



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 6/28/22

REQUESTER: Jason Olsen

PRESENTER: Jason Olsen, Director of Parks and Recreation

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT NO. FOUR TO CONTRACT K-2021-97: BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND GE JOHNSON CONSTRUCTION COMPANY INCREASING THE CONTRACT AMOUNT BY \$2,653,243 FOR A REVISED CONTRACT AMOUNT OF \$41,677,428 FOR CONSTRUCTION MANAGEMENT AT-RISK SERVICES FOR THE CONSTRUCTION OF THE YOUNG FAMILY ATHLETIC CENTER.

BACKGROUND:

In October of 2015, Norman citizens passed the Norman Forward Initiative, funding various projects through a ½% sales tax increase over 15 years. Included in the Norman Forward Initiative were projects to construct a new Multi-Sport Complex and Indoor Aquatic Facility.

The Multi-Sport Complex and Indoor Aquatic Facility were initially proposed as two separate projects. After extensive public input and consideration by the City Council, acting as Trustees of the Norman Municipal Authority (NMA), these projects were combined into one more extensive project in 2018, located at the southeast corner of 24th Avenue NW and Rock Creek Road. This new sports and aquatic complex will include eight full-sized basketball or 12 volleyball courts; a 25-meter, eight-lane lap pool; a 25-yard, four-lane warm-up pool; concession stands; retail space; administration offices; and, through a partnership with Norman Regional Health System (NRHS), a health and wellness clinic to be placed between the multi-sports and aquatic complexes.

Oklahoma City firm Frankfurt, Short, Bruza (FSB) was selected as the architectural and engineering (A/E) consultant for this project in March 2018. FSB has completed the schematic design and design development documents phase of the project and is proceeding with construction documents and assisting with construction administration through the project completion. The building and the project were named the Young Family Athletic Center ("YFAC")

in July of 2021 (K-2122-27) after the Trae Young Family Foundation (TYFF) agreed to donate \$4,000,000 to the construction of the building. NRHS has committed a minimum of \$6.7 million through a Memorandum of Understanding in May of 2021 (K-2122-99) towards constructing a human sports and performance clinic inside the YFAC to be called "N-Motion."

DISCUSSION:

On February 9, 2021, the NMA/City Council approved Contract K-2021-97 with GE Johnson Construction Company to provide construction management at-risk (CMaR) services for the YFAC project. The initial contract amount of \$85,000 was approved to provide pre-construction services which included plan review, design assistance, bidding services, and value engineering.

On September 14, 2021, NMA/City Council approved Amendment / Guaranteed Maximum Price (GMP) #1, which included earthwork, site clearing, and mass excavation; estimating and construction contingencies; general conditions for the entire project; and indirect costs, which included bonding, insurance, and CMaR fees. The total for GMP #1 was \$3,404,474 (making a then-cumulative total for Contract K-2021-97 of \$3,489,474).

On November 30, 2021, NMA/Council approved Amendment / GMP #2, which included building concrete, steel/joist/deck fabrication & erection, swimming pools, concrete/asphalt exterior paving, site utilities, and construction contingency, bonding/insurance and CMaR fees. The total for GMP #2 was \$12,875,632 (making a then-cumulative total for Contract K-2021-97 of \$16,365,106).

On February 22, 2022, NMA/Council approved / Amendment / GMP #3, which included bids for masonry, millwork, metal panels, roofing, windows, painting, flooring, elevators, plumbing/HVAC/mechanical, electrical, landscaping, and various other aspects of upward construction. The total for GMP #3 was \$22,659,079 (making the then-cumulative total for Contract K-2021-97 of \$39,024,185).

Construction bids for this amendment were opened on various dates in March and April 2022 due to the specialty of the materials needed, or the type of construction is limited to a few contractors in the state or region (bid opening dates are listed next to bid package on the attachment). Bid packages included in GMP #4 include - miscellaneous steel (3/15), specialty doors (4/12), hanger doors (3/15), project signage (3/15), and saunas (3/15). The total for bid work in GMP #4 is \$1,109,064.

The City in this GMP #4 also accepted two "Add Alternate" bids, which is added work that can be awarded as additional scope if funds become available. The Parks Department added a central HVAC network monitoring system through "Automated Logic" (\$135,600) and additionally added sod into the landscaping contract instead of seed (\$23,635), both as "Add Alternative" bids. Also, after work was started, contractors discovered and abated two old water lines that ran through the construction site and contained asbestos (\$17,981).

GMP #4 also includes a "Change Order" for civil and utility work due to an error in the design of the project's stormwater system (\$522,425). Due to both a project delay and current market conditions in adding time to get building materials on site, the CMaR (GE Johnson) is requesting an additional seven months of construction time, extending the construction time/general conditions of the project to 24 months (\$601,881).

The total amount for GMP/Amendment #4 is \$2,653,243 which included indirect costs and fees of \$212,418, making the current cumulative total for Contract K-2021-97 of \$41,677,428. This is the anticipated to be the project's fourth and final Amendment/GMP.

The costs for most of the various components of GMP #4 are substantially within the engineer's and CMAA's estimates. The bid price for this project and extended schedule reflect the recent worldwide increase in the price and delivery schedules of some materials. This cost inflation and schedule change have been anticipated, and contingency plans have been discussed with the NMA/Council and the Norman Forward Citizen's Financial Oversight Board (CFOB).

Our Project Consultants from ADG have participated throughout the entire process up to our current point of construction for this project. Further, the amendment documents have been reviewed and approved by the City Attorney's Office.

There are adequate funds available for this contract in the Indoor Sports Facility YFAC Project, Construction (Account 51790601-46101; Project NFP110).

RECOMMENDATION:

It is recommended that the City Council, acting as the Norman Municipal Authority, approve Amendment #4 to CMAA Contract K-2021-97 with GE Johnson Construction Company in the amount of \$2,653,243 for a total contract of \$41,677,428 for the Young Family Athletic Center project for the Parks and Recreation Department.