



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: K-1415-23 AMD #1**

**File ID:** K-1415-23 AMD #1

**Type:** Contract

**Status:** Consent Item

**Version:** 1

**Reference:** Item 17

**In Control:** City Council

**Department:** Planning and  
Community  
Development  
Department

**Cost:** \$66,542.00

**File Created:** 12/29/2014

**File Name:** Contract with M&M Wrecking for demolition of 1  
West Gray

**Final Action:**

**Title:** AMENDMENT NO. ONE TO CONTRACT K-1415-23: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND M & M WRECKING, INC., INCREASING THE CONTRACT AMOUNT BY \$66,542.04 FOR A REVISED CONTRACT AMOUNT OF \$99,014.04 TO MODIFY THE SCOPE OF WORK FOR THE DEMOLITION AND CLEARING OF THE STRUCTURE AND PAVING AT 1 WEST GRAY STREET AND FINAL ACCEPTANCE OF THE PROJECT.

**Notes:** ACTION NEEDED: Motion to approve or reject Amendment No. One to Contract K-1415-23 with M&M Wrecking, Inc., increasing the contract amount by \$66,542.04 for a revised contract amount of \$99,014.04; and, if approved, authorize the execution thereof, accept the project, and direct final payment in the amount of \$73,865.64 to M&M Wrecking, Inc.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 02/10/2015

**Agenda Number:** 17

**Attachments:** K-1415-23 Amendment 1, Photographs 1 West  
Gray.pdf

**Project Manager:** Linda Price, Revitalization Manager

**Entered by:** linda.price@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File K-1415-23 AMD #1

Body

**BACKGROUND:** Demolition and clearing of the structures at 1 West Gray Street was a project funded in the FYE 2014 Capital Improvement Program Budget. The site has been owned and used by the City since the early twentieth century with the original structures functioning as the City's water works. The existing structure, built in 1923, was used for a variety of purposes, but the building had friable asbestos in a number of locations, and had deteriorated to the point that it was no longer usable. On August 19, 2014 the City Council approved Contract K-1415-23 in the amount of \$32,472.00 with M & M Wrecking, Inc. of Blanchard. Demolition of the building began in September after asbestos abatement was complete. Sod was applied to the site following

demolition and clearing of the building and paving to the south of the building. The parking lot to the north will remain as is.

**DISCUSSION:** Upon removal of the primary structure, several items were discovered that could not have been anticipated prior to undertaking the project. As part of the demolition, the contractor proceeded to remove the slab of the building, beginning at the north end. After the slab was pulled up, a second slab was discovered, separated by about four inches of sand. In order to complete the task of demolition and clearing, the second slab was removed. Upon removal of the second slab, the two original cisterns for the City's water works were uncovered. The two brick-lined cisterns were each approximately 300 feet deep and 3 ½ feet in diameter. After discussion it was determined that the wells would be covered with steel plates borrowed from the Public Works Department. Covering the wells was necessary for safety purposes and allowed demolition to continue, with a final disposition of the cisterns to be determined later.

The contractor then proceeded to remove more of the first and second slabs, moving to the south. About one-third of the way into removal, a third slab was found covering a large area with five feet deep solid footings that were determined to be the locations of the large pumps that ran the water works in the early part of the 20th century. The cost for removal of the second and third slabs plus additional estimated fill dirt was \$8,760. The cost to remove the footings was significant due to their depth; and it took the contractor three days to break up and remove them. A special tool was required to break the footings into smaller pieces that could be lifted into trucks. The contractor then had to use a packer to ensure that a large volume of dirt wouldn't settle after the removal and fill was completed. The total cost for removal of the footings was \$20,950.

Proceeding further south contaminated soil was uncovered that required testing and removal. During that process two fuel tanks were uncovered, containing diesel fuel. The Oklahoma Corporation Commission (OCC) had to be contacted and the tanks had to be removed. Both the tanks and the contaminated soil had to be taken to a special disposal facility designed to handle that kind of debris. Because of the potential health and environmental impact issues, Staff felt it was necessary to move forward with remediation immediately. The unanticipated cost of removal, disposal, and testing of the contaminated soil alone was \$29,822.04. After removal of the contaminated soil, more soil had to be brought in in order for the contractor to complete the demolition and clearing of the site. An additional 730 tons of dirt was used to fill the area after the footings and contaminated soil were removed.

The Contractor was required to report the discovery of the two fuel tanks containing diesel fuel to the Oklahoma Corporation Commission (OCC). The OCC has now assigned a Case Identification number and has been in contact with Staff about necessary steps to comply with OCC requirements regarding assessment and possible clean up. The City is required to employ a Remediation Consultant that is licensed by the Petroleum Storage Tank Division (PSTD). The City is eligible to apply to the OCC's Indemnity Fund for reimbursement of any required corrective action costs.

Contract No. K-1415-102 with Stantech LLC is also on Council's agenda. Stantech is a licensed Remediation Consultant and will conduct field testing on the site and possibly boring to assess the contamination resulting from the release of diesel from the storage tanks. Stantech will assist the City in applying for Indemnity Fund reimbursement of any required corrective action. Per the contract, Stantech agrees to accept Indemnity Fund reimbursement for its work on this project. The City may be required to pay for a portion of the work as an OCC deductible (1% up to a maximum of \$5,000 for a confirmed release). Once eligibility for Indemnity Fund reimbursement is determined, Stantech will work with the PSTD to obtain pre-approval of all proposed works plans and associated costs. Funds are available in account 050-9365-419.61-01; project number BG0041 for any required deductible.

As a result of all of the unexpected events, the project time frame for the demolition and clearing of 1 West Gray was increased through the middle of December, and additional costs were incurred. The original approved budget was \$125,000. Staff followed the Competitive Bidding Act in soliciting bids, but the bids received were less than the \$50,000 threshold for the Act's applicability. Staff has prepared Amendment No. 1 to Contract No. K-1415-23 to add the additional and previously unanticipated services to the contract. This essentially modifies the scope of work to include all of the remediation, and the additional labor and costs to remove the pumps, and fuel tanks. With the modified scope of work, the total cost of the project is \$99,014.04. One previous payment of \$25,148.40 had been made leaving a balance of \$73,865.64. Funding is available in

account 050-9365-419.61-01; project number BG0041 for final payment under the contract as amended.

**RECOMMENDATION:** Staff has reviewed Amendment No. 1 to Contract No. K-1415-23 in the amount of \$66,542.04 and recommends approval and final payment in the amount of \$73,865.64 for the FYE 2014 Demolition and Clearing of the Structure at 1 West Gray Street. Staff further recommends final acceptance of the project.

Staff also recommends approval of Contract No. K-1415-102 with Stantech LLC for remediation services related to the diesel fuel tanks discovered as part of the Demolition and Clearing of the Structure at 1 West Gray Street.