



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/10/2022

REQUESTER: Katherine Coffin

PRESENTER: Michael Rayburn, Capital Projects Engineer

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF BID 2122-54; CONTRACT K-2122-95: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND EMC SERVICES, INC., IN THE AMOUNT OF \$169,619 FOR THE FLOOD AVENUE SIDEWALK CONSTRUCTION PROJECT FROM GRAY STREET TO DAKOTA STREET, PERFORMANCE BOND B-2122-68, STATUTORY BOND B-2122-69, MAINTENANCE BOND MB-2122-50, AND RESOLUTION R-2122-90 GRANTING TAX-EXEMPT STATUS.

BACKGROUND:

On November 10, 2015, City Council approved Resolution R-1516-34 to seek 80% Federal Surface Transportation Program Urbanized Area (STP-UZA) funding, through the Association of Central Oklahoma Governments (ACOG), for the construction of sidewalks along both sides of Flood Avenue, between Gray Street and Dakota Street [see attached map of location].

On September 28, 2017, under existing “on call” engineering contracts, Lemke Land Surveying and Cardinal Engineering (both of whom are now a part of Parkhill, Smith & Cooper Inc. of Lubbock, Texas) agreed to provide professional services to produce plans for this project. Despite their substantial completion of the construction plans, which would have been bid and inspected by the Oklahoma Department of Transportation (ODOT), it was difficult to get the project on an ACOG Transportation Improvement Project (TIP) list, due to selections of higher priority projects by ACOG. The City Council was eager to get the project constructed and decided to bypass the ACOG process in favor of converting the project to a 100% local funding project. This move resulted in additional work being required of the consultants, and exposed some right-of-way shortcomings that had to be resolved as well before bidding.

DISCUSSION:

The process of selecting a contractor to construct the sidewalks was in accordance with state law. City staff prepared the bid documents and solicited bids through advertising. Five companies submitted bids for the April 7, 2022 bid opening, and EMC Services, LLC, of Oklahoma City was the low bidder with a bid of \$169,619 (a copy of the bid tabulation is attached). The City has already invested \$63,780.65 in this project for pre-construction activities including design, land acquisition, and utility relocation. The City’s FYE 2022 Capital Budget

allocated \$279,988 for construction of the sidewalks. If approved, the total amount of this project to date will be \$233,327.65. If awarded, the contractor will begin construction on or about May 27, 2022, and complete the work in August 2022.

RECOMMENDATION NO. 1:

Staff recommends award of Bid 2122-54 to EMC Services, LLC, as the low bidder. Funding will come from FYE 2022 Sidewalk Construction (Account 50597712-46101; Project TR-0113).

RECOMMENDATION NO. 2:

Staff recommends that upon approval of Bid 2122-54 that the Mayor be authorized to sign Contract K-2122-95 between the City of Norman and EMC Services, LLC, in the amount of \$169,619 as well as the following bonds, in the amount of the contract:

Performance Bond B-2122-68
Statutory Bond B-2122-69
Maintenance Bond MB-2122-50

RECOMMENDATION NO. 3:

Staff recommends approval of Resolution R-2122-90 designating EMC Services, LLC as the City's agent for the purchase of materials associated with the FYE 2022 Flood Avenue Sidewalks Project to avoid the payment of sales tax on materials purchases related to the project.