



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 07/23/2024

REQUESTER: Steve Guizzo, Engineering Assistant

PRESENTER: Scott Sturtz, Acting Director of Public Works

ITEM TITLE: CONSIDERATION OF ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AWARDED BID 2425-2 AND CONTRACT K-2425-1 AND CHANGE ORDER ONE: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ARROYO'S CONCRETE L.L.C., IN THE AMOUNT OF \$532,590.62 FOR THE FYE 2025 SIDEWALK CONCRETE PROJECTS, PERFORMANCE BOND B-2425-1; STATUTORY BOND B-2425-2; MAINTENANCE BOND MB-2425-1, AND RESOLUTION R-2425-1 GRANTING TAX-EXEMPT STATUS

BACKGROUND:

This project will provide funding to: assist property owners in repairing existing sidewalks and construct new sidewalks, create ADA accessible routes in needed areas, construct new sidewalk for pedestrian routes to schools, perform sidewalk, ramp, and curb repair work in specified locations in the downtown area and perform sidewalk, ramp, and curb repair work in specified locations primarily along arterial road routes.

Pursuant to State Law (Title 11, Section 36-104), although developers and abutting property owners are responsible for constructing and maintaining sidewalks, the City has the responsibility of ensuring safe sidewalks. The City Council established a sidewalk program in 1997 to reduce this burden to property owners. Accordingly, funds are allocated for five separate capital project accounts within the Capital Improvement Program Budget. Because the projects are similar in nature, the City has historically achieved economy of scale and received more competitive bids when these projects are bundled and bid together. These five projects are described in detail below.

The **Citywide Sidewalk Reconstruction Program** is intended to assist property owners in repairing sidewalks and constructing new sidewalks to close gaps in existing sidewalk. Property owners who wish to participate in the Citywide Sidewalk Reconstruction Project will pay fifty percent (50%) of the estimated cost, with the City paying the remaining fifty-percent (50%) from funds allocated to this project. Citizen contributions are subsequently recouped with City Council approval to replenish this program funding. This is a very popular and cost-saving program for residents and the demand typically outpaces the allocated resources.

The **Sidewalk Accessibility Program** provides sidewalk ramps where none exist and rebuilds existing ramps that do not comply with the current Americans with Disabilities Act (ADA) standards. This project will construct approximately six curb ramps per year. Locations are determined at the request of citizens and along arterial and collector streets that do not currently have ramps at street-sidewalk intersections. The locations in this year's program will include six ramps at Main Street and Creekdale Drive and Northwich Drive and Willow Branch Road.

The **Sidewalk Program for Schools and Arterials Program** is used to construct new sidewalks adjacent to elementary schools that have no sidewalks and along walking routes to the schools. This year's project consists of Phase II of a two-phase project. It encompasses new sidewalk construction, where sidewalk is discontinuous along Mimosa Drive from Stubbeman Avenue to N Peters Ave, servicing Norman North High School.

The **Downtown Area Sidewalks and Curbs Program** will repair hazardous or deteriorated sidewalks, ramps and curbs in the downtown area. This year's project location will be concentrated along N Crawford Avenue, from Daws Avenue to Alley S of Daws Avenue. This project will consist of new sidewalk construction along the east side of the roadway. There will also be repairs made to the existing sidewalks along Webster Avenue from Main Street to Comanche Street as well as sidewalk and driveway approach between 203 and 219 S University Boulevard.

The **Sidewalks and Trails Program** constructs new sidewalk and trails throughout the city. This year these funds will be combined with Sidewalk Program for Schools and Arterials Program to complete Phase II of Mimosa Drive.

DISCUSSION:

The project was publically advertised on May 16, 2024 and May 23, 2024. Three contractors attended a pre-bid conference on May 23, 2024. Three bids were submitted and opened on June 6, 2024. The project was advertised in a local paper, in plan rooms and sent to our normal concrete contractors. There is a lot of work in the City of Norman and the Oklahoma City metro area. Contractors that would normally bid on these programs have current contracts and may not have the capacity to complete this contract.

Tabulation of Bid Results

Contractor	Total
Arroyo's Concrete, LLC.	\$532,590.62
EMC Services, LLC.	\$565,128.72
Rudy Construction Co.	\$636,700.15
Engineer's Estimate	\$438,000.00

All bids submitted exceeded the engineer's estimate. The low bid by Arroyo's Concrete, LLC of Oklahoma City in the amount of \$532,590.62, which is \$94,590.62, or 21.6%, more than the engineer's estimate and \$72,590.62 or 15.8% over the budgeted amount of \$460,000.00.

