



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 07/25/2023

REQUESTER: Steve Guizzo, Engineering Assistant

PRESENTER: Shawn O'Leary, Director of Public Works

ITEM TITLE: CONSIDERATION OF AWARDING, ACCEPTANCE, APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BID 2223-75 AND CONTRACT K-2324-2 IN THE AMOUNT OF \$330,885.50 and CO #1 IN THE AMOUNT OF \$7,802 FOR A TOTAL AMOUNT OF \$338,687.50 BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ARROYO'S CONCRETE LLC.. FOR THE FYE 2024 SIDEWALK CONCRETE PROJECTS, PERFORMANCE BOND B-2324-3; STATUTORY BOND B-2324-4; MAINTENANCE BOND MB-2324-2; RESOLUTION R-2324-2 GRANTING TAX-EXEMPT STATUS; AND BUDGET TRANSFER.

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 eight curb ramps per year. Locations are determined at the request of citizens and along arterial and collector streets that do not currently have ramps or ramps are in need of repair or upgrades at street-sidewalk intersections. The locations in this year’s program will include seven ramps along Boyd Street.

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 I of a two-phase project. It encompasses new sidewalk construction, where sidewalk is discontinuous, as well as repairs to existing sidewalk on the south side of W. Boyd Street from S. Berry Road to Broad Lane, servicing Jackson Elementary School, McKinley Elementary School and Oklahoma University . It also includes the construction of one sidewalk ramp. A second-phase of this project is forecasted for FYE 2025 and includes repairs eastward to S Flood Avenue on the south side.

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 North Webster Avenue, from West Gray Street to the parking lot entrance on the east side. This project will consist of removing and replacing sidewalks along the east side of the roadway along 225 N. Webster Avenue. The second location to be addressed is N. Crawford Avenue from Gray Street to the first alley to the south on the east side of the road.

The **Sidewalks and Trails Program** constructs new sidewalk and trails throughout the city, in conformance with adopted plans; including the Greenbelt Master Plan, Bikeway & Transportation Master Plan and Parks Master Plan. This year’s project consists of significant sidewalk additions to fill in and connect existing sidewalks along 12th Avenue NE from Rock Creek Road to just north of Northern Hills Road. This project will also include the addition of 2 sidewalk ramps.

DISCUSSION:

The project was publically advertised on May 19, 2023 and May 26, 2023. Two contractors attended a pre-bid conference on July 7, 2023. Three bids were submitted and opened on June 15, 2022. The project was advertised in a local paper, in plan rooms and sent to our normal concrete contractors.

Tabulation of Bid Results

Contractor	Total
Arroyo’s Concrete LLC.	\$330,885.50
EMC Services LLC.	\$402,779.70
Rudy Construction Co.	\$651,505.00
Engineer’s Estimate	\$406,362.00

The low bid was submitted by Arroyo’s Concrete LLC. of Oklahoma City in the amount of \$330,885.50, which is \$75,476.50, or 18.6%, less than the engineer’s estimate. The budgeted amount for the FYE 2024 Sidewalk Concrete Projects included in this bid was \$380,000. Staff has reviewed the low bid and based on the current market and the work to be completed and determined 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 \$82,198 is less than the FYE 2024 budget of \$100,000 for this sub-project. Staff is requesting to increase the bid amount to \$90,000 to use the funding throughout the year to complete necessary repairs in the Citywide 50/50 Program by change order #1. Funds are available in this project. This will leave \$10,000 if Citizens would prefer to hire their own contractor and the City participate. Last year this program assisted 40 property owners to repair or replace sidewalks abutting their property. It is anticipated this program will assist the same, if not more, 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 \$30,000 in FYE 2024 and the bid of \$38,750 yields a funding deficit of \$8,750. The increase in the costs for this program is attributed to the increased scope of the project to accomplish the nessary work.

The “Sidewalk Program for Schools and Arterials” sub-project was funded for \$80,000 in FYE 2024 and the bid of \$103,960.50 yields a funding deficit of \$23,960.50. The increase in the costs for this program is attributed to the increased scope of the project to accomplish the nessary work.

The “Downtown Area for Sidewalks & Curbs” sub-project was budgeted for \$50,000 in FYE 2024 and the bid of \$36,971 yields a funding surplus of \$13,554. The scope of this project includes necessary repairs to the sidewalks adjacent to 225 N Webster Ave to complete the building reconfiguration and upgrade and sidewalks and curb along the east side of N Crawford Ave.

The “Sidewalks and Trails Program” was budgeted for \$120,000 in FYE 2024 and the bid of \$69,000 yields a funding surplus of \$50,994. The scope of this project will be reevaluated and expanded to include additional areas in need of sidewalks.

Two 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 Funding Summary					
Project	Number and Account	FYE 2023 Program Budget	Bid Amount	Change Order #1	Transfer Funds From TC0262 ACCT#50591179- 46101
Citywide Sidewalk Reconstruction Program	TC0273 ACCT#50590052- 46101	\$100,000.00	\$82,198.00	\$7,8020	

Sidewalk Accessibility Program	TC0238 ACCT#50593316-46101	\$30,000.00	\$38,750.00		\$8,750.00
Sidewalk Program for Schools and Arterials	TC0249 ACCT#50593317-46101	\$80,000.00	\$103,960.50		\$23,960.50
Downtown Area Sidewalks and Curbs	TC0274 ACCT#5057716-46101	\$50,000.00	\$36,971.00		
Sidewalks and Trails Program	TC0262 ACCT#50591179-46101	\$120,000.00	\$69,006.00		
Total:		\$380,000.00	\$330,885.50	\$7,802	\$32,710.50

If approved, construction of the FYE 2024 Sidewalk Concrete Projects will begin on or around July 31, 2023. The construction time for this project is 350 days with a completion date of June 30, 2024.

- Citywide Sidewalk Reconstruction Program – July 2023 and then throughout the year as repairs are necessary
- Sidewalk Accessibility Program – August 2022
- Downtown Area Sidewalks and Curbs – September 2023 – January 2024
- Sidewalk Program for Schools and Arterials - March 2024 - June 2024 (will attempt to schedule repairs near school during school breaks as to minimize disruption when possible)
- Sidewalks and Trails Program will April 2024 – June 2024

RECOMMENDATION 1:

Three bid were received; based on past experience with the bidder, staff recommends the approval of Contract K-2324-2 with Arroyo's Concrete, LLC. in the amount of \$330,885.50 for construction of the FYE 2024 Sidewalk Concrete Projects.

RECOMMENDATION 2:

Staff further recommends that, upon approval of Contract K-2324-2, the following bonds be approved:

Performance Bond B-2324-3
Statutory Bond No. 1324-4
Maintenance Bond No. MB-2324-2

RECOMMENDATION NO. 3:

Staff further recommends that, upon approval of Contract K-2324-2, Arroyo's Concrete, LLC. be authorized as Project Agent via Resolution No. R-2324-2.

RECOMMENDATION NO. 4:

Staff further recommends that, upon approval of Contract K-2324-2, Change Order Number 1 in the amount of \$7,802.00 be accepted to increase the Citywide Sidewalk Reconstruction Program,

RECOMMENDATION NO. 5:

Staff further recommends that, upon approval of Contract K-2324-2, \$32,711 be transferred from Sidewalks and Trails Program Project (TC0262 ACCT#50591179-46101) as follows:

- \$8,750.00 to Sidewalk Accessibility Program (TC0238 ACCT#50593316-46101).
- \$23,961.00 to Sidewalk Program for Schools and Arterials (TC02349 ACCT#5053317-46101).