PROGRAM REAVES PARK RENOVATION PROJECT, AS OUTLINED IN THE STAFF REPORT.

BACKGROUND:

On October 13, 2015, Norman citizens passed the Norman Forward Initiative, which funds various projects through a ½ % sales tax increase over 15 years. Included in the Norman Forward Initiative was a project to improve Reaves Park, resulting in all youth baseball and softball being played at Reaves. On March 21, 2017, the City Council approved Contract K-1617-113 with Halff Associates for \$704,500 for Professional Design Services for the Reaves Park Sports Complex Phase I. Flintco, L.L.C. (Flintco) was subsequently selected and hired to provide construction management at-risk (CMaR) services for the Reaves Park Renovation project. The park renovation work at Reaves Park included demolishing the old Park Maintenance facility in the park to make room for a new “quad” of ballfields, among several improvements made to the park. The budget for Reaves Park also included the funding necessary to construct a new Park Maintenance facility at the North Base complex. That work was completed via a separate contract with a different design firm. The design for the renovation of Reaves Park awarded to Halff Associates included all design work—including all construction documents and a fixed number of construction-phase site inspections, with Flintco acting as the Construction Manager, and the work was sent for bid in July 2021.

DISCUSSION:

Also included in the 2015 Norman Forward Initiative was a project to build new adult softball fields and youth football fields at a “Community Sports Park” on land that was to be purchased by the City. The Community Sports Park project was set up with a total budget of \$2.5 million, which was inadequate to deliver the stand-alone project initially envisioned for the adult softball and youth football programs. Additional funding was proposed in a General Obligation Bond issue considered on August 25, 2020, which was unsuccessful. As a result, the citizen Ad Hoc Groups for the Community Sports Park, Ruby Grant Park, and Reaves Park Complexes

determined that the adult softball improvements could be incorporated as part of the Reaves Park project, and the youth football improvements could be included as part of the Ruby Grant Park project. The Ruby Grant youth football design and construction work was awarded to separate firms. That work was funded from a portion of the Norman Forward Community Sports Park project allocation, and has been completed. The work to include adult softball activities at Reaves included the completion of additional design documents for additional west parking lot grading, drainage, and construction, along with additional work at the existing softball fields.

The Parks Department was also tasked during the construction of the Reaves Park renovation project with coordinating our design team from Halff with the design engineers for both the Jenkins Avenue widening and the Constitution Street multi-modal path construction projects, to modify our design and construction as needed to keep those projects on schedule and budget. Other unforeseen site conditions discovered during construction warranted additional design work from Halff, and the project scope and schedule were expanded due to these other factors being intertwined with the Reaves Park Renovation. On June 9, 2020, the City's contract with Halff was amended by an additional \$173,000 to provide additional professional landscape services. The contract was amended again on February 9, 2021, to increase the contract by an additional \$132,535 to provide additional professional and landscape and architectural services related to the Norman Forward Reaves Park Baseball Complex Project.

Now that the construction for this phase of Reaves Park is complete, Parks would also like to have Halff prepare a complete set of As-Built plans for the project that incorporates the multiple changes to the original design based on the additional park features, changes caused by adjacent public works and utility projects, and unknown field conditions that all had to be accommodated during the construction process. Halff has provided the attached detailed breakdown of all tasks and costs for their design services during this project. It was agreed to be supplied after construction and paid from the known project account balance for the NF Reaves Park and Community Sports Park projects built at Reaves Park.

On February 18, 2023, a final punch walk was done for the Reaves Park Improvement Project with the Owner, Architect, and Contractor. At that time, all final construction costs were confirmed for the project, including all instances where the project contingency was utilized to cover expenses associated with the project conditions and all weather delays encountered over the 17 months it took to perform the work. On June 13, 2023, the Council approved the final payment to FLINTCO for the Reaves Park Renovation Project Construction.

After that, we asked Halff to provide all final project costs for the additional design & engineering tasks up through construction completion, including the production of the aforementioned complete set of As-Built drawings.

RECOMMENDATION:

It is recommended that the NMA/City Council approve the Third Amendment to Contract 1617-113 with Halff Associates for the NORMAN FORWARD Reaves Park Renovation Project in the amount of \$91,750. Funding is available in the Norman Forward Community Sports Park Project, Design (account 51794442-46201; project NFB005).

Amend. No. 3 to K-1617-113**AMENDMENT NO. 3 TO K-1617-113**

This Amendment No. 3 to Contract No. K-1617-113 is made and entered into this _____ day of _____ is between the Norman Municipal Authority, a Public Trust having the City of Norman as it's Beneficiary (hereinafter referred to as the "Authority") and Halff Associates, Inc. (hereinafter referred to as the "Consultant").

