



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 1/18/2022

REQUESTER: Nate McNeely, Engineering Assistant

PRESENTER: Shawn O'Leary, Public Works Director

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION AND/OR POSTPONEMENT OF CHANGE ORDER NO. TWO TO CONTRACT K-2122-1: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND NASH CONSTRUCTION COMPANY INCREASING THE CONTRACT BY \$80,000 FOR A REVISED CONTRACT AMOUNT OF \$439,109 AND BUDGET APPROPRIATION AND TRANSFERS AS OUTLINED IN THE STAFF REPORT.

BACKGROUND:

The Fiscal Year 2021-2022 (FYE 2022) Annual Sidewalk Program, consists of five projects: Sidewalk Accessibility, Sidewalk Program for Schools & Arterials, Sidewalks & Trails, Downtown Sidewalks & Curbs and Citywide Sidewalk Reconstruction. Collectively, they are budgeted for \$330,000 annually. In recent years, City Staff has experienced success in achieving economy of scale by bundling these projects into a singular contract, enabling more sidewalk work at lower costs than if bid independently.

FYE 2022 Annual Sidewalk Program (K-2122-1) went to bid on May 13, 2021, with Nash Construction Company submitting the winning bid of \$313,109. The contract was approved by City Council on July 13, 2021. Work began on August 10, 2021 and all projects were completed in November, with the exception of the Citywide Sidewalk Reconstruction Project which runs until the end of the fiscal year or until project funds are depleted.

The Citywide Sidewalk Reconstruction Project is a sub-project to the Annual Sidewalk Program, but is the parent project for two essential sidewalk needs. The primary function is the Sidewalk and Curb Replacement Participation Program (SCRPP), also known as the "50/50" program. The SCRPP enables and encourages residents to have their residential sidewalk hazards repaired at a 50% cost share with the City and the ability to leverage the City contractor to perform the work at a reduced cost due to the economy of scale achieved with the bundling of multiple sidewalk programs under a single contract. The second function addresses sidewalk hazard repairs along arterial roads that are reported by residents, at 100% City cost. These have historically been performed by the City because they are high pedestrian traffic areas, are in the best interest of the City to promote safe accessibility, and are often in locations spanning multiple properties.

The Citywide Sidewalk Reconstruction Project is budgeted for \$50,000 annually and was adjusted to \$56,656 for FYE 2022 based on contractor bid quantities for materials. City Council approved Change Order #1 adding an additional \$45,000 to the project on October 12, 2021.

The contractor mobilized August 10, 2021 and in addition to four large-scale sidewalk projects under the Sidewalk Program, they've completed 47 residential and arterial streets repairs under the Citywide Sidewalk Reconstruction sub-project, at an estimated cost of \$93,595.51. As of December 2021, Staff has an estimated \$14,061.53 in projects in queue for January and an additional \$20,401.51, pending property owner participation. Although these efforts will eliminate a years-long backlog of residential and arterial street repair requests, historically Staff receives a surge in sidewalk complaints and requests in the spring when residents return to their outdoor activities.

Additionally, Staff has collected and deposited \$20,497.23 in FYE 2022 resident "50/50" contributions to date. In FYE 2021 Staff began recovering and reinvesting these funds back into the Citywide Sidewalk Reconstruction.

FYE 2022 Deposit Summary

| Deposit Date | To Account | Deposit Amount |
|--------------|--------------|--------------------|
| 9/20/21 | 509-364253 | \$5,957.94 |
| 10/19/21 | 509-364253 | \$2,821.75 |
| 11/2/21 | 509-364253 | \$1,421.25 |
| 11/16/21 | 509-364253 | \$1,421.25 |
| 12/7/21 | 509-364253 | \$6,616.01 |
| 1/6/21 | 509-364253 | \$2,259.03 |
| | Total | \$20,497.23 |

DISCUSSION:

Staff proposes the appropriation of \$20,497.23 from Reimbursements – Citizen Sidewalks (account 509-364253) and the approval of Change Order #2, increasing the Citywide Sidewalk Reconstruction Project by \$80,000 using available program funds to extend the program to the end of the fiscal year, all of which will be spent on increased quantities of existing unit prices. Any unused funds in FYE 2022 will be returned to the available balance and utilized in FYE 2023. Because this program is for future projects, yet to be reported, scoped and executed, this Change Order has included the following statement in lieu of quantities:

“THE PROJECTS ARE NOT PRE-DEFINED. FUNDS ARE TO BE USED FOR THE FYE 2022 CITYWIDE SIDEWALK RECONSTRUCTION PROJECTS PERFORMED BETWEEN THE ACCEPTANCE OF THIS CHANGE ORDER AND THE CLOSURE OF CONTRACT K-2122-1 AT THE END OF FYE 2022 (JUNE 30, 2022). PRICES ARE BASED SOLELY ON UNIT BID PRICES FROM CONTRACT K-2122-1 (ATTACHED)”

If approved, these funds will extend the Citywide Sidewalk Reconstruction Project to rectify sidewalk hazards reported by Norman residents. These funds will only be used for additional 50/50 cost share projects performed before June 30, 2022. If not approved, Contract K-2122-1 will be completed, closed and there will be no active mechanism to assist residents with reported sidewalk hazards until FYE 2023 funds are made available.

Total Sidewalk Concrete Projects Availability

| Sub-Program | Account # | Project # | Total Available/Unencumbered Funds * |
|--|------------------|------------------|---|
| Sidewalk Accessibility | 50593316-46101 | TC0238 | \$ 8,529.25 |
| Sidewalk Program for Schools & Arterials | 50593317-46101 | TC0249 | \$27,958.51 |
| Sidewalks & Trails | 50591179-46101 | TC0262 | \$ 3,937.07 |
| Downtown Sidewalks & Curbs | 50597716-46101 | TC0274 | \$12,082.51 |
| Citywide Sidewalk Reconstruction (50/50) | 50590052-46101 | TC0273 | \$30,364.69 |
| Sub-Total | | | \$82,872.03 |
| After \$20,497.23 Reallocation Approved | | | \$103,369.26 |
| After Change Order #2 Approved | | | \$23,369.26 |

* Unencumbered funds from current project year + prior years rolled forward + 50/50 Program revenue

RECOMMENDATION NO. 1:

Staff recommends the appropriation of \$20,497.23 of deposited resident contributions from Reimbursements-Citizen Sidewalks (Account 509-364253) to Citywide Sidewalk Reconstruction (Account 50590052-46101; Project TC0273).

RECOMMENDATION NO. 2:

Staff recommends Change Order No. 2, increasing Contract K-2122-1 with Nash Construction Company by \$80,000 be approved.

RECOMMENDATION NO. 3:

Staff further recommends the consolidation of funds to Citywide Sidewalk Reconstruction, as detailed above and as follows:

- Transfer \$8,529.25 from Sidewalk Accessibility;
- Transfer \$27,958.51 from School and Arterial Sidewalks;
- Transfer \$3,937.07 from Sidewalks and Trails;
- Transfer \$12,082.51 from Downtown Sidewalks and Curbs.