Staff has reviewed this bid and based on the current market and the work to be completed the bid is acceptable. Arroyo’s Concrete, LLC is a responsible bidder. They are currently performing similar work for the City of Norman and have completed the work for this program in previous years.

The “**Citywide Sidewalk Reconstruction Program**” funds for this fiscal year will be used in the City’s fifty percent (50%) match of this program, in which the property owner chooses to use their own contractor or the City of Norman contractor. The current bid of \$139,240.00 is above the FYE 2025 budget of \$125,000.00 for this sub-project. Staff is requesting to decrease the bid amount to \$125,000.00 to use the funding throughout the year to complete necessary repairs in the Citywide 50/50 Program. Last year all funds in this program were used to assist 57 property owners to repair or replace sidewalks abutting their property. It is anticipated this program will assist about the same amount of property owners this year as we have already received over 10 requests to participate in the program.

The “**Sidewalk Accessibility Program**” sub-project was funded for \$45,000.00 in FYE 2025 and the bid of \$37,606.00 yields a surplus of \$7,394, requiring no change.

The “**Sidewalk Program for Schools and Arterials**” and **Sidewalks and Trails Program**” sub-project was funded for \$240,000.00 in FYE 2025 and the bid of \$284,030.00 yields a deficit of \$44,030.00. The increase in the costs for this program is attributed to the current economy, staffing shortages and inflation in material costs. This has been compounded recently by shortages in cement for concrete and other building materials. This project will be constructed with cost cutting methods to save money and complete as much of the project as possible without going over budget.

The “**Downtown Area for Sidewalks & Curbs**” sub-project was budgeted for \$50,000.00 in FYE 2025 and the bid of \$71,714.62 yields a deficit of \$21,714.62. The scope of this project has been reduced to necessary repairs to the sidewalks along N Crawford Avenue and ramps at W Tonhawa Street and the entrance to the Post Office. The scope of this project will be decreased by eliminating an approach and sidewalks on S University at the Alley south of W Comanche Street and the elimination of two ramp removal and replacements locations on S Webster Avenue. With the increased costs attributed to the current economy, staffing shortages and inflation in material costs have resulted in the increased costs. This has been compounded recently by shortages in cement for concrete and other building materials.

Several of the programs have exceed their budgeted amounts as discussed above. The selected projects are necessary and funding is available as discussed below. These programs will be funded as follows:

Project	Number and Account	FYE 2025 Program Budget	Bid Amount	Deductive Change Order #1	Additive Change Order #1
Citywide Sidewalk Reconstruction 50/50 Program	TC0273 ACCT#50590052-46101	\$125,000.00	\$139,240.00	-\$14,240.00	

Sidewalk Accessibility Program	TC0238 ACCT#50593316-46101	\$45,000.00	\$37,606.00		\$7,394.00
Sidewalk Program for Schools and Arterials and Sidewalks and Trails Program	TC0249 ACCT#50593317-46101 and TC0262 ACCT#5051179-46101	\$240,000.00	\$284,030.00	-\$44,030.00	
Downtown Area Sidewalks and Curbs	TC0274 ACCT#50597716-46101	\$50,000.00	\$71,714.62	-\$21,714.62	
Total:		\$460,000.00	\$532,590.62	-\$79,984.62	\$7,394.00

If approved, construction of the FYE 2025 Sidewalk Concrete Projects will begin on or around July 15, 2024. The construction time for this project is 350 days with a completion date of June 30, 2025.

RECOMMENDATION NO. 1:

Three bids were received, but based on the current contracting conditions and materials costs and the past experience with the bidder, staff recommends the approval of Contract K-2425-1 with Arroyo’s Concrete, LLC. in the amount of \$532,590.62 for construction of the FYE 2025 Sidewalk Concrete Projects.

RECOMMENDATION NO. 2:

Staff further recommends that, upon approval of Contract K-2425-1, the following bonds be approved:

- Performance Bond No. B-2425-1
- Statutory Bond No. B-2425-2
- Maintenance Bond No. MB-2425-1

RECOMMENDATION NO. 3:

Staff further recommends that, upon approval of Contract K-2425-1, Arroyo’s Concrete, LLC. be authorized as Project Agent via Resolution No. R-2425-1.

RECOMMENDATION NO. 4:

Staff further recommends that, upon approval of Contract K-2425-1, Change Order Number 1 reducing the program costs in the amount of \$79,984.62 for the sub-projects **Sidewalk Program for Schools and Arterials and Sidewalks and Trails Program, Downtown Area for Sidewalks & Curbs and Citywide Sidewalk Reconstruction Program** as shown in the table in this item be accepted to decrease the Citywide Sidewalk Reconstruction Program. The sub-project **Sidewalk Accessibility Program** shall be increased by \$7,394.00 to utilize the budgeted funds.