WITNESSETH:

WHEREAS, the parties entered into Contract No. K-1617-113 on March 28, 2017, a:

**STANDARD FORM OF AGREEMENT BETWEEN OWNER AND CONSULTANT –
REAVES PARK SPORTS COMPLEX**

for the purpose of providing a variety of services outlined therein ("Consultant Services"); and

WHEREAS, the parties have agreed to the provision of additional services, as outlined and described in the attached, which are hereby fully incorporated by reference ("Attachments A and B":

ATTACHMENT A – ADDITIONAL LANDSCAPE ARCHITECTURE, CIVIL ENGINEERING & DESIGN SERVICES FOR REAVES PARK SPORTS COMPLEX PHASE I REVISED;

And **ATTACHMENT B – N/A.**

ATTACHMENT C – N/A

WHEREAS, the original contract must be amended to incorporate the Consultant's work as described herein and associated fees; and

WHEREAS, the total compensation to be paid to the Consultant for this Contract and Amendment shall be as follows:

For the original Contract:

Not to exceed \$704,500 for Consultant services

For Amendment No. 1:

Not to exceed \$172,000 for Design Consultant services

For Amendment No. 2:

Not to exceed \$132,535 for Design Consultant services

For Amendment No. 3:

Not to exceed \$91,750 for Design Consultant services

Total Amended Contract:

Not to exceed \$1,100,785 (an increase of \$91,750) for all services.

Amend. No. 3 to K-1617-113

NOW, THEREFORE, the parties desire to amend Contract No. K-1617-113 as follows:

Add **Attachment A**, which set forth the applicable terms relating to the additional Consultant Services outlined described therein, as well as applicable costs.

All other terms of Contract No. K-1617-113 shall remain in full force and effect.

IN WITNESS WHEREOF, the AUTHORITY and the CONSULTANT have executed this Amendment No. 2 to Contract No. K-1617-113.

DATED this ____ day of _____, 2023.

NORMAN MUNICIPAL AUTHORITY

(“Authority”)

By: _____
Chair, Mayor Larry Heikkila

ATTEST:

By: _____
Secretary, Brenda Hall, City Clerk

Approved as to form and legality this 8 day of September, 2023.



Office of the City Attorney

HALFF ASSOCIATES, INC.

(“Consultant”)

By: Sally Horsey

Name: Sally Horsey, PLA

Title: PLA Team Leader

ATTEST:

By: [Signature]

Title: Vice President, Operations Manager, OKC



June 29, 2023

Mr. Briggs
Parks and Recreation
201-C West Gray
Norman, OK 73070

RE: Contract Amendment No. 3: Reaves Park Phase I
Additional Document Revisions, Bidding and Construction Administration (32378.003)

Dear Mr. Briggs,

Halff Associates, Inc. is committed to serving the City of Norman to deliver a premier sports complex for the citizens of Norman. We are at an exciting stage in the process now with many of the Site's features nearing completion.

Since the onset of construction, there has been a significant amount of effort expended in response to City and Project requirements. To keep the project moving forward Halff has responded with urgency to coordinate with City Staff, the City's Program Manager, and the Contractor. This effort is beyond the established, contractual Scope of Work and caused the Construction Administration budget to be exhausted early in construction phase.

Halff is requesting Contract Amendment No. 3 to be compensated for efforts already completed. We submit the following Additional Scope of Work and fee proposal for the additional Design, Bidding and Construction Administration services at Reaves Park Sports Complex for your consideration.

We propose the following Additional Services as described in the Scope of Services (Attachment A). We appreciate your consideration of this amendment. Please feel free to contact me at 405-493-0344 or at jhazzard@halff.com if you have any questions or comments regarding the proposal.

Sincerely,
HALFF

A handwritten signature in blue ink, appearing to read "James Hazzard", is written over a faint, circular blue stamp.

