



## CITY OF NORMAN, OK STAFF REPORT

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

**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 FINAL ACCEPTANCE OF CONTRACT K-2021-35: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FLINTCO, INC., FOR THE NORTH BASE COMPLEX PROJECT, PHASE 1, AND FINAL PAYMENT IN THE AMOUNT OF \$227,443.96.

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### **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 constructed combined Park Maintenance and City Transit/Public Safety Maintenance Facilities 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 Parks and Recreation vehicles and equipment, City transit system buses, and public safety vehicles and equipment.

Transit Maintenance Facility: In August of 2018, University of Oklahoma officials advised City staff of their desire to transfer non-campus bus services in Norman to another operator by the end of the 2019 fiscal year. On July 1, 2019, operation of non-campus bus services in Norman was transferred from the University to the City. Maintenance for the large-chassis transit system fleet is performed at the combined Public Transit/Public Safety Fleet Maintenance Facility at 1310 Da Vinci Street

North Base Complex Design: On March 14, 2017, the Norman City Council approved Contract K-1617-114 with 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, Transit, and Public Safety Maintenance Facilities at the North Base Campus, staff further recommended including master planning and design of the Transit and Public Safety Maintenance Facilities in the amended contract.

On August 27, 2019, City Council approved Amendment No. 1 to Contract K-1617-114 with PDG, LLC d.b.a. Planning Design Group, in the amount of \$430,280 for additional Professional Architectural Design Services to add the Park Maintenance Facility and Transit/Public Safety Maintenance Facility to the existing contract for the Griffin Park Sports Complex.

On April 14, 2020, City Council approved Amendment No. 3 to Contract K-1617-114 with PDG, LLC d.b.a. Planning Design Group, in the amount of \$316,370 for additional professional design services to provide an increased project scope and to add bidding services and construction administration services for the Park Maintenance Facility and Transit/Public Safety Maintenance Facility to the existing contract for the Griffin Park Sports Complex.

On September 8, 2020, City Council approved Amendment No. 5 to Contract K-1617-114 with PDG, LLC d.b.a. Planning Design Group, in the amount of \$49,500 for additional architectural design services for the proposed 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, City Council also approved Amendment No. 4 to Contract K-1516-110 between the City of Norman, The Norman Municipal Authority, and ADG, P.C., in the amount of \$157,180 adding Construction Phase Services for the North Base Complex, Project, Phase 1, to the scope of projects receiving program management services.

On October 13, 2020, City Council approved Contract K-2021-35 with Flintco LLC, in the amount of \$8,648,000 for the Park Maintenance Facility and the Transit/Public Safety Maintenance Facility.

On March 9, 2021, City Council approved Change Order No. 1 to Contract K-2021-35 with Flintco LLC, in the amount of \$64,737.65 and adding 20 calendar days to the Parks Maintenance Facility and the Transit/Public Safety Maintenance Facility.

On July 13, 2021, City Council approved Change Order No. 2 to Contract K-2021-35 with Flintco LLC, in the amount of \$76,156.98 and adding 39 Calendar Days for the Parks Maintenance Facility and the Transit/Public Safety Maintenance Facility.

On October 12, 2021, City Council approved Change Order No. 3 to Contract K-2021-35 with Flintco LLC, in the amount of \$102,609.21 and adding 58 calendar days for Parks Maintenance Facility and the Transit/Public Safety Maintenance Facility.

On January 25, 2022, City Council approved Change Order No. 4 to Contract K-2021-35 with Flintco LLC, in the amount of \$93,249.12 and adding 41 Calendar Days for the Park Maintenance Facility and the Transit/Public Safety Maintenance Facility.

On April 26, 2022, City Council approved Change Order No. 5 with Flintco, LLC, for the North Base Complex Project, Phase 1, in the amount of \$81,184.41 plus 14 additional calendar days, for the Base Bid and Bid Alternate No. 1.

On June 28, 2022, City Council approved a partial reduction in retainage from 5% to 2.5% for Contract K-2021-35.

### **DISCUSSION:**

As of January 13, 2023, Flintco, LLC had completed all work associated with the North Base Complex Project, Phase 1, contract. All final punch list items have been addressed and a list of outstanding warranty items has been provided to Flintco.

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 Flintco addressed the punch list items. The final cost for the North Base Complex, Phase 1 construction is \$9,097,758.42 or 5.20% over the original construction contract.

The City will issue final payment, including retainage, of \$227,443.96, upon final acceptance of the project by City Council. At that time, maintenance bonds associated with the contract will go into effect.

The funds for the final retainage invoices will be paid from the following projects and accounts:

- Norman Forward Fund, Reaves Park, Construction (Account 51792205-46101; Project NFB006)
- Capital Fund, North Base Projects, Construction (Account 50590078-46101; Project BG0081)
- Capital Fund, General Buildings, Construction (Account 50193365-46101; Project BG0252)

### **RECOMMENDATION:**

Staff recommends the final acceptance of Contract K-2021-35 with Flintco, LLC and authorization of payment of retainage in the amount of \$227,443.96.