



MEMO TO: Darrel Pyle, City Manager

MEMO THROUGH: Shawn O'Leary, Director Public Works
Scott Sturtz, PW City Engineer

MEMO FROM: Jack Burdett, Subdivision Development Coordinator

DATE: November 13, 2020

SUBJECT: Agenda Item: 1) Change Order No. 3 for the
FYE 2020 Sidewalk Concrete Projects
Contract No. K-1920-13
2) Transfer of funds from account no. 505-92206-46101,
Project No. TC0038 to account no. 505-91179-46101,
Project No. TC0262 in the amount of \$21,605.00

BACKGROUND:

Pursuant to State Law (Title 11, Section 36-104), the construction and maintenance of sidewalks are the responsibility of the adjacent property owner. In 1997, City Council recognized the need to create sidewalk programs to reduce this burden to property owners. Funds were allocated for four (4) separate capital project accounts each year thereafter. The fiscal year ending June 30, 2020 (FYE 2020) Capital Improvement Program Budget includes these four (4) concrete sidewalks programs and one (1) additional program "Sidewalks and Trails". The projects are similar in nature, so more competitive bids have historically been obtained by bidding them together. Therefore, staff has combined these projects into one project entitled the FYE 2020 Sidewalk Concrete Projects.

These projects were awarded August 27, 2019 to EMC Services, LLC with Change Order No. 1 for a total contract price of \$325,520.00.

One of these projects, "**Sidewalks and Trails Project**", constructs new sidewalk and trails throughout the city, in conformance with adopted plans, including the Greenbelt Master Plan, Bikeway & Transportation Master Plan and Parks Master Plan. The location this fiscal year is concentrated along the south side of Main Street from of 24th Avenue West to Park Drive to close sidewalk gaps and provide sidewalk and ramp improvements at intersections.

On June 23, 2020 Change Order No. 2 was approved by City Council in the amount of \$31,740.00 for additional work in the commercial areas between Flood Avenue and Berry Road.

DISCUSSION:

Upon review of the sites prior to construction, southern corners of Main Street at Sherry Avenue, Mercedes Drive and Collier Drive were identified to need additional work to comply with current ADA standards. These intersections have storm drains inlets in the crossing area and will need to have a modified location and ramp landing areas. If approved, this Change Order No. 3, will increase the contract amount by \$21,605.00 to address intersection ramp issues for a total contract price of \$378,865.00, which is a 16.39% increase in the original contract amount.

In the City's 2018 ADA Transition Plan Update, Main Street from 24th Avenue to Berry Road Avenue was one of the corridors identified for accessibility improvements. The City's FYE 2020 capital budget allocates \$225,000 to be used on the Main Street corridor from the "ADA Sidewalk Compliance Audit and Repair" account No. 505-92206-46101, Project No. TC0038. The funds for Change Order No. 3 are available from this account.

office memorandum

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RECOMMENDATION NO. 1:

Staff recommends approval of Change Order No. 3, increasing Contract No. K-1920-13 with EMC Services, LLC by \$21,605.00 making the final contract amount of \$378,865.00.

RECOMMENDATION NO. 2:

Staff further recommends transfer of funds from “ADA Sidewalk Compliance Audit and Repair” account No. 505-92206-46101, Project No. TC0038 to “Citywide Sidewalk Reconstruction Program” account No. 050-9052-431.61-01, Project No. TC 0271 in the amount of \$21,605.00.

Reviewed by: Scott Sturtz, City Engineer
Shawn O’Leary, Director of Public Works

CHANGE ORDER SUMMARY
CITY OF NORMAN
CLEVELAND COUNTY, OKLAHOMA

CHANGE ORDER NO. 3

DATE: Tuesday November 3, 2020

CONTRACT NO.: K-1920-13

SUBMITTED BY: Jack Burdett

PROJECT: FYE 2020 SIDEWALK CONCRETE PROJECTS

CONTRACTOR: EMC Services, LLC
Address: 1400 SW 56th Street
City, State, Zip: OKLAHOMA CITY, OK 73119

Original Completion Date: July 31, 2019

Previous Completion Date: September 15, 2020 ORIGINAL CONTRACT AMOUNT: \$312,298.50

(Increase) this change order 70 Calendar days

New Completion Date November 24, 2020 PRESENT CONTRACT AMOUNT: \$325,520.00

| DESCRIPTION | DECREASE | INCREASE |
|---|----------|-------------|
| <u>See Attached "Change Order Detail"</u> | \$0.00 | \$21,605.00 |

Note: This change order is based completely on the unit prices from the original contract. There are no new items.

