



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 11/28/23

REQUESTER: Taylor Johnson, Transit and Parking Program Manager

PRESENTER: Shawn O'Leary, Public Works Director

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF FINAL ACCEPTANCE OF CONTRACT K-2223-72: BY AND BETWEEN THE CITY OF NORMAN, AND STRONGHOLD CONSTRUCTION, AND FINAL PAYMENT IN THE AMOUNT OF \$24,162.62, TO RELEASE THE RETAINAGE FOR THE NORMAN TRANSIT CENTER PROJECT AS OUTLINED IN THE STAFF REPORT.

BACKGROUND:

The City of Norman took over the operations of the City public transportation system on June 1, 2019, from the University of Oklahoma. Since then, staff has worked diligently to maintain operation of the service and to evaluate how to better serve Norman's citizens. This work has included collaborating with EMBARK for day to day operations, pursuing grant opportunities to maximize local funding, and developing and implementing the Go Norman Transit Plan.

During the education campaign for the Public Transit Sales Tax in September-November 2019, staff heard from the community and Council about the need to update our long-term vision for the transit system in Norman since the City took over operations.

Using Request for Qualifications RFQ-1920-60, City staff solicited proposals to update the City's Long Range Transit Plan. There were many key objectives proposed in RFQ-1920-60, with one being "provide recommendations on a new transfer station location/area and recommend route changes to accommodate the new location/area". An evaluation committee made up of City staff, stakeholders, and community members scored and ranked the proposals received in response to RFQ-1920-60. At the conclusion of the evaluation process, Nelson\Nygaard Consulting Associates, Inc. (Nelson\Nygaard) was selected as the most qualified firm for the proposed project.

Project kickoff occurred in August 2020 and following an 11-month process of evaluation, including receiving community and stakeholder feedback, the Go Norman Transit Plan was developed. The finalized plan, which was unanimously adopted by Council on June, 22, 2021, serves as a guide for improving Norman's public transportation system in the immediate, near, and long term. Along with evaluations of the existing route system and fare analysis, the plan made recommendations for location of a new transit center, route changes and expansions, bus

stop locations, and capital replacement. An adopted, current plan also makes the City more competitive with securing grant funding for improvements.

The City has made progress on multiple projects that work towards the initial recommendations in the Go Norman Transit Plan. Those concerning the proposed new transit center include the following:

Evaluation and acquisition of property at 320 East Comanche Street to be renovated as the new City Transit Center. Council approved the purchase/sale agreement on January 19, 2022 and the City assumed ownership on March 4, 2022.

Council then approved a contract with McKinney Architects to provide Architectural and Engineering services for the property on May 10, 2022.

In order to integrate the property at 320 East Comanche Street into the recommendations of the Go Norman Transit Plan, a contract amendment with Nelson/Nygaard was proposed and approved by Council on March 8, 2022. This work included updating the system and route maps to realign with the new property, developing transit center bus bay requirements and transfer matrix and a new downtown transit center map, and assisting with identifying potential transit center amenities. This work was completed and presented to the City Council Community Planning and Transportation Committee on June 23, 2022. Separate from this amendment, Nelson/Nygaard provided technical expertise to the architect for the transit center renovations.

Throughout fall 2022, Staff worked with the architect to finalize designs. Once finalized, in December 2022, bid documents were then solicited and a mandatory pre-bid meeting was conducted. On January 4, 2023, the City of Norman opened bids for the City Transit Center Remodel project. The low bid from Stronghold Construction was \$875,334. On February 14, 2023 City Council approved contract K-2223-72 with Stronghold Construction. A notice to proceed was given on February 28, 2023 and construction officially began March 1, 2023.

On April 11, 2023 Council approved Change Order 1 for this project in the amount of \$52,980.13 in order to cover the cost of additional, new drywall and flooring once asbestos removal was completed. This change order also included the cost of \$726.12 to provide power to the main door access control.

On May 15, 2023 the City Manager approved Change Order 2 for this project in the amount of \$5,935.13 in order to cover the cost of design changes to the main, exterior signs for the Transit Center that incorporated both the City and EMBARK Norman logos, ensuring that those wanting to access City transit services are aware of the facility and its function.

On June 2, 2023 the City Manager approved Change Order 3 for this project in the amount of \$6,150.51 in order to cover the cost of ADA access issues associated with the front (north side sidewalk located within the property) leading to and from the sidewalk that will be installed in the right-of-way along Comanche Street. Originally, the design called for a step down from the property sidewalk to the street sidewalk. While ADA access was accomplished by way of another avenue on the east side of the property from the Porter Avenue sidewalk, after reviewing this with the contractor and designer all parties felt it was prudent to correct this and install ramps in these areas instead.

On August 25, 2023 the City Manager approved Change Orders 4 and 5 for this project in the total amount of \$19,931.47 in order to cover the cost of additional basement repairs due to the asbestos remediation, installation of a pressure tank, curb and tactile warning strips, masonry infill spray foam, additional storefront framing, and additional framing and countertops to extend the height of the pony wall to meet safety standards.

On October 31, 2023 the City Manager approved Change Order 6 for this project in the amount of \$6,176.52 in order to cover the cost of replacement light fixtures with a thinner frame than the ones originally specified in the design to fit between duct work, replacement windowsills that were removed with the asbestos remediation, replacement water heater, replacement conduit for irrigation, and diagnostic plumbing costs for newly discovered issues in the existing plumbing.

DISCUSSION:

As of November 10, 2023, Stronghold Construction had completed all work associated with the Norman Transit Center Project contract. All final punch list items have been addressed.

All changes to the contract have been addressed by previous change orders, so no final change order is necessary. All that remains to be paid is the remaining 2.5% retainage withheld while Stronghold addressed the punch list items. The final cost for the Norman Transit Center Project construction is \$966,507.76 or 10.42% over the original construction contract. Without the unforeseen asbestos remediation that needed to take place, the project cost increased by \$38,193.63 or 4.36%, which would have been within the approved budget and covered by the initial 5% contingency allocated to the project.

The City will issue the final payment of the remaining 2.5% retainage of \$24,162.62, upon final acceptance of the project by City Council. At that time, maintenance bonds associated with the contract will go into effect. This project was accounted for in the Transit Transfer Station (Project BG0254; Account, 50593379-46101).

RECOMMENDATION:

Staff recommends that the final acceptance of Contract K-2223-72 with Stronghold Construction and authorization of payment of retainage in the amount of \$24,162.62 be approved.