



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/24/2022

REQUESTER: Paul D'Andrea, Capital Projects Engineer

PRESENTER: Shawn O'Leary, Public Works Director

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF CHANGE ORDER NO. FOUR TO CONTRACT K-2021-53: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RUDY CONSTRUCTION COMPANY, INC., INCREASING THE CONTRACT AMOUNT BY \$8,380 FOR A REVISED CONTRACT AMOUNT OF \$2,961,533.87 FOR THE PORTER AVENUE AND ACRES STREET INTERSECTION PROJECT, FINAL ACCEPTANCE OF THE PROJECT, FINAL PAYMENT IN THE AMOUNT OF \$82,208.85, AND BUDGET TRANSFER AS OUTLINED IN THE STAFF REPORT.

BACKGROUND:

On February 26, 2013, City Council approved engineering services Contract K-1213-165 with the Cabiness Engineering, L.L.C., in the amount of \$55,300 to provide a conceptual design for the Porter Avenue and Acres Street Intersection 2019 Bond Project.

On November 25, 2014, the Norman City Council approved Programming Resolution R-1415-54, for the Porter Avenue and Acres Street Intersection 2019 Bond Project.

On July 11, 2017, City Council approved Amendment No. One to engineering services Contract K-1213-165 with Cabiness Engineering, L.L.C., in the amount of \$160,000 to provide final design for the Porter Avenue and Acres Street Intersection 2019 Bond Project.

On April 2, 2019, the citizens of Norman voted in favor of a Bond Issue to finance the local share of nineteen transportation improvement projects. One of the nineteen 2019 bond projects is the Porter Avenue and Acres Street Intersection Bond Project (please see the attached location map showing the project boundaries).

Proposed improvements for the Porter Avenue and Acres Street Intersection 2019 Bond Project include:

1. Revised geometry of the intersection to enhance traffic operations and pedestrian safety
2. New traffic signals with ADA-compliant ramps and crossings.
3. New storm water structures meeting current City of Norman codes and ordinances

4. Dedicated left turn lanes to enhance traffic operations
5. Reconfigured access from Daws Street to accommodate intersection improvements at Porter and Acres
6. Utility relocations as needed to accommodate intersection improvements
7. New ADA compliant pedestrian sidewalks adjacent to the roadway

On September 22, 2020, the City of Norman accepted the final easements required for construction of the Porter and Acres Intersection 2019 Bond Project.

On October 27, 2020, City Council approved Contract K-2021-53 with Rudy Construction Co. in the amount of \$2,600,996.65 for the construction of the Porter Avenue and Acres Street Intersection 2019 Bond Project.

On November 17, 2020, the City of Norman issued the Notice to Proceed to begin construction on the Porter Avenue and Acres Street Intersection 2019 Bond Project.

On February 23, 2021, City Council approved Change Order No. One to Contract K-2021-53 with Rudy Construction Co., in the amount of \$24,911 and adding 45 calendar days.

On March 8, 2022, City Council approved Change Order No. Two to Contract K-2021-53 with Rudy Construction Co., in the amount of \$184,533.80 and adding 203 calendar days.

On March 22, 2022, City Council approved Change Order No. Three to Contract K-2021-53 with Rudy Construction Co., in the amount of \$142,712.42.

DISCUSSION:

As of April 14, 2022, Rudy Construction Co. had completed all work associated with the University Boulevard Drainage Improvements, added to the contract with Change Order No. Two. At that time, city staff, and Rudy, worked together to determine final field quantities for the project.

Change Order No. Three was not paid for with bond funds; instead, the improvements to University Boulevard infrastructure were paid for with FYE 2022 Capital Sales Tax Funds.

Change Order No. Four modifies the existing construction contract with Rudy Construction Co. (K-2021-53) for the Porter and Acres Intersection 2019 Bond Project, to account for differences in the original contract quantities and final as-built quantities for the University Boulevard Drainage portion of the contract. The only items for which quantities changed were "Junction Boxes" and "Water Single Long Service (SLS)". The reasons for the discrepancy in quantities for these items were due to unforeseen utility conflicts discovered in the field during construction.

The total cost of Change Order No. Three is \$8,380 or 0.32% of the original contract. This would bring the overall contract amount to \$2,961,533.87 or 13.86% over the original contract amount. Funding for this change order will be separate from the bond funds used for the base contract and is available in the Lake Thunderbird TMDL account (50599968-46201, Project No. DR0061).

The project will require a transfer of funds into the University Boulevard and White Street Drainage Improvements Project, Construction (Account 50595528-46101; Project DR0021).

This change order does not require an adjustment to contract time.

The City will issue a final payment, including retainage, of \$82,208.85, upon final acceptance of the project by City Council. At that time, maintenance bonds associated with the contract will go into effect.

If Council approves Change Order No. 4 and the final project closeout, the final total cost of the Porter & Acres Bond Project will be \$3,378,925.80. This final cost is \$296,074.20 or 8.06% under the project budget authorized by Norman Voters of \$3,675,000.

RECOMMENDATION 1:

Staff recommends approval of Change Order No. Four for the Porter Avenue and Acres Street Intersection 2019 Bond Project, Contract K-2021-53 with Rudy Construction Co. of Oklahoma City, Oklahoma in the amount of \$8,380.

RECOMMENDATION 2:

Staff recommends the transfer of funds in the amount of \$8,380 from the Lake Thunderbird TMDL, Design account (50599968-46201, Project DR0061) to the University Boulevard and White Street Drainage Improvements Project, Construction (Account 50595528-46101; Project DR0021).

RECOMMENDATION 3:

Staff recommends final acceptance of the Porter Avenue and Acres Street Intersection 2019 Bond Project, Contract K-2021-53 and recommends final payment in the amount of \$82,208.85.