NET CHANGE: \$21,605.00

REVISED CONTRACT AMOUNT \$378,865.00

CONTRACTOR:  DATE: 11-3-2020

ARCH./ENGINEER:  DATE: 11/6/2020

CITY ATTORNEY:  DATE: 11/16/20

ACCEPTED BY:  DATE: 11-16-20
(City Manager)

CHANGE ORDER DETAIL
CHANGE ORDER NO. 3
City of Norman
Cleveland Co., Oklahoma

Project Name: FYE 2020 SIDEWALK CONCRETE PROJECTS

Design Engineer/Manager: Jack Burdett

Address/Phone: 201 WEST GRAY

NORMAN, OK 73070

405.366.5459

Project Account Number's: TC0262

Contract No. K-1920-13

- A. Change Orders or addenda to public construction contracts of One Million Dollars (\$1,000,000.00) or less shall not exceed a fifteen percent (15%) cumulative increase in the original contract amount.
- B. Change Orders or addenda to public construction contracts of over One Million Dollars (\$1,000,000.00) shall not exceed the greater of One Hundred Fifty Thousand Dollars (\$150,000.00) or a ten percent (10%) cumulative increase in the original contract amount.
- C. Change Orders or cumulative change orders which exceed the limits of subsection A or B of this section shall require a re-advertising for bids on the incomplete portions of the contract.
- D. All change orders shall contain a unit price and total for each of the following items:
 - 1. All materials with cost per item; and
 - 2. Itemization of all labor with number of hours per operation and cost per hour; and
 - 3. Itemization of all equipment with the type of equipment, number of each type, cost per hour for each type, and number of hours of actual operation for each type; and
 - 4. Itemization of insurance cost, bond cost, social security, taxes, worker's compensation, employee benefits and overhead cost; and
 - 5. Profit for the contractor.
- E. If a construction contract contains unit pricing, and the change order pertains to the unit price, the change order will not be subject to subsection A or B of this section.
- F. When the unit price change does not exceed Ten Thousand Dollars (\$10,000.00), the unit price change order computation may be based on an acceptable unit price basis in lieu of cost itemization as required in paragraphs 1,2,3,4 and 5 of subsection D of this section.
- G. Alternates or add items bid with the original bid and contained in the awarded contract as options of the awarding public agency shall not be construed as change orders under the provisions of the Public Competitive Bidding Act of 1974.

CHANGE ORDER (Continued)

CHANGE ORDER NO. 3

PROJECT NAME: FYE 2020 SIDEWALK CONCRETE PROJECTS

| Description | | | |
|---|---|----------|--------------------|
| FYE 2020 Sidewalks and Trails | | | |
| Acct. No. 050-9179-431 Proj. No. TC0262 | | | |
| Item | Description | Decrease | Increase |
| 8 | Removal of Concrete Sidewalk | | |
| | 150 SY x \$9/SY= | | \$1,350.00 |
| 10 | Removal of 6" Concrete Pavement | | |
| | 30 SY x \$10/SY= | | \$300.00 |
| 12 | Sawing Pavement/Sidewalk | | |
| | 150 LF x \$1.5/LF = | | \$225.00 |
| 13 | 4" Concrete Sidewalk | | |
| | 120 SY x \$55/SY = | | \$6,600.00 |
| 19 | 6" Concrete (HES 3000 PSI) | | |
| | 20 SY x \$58/SY = | | \$1,160.00 |
| 20 | Sidewalk Ramps | | |
| | 65 SY x \$95.00/SY = | | \$6,175.00 |
| 20a | Detectable Warning Surface | | |
| | 80 SF x \$30/SF = | | \$2,400.00 |
| 24 | 8" Concrete Curb (Barrier-Integral) | | |
| | 90 LF x \$17/LF = | | \$1,530.00 |
| 27 | 1/2" Joint Dowel | | |
| | 25 x \$5/Each | | \$125.00 |
| 30 | Removal of Curb and Gutter | | |
| | 60 LF x \$7/LF = | | \$420.00 |
| 31 | Concrete Curb and Gutter | | |
| | 60 LF x \$22/LF = | | \$1,320.00 |
| | | | |
| | | | |
| | Total increase FYE 2020 Sidewalks and Trails | | \$21,605.00 |

PROJECT NAME: FYE 2020 SIDEWALK CONCRETE PROJECTS

| | | Decrease | Increase |
|--------------------|--|---------------|--------------------|
| GRAND TOTAL | | \$0.00 | \$21,605.00 |

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