James Hazzard, PLA
Project Manager
Oklahoma City, OK

Cc: Jason Olsen (City of Norman), Randy Hill (ADG)

AMENDMENT NO. 3

ATTACHMENT A

ADDITIONAL LANDSCAPE ARCHITECTURE, CIVIL ENGINEERING, & DESIGN SERVICES FOR REAVES PARK COMPLEX – PHASE ONE

PURPOSE

Halff Associates (CONSULTANT) shall provide Design services to revise Final Construction Documents including Civil Engineering, Landscape Architecture for Reaves Park Sports Complex Phase I (PROJECT), for the City of Norman (CLIENT), as an amendment to Contract# K-1617-113 executed March 21st, 2017. The PROJECT is approximately 45 acres within the 78-acre park. Based on the master plan and construction documents previously completed with an approximate \$8 million construction budget. Revised Phase I improvements completed for this Additional Scope of Work include:

- Additional external project coordination as required by Norman Public Works
- Additional required plan revisions from Norman Public Works review during construction
- Additional required plan revisions from Norman Permit review during construction
- Plan revisions caused by unforeseen site conditions
- Additional RFIs, material submittals, substitution requests
- Project construction timeline extension resulting in additional coordination and progress meetings
- Completed Construction administration tasks and effort reallocated from City's Program Manager

NOTE: The list of general program elements is not all-inclusive.

AMENDMENT NO. 3

SCOPE OF WORK

TASK 1 – REVISIONS TO CONSTRUCTION DOCUMENTS

Factors contributing to additional revised construction documents and bidding assistance not included in the original Scope of Work include:

Revisions to Construction Documents

- Design revisions and coordination meetings based on Norman Engineering Department review and comment after final plans submitted.
- City permit review & response received during construction
- Public Works review & response during construction
- Public Works external project coordination
- Jenkins Ave. drainage tie-in, phasing, and redesign coordination with City's External Consultant. External project design began after final plan delivery to City.
- Waterline replacement as-built coordination
- Sidewalk realignment in coordination with the proposed Constitution multipurpose trail
- Waterline extension design and fire hydrant tie in from waterline replacement
- "Lot 1" unknown conditions redesign
- Unforeseen sanitary sewer existing conditions
- RCB redesign at Park Road crossing
- Unforeseen disposal well location
- Unforeseen site constraints requiring in-depth earthwork review and calculation

TASK 2 – ADDITIONAL BIDDING ASSISTANCE SERVICES

Factors contributing to additional bidding assistance services not included in the original Scope of Work include:

Bidding Assistance Services

- Multiple rebid packages, additional bid tab reviews, questions & answers, and substitution request reviews

TASK 3 – ADDITIONAL CONSTRUCTION ADMINISTRATION SERVICES

Factors contributing to additional construction administration services not included in the original Scope of Work include:

Construction Administration Services

- Additional review and coordination of RFI's, submittals, and ASI's required to document and communicate to the Contractor changes and issues related to unknown conditions, required plans revisions at the direction of City Staff.
- Additional time for construction administration through project completion as determined by the Contractor through December 2022.
- Additional Site visits and meetings due to an extension of the construction contract beyond the original completion schedule date.

TASK 4 – ADDITIONAL AS-BUILT PLAN SERVICES

As-Built plan services are not included in the original contract or prior amendments. As-Built Plans will be prepared by HALFF at the request of the CITY. The As-Built plans will be prepared based on contractor provided red-lined plans and a final review of all approved field changes, change orders, ASI and RFI that may have changed the final construction of the project. Halff will provide the as-built plans in electronic PDF format on a flash drive and deliver it to the City of Norman.

PROJECT SCHEDULE

CONSULTANT has already performed the effort for Tasks 1, 2 and 3 of this proposed Contract Amendment No. 3. Construction of the project is completed, concluding with the ribbon cutting ceremony on March 25, 2023. The only remaining effort to perform is for Task 4. The project schedule shall be extended to 30 days after approval of this amendment.

BASIS OF COMPENSATION

A. Basic Fee Services:

The basis of compensation for Basic Fee services shall be as follows:

AMENDMENT NO. 3	FEE REQUESTED
Task 1 – Revisions to Construction Documents	\$46,500
Task 2 – Additional Bidding Assistance Services	\$3,000
Task 3 – Additional Construction Administration Services	\$32,250
Task 4 – Addition of As-Built Plan Services	\$8,000
Direct Cost – AMENDMENT NO. 3	\$2,000
TOTAL AMENDMENT NO. 3 (Tasks 1, 2, 3, 4, & Direct Costs):	\$91,750



B. Billing Schedule:

The estimated fees and direct costs established above shall be considered a lump sum fee and invoiced monthly based on percentage of services completed. Work that has already been completed will be invoiced upon approval of this amendment.

Direct Costs shall include, but are not necessarily limited to expenses for supplies, transportation, equipment, travel, communication, printing of plans and specifications, presentation boards, graphic boards and similar incidentals. All project related expenses will be billed at cost plus 10%.