



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 10/11/2022

**REQUESTER:** Jami Short, Traffic Engineer

**PRESENTER:** Jami Short, Traffic Engineer

**ITEM TITLE:** CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. ONE TO CONTRACT K-2122-95: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND EMC SERVICES, L.L.C., INCREASING THE CONTRACT AMOUNT BY \$38,370.21 FOR A REVISED CONTRACT AMOUNT OF \$207,989.21 FOR THE FLOOD AVENUE SIDEWALKS PROJECT, FINAL ACCEPTANCE OF THE PROJECT, AND FINAL PAYMENT IN THE AMOUNT OF \$80,274.32.

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### **BACKGROUND:**

This project originally began as a federally-funded but became a locally funded project at the request of City Council. The project was first included in the City's Capital Budget as a city only funded project in FYE 2020. Right-of-way concerns from the previous project manager and the engineering design consultant slowed the design progression of the project. On May 10, 2022, the Norman City Council approved Contract K-2122-95 with EMC Services, LLC, of Oklahoma City in the amount of \$169,619 for the installation of new sidewalks along both sides of Flood Avenue from Gray Street to Dakota street. A location map of the project boundaries is attached.

### **DISCUSSION:**

The contractor's Notice-to-Proceed was issued on May 11, 2022, with construction beginning on May 31, 2022. Construction was completed on August 23, 2022. Final inspection was conducted on August 24, 2022. The inspection was conducted by staff of the City of Norman with representatives of EMC Services, LLC. All work was in conformance with the construction specifications and city standards.

A capital project for Flood Avenue Sidewalks was established by staff (Project TR0113, Account 50597712-46101). This account was established with a construction balance of \$274,500. The low bid for the project from EMC Services, LLC was \$169,619. Some transfers to other project accounts have occurred reducing the amount available for construction from \$274,500 to \$232,350.25. To date, two invoices have been paid totaling \$127,714.89 which leaves \$104,635.36 remaining in the account.

Of the twenty (20) bid items, fifteen (15) items had a quantity change. Eleven (11) quantity changes resulted in increased cost, while four (4) quantity changes resulted in decreased cost, for an overall contract increase of \$38,370.21 or 22.6%. On this particular set of sidewalks, much more concrete curb and gutter was needed to be removed and replaced. Also, installation of more of the 6" concrete for the driveway sections was required as the existing driveways consisting of gravel were inadvertently not included in the quantity of the concrete driveway sections and many of the existing drives that connect to the new sidewalk had to be adjusted to meet the ADA grade requirements and in some places to account for drainage. The contract increased from \$169,619 to \$207,989.21. Please see the attached Change Order No. 1 for a complete list of bid item cost increases and decreases.

**RECOMMENDATION NO 1:**

Staff recommends approval of Change Order No. 1 to Contract K-2122-95 with EMC Services, LLC in the total amount of \$38,370.21 resulting in a final contract amount of \$207,989.21.

**RECOMMENDATION NO. 2:**

Staff further recommends final acceptance of the Flood Avenue Sidewalks, FYE 2022 Contract K-2122-95 and final payment to EMC Services, LLC be approved in the amount of \$80,274.32 resulting in a final contact amount of \$207,989.21 which is at \$24,361.04 or 10.5 percent below the current project account balance.