



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 1/24/23

**REQUESTER:** Paul D'Andrea, Capital Projects Engineer

**PRESENTER:** Elisabeth Muckala, Assistant City Attorney

**ITEM TITLE:** CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT NO. NINE TO CONTRACT K-1617-114: BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY (NMA), THE CITY OF NORMAN, AND P.D.G., L.L.C., D/B/A PLANNING DESIGN GROUP, FOR ADDITIONAL DESIGN AND CONSTRUCTION SERVICES FOR AN INCREASE NOT TO EXCEED \$49,207.50 AND APPROPRIATION OF CAPITAL FUND BALANCE AS OUTLINED IN THE STAFF REPORT.

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### BACKGROUND:

In October of 2015, Norman citizens passed the Norman Forward Initiative, which is funding various projects through a ½ % sales tax increase over 15 years. The Norman Forward Initiative includes an upgrade of the Griffin Park Soccer Complex. Eventually, all of the Griffin Park sports fields will be converted to soccer and include the creation of 22 youth fields.

The City selected the Planning Design Group (P.D.G.), a Tulsa design firm specializing in Landscape Architecture Services, to redesign Griffin Community Park into a majority Soccer Sports Complex. P.D.G. was also then selected in the summer of 2019 as the lead designer for both the Park Maintenance and Transit/Fire Maintenance facilities to be located at North Base near other City maintenance facilities.

On March 14, 2017, the Norman Municipal Authority approved Contract K-1617-114 with P.D.G., L.L.C., in the amount of \$761,000 for architectural design services for the Griffin Park Sports Complex.

On August 27, 2019, the Norman Municipal Authority approved Amendment No. 1 to Contract K-1617-114 with P.D.G., L.L.C., in the amount of \$430,280 for additional architectural design services to add the Park Maintenance Facility and Transit/Fire Maintenance Facility to the existing contract for the Griffin Park Community Park.

On November 12, 2019, the Norman Municipal Authority approved Amendment No. 2 to Contract K-1617-114 in the amount of \$120,000 for additional architectural design services to add bidding services and construction administration services for Griffin Park to the contract for work at the Griffin Park Sports Complex.

On April 14, 2020, the Norman Municipal Authority approved Amendment No. 3 to Contract K-1617-114 in the amount of \$316,370 to provide an increased project scope and to add bidding services and construction administration services for the Park Maintenance Facility and Transit/Fire Maintenance Facility to the existing contract for the Griffin Park Sports Complex.

On June 9, 2020, the N.M.A./Council approved Amendment No. 4 to Contract K-1617-114 in the amount of \$70,000 for additional architectural design services for the Griffin Community Park project, including schematic design documents for a +/- 100,000 square foot Indoor Soccer facility with offices, training areas, restrooms, concession areas, storage space, and associated items.

On September 8, 2020, the N.M.A./Council approved Amendment No. 5 to Contract K-1617-114 in the amount of \$49,500 for design services associated with the proposed Parks and Transit/Public Safety Maintenance Facility, including proposed building and parking revisions, project phasing, renderings, and inclusion of federal third-party contracting requirements needed for Federal Transit Administration grant funding.

On May 25, 2021, the N.M.A./Council approved Amendment No. 6 to Contract K-1617-114 in the amount of \$40,000 for the design services associated with the proposed Parks and Transit/Public Safety Maintenance Facility for additional scope of work for the addition of a full-length, manual wash bay on the east side of the proposed automated wash facility.

On April 26, 2022, the N.M.A. approved Amendment No. 7 to Contract K-1617-114 in the amount of \$71,000 to provide additional design services for the Griffin Park Community project, which brought the total contract amount to \$1,858,150.

On November 11, 2022, the N.M.A. approved Amendment No. 8 to Contract K-1617-114 adding The City of Norman as a party to the contract.

## **DISCUSSION:**

Following execution of the amendments adding these additional facilities to the scope of the original Griffin Soccer Complex design agreement, the City opted to separate the additional project into multiple phases. Design services for the North Base Complex were provided for the construction of the new Transit/Fleet and Parks Maintenance Facilities as Phase I of the project, and design of the new Fleet Wash Facility to serve all City vehicles as Phase II.

First, this amendment address payment for additional design services relating to the Fleet Wash Facility. This past summer the City opened bids for the new Vehicle Wash Facility. Due to increased cost and abbreviated supply, prices were expected to come in higher than anticipated and the City opted to maintain its original design wishes, rather than change the scope of the Project. The bids received on June 2, 2022 were all over the project budget by nearly 50%, however, a much higher increase than any party expected. For this reason the bids were rejected.

Upon rejection of the bids from June 2, 2022, City staff and the project designer worked in conjunction with several of the previous bidders, to modify the project plans and specifications

in an effort to “value engineer” the project in the hopes of reducing the cost. Changes included revision of materials to be used, the addition of bid alternates to allow phasing of less critical portions of the project, and revising specifications to allow competitors to bid for the wash equipment. The value engineering efforts were successful and bids were received on November 1, 2022 at more than \$500,000 in savings from the June 2, 2022 bids.

Some of the services to redesign the project to lower the cost of construction were already required by the design contract. City staff carefully evaluated the situation to determine the portion of design service costs which should be attributable to the City under the circumstances, as opposed to considered part of the risk borne by the Design Consultant. Through amicable discussions, the parties agreed that the City would only request an increase attributable to 50% of the total redesign cost, which comes to \$11,675 for these additional services.

Additionally, this Amendment addresses the provision by PDG of Construction Administration services relating to Phase II, the Fleet Wash Facility. The Design Consultant has requested a contract price increase not to exceed \$37,532.50 for provision of these services by Design Consultant and its contractors/subcontractors. Thus, the total amount of this requested Amendment 9 is an amount not to exceed \$49,207.50, for a new total contract amount not to exceed \$1,907,357.50.

#### **RECOMMENDATION 1:**

Staff recommends an appropriation of \$49,207.50 from the Capital Fund Balance (Account 50-29000) to North Base Phase Two Vehicle Wash Facility, Design (Account 50590078-46201; Project BG0260).

#### **RECOMMENDATION 2:**

Staff recommends approval of Amendment 9 for Contract K-1617-114, between the Norman Municipal Authority, the City of Norman and P.D.G., L.L.C. d/b/a Planning Design Group, in the additional amount not to exceed \$49,207.50.