



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 10/13/2026

REQUESTER: Jason Murphy, Stormwater Program Manager

PRESENTER: Scott Sturtz, Director of Public Works

TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER FOUR TO CONTRACT K-2526-32: BY AND BETWEEN THE CITY OF NORMAN AND C-P INTEGRATED SERVICES, INC., FOR THE CONSTRUCTION OF THE MISTY LAKE DAM REPAIR PROJECT AND FINAL ACCEPTANCE AND FINAL PAYMENT OF \$37,530.01. (WARD 1)

BACKGROUND:

On March 16, 2011, the Oklahoma Water Resources Board (OWRB) reclassified Misty Lake Dam as a “high hazard” dam because failure could affect Alameda Street and nearby residences. OWRB issued an emergency order on March 20, 2015, held a hearing April 14, and issued a Consent Order July 8. The order required the Summit Lakes POA to lower the lake three feet below the emergency spillway, maintain that level until repairs were complete, and submit engineering plans. Repairs were estimated at \$595,000 to \$700,000. Cardinal Engineering completed the plans on May 3, 2019.

Unable to fund the repairs alone, the POAs sought assistance from the Developer and the City of Norman. City Council discussed it during December 6, 2016, Study Session and Executive Sessions on January 24, May 9, and June 13, 2017.

On June 27, 2017, City Council approved Contract K-1617-137, a participation agreement with Summit Lakes, L.L.C. (Developer), Summit Lakes Property Owners Association (POA), and Summit Lake Villas POA for dam repairs between 24th Avenue SE and 36th Avenue SE on Alameda Street. This public-private partnership combined funding and effort to improve infrastructure protecting Norman residents. Summit Lakes Addition contained 10 sections and 542 lots; Summit Villas contained 66 lots; and proposed Summit Lakes Section 11 included 69 lots. The lake and dam occupied common areas maintained by the POAs.

On January 1, 2021, City Council approved Amendment No. 1 to Contract K-1617-137. The POAs transferred funds and donated drainage and access easements to the City. Limited to dam maintenance and inspection, the easements prohibit public recreational access. The City

will perform OWRB inspections, reporting, vegetation control, and structural maintenance; the POAs remain responsible for mowing, sidewalks, litter control, and non-structural improvements.

Under the amended agreement, the City issued RFQ 2122-11 on July 2, 2021, to select a CMaR. Downey Contracting LLC submitted the only proposal July 29. Following evaluation by the Developer and both POAs, negotiations began August 26.

On September 7, 2021, Downey proposed a \$10,000 bid administration fee and a CMaR fee of 8% of construction costs. City staff found the proposal fair and consistent with industry standards, and City Council approved Contract K-2122-67 on October 12. Downey administered bidding; bids opened December 9. Its Guaranteed Maximum Price of \$1,085,088.90 was rejected because it substantially exceeded the project budget.

In March 2024, the City pursued a FEMA High Hazard Potential Dam (HHPD) Grant as an OWRB subrecipient. The parties executed Amendment No. 2 and a Memorandum of Understanding, and City Council approved Resolution R-2324-134 on March 26, 2024.

In June 2025, FEMA awarded \$1.15 million for the project using a 65% federal/35% local split. The \$402,500 minimum local match would come from the \$593,478.95 already held by the City for construction.

On June 24, 2025, City Council accepted the grant through Contract K-2425-137 and appropriated the funds.

On September 23, 2025, City Council approved contract K-2526-32 with C-P Integrated Services Inc., for the construction of the Misty Lake Dam Repair Project in the amount of \$580,672.50. During that same meeting, City Council approved Change Order No. 1 to Contract K-2526-32 increasing the contract amount by \$169,927.50 to \$750,600.00.

On February 13, 2026, the City Manager approved Change Order No. 2 to Contract K-2526-32 adding 60 calendar days to the project.

On March 20, 2026, the City Manager approved Change Order No. 3 to Contract K-2526-32 adding 60 calendar days to the project.

DISCUSSION:

Construction contracts establish both the cost of the work and the period of performance within which the contractor is required to complete it. The period of performance is specified in the bid documents and incorporated into the contract. During construction, progress is evaluated against this schedule, and any proposed adjustment to contract time must be documented and reviewed in accordance with the contract provisions.

The project was completed at the original contract amount; however, completion exceeded the established period of performance. The current contract provided 210 days for completion, while the actual construction duration was 287 days, exceeding the current contract period by 77 days.

Proposed Change Order No. 4 requests 77 additional days and includes no adjustments to the contract amount. Please see the attached Change Order No. 4 for a complete list of additional contract days.

RECOMMENDATION 1:

Staff recommends that Change Order No. 4, increasing the duration of Contract K-2526-32 for the Misty Lake Dam Repair project with C-P Integrated Services, Inc., by 77 days be approved.

RECOMMENDATION 2:

Staff further recommends final acceptance of the Misty Lake Dam Repair project, Contract K-2526-32, and final payment to C-P Integrated Services Inc., be approved in the amount of \$37,530.01. Funds are available in the Misty Lake Dam Repair Project (DR0065, 50596666-46101 